

OIR: 2324/910

28 May 2024

Tēnā koe

Request for Information under the Local Government Official Information and Meetings Act 1987 (the Act) (the LGOIMA)

Thank you for your email of **1 May 2024** requesting the following information:

1. A copy of any application, or draft application, for any project that Kāpiti Coast District Council has submitted, or intends to submit, to the process to be considered for addition to Schedule 2 of the Fast Track Approvals Bill;

Kāpiti Coast District Council (KCDC) has not made an application for any projects to be considered for addition to Schedule 2 of the Fast Track Approvals Bill. However, we are aware of at least one project is being considered as part of the current process by a third party.

- 2. A copy of all correspondence between the council, councillors and staff in relation to the Fast Track Approvals Bill (including, but not limited to, any application to be considered for addition to Schedule 2 of the Bill) and the following people or organisations:
  - a. any member of Parliament, whether in their capacity as a MP or as a Minister of the Crown;
  - b. Ministry for the Environment;
  - c. Ministry of Business Innovation and Employment;
  - d. Department of Conservation;
  - e. Department of Prime Minister and Cabinet;
  - f. Ministry for Primary Industries

Please note that any information provided in response to your request may be published on the Council website, with your personal details removed.

I can confirm that Council made a submission on the proposed Fast Track Approvals Bill raising a series of concerns. The Mayor spoke to this submission on 17 May 2024, which is attached for your information: <u>Submission to</u> <u>Environment Select Committee on Fast-track Approvals Bill 2024</u> – 22 April 2024

The Mayor and Chief Executive also hosted the Hon Chris Bishop and Tim Costley MP for a visit on the 22 April 2024. The visit focussed on a number of major projects underway across the District.

I understand that during discussion, the Minister asked the Mayor and Chief Executive as to their experience to date with the Fast Track Consenting process and projects underway in the District. Please find attached correspondence relating to this meeting.

The only other correspondence between Council staff or Elected members with any of the organisations you listed in your question includes emails received by many staff from Ministry for the Environment, which is attached for your information.

Ngā mihi,

**Kris Pervan** Group Manager Strategy and Growth Te Kaihautū Rautaki me te Tupu

Subject:	RE: Catch up ahead of Minister visit	
To: Cc:	Lucy Knowles <lucy.knowles@mfe.govt.nz> Jason Holland <jason.holland@kapiticoast.govt.nz></jason.holland@kapiticoast.govt.nz></lucy.knowles@mfe.govt.nz>	
Sent time:	04/09/2024 03:39:24 PM	
From:	Kris Pervan <kris.pervan@kapiticoast.govt.nz></kris.pervan@kapiticoast.govt.nz>	

#### Kia ora

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Paraparaumu				
Out of scope				
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connection from Kapiti Road and Ihakara St	to enable bet	ter traffic flow and managem	ent.	
Out of scope				

Out of scope		
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Points in yellow above are additional information.

Further to these points, we shared that the Mayor is likely to note support of amendments to Fast-track resource consenting process, including improved connection between local and central government (eg local authorities on panel). She may also note the challenges of unintended consequences on community from the process that we will need to carefully manage in implementation Out of scope

I confirm that the meeting with Minister Bishop is 22 April. Are you please able to confirm whether there are any other meetings proposed in our district during April.

Nga mihi, Kris

Kris Pervan (she/her) Group Manager Strategy & Growth Te Kaihautū Rautaki me te Tupu Tel 04 296 4896 Mobile 027 555 5896 www.kapiticoast.govt.nz -----Original Appointment-----From: Jason Holland <Jason.Holland@kapiticoast.govt.nz> Sent: Tuesday, April 9, 2024 9:01 AM To: Jason Holland; Lucy Knowles; Kris Pervan Subject: Catch up ahead of Minister visit When: Tuesday, 9 April 2024 2:30 pm-3:00 pm (UTC+12:00) Auckland, Wellington. Where: Microsoft Teams Meeting

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Kapiti Coast



From:	Darren Edwards  Darren.Edwards@kapiticoast.govt.nz>		
Sent time:	04/30/2024 09:23:50 AM		
To:	*XTEAM - Senior Leadership Team (SLT) <seniorleadershipteam@kapiticoast.govt.nz></seniorleadershipteam@kapiticoast.govt.nz>		
Subject:	FW: Letter from Hon Chris Bishop		
Attachments:	image001.jpg Letter from Hon Chris Bishop 1.pdf		

FYI

### Darren Edwards

Chief Executive Te Tumuaki

Kāpiti Coast District Council Tel 04 296 4894 Mobile 021 366 703

www.kapiticoast.govt.nz

From: RMAReform.portfolio <RMAReform.portfolio@parliament.govt.nz> Sent: Tuesday, April 30, 2024 9:01 AM To: rmreform@mfe.govt.nz Subject: Letter from Hon Chris Bishop

Mōrena,

Please find attached a letter from Hon Chris Bishop.

Ngā mihi,



Office of Hon Chris Bishop

Minister for Housing, Minister for Infrastructure, Minister Responsible for RMA Reform, Minister for Sport & Recreation, Leader of the House, Associate Minister of Finance

Email: <a href="mailto:christopher.bishop@parliament.govt.nz">christopher.bishop@parliament.govt.nz</a> Website: <a href="mailto:www.beehive.govt.nz">www.beehive.govt.nz</a> Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand



### **Hon Chris Bishop**

Minister of Housing Minister for Infrastructure Minister Responsible for RMA Reform Minister for Sport and Recreation Leader of the House Associate Minister of Finance



30 April 2024

Tēnā koe,

I am writing to provide an update on the Government's work to amend the Resource Management Act 1991 (RMA).

I have previously announced that this Government is approaching resource management reform in three phases. Phase one of the reform concluded with the repeal of the Natural and Built Environment Act and Spatial Planning Act in late December 2023, while phase two includes the introduction of the fast-track approvals regime, and some targeted changes to the existing RMA. Phase three will involve developing a long-term solution to replace the RMA.

Last week, Agriculture Minister Todd McClay, Associate Environment Minister Andrew Hoggard and I announced the first of two bills which will make some targeted changes to the Resource Management Act. The first bill will focus on amendments that need to be progressed quickly in order to provide certainty to industry, councils and resource consent applicants. The second bill will be more substantive and is expected to be introduced to Parliament later in 2024.

The proposed changes in the first RMA Amendment Bill will:

- Make it clear that, while the National Policy Statement for Freshwater Management (NPS-FM) is being reviewed and replaced, consent applicants no longer need to demonstrate their proposed activities follow the Te Mana o te Wai hierarchy of obligations, as set out in the NPS-FM.
- amend stock exclusion regulations in relation to sloped land
- repeal intensive winter grazing regulations
- align the consenting pathway for coal mining with the pathway for other mining activities in the National Policy Statement for Indigenous Biodiversity (NPS-IB), NPS-FM, and the National Environmental Standards for Freshwater (NES-F)
- suspend the NPS-IB requirement for councils to identify new significant natural areas for three years
- speed up the process to make or amend national direction, such as national policy statements and national environmental standards.

Further detail on some of these proposals is set out below.

#### **Farm regulations**

Cabinet has agreed changes to stock exclusion, in certain circumstances, and winter grazing regulations representing a move to a more risk-based, catchment-focused approach.

Stock exclusion changes would remove the low slope map and allow regional councils and individual farmers to decide where stock need to be excluded, based on risk.

The Government is proposing to remove all national intensive winter grazing regulations in order to reduce compliance costs for farmers. Regional councils would determine if and how the activity should be managed.

It is our intention that freshwater farm plans will provide an effective way to manage the impacts of farming activities on freshwater, including intensive winter grazing and stock exclusion, in a risk-based and practical way.

The Government has recently announced that we will improve the freshwater farm plan system to make it more cost effective and practical for councils and farmers. In the areas where the freshwater farm plan rollout has started, we may look at whether current requirements to complete a plan within 18 months could be paused while improvements are developed.

#### Other proposed changes

Hon Shane Jones announced last week the Government's intention to align the consenting pathway for coal mining with the pathway for other extractive activities. This will give the industry certainty and confidence, and when the bill is enacted a wider range of consent applications for coal mines will be able to be made.

The first RMA Amendment Bill will also give effect to previously announced changes to suspend the direction to councils to identify new significant natural areas in accordance with the NPS-IB for a period of three years, to give enough time for a review of how they operate.

The bill will also speed up the process to make or amend national direction, which is currently unnecessarily onerous, costly, and takes too long.

#### Next steps

The Government expects to introduce the first RMA Amendment Bill to Parliament in late May 2024. It will likely be enacted in late 2024.

Chap Bag

Hon Chris Bishop Minister Responsible for RMA Reform

From:	Jason Holland Jason.Holland@kapiticoast.govt.nz>
Sent time:	05/24/2024 10:20:21 AM
To:	Emily Humble
Subject:	FW: Catch up ahead of Minister visit
Attachments:	image001.jpg

#### Jason Holland Manager District Planning Te Kaiwhakahaere Whakamahere Rohe

Kāpiti Coast District Council Tel 04 296 7792 Mobile 027 555 5792

www.kapiticoast.govt.nz

From: Lucy Knowles <Lucy.Knowles@mfe.govt.nz> Sent: Friday, April 12, 2024 10:06 AM To: Kris Pervan <Kris.Pervan@kapiticoast.govt.nz>; Jason Holland <Jason.Holland@kapiticoast.govt.nz> Subject: RE: Catch up ahead of Minister visit

Kia ora Kris and Jason,

Thanks so much for the catch up earlier this week and I apologise for not responding sooner. These notes are also very helpful so thank you for these too.

A couple things -

We've asked around about any other meetings the Minister is having in Kāpiti and haven't heard anything about him visiting next week. We asked his office but haven't heard back sorry – will let you know if we hear anything.

I spoke to my manager Sarah about the unintended consequence with the IPI, and she is unsure if the Minister will have any appetite for alternative solutions as the SPP is an option. However, you can write to the Minister at any time with questions like this.

We are also reaching out to our council contacts for an indication of the cost of IPIs. We are collating the information for implementation purposes. We would appreciate it if you could please give us an indication of this. If it's not possible to provide anything specific, a ballpark indication would be helpful.

Happy to chat about any of this and hope you both have a great weekend!

Ngā mihi,

Lucy Knowles (she/her) Policy Analyst | Kaitātari Kaupapa Here

Ministry for the Environment – Manatū Mō Te Taiao Urban and Infrastructure Policy - Wellington Email: <u>Lucy.Knowles@mfe.govt.nz</u>Website: <u>www.mfe.govt.nz</u>

From: Kris Pervan <<u>Kris.Pervan@kapiticoast.govt.nz</u>>
Sent: Tuesday, April 9, 2024 3:39 PM
To: Lucy Knowles <<u>Lucy.Knowles@mfe.govt.nz</u>>
Cc: Jason Holland <<u>Jason.holland@kapiticoast.govt.nz</u>>
Subject: RE: Catch up ahead of Minister visit

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Kris Pervan (she/her) Group Manager Strategy & Growth Te Kaihautū Rautaki me te Tupu Tel 04 296 4896 Mobile 027 555 5896 www.kapiticoast.govt.nz -----Original Appointment-----From: Jason Holland <<u>Jason.Holland@kapiticoast.govt.nz</u>> Sent: Tuesday, April 9, 2024 9:01 AM To: Jason Holland; Lucy Knowles; Kris Pervan Subject: Catch up ahead of Minister visit When: Tuesday, 9 April 2024 2:30 pm-3:00 pm (UTC+12:00) Auckland, Wellington. Where: Microsoft Teams Meeting

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 From:
 Darren Edwards <Darren. Edwards @kapiticoast.govt.nz>

 Sent time:
 04/19/2024 12:49:01 PM

 To:
 Kris Pervan <Kris. Pervan@kapiticoast.govt.nz>

 Subject:
 FW: Agenda - Minister Bishop - For review - prior to sending Friday

 Attachment:
 image001.png image002.png 24.04.22 - Agenda - Hon Chris Bishop to Kapiti Coast District Council.pdf 24.04.22 - Minister Bishop

Kia ora Kris

As discussed here's the information regarding the ministers visit Monday.

Cheers

#### Darren Edwards

Chief Executive Te Tumuaki

Kāpiti Coast District Council Tel 04 296 4894 Mobile 021 366 703

www.kapiticoast.govt.nz

From: Amanda Yannetta

Sent: Thursday, April 11, 2024 5:00 PM To: Darren Edwards <Darren.Edwards@kapiticoast.govt.nz> Subject: Agenda - Minister Bishop - For review - prior to sending Friday

Kia ora Darren

As discussed, attached is the Agenda for Monday 22 April with Minister Bishop.

Linked in it are: Growth Strategy 4 Kapiti Road Website

Confirming we'll also have at the meeting:

- A3 of Cassells development
- Bound copies of Te tupu pai

Did you also intend for an A3 of the Amohia site, or just ensure this detail is included in the slide deck?

Also attached is the draft PowerPoint for you and I to review/refine (might be a bit long, particularly Amohia slides) Only the agenda needs to be sent by Monday, so we have time to refine the slide deck

Cheers

A

Amanda Yannetta Executive Assistant to the Chief Executive Te Kaiāwhina ki te Tumuaki













### Agenda

### Hon Chris Bishop and Tim Costley MP visit to Kāpiti Coast District Council

175 Rimu Road, Paraparaumu

Monday 22 April 2024

1:00pm - 1:45pm

Time	Item
1:00pm	Welcome and introductions
1:05pm	Kāpiti Coast District Council Major Projects
1:25pm	Site Visit: Kāpiti Road Housing Development Amohia Street Stormwater Project Paraparaumu Transport Hub Upgrade

### Additional Information:

Te tupu pai – Growing well Te tupu pai

Our strategy for enabling sustainable growth in Kāpiti

Four Kapiti - housing development Four Kapiti



### Hon Chris Bishop MP Tim Costley

### with

### Kāpiti Coast District Council

April 2024



### **Major Projects**

### Kāpiti Coast District

### April 2024



From:	Ministry for the Environment   RM Reform <rm.reform@mfe.govt.nz></rm.reform@mfe.govt.nz>
Sent time:	03/13/2024 01:32:49 PM
To:	Eloise Carstens <eloise.carstens@kapiticoast.govt.nz></eloise.carstens@kapiticoast.govt.nz>
Subject:	Resource Management Reform Update

Resource Management Update

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March 2024

### Welcome to the 18th edition of the Resource Management Update

This newsletter provides a regular update from the Ministry for the Environment to people and organisations that have an interest in the resource management system.

Please feel free to forward it to others who may find it of interest. If you've received it from a friend, click <u>here</u> to subscribe to this newsletter.

For more information about the resource management system please contact <a href="mailto:rm.reform@mfe.govt.nz">rm.reform@mfe.govt.nz</a>

#### IN THIS EDITION

- <u>Message from the Ministry for the Environment</u>
- Fast-track Approvals Bill introduced
- National Policy Statement for Freshwater Management and other regulations
- Temporary law change proposed to speed up Hawke's Bay flood resistance work
- Highly productive land proposed changes
- <u>National Policy Statement for Natural Hazard Decision-Making consultation</u>
- Work underway on second Emissions Reduction Plan

### Message from the Ministry for the Environment

Kia ora koutou,

The Ministry has had a busy start to 2024. We continue to make changes to our operating model to make sure we are set up to work as effectively as we can, and to respond to the direction set by the Government.

MfE, alongside other agencies and Ministries, has continued to support the Government follow its coalition commitments for its first 100-days in office.

Soon after taking office the Government indicated it would take a phased approach to resource management reform. During the first phase of changes, in December 2023, it repealed the Natural and Built Environment Act (NBA) and the Spatial Planning Act.

Some parts of the NBA were retained, including its fast-track consenting regime, as an interim step while new legislation was developed.

In the second phase the Government introduced legislation for a fast-track approvals regime (to make it easier to consent new infrastructure including renewable energy and other developments). It also intends to make amendments to the RMA and will provide national direction on the Going for Housing Growth package.

In the third phase of reform, the Government intends to replace the existing Resource Management Act 1991 with new legislation.

Work to review and replace the National Policy Statement for Freshwater Management 2020 has begun and is expected to take 18-24 months, including consultation.

Last year's severe weather has focused attention on the importance of both reducing our greenhouse gas emissions and preparing for the impacts. Our work on the proposed National Policy Statement for Natural Hazard Decision-Making continues, and work is underway to create the second Emission Reduction Plan (ERP2).

We look forward to continuing working with you on these programmes.

Ngā mihi nui, nā



Nadeine Dommisse, Deputy Secretary, Environment Management and Adaptation

### Fast-track Approvals Bill introduced

The Government introduced the Fast-track Approvals Bill to Parliament for Select Committee review on 7 March.

The Bill's focus is on establishing fast-track legislation to increase delivery of a range of regionally or nationally significant infrastructure and development projects. If passed, a standalone fast-track act could become law later this year.

The Bill's proposed 'one-stop shop' process will be used for resource consents, notices of requirement, and certificates of compliance under the Resource Management Act. It will also include approvals required under the:

- Wildlife Act 1953
- Conservation Act 1987
- Reserves Act 1977
- Freshwater Fisheries Regulations 1983
- Heritage New Zealand Pouhere Taonga Act 2014

- Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012
- Crown Minerals Act 1991
- Public Works Act 1981
- Fisheries Act 1996

#### Summary of proposals:

The Bill includes proposals on:

- The fast-track application process and project eligibility.
- The Ministers involved in assessing projects, for referral to an Expert Panel for evaluation.
- Who the Ministers and Panels must consult with during the process.
- The Expert Panels' role, and their members' required expertise.
- Which other Acts and legislation are relevant to the "one-stop-shop" approval process.
- Provisions for Treaty of Waitangi settlements and other arrangements.

#### Engagement

There will be a further opportunity to give feedback on the proposed legislation during the Select Committee process.

Thanks to partners and stakeholders who attended MfE information sessions on the Bill earlier this year.

For more information, and to make a submission, click here.

Please contact <a href="mailto:rm.reform@mfe.govt.nz">rm.reform@mfe.govt.nz</a> with any questions.

### National Policy Statement for Freshwater Management and other regulations

The Government will review and replace the National Policy Statement for Freshwater Management 2020. This process is expected to take 18–24-months and will include consultation.

In the interim, the Government wants to address concerns about how the hierarchy of obligations contained in the Te Mana o te Wai provisions of the NPS-FM is being applied to individual resource consent applications and decisions.

- Individual resource consent applicants are being asked to demonstrate how their activity adheres to the hierarchy of obligations of Te Mana o te Wai within the NPS-FM
- Consent authorities are applying the hierarchy of obligations in their consent decision making.

These changes are expected to be introduced as part of a bill amending the RMA.

Government has already extended the deadline for councils to notify freshwater plans and policy statements by three years until the end of 2027.

### Temporary law change proposed to speed up Hawke's Bay flood resistance work

Flooding from Cyclone Gabrielle resulted in significant areas of land in the Hawke's Bay that require the development of new stop banks, spillways and other infrastructure to protect homes and communities from future flooding.

A temporary law change is being proposed to make it easier to improve flooding

resilience at specific sites in the Hawke's Bay.

The temporary law change, in the form of an Order in Council under the Severe Weather Emergency Recovery Legislation Act 2023, would make changes to the Resource Management Act to streamline the resource consenting process for flood resilience work at these specific sites.

The Order was developed in response to a request from the Hawke's Bay Regional Recovery Agency.

Public engagement on the proposed Order in Council is underway now. You can <u>find out more on the Ministry website</u> and email your feedback to <u>severeweather@mfe.govt.nz</u> before 5pm on Monday, 18 March.

### Highly productive land proposed changes

The Government has committed to reduce consenting barriers for infrastructure, housing and primary production as part of their 100-day plan.

This work includes the Ministry for the Environment (MfE) exploring options around the definition of highly productive land (HPL) to enable more flexibility.

Urban expansion onto HPL can already occur in certain circumstances, but officials are reviewing the NPS-HPL to consider how it could enable more 'greenfield' housing development.

Officials are also reviewing submissions and working on advice for Ministers following consultation on two potential amendments to the NPS-HPL. These relate to the development of new specified infrastructure (such as renewable energy generation), intensive indoor primary production and greenhouses on highly productive land (HPL).

Consultation on these two potential amendments happened in September and October last year and advice will be given to Ministers on next steps in due course.

### National Policy Statement for Natural Hazard Decision-Making consultation

In September 2023, the Government launched public consultation on the proposed National Policy Statement for Natural Hazard Decision-Making (NPS-NHD). The proposed NPS-NHD aims to direct how decision-makers consider natural hazard risk in planning decisions relating to new development under the Resource Management Act 1991. Public consultation has now closed.

We received 102 submissions. The majority came from councils and groups representing councils.

Submissions from infrastructure providers and industry bodies were the second largest group, followed by Māori organisations and the construction and development sectors.

Submissions were also received from the banking and insurance sectors, NGOs, academics and research organisations.

We would like to thank everyone who took the time to submit. Feedback has been thoughtful and opinions diverse.

Staff have drafted a briefing, based on the feedback received through the consultation process, for the Minister for Climate Change and Minister Responsible for RMA Reform. This briefing will seek direction from Ministers on the next steps.

### Work underway on second Emissions Reduction Plan

Work is underway to create the second Emission Reduction Plan (ERP2). This will setout actions needed to reduce emissions to meet the emission budget for the years 2026 – 2030.

Success of this plan will depend on all New Zealanders taking action, noting that the private sector, local government, iwi and Māori, households and individuals will all have a role to play. Throughout development government will be conducting targeted engagement from a range of voices and perspectives, including public consultation in the middle of the year.

The final ERP2 will be published by the end of 2024.

Updated coastal hazards and climate change guidance has been released.

This technical guidance is designed for practitioners in land-use planning, resource management, building consenting, asset and flood risk management, and infrastructure planning.

It helps decision makers consider the potential effects of coastal hazards and climate change, based on the latest scientific information. It draws on research from the Intergovernmental Panel on Climate Change and data on sea-level rise in Aotearoa New Zealand. <u>Read the guidance here</u>.

Practitioners are invited to attend a webinar at 1pm on Wednesday 27 March 2024. The session will be recorded and will include a presentation from the authors and time for questions. <u>To attend, register here</u>.





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14 March 2024

### Tēnā koe Darren,

The Fast-Track Approvals Bill was introduced to Parliament on 7 March 2024. The bill's introduction was part of the Government's coalition agreement and 100-day plan.

With this bill, the Government aims to make it easier to get approvals for a range of regionally and nationally significant infrastructure and development projects, including those related to housing.

The bill sets out a 'one-stop shop' process for approvals under a range of legislation, including the Resource Management Act 1991, the Wildlife Act 1953, the Conservation Act 1987 and the Heritage New Zealand Pouhere Taonga Act 2014, and others.

It is proposed that responsible ministers will be able to refer projects that meet prescribed eligibility criteria to an Expert Panel, which will apply any necessary conditions to ensure adverse effects of the project are managed appropriately.

Click the button below to view the bill on the New Zealand Legislation website.

#### Read the Fast-Track Approvals Bill

#### **Listed projects**

There is provision in the bill for a list of individual projects to be included that will be automatically referred to an Expert Panel. This list is not included in the bill as introduced to Parliament. The Government intends to run a public process to gather suitable projects, and more information will be made available on this in due course.

#### Feedback received on the policy proposals

The Ministry for the Environment carried out targeted engagement with Māori representative groups, local government, and infrastructure, development, and environmental groups during the development of the bill.

We appreciated and noted all the feedback received, whether verbal or in writing. Some areas where this feedback influenced the policy include:

• recovery of costs by local government

- the addition of procedural steps to provide for enhanced input from postsettlement governance entities and other Māori entities
- a scope adjustment where 'locally significant' projects (that do not have significant regional or national benefits) are no longer included
- the retention of a provision to ensure the compliance history of an applicant is taken into account
- a requirement that panels take account of local statutory Resource Management Act plans.

#### Making a submission on the bill

I encourage you to read the bill to understand where the policy has landed.

If you have feedback on the bill, you can make a submission to the Environment Committee until 19 April 2024 by clicking on the button below.

Make a submission on the Fast-Track Approvals Bill

Ngā mihi

Nadeine Dommisse

Deputy Secretary, Environment Management and Adaptation

Ministry for the Environment | Manatū Mō Te Taiao





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