

National's Plan for the RMA

National is committed to substantial reform of the Resource Management Act. These reforms are critical to addressing New Zealand's roading and electricity infrastructure crisis. They are also important in attracting investment in industries like forestry and reducing compliance costs for farms, small business and homeowners. National's objective is to reduce the costs, delays and uncertainties of the Act while maintaining high environmental standards.

National supports the underpinning principles of the Act, notably the commitment to sustainability, the integrated approach to environmental management and the focus on environmental effects. Our major concern is that the Act has become too complex and cumbersome. This is evidenced by the 15,000 pages of district and regional plans, the 50,000 consents required each year and the seven year average time required for a council to process a plan change.

National's reforms involve a rebalancing of several key aspects of the Act. Firstly, the Act is too idealistic about public consultation, to the point where minority interests can impose huge costs or delays on communities. Secondly, the Act gives insufficient weighting to the rights of property owners about how their land is used. Thirdly, the Act is too devolved, resulting in councils in every part of the country having to reinvent the wheel.

National will reform the RMA in two phases. The first phase involves process issues that have been extensively debated since the McShane review in 1998. These will be included in a Bill introduced within three months of the election and passed into law within nine months.

The second phase of reform will deal with the more complex issues of resource allocation and infrastructure provision. A major piece

of work will be undertaken on tradable water rights to improve the incentives for efficient and flexible water use. National will look to replace the command and control approach to urban development with the smart use of development levies. It is not for the state or councils to drive denser city living by regulation, but instead to ensure people face the full infrastructure costs of their lifestyle decisions. These initiatives are about making greater use of economic instruments within the RMA framework and will be developed on a slower track to enable community input and careful attention to detail.

To increase certainty and consistency National will:

- Establish an Environmental Protection Authority with responsibility for developing national environmental standards and policy statements.
- Strengthen national environmental standards by removing the ability for councils to set higher or lower standards and by automatically granting resource consents that comply with national standards.
- Rewrite the principles of the Act to provide for sustainable development and a greater recognition of property rights.
- Repeal Labour's 2005 amendment that requires District Councils to comply with policy directions from Regional Councils.
- Simplify the process for changing district and regional plans and require all councils to have operative plans within 12 months of the reform bill being passed.
- Tighten the definition of 'environment' so the Act is focussed on management of natural and physical resources.
- Limit the role of DoC to advising councils on biodiversity and

heritage issues.

To reduce delays in the RMA, National will:

- Enable resource consent applicants to refuse further information requests from councils, and to have their consent accepted or rejected on the information provided.
- Repeal Labour's 2005 amendment that enables council notification decisions to be appealed to Environment Court.
- Legislate for a late consent being a free consent.
- Require decisions of the Environment Court to be delivered within 20 days of hearing concluding.
- Scrap Labour's \$3.4 million RMA Legal Aid Objection Fund.

To limit vexatious and frivolous objections, National will:

- Repeal section 8 (Treaty of Waitangi) and the 33 other provisions that make exclusive reference to Maori cultural and spiritual values.
- Reintroduce standing so that a person has to show they have a genuine interest in or will be affected by a resource consent, to be able to object.
- Repeal Labour's 2002 amendment so that the Environment Court can require security for costs from an applicant or objector.
- Strengthen the powers of the Environment Court to award costs.
- Expand the capacity of the Environment Court and councils to reject vexatious and frivolous objectors.

To streamline consent processing, National will:

- Enable an applicant to seek direct referral to the Environment Court for major consents that are likely to be appealed regardless of outcome.
- Integrate archaeological consents into the Resource Management Act
- Reduce the number of categories of consent, and thus complexity of the Act and plans.
- Widen the application of the limited notification process.
- Introduce a new compensation mechanism for landowners significantly affected by plan changes or significant resource consents.