

## Promised RM Reform on track - Exposure Draft released for public feedback

### **Cabinet has approved the exposure draft of the proposed Natural and Built Environments Act (NBA). The NBA will provide for land use and environmental regulation and will be the primary piece of legislation to replace the Resource Management Act 1991 (RMA).**

The NBA, along with the proposed Spatial Planning Act (SPA) and Climate Change Adaptation Act (CCAA) (both yet to be drafted), will replace the RMA.

The exposure draft is an early draft of the NBA Bill not yet introduced to Parliament. It covers key aspects of the future Bill and will be used to gain feedback, to feed into finalisation of the Bill, before the full Bill is introduced to Parliament in 2022.

#### **Key aspects of the exposure draft**

The key aspects of the NBA covered in the exposure draft are:

- A key purpose of the Act is to uphold Te Oranga o Te Taiao, the health and enhancement of the natural environment.
- The Act will require nationally prescribed environmental limits i.e. "bottom lines" to protect the integrity of the natural environment and of human health. Limits must be prescribed for freshwater, coastal waters, estuaries, air, soil and biodiversity, and can be prescribed for other matters.
- The Act will promote environmental outcomes for the benefit of the environment. These will include outcomes for the natural environment (such as protection and restoration of

ecological systems) and the urban environment (such as enabling infrastructure and increasing housing supply), and reduction in emissions, and removal of, greenhouse gases.

- All persons operating under the Act must "give effect to" the principles of te Tiriti o Waitangi. This is a stronger requirement than the requirement under the RMA to "take into account" the principles of te Tiriti.
- A National Planning Framework (NPF) will be established to provide the detailed national direction on matters of national importance and where national or regional consistency is required. The NPF must prescribe environmental limits and promote environmental outcomes including reduction in greenhouse gas emissions. Its implementation can be through plans or regional spatial strategies, or it can have direct legal effect.
- The current 100+ plans will be consolidated into 14 Natural and Built Environment Plans, for the integrated management of each region. The plans will be prepared by regional planning committees consisting of local government, manawhenua and DOC representation – a significant structural change to the status quo. These plans must give effect to the NPF, prescribed environment limits and promote environmental outcomes, and be consistent with regional spatial strategies.
- The interaction between the NBA, SPA and CCAA is yet to be determined.

#### **Process**

The exposure draft has been referred to a select committee inquiry carried out by the Environment Committee. The Committee will ask for public submissions at the beginning of July. It will then report its finding back to the House to inform further

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**Exposure Draft released for proposed Natural and Built  
Environments Act to replace RMA**  
(Continued)

policy development. This stage is expected to take 12 weeks.

Other elements of the Bill not included in the exposure draft will be considered by the Ministerial Oversight Group in the second half of 2021.

The complete Bill for the NBA and the SPA will be introduced to Parliament in early 2022. There will then be a second opportunity for public feedback.

This novel process is being used to inform the development of the NBA, the SPA and the CCAA in conjunction.

We will be watching and involved in future developments, and providing more in depth analysis to our network as this process continues.

**Want to know more?**

If you have any questions about the [Bill](#), please contact our specialist [environment, planning, and natural resources team](#).