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Media release: EDS releases second working paper from Resource Management Reform Project



EDS has released its second working paper as part of its RM Reform Project. The project is taking a first principles look at how New Zealand's resource management system operates and how it could be improved for the coming decades.

Following on from the first paper, which looked at ethics, principles and international experiences, Working Paper 2 focuses on two key structural components of the system: how legislative frameworks are designed and how the system provides for public participation. It also looks at New Zealand's obligations under international law.

But it begins by exploring what New Zealand's future may look like.

"We are seeing an unprecedented amount of change on a global and a national scale, and that's only going to become more noticeable in the future," said EDS Policy Director, Raewyn Peart.

"Our population, demographics and economy are shifting; we face growing infrastructure and visitor pressures; climate change is an ever present concern; and alongside all of it we have rapidly changing technologies – which present both threats and opportunities.

"New Zealand's environment, and our resource management system, are not immune to any of those changes. So we need to be thinking about what the world may be like in a generation's time, and beyond. We need to be thinking not just about what changes we can predict, but also those we cannot. And, above all, we need to think about what features our system needs to be able to cope with change and uncertainty," said Ms Peart.

"One cornerstone of our resource management system – albeit not the only one – is our legislative arrangements," added senior researcher, Dr Greg Severinsen.

"How we split up and design legislation is extremely important. In this work we are trying to get away from the sense that everything is about the RMA. New Zealand has a huge – and expanding – range of resource management statutes, and there are extremely complex relationships between them.

"In this paper we look at *ways* to approach questions of legislative design at a wider system level, and the principles that should underpin more considered design choices. It's not just about how we can add to, or tinker with, our existing suite of statutes to address problems as they emerge.

"Why do we have so many statutes? Why are they split up in the ways they are? Can they be arranged in other ways? Should we have a separate urban planning act? Do we enact statutes targeted at particular sectors, or particular locations? Those – and a host of others – are the kinds of questions we are exploring in this paper," said Dr Severinsen.

Public participation in resource management is another area discussed in Working Paper 2. "Involving people in environmental decision-making has a lot of benefits," said Ms Peart.

"But it can't be absolute, or endless. It carries substantial costs. Here, we are exploring what public participation means in the context of resource management, its advantages and

disadvantages, and how participatory rights are provided for in a selection of New Zealand's resource management laws.

"It's a really challenging area, with some thorny issues. For example, is it not curious that we allow extensive participatory rights under the RMA, but not in other areas of public life? Does the funding of pharmaceuticals or the development of foreign policy affect us less than the colour that our neighbour chooses to paint his or her fence? We don't claim to have definitive answers, but now's the time to pose the questions, and to test conventional thinking," Ms Peart concluded.

The EDS project is being supported by the New Zealand Law Foundation, the Employers & Manufacturers Association, Property Council New Zealand, Infrastructure New Zealand and Watercare. For more information on the project, and to download the working papers, see [RM Reform Project](#).