

13 February 2026

New Zealand Parliament

Environment Committee

Email: en.legislation@parliament.govt.nz

Teena koutou,

Waikato District Council (Council) submission on the Planning Bill and Natural Environment Bill

Council welcomes the opportunity to comment on the Planning Bill and Natural Environment Bill. The Council recognises the need to modernise Aotearoa New Zealand's resource management system and supports reforms that strengthen environmental outcomes and improve system efficiency.

Council affirms the inherent value of the natural environment and its essential role in community wellbeing, economic resilience, and national prosperity. Embedding clear environmental limits and restoration objectives, supported by strong evidence and integrated catchment-based planning, will be critical to the success of the new system.

Council generally supports replacing the Resource Management Act 1991 (RMA) with a clearer, more streamlined framework and endorses the proposed separation of purpose across the two Bills. Council also supports standardising planning tools, including consolidated zones, provided national instruments are delivered in a timely and practical manner with room for justified local variation.

Strengthened regional and national spatial planning is particularly important to ensure land supply and development sequencing align with feasible and funded infrastructure. This will improve certainty for communities, councils, and the development sector, while supporting coordinated and sustainable growth.

Council supports clear, nationally consistent direction while emphasising the importance of flexibility to reflect local conditions, community priorities, and place-based knowledge.

Council re-affirms that Te Tiriti o Waitangi must remain central to environmental management. Council is concerned that elements of the Bills may weaken established Treaty provisions and recommends strengthening these to match or exceed the clarity and robustness of the current RMA framework, including explicit recognition of Te Tiriti principles and Māori rights and interests.

Our submission addresses both Bills and is structured as follows:

- Part 1: High-level views;
- Part 2: Shared provisions in both Bills;
- Part 3: Provisions specific to the Planning Bill; and
- Part 4: Provisions specific to the Natural Environment Bill.

Council is committed to working constructively with Central Government as the reforms progress. The Council also notes that these Bills sit within a broader reform programme, including potential changes to the role and form of local government. Relevant correspondence with the Ministers is provided in support.

The submission was formally endorsed by Council's Submissions Forum on 13 February 2026.

Should the Environment Committee hold oral hearings on these Bills, Council would like the opportunity to speak to the matters outlined in this submission.

For any queries, please contact James Fuller, Principal Spatial Planner at james.fuller@waidc.govt.nz

Yours sincerely,



Aksel Bech

MAYOR

WAIKATO DISTRICT COUNCIL

Part 1: High-level views

While Council broadly supports the purpose of the Bills, we strongly urge the Government to show greater leadership in their approach. By providing more consistent national direction, the Bills could achieve far more meaningful and lasting outcomes, enabling effective implementation of the proposed planning framework across all Councils.

Key Considerations:

Central Government Guidance and Direction

To ensure Councils can deliver effective and compliant plans, it is essential that the Central Government prioritises the timely provision of clear national direction and guidance. Specifically, national instruments that cover methodologies, zones, overlays, rule sets, environmental limits, and transitional consenting matters. These should be developed and published before Councils commence work on Regional Spatial Plans, Natural Environment Plans, and Land Use Plans.

Currently, the expectation for Councils to prepare these plans in advance of national instruments creates significant uncertainty, making it difficult to meet requirements and risking inconsistency and misalignment across regions. Early release of detailed national instruments will provide the clarity needed for Councils, minimise implementation risks, and support coherent interpretation and regional alignment.

Central Government should:

- Establish and communicate clear national instruments and standards ahead of local plan development.
- Ensure national instruments include comprehensive guidance on methodologies, zoning frameworks, overlays, rule sets, and environmental limits.
- Sequence the rollout so that Councils have all necessary national guidance before initiating their planning processes and the development of Long-Term Plans.
- Facilitate the delivery of consistent national digital and data standards to support E-Plans, GIS systems, and consenting processes.

This approach will enable Councils to develop robust, effective planning materials and foster a streamlined and nationally consistent planning framework.

Governance

The transition from the Resource Management Act 1991 to the new planning framework introduces a fundamentally different governance structure and operational changes for Councils. The delivery of national instruments and guidance confirming governance structures is necessary to ensure the successful implementation of meaningful district-level input to address local conditions under the new planning framework.

Effective implementation of the new planning framework depends on meaningful district-level input that addresses local conditions. This is contingent upon the timely delivery of national instruments and clear guidance on governance structures. Without these elements in place, plan delivery may advance without adequate governance direction, resulting in uncertainty, duplicated efforts, inefficiencies and diminished confidence in the new planning framework.

Transition and Implementation

The proposed transitional timeframe of two and a half years to develop and approve Regional Spatial Plans, Land Use Plans, and Natural Environment Plans is highly ambitious in the environment where wider local government changes are advancing. Compressed timeframes risk constraining effective and efficient development opportunities within the Waikato District, which continues to experience high levels of growth. Allowing more time will give local authorities and Elected Members the opportunity to engage with their communities, identify constraints and opportunities for economic uplift. Ensuring certainty and getting the system, plans, and policies right from the outset is critical to the successful implementation and benefits of the new planning framework.

Goals

The goals in Section 11 of the Bills currently have equal weighting. No hierarchy has been placed on to the goals. The absence of a clear hierarchy creates uncertainty where development enabling objectives conflict with environmental limits. For example, we would not want a polluting industry to affect water sources (aquifers, rivers and lakes), potentially contaminating municipal water supplies critical for existing and growing communities.

The Council considers that any hierarchy of legislative objectives must be sufficiently nuanced to recognise spatial and contextual differences, such as areas subject to natural hazards, identified retreat, outstanding natural landscapes, or drinking water catchments, while remaining administratively workable and clearly prescribed.

Greater clarity is required on the importance of these goals and the way they interact to ensure consistent interpretation and implementation across regions. The prioritisation of goals will directly influence Council's strategic planning framework and functions, including consenting, compliance, spatial planning, policy development and infrastructure investment.

Central Government should provide a clear hierarchical structure goals, informed by national instruments and National Policy Direction, to ensure they are applied in a consistent manner that supports the overall purpose of the Bills.

Te Tiriti o Waitangi Principles and Obligations

The Bills do not address or uphold Te Tiriti o Waitangi obligations and principles. Council considers that the protections offered to those matters should be included as a priority (reflective of the current system) and not be limited to existing settlement commitments. The Bills restrict Maaori involvement and mandate consultation during the formation of national instruments, Regional Spatial Plans, and Natural Environment Plans. The Bills do not advance partnership, shared decision-making, or establish a statutory obligation to identify and safeguard sites and areas of significance to Maaori.

Localised Maaori Participation

The new planning framework moves away from existing partnership models like the Waikato River Governance Structure and Joint Management Agreements. It limits mana whenua involvement, which may undermine the intent and effectiveness of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 and Te Ture Whaimana. The Bills as drafted do not require consideration of Iwi/Hapuu Management or Environmental Plans in spatial planning or consenting processes.

Limiting localised Maaori engagement creates a risk of developing regional standardisation, and therefore potentially ignoring valuable local knowledge, limiting potential growth in the Maaori economy

and reducing the overall effectiveness of Regional Spatial Plans, Natural Environment Plans and Land Use Plans.

Regional Spatial Plans

Council supports Regional Spatial Plans as an important mechanism for integrated growth planning and the delivery of required infrastructure.

The key challenges include the uncertainty of governance arrangements and compressed timeframes for coordinating multiple Council's existing documentation, which some Councils may find challenging without updated District Plans and standardised zones. The potential lack of investigation or time to assess options will have implications in the effective development of all plans required under the bills.

It is important that local district priorities are appropriately recognised alongside regional interests. Council supports a boundaryless approach to regional planning for growth and infrastructure, however, clear processes for representation, conflict resolution and the retention of district specific provisions are needed to ensure effective implementation.

National Standardised Zones

Council supports nationally standardised zones to improve consistency, clarity and streamline planning.

Across New Zealand there are distinct geotechnical, cultural and industrial conditions that are likely to require bespoke zonings, which will not be addressed if the framework is rigid. Some flexibility within the planning framework is essential to address the dynamic nature of the New Zealand landscape and allow locally and regionally justified exceptions. Bespoke zonings should be enabled to ensure appropriate protection and management of natural hazards, cultural sites, historic heritage and strategic land uses is provided for.

As an example, the Waikato District Plan – Operative in Part includes several Special Purpose Zones tailored to strategic land uses. National standardised zones may not fully capture these local circumstances, making provision for limited bespoke zones essential in the proposed planning framework. Without this flexibility, there are risks to the enablement of land development and outcomes that could have significant positive impact for local communities.

Consenting Processes

The Bills aim to streamline the consenting process, which is supported.

Increasing the number of permitted activities, limiting the scope of effects, and reducing notification triggers may make it harder to identify pressure on infrastructure networks early enough for Council to respond effectively. The most reliable way to monitor infrastructure capacity remains through consent applications. Specifically, expanding permitted activities leads to less Council oversight when regulating infrastructure capacity. Therefore, Council suggests including proportionate infrastructure capacity assessments in the consenting process to ensure that growth aligns with network resilience and environmental standards.

While Council supports the aim of the Bill's to improve transparency around permitted activities, there is a need for further clarity on the proposed registration framework. Council recommends that Central Government clarifies whether the framework requires Land Use Plans to list all activities that will be permitted or whether Councils will regulate through rule frameworks that define permitted parameters without listing the activities.

This information will not only reduce unnecessary administrative work, but it will also reduce compliance costs, and ensure there is consistent implementation across regions.

There is also an opportunity to enhance consenting processes through the integration of planning consents and permits, particularly for subdivision, to offer a strong opportunity to create clearer and efficient processes. Aligning Regional Spatial Plans and Land Use Plans with the Natural Environment Plan will help to achieve this. Updating the Bills to support a fully coordinated and streamlined approvals framework will further enable a single and cohesive process that benefits planners, applicants and environmental outcomes.

Private Plan Changes

It is generally accepted that private plan changes enable private development, which often has limited benefits to the wider ratepayers. The Resource Management Act 1991 requires the cost of a private plan change to be borne by the developer, who is most likely to benefit from the plan change. The proposed framework will transfer those costs over to the consenting authority, thus being subsidised by the ratepayers of the relevant area, despite there being little benefit to the public.

Council recommends that the proposed framework adopts a system whereby a private plan change is funded by the applicant, who is the likely beneficiary of such changes unless the plan change is Council initiated or has such public interest to warrant a wider cost sharing. This is an effective method to ensure the financial cost of growth remains with the developer and aligns with Council's approach to growth pays for growth, therefore ensuring financial fairness.

Public Participation

Council is supportive of approaches that prioritise meaningful participation and engagement in the planning process. We recognise the value of engaging communities early, providing appropriate support, and undertaking essential foundational work to achieve improved outcomes. In addition to public input, government agencies and statutory bodies often provide specialist advice on resource consent matters and may be considered affected parties. It is important that the submission process enables early consultation with organisations such as the Department of Conservation (DOC) and Heritage New Zealand, and that the term "qualified" also encompasses affected persons.

The Bills limit public participation in consenting processes by making engagement dependent on early notification decisions, as consent authorities must decide within 20 working days whether an application will be publicly or targeted notified, and only notified applications are allowed to submit. Submission rights are further narrowed because only qualifying residents, affected persons, or those directly served notice through targeted notification may submit on notified consents. This means the thresholds for notification directly controls who can participate and often restrict the public's ability to be involved.

While this approach may help to reduce forms of NIMBY-ism, it results in a tightly controlled notification process that can disproportionately limit constructive community input. The approach may potentially exclude voices that could contribute valuable local knowledge or legitimate concerns that could result in better community and economic outcomes. Therefore, further consideration should be given to enabling appropriate public engagement through consenting processes.

Regulatory Relief and Compensation

Council welcomes reforms that aim to create a more efficient, predictable, and community focused planning system. There is support in part for providing protections. There is concern about the financial exposure created for Councils when they are required to deliver a framework then offer relief or

compensation to private landowners for protecting natural environmental features, historic heritage sites and sites and areas of significance to Maaori. Mechanisms for compensating landowners where land-use restrictions apply carry a risk of unsustainable costs for Councils and, ultimately, for ratepayers.

Of particular concern is the absence of definitions of key concepts such as “reasonable use” and “significant impact” which are instrumental to the outcomes. The absence of these definitions will create uncertainty, increase disputes and potentially encourage litigation. This will result in Councils determining their own framework, resulting in inconsistencies across the country.

Council is also concerned that the framework could re-open long settled planning controls relating to environmental limits, natural hazards, treaty obligations, historic heritage and nationally directed protections. Allowing compensation to attach to these longstanding and often essential controls may introduce fiscal uncertainty and complicate long-term spatial planning and investment.

In its current form, the regime provides no dedicated funding or centralised support. This places responsibility for nationally driven outcomes on to local authorities without the corresponding tools or resources. This will result in an imbalance that may divert Council’s focus away from delivering good planning outcomes, core infrastructure and supporting economic opportunities. Rather than simplifying the system, the added assessment and valuation processes risk increasing complexity and administrative burden on Councils.

Council’s intention is not to hinder progress but to help ensure the reform programme succeeds. Council considers the regulatory relief and compensation provisions drafted in the Bills are unlikely to deliver a simple and more efficient system envisaged by Central Government.

The Council encourages Central Government to recognise and uphold recent District Plan decisions, such as those in the Waikato District, to prevent unnecessary re-litigation of existing protected sites. We also encourage Central Government to establish a national compensation fund with cost sharing between Central Government and Councils, like the model used in New South Wales, Australia.

Further, a clear national compensation framework should be developed, with consistent definitions, valuation methods, and model templates to support uniform application across the country. Central Government should also provide concise national guidance and a standardised toolkit to support consistent, landowner-initiated compensation assessments and clearly defined thresholds.

Natural Hazards and Climate Change Adaptation

Council supports proactive and proportionate risk-based approaches to natural hazard resilience. Clear national direction on climate change adaptation, supported by coordinated guidance, quality data, and appropriate technology, is essential to ensure consistent assessment of natural hazard and climate risks. based approaches to natural hazard resilience.

To operate effectively within this framework, councils require tools to manage inappropriate development and to address risks that may affect local government and community assets. Greater clarity is also needed on where liability will sit under the new regulatory settings, particularly if Central Government relaxes existing controls or does not strengthen them.

Infrastructure & Designations

Council supports the proposed designation framework, as it provides critical provisions that enable the delivery of strategic infrastructure. This approach will support sustainable growth while safeguarding future land use requirements for infrastructure providers.

Council also supports the proposed pathway for designations through the spatial planning process, allowing infrastructure providers to signal strategic intent early and thereby improving long-term planning. Furthermore, Council supports the proposed planning framework which enables Territorial Authorities to secure and give effect to designations within their Land Use Plans and related instruments.

The Natural Environment Bill gives Regional Councils an important role in actively managing situations where environmental limits are exceeded, including those that arise from the planning and delivery of nationally directed infrastructure pathways. While national direction supports development, it also maintains the commitment to addressing environmental effects wherever limits are surpassed. To strengthen this framework, any national instruments that allow infrastructure to exceed environmental limits should demonstrate a clear public benefit and a well-defined national or regional need and include requirements to rehabilitate the environment to at least its existing condition or better, ensuring positive outcomes for both communities and the natural environment.

Waters Infrastructure

Council recommends for the Planning Bill and the Natural Environment Bill to be more closely aligned with other legislation to ensure an effective and coherent planning system. Stronger alignment is required between the proposed planning framework and the Water Services Act 2021 so that all relevant regulatory requirements are fully incorporated and consistently applied.

Planning Tribunal

Council supports the introduction of the Planning Tribunal (PT) and the ability for it to resolve lower order regulatory disputes across the Planning Bill and the Natural Environment Bill, particularly where integrated consenting is being undertaken. The ability to increase the capacity for the Environment Court for substantive cases will be a welcome by-product of the PT and will enhance the efficiency and effectiveness of the whole system.

Litigation Risks

As indicated above, overall, Council is supportive of a change in the planning framework, so long as the proposed framework creates a better and more effective regime. As currently drafted, the Bills provide a framework that is uncertain and which is reliant on additional information to be provided after the spatial plans have been implemented. Incremental implementation of a framework will likely result in Councils having to rely on judicial interpretation of matters which could have been determined prior to implementation. Such litigation results in more financial outlay by both Councils (funded by ratepayers) as well as the private parties who are also seeking clarity.

Please note the following table contains our suggested amendments to the Bills, in relation to the matters raised above. Council recommends that any additional consequential amendments be made to give full effect to the above matters.

Section	Position	Explanation	Recommendation
Part 2: Shared Provisions in both Bills			
Explanatory Note Planning Bill & Natural Environment Bill	Support in Part	<p>The Planning Bill and Natural Environment Bill seek the delivery of a Combined Regional Plan, which will consist of the:</p> <ul style="list-style-type: none"> Regional Spatial Plan: First draft of Regional Spatial Plan to be publicly notified within 15 months of the Royal Asset or 6 months after the first National Policy Direction is issued and must be adopted 6 months after it is publicly notified. Natural Environment Plan and Land Use Plans: that must be notified within 9 months of the Regional Spatial Plan being adopted. <p>The timeframes outlined for delivering the planning framework encourage momentum and early progress, however, to support the level of detail and refinement needed to achieve the high-quality, streamlined planning outcomes intended, additional time is required. Council has concerns regarding the ability to consult with the community on local matters and allow for technical input to contribute to the delivery of a Regional Spatial Plan will be hindered with the suggested short timeframes.</p>	<p>Council seek that the timelines are reviewed and extended for the Regional Spatial Plan, along with the Natural Environment Plan and Land Use Plans, to ensure they can be developed on a robust and well supported foundation.</p> <p>Council seek that Central Government consider replacing a single endpoint deadline with a framework of progressive milestones for Regional Spatial Plan development. Setting clear, staged expectations would maintain momentum, strengthen accountability, and reduce the risk of Councils delaying work until the final stages.</p> <p>Council seek that Central Government develop and deliver national instruments, clear standards, and defined environmental limits prior to the preparation of these plans. This will give clarity and help deliver more consistent, effective, and high-quality outcomes across the planning framework. Furthermore, it will minimise the potential for overlapping legal actions of the higher-level instruments during the development of lower-level plans.</p>
Explanatory Note Planning Bill & Natural Environment Bill	Support in part	As part of the governance and transition needed to implement the Bills, nationally endorsed technology platforms and data standards present an exciting opportunity to modernise planning systems. While further clarity is still forthcoming, Council's established E-Plan and	Council seek that Central Government is encouraged to specify, through the national instruments, the technological standards and tools relating to E-Plans and Geographic Information System (GIS) platforms. This will support the delivery of the new planning frameworks

Section	Position	Explanation	Recommendation
Part 5 Key roles, Section 211 Planning Bill		<p>GIS programmes may be well placed to evolve, potentially benefiting from targeted upgrades, enhanced functionality, and strengthened integration. With appropriate staff training and process refinement, these improvements can support more efficient and consistent delivery under the new framework.</p> <p>Early guidance on governance arrangements and technological requirements will help Council confidently plan investment and operational matters, ensuring a smooth and well-coordinated transition.</p>	<p>that will ensuring integration and adaptability across National and Local Government boundaries.</p> <p>Council seek that Central Government make funding available to allow Local Government to transition and implement appropriate technologies that are nationally consistent. The funding should also support capability and capacity building of these technology solutions to ensure the effective delivery and reduced costs to the planning framework.</p>
Part 1 Preliminary provisions, Section 3 Planning Bill & Natural Environment Bill	Support in part	It is acknowledged that Section 1 within Schedule 5 provides a definition of “infrastructure” in relation to designations. To ensure that the goals and intent of both Bills are achieved, it would be beneficial to include a general definition of “Infrastructure” within Part 1, Section 3 within the Planning Bill and Natural Environment Bill.	<p>Council seek the insertion of a definition for “Infrastructure” generally, that applies beyond designations.</p> <p>Recommend the insertion of the definition of “Infrastructure” as provided for in the National Policy Statement for Infrastructure 2025.</p>
Explanatory Note Part 2 Foundations, Section 8 Planning Bill & Natural Environment Bill	Support in part	The Planning Bill and Natural Environment Bill both require Maaori participation in the planning system, referencing Maaori involvement in developing national direction, Regional Spatial Plans, and Natural Environment Plans. The Explanatory Notes also emphasise objectives such as “upholding Treaty of Waitangi settlements and other arrangements.” Each Bill includes a dedicated Te Tiriti o Waitangi Section (section 8) applying to the development of national instruments and plan making processes.	<p>Council seek amendments to the Explanatory Note within the Planning Bill as set out below, and consequential amendments to give full effect to the amendments:</p> <p>...</p> <p><i>The intention is that these objectives will be done while also –</i></p> <ul style="list-style-type: none"> • <i>safeguarding the natural environment and human health;</i> • <i>...</i> • <i>upholding Treaty of Waitangi <u>Settlement Legislation settlements and other extant arrangements.</u></i>

Section	Position	Explanation	Recommendation
		<p>While these provisions signal the need for Maaori involvement, the Bills would better realise their intent and improve effectiveness, by making clearer commitments to partnership and shared decision making with iwi, hapuu, and mana whenua. As drafted, the Bills do not require co-governance, and do not mandate the identification and protection of Maaori sites and areas of significance, or taonga. Retaining the partnership elements would align the Bills more closely with our Te Tiriti o Waitangi obligations.</p> <p>The Resource Management Act 1991 (RMA) offers a useful benchmark. It provides for Maaori interests through:</p> <ul style="list-style-type: none"> • Section 6(e): recognising and providing for relationships with ancestral lands, water, sites, waahi tapu, and taonga; • Section 7(a): requiring particular regard to kaitiakitanga; and • Section 8: requiring decision-makers to take into account Te Tiriti o Waitangi principles. <p>By comparison, the Bills emphasise Maaori participation only at specific points in the planning process, rather than establishing a universal and enforceable duty as in the RMA.</p> <p>Embedding Te Tiriti o Waitangi principles and a relationship-based approach within the Bills would support the delivery of Regional Combined Plans through genuine long-term collaboration. Frontloading Treaty considerations can strengthen planning outcomes and reinforce existing co-</p>	<p>...</p> <p><i>In undertaking their responsibilities, territorial authorities must regulate and manage - -</i></p> <ul style="list-style-type: none"> • <i>outstanding natural features and landscapes:</i> • ... • <i>requirements relating to statutory acknowledgements or Treaty of Waitangi Settlements Legislation and other extant arrangements.</i> <p>Council seek amendments to the Explanatory Note within the Natural Environment Bill as set out below, and consequential amendments to give full effect to the amendments:</p> <p>...</p> <p><i>The intention is that these objectives will be done while also –</i></p> <ul style="list-style-type: none"> • <i>safeguarding the natural environment and human health:</i> • ... • <i>upholding Treaty of Waitangi Settlement Legislation settlements and other extant arrangements.</i> <p>...</p> <p>Council seek amendments to Section 8 of the Planning Bill as set out below, and consequential amendments to give full effect to the amendments:</p> <p><u>To achieve the purpose of this Act, all persons exercising functions and powers under it shall give effect to the principles of the To recognise the Crown's responsibilities</u></p>

Section	Position	Explanation	Recommendation
		<p>governance arrangements established through existing agreements.</p> <p>Regarding the Waikato Region, the Bills should also be improved by explicitly recognising Treaty settlement instruments and related arrangements already in place, including:</p> <ul style="list-style-type: none"> • Waikato River Settlement Act; • Te Ture Whaimana o Te Awa o Waikato; • Joint Management Agreements; • Mana Whakahono ā Rohe; and • other relevant settlement instruments. <p>Aligning the new planning system with established Treaty practices would provide a stronger, clearer, and more durable framework for decision making. This approach will support land use and development while protecting and enhancing the natural environment, as intended by both Bills.</p>	<p>in relation to the Treaty of Waitangi/Te Tiriti o Waitangi, <u>while recognising the Crown’s responsibilities in relation to—</u></p> <p><i>Māori interests goal</i></p> <p>(a) section 11 provides for Māori interests through— ...</p> <p>Council seek amendments to Section 8 of the Natural Environment Bill as set out below, and consequential amendments to give full effect to the amendments: <u>To achieve the purpose of this Act, all persons exercising functions and powers under it shall give effect to the principles of</u>To recognise the Crown’s responsibilities in relation to the Treaty of Waitangi/Te Tiriti or Waitangi, <u>while recognising the Crown’s responsibilities in relation to -</u></p> <p><i>Māori interests goal</i></p> <p>(a) section 11 provides for Māori interests through – ...</p>
Part 2 Foundations, Section 11 Planning Bill & Natural Environment Bill	Support in Part	<p>The goals in the Planning Bill and Natural Environment Bill seek to provide a strong foundation by recognising the importance of Māori interests within the new system. These goals can be further enhanced by explicitly incorporating the duty and principle of kaitiakitanga. Kaitiakitanga is commonly understood as guardianship and stewardship and plays a vital role in guiding how land is used, developed, protected, and enjoyed, while sustaining and enhancing the natural environment.</p>	<p>Council seek amendments to Section 11 of the Planning Bill as set out below, and consequential amendments to give full effect to the amendments: <i>All persons exercising or performing functions, duties, or powers under this Act must seek to achieve the following goals subject to section 12 and 45:</i></p> <p>...</p> <p>(i) <i>to provide for Māori interests, <u>including the exercise of kaitiakitanga</u>, through –</i></p>

Section	Position	Explanation	Recommendation
		<p>Integrating the principle of kaitiakitanga more clearly within the Bills would build on their existing intent and strengthen the planning framework. Doing so would help ensure that environmental management is undertaken in a way that reflects enduring Maaori values, supports shared aspirations for environmental wellbeing, and contributes directly to achieving the overall purpose of the Bills. Embedding kaitiakitanga will also promote a more effective, holistic, and culturally grounded implementation of the new planning system.</p>	<p>...</p> <p>Council seek amendments to Section 11 of the Natural Environment Bill as set out below, and consequential amendments to give full effect to the amendments: <i>All persons exercising or performing functions, duties, or powers under this Act must seek to achieve the following goals subject to sections 12 and 69:</i></p> <p>(a) <i>to enable the use and development of natural resources within environmental limits:</i></p> <p>(b) ...</p> <p>(f) <i>to provide for Māori interests, <u>including the exercise of kaitiakitanga</u>, through -</i></p> <p>...</p>
<p>Part 2 Foundations, Section 11 Planning Bill & Natural Environment Bill</p>	<p>Support in part</p>	<p>The Bills focus on enabling development whilst requiring a reduction in risks from natural hazards. A shift to a more proactive, risk-based planning framework that focuses on understanding natural hazard risk and responding in a manner that is proportionate, targeted, and no more restrictive than necessary. While there is some direction on how new planning instruments will address natural hazard risk, further clarity is sought on how climate change adaptation planning will be considered or operationalised.</p> <p>Broader climate change adaptation direction is currently dispersed across other legislation and national initiatives. There needs to be greater consideration given to natural hazard risks and guidance around priority locations for adaptation plans to be implemented through Regional</p>	<p>Council seek the addition of a clear goal in Section 11 of the Planning Bill highlighting the importance of safeguarding communities from the effects of climate change through climate adaptation planning.</p> <p>Council seek that Section 11(e) of the Natural Environment Bill be amended as follows: <i>“to manage <u>safeguard communities from the effects of natural hazard</u> associated with the use or protection of natural resources through a proportionate and risk-based planning”</i></p> <p>Council seek the addition of a new goal to Section 11 of the Planning Bill as follows:</p>

Section	Position	Explanation	Recommendation
		<p>Spatial Plans. Implementation will depend on national commitment to a robust and consistent assessment of natural hazard and climate change risk across scales. A uniform national methodology, sustained investment in high-quality data, and technology will improve hazard identification and provide risk modelling for communities.</p>	<p><u><i>“to safeguard communities from the effects of natural hazard through risk-based planning”</i></u></p>
<p>Part 2 Foundations, Section 11 Planning Bill & Natural Environment Bill</p>	<p>Support in part</p>	<p>The RMA currently sets out matters of national importance (s6), other considerations (s7), and Treaty of Waitangi principles (s8). The proposed planning framework marks a significant shift by replacing this structure with overarching decision-making goals in section 11 of the new Bills.</p> <p>The Planning Bill introduces goals focused on enabling development capacity, reducing regulatory barriers, and supporting high-quality infrastructure delivery. In contrast, the Natural Environment Bill establishes goals aimed at protecting, using, and enhancing the natural environment through strict compliance requirements, including mandatory limits for human and ecosystem health. Together, these goals narrow the overall scope of the planning framework. Some goals overlap across the two Bills, particularly in relation to natural hazard risk management, Maaori participation in planning, and the development and protection of identified Maaori land.</p> <p>Implementing these goals will affect Council functions such as consenting, compliance, spatial planning, policy and plan development, and infrastructure investment. Currently, all</p>	<p>Council seek alignment between the goals and the hierarchy of national instruments (National Policy Direction and National Environmental Standards) to establish the relative importance of each goal to ensure they are applied practically and consistently while preventing unintended outcomes.</p>

Section	Position	Explanation	Recommendation
		<p>goals have equal weighting, meaning no hierarchy can be applied.</p> <p>The absence of a clear hierarchy creates uncertainty when development enabling objectives conflict with environmental limits. For example, Council would not want a polluting activity to compromise aquifers, rivers or lakes that supply municipal drinking water for existing and future communities. Any hierarchy of legislative objectives must be sufficiently nuanced to reflect spatial and contextual differences such as natural hazard areas, locations identified for retreat, outstanding natural landscapes and drinking water catchments, while remaining practical, clearly prescribed and administratively workable.</p> <p>To support clearer interpretation and implementation, it would be helpful to establish the relative importance of each goal and how they interact. Prioritisation can be achieved through identifying the hierarchy placed through the national instruments.</p>	
<p>Part 2 Foundations, Subpart 3 - Key instruments Section 32</p> <p>Part 2, Subpart 3 – Key instruments, Section 33</p>	<p>Support in part</p>	<p>Council requests a minor yet important correction to the section title under Sections 33 of the Natural Environment Bill and 32 of the Planning Bill. The current title incorrectly repeats “restricted discretionary activities” and omits reference to discretionary activities, resulting in avoidable ambiguity regarding the activity classifications addressed in this provision.</p>	<p>Council seek amendment to the title of Section 33 of the Natural Environment Bill and Section 32 of the Planning Bills as follows: <i>Consequences of permitted, restricted discretionary, or restricted discretionary activity classification</i></p>

Section	Position	Explanation	Recommendation
<p>Part 2 Foundations, Subpart 4 Planning Bill</p> <p>Part 2 Foundations, Subpart 5 National Environmental Bill</p>	<p>Support in part</p>	<p>Council welcomes the broader and more active role of Central Government in shaping and directing the national planning system under the Bills and supports the need for clear guidance to ensure effective and consistent implementation. Given the Minister(s)' enhanced responsibilities, such as involvement in spatial planning, appointing independent panel members, and intervening in key regulatory matters, clarify the Central Government's role strengthened delivery at Regional and Territorial levels.</p> <p>Early release of national direction and standards is encouraged to assist councils in implementing the Planning Bill with confidence. Without this uncertainty around the timing and content of national instruments, particularly those relating to standardised zones, overlays, rule sets, and environmental limits creates challenges for regional alignment and planning timeframes.</p> <p>While Section 2 of the Planning Bill provides for commencement timing, the transition process is complex. Early availability of national instruments is therefore essential to support a smooth shift to the new planning regime.</p> <p>Council acknowledges the recent release of amended National Policy Statements and new instruments, including the National Environmental Standards for Detached Minor Residential Units 2025, the National Policy Statement for Natural Hazards 2025, and the National Policy Statement for</p>	<p>Council seek that Central Government prioritise the delivery of national instruments that inform methodologies, zones, overlays, rule sets, and environmental limits. Stipulating the tools that will ensure consistent national digital and data standards and programmes to deliver E-Plans, GIS systems and consenting processes, enabling consistent reporting nationwide.</p>

Section	Position	Explanation	Recommendation
		<p>Infrastructure. Building on this positive progress, further national instruments are needed to guide methodologies, planning layers, and environmental limits, as well as to establish consistent national digital and data standards for E-Plans, GIS systems, and consenting processes. These will be key to delivering the modern, integrated planning framework envisaged by the Bills.</p>	
<p>Part 3 Combined plan, Section 78, Section 79 Planning Bill</p> <p>Part 3 Combined plan and other matters, Section 95, Section 96 Natural Environment Bill</p>	<p>Support in part</p>	<p>Council supports the introduction of national standard zones and planning provisions as a means of simplifying planning processes and reducing complexity at a national level. At the same time, it is important that the system retains sufficient flexibility to accommodate unique local conditions.</p> <p>The Waikato District Plan – Operative in Part includes several Special Purpose Zones that have been carefully tailored to strategic land uses. National standard zones may not fully reflect these local circumstances, making provision for a limited number of bespoke zones essential to achieving appropriate land use outcomes. Without this flexibility, there is a risk of enabling development that is misaligned with community needs or local environmental context.</p> <p>To ensure local conditions continue to be appropriately recognised, Council recommends that certain Special Purpose or bespoke zones be retained within the new framework. These include zones relating to:</p> <ul style="list-style-type: none"> • airports and recreational airparks; • motorsport facilities; • cultural hubs; 	<p>Council seek amendments to the Planning Bill and Natural Environment Bill to ensure that appropriate existing bespoke zones and their associated provisions can continue to be used where necessary to support unique local conditions.</p>

Section	Position	Explanation	Recommendation
		<ul style="list-style-type: none"> • corrections facilities; • and areas identified for future urban development. 	
<p>Part 3 Combined plan, Section 92; Schedule 3, Part 4 Regulatory Relief, Sections 62-75 Planning Bill</p> <p>Part 3 Combined plan and other matters, Section 111 Natural Environment Bill</p>	Support in part	<p>There is support in part for providing protections, although, there is concern about the financial exposure created for Councils when they are required to deliver a framework, and then offer relief or compensation to private landowners for protecting historic heritage sites, natural environmental features and sites and areas of significance to Maaori, which often provide multiple benefits to both landowners and the wider community. Mechanisms for compensating landowners where land-use restrictions apply carry a risk of unsustainable costs for Councils and, ultimately, for ratepayers. This is particularly noted within our district, given there are approximately:</p> <ul style="list-style-type: none"> • 4750 property titles subject to existing Significant Natural Area; and • 1200 property titles subject to existing Sites and Areas of Significance to Maaori; and • 120 property titles subject to Historic Heritage Items. <p>These properties have all been through a lengthy and costly district plan process since 2016 which has resolved the addition of these sites within private property. Furthermore, rural Councils will be disproportionately impacted by this regulatory relief framework without government funding.</p> <p>The imposition of the regulatory relief and associated unsustainable costs will likely impact Council's ability to</p>	<p>Council seek that Central Government consider the following:</p> <ul style="list-style-type: none"> • Consider the Waikato Districts recent district plan processes that have accepted and protected these areas and implement provisions that avoid opportunities for re-litigation of existing sites. • Establish a Central Government compensation fund to prevent unsustainable financial pressure on Councils and ratepayers. E.g. as set out in New South Wales (NSW), Australia. In NSW, protected areas are managed by state agencies, statutory bodies, and Local Councils under specific legislation. Some Councils also offer rebates for private land conservation or heritage protection, but these vary by Local Authorities and usually require contacting the Council directly to confirm availability. • Develop a national compensation framework with clear definitions, valuation methods, and model templates to ensure consistent application nationwide. • Provide concise national guidance and a standardised toolkit to support consistent compensation assessments that will be initiated by landowners. • Maintain national spatial datasets and a central portal for mapping, data access, and case management to support consistent decision-making.

Section	Position	Explanation	Recommendation
		<p>deliver core infrastructure and services in our rural and urban communities.</p> <p>Council is concerned that the proposed regulatory relief and compensation regime could unintentionally undermine the clarity and effectiveness the Government is seeking to achieve a focused planning system. It is noted that Council has a Rate Remission and Postponement Policy that considers Land Protected for Historic or Cultural Conservation Purposes or Land Protected for Natural Conservation Purposes.</p> <p>If this framework and protections are implemented, the Council considers that the primary financial responsibility for compensation should rest with Central Government.</p> <p>There is also concern regarding the logistics and administrative burden of assessing and compensating landowners for losses in reasonable use, particularly where features such as native bush in steep gullies provide secondary benefits such as slope stability and flood protection. The Bills currently propose a set of generic requirements covering a wide range of scenarios in which reasonable use may be significantly affected, but clearer guidance is required on what constitutes appropriate relief.</p> <p>Opportunities exist to develop a nationally consistent approach for all Councils, making use of available spatial layers and datasets that map and classify significant natural</p>	<ul style="list-style-type: none"> • Provide a fund for training of Council staff and any technological upgrades required.

Section	Position	Explanation	Recommendation
		<p>areas, sites of and areas of significance to Maaori, and historic heritage.</p> <p>Consideration should be given to upholding recently developed operative layers from district plans that have been reviewed in the last five years. This would remove the opportunity for landowners from initiating requests for retrospective compensation and relitigating existing protections. This will provide an effective and efficient way for Councils to manage community expectations and avoid significant costs if the regulatory relief requirements remain.</p>	
<p>Part 5 Key roles, Section 186 – 187 Planning Bill</p> <p>Part 5 Key roles, Section 227 Natural Environment Bill</p>	<p>Support in part</p>	<p>Council supports the principle of robust monitoring and compliance sought under the Bills to ensure accountability and improved outcomes. It is noted that the Bills essentially retain the monitoring required under the RMA. This being said, the proposed monitoring and compliance framework requires greater capacity, resourcing, and system integration within Councils.</p> <p>Under the proposed Bills, the Ministry for the Environment (MfE) will maintain a national overview, whereas Regional Councils will monitor compliance and Territorial Authorities will be required to provide data. The Environmental Protection Authority (EPA) will have an oversight role to ensure there is consistency across the country.</p> <p>Digital programmes and systems will be required to support the mandatory reporting cycles, data standards, and integration with various plans. The proposed monitoring and</p>	<p>Council seek that Central Government provide national direction and guidance on the following:</p> <ul style="list-style-type: none"> • Strengthen and clarify roles and responsibilities between Ministry for the Environment (MfE), Environmental Protection Agency (EPA), Regional Councils and Territorial authorities. • Consider dedicated funding to support Council resourcing, staffing, and technical capability for monitoring and compliance. • Consider investing in national digital systems and integration tools to support the monitoring and compliance requirements.

Section	Position	Explanation	Recommendation
		<p>compliance framework seeks to improve transparency and performance; however significant capacity and capability building will be required to be undertaken within Local Authorities. Existing digital systems utilised for E-Plans, GIS and consenting matters will need to be upgraded to meet national standards and ensure regional consistency. The monitoring and compliance obligations under the Bills will require significant funding and technical assistance.</p> <p>Furthermore, there is a need for greater guidance and funding to avoid duplication of roles and responsibilities between District and Regional Councils.</p>	
<p>Schedule 3, Part 4 Regulatory relief Planning Bill</p> <p>Part 3 Combined plan and other matters, Section 111 Natural Environment Bill</p>	Support in part	<p>Where public resources are allocated or reserved for private benefit and in accordance with the Reserves Act 1977, such as the use of reserve land or activities like aquaculture that restrict public access to the coastal marine area, consideration should be given to compensating the public, administered through Local Government. Such compensation could be directed toward improvements in biodiversity and coastal marine areas that deliver public benefit. Central Government should also consider establishing similar compensatory mechanisms for private use of public spaces, such as parks, reserves, and other publicly administered land.</p>	<p>Council seek that Central Government deliver national instruments and/or guidance that address situations where public resources are allocated or reserved for private benefit. In such cases, compensation for the public should be administered through Local Government similar to the private property relief.</p>
PART 3: Provisions within the Planning Bill			
<p>Part 1 Preliminary provisions, Section 3 Planning Bill</p>	Support in part	<p>Council support that Section 3 of the Planning Bill includes a definition for Historic Heritage. It is noted that Historic heritage includes both natural and built elements, and its protection requires an integrated approach. Given that</p>	<p>Council seek an amendment to the definition of Historic Heritage in Section 3 of the Planning Bill to consider heritage within the natural environment.</p>

Section	Position	Explanation	Recommendation
		historic heritage forms part of both the natural and built environments, it is important that the Planning Bill maintains a comprehensive and integrated definition.	
Part 2 Foundations, Section 11 Planning Bill	Support	<p>The RMA focused effects framework overlooks critical infrastructure capacity constraints across transport and three waters infrastructure. The re-orientation of planning framework to encompass strong property rights may further limit Council’s ability to manage cumulative localised effects.</p> <p>Identifying the following goal “<i>to plan and provide for infrastructure to meet current and expected demand</i>” is necessary to ensure that critical infrastructure capacity constraints are considered in the planning framework. The Planning Bill aims to support infrastructure delivery alongside development and economic growth.</p>	Retain the goal under Section 11(1)(e) of the Planning Bill “ <i>to plan and provide for infrastructure to meet current and expected demand</i> ”.
Part 2 Foundations, Section 14 Planning Bill	Support in part	<p>Council supports the intent of Section 14 to provide clarity on the effects that fall outside scope for decision making.</p> <p>As currently drafted, Section 14 appears to require decision makers to disregard retail distribution effects in all cases. A blanket exclusion risks unintended consequences for the strategic role, integrity, and long-term vitality of town centres and other identified local centres.</p> <p>Retail distribution effects are a core part of how commercial activities interact with the planned urban environment.</p>	<p>Council seek amendment to Section 14(2) as set out below, and consequential amendments to give full effect to the amendments:</p> <p><i>(2) This section does not restrict the management of –</i></p> <p><i>(a)</i></p> <p><i>(e) the effects of natural hazards;</i></p> <p><i><u>(f) retail distribution effects where those effects are relevant to the function, viability, or strategic role of town centres or local centres within a planning framework.</u></i></p>
Part 2 Foundations, Section 38 Planning Bill	Oppose	Council does not support the registration of permitted activities. Currently, Councils are not required to do so, and introducing this obligation would add unnecessary	Council seek that the requirement to register permitted activities is removed.

Section	Position	Explanation	Recommendation
		complexity to the planning system. Registering activities that already require no consent creates additional administrative workload without improving outcomes and diverts resources away from areas where regulatory effort is better targeted.	
Part 3 Combined plan, Section 65 Planning Bill	Support in part	The use of regional boundaries in developing the Regional Spatial Plan is generally supported. There is, however, an opportunity to consider how District and City Councils that span multiple regions, such as Rotorua Lakes District Council, sitting in both the Bay of Plenty and Waikato regions, will effectively participate and deliver under this framework.	Council seek that there is alignment and appropriate timeframes between the Local Government Change and the Bills to ensure representation boundaries align with spatial planning boundaries.
Part 3 Combined plan, Section 67 Planning Bill	Support in part	<p>Promoting a co-ordinated approach to infrastructure funding and investment by Central Government, Local Authorities, other infrastructure providers and integrating development planning with infrastructure planning and investment is supported.</p> <p>To fully realise the Planning Bill’s intent through enabling development capacity, reducing barriers, and supporting timely infrastructure delivery. It is important that existing regional and local growth/spatial strategies, such as Future Proof and Waikato 2070 (Waikato Growth and Economic Development Strategy), are recognised within the statutory framework. Incorporating these strategies into Regional Spatial Plans and Regional Combined Plans will ensure a clear and shared understanding of infrastructure constraints within localities, and help guide well sequenced, sustainable growth.</p>	<p>Council seek amendments to Section 67 as set out below, and consequential amendments to give full effect to the amendments:</p> <p><i>A regional plan must –</i></p> <p><i>(a) set strategic direction for development...</i></p> <p><i>(d) support a coordinated approach to infrastructure funding and investment by central government, local authorities, <u>through sub-regional strategies and local growth or spatial strategies</u>, and other infrastructure providers; and</i></p>
Part 3 Combined plan, Section 71	Support in part	The establishment of a Spatial Plan Committee comprising representatives from the region’s Local Authorities is	Council seek that Central Government provide greater clarification and guidance within the Planning Bills to

Section	Position	Explanation	Recommendation
Planning Bill		supported, as it provides a strong foundation for the effective development and delivery of the Regional Spatial Plan. To further enhance outcomes, it would be beneficial to ensure that the committee’s formation enables meaningful local input and includes representation from local mana whenua. Addressing this structure at the outset will help support the creation of a more effective, collaborative, and well developed Regional Spatial Plan.	ensure that Spatial Planning Committees enable appropriate local and Māori input to support the overall delivery of effective Regional Spatial Plans.
Part 3 Combined plan, Section 98 Planning Bill	Support in part	It is acknowledged that there may be circumstances where the plan change provisions be amended because of a granted consent. At the same time, there is an opportunity to recognise that this provision may also enable future changes in land use to activities that are unsuitable for the location and may generate a different or greater range of adverse effects, without any opportunity for input from surrounding landowners and community members. For example, a farm supplies store in a rural area could be rezoned as commercial, and the activity could subsequently change to a 24hour fast-food restaurant.	<p>Council seek an amendment to Section 98 to require consideration of any potential future change in use enabled by the amended plan provisions, ensuring that any such change would generate adverse effects no greater than those of the approved activity.</p> <p>Council seek an amendment to Section 98 as set out below, and consequential amendments to give full effect to the amendments:</p> <p>(1) <i>This section applies if –</i></p> <p>(a) <i>A planning consent has been granted in accordance with section 144 that authorises a change to the plan provisions that apply to an area; and</i></p> <p>(b) <i>The territorial authority (as the consent authority) is satisfied that the consent has been given effect to.</i></p> <p>(2) <i>The territorial authority must decide, in accordance with section 80, whether the change to the provisions by the consent would result in plan provisions that are more appropriate for the area than the operative plan provisions that apply to that area.</i></p>

Section	Position	Explanation	Recommendation
			<p>(3) <i>If the territorial authority decides that the standardised plan provisions identified in the consent or consents are more appropriate, it must, <u>subject to public notification in accordance with section 124, amend a land use plan</u> without using the process in Schedule 3, amend its land use plan to replace the operative plan provisions that apply to the area with the standardised plan provisions identified in the consent, where the amendment would not enable-</i></p> <p>(a) <i><u>future land uses that are materially different scale, intensity and character; and</u></i></p> <p>(b) <i><u>potential adverse effects from the activity for which the consent was granted.</u></i></p> <p>(4) ...</p>
Part 3 Combined Plans, Section 124 Planning Bill	Support	<p>It is acknowledged that there may be circumstances where the plan change provisions be amended because of a granted consent. At the same time, there is an opportunity to recognise that this provision may also enable future changes in land use to activities that are unsuitable for the location and may generate a different or greater range of adverse effects, without any opportunity for input from surrounding landowners and community members.</p> <p>Therefore, it would be beneficial to include a provision requiring mandatory public notification where appropriate to support the delivery of a well-structured planning system.</p>	<p>Council seek amendment to Section 124 as set out below, and consequential amendments to give full effect to the amendments:</p> <p><u>(1) A consent authority must publicly notify an application for a planning consent if –</u></p> <p>...</p> <p><u>(2) A territorial authority must publicly notify on a change to plan provisions authorised by planning consent in accordance with section 98.</u></p>
Part 4 Planning Consents, Section 138	Support in part	Section 128(1)(b) of the Planning Bill provides that a person is not an affected person if they have given, and not withdrawn, written approval for the proposed activity	Council seek that a clear timeframe be established, prior to notification or application determination, to enable completion of the required assessment.

Section	Position	Explanation	Recommendation
Planning Bill		<p>before the consent authority determines whether there are any affected persons.</p> <p>Section 138(3) of the Planning Bill sets a different written approval withdrawal timeframe. It states that subsection (1)(b) does not apply if a person withdraws their written approval by written notice received by the consent authority before the hearing, or, if no hearing is held, before the application is determined.</p> <p>Section 95E(3) of the Resource Management Act 1991 similarly provides that a person is not an affected person if they have given written approval that has not been withdrawn at the time the consent authority decides whether there are any affected persons.</p> <p>Clarification is sought regarding the rationale for Section 138(3) of the Planning Bill adopting a later withdrawal point than the timeframes set out in Section 128(1)(b) of the Planning Bill and Section 95E(3) of the Resource Management Act 1991.</p> <p>Allowing written approval to be withdrawn up until the commencement of a hearing, or, where no hearing is held, at any point before the decision is likely to create operational challenges for consent processing. By the time a hearing is scheduled, evidence may already have been prepared, circulated, and relied upon by the parties. A late withdrawal could require the consent authority to reassess the effects on that person, potentially including further</p>	<p>Council seek an amendment to Section 138(3) of the Planning Bill as set out below, and consequential amendments to give full effect to the amendments:</p> <p><i>Subsection (1)(b) does not apply if the person withdraws their approval by written notice received by the consent authority <u>prior to the consent authority decision determining whether there are any affected persons before the hearing or, if there is no hearing, before the application is determined.</u></i></p>

Section	Position	Explanation	Recommendation
		<p>technical analysis (for example, additional noise, odour, or other effects assessments).</p> <p>This misalignment in withdrawal timeframes may create uncertainty, necessitate extensions to statutory processing periods, and increase costs for both applicants and consent authorities due to additional or repeated assessment work. Collectively, these impacts risk undermining the efficiency, predictability, and proportionality that the Planning Bill seeks to achieve.</p>	
Part 5 Key roles, Section 184 Planning Bill	Support in part	The Planning Bill and Natural Environment Bill intend to provide clear guidance and consistent national application of zonings and provisions, as well as clearly articulate who is responsible for the delivery of Regional Spatial Plans, Natural Environment Plans and Land Use Plans. Section 184 within the Planning Bill outlines the overall responsibilities of Territorial Authorities. There are some concerns that certain matters raised in this Section have traditionally been matters considered by Regional Councils or would be better managed by Regional Councils as they are matters that would be considered in the development and delivery of Natural Environment Plans.	Council seek that there is alignment and appropriate timeframes between the Local Government Change and the Bills to ensure representation boundaries align with spatial planning boundaries to ensure that the roles and responsibilities of Territorial Authorities, Regional Councils and Central Government are clear.
Part 5 Key roles, Section 204 Planning Bill	Support in part	The intent to provide Ministers with the ability to direct Regional Councils or Territorial Authorities to take action to achieve specified outcomes is acknowledged, as this can support greater alignment with national priorities and a more consistent planning system. To enhance clarity and workability, it would be beneficial to clearly distinguish what is considered as national interest. This additional clarity	Council seek amendments to Section 204 to require a clear threshold whereby the Minister may exercise this power only in matters of national significance. In addition, where the Minister determines that intervention is necessary, appropriate funding should be provided to support Regional Councils or Territorial Authorities in delivering the specified outcomes.

Section	Position	Explanation	Recommendation
		<p>would help provide certainty around the scope of local decision making when spatial planning priorities differ from ministerial direction.</p> <p>It is also important that any Ministerial direction is supported by appropriate funding mechanisms. When additional activities are required, establishing a clear and equitable funding approach at the outset will help avoid placing unfunded responsibilities on ratepayers and will contribute to more effective implementation and stronger partnerships between central and Local Government.</p>	<p>Council seek that Central Government establishes thresholds that inform what can be considered as nationally significant.</p>
Schedule 1, Section 5 Planning Bill	Support in part	<p>Section 5 refers to the “first national policy direction” but the Bills do not clearly outline the scope or content of this initial direction. Providing clarity on what this first direction will encompass would support smoother implementation. It is also important that all national policy direction relevant to plan preparation is issued with sufficient lead in time to enable Local Authorities to incorporate it effectively into plan development.</p> <p>Early and meaningful engagement with Local Authorities during the development of national policy direction and national standards will be essential. Given the significant influence these instruments will have in the new system, it is important that they are clear, robust, comprehensive, and sufficiently flexible to be applied across diverse local contexts. Local Authority input is critical to ensuring the practicality and effectiveness of national instruments.</p>	<p>Council seek that Central Government prioritise the timely release of national instruments that set out the methodologies, zones, overlays, rule frameworks, and environmental limits required to guide plan development.</p> <p>It would also be beneficial for these instruments to clearly specify the tools and standards needed to support nationally consistent digital and data systems.</p>

Section	Position	Explanation	Recommendation
		Council has concerns regarding meeting the 15-month deadline for notification of Regional Spatial Plans will require drafting to be well underway before national instruments and standards are issued. Providing clearer timeframes or earlier release of national instruments would help ensure alignment and reduce unnecessary rework.	
Schedule 2, Section 3 Planning Bill	Support in part	To ensure that the Planning Bill achieves its purpose of development capacity, reduce barriers and enable infrastructure delivery, regional and local growth strategies, such as Future Proof, Waikato Growth and Economic Development Strategy 2070 (Waikato 2070), should be considered as statutory requirements that feed into Regional Spatial Plans and Regional Combined Plan(s) to ensure there is clear understanding of infrastructure constraints within localities.	<p>Council seek amendments to Schedule 2, Section 3 as set out below, and consequential amendments to give full effect to the amendments:</p> <p><i>(1) The mandatory matters referred to in Section 2(1)(a) are as follows:</i></p> <p>...</p> <p><i>(c) sequenced future urban development areas and existing urban areas where significant change is planned, including priority areas for public investment in the short, medium, and long term. <u>This must be informed by growth strategies and spatial plans prepared by local government where they exist.</u></i></p>
Schedule 2, Section 3 Planning Bill	Support in part	The Planning Bill does not require that their associated planning documents give effect to Iwi and Hapuu Management Plans (IMP). IMPs provide Councils with information regarding Iwi and Hapuu expectations, goals and aspirations, and can provide valuable insights to development, housing and community outcomes. When used correctly, they can be a useful tool in the creation of plans and reduce consultation fatigue. Therefore, ensuring that the Spatial Regional Plans build on IMPs reduces risks of inadvertent harm and provides clear guidance for infrastructure planning and consenting pathways.	<p>Council seek amendments to Schedule 2, Section 3 as set out below, and consequential amendments to give full effect to the amendments:</p> <p><i>(1) The mandatory matters referred to in Section 2(1)(a) are as follows:</i></p> <p>...</p> <p><i>(j) any statutory acknowledgements from Treaty settlement legislation that apply in the region, including relevant statements of association, and the areas to which they apply;</i></p> <p><i>(k) sites of significance to Māori:</i></p>

Section	Position	Explanation	Recommendation
			<p>(l) <i>any customary marine title area or protected customary rights areas in the region.</i></p> <p>(m) <i>any matters raised in iwi and hapū management plans in the region.</i></p> <p>...</p>
Schedule 2, Section 10 Planning Bill	Support in part	<p>Section 11 of the Planning Bill expresses an intention to support the development and protection of identified Māori land, while Section 10 of Schedule 2 outlines the specific responsibilities of the spatial planning committee in relation to this land. Some sensitive sites cannot be disclosed to Local Authorities or the wider public to uphold tikanga. This highlights the need for a process that enables confidential identification of sites in partnership with mana whenua.</p> <p>A consistent and equitable national approach will help ensure fair treatment of whenua Maaori, strengthen practical infrastructure planning, and support the early resolution of potential issues.</p>	<p>Council seek amendments to Schedule 2, Section 10 of the Planning Bill as follows:</p> <p>(1) <i>This Section applies if a spatial plan committee is preparing a draft regional spatial plan that identifies –</i></p> <p>...</p> <p>(2) <i>In identifying the potential location, the spatial plan committee must –</i></p> <p>(a) ...</p> <p>(c) <i>consider and provide for confidential schedules, information, or spatial identifications supplied by Māori landowners, where appropriate.</i></p>
Schedule 3, Part 2 Change requests and private plan changes, Section 51 – 52 Planning Bill	Support	<p>Support the ability for a Local Authority to reject in full or partly a plan change if:</p> <ul style="list-style-type: none"> • within the last 2 years, the substance of the request or part of the request has been considered and given effect to or rejected by the Local Authority or Environment Court; or • it is not in accordance with sound planning practice; or • the District Plan has been operative for less than 2 years. 	<p>Council seek to retain Sections 51-52 within Schedule 3 of the Planning Bill.</p>
Schedule 3, Part 1 Preparing and changing plans	Oppose	<p>Under Schedule 4 Section 8, Councils must pay all costs related to an Independent Hearings Panel.</p>	<p>Council seek amendments to Schedule 3 and 4 of the Planning Bill to recognise that the applicants pay for the costs associated with a private plan change process.</p>

Section	Position	Explanation	Recommendation
Schedule 4, Sections 4-8 Planning Bill		<p>Under the RMA, Councils commonly require applicants to pay fees and deposits for processing Private Plan Changes.</p> <p>Private Plan Changes are started to enable private development outcomes, such as rezoning land for new or more intensive development. On this basis, private plan changes should be cost recoverable from applicants.</p>	
Schedule 5 Planning Bill	Support	<p>Support is also given to allow designations to be confirmed through the spatial planning process. This approach lets infrastructure providers outline their long-term plans earlier, which helps Councils plan with more confidence. It also reduces complexity by bringing connected planning steps together rather than managing them separately.</p> <p>Support is also given to inclusion of designations in Land Use Plans. Doing this provides clearer information for communities, avoids duplication, and helps ensure that local planning decisions consider the needs of essential infrastructure. This makes the overall planning system easier to understand and work with.</p> <p>Overall, the proposed framework simplifies the planning system, improves coordination, and provides a clearer and more efficient way to plan for and deliver essential infrastructure.</p>	Council support retaining the designation framework to support the overall intent to support coordination and delivery of infrastructure.
Part 4: Provisions specific to the Natural Environment Bill			
Part 1, Section 3 Natural Environment Bill	Support in part	Historic heritage includes both natural and built elements, and its protection requires an integrated approach. The proposed Planning Bill reflects this by defining historic heritage broadly, but the proposed Natural Environment I	Council seek the inclusion of a definition for historic heritage within Section 3 of the Natural Environment Bill that references historic heritage within the natural and built environment.

Section	Position	Explanation	Recommendation
		Bill limits its scope to Sites and Areas of Significance to Maaori, omitting the wider range of historic heritage values. Given that historic heritage forms part of both the natural and built environments, it is important that the legislation maintains a comprehensive and integrated definition.	
Part 2, Subpart 4 - Environmental Limits, Section 56 Natural Environment Bill	Support in part	The legislation should clearly state that the cost of mitigation does not justify weakening or relaxing an environmental limit. Environmental limits are intended to remain firm bottom lines. If the effects of an activity cannot be managed within those limits then a best practical option approach should be undertaken. Cost should only be considered for the purpose of determining whether effects can be managed within the limit and whether an activity can meet the limit using effective and reasonably practicable methods.	Council seek amendment to Section 56 of the Natural Environment Bill as set out below, and consequential amendments to give full effect to the amendments: <i>A consideration of the impact of a proposed environmental limit or methodology requires an assessment of—</i> <i>(a) the positive....</i> <i>...</i> <i>(e) the efficacy and cost of available methods to manage effects within the proposed limit:</i> <i>(i) <u>For the avoidance of doubt, the cost of any method to manage adverse effects must not be used as a basis to alter, relax or otherwise reduce the stringency of an environmental limit.</u></i>
Part 3 Combined plan and other matters, Section 92, Section 118 Natural Environment Bill	Support in part	To achieve the intent of this Bill, there is a need to establish a statutory requirement to enable consistent integration into Regional Spatial Plans and the overall Regional Combined Plans. A clear understanding of the optimal use of natural resources, both immediately and over time, will support decision making that delivers the greatest national, regional and local benefits. For example, converting farmland to forestry may offer short term economic gains to individual	Council seek amendments to Section 92 as set out below, and consequential amendments to give full effect to the amendments: <i>The purpose of the preparation, implementation, and administration of a natural environment plan is to—</i> <i>(a) enable and regulate the use, protection, and enhancement of natural resources within a region; and</i> <i>(b) assist regional or unitary councils in carrying out their functions and responsibilities under this Act.</i>

Section	Position	Explanation	Recommendation
		<p>landowners, but the long-term loss of productive agricultural land and its associated economic multipliers can reduce wider regional economic resilience and opportunities.</p> <p>Land use and the relationship to natural hazards need to be carefully considered particularly in the rural environment when using natural resources. Conversion of farmland to forestry may also improve slope stability and sediment run for most of the time until harvesting when sediment run off and slash residue can increase natural hazards downstream of the forestry harvesting. Increasing the risks to Council and Central Government infrastructure, communities and private property as seen three years ago during the cyclones.</p>	<p>(c) <u>to manage the effects of natural hazard associated with the use or protection of natural resources through proportionate and risk-based planning; and</u></p> <p>Council seek amendments to Section 188 as set out below, and consequential amendments to give full effect to the amendments:</p> <p>(1) <i>This section applies if there is a dispute about whether a natural environment plan implements –</i></p> <p>(a) <i>the national policy direction; or</i></p> <p>(b) <i>a national standard; or</i></p> <p>(c) <i>any relevant provision of a regional spatial plan that <u>prioritises the value of a natural resource against different activities, including:</u></i></p> <p>(i) <u>what generates the most value from the natural resource with least impact/effects on environmental limits.</u></p> <p>(2) <i>The Minister, the regional council responsible for the natural environment plan, or the spatial committee responsible for the regional spatial plan may refer to the Environment Court if it is considered that the <u>best economic and environmental use of natural resources is not prioritised.</u></i></p> <p>(3) ...</p>
Part 3 Combined plan and other matters, Section 97	Support in part	The Planning Bill does not require that a Regional Council to give effect to Iwi and Hapuu Management Plans (IMP). IMPs provide Councils with information regarding Iwi and Hapuu expectations, goals and aspirations, and can provide valuable insights to development, housing and community	<p>Council seek amendments to Section 97 of the Natural Environment Bill as set out below, and consequential amendments to give full effect to the amendments:</p> <p>(1) <i>This section sets out the core obligations that apply when –</i></p>

Section	Position	Explanation	Recommendation
Natural Environment Bill		<p>outcomes. When used correctly, they can be a useful tool in the creation off plans and reduce consultation fatigue. Therefore, ensuring that the Natural Environmental Plans build on IMPs reduces risks of inadvertent harm and provides clear guidance for the use, protection and enhancement of the natural environment.</p>	<p>...</p> <p>(4) <i>The regional council must –</i></p> <p>(a) <i>have particular regard to –</i></p> <p>(i) ...</p> <p>(b) <i>have regard to –</i></p> <p>(i) <i>any statutory acknowledgement that applies to the area to which the proposed natural environment plan or private plan change applies; and</i></p> <p>(ii) <i>any relevant planning document recognised by an iwi authority and lodged with the regional council; and</i></p> <p>(iii) <i>any iwi and hapū management plans in the region; and</i></p> <p>(c) ...</p>
<p>Part 5 Key roles, Section</p> <p>Schedule 3, Part 4 Regulatory relief, Section 65</p> <p>Natural Environment Bill</p>	Support in part	<p>Efficient resource allocation is essential to supporting sustainable growth; however, there is concern that allocation decisions made without adequate local input may negatively affect planned development and community priorities. While Regional Councils may draw on a range of allocation methods, this flexibility also creates a risk of misalignment between regional decisions and local growth strategies or existing capacity constraints.</p> <p>WDC advocates for early and meaningful Council involvement in the allocation process, supported by precinct level assessments and appropriate safeguards that protect the wellbeing of local communities and key industries. Resource allocation decisions must balance economic</p>	<p>Council seek amendments to Section 223 as set out below, and consequential amendments to give full effect to the amendments:</p> <p><i>Every regional council has responsibility for allocating any of the following, as it considers appropriate <u>and ensuring benefit gained from allocation of natural resources under a Regional Spatial Plan, land use plan or natural environment plan in principle prioritises the needs of existing and future communities over economic benefits:</u></i></p> <p>...</p>

Section	Position	Explanation	Recommendation
		<p>benefit with the needs of the resident population and long-term growth opportunities. For example, allocating water for industrial activity should not compromise the municipal supply needed to accommodate population growth. Similarly, the energy and water demand of data centres should be weighed against the requirements of water intensive industries or agricultural uses.</p> <p>To support well informed and equitable decisions, high level spatial planning should be used to classify opportunities and constraints, identify critical capacity requirements, and assess locational advantages or disadvantages across different areas.</p>	