

**PROPOSED RMA CHANGES – HOW WILL IT
AFFECT YOUR TRANSPORT ASSESSMENTS?**

IPENZ Transportation Group Conference 2013

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RMA Reform

**Rethinking
Reform**

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Topics

- Resource Management Reform Bill 2012
- Discussion Document “Improving our Resource Management System”
- Impact of Changes of Transportation Engineers

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Resource Management Reform Bill 2012

The Resource Management Reform Bill 2012 is a part of the Phase 2 reforms and provides for:

- Six month processing of medium sized consents;
- streamlined hearing process - Auckland Unitary Plan;
- Environment Court consenting - major regional projects;
- Enhanced requirements for Councils, - robust planning decisions; and
- Other amendments aimed at improving RMA processes.



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Bill: Six Month Consent Time continued

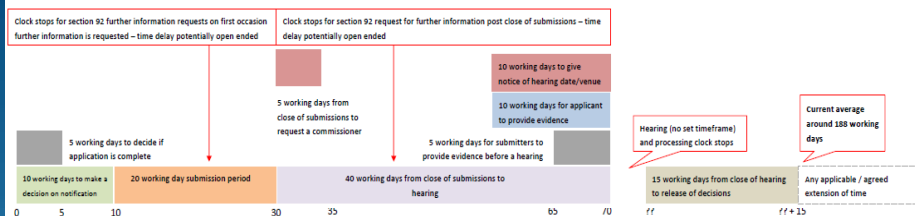
- Medium sized projects
- Six month processing to decision
- Public notification: 130 working days
- Limited notification: 100 working days
- Date changes



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Bill: Six Month Consent Time

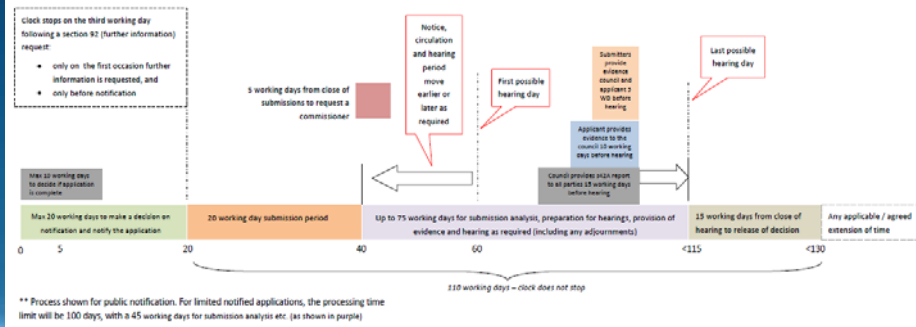
EXISTING CONSENT PROCESS FOR NOTIFIED APPLICATIONS UNDER THE RESOURCE MANAGEMENT ACT 1991*



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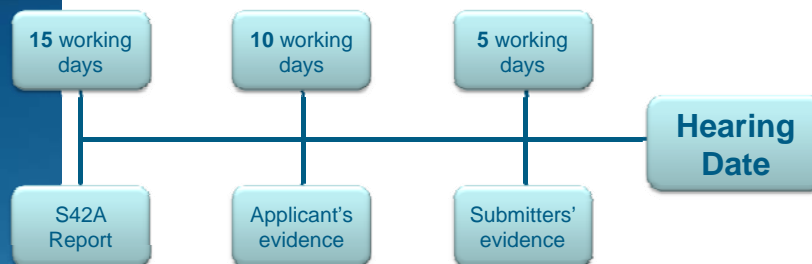
Bill: Six Month Consent Time continued

PROPOSED SIX MONTH CONSENT PROCESS FOR PUBLICALLY NOTIFIED APPLICATIONS**



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Bill: Six Month Consent Time continued



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Bill: S42A Reports

- Proposal: s42A report may adopt any information in an application for resource consent
- Currently: only AEE incorporated



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Bill: Stopping the Clock



- Only stop for **first** further information request
- Only stopped 3 working days after the further information request
- See Section 88B & 88BA

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Bill: Direct Referral to Environment Court

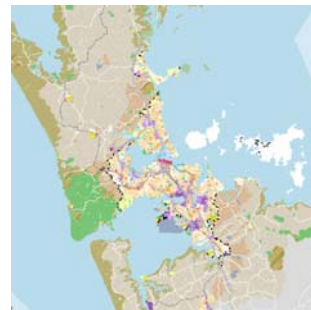
- Certain value of investment to be set by regulations
- > value: must be directly referred if requested
- Environment Court assesses as usual



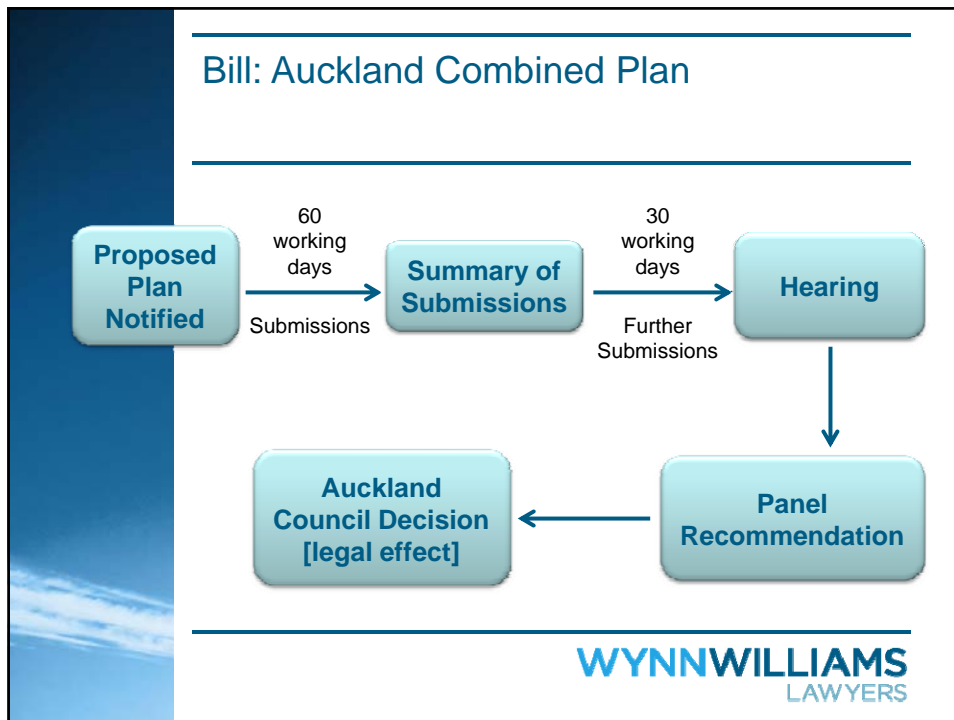
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Bill: Auckland Combined Plan

- One hearing at council level
- Independent commissioners
- No Environment Court
- Only appeal on points of law to High Court



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Bill: New Application Requirement

- AEE **MUST** include new Schedule 4 matters
- Specific information in applications
- Justify why permitted activity

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Bill: Section 32

- “More robust cost-benefit analysis”
- S32 → S32 + S32AA
- New: opportunity costs **lost** due to proposal
- Report = scale and effects of proposal

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Resource Management Discussion Document

Six core objectives:

- Greater National consistency and guidance;
- Fewer, better resource management plans;
- An effective and efficient consenting system;
- Better natural hazard management;
- Effective and meaningful Maori participation; and
- Working with Councils to improve the RMA service performance

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Greater National Consistency and Guidance

To Achieve This:

- Change sections 6 and 7 of the RMA
- Government powers to direct plan changes
- More efficient and effective NPS's and NES's



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Fewer and Better Resource Management Plans

To Achieve This:



- National plan template - standard terms and definitions
- Obligation to plan positively for future needs (eg, land supply)
- Joint plan process – narrowed appeals
- Fast Environment Court proceedings

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More Efficient and Effective Consenting

To Achieve This:

- 10 working day time limit
- “Approved exemption”
- Specifying non-notified basis
- Limited scope of conditions
- Limited participation



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Better Natural Hazard Management

To Achieve This:

- Natural hazards added to principles of the RMA
- Amend Section 106 RMA
- Consider natural hazards in subdivision, land use



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Significance for Transportation Engineers



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Bill: Significance for Transportation Engineers



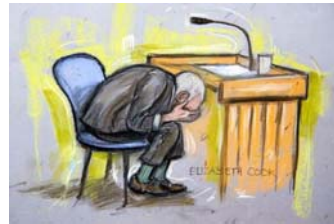
- Clock stopping: Provide requested further information within three working days
- All Schedule 4 information included in applications
- Set out reasons for permitted activities
- Transport input into Section 32 report: adhere to the new analysis requirements
- New timeframes when assessing and reviewing applications or parts of applications
- Section 42A reports: adopt any information in a application

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Bill: Significance for Transportation Engineers *continued*

Auckland Plan process:

- Environment Court standard evidence
- Change in dynamics
- Cross examination – experiences witnesses
- Witness conferencing



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Conclusion

- Ideas at this stage
- If pursued, Bill before law
- Be aware of directions of changes



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