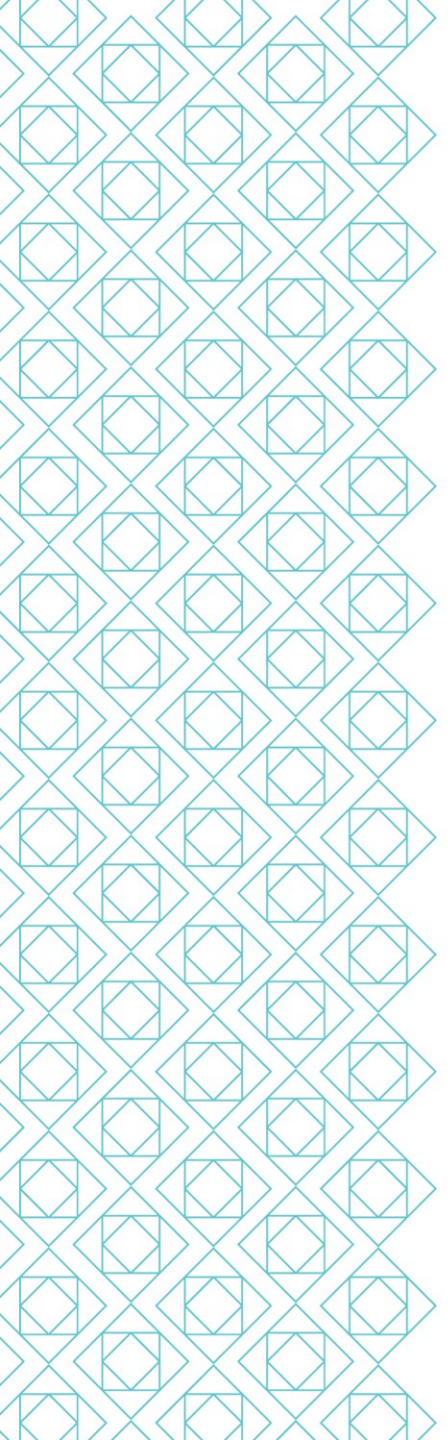




Briefing – RESOURCE MANAGEMENT REFORM

17 September 2026

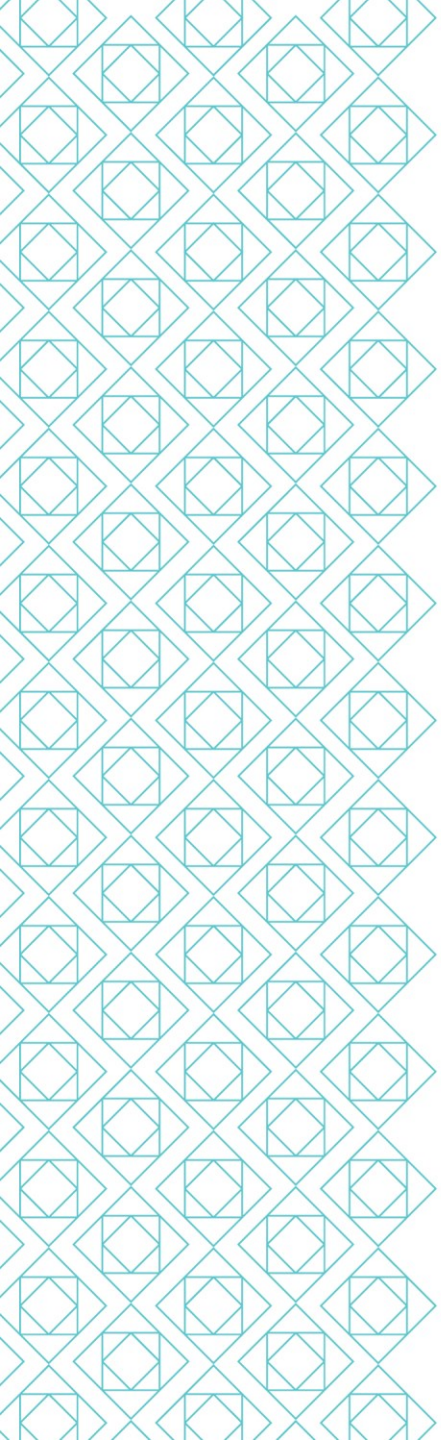


Agenda

- System Overview (Anna)
 - Questions
- Mana whenua implications (Jesse)
- Transitional Provisions (Emma)
- Regional Spatial Plan (Emma)
- Land Use Plan (Emma)
 - Questions
- Illustrative National Policy Direction (Anna and Emma)
 - Questions and discussion



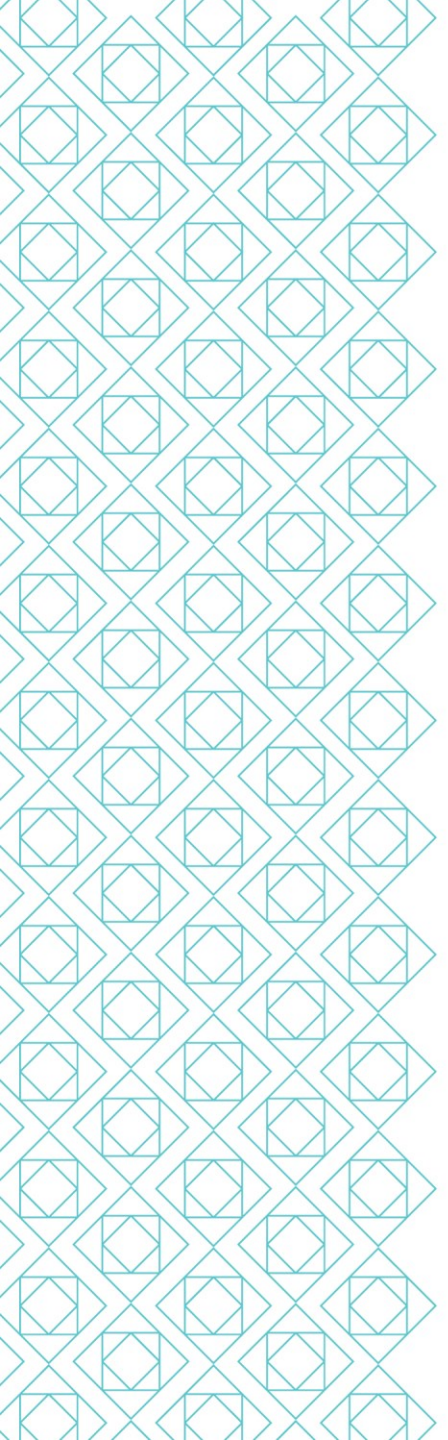
System Overview



Planning Bill Goals

- (a)** Prevent unreasonable effects on others, including by separating incompatible land uses.
- (b)** Enable land use and development that supports economic growth and change.
- (c)** Create well-functioning urban and rural areas.
- (d)** Support competitive urban land markets by providing abundant opportunities for housing and business.
- (e)** Provide infrastructure for current and future demand.
- (f)** Maintain public access to and along the coast, lakes and rivers.
- (g)** Protect identified values from inappropriate development:
 - high natural character in coastal areas, wetlands, lakes, rivers and margins
 - outstanding natural features and landscapes
 - significant historic heritage
- (h)** Safeguard against natural hazard risks arising from—or affecting—land use and development.

Māori interests goal in next section



New RM system – other aspects removed

Section 14 of Planning Bill lists as outside scope of Act:

- × The internal and external layout of buildings on a site (for example, the provision of private open space) where effects remain in site
- × Retail distribution effects (eg Centres hierarchies)
- × The character, appearance, aesthetic qualities of a use, development or building
- × The effect on landscape (other than ONL/F and HNCC)
- × The effect of setting a precedent
- × The lack of demand or project's financial viability

Overview of the system

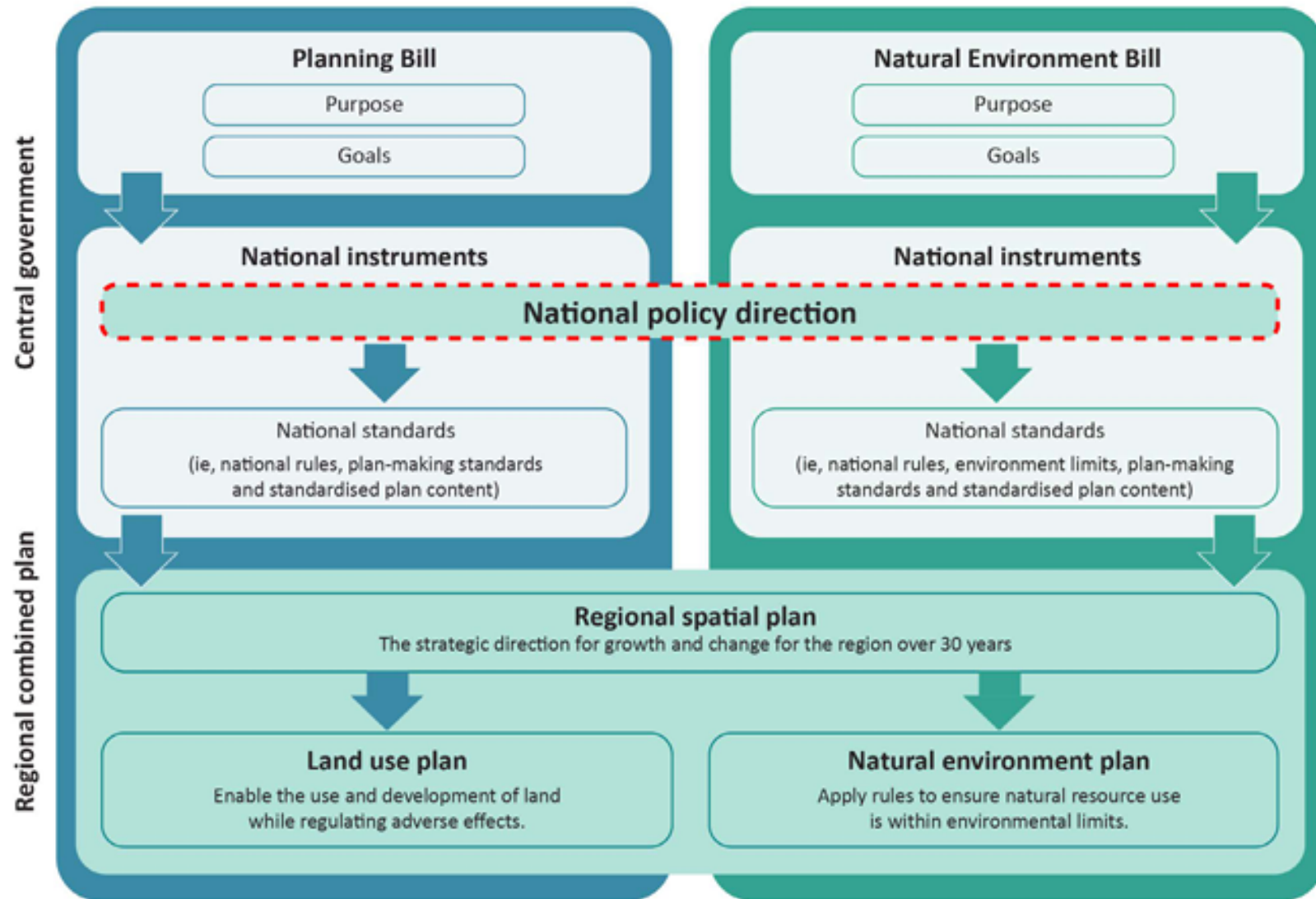
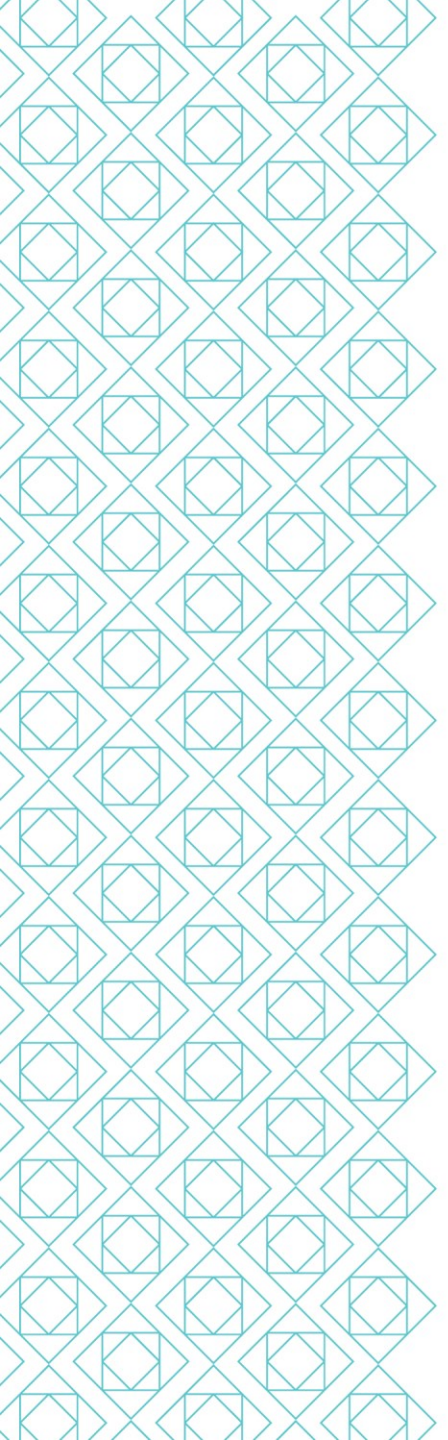


Figure 1: Overview of the new planning system



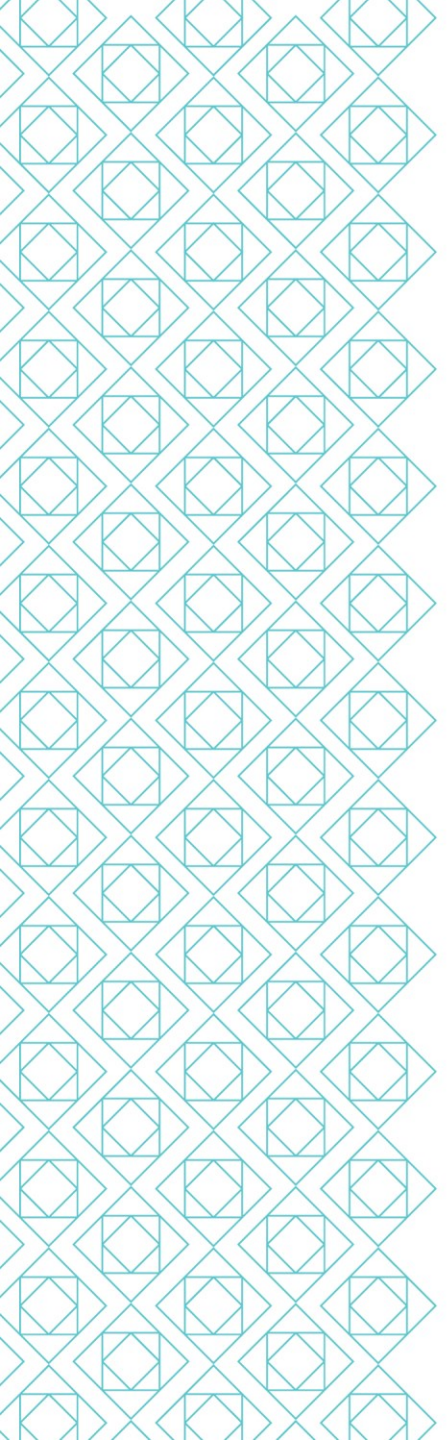
National Policy Direction

Articulates the goals and mechanisms by which Government sets national priorities and direction

Must 'direct how the goals are to be achieved, including by identifying and providing for the resolution of conflict as far as is practicable'

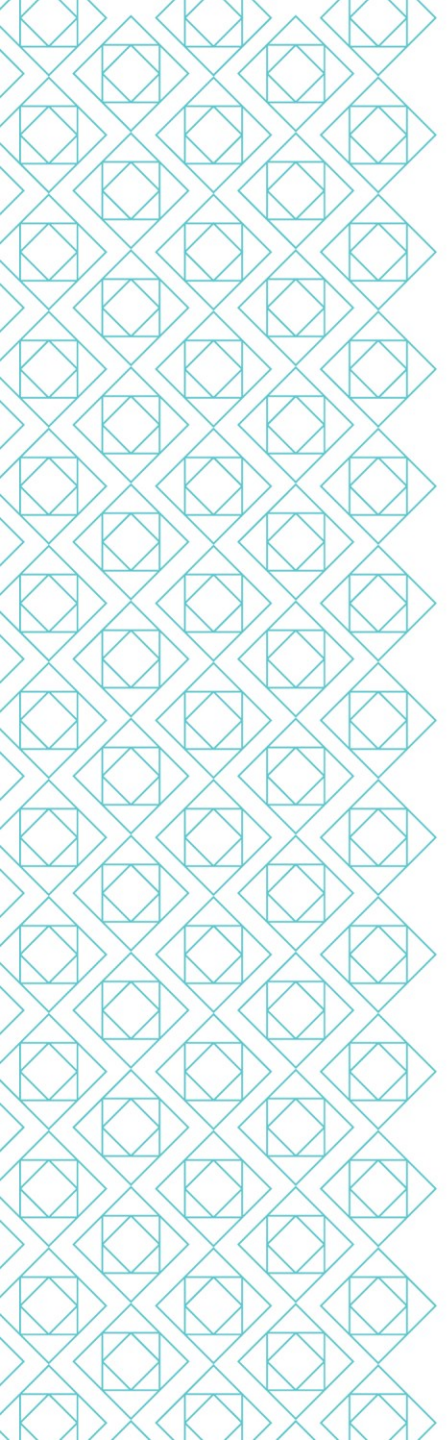
May specify:

- outcomes that key instruments must achieve or provide for
- Which instruments directives apply to



National Standards

- Implement national policy direction
- Provide procedural or regulator consistency (how activities or effect are regulated)
- Direct development of Spatial Plans, Land Use Plans and Natural Environment Plans (and standardised plan content for those plans)
- For land use plan: We will get a set of zones with objectives, policies and rules, with some limited options for how to apply. Standards can allow for bespoke provisions in some circumstances where they can be justified.



Regulatory relief framework

Applies to:

- Significant historic heritage
- Indigenous biodiversity
- Outstanding natural features and landscapes
- Sites of significance to Māori

When:

The rules have a significant impact on reasonable use of land

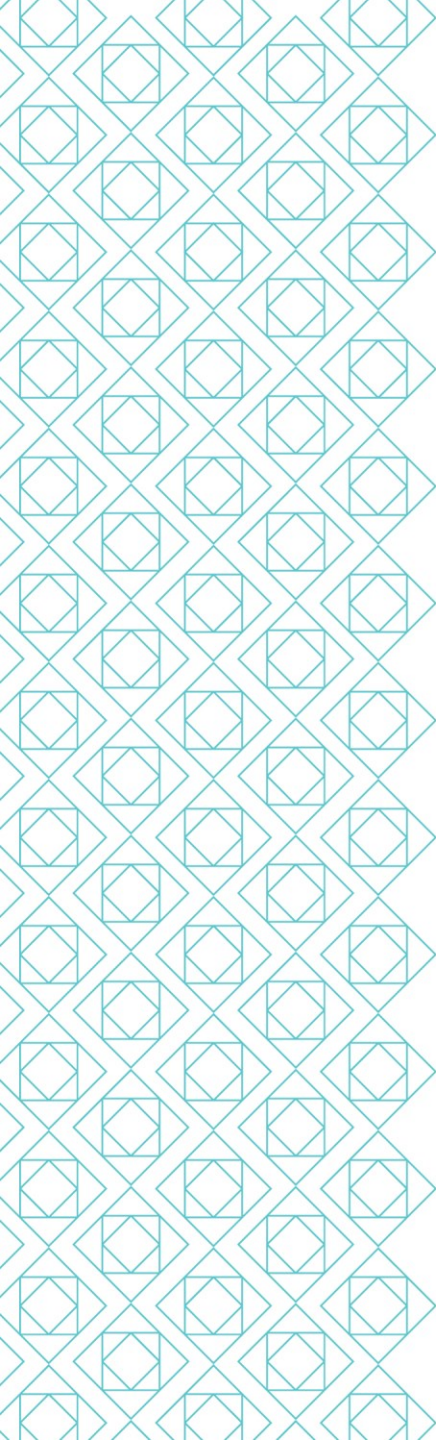
What:

Relief does not need to be monetary

Doesn't apply to:

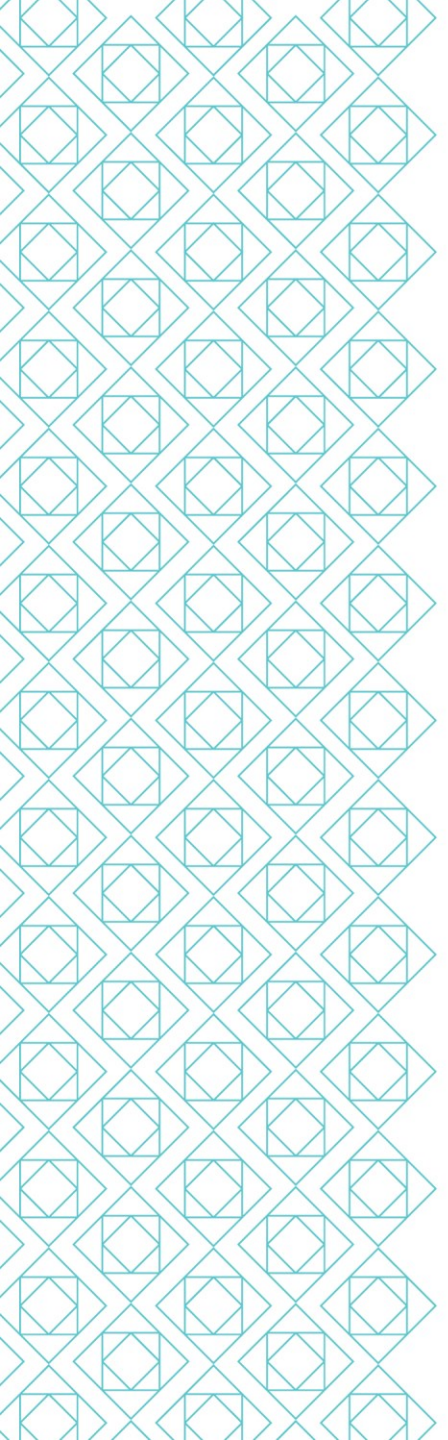
- Designations
- Natural Hazards

Reasonable Use = the use or potential use of land for any activity where the actual or potential effects on any land use or on any person (other than the person who owns the land) would not be significant



What happened post Select Committee - good news

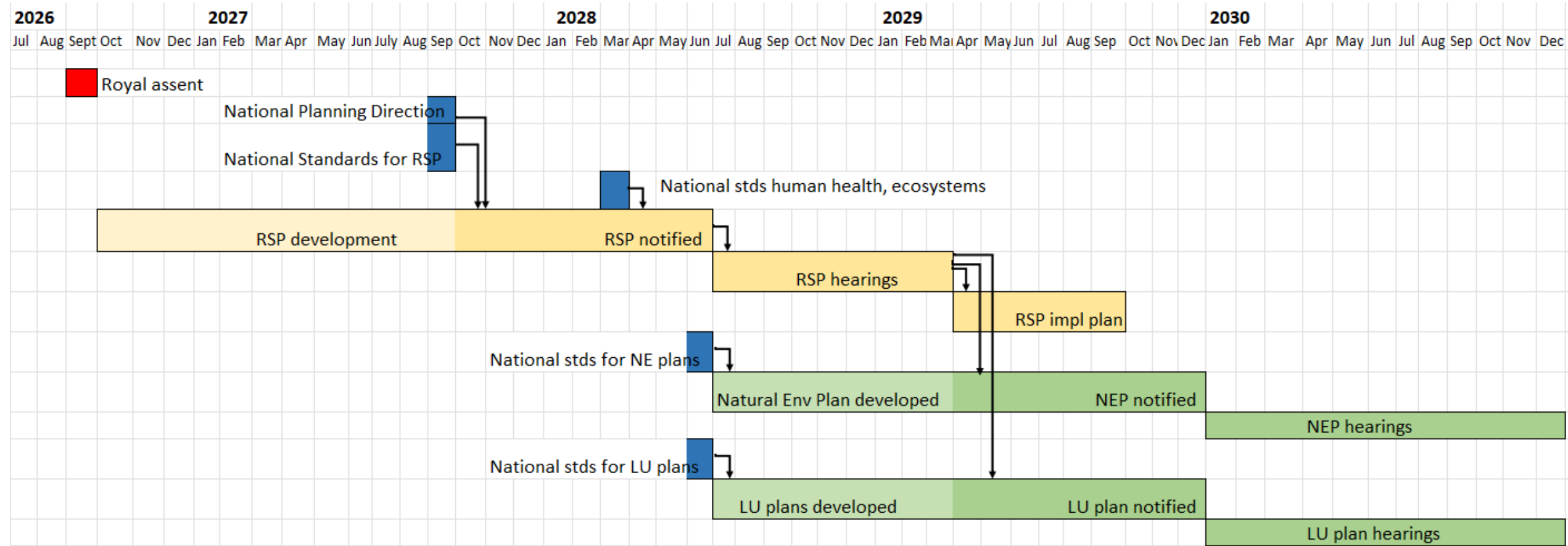
- Positive change – extension of timeframe for RSP
- Dedicated implementation team at MCERT
- Significant engagement with the local government sector
- Drawing on local government expertise in teams
- Willingness to share work in early stages (such as illustrative national direction)
- Taituarā and NZPI supporting the sector – templates, guidance, training

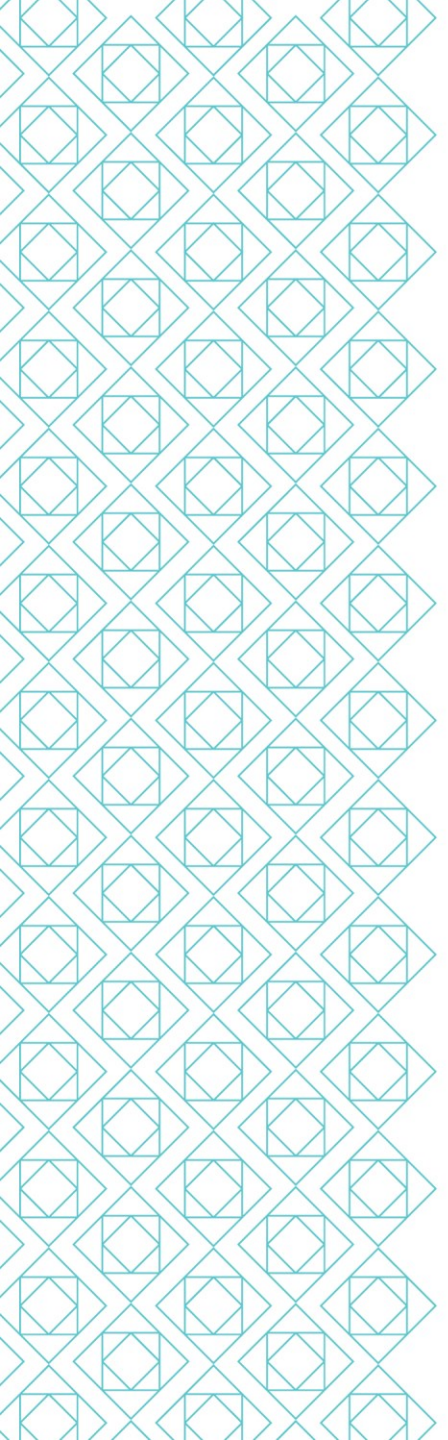


What happened post Select Committee - bad news

- Little effort shown at creating bi-partisan support, meaning there is a high likelihood of significant legislative change if there is a change of Government
- The recommendations of the independent legal adviser and the independent Parliamentary Commissioner for the Environment were largely ignored
- Changes shifted more power toward the Minister and away from councils
- Erosion of concept of environmental bottom lines

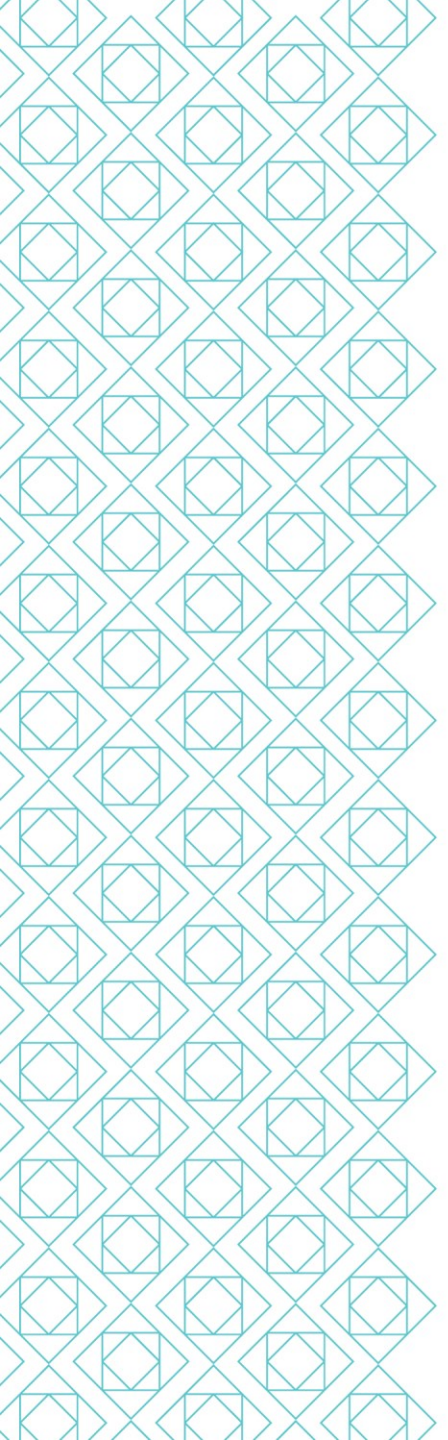
Implementation timeline





Implications for LTP

1. Regional Spatial plan development
 - Cost-sharing contribution \$350k-\$500k + own costs
2. New monitoring and reporting on land markets and capacity of development infrastructure
 - Potential impacts on infrastructure teams' work programmes
3. Design of effective infrastructure funding mechanisms for a reactive and enabling system
4. Development of regulatory relief policy and assessment of properties to determine who qualifies and impact of rules
5. Funding for land use plan development
6. Funding for regulatory relief



Questions?

Māori interests

No reference to principles of Treaty of Waitangi

No reference to kaitiakitanga, tikanga or relationship of Māori with land, water or taonga

Māori interest goal:

To provide for Māori interests through:

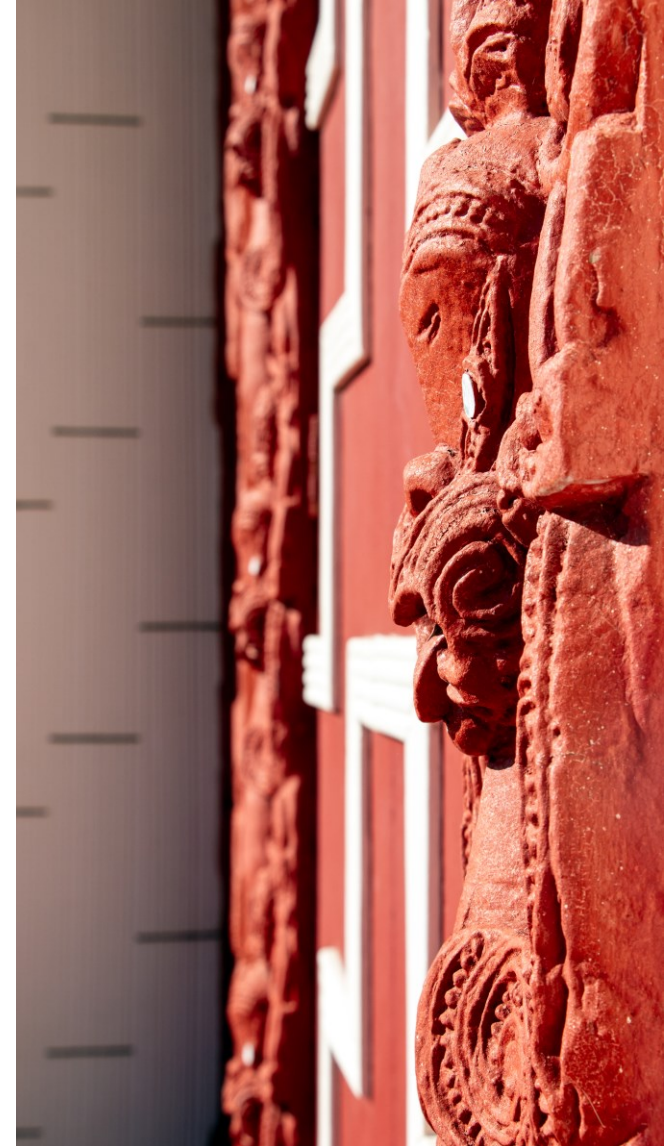
- participation in development of national instruments, spatial and land-use plans
- identification and protection of sites of significance
- enabling the development and protection of Māori land



Mana whenua concerns (TRoNT submission)

In addition to previous slide:

- Not recognised as a Treaty partner
- Settlement legislation
 - Work is wider than settlement legislation
 - cl 9 doesn't address then until *after* in place
- Balancing goals
- Freshwater health + environmental limits
- Iwi involvement too high level/not local enough
 - Limited consultation



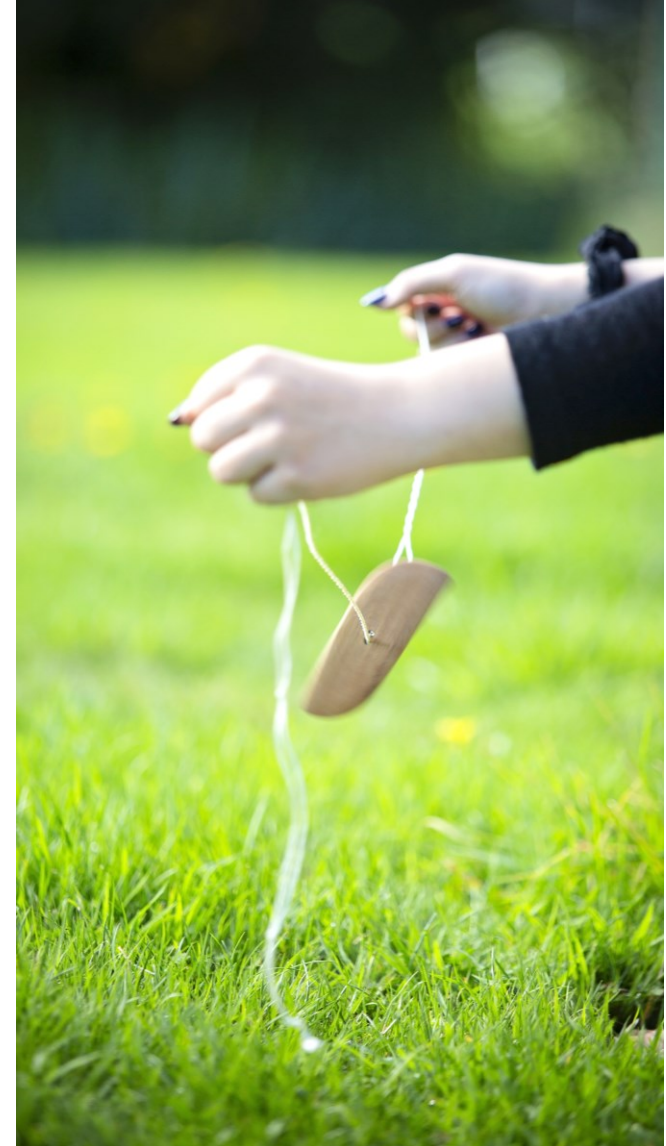
Iwi participation agreements

For LAs and Spatial Plan Committees

Replaces Mana Whakahono ā Rohe

Iwi participation narrower than MWāR. Scope is:

- how iwi authorities will participate in local authority processes for iwi participation provided for in the Bills; and
- local authority engagement processes to give effect to relevant Treaty settlement redress.



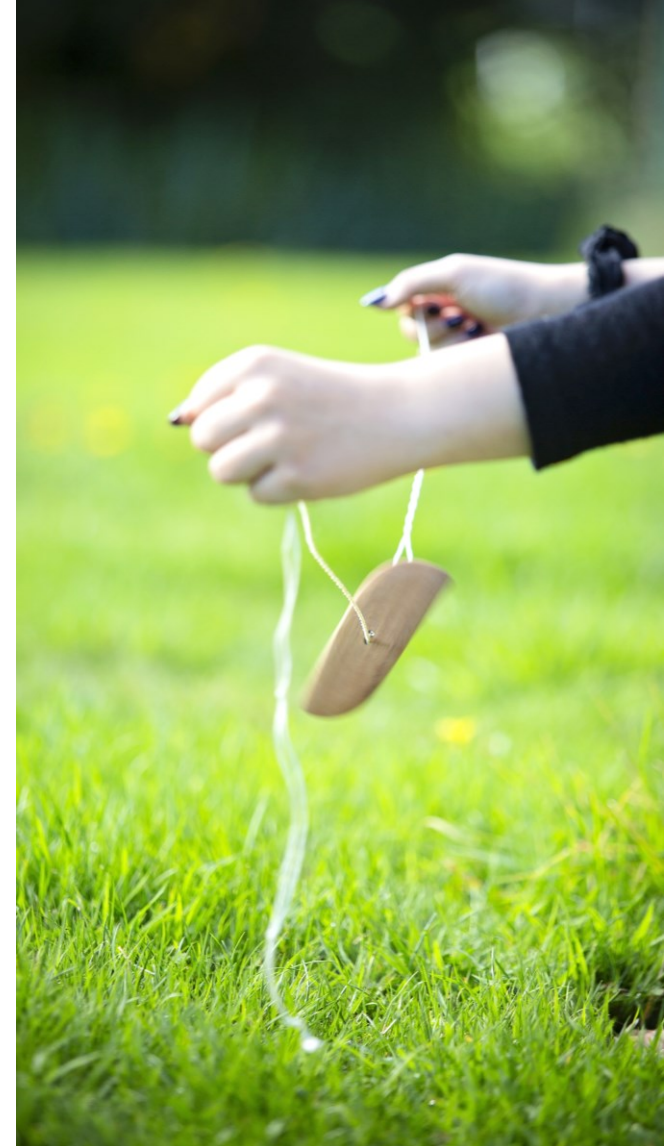
Iwi participation agreements (cont.)

Minister may issue further aspects that can be covered.

Iwi authorities can initiate, *then* hapū can join.

No specific time frame.

Can be terminated by either party.



Continuing partnership with mana whenua

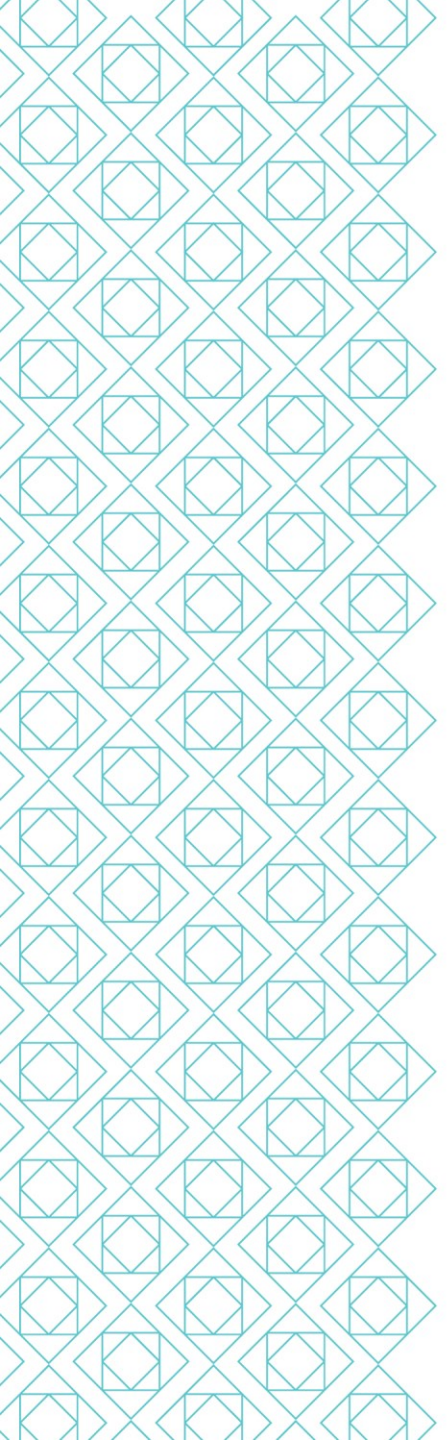
Need to consider how the new legislation will allow DCC to work with...

- Te Taki Haruru
- Ngāi Tahu Settlement Claims Act 1998
- Mana whenua

... and what this will look like.



Transitional Provisions



Transitional Consenting

- Changes to RMA prevent decision-makers from considering certain matters in relation to the effects of an activity:
 - In relation to residential development (except heritage) -
 - area of glazing
 - outdoor living space
 - internal layout
 - size of a residential unit
 - size of landscaped areas (except in relation to permeability)
 - Effects on retail distribution
 - The type of residents to be housed in a new development
 - Views from private property

Transitional Consenting - process

- Assessing which 2GP provisions will be affected
 - wording not yet final
 - interpretation issues - guidance needed
- Engagement with frequent plan users
- Mark-up by strike-through: ~~delete~~
- Advertise changes through City Dev News, emails to professional bodies, 2GP webpage



Additional procedural principles

New RMA s18B – decisions on consents

- Documents are succinct and use plain language
- Have sufficient and necessary information to understand implications of decision, considering:
 - cost and feasibility of obtaining the information
 - scale and significance of matter
- Act in a pragmatic way that supports practical solutions



Other changes during transition period

- 'Special circumstances' removed from notification test
- No private plan changes can be notified from 1 Jan 2028 unless Ministerial approval
- 'Initial national rules' may be released from 2027 – override existing rules
- Must consider consistency with a decided RSP (≈ 2029)





Regional Spatial Plan

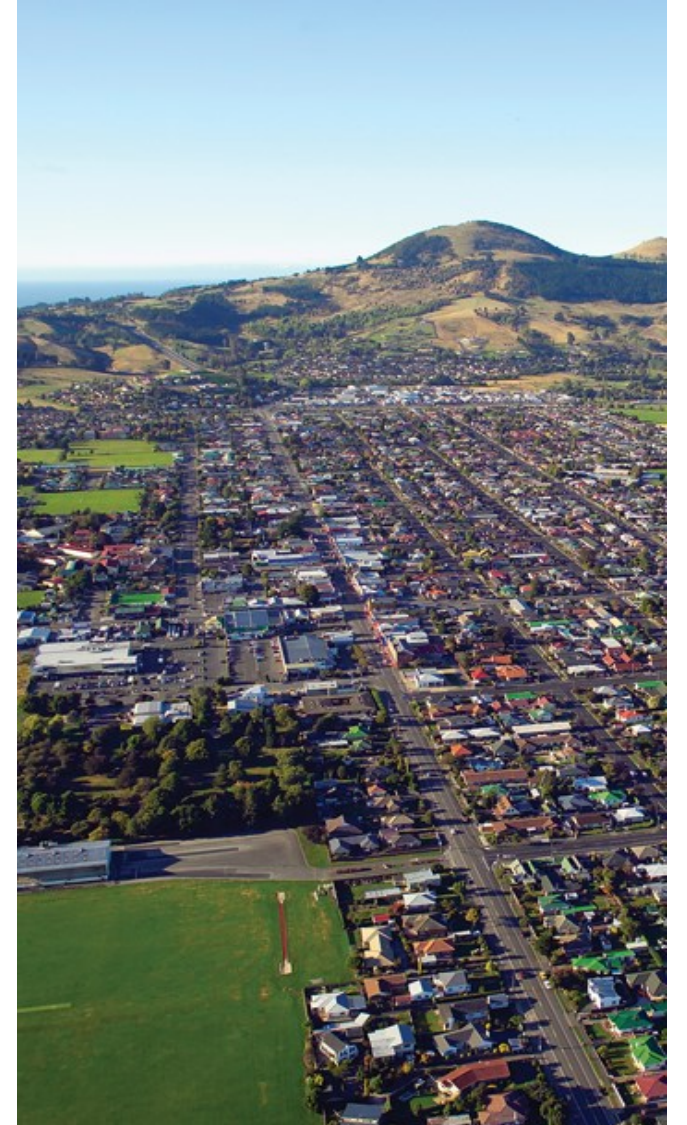
Regional Spatial Plan - purpose



- Sets the strategic direction for growth and change for at least 30 years
- Integrates strategic-level decision making under the two Acts / resolves conflicts
- Implements national instruments (eg national policy direction)
- Supports co-ordinated infrastructure funding and investment
- Integrates development planning with infrastructure planning and investment

Content of Regional Spatial Plan

- Key drivers of growth and change
- Map broad spatial layout of region -
 - priority areas for growth
 - infrastructure of strategic importance for growth and change
 - significant constraints on using land or CMA
 - priority areas for adaptation planning
- Map -
 - designations for significant projects
 - sites of significance to Māori



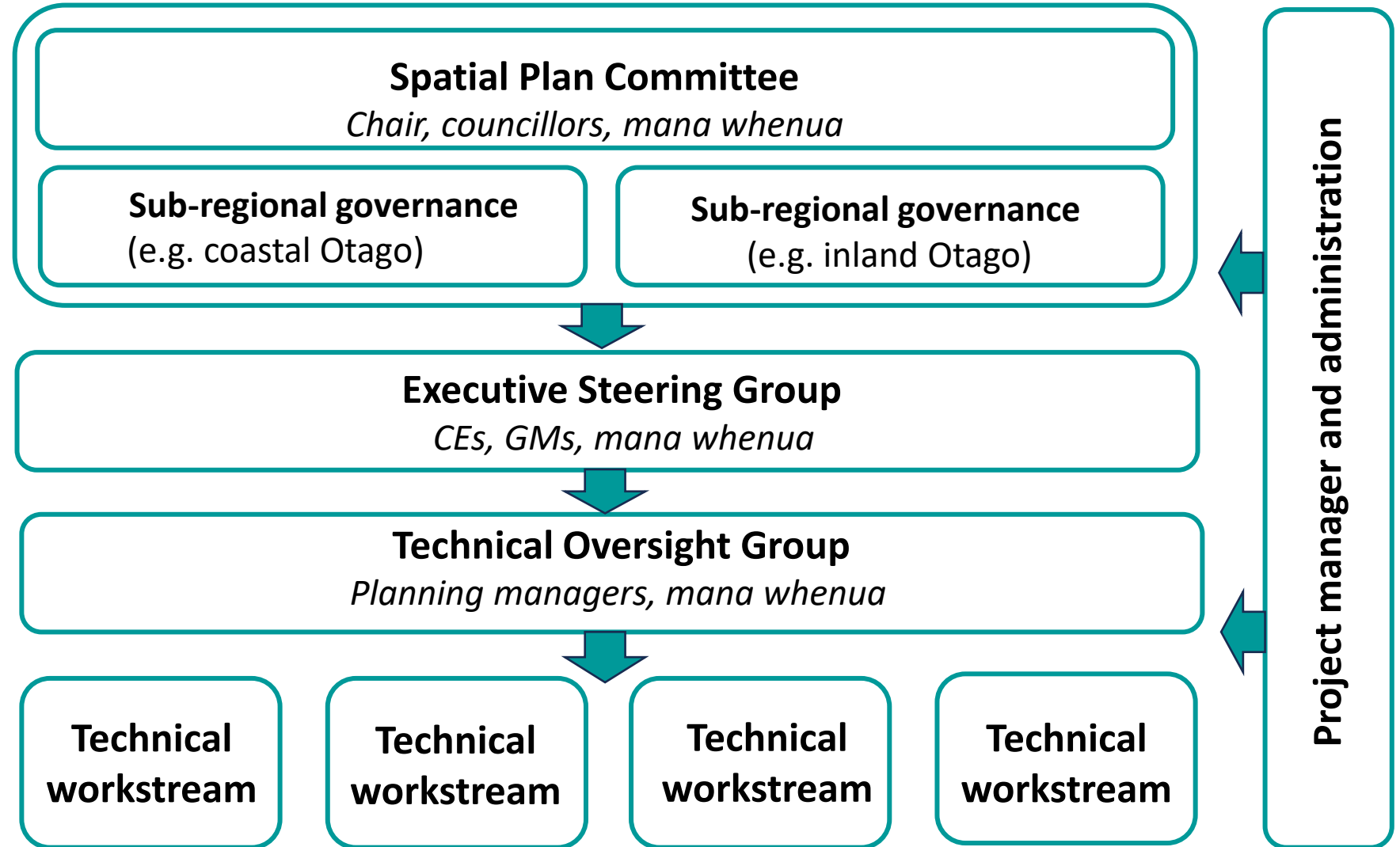
National Policy Direction and spatial planning



Must identify ...

- an abundance of areas for urban development
- renewable energy sources and strategic opportunities to increase capacity
- high value growing areas of regional / national significance, and provide strategic direction on resolving conflicts with growth and infrastructure
- regionally significant quarries and mines, and new significant mineral resources
- areas suitable for aquaculture

Preparation of Regional Spatial Plan



Implications for DCC teams

- Significant work to develop spatial plan
 - planners
 - infrastructure teams
 - advisory services
- Standards / guidance provided by September 2027, notification mid-2028
- Working with neighbouring councils – opportunities and challenges





Land Use Plan

Land-use plan – process and timeframe

Purpose

- Enable and regulate the use and development of land (including subdivision)

Preparation

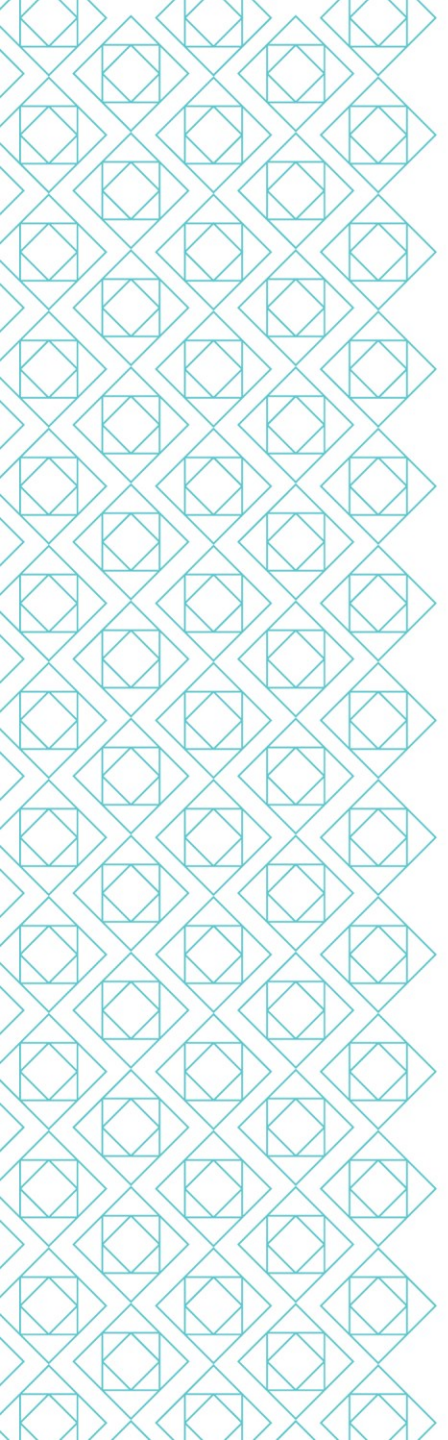
- 1 per territorial authority (compiled together into regional plan)
- Simple s32 evaluation (now s10 Sched 3)
- Must be notified within 9 months following RSP decisions



Land-use plan content

- Must implement the regional spatial plan
- Majority of plan content will be standardised
- (Limited) ability to determine spatial application of standardised provisions
- Bespoke provisions possible on some matters with a justification report





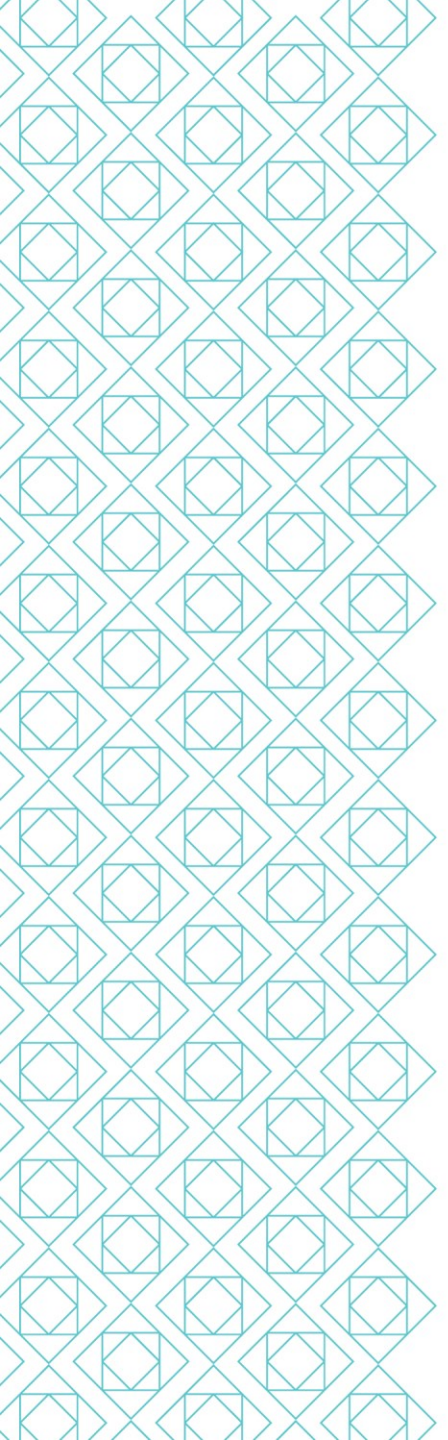
National Policy Direction and land use plans

- Enable existing lawfully established land uses to operate without unreasonable constraints
- Apply the most permissive planning provisions possible
- May allow urban development in protected areas if national standards met
- Must enable intensification in specified locations
- Support well-functioning rural environments
- Enable and protect infrastructure operation
- Provide for opportunities for new and expanded renewable generation
- Enable Māori land to be used for papakāika and to meet needs of owners
- Enable aquaculture (land, freshwater and coastal-based)

Implications for DCC teams

- Review of zoning currently underway to identify areas for review / change
- Preparation will largely take place at same time as RSP hearings (late 2028/29)
- Assessment and engagement will still be needed to determine which provisions apply where, and fill in any gaps





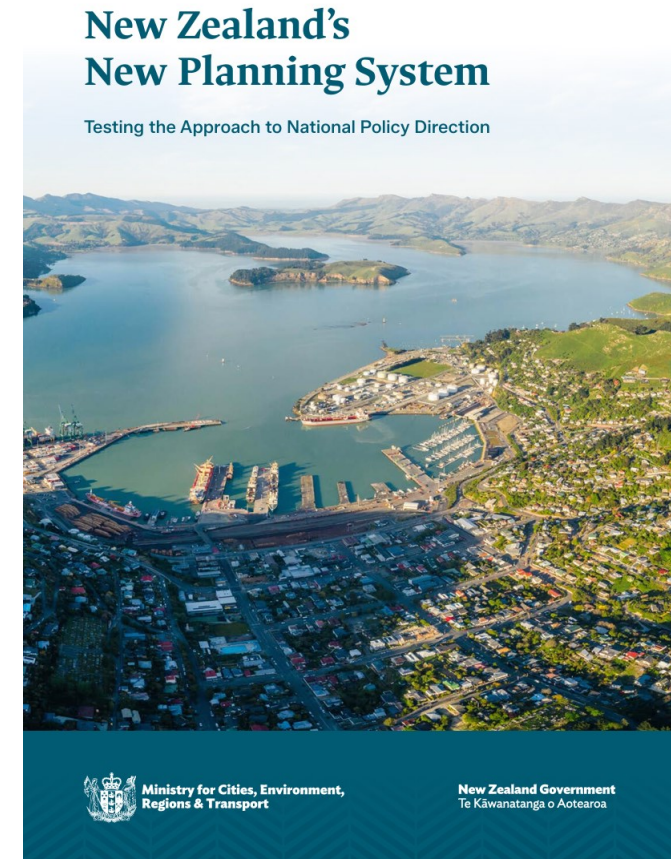
Questions?



Illustrative National Policy Direction (NPD)

Illustrative National Policy Direction (NPD)

- Illustrative NPD developed to show how national direction could operate under the new planning system
- Released on 25 August, consultation closes 16 October
- Document is illustrative only, not government policy
- Formal statutory consultation will happen post enactment



Structure of the NPD

Cross-cutting directives:

- Private property rights
- Economic growth
- Managing land use and reverse sensitivity
- Regional spatial plans
- Avoiding unnecessary duplication
- Consent/permit decision-making
- Te Ture Whaimana

Themed directives:

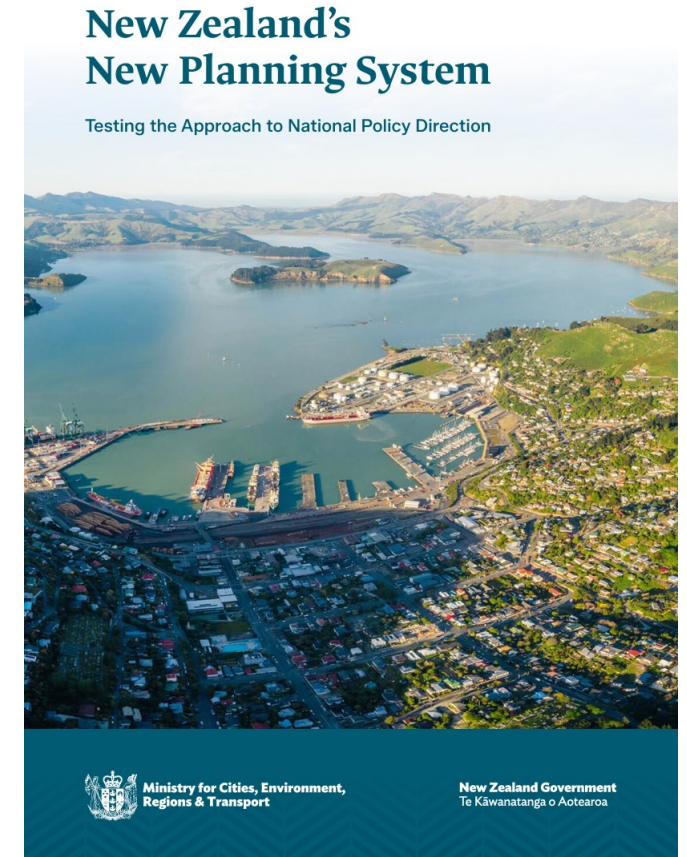
- Housing and development
- Infrastructure
- Primary production and the rural economy
- Resources – quarrying, mining and waste
- Public values

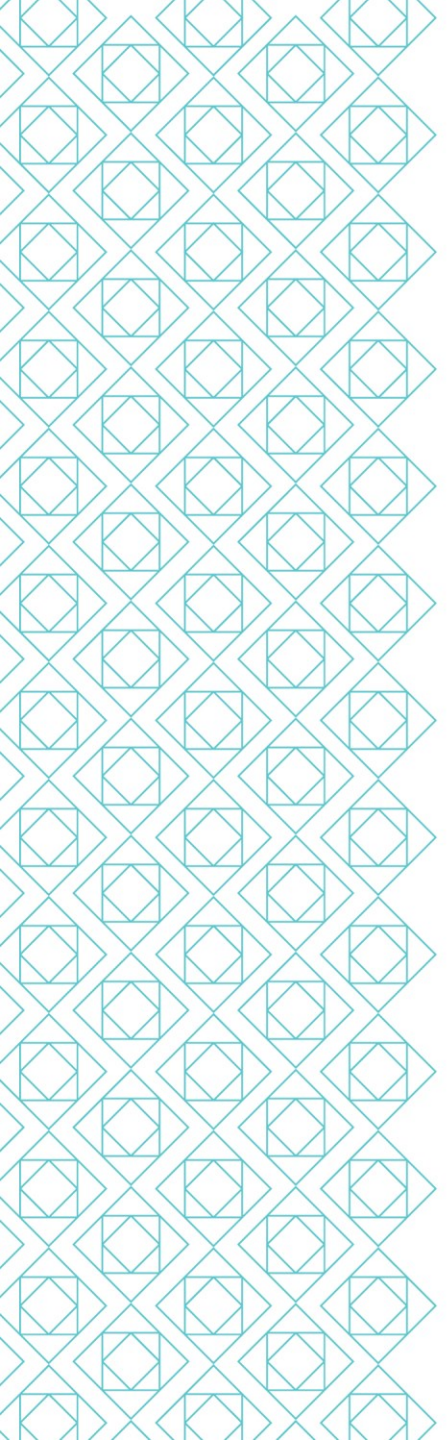
System-wide directives:

- Maori interests
- Natural hazards

Illustrative National Policy Direction (NPD)

- **Content includes:**
 - Policy intent
 - Directives for instruments
 - Procedural directives
 - Indicative implementation through national standards (not part of NPD)
 - Notably missing – direction on how to resolve conflicts between matters



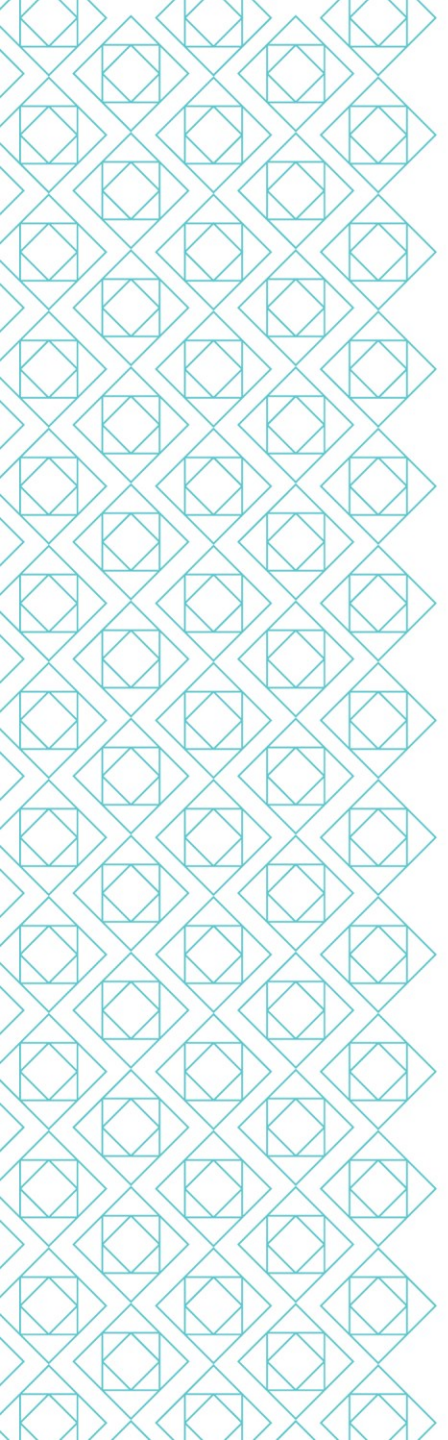


Matters likely to be raised in feedback

Infrastructure affordability

- Regional spatial plans are to prioritise growth and change in areas “where infrastructure can efficiently support growth and change” (CC-Directive 5)
- Regional spatial plans sequence growth, change and infrastructure to support “efficient public investment” (CC-Directive 6)
- Directive to “enable the timely and efficient delivery of new infrastructure” (INFR-Directive 1.2)

The directives promote the “efficient” provision of infrastructure but do not adequately or explicitly address short or long term affordability. This could enable infrastructure without sufficient consideration of its whole-of-life affordability.

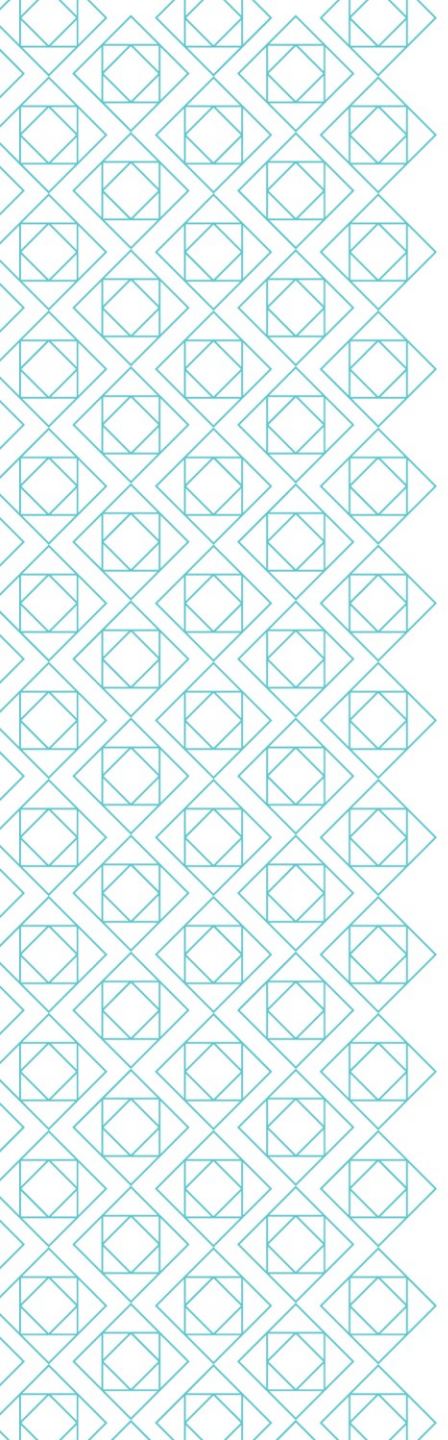


Matters likely to be raised in feedback

Theme – competitive land markets

- Spatial plans required to identify an “abundance of areas for urban development” (HD-Directive 1.1)
- Must use temporary or future provisions to manage infrastructure constraints in areas identified as otherwise suitable for development or intensification (HD-Direction 1.4)
- Must not include urban growth boundaries or requirements for development to be connected to existing urban areas (HD – Directive 1.5)

Conflicts with directions around well-functioning urban environments with no guidance on how to weigh

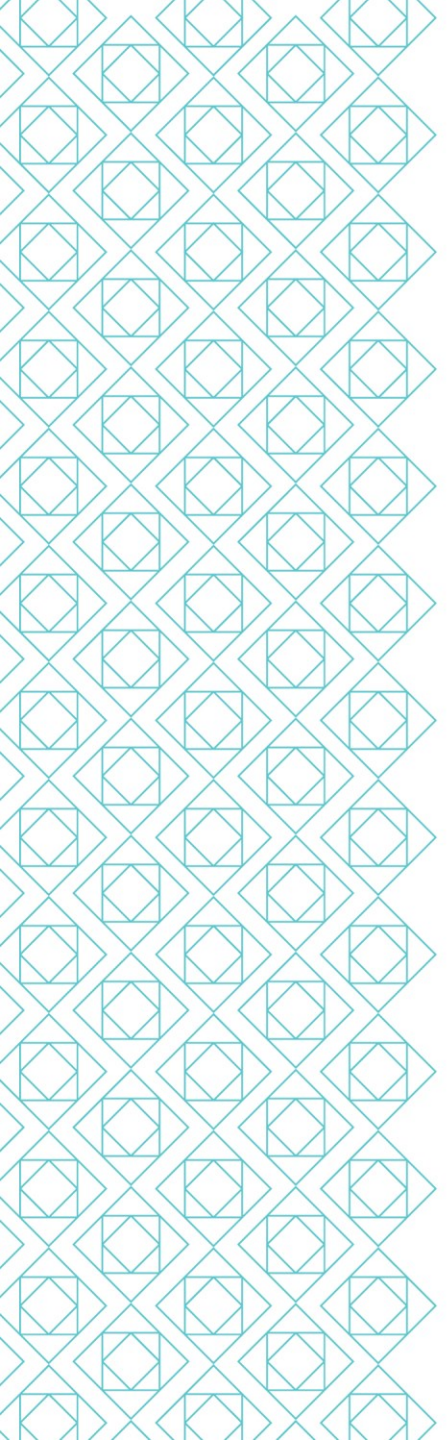


Matters likely to be raised in feedback

Theme – well-functioning urban areas

- Land use plan are required to “enable a broad mix of compatible residential, commercial and community activities within urban zones intended predominately for residential, commercial and community use.”(HD-directive 2.1)

Creates a policy direction that all residential zones will become mixed use zones which will present challenges for traffic generation and parking and negative reactions from people living in these environments not anticipating this level of change



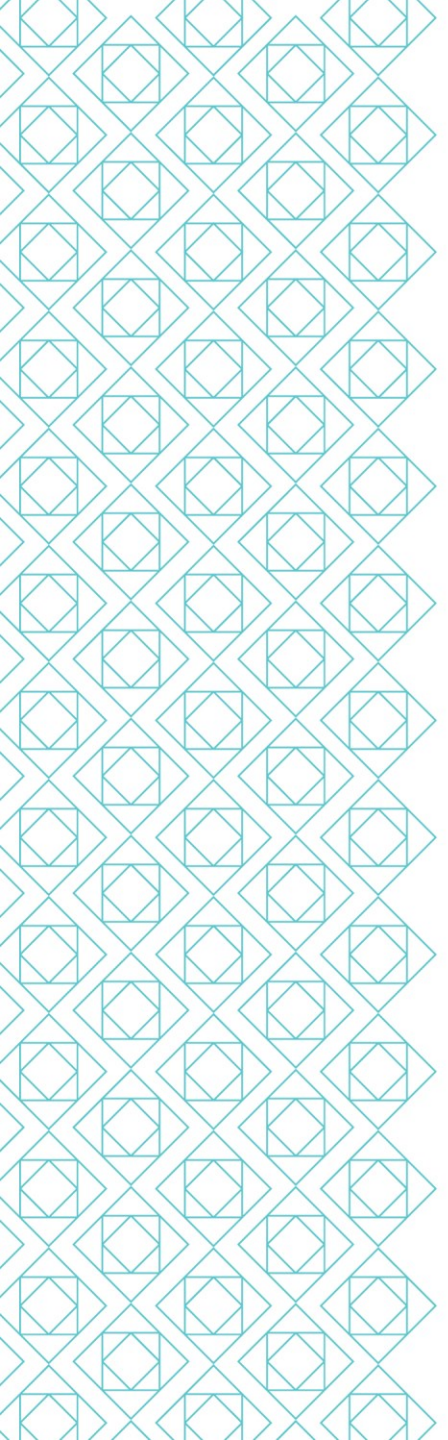
Matters likely to be raised in feedback

Theme – Well-functioning Rural Areas

Land use plans are required to:

“enable [rural] land to be used and developed in a way that maximises public and private investment” and “...an appropriate mix of compatible residential, commercial, industrial and community activities. (HD-Directive 3.1)

Open-ended concepts could be used to enable residential scale development as well as general commercial activities in rural zones



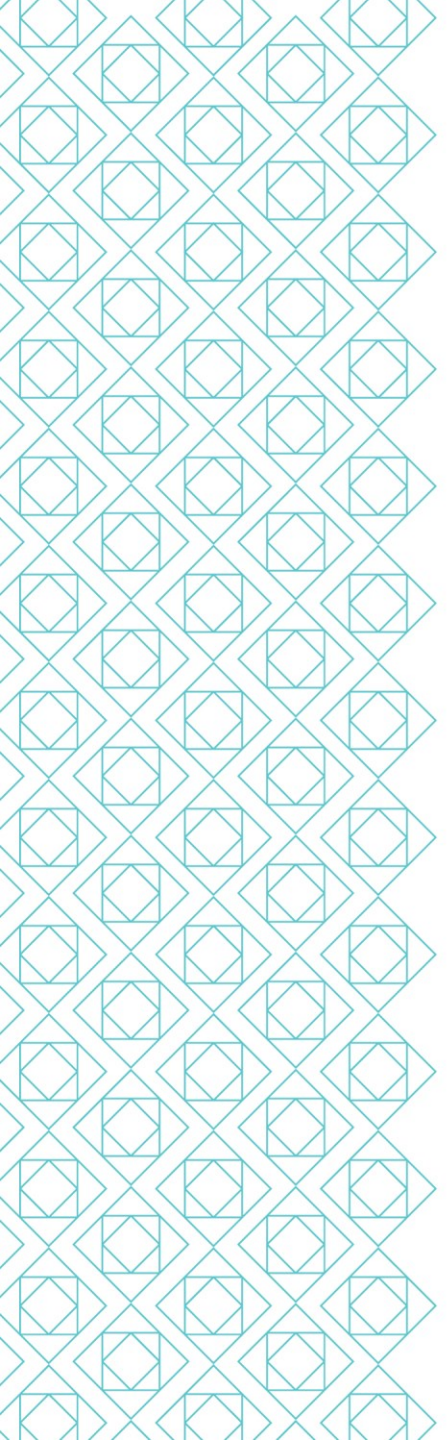
Matters likely to be raised in feedback

Positive feedback:

- Support directives requiring the use of nationally consistent standards to identify public values (eg significant biodiversity, outstanding landscapes, historic heritage)
- Support indication of national standards that will provide:
 - Consistent management of reverse sensitivity
 - Clear expectations for anticipated land use within zones
 - A framework for providing regulatory relief that improves certainty and reduces litigation

General feedback:

- Additional direction is required on how to resolve conflicts
- Good drafting practice to reduce risk of litigation



Next steps for submission on NPD

- Staff will prepare the Council's draft feedback. Suggestions or questions to Anna Johnson welcome at any time
- Draft circulated to Councillors on or before 29 September, any pre-Agenda initial comments due by midday 2 October
- 5 October: Council agenda goes out
- 12 October: Council Meeting to confirm feedback submission
- 16 October: Submission submitted to the Ministry before consultation closes



Questions?