

Reform of the Resource Management System: A Pathway to Reform Project Overview

There is an urgent and compelling need for New Zealand to rethink how it manages resources. Many indicators of environmental health are now rapidly declining, we are failing to achieve optimum social, economic and cultural outcomes, and our laws are becoming increasingly incoherent, complex and conflicted. Our resource management system – the collection of laws, regulations, institutions and incentives – is extremely important to the country's environmental, social, economic and cultural well-being. This system, and its significance, goes well beyond just environmental protection.

There is now substantial political appetite for reform. EDS has completed Phase 1 of a project looking at reform principles (*Reform of the Resource Management System – the Next Generation*), which will be complete by year end. It has culminated in a final report, which provides extensive analysis and outlines three broad models for what a reformed system could look like.

It is crucial to keep this momentum going. The project's second and final phase is called *A Pathway to Reform*. Over 2019 it will involve the production of several working papers, a final report, and an extensive programme of engagement. It seeks to complete the project in three key ways:

- To generate a set of criteria and select a preferred model for reform
- To fully develop the selected model
- To map out a pathway to reform

There is a high degree of interest from senior politicians and the private sector, and a ready audience for our outputs. The Minister for the Environment has signalled that a first principles appraisal of the resource management system will be happening from 2019, and that this will be informed by the EDS project. The project is also being watched closely by a consortium of varied interests that makes up the Resource Reform New Zealand group. A broad appetite for fundamental and integrated reform has only become more noticeable over the past two years, with several high profile conferences having themes or dedicated sessions on redesigning the system from first principles.

This is not an academic exercise. We need to transform a framework for thinking about issues, and a series of options for reform, to a specific model that can be implemented. So the intention is to provide a tangible roadmap for change that will be a reference for a Government embarking on its own reform journey, and a platform for others wishing to be part of that process.

The overriding objectives of the research project are:

- to produce a specific and tangible model for a reformed resource management system
- to chart an effective and pragmatic pathway from present settings to a reformed model

More specifically, the objectives of the research can be framed as research questions:

- What would a set of criteria look like, against which options for reform can be assessed?
- What option is best when assessed against those criteria?

- What would the key statutes and statutory instruments of a reformed system look like?
- In what way would we draft key statutory sections, such as purposes, principles and links between statutes?
- What are the key features of a reformed system's institutional arrangements?
- How would a reformed system apply to a series of topical real world scenarios, including particular issues, domains, sectors and spaces?
- What issues are likely to arise when we seek to transition from the present system to a reformed system, and how do we best address those?
- What does the pathway look like to enable this transition?
- How should it reflect contemporary and anticipated changes such as moving towards a low carbon economy?
- Which parts of a reformed system could be subject to staged implementation?

The key values that this exercise would add are twofold.

- First, by constructing a tangible, holistic architecture for the system as a whole, we are providing a blueprint for change.
- Secondly, by charting a pathway to realising that option, we are recognising that the process of change is not easy. It must be carefully managed, and does not have to happen all at once or by the same means. However, that need not be used as an excuse to be less ambitious, or compromise, about much needed reform. A model that some may disagree with may seem less objectionable when reasonable timeframes and safeguards are put around the process of getting there. Meaningful and durable reform is about the journey as much as the product. Even if some people do not disagree on the specifics of the proposal that the work puts forward, there is significant value in looking at the ways in which reform could happen and where stumbling blocks are likely to be found.

We therefore expect that the impact of the work would be twofold.

- First, it would contribute to and influence the reform work that the Government plans to do
- Secondly, it would provide people outside Government, who wish to contribute to that process and hold decision-makers to account, a robust framework and model for change to reflect on. Most of all, it would continue the momentum in the journey towards resource management reform

As our country faces an unprecedented amount of change over the coming decades, we need to have a system of managing resources that not only protects what we need to safeguard, but strives to encourage the use of resources that will be in New Zealand's long term interests. This system needs to be adaptable, flexible and a good fit for the New Zealand of the future.

This work presents a rare opportunity to influence a once in a generation political appetite for change. Having laid a robust foundation for reform in Phase 1, Phase 2 is all about translating that into a practical toolbox for policy makers by constructing a specific and concrete model and outlining steps to implement it over time.