

## Submission on Natural Environment and Planning Bills

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Environment Committee  
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**From:** Northland Regional Council

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1. Northland Regional Council (NRC) welcomes the opportunity to provide feedback on the Natural Environment and Planning Bills (the Bills).
  2. This submission reflects issues of particular importance for the Northland region (Taitokerau) acknowledging the region's unique environmental, cultural, and socioeconomic context.
  3. Matters of wider significance to the regional sector will be addressed separately in the submission from Te Uru Kahika.

### Overarching Statement

4. NRC acknowledges the current resource management system is no longer fit for purpose and supports the need for reform.
5. NRC strongly supports the government intention to improve environmental and economic outcomes through resource management reform.
6. This submission offers recommendations aimed at supporting effective implementation and helping the Bills achieve their intended outcomes.

### Key Points

7. NRC supports the overall hierarchical framework of goals, national direction, regional combined plans, and finally consent decisions (the "funnel system") in the Natural Environment and Planning Bills.
8. We support clear and enduring national direction.
9. We agree that strong national direction, combined with local planning and delivery, is essential to the success of the new system.

10. To strengthen the effectiveness and practical operation of the Bills, NRC recommends:

**a. Transition risks and governance stability**

Recognise the importance of managing the transition carefully, including the interaction of resource management and local government reforms, to ensure continuity of governance structures and support stable, effective implementation of the Natural Environment and Planning Bills.

**b. Timeframes, capacity, and resourcing**

Enhance the likelihood of successful delivery by aligning implementation expectations with realistic timeframes and available capacity, including extending or phasing timeframes where appropriate to enable high-quality, enduring outcomes.

**c. Clear sequencing to set the system up for success**

Strengthen the workability of the new system by establishing clear, practical sequencing, from national policy direction and limit setting, through to spatial planning, natural environment and land-use plans, and finally consenting, to ensure efficient investment of effort, minimise rework, and give councils and communities early certainty.

**d. Tangata whenua partnership as a foundation for effective delivery**

Support successful implementation in Taitokerau by embedding meaningful and active partnership mechanisms with tangata whenua, iwi, and hapū throughout planning and decision-making processes, ensuring the system is grounded in local knowledge, reflects Te Tiriti o Waitangi commitments, and builds confidence in the new framework.

11. Attachment 1 provides detailed recommendations to help address these points.

12. NRC endorses Te Uru Kahika's regional sector submission.

## Conclusion

13. NRC supports reform that will deliver healthy environments, resilient communities, and strong local economies. To help the Bills succeed in practice, we provide recommendations around clear sequencing, workable timeframes, partnership with tangata whenua, and stable transition arrangements to help ensure effective implementation.

14. NRC wishes to be heard.



**Name:** Pita Tipene

**Title:** Chair, Northland Regional Council

**Date:** 12 February 2026

## Attachment 1: Recommendations to support successful implementation of the Natural Environment and Planning Bills

Topic	Points	Recommendations
<p>1. Transition risks and governance stability</p>	<p>The Government has indicated its intention to progress local government reform concurrently with the two resource management reform Bills. NRC recognises the opportunities in aligning these reform programmes but also notes that concurrent implementation will require careful coordination to avoid delays to the outcomes intended by both reforms.</p> <p>Because both systems shape local decision-making, draw on substantial resourcing, and, as currently drafted, operate to tight timeframes, strong alignment will be essential to ensure councils are well-positioned to develop effective, locally appropriate solutions that meet the objectives of both reforms.</p>	<p>a) Recognise the combined impact of concurrent reforms and ensure implementation accounts for overlapping resource management and local government reforms, which together create risks around governance continuity, funding, and delivery capacity.</p>
<p>2. Aligning the Planning and Natural Environment Bills to work as one system</p>	<p>While the Government’s intent is for the Planning Bill (PB) and Natural Environment Bill (NEB) to operate in tandem, there is an opportunity to strengthen their integration, so the system functions smoothly in practice.</p> <p>The PB’s goals focus on enabling development and infrastructure, while the NEB centres on environmental limits and protection. Because the relationship between these goals is not explicit, decision-makers may face challenges reconciling them when preparing a single Combined Plan that brings together spatial planning, natural environment provisions, and land-use rules.</p> <p>Ensuring clearer alignment between the Bills at the top of the “funnel” would help minimise overlap or gaps, reduce the risk of rework or litigation during plan-making and consenting, and support a more coherent and efficient implementation pathway.</p>	<p>a) To align the Planning and Natural Environment Bills to work as one system:</p> <ul style="list-style-type: none"> <li>i. Include an explicit “integration clause” across both Bills.</li> <li>ii. Adopt a single, cross-referenced National Direction architecture.</li> <li>iii. Require integrated evaluation report for Combined Plans that demonstrates how proposed zones, rules, and methods (PB) implement and remain within environmental limits, standards, and allocation decisions (NEB).</li> </ul>
<p>3. Ensuring effective national direction and locally responsive implementation</p>	<p>The Bills place nationally set provisions at the centre of decision-making, creating an opportunity to drive greater national consistency and provide clearer expectations across the system. NRC recognises the benefits this can bring, including supporting more efficient implementation and improving certainty for communities and decision-makers.</p> <p>At the same time, implementation is strengthened when local plans retain enough flexibility to reflect local conditions and capacity. For example, through phasing, setting locally relevant targets, or using risk-based exceptions where appropriate. Providing for this adaptability supports successful community engagement, encourages compliance, and contributes to more durable and meaningful long-term outcomes.</p>	<p>To ensure effective national direction and locally responsive implementation:</p> <p>a) Enable:</p> <ul style="list-style-type: none"> <li>i. consideration of the legislative goals at the regional level and a pathway in the Bills for local policies and rules to substitute national standards / rules in circumstances where it can be demonstrated that they can give better effect to the goals in the Bills; and</li> <li>ii. local / catchment developed phasing, differentiated targets, and risk-based exceptions - so that communities can see themselves in the framework.</li> </ul>

Topic	Points	Recommendations
	<p>Taitokerau has a distinctive geographic and socioeconomic profile, including dispersed communities, high levels of deprivation, and variable infrastructure servicing. Uniform rules will therefore have uneven impacts across the region. Allowing councils to develop flexible, locally adapted approaches will help ensure the Bills deliver equitable and practical outcomes, reduce unintended burdens, and maintain community confidence in the system.</p> <p>The Bills also introduce new ministerial powers to guide councils and planning committees on plan preparation, reviews, and outcomes. National oversight can add value by supporting consistency and helping ensure the system moves in a cohesive direction. To maximise these benefits, these powers should, however, be designed to complement and reinforce locally driven planning processes.</p> <p>Local authorities have made substantial progress through collaborative work with communities and tangata whenua, and safeguarding these locally developed arrangements will help ensure ministerial direction enhances, rather than replaces, this progress. Building these safeguards into the legislation would support effective delivery and strengthen partnership commitments.</p> <p>NRC is also concerned that section 12(c) may limit councils' ability to give regional expression to the section 11 goals when these are addressed in only general terms at the national level.</p>	<p>b) Strengthen the system by clarifying that ministerial powers to override locally developed plan provisions only applies to nationally significant matters and set out clear criteria for when they should be used.</p>
<p>4. Setting the reform up for success through well-resourced transitional timeframes</p>	<p>NRC is strongly committed to delivering resource management reform and recognises the significant opportunity these Bills present to improve environmental and community outcomes in Taitokerau. Ensuring the transition is well paced will be essential to realising these benefits.</p> <p>Successful implementation will require sustained investment in people, systems, and processes over the transition period. Given the scale and complexity of the reforms, compressed timeframes, combined with likely constraints on future rating capacity, it makes it increasingly important that expectations align with the resourcing councils can reasonably access during the transition. Providing for sufficient time will help ensure councils can implement the reforms effectively and maintain service levels and community confidence.</p> <p>Ensuring councils are both adequately resourced and provided with workable timeframes is key to turning the ambition of the Bills into practical, enduring outcomes on the ground.</p>	<p>a) To set the reforms up for success, ensure the transitional arrangements for the new system provide sufficient time to deliver the changes within the limits of existing resourcing.</p>

Topic	Points	Recommendations
<p>5. Strengthening implementation through clear and workable sequencing</p>	<p>NRC strongly supports establishing national direction before local plans are developed, as this will help ensure time and resources are invested efficiently and that planning documents are aligned from the outset.</p> <p>We recognise the ambition reflected in the proposed 21-month timeframe for preparing regional spatial and natural environment plans and acknowledge that this signals a commitment to early certainty and maintaining momentum in the transition.</p> <p>To make the most of this momentum, a flexible, phased approach will be important so that high quality plans can be developed without needing to be revisited. Experience with the Resource Management Act (RMA) shows that late, unclear, or frequently changing national direction can undermine delivery and result in unnecessary cost. Providing clear national direction early, and ideally with broad cross-party support, would help set the new system up for success by giving councils, communities, and tangata whenua the certainty needed to plan confidently and deliver enduring environmental and economic outcomes.</p> <p>Under the current sequencing, national direction and national limits are being developed concurrently with spatial plans, and limits for ecosystem health are scheduled to follow spatial plans. Beginning spatial planning before national direction is finalised introduces a significant risk of inefficiency and additional cost, as plans may need to be revisited to ensure alignment. Establishing national direction first would support a smoother, more efficient planning process and reduce the likelihood of duplication or rework.</p>	<p>a) To strengthen implementation:</p> <ul style="list-style-type: none"> <li>i. Extend or re-phase the timeframe of spatial and local plans to reduce delivery risks.</li> <li>ii. Set environmental limits and national policy direction before the development of regional spatial plans.</li> </ul>
<p>6. Partnering with tangata whenua in Taitokerau for successful implementation</p>	<p>NRC is committed to partnering with Māori and giving effect to our responsibilities under Te Tiriti o Waitangi. NRC's Te Tiriti Strategy and implementation plan, <i>Tāiki ē</i>, is our regional strategy for implementing our commitments and honouring our relationships with Tāngata Whenua. <i>Tāiki ē</i> articulates the commitments NRC has made to partner with Tāngata Whenua and the importance of giving effect to Te tiriti o Waitangi/Treaty of Waitangi obligations as part of resource management decision-making plan. This is a priority for NRC and for iwi, hapū, whānau and communities across Taitokerau.</p> <p>Our shared work with tangata whenua, including the development of <i>Tāiki ē</i>, provides a strong foundation of cultural knowledge, local expertise, and shared stewardship that will be essential to successfully implementing the Bills. These partnerships strengthen trust, improve policy legitimacy, and ensure outcomes reflect both environmental priorities and cultural values.</p>	<p>To ensure tangata whenua are partners in implementation, helping to ground the system in local knowledge and fostering confidence in its effectiveness:</p> <ul style="list-style-type: none"> <li>a) Include a broad Treaty of Waitangi/Te Tiriti o Waitangi consideration obligation in the goal of each Bill, and other provisions akin to Part 2 of the Resource Management Act (RMA), especially s6(e), s6(f), 6(g), s7(a), s8).</li> <li>b) Provide: <ul style="list-style-type: none"> <li>i. for hapū involvement and representation in developing national direction; the preparation of spatial plans, land use plans and natural environment plans; and on independent hearing panels for the spatial, natural environment and land use plans.</li> </ul> </li> </ul>

Topic	Points	Recommendations
	<p>NRC supports the goals in Section 11 of both Bills to provide for Māori interests through participation in national instruments, spatial planning, land-use plans, and identifying and protecting sites of significance to Māori, as well as enabling the development and protection of Māori land.</p> <p>We are concerned, however, about the implications of section 12(c), which prevents decision-makers from considering a goal directly if it is addressed by a higher-order instrument. This may unintentionally constrain NRC’s ability to give effect to Te Tiriti obligations, particularly in partnering with iwi and hapū. For example, if national direction becomes the primary mechanism for Māori participation, it is unclear whether NRC could still ensure meaningful involvement of hapū in local planning processes.</p> <p>NRC is also concerned about the omission of a broad obligation to consider Te Tiriti o Waitangi. The Bills restrict Treaty recognition to specific matters, which leaves many iwi and hapū in Taitokerau, particularly those without settlements or statutory instruments, without equivalent recognition in the new system.</p> <p>NRC supports the intent to uphold Treaty settlements, but the two-year transition period for aligning settlement redress with new arrangements risks disadvantaging PSGEs and may make Crown-PSGE agreement difficult within the timeframe. Many existing co-governance instruments, such as Te Rautaki o Te Oneroa-a-Tōhe, were developed under a framework that included broader Treaty protections. Maintaining the integrity of these arrangements will be important for continuity and confidence.</p> <p>NRC also notes that, in several places, the Bills provide only consultative involvement for tangata whenua and primarily with iwi authorities. This would significantly constrain participation in Taitokerau, where many hapū maintain their own mana motuhake.</p> <p>Mana Whakahono ā Rohe agreements play an important role in partnership and collaboration across the region. NRC strongly supports provisions enabling parties to these agreements to be involved in developing plans, compliance strategies, emergency works, and related processes. Development of Mana Whakahono ā Rohe should continue to be supported as a strong, enduring, and flexible partnership mechanism that enables meaningful collaboration.</p> <p>NRC supports provisions for identifying and protecting sites of significance to Māori, recognising their importance in upholding partnership obligations and protecting places of cultural significance.</p>	<ul style="list-style-type: none"> <li>ii. a timeframe that reflects the complexity and importance settlement redress or arrangements with respect to the development of transitional agreements. Include a carry-over clause so that redress continues until new instruments are jointly agreed.</li> <li>iii. for co-governance instruments to be explicitly recognised in new spatial, land-use, and natural environment plans, and that planning instruments can give effect to these arrangements while new agreements are being finalised.</li> <li>iv. for the continued development of Mana Whakahono ā Rohe agreements with iwi and hapū, and the development and implementation of other partnership mechanisms and processes.</li> <li>v. for ongoing identification of sites of significance to Māori, with the ability to amend a natural environment plan to include additional sites of significance without having to revert to further public consultation.</li> </ul>

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<p>7. Ensuring the planning system is equipped to deal with climate change</p>	<p>Climate change presents one of the region’s most significant and complex challenges, and Taitokerau is already experiencing its effects. Rising sea levels, coastal erosion, increased flooding, and more frequent severe weather events are creating pressure on infrastructure, ecosystems, and community wellbeing.</p> <p>Many Māori communities are at the forefront of these changes due to the historic patterns of land allocation and the location of marae, papakāinga, wāhi tapu, and Māori land blocks in low-lying coastal and river areas. This reinforces the importance of supportive, well resourced, and collaborative approaches to climate resilience.</p> <p>NRC therefore supports embedding adaptation and spatial planning requirements under the Climate Response Act into Spatial Plans, provided there is a robust process and sufficient time to work with communities and identify priority locations for adaptation.</p> <p>The Natural Environment and Planning Bills do not currently include explicit objectives for climate adaptation or emissions reduction. Strengthening these areas presents a valuable opportunity. Clear goals in these domains would enhance the effectiveness of the new system, support consistent national direction, and better equip councils and communities to plan for a resilient, low emissions future.</p>	<p>a) To ensure the planning system is equipped to respond to Climate Change</p> <ul style="list-style-type: none"> <li>i. Retain clause 3(1)(f) in Schedule 2 of the Planning Bill, setting out content of Spatial Plans to include priority locations for adaptation plans prepared under the Climate Change Response Act 2002 provided the priority locations have been identified via a robust community led process.</li> <li>ii. Include climate change adaptation, and emissions reduction, as goals in the Natural Environment and Planning Bills.</li> </ul>
<p>8. Supporting successful implementation of spatial planning</p>	<p>NRC strongly supports spatial plans, including the incorporation of the coastal marine area, as a cornerstone for integrated and strategic planning in Taitokerau/Northland.</p> <p>Spatial plans provide a powerful opportunity to align growth, infrastructure, environmental protection, and investment decisions. When well implemented, they can deliver substantial economic and social benefits by enabling more efficient infrastructure investment, reducing longterm remediation costs, and strengthening investor confidence. To fully realise these benefits, it will be important to ensure clear national direction is available ahead of spatial plan development, that fast-track processes operate in a way that complements, not overrides, strategic planning, and that tangata whenua are meaningfully involved throughout. These settings will support a streamlined, durable, and coherent planning framework.</p>	<p>a) To achieve successful implementation of spatial planning:</p> <ul style="list-style-type: none"> <li>i. Require national policy direction and limits to be in place before regional spatial plans are developed.</li> <li>ii. Ensure statutory linkages so spatial plans are implemented or provided for through local plans (including LTPs), are considered in Land Transport Management Plans, and are taken into account by Ministers in land transport policy.</li> <li>iii. Recommend to Parliament that amendments should be made to the FTAA to require decisions to be consistent with regional spatial plans and environmental limits.</li> <li>iv. Establish mandatory participation mechanisms (including iwi and hapū representation) for spatial planning committees.</li> </ul>

Topic	Points	Recommendations
	<p>NRC supports spatial plans being jointly developed by district and regional councils, the requirement for local plans (including long-term plans) to reflect spatial plans, and the expectation that Land Transport Management Plans consider them. We also support requiring Ministers to take spatial plans into account when preparing government policy on land transport. These linkages are essential to achieving coherent and aligned decision-making across all levels of planning and investment, ultimately enhancing both environmental and economic resilience.</p> <p>To strengthen the implementation of the new planning framework, it will be important that activities approved under the Fast-track Approvals Act (FTAA) are aligned with regional spatial plans and relevant environmental limits. Doing so would ensure that development is predictable, coordinated, and consistent with regional expectations. Without this alignment, there is a risk of unplanned infrastructure needs, increased costs, and uncertainty for investors, ratepayers, and taxpayers. Strong integration between fast-track processes and spatial planning would help maintain confidence, avoid inefficiencies, and reinforce the value of the spatial planning system.</p> <p>National environmental limits and policy direction should also be available early to inform the development of regional spatial plans. Clear direction at the outset will reduce the need for future revisions, prevent overallocation, minimise inefficiencies, and support sound investment by giving communities, councils, and investors certainty. Early clarity on limits, sites of significance, and national expectations will enable spatial plans to allocate resources efficiently and sustainably.</p> <p>NRC also sees an opportunity to strengthen spatial planning committees. Beyond the chairperson, secretariat, and Minister-appointed members, ensuring iwi/hapū representation and the inclusion of expertise in tikanga Māori would significantly enhance the quality, legitimacy, and cultural responsiveness of spatial planning in Taitokerau.</p>	
<p>9. Enabling effective and locally responsive environmental limits</p>	<p>NRC supports the Government’s proposal for nationally set limits for human health and regionally set limits for ecosystem health, as this provides a strong and coherent foundation for environmental management.</p> <p>To ensure these limits are effective in practice, it will be important that the Natural Environment Bill and resulting national policy and standards provide sufficient flexibility for regional councils to tailor limits to local conditions while applying nationally consistent methodologies.</p>	<p>a) To ensure effective and locally responsive environmental limits are developed. Ensure the NE Bill provides:</p> <ul style="list-style-type: none"> <li>i. a risk-based, adaptive limits framework, with regular monitoring and review.</li> <li>ii. national methodologies and datasets, while allowing regional tailoring.</li> </ul>



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	<p>Regions like Taitokerau have diverse environments and communities, and an adaptable framework will enable councils to respond appropriately to local opportunities and challenges. A risk-based approach that incorporates regular monitoring, iterative review, and the ability to adjust limits as new information becomes available will help maintain the relevance, robustness, and responsiveness of regional limits over time.</p> <p>Managing cumulative effects remains a significant challenge under the RMA and will become increasingly important under the new system, where a greater proportion of activities will be permitted. Even minor activities can collectively contribute to long-term degradation of ecosystem health and water quality.</p> <p>Embedding clear requirements for cumulative effects assessment and adaptive management within the proposed legislation would strengthen councils' ability to uphold limits, respond proactively to emerging issues, and support sustainable, long-term environmental outcomes.</p>	
<p>10. Supporting effective and inclusive natural environment planning</p>	<p>NRC supports the requirements in NEB s8(c) for Māori interests to be actively considered in natural environment plans and sees strong potential for this provision to enhance cultural and environmental outcomes. To fully realise this intent, there is an opportunity to strengthen the associated mechanisms. As with spatial planning, NRC considers that iwi/hapū representation in local plan decision-making is essential to ensuring plans reflect local mātauranga, aspirations, and community needs.</p> <p>In Taitokerau, iwi authority engagement alone is unlikely to be sufficient, as many hapū maintain mana motuhake and engage directly in planning processes. Similarly, limiting coastal engagement solely to recognised customary marine title groups will overlook the large number of applicant groups whose Marine and Coastal Area (Takutai Moana) Act 2011 (MACA) applications remain unresolved. For example, two Taitokerau MACA applications that have already been heard now require rehearing under the 2025 MACA Amendment Act, creating additional uncertainty. Broader and more inclusive engagement provisions would support enduring and culturally grounded planning outcomes.</p> <p>Clear and unambiguous permitted activity rules, free from third party discretion, will be important for effective implementation of natural environment plans. As drafted in the NEB (s.39), permitted activities may be subject to registration requirements, conditions such as bonds or works, fixed fees, compliance certificates, written approvals, or other obligations.</p>	<p>a) Provide:</p> <ul style="list-style-type: none"> <li>i. for iwi/hapū representation and direct hapū involvement in local plan decision-making.</li> <li>ii. for direct consultation with hapū (rather than this having to take place through iwi authorities) and consultation with MACA applicant groups whose applications for protected customary rights and/or customary marine title have not yet been heard or had decisions issued.</li> </ul> <p>b) Reconsider whether permitted activity rules should require registration or meet conditions such as paying bonds or undertaking certain works in order to be permitted; and ensure that they do not involve third party discretion. Where any permitted activity requires councils to undertake processing, assessment, monitoring or enforcement of permitted activities, the administrative costs must be recoverable.</p>

Topic	Points	Recommendations
	<p>These requirements introduce additional time, complexity, and cost for land holders and resource users, and risk shifting existing consenting challenges into the permitted activity space. They would also significantly increase the administrative and monitoring workload for councils.</p> <p>Refining these provisions would support smoother implementation, reduce unnecessary complexity, and ensure permitted activities operate as an efficient and enabling tool within the new system.</p>	
<p>11. Creating a workable framework for property rights and environmental protection</p>	<p>NRC acknowledges the Government’s intent in proposing mandatory compensation for plan provisions that affect property rights and recognises the value of ensuring that the impacts of regulatory measures on landowners are carefully considered.</p> <p>Taitokerau holds outstanding cultural and environmental values, including sites of significance to Māori, coastal areas of exceptional natural character, and areas of nationally and internationally unique indigenous biodiversity. These values are central to the region’s identity and play an important role in supporting the local economy and community wellbeing.</p> <p>To ensure these values continue to be protected, it is important that the proposed regulatory relief framework is designed in a way that is workable, durable, and financially sustainable. As currently framed, terms such as “significant impact on the reasonable use of land” and “severely impair” are open to interpretation.</p> <p>Without greater clarity, they may lead to increased litigation and appeals to the Environment Court. This could create delays, uncertainty for communities and investors, and significant financial exposure for councils—potentially constraining their ability to protect environmental and cultural values or to implement the objectives of both Bills.</p> <p>NRC is also concerned that the Environment Court will also be put in a situation (when determining appeals) where it will be making decisions related to regulatory relief that will financially impact councils without clear guardrails or ratepayer input.</p> <p>The regulatory relief framework will also apply when councils implement national direction - such as environmental limits or mandatory measures like stock exclusion or the protection of sites of significance to Māori. It is important that the system supports equitable funding arrangements.</p>	<p>a) To create a workable framework for property rights and environmental protection</p> <ul style="list-style-type: none"> <li>i. Exclude rules designed to meet environmental or human health limits, or rules prepared to implement national direction (e.g. Sites of Significance to Māori); and</li> <li>ii. Where compensation is required to implement national direction or set limits, ensure the national instruments are required to provide central Government funding to support implementation.</li> </ul>

Topic	Points	Recommendations
	<p>Councils should not be placed in a position where they must fund relief for measures required to achieve national objectives. A centrally managed approach to resourcing regulatory relief would promote fairness, ensure consistency across regions, and help build confidence in the new system's ability to deliver national outcomes efficiently and sustainably.</p>	