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Environment Committee  
Parliament Buildings  
Wellington

Submitted via Consultation Website

Kia ora

### **Inquiry on the Natural and Built Environments Bill: TIA Submission**

Tourism Industry Aotearoa (TIA) welcomes the opportunity to comment on the Parliamentary Paper on the Exposure Draft of the Natural and Built Environment Bill.

#### **Overall comment**

TIA appreciates the magnitude of the reforms and the need for them.

On one hand, we see many instances where the Resource Management Act and the way it has been implemented have resulted in time, cost and uncertainty issues across the tourism industry. On the other hand, reform introduces uncertainty, transitional costs, new processes and, from an industry association perspective, new ways of doing business for our members.

In this, the critical question is whether the intent of the reform will be captured and enacted in the legislation in such a way that results in a practical, fair and widely beneficial resource allocation process. We raise this given the widely held view that the application of the Resource Management Act was ultimately quite different to its original intent.

This strongly indicates to us that great care and attention is needed in establishing the legislation; and then equal care, attention and funding is needed for implementation - the two must go together.

#### **Tourism Industry Aotearoa**

TIA is the peak body for the tourism industry in New Zealand. With over 1300 members, TIA represents a range of tourism-related activities including hospitality, accommodation, adventure and other activities, attractions, retail, airports and airlines, transport, as well as related-tourism services.

TIA established the tourism industry's strategic document, *Tourism 2025 & Beyond – A Sustainable Growth Framework, Kaupapa Whakapakari Tāpoi*. This has the Vision of 'Growing a sustainable tourism industry that benefits New Zealanders'.

TIA gives effect to this through the *New Zealand Tourism Sustainability Commitment - He kupu taurangi kia toitū ai te tāpoianga* that was launched in 2017 to drive to a sustainable tourism future. Refer: <https://sustainabletourism.nz/>. It has the Vision of 'Leading the world in sustainable tourism'.

Our overall stance is that tourism must be 'for the good' for Aotearoa and for New Zealanders. We view 'good' use of our environment and built places to be a bottom line for the tourism industry.

## **TIA feedback**

We appreciate the two-stage approach to consultation, particularly as it allows us to get an understanding through the exposure draft. We have considered how we can best contribute at this initial consultation phase and feel that keeping this feedback at a high level is appropriate, with key points being:

- The overall architecture seems appropriate with the proposed Natural and Built Environment Act, the Strategic Planning Act and the Climate Adaptation Act. The critical point being around timing of the legislation and the sequencing of the implementation. For example, it is implied, but not clear in the exposure draft, that there will be a sequential development first of the National Planning Framework then of the Spatial Strategies, and finally of the Natural and Built Environments. As set out above, we consider that how the reforms are implemented will be as important as the legislation itself and requiring the appropriate sequential development will minimise uncertainty and duplication of effort.
- We support the development of environmental biophysical limits as this can and will provide clear standards to be maintained at all times. How the limits are set will be important and we see the Government's wellness framework as playing a role in guiding where the best and fairest limits can be established. We also consider that the reforms will allow better management of the wider systems, and not just the impact of individuals seeking consent to use a particular natural resource.
- We support the intent to give effect to the principles of Te Tiriti o Waitangi and we are keen to better understand how this will be applied. Again, how this is put into practice will be at least as important as the commitment itself.
- We support the principle that the reforms must include not just 'do no harm', but where appropriate must be oriented to restoration or regeneration. As such, we support the 'restoring, enhancing or improving' language used in the Purpose Clause of the exposure draft. Many environments in Aotearoa are significantly degraded so there must be requirements to improve these places. This restorative concept forms a central part of TIA's Tourism Sustainability Commitment.
- We are clearly very supportive of the intent to improve system efficiency and effectiveness, but we retain the reservation that this will not be the case in practice. Accordingly, we consider it to be vitally important that the system design is set correctly from the start.
- We also think that this will be very challenging given that the legislation and all the key components such as the National Planning Framework, Natural and Built Environments Plan and Regional Spatial Strategies will not all be in place from the start but will be put in place on a sequential basis. And there will be many players involved, including local government, with the inherent risk that not all may get up to speed at the same time thereby resulting in uneven roll-out.
- We note the intention for around 20 Regional Spatial Strategies and while we recognise the need for reasonable scale for these documents, it can also be very easy to lose tourism-specific requirements if the wider region itself is not itself tourism-centric. For instance, if an Otago Regional Spatial Plan was prepared, it may be very difficult accommodating the more granular needs of the Central Otago tourism places and attractions in a wider and larger regional context. We consider tourism and recreation places of national significance will need to be flagged in some way in the reforms and in the Regional Spatial Plans.
- As with the RMA, we see the risk that different interpretation and/or application of the legislation by a range of players over time and also emerging case law, may

shift the framework away from its original intent. Getting it right at the design phase is the key mitigation to this risk.

- This means that the detail is really important. We note the submissions of others (including Business New Zealand and the Environmental Defence Society) highlight the importance of single words that can make a big difference. For instance:
  - Where is 'amenity' which is very important for the quality of places where people go to relax, experience and recreate?
  - In the Purpose of the Act clause 5 (1), should the word 'ensure' be used rather than 'enable'?
  - Again, in the Purpose clause 5 (2(b)), should the term 'must be achieved' be used rather than 'must be promoted' which seems a weaker term.

These are just a few examples of where particular wording can shift what is really intended. The key point is that every word will be important and how each will be interpreted down the line needs to be the key test.

### **Concluding comment**

For TIA, these are early days for working through the implications of these resource management reforms on the tourism industry. We will be following and contributing to the process throughout. Tourism has a clear interest in how we manage and develop our natural and built environments, both for gaining access to resources that are important not just economically, but also for peoples' wellbeing, and for ensuring our stewardship of the environment is of the highest standard.

### **Further input**

TIA would be very pleased to contribute further and we are available to support this submission in any way. Please do not hesitate to contact me if you have any questions - 021 609 674 or [bruce.bassett@tia.org.nz](mailto:bruce.bassett@tia.org.nz).

Ngā mihi



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