

13 December 2023

Transitional National Planning Framework
Ministry for the Environment

Draft Transitional National Planning Framework (NPF).

Thank you for the opportunity to provide feedback on the draft NPF.

Kapiti Coast District Council (KCDC) is broadly supportive of the NPF. While the Natural and Built Environment Act (NBEA) and Spatial Planning Act (SPA) now face repeal, Council considers that the objective of the NPF to provide a coherent and consistent set of national directions to support the primary resource management legislation is sound, and pursuit of this objective should remain a part of Government's future reforms.

However, we acknowledge that the newly formed Government has plans to reduce regulatory burden and, in that respect, a more simplified and consistent national direction with fewer, and clearer, requirements would be beneficial for regulators and the community.

Specific Recommendations:

1. Urban Development and Green Spaces:

KCDC broadly support the inclusion of new high-level strategic direction for urban trees and green spaces in the NPF. However, to enhance the effectiveness of the policy in promoting green infrastructure and urban biodiversity, we recommend the further specification of quantitative targets for urban tree canopy coverage within the NPF.

KCDC also urge introduction of clear and measurable goals, ensuring the preservation and expansion of urban greenery. This will enhance the effectiveness in promoting green infrastructure and urban biodiversity in fostering sustainable and resilient communities. It also makes it much easier to discuss with communities.

2. Infrastructure Planning:

KCDC recommend optimising the integration of long-term land use and infrastructure planning by providing a mechanism for ongoing collaboration between regional planning committees (RPCs) and infrastructure providers (provided by 12.2.4 (1)).

However, we would like there to be more flexibility for where and how RPCs operate. For example, KCDC is between two regional bases – Wellington (Te Horo and Waikanae South), and Horowhenua-Manawatu (Te Horo and Otaki North), due to our boundaries. We would like the option to be able to choose who we partner with and on what terms, so that our community as a whole receives the best outcomes possible,

If RPCs are established, this could involve regular forums or joint planning initiatives to ensure a coordinated and efficient approach to infrastructure development. For clarity, in section 12.2.7, it would be useful to define what 'specified critical infrastructure' means.

In section 12.2.8 (3), there is a reference to 12.2.8 (4) which does not exist.

3. Indigenous Biodiversity:

For strengthening the protection and restoration of indigenous biodiversity, KCDC propose an explicit requirement for RPCs to collaborate with environmental organisations and stakeholder representatives of those using the land (e.g. local farming groups), when developing strategies for significant biodiversity areas (SBAs). This collaborative approach can leverage local knowledge and community engagement for more effective outcomes, achieving consensual buy-in from landowners and communities.

KCDC are already working with local iwi authorities, and mana whenua, and have iwi representation at governance level. We would prefer to push engagement on governance decisions to a local level, so that RPC representation is based on existing governance arrangements, rather than duplication which in past regional committees have not worked well. RPCs would be best based on a collection of local views, supported by good regional governance support. In our view, more recent regional committees have not supported good engagement for some of our iwi partners. We think this would be a valuable way to ensure that iwi partnership is achieved with local, regional and national government in a culturally safe, and meaningful way. KCDC propose this could be a topic of future discussion with iwi.

General Feedback:

4. Framework clarity and cohesion:

While the released draft transitional NPF attempts to provide a clear and cohesive framework, complexities persist. As noted in our previous submission on "Our future resource management system," KCDC emphasise the importance of clear and coherent national direction to resolve conflicts through the current consenting regime.

Whilst we recognise the value of having consistent national direction in one place to simplify plan-making, further guidance is necessary to help consenting authorities resolve conflicts between parts of national direction in practical application. This is crucial, given historical challenges faced by Councils struggling with interpreting and applying these conflicting policies (particularly NPS-FM and NPS-UD) in regional plans while managing requirements for future urban growth.

Further to this, we are seeing more active engagement at local level which has meant that communities are raising concerns around non-consistent regulation that is set by national direction. The NPF must do better at coordinating, across central government, a more comprehensive 'one goal' pushed forward, rather than the multi-goal base that we currently operate from.

5. Amendment to RMA:

As noted in our previous submission on “Our future resource management system”, we recommend amending the Resource Management Act 1991 (RMA) to enable the NPF to apply to RMA plans and policy statements during the transition phase. This will facilitate familiarity with the NPF and ensure provisions in existing plans align with the framework, reducing the need for extensive amendments.

6. Importance of Limits:

KCDC supports the use of limits as a tool to protect the environment, advocating for mandatory limits across various domains. We emphasise the need for mandatory limits on greenhouse gas emissions to address climate change effectively. This would be valuable in supporting local, regional and national emission reduction goals.

7. Over-arching Direction:

KCDC acknowledges national direction allows for 'overarching' or 'cross-cutting' guidance, enhancing coherence. The transitional NPF successfully incorporates and redrafts the policy intent of existing RMA national direction, focusing on environmental domains and topic areas.

However, as noted above, the NPF also needs to indicate how conflicting direction can be managed within resource consent processes. It may be valuable for policy makers to get further advice from local councils on these conflicts at an operational level.

8. Population targets:

The population targets require further consideration in terms of changes in predicted population figures, while further consideration needs to be given in the NPF as to how future population growth can be accommodated across both urban and rural areas and how such areas are defined.

KCDC therefore requests that this issue be given further consideration in the final NPF.

9. Central-Local Government Relationship:

While the opportunity for councils to comment on the pre-consultation draft is welcomed, actively involving local government in the legislative development process through a more collaborative approach could provide for greater problem-solving capabilities, particularly with issues of implementation that may arise from the new Acts and associated regulations is needed.

Further to this, local council input into regulatory impact statements should be sought to understand the cost of implementation and unbudgeted mandate that is shifted from central to local government, and by rote communities.

10. Cost Implications and Iwi engagement:

In the spirit of fostering effective collaboration and engagement, we would like to seek further clarification on the funding mechanisms to support iwi engagement.

Adequate funding is crucial to ensure meaningful involvement and participation of iwi authorities, hapū, and other Māori groups in the development and implementation of the NPF. Could the Ministry provide additional information on the funding to be allocated for iwi

engagement and any specific mechanisms in place to ensure transparency and fairness in the distribution of these funds? Ensuring adequate resources for iwi engagement is crucial for honouring the principles of te Tiriti o Waitangi and fostering a truly collaborative approach between central and local government, and iwi.

11. Funding for implementation:

Considering the cost-of-living crisis faced by communities in Kāpiti Coast, and elsewhere, KCDC urges a fair and enduring shared funding model between central and local government to support the implementation of reforms.

KCDC would like a model to be introduced to fund reform implementation, not as a fund or grant system, but as a matter of course based for example on forecast population base.

12. Process and Community engagement:

KCDC recommend a more informed and measured approach, including introduction of goals alongside proposed solutions. Engaging with local government, communities, and iwi is crucial for successful reform implementation to ensure that perspectives, needs and insights of different community groups are considered, fostering a more collaborative and well-informed decision-making process.

However, it's important that central government engages in existing local processes rather than introducing new, duplicative process. Local government have existing connections and mechanisms for engagement with communities which central government could leverage, and fund to support feedback on reform work.

13. Implementation and Future Considerations:

A thorough transition plan, incorporating the knowledge and experience of local government, is essential. Council is concerned about potential wider impacts on community engagement and democratic processes.

KCDC, in highlighting the above issues, seeks to ensure that the underlying principles and vision of the draft NPF are carried through to successful implementation at a national, regional, and local level. Our submission seeks to highlight the need for greater clarity in some areas of the draft transitional NPF and the structures envisaged to ensure plans can be consistently formulated and delivered nationally.

KCDC acknowledges the complexity of reforming the resource management system, and we appreciate the Ministry's commitment to engaging with local government, iwi authorities, hapū, and other stakeholders in this process.

Thank you for considering our submission, and look forward to our continued collaboration. If you have queries on our submission please touch base with kris.pervan@kapiticoast.govt.nz

Ngā mihi



Darren Edwards

**CHIEF EXECUTIVE | TE TUMUAKI RANGATIRA
KĀPITI COAST DISTRICT COUNCIL**