

Briefing Note

Making Sense of the new Planning and Natural and Environment Bills

What the new Bills mean for Queenstown

1. Purpose

This briefing note provides a very high level overview of the **proposed Planning Bill (PB)** and **Natural Environment Bill (NEB)** and their implications for Queenstown Lakes District Council (QLDC). These Bills represent a fundamental shift from the Resource Management Act (RMA) to a new planning and environmental management framework.

The changes are significant, both in scope and in the way planning decisions will be made, and they will directly affect QLDC's statutory responsibilities, operational processes, and long-term strategic planning.

This briefing aims to strengthen elected members' understanding of the Bills, ensuring informed discussion and enabling Council to make confident, well-supported decisions on submission points that reflect our district's best interests.

Submissions are an opportunity where QLDC aims to influence the legislative framework so that it reflects the realities of our district—its unique landscapes, growth pressures, infrastructure needs, and community values.

By understanding the Government's intent, the legislative architecture, and the practical implications for our plans and processes, QLDC can provide, insofar as the limited time provided allows, a submission that is robust, evidence-based, and aligned with our strategic priorities.

This document sets out:

- A high-level summary of the legislative changes and the new system replacing the RMA.
- The Government's rationale for reform and the goals driving the new framework.
- The fundamental changes that will impact QLDC's strategic, operational, and financial functions.
- Key issues and risks for QLDC during the transition period.

2. How This Briefing is Structured

To make sense of the legislative changes and their implications for QLDC, this briefing takes you through **four key areas**:

- **Legislative Changes – High Level**

A quick overview of what is changing and the new framework replacing the RMA.

- **Why These Changes? – Government's Rationale**

Understanding the intent behind reform in the Government's own language.

- **Fundamental Changes for QLDC**

Some of the big shifts that will directly affect our core business and operations.

- **Other Significant Changes**

Other significant changes that have strategic and financial implications for Council processes.

3. Legislative Changes – High Level

The proposed reforms replace the Resource Management Act (RMA) with a new planning and environmental management system built around two core statutes:

- **Planning Bill (PB):** Focused on enabling development, land use, and infrastructure delivery.
- **Natural Environment Bill (NEB):** Dedicated to managing environmental limits and protections for air, water, soils, and biodiversity.

Together, these Bills aim to create a system that is simpler, faster, and more consistent, while maintaining environmental safeguards. The Government describes this as a “once-in-a-generation shift” designed to unlock growth, reduce infrastructure costs, and improve resilience to natural hazards.

4. Key Features of the New Framework

- **Narrower Scope of Effects:** The system will only manage matters explicitly covered by its goals, reducing the breadth of considerations compared to the RMA.
- **Environmental Limits:** Nationally set limits for critical resources (e.g., freshwater, biodiversity) will underpin decision-making.

- **National Standards and Policy Direction:** One National Policy Direction per Bill, supported by regulations for consistent processes (see figure 1 below)

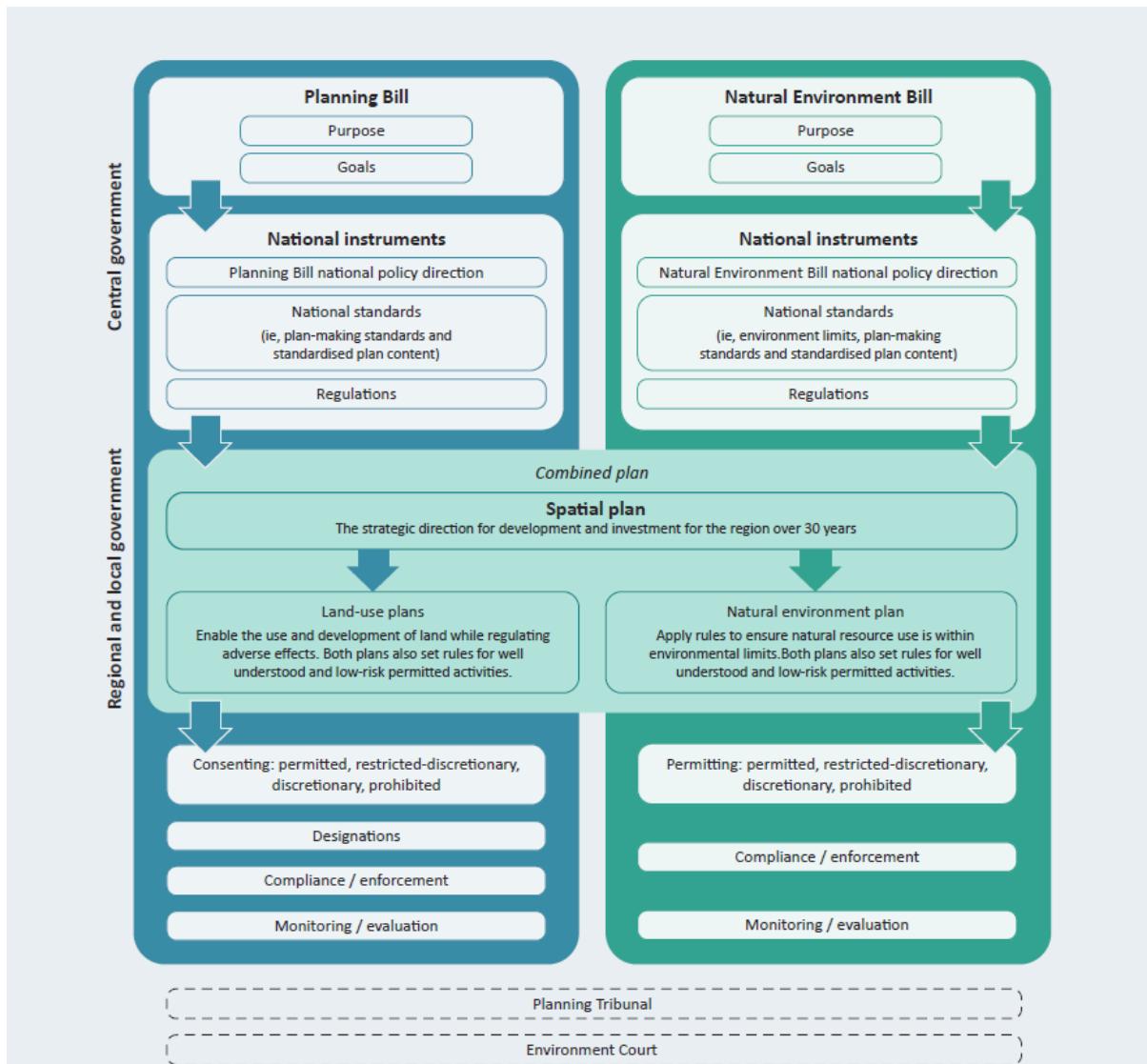


Figure 1: System architecture (image reference: MfE (2025), *Better Planning for a Better New Zealand*, p. 18)

- **Spatial Planning:** Mandatory regional spatial strategies to guide growth and infrastructure investment.
- **Compliance and Enforcement Focus:** Shift from case-by-case consenting to compliance with standardised rules, supported by a potential national regulator.
- **Single Regional Plan:** Each region will have one integrated regulatory plan jointly prepared by councils.
- **Faster, Cheaper Processes:** Streamlined dispute resolution and shorter, more accessible legislation.

- **Treaty of Waitangi Obligations:** Upholding settlements and ensuring Māori participation in national instruments and planning.

5. System Goals – The Core of the New Framework

The [Planning Bill](#) introduces System Goals¹ as the foundation for decision-making. These goals define what the new planning system is allowed to manage—and what it cannot: *“If something is not covered by the goals, the system won’t be allowed to manage it. It’s that simple.”*²

Purpose of System Goals:

- **Narrow the Scope:** Compared to the RMA, the new system deliberately limits the range of matters councils can regulate.
- **Provide Clear Direction:** Goals act as a filter for planning and consenting decisions, reducing complexity and discretion.
- **Enable Consistency:** National instruments and regional plans must give effect to these goals, ensuring alignment across the country.

Goals limit what the system can look at and decide on:

Decisions in the new system will work like a funnel (refer to Figure 2). Clear goals are set at the top, then national policy direction and standards narrow what’s up for debate from there. This is intended to provide certainty for investors, communities, and developers. As the process narrows, fewer things would be up for debate, saving time and money.

¹ Refer to Part 2 Foundations Subpart 1 – Core Provisions for Decision Making Section 11 Goals: <https://www.legislation.govt.nz/bill/government/2025/0235/latest/LMS1448828.html>

² Refer to Mfe (2025), [Better Planning for a Better New Zealand](#), p.11

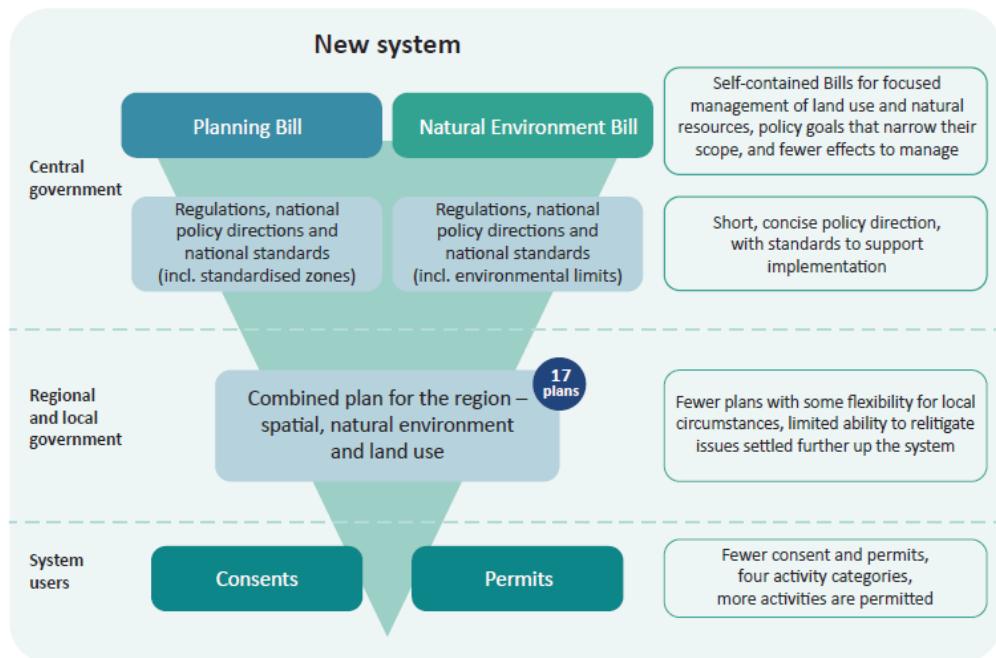


Figure 2: The Funnel (Image reference: MfE (2025), [Better Planning for a Better New Zealand](#), p.14)

6. Transition Timeline

- **2026:** First suite of national instruments will be brought in such as the policy directions, environmental limits, spatial planning standards.
- **2027:** Second suite of national instruments will be released, such as, land-use and natural environment standards, ecosystem health limits.
- Refer to Figure 3 on the next page for what is envisaged beyond 2027.
- Existing RMA plans remain operative until replaced by new instruments; changes to RMA plans during transition require approval.



Figure 3: Legislative and transition timeline as envisaged by the Government (image reference: MfE (2025), [Better Planning for a Better New Zealand](#), p.39)

7. Why These Changes? – Government’s Rationale

The Government has framed these reforms as a response to systemic issues with the Resource Management Act (RMA), which it considers **no longer fit for purpose**. The current system is widely viewed as **costly, complex, and slow**, creating uncertainty for communities, developers, and councils. Key drivers for change explained in the relevant [Cabinet Paper](#) include:

- **Inefficiency and Delay:** Lengthy consenting processes and litigation have slowed housing and infrastructure delivery.
- **Fragmented National Direction:** Inconsistent standards across regions have led to uneven outcomes and duplication of effort.
- **Weak Spatial Planning:** Lack of legal power for spatial strategies has hindered coordinated growth and infrastructure planning.
- **Limited Environmental Safeguards:** Absence of strong, enforceable environmental limits has left ecosystems vulnerable.
- **Compliance Gaps:** Enforcement under the RMA has been reactive and resource-intensive.

Government's Objectives

The new system is designed to:

- **Unlock Growth and Housing Supply:** Enable development while reducing infrastructure costs.
- **Protect the Environment:** Introduce clear environmental limits and national standards.
- **Improve Resilience:** Strengthen planning for natural hazards and climate change.
- **Simplify and Streamline Processes:** Deliver faster, cheaper, and less litigious pathways.
- **Provide Certainty and Consistency:** Standardise rules and decision-making across regions.
- **Enable Digital Transformation:** Support future-ready, data-driven planning systems.

Ministers have described the reforms as a “game changer” and a “once-in-a-generation shift towards growth, choice, and possibility.” At its core, the new framework aims to make things easier so that things get done—while protecting what really matters.

8. Fundamental Changes for QLDC

The proposed Bills introduce several **major shifts that will directly affect QLDC's core business and planning framework**. These changes go beyond process tweaks—they alter the scope of what councils can regulate, the way plans are structured, and the expectations for compliance and enforcement.

8.1. New Effects Framework ([Planning Bill – Section 14](#))

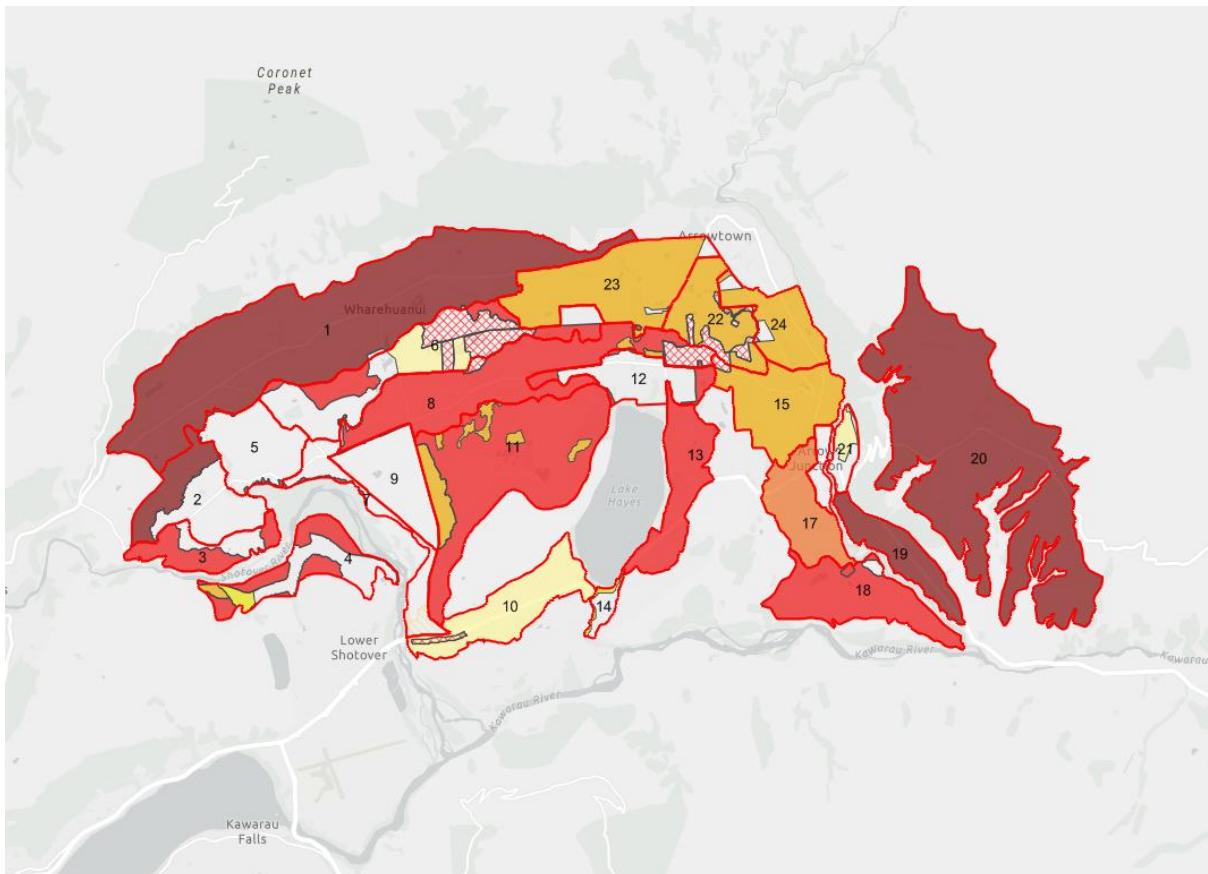
What Changes: The Planning Bill explicitly removes several categories from the scope of effects for land-use decisions, including:

- Visual amenity
- General landscape effects
- Private views
- Internal site layout
- Retail distribution
- Precedent considerations

This narrows the effects-based lens applied to consenting, reducing discretion and limiting what can be considered in decision-making.

QLDC Impact:

Many current Proposed District Plan (PDP) provisions—such as Rural Character Landscapes and Wakatipu Basin Rural Amenity Zone (WBRAZ)—embed amenity and landscape considerations (see Map 1 below).



Map 1 Wakatipu Basin Landscape Character Units in the Proposed District Plan, Wakatipu Basin Landscape Capacity is shown in the above map (dark red to yellow colour grades represent very low to high (six categories) landscape capacity absorbing subdivision and development

Key Issue:

Potential conflict between new statutory scope and operative and proposed plan requirements.

Risk:

Costly transitional uncertainty, as these provisions underpin the district's economy and identity.

8.2. Regulatory Relief ([Planning Bill – Section 92, Schedule 3](#))

The new system will introduce a new regulatory relief framework that requires councils to consider (MfE, [Better Planning for a Better Zealand](#): 2025, p.29) the impact of some planning controls on landowners when they are developing plans. Councils will have to provide relief where this impact is significant, and threshold for relief will be lower than under the Resource Management Act.

What Changes:

Property owners may seek monetary relief (see Figure 4) from restrictions that protect high-value landscapes or features, noting that approximately 97% of QLDC's land area is covered by these protections.



Figure 4 Regulatory relief explained in the ['Better Planning for a Better New Zealand: Overview of New Zealand's New Planning System'](#) (MfE, 2025)

QLDC Impact:

- **Evidence Burden:** Councils must justify protections at a property-specific level.
- **Fiscal Exposure:** Scenic districts like QLDC face unfunded mandate risks and ratepayer pressure.

- **Budget Uncertainty:** Relief is trigger-based, making Long Term Planning and annual budgeting volatile.
- **Equity Issues:** Boundary effects create winners and losers; disparities likely without national co-funding.
- **Appeal Risk:** Owners can challenge both protection and relief offers, requiring robust process discipline.

8.3. Definitions of built versus natural environment

What Changes:

The Planning Bill defines the built environment as including people and communities, land and its identified values and characteristics, structures, and infrastructure. The Natural and Built Environment Bill (NEB) defines the natural environment as including land, water, air, soil, minerals, energy, plants (excluding pest species), animals (excluding humans, domesticated animals, or pest species), and their habitats, ecosystems, and constituent parts.

This clear split—one Bill enabling development and land use, the other setting environmental limits—removes the integrative ‘sustainable management’ principle of Section 5 of the RMA. Without that anchor, aligning land use, hazard management, infrastructure planning, and environmental outcomes becomes significantly harder, particularly at the catchment scale. The result could be fragmented decision-making, costlier and less coherent delivery, and increased risk for communities and ecosystems.

QLDC Impact:

- **Boundary Decisions:** Projects often span both domains (e.g., stormwater networks affecting freshwater).
- **Compliance Tension:** Different thresholds (reasonableness vs limits) may create conflicting signals.
- **Strategic Infrastructure:** Development may trigger NEB limits, creating fiscal and compliance challenges.

9. Other Significant Changes

Beyond the headline reforms, the Bills introduce several less visible but highly consequential changes that will affect QLDC’s day-to-day operations and compliance frameworks. These changes may appear technical, but they carry real implications for planning practice, enforcement, and budgeting, such as:

9.1. Existing Land Use Rights ([Planning Bill – Section 20](#))

What Changes:

Certain existing land uses can continue without a planning consent even if they now contravene a national or local rule, provided:

- The use was lawfully established.
- Its effects remain the same or similar in character, intensity, and scale.

QLDC impact:

- Disputes are likely: Expect Environment Court declarations on what qualifies as “same or similar effects.”
- Consistency Challenges: National standards aim for uniformity, but s20 preserves local non-conforming pockets of land.
- Existing use rights are likely to create disputes, particularly when they intersect with national instruments, such as the National Policy Statement- Natural Hazards (NPS-NH, 2025) implementation.

9.2. Permitted Activity Monitoring and Fees ([Planning Bill Section 38](#))

Under the new system, the registration of permitted activity acts as a gatekeeping process where the council must verify specific criteria are met before the activity can lawfully proceed without a consent and under Section 180, a person must notify the authority in writing, describing how they meet the rule's conditions. The authority has 10 working days to determine if the conditions are met and, if so, register the activity and begin monitoring it.

No current capacity to perform this new duty. Staff will spend significant time checking if permitted activities meet requirements. Every permitted activity must be monitored, creating major operational pressure. Requires additional resources and systems to respond effectively. Although legislation allows some cost recovery, the system will enable more permitted activities, making this a high-volume, low-value task. Council is not equipped to deliver this at present.

Operational compliance requirement under the Planning Bill (s38 registration and s180 monitoring). Therefore, it is a strategic resourcing and risk decision—Council must decide whether to Scale capacity (FTEs, training, systems) to meet mandatory monitoring. Council also needs to consider adjusting fees/charges to recover costs within statutory constraints and invest in technology (registration portals, automated condition checks, field monitoring apps).

9.3. Improved Designation Processes (Subpart 3, Schedule 5)

What Changes:

- Designations can be secured earlier through spatial planning.
- Ministerial powers to approve or revoke designations for core infrastructure.

Implications for QLDC:

- Governance Complexity: Multiple operators, overlapping designations.
- Legal Risk: Need robust documentation to avoid misapplication.
- Impact on PDP Designations: Existing provisions may require review and alignment.

10. Summary

The Planning Bill and Natural Environment Bill represent a fundamental transformation of planning and environmental management in Aotearoa.

For QLDC, these changes will reshape how we manage growth, protect landscapes, and deliver infrastructure. While the reforms aim to simplify processes and provide national consistency, they also introduce significant risks and operational challenges—particularly around landscape protections, fiscal exposure, and the interface between built and natural environments.

Recommended Next Steps for QLDC:

- **Decisions on Key Issues and Risks by elected members**
 - Seek Council guidance on key submission points
- **Engage Internal Teams and Governance**
 - Align submission points with Council's strategic priorities and Long-Term Planning (LTP) commitments.
- **Develop Evidence-Based Submission Points**
 - Highlight the unique characteristics of Queenstown Lakes (ONLs, growth pressures, tourism economy).
 - Seek flexibility in national instruments to accommodate high-scenic districts.
 - Seek clarity on funding mechanisms for relief and compliance obligations.

- **Coordinate with Regional and Sector Partners**
 - Work with Otago councils and LGNZ to ensure consistent messaging on shared challenges.
 - Explore opportunities for joint submissions on spatial planning and infrastructure provisions.
- **Operational Plan for Transition**
 - Begin scoping potential changes and operational adjustments.
 - Establish internal workflows for property-level evidence and digital compliance systems.

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