



Hon Eugenie Sage  
Chair, Environment Committee  
Parliament Buildings  
Private Bag 18041  
Wellington 6160  
New Zealand

7 December 2022

Tēnā koe Madame Chair,

I am writing to request an extension to the end of February so that I can provide you with a properly considered submission on the Natural and Built Environment and Spatial Planning bills.

I have a statutory responsibility to scrutinise and comment on legislation which affects the environment. With my small team it will be extremely difficult for me to do so in the timeframe allowed, in part because I will be relying on external advice which will take time to source given the summer break.

I would also strongly advise the committee to make such an extension more generally available. While the end of January technically represents a twelve-week period for submissions, the reality is that the traditional New Zealand summer holiday period reduces this to about nine weeks. This is simply not enough time to consider and comment sensibly on legislation of this magnitude, complexity and importance.

It is two and a half years since the Randerson panel released its thoughts on a ground-breaking revision of resource management law. While the provision of an exposure draft was a commendable and innovative way of allowing some interim input from the public, a huge amount of detail was missing, including any detail at all on the proposal for a separate spatial planning statute.


We are now in possession of a combined total of 856 pages of complex and far-reaching legislation. Some things, particularly environmental limits, have changed significantly since the exposure draft so there is a need for scrutiny with fresh eyes.

Planning and resource management legislation has a significant impact on people and communities and their legitimate rights and interests, including their democratic rights. The far-reaching changes proposed in the twin bills (to be joined in due course by a third) will affect people's everyday lives more profoundly than most legislation Parliament is asked to consider.

The powers that will be handed to both ministers and regional planning committees that are not directly elected will have significant implications for local democracy. The management of both natural and built environments is in large part currently devolved to the regions and local communities. There is a wealth of practical experience in these communities that will need to be tapped if the proposed changes are to be smoothly implemented.

I fully understand that the Minister will be eager to see months of painstaking work by hundreds of officials passed into law. But if the law as proposed is to succeed, it needs to be capable of providing a foundation that will last for decades. Nine broken weeks is a perilously short period on which to erect that foundation.

Yours sincerely,

A handwritten signature in black ink, consisting of a long, sweeping horizontal stroke followed by a vertical line that curves slightly to the right at the top.

Rt Hon Simon Upton  
**Parliamentary Commissioner for the Environment**  
**Te Kaitiaki Taiao a Te Whare Pāremata**