

By email

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Submission on the Spatial Planning Bill

The Greater Wellington Regional Council (Greater Wellington) thanks the Environment Committee for the opportunity to make a submission on the *Spatial Planning Bill*. We appreciate the huge efforts required to transform the Resource Management Act, as is needed to achieve a greater balance between environmental protection and less cumbersome development processes. We note the short timeframe for a consultation held over the Christmas break, on a document we have not previously viewed, has made pulling together a submission challenging.

Overall comment

1. Greater Wellington strongly supports the Spatial Planning Bill (the Bill) in principle, which closes a significant gap in the broader New Zealand planning framework.
2. Greater Wellington **supports** the establishment of a Regional Planning Committee (RPC), however we have concerns about the practicality and efficiency of the establishment of RPC's and whether they will provide a robust and representative forum for decision-making.
3. There is a risk of uncoordinated outcomes across other reforms currently in development, namely the Future for Local Government, Three Waters, and the Climate Adaptation Act as the third 'arm' of the RMA reform process.
4. Greater Wellington, through the Wellington Regional Leadership Committee (WRLC), has participated in the development and adoption of Wellington region's first regional spatial strategy, the Wellington Regional Growth Framework. The region is currently working on a Future Development Strategy that includes Horowhenua and non-Tier 1 councils, an expansion of the requirements under the National Policy State on Urban Development (NPS-UD). We support the comments made in the WRLC submission and include our learnings as part of this submission.

5. Greater Wellington and the WRLC have also submitted on the Natural and Built Environment Bill (NBA) consultation. These submissions are best read together.
6. Concerns and suggestions on particular matters raised in the proposed Spatial Planning Bill are noted below.

Reasons for our support

7. Overall, Greater Wellington strongly supports the introduction of Regional Spatial Strategies (RSS). We recognise the benefit of linking long-term thinking with multiple sectors across our wider region and the critical networks shared with Horowhenua.
8. We strongly support greater opportunity for integrated and simplified planning processes across boundaries and sectors, contributing positively to a range of government targets and objectives.

Concerns and suggestions

Link with other reforms

9. The current sequencing and pace of the various reforms, with the fundamental crossovers, creates uncertainty. We see risks of inefficiencies and duplication or redundancy in taking action too early on an already stretched local government sector. Consideration needs to be given to the inter-relationships of the various reforms and their timing.

Regional Planning Committees

10. Recognising Regional Planning Committees are outlined in the NBA, given the responsibility of preparing a RSS we reiterate what has been stated in Greater Wellington's NBA submission and the WRLC submissions.
11. The process for forming the RPC is unnecessarily cumbersome and risks causing tension between the responsible organisations, particularly the process for selecting Māori representatives. We **recommend** simplifying this process and taking learnings from our participation in the WRLC. The legislation should provide more substantive direction on the membership of the RPC to avoid lengthy and complex establishment processes. This should include specifying one representative from each council (with no weighting to be applied based on population) and one representative from each iwi within the region. We also believe there are learnings from the WRLC that should be incorporated into the Bill in relation to the benefits of an independent Chair (to ensure equal representation and a lack of bias) and enabling regions to use existing cross-regional boundaries established through the Urban Growth Partnerships. We **support** comments made in the WRLC submission which outlines this in further detail.
12. Funding for the RPC is almost entirely from local government, which would be a backward step for this region, where there is a proportion of central Government funding for the WRLC. We **recommend** joint funding between central and local government, particularly capacity and capability funding sufficient

for *full* Māori involvement. Should there be no Director in place at the establishment of the RPC, transitional funding should be considered to allow full participation by all member entities.

13. We **recommend** iwi/hapū are provided funding from central government *without* the need to apply for grants or loans for their full participation, including through the establishment of the RPC and through disputes processes.
14. We **note** that the Bill is not clear on the local authority member. We strongly **recommend** that the local government representatives on the RPC is an elected member, to ensure stronger accountability back to communities. We **note** that for the WRLC Agreement and Terms of Reference, the local authority is stated as being the Mayor/Chair.
15. To provide certainty of environmental protection, Greater Wellington **recommends** the RPC have a Statement of Regional Environmental Outcomes. We also **recommend** a Statement on Regional Community Outcomes as a pre-requisite to formal planning. Any conflict between Statements would be resolved by the Committee *before* planning work is undertaken.
16. The consultation requirements as noted in the Bill could be made clearer by prescribing the consultation process best found in the Local Government Act (LGA). Greater Wellington **recommends** prescribing the Special Consultative Procedures provision in the LGA to enable consistency of democratic process nationwide.
17. To ensure equal representation of all members, we recommend a two-thirds or three-quarters majority for significant decisions and not the proposed simple majority. This would reduce the likelihood of minority members, such as the rural voice, mana whenua representatives or the regional council, being consistently narrowly outvoted. This also gives councils greater ownership over decisions they then need to implement.
18. We **support** the provisions for Māori participation and recognise the diverse views that can be held between iwi and hapū. Critical to success will be sufficient funding and capability development coming from central government. We also recognise the demands on mana whenua to be involved in increasingly more areas. Adequate time for consideration and participation is needed to ensure meaningful results.
19. In sections 24 and 25, we **recommend** having 'particular regard' to statutory acknowledgements and relevant mātauranga Māori. Understanding of te ao Māori/matāuranga Māori/mana whenua values must only be provided by mana/tangata whenua experts.

Regional Spatial Strategies

20. The wider Wellington region, including Horowhenua, has established the Wellington Regional Leadership Committee and is currently developing a Future Development Strategy as required under the National Policy Statement on Urban Development (NPS-UD). We **recommend** legislation be amended to state that any Future Growth Strategy adopted under the NPS-UD are transitioned into the new regime.
21. We **do not support** the boundary definition as provided in the Bill. We strongly **recommend** this be amended to include UGP already in operation where the boundary of the UGP is larger than the boundary as defined by Section 5 (1) of the Local Government Act. The Wellington region, extending out to Horowhenua, already has an established Committee and it would be an unnecessarily arduous process to dis-establish only to re-establish a Cross-Regional Planning Committee.
22. The integration between the Government Policy Statement on Land Transport (GPS) and the RSS:
 - The GPS must 'take account of' the RSS. We support this as the long-term strategic direction of the RSS will be taken into account when preparing the shorter-term investment signals outlined in the GPS. We **support** this.
 - The RSS must 'have particular regard to' the GPS. This is a higher test and essentially reverses the above strategic flow. We also see timing as an issue as the GPS is developed every three years and the RSS every nine years. It is not appropriate for a long-term strategic plan to give particular regard to a short-term policy and funding allocation. We **do not support** this.
23. We strongly **support** the introduction of implementation plans.
24. A key consideration is the matter of economic development as discussed in the Supplementary Analysis Report. We **recommend** clause 16 also includes 'the RSS takes into account economic development' and include this as a key matter in clause 17.

Further clarity is sought in the following areas:

25. The level of detail required in the RSS regarding matters to be considered, for example, environmental effects. Also, the expectation on the level of detail or scale of 'Priority Actions'.
26. Te Oranga o te Taiao is an ambiguous term that must be more clearly defined in a manner which ensures consistency between the te reo Māori and English language definitions.

Greater Wellington **wishes to appear** at the Select Committee hearings for the Spatial Planning Act and the Natural and Built Environment Act.

Yours sincerely,



Adrienne Staples

Deputy Chair

Greater Wellington Regional Council



Penny Gaylor

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