



10 February 2026

Committee Secretariat
Environment Committee
Parliament Buildings
Wellington

Email: Env.Legislation@parliament.gov.nz

Dear Sir/Madam,

Planning Bill and Natural Environment Bill, Submission from the Urban Task Force for Tauranga (UTF)

The Urban Task Force for Tauranga (UTF) has been incorporated as a Society with its purpose being to represent Tauranga property professionals and funders, developers, iwi and hapu, and owners and managers of property.

The UTF seeks to provide strong and informed leadership to central, regional and local authorities, promoting and fostering productive local networks around property and related issues and as an advocate for the property and development industry in the Bay of Plenty.

The UTF has previously provided feedback to Government on the need to update and reform the Resource Management Act 1991 and the planning system in general. UTF were pleased to support standalone fast track consenting legislation along with changes proposed to National Policy Statements to improve the current planning system.

UTF strongly supports and endorses the Government's intentions to reform the Resource Management Act by replacing it with the Planning Bill and Natural Environment Bill. We welcome the opportunity to provide feedback on the proposed legislation and how this affects Tauranga.

UTFs submission relates to both Bills as follows:

General principles

1. UTF generally supports the Planning Bill and Natural Environment Bill provisions which will reduce the number of consents needed and which will simplify the regulatory planning process. The support is subject to the necessary amendments and changes as set out below
2. We support the development of national instruments and national policy direction to provide consistent decision making and certainty across New Zealand.
3. There is a need for Council plans to be consistent across New Zealand and for greater standardisation. UTF agree with the approach of developing National Standards (including technical standards) across the country.
4. The approach of establishing one plan per region will assist with decision making and the need for multiple consent processes. In preparing these plans it is critical that spatial planning is led by District (rather than Regional) Councils who have limited expertise and experience in Spatial Planning. Spatial

planning must also be done in tandem with infrastructure planning. Feasibility assessment must be incorporated as a key component of spatial planning. For too long Councils have rezoned land without any consideration given to the feasibility of development. This has led to the over reporting of land supply in areas such as the Bay of Plenty. Although spatial plans will look to establish where future housing and infrastructure will occur, infrastructure planning should not occur in a vacuum without feasibility assessments.

5. We support the deletion of non-complying activities. We also generally support the classification of activities proposed, i.e. permitted, restricted discretionary and prohibited, but have some concerns about the reliance on restricted discretionary activities (RDAs) and the deletion of controlled activities from the Bills. Our experience is that large numbers of matters of restricted discretion within plans create significant uncertainty. If RDAs are to be included, then matters of restricted discretion must provide certainty and should only relate to the consideration of adverse effects. Current practices such as referring to consistency with plan objectives and policies create uncertainty and difficulties with interpretation for RDAs. We are concerned about the removal of controlled activities will provide more certainty than RDAs. Controlled activities should be included in both Bills with the requirement that matters of control are clearly set out in a plan to provide certainty. Again, these should relate to conditions to manage adverse effects only. The presumption is to move towards a more predictable and permissive consenting framework, so a controlled activity status (in favour of RDAs) would better achieve this.
6. The relationship between key instruments and decision making under Section 12 of the Planning Bill is supported and will lead to consistency in terms of plan outcomes.
7. The presumption in the Bills which favour property rights is supported. This approach will reduce the number of consents required for matters which are agreed between parties. We agree with the changes to only enable people who are materially affected to be able to participate in the consenting process. For far too long projects have been held up by individuals and organisations who are not adversely affected by development. An appropriate balance is met by the new provisions.
8. A Planning Tribunal is strongly supported. Environment Court appeal processes are lengthy and costly, and a Planning Tribunal will be a more efficient way of resolving straightforward planning consent disputes in a more timely and efficient manner than an Environment Court process.
9. The idea of regulatory relief where there is significant burden associated with regulations imposed on landowners is generally supported. For example, where significant natural areas or heritage features are imposed as a burden on a landowner's property. Our only concern with the approach is "who pays". We would support the development of provisions relating to further development rights (which should also be transferable) but would oppose Council's being given the option of using rate payer funding to offset such burdens.
10. We support the introduction of special pathways for essential infrastructure where these projects may qualify for an exemption under the Natural Environment Bill. If Councils fail to plan (which is their job), then this function should be removed from them and replaced with with a Government appointed body whose sole purpose is to ensure that housing and land targets are met at all times. The former Housing Accords and Special Housing Areas Act 2013 is an example of an emergency measure which should be employed more often to circumvent Council inaction.
11. The new designation provisions should require any conditions of designations to be high level only and where there is a strategic need for a designation identified through a Spatial Plan this designation should not be required to be re-considered at a later stage through a further process. The widening of the definition of a Designating Authority to include privately owned organisations will result in significant public benefits and is supported. This will assist in the provision of private initiatives to develop infrastructure at scale.

12. Allowing consents for up to a 50-year term in relation to essential infrastructure is a significant improvement. Far too much time and resources have been invested “renewing” consents for existing infrastructure.
13. Matters such as environmental limits under the Natural Environment Bill are supported where these are either human health limits or ecosystem health limits if there are clear national standards produced which Councils must follow to determine what these limits are to be. Such limits should not just be left up to Councils.
14. The incorporation of a “permitted baseline” within the Planning Bill is a significant improvement. It should be a mandatory consideration to disregard effects which are authorised by way of a plan rule. The proposed Bill clarifies this.
15. Narrowing of the scope of matters which can be considered through consenting such as visual amenity, internal and external building layouts, landscape, and impacts on trade competition is strongly supported. For too long Councils have dictated such matters to landowners, which are often subjective personal choice considerations.
16. For far too long many parts of the planning system has been run by individuals within Councils who are not qualified Planners. In a matter like Surveyors and Engineers, a registration system should be required for Planners. This may be best dealt with outside of the Bill process such as in future Regulations/Standards.
17. One matter which we have discussed with our members is the idea of a Crown appointed Resource Management Ombudsman. There has been much criticism of the RMA in terms of its efficiency and effectiveness in delivering outcomes. A large proportion of this is attributable to poor planning practice from RMA professionals, from whom we see limited accountability, delay, inconsistencies in relation to local government decision making, unreasonable requests for information, and often poor quality and unreasonable decision making. There seems to us to remain limited opportunities to challenge such decisions around poor process through both Bills. We think that an RMA Ombudsman would add value as it has for other sectors, i.e. the accounting, insurance and banking sectors. The role of the Ombudsman should be to issue directives to Councils to improve performance, efficiency and ultimately good decision making.

We hope that the above feedback on the Bills is of some assistance to you. We would like the opportunity to be heard in support of our submission and would be happy to answer any questions the Committee may have.

Ngā mihi,



Scott Adams
Chairman

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