

Legislative Statement | Spatial Planning Bill

Presented to the House in accordance with Standing Order 272.

This legislative statement supports the first reading of the Spatial Planning Bill (SP Bill) which, alongside the Natural and Built Environment Bill (NBE Bill), proposes to reform the resource management system. The Climate Adaptation Bill, which is also part of the reform, will be introduced in 2023.

The SP Bill mandates long-term spatial planning at the regional level through the development of Regional Spatial Strategies (RSS). It will enable and drive changes in land use and the coastal marine area, while protecting and enhancing the natural environment. It will integrate planning across different legislative frameworks that are associated with the management of the natural and built environment.

The SP Bill incorporates the purpose and outcomes of the NBE Bill, as well as provisions relating to regional planning committees. It also cross-references definitions and processes, where appropriate. It has been developed with the oversight of the Spatial Planning Reform Board, an interdepartmental executive board of key agency chief executives established under the Public Service Act 2020.

The SP Bill fills a major gap in the current resource management system, ensuring better outcomes including well-functioning urban environments, adequate housing and infrastructure, and healthy natural environments.

Regional Spatial Strategies

The SP Bill requires the creation of one RSS for each region (with one covering both Tasman and Nelson regions, ie Tasman District and Nelson City as unitary authorities). Each strategy will identify key matters affecting the region and provide a vision and objectives for the region's development and change, as well as priority actions to progress the vision and objectives.

The SP Bill identifies a range of matters that must be addressed in each strategy to the extent they are of strategic importance to the region. Those include matters relating to future locations of major developments, infrastructure needs, actions to address climate change and the risks of natural hazards, and important areas for protection for environmental or cultural reasons.

RSS will be long-term, looking forward at least 30 years. They will support efficient, effective and integrated management of the environment under the Natural and Built Environment Act (NBA). RSS will enable greater alignment and coordination in funding and investment by government and the private sector, including infrastructure providers, as well as local and regional bodies.

Preparation of Regional Spatial Strategies

RSS will be made by regional planning committees, which are to be created under the NBA, with the addition of a central government representative for RSS purposes. The SP Bill contains provisions to allow parts of strategies to be prepared by a cross-regional process if that is desirable to address issues common to two or more regions.

An RSS will be prepared using an engagement process designed by the regional planning committee to encourage public participation and to gather the information needed to support robust decision-

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making. The Bill also includes a duty on a range of agencies and bodies to provide information and technical support to the committee.

In preparing the strategy, the committee must comply with direction in the National Planning Framework prepared under the NBA, and have particular regard to key national documents such as the Government policy statements on land transport, and housing and urban development. The Treaty clause in the NBA also applies, as do obligations to uphold Treaty settlements.

Implementation of Regional Spatial Strategies

Plans developed under the NBA, and regional land transport plans developed under the Land Transport Management Act 2003, must be consistent with the relevant RSS. Long-term plans under the Local Government Act 2002 must set out steps to implement relevant priority actions in the strategies.

Once the RSS is complete, the regional planning committee must consult on and adopt an implementation plan, which identifies the bodies that will be implementing the priority actions in the strategy (with the agreement of those parties). There can also be voluntary implementation agreements agreed between parties who will be working together to implement parts of the strategy.

Review of Regional Spatial Strategies

RSS will be reviewed every nine years, or when there are major changes in the environment or in national direction or evidence that means the strategy needs to be updated. The SP Bill provides some flexibility on the process to follow when amending a strategy, based on the type of review and significance of the changes.

Other matters

The SP Bill also contains a range of measures, including the ability of the Minister to issue regulations or directions, to ensure that quality RSS can be delivered.

Consequential changes to other legislation are designed to integrate RSS with relevant statutory processes and instruments.

Water Services Entities Bill (WSEB)

The WSEB is currently going through the parliamentary process. The WSEB and SP Bill will need to cross-reference each other to provide certainty about how the two regimes interact. Advice will be provided to the select committee on proposals to connect RSS with the water services entities' planning and accountability framework.