

Submission on the Resource Management (Consenting and Other System Changes)  
Amendment Bill 105-1 (2024)

To: The Environment Select Committee  
From: Climate Action Aotearoa  
Date: 30 January 2025

## Introduction

Tēnā koutou,

Climate Action Aotearoa welcomes the opportunity to submit on the Resource Management (Consenting and Other System Changes) Amendment Bill. While we acknowledge the need to improve efficiency in consenting and enforcement, it is critical that these reforms uphold climate justice and Te Tiriti o Waitangi, ensuring that environmental decision-making protects vulnerable communities, strengthens climate resilience, and upholds the rights of tangata whenua as kaitiaki.

We submit that the Bill must be strengthened to:

- Protect the right of communities to meaningfully participate in decisions affecting their whenua and wai.
- Ensure that enforcement mechanisms uphold environmental justice and hold major polluters accountable.
- Strengthen climate adaptation and equity considerations in all aspects of planning and decision-making.
- Honour and uplift Te Tiriti o Waitangi, recognising tino rangatiratanga of mana whenua over their land, water and resources.

## 1. Consenting Processes: Ensuring Equitable Access & Environmental Protections

The proposed changes aim to streamline decision-making, but they risk reducing scrutiny and disproportionately disadvantaging at-risk communities with fewer resources to navigate complex regulatory processes. We recommend:

- Maintaining robust public participation in consent processes to ensure that affected whānau, hapū, and iwi—as well as low-income and frontline communities—have a fair opportunity to be heard. Restricting hearings unless further information is needed could reduce accountability for projects with significant environmental and social impacts.
- Embedding environmental justice in decision-making by requiring consent authorities to assess the cumulative environmental impacts of activities, particularly in areas already vulnerable to climate change (e.g., coastal erosion, drought, increased flooding).
- Applying prior non-compliance considerations fairly, ensuring that past breaches leading to environmental harm—especially those disproportionately affecting marginalised communities—are taken into account.

## 2. Enforcement: Strengthening Climate Accountability

We support stronger penalties for non-compliance but recommend that enforcement provisions be strengthened to:

- Direct revenue from enforcement actions into climate adaptation efforts that support communities facing disproportionate climate impacts
- Ensure monitoring fees are proportional to the risk, thereby reducing administration costs on small-scale community-led climate initiatives, while those presenting higher risks have robust oversight.
- Embed Te Ao Māori perspectives in compliance frameworks, ensuring that Māori values and tikanga inform decision-making around environmental breaches.

### **3. Renewable Energy: A Just Transition to a Low-Carbon Future**

We support the emphasis on expediting renewable energy projects but urge the Government to ensure that:

- Renewable energy developments deliver direct benefits to local communities, particularly those who have been disproportionately affected by past environmental degradation. This includes community ownership models and employment opportunities for Māori and low-income communities.
- Climate adaptation is built into infrastructure planning. Extending default consent durations to 35 years must be coupled with strong review mechanisms to ensure that infrastructure remains fit for purpose as climate conditions evolve.
- Energy transition policies uphold tino rangatiratanga. Consent processes must include meaningful engagement with Māori landowners and ensure that renewable energy developments do not displace tangata whenua.

### **4. Heritage Buildings & Structures: Balancing Protection with Climate Resilience**

We recognise the importance of heritage protection but recommend:

- Ensuring that heritage protections do not prevent necessary climate resilience upgrades, such as retrofitting buildings to withstand extreme weather events.
- Incorporating Māori cultural heritage into planning decisions, ensuring equal recognition of wāhi tapu and sites of significance in consent processes.

### **5. Natural Hazards: Strengthening Climate Adaptation & Managed Retreat**

We support stronger provisions for declining land use consents in high-risk areas but urge the Government to:

- Develop a national climate adaptation fund to assist communities forced to relocate due to climate change, ensuring that managed retreat is fair and just.
- Require developers to disclose climate risks upfront and integrate long-term resilience into planning decisions.
- Support local-led adaptation planning that enables whānau, hapū, and iwi to determine how their communities respond to climate risks.

### **6. Emergencies: Ensuring an Equitable Disaster Response**

New regulation-making powers for emergency responses must be guided by climate justice principles:

- Emergency responses must prioritise vulnerable communities and ensure that recovery efforts do not exacerbate existing inequalities.
- Māori governance representation must be embedded in emergency decision-making to uphold Te Tiriti obligations and ensure culturally appropriate disaster responses.

## **Conclusion**

We support efforts to improve efficiency in the resource management system but urge decision-makers to align these reforms with climate justice principles. This means honouring Te Tiriti o Waitangi, upholding participatory rights, ensuring enforcement mechanisms promote equity, and embedding long-term climate resilience in decision-making.

We welcome further engagement on this Bill to ensure that the reforms deliver a fair and just environmental system that protects te taiao, supports communities, and builds resilience to climate change.

Ngā mihi nui,

Climate Action Aotearoa