

13 February 2026

Infrastructure New Zealand Submission on Resource Management Reform – Planning Bill and Natural Environment Bill

Introduction

1. Infrastructure New Zealand (INZ) welcomes the opportunity to make a submission on the proposed reforms to the Resource Management Act, as advanced through the Planning Bill and the Natural Environment Bill.
2. INZ is Aotearoa New Zealand's peak membership organisation for the infrastructure sector. We promote best practice in national infrastructure development through advocacy, policy, research and public and private sector collaboration. Our membership is comprised of around 150 organisations, including government agencies, consultants, contractors, financiers, utilities, and academics. These organisations employ approximately 150,000 people in infrastructure-related roles and are united in their commitment to creating a better New Zealand through outstanding infrastructure.
3. In developing this submission, we engaged extensively with our membership through targeted stakeholder discussions and three sector workshops across the country. There was participation from a broad cross-section of infrastructure owners, operators, advisers and practitioners. While the views expressed in this submission do not represent the position of any individual member organisation, they reflect consistent themes raised across engagement and have broad sector support.

Key points

4. Aotearoa New Zealand is facing pressing challenges – a significant infrastructure deficit, increasing climate and resilience pressures, and growing demand for more sustainable and well-functioning urban development. Together, these highlight the need for a different approach to how land use, infrastructure, and environmental outcomes are integrated, planned and delivered – it's time to move beyond short-term, ad-hoc fixes and focus on building a resilient, coordinated and future-ready system.
5. Broadly, INZ supports the Government's proposed reforms. The current system has not enabled the timely delivery of essential infrastructure, has entrenched risk-averse decision-making and has contributed to persistent under-investment in critical public assets. Reform is not only necessary but long overdue. While we acknowledge that this alone will not solve current challenges, it is a critical

component in a system that must function effectively to deliver much needed infrastructure at pace and scale for all New Zealanders.

6. Setting aside whether the combination of a Planning Bill and a Natural Environment Bill is the optimal legislative approach, our submission focuses on ensuring that the two operate together as a coherent system. Simply, we want to ensure that infrastructure delivery moves from being a policy problem to on-the-ground outcomes, while safeguarding the natural environment for future generations.
7. Our submissions seeks to achieve the following objectives:
 - *Strengthen alignment between the two Bills* so they clearly signal how environmental protection and infrastructure development are intended to operate together
 - *Recognise that strong environmental protection and infrastructure delivery can be mutually reinforcing objectives* by giving a positive presumption towards sustainable development
 - *Provide sufficient guardrails to national direction to mitigate policy instability* which our members have raised as one of the biggest disruptors to infrastructure delivery
 - *Ensure the right actors are engaged early and meaningfully*, including central government and infrastructure providers, rather than being consulted as a procedural step
 - *Including clear implementation pathways for regional spatial plans*, with agreement on who will deliver key components, when they will be delivered, and how they will be funded.
8. INZ also recognises that further detail will be provided through national direction and other instruments downstream over time. However, in the absence of that detail, this submission necessarily focuses on the statutory framework currently before the Select Committee. Our comments are directed at ensuring the Bills provide clear and durable guidance at the primary legislation level, rather than relying on future instruments to resolve fundamental design issues.

Further detail

Goals

9. While INZ accepts the Government's intent to particularise goals through national direction, our members believe that alignment and reconciliation of the statutory goals between the Planning Bill and the Natural Environment Bill are critical to the success of the system. The prioritisation and resolution of conflicts between competing objectives should, as far as reasonably practicable, be addressed in primary legislation. This is especially important for long-lived infrastructure that depends on stable policy signals and clear sequencing over time.

Strengthen alignment of goals between both Bills to reconcile conflicts early in the system

Planning Bill cl. 11; Natural Environment Bill cl. 11

10. The two-Bill framework, with the Planning Bill focused on enabling development and infrastructure, and the Natural Environment Bill focused on managing environmental effects, will inevitably give rise to

tension where objectives intersect. In practice, the ability to *plan and provide for infrastructure to meet current and expected demand* will not always align neatly with *enabling the use and development of natural resources within environmental limits*. Current policy intent already recognises this tension by anticipating circumstances where publicly significant infrastructure may exceed limits.

11. While INZ supports this recognition, it does not consider it desirable for the system to rely on frequent, project-by-project testing of limits to reconcile these objectives. Over time, this approach risks normalising conflict, increasing uncertainty and undermining both delivery confidence and environmental integrity – particularly where infrastructure outcomes depend on long-term planning, sequencing and cumulative effects.
12. At a more fundamental level, this tension is reinforced by how the respective goals of the two Bills are framed. While the Planning Bill’s goals collectively (albeit, indirectly in most cases) reflect social, economic, cultural and environmental outcomes, the goals of the Natural Environment Bill are framed primarily around environmental protection and limits. There is limited reference to the broader wellbeing outcomes those protections are intended to support. This creates an asymmetry between the two Bills.
13. In the Select Committee’s own briefing papers, the Ministry of Environment indicated that environmental limits will be set by balancing the protection of human health and the life-supporting capacity of the natural environment with the social and economic aspirations of communities. That balancing intent is not currently reflected in the goals of the Natural Environment Bill.
14. While it may not align neatly with the core legislative design, this policy tension must be reconciled in primary legislation. Recognising the intended balance now offers a safeguard for future Minister-led national direction, and clearly signals how environmental protection and development are intended to operate together at a system level.
15. **INZ recommends that the goals of the Natural Environment Bill be amended to more clearly recognise that protecting and enhancing the natural environment is undertaken in service of the social, cultural, economic and environmental wellbeing of present and future generations.**

Balance limits with a positive presumption toward sustainable development

Natural Environment Bill cl. 11

16. INZ supports the Natural Environment Bill’s approach of enabling the use and development of natural resources within environmental limits. Environmental limits, together with ‘no net loss’ goals, provide important guardrails for environmental protection and certainty.
17. However, on their own, they risk framing the system around minimum compliance. Where the focus is primarily on remaining within thresholds, the system can inadvertently encourage a ‘do no worse’ approach, rather than supporting decisions and investment that deliver improved environmental quality, resilience, and long-term outcomes.

18. Aotearoa New Zealand's natural environment is central to our global identity – managing with a minimalistic, compliance-based approach is a missed opportunity to lead on what we are already known for. The legislation should reflect this leadership position by doing more than preventing degradation – it should actively support development that enhances environmental outcomes over time and contributes to the restoration and resilience of natural systems.
19. Our members have indicated that current regulatory settings often condition decision-makers toward avoidance rather than improvement. If the new system remains framed primarily around limits, there is a risk that incentives to minimise exposure and risk will outweigh the pursuit of options that could deliver better environmental outcomes over time. This can constrain innovation, discourage proactive restoration or enhancement, and limit the extent to which development investment is used as a lever to improve environmental performance.
20. **INZ recommends that the goals of the Natural Environment Bill also include a positive presumption in favour of sustainable development.** This will signal that development which delivers improved environmental outcomes over the long-term is an intended and supported outcome of the system.

Managing the effects of climate change is an important part of resource management

Planning Bill cl. 11; Natural Environment Bill cl. 11

21. The resource management system plays a distinct and complementary role in responding to the physical impacts of climate change. Flooding, coastal erosion, sea-level rise, heat stress and other climate-related hazards are inherently spatial and cumulative in nature, and require a system-level response.
22. As climate change progressively alters baseline environmental conditions, both Bills would benefit from a clearer goal focused on climate adaptation and resilience over time. Such a goal provides a mandate for national direction and decision-making, ensuring that environmental protection, land-use and infrastructure decisions respond to a changing climate baseline, reduce the risk of maladaptive outcomes, and support long-term resilience alongside environmental limits.
23. **INZ recommends that both Bills include a goal to manage the effects of climate change over time.**

Decision-makers to give effect to Te Tiriti o Waitangi in the goals

Planning Bill cl. 11; Natural Environment Bill cl. 11

24. Te Tiriti o Waitangi is central to Aotearoa New Zealand's national identity, culture and governance framework. This is internationally recognised as a defining feature of our public decision-making, and a commitment that predates the resource management system. Any reform should not diminish this standing or signal a retreat from established practice.
25. While both Bills include descriptive Treaty clauses, participation mechanisms, and consultation requirements, these provisions primarily address process rather than establishing a clear substantive

obligation at the core of the statutory framework. It is emphasised that previous iterations of the resource management framework, including the Resource Management Act 1991, have included explicit recognition of Te Tiriti o Waitangi at a fundamental level. The reform should at least seek to maintain this.

26. **INZ recommends that both Bills contain a goal that all persons exercising powers and performing functions and duties under the legislation give effect to the principles of Te Tiriti o Waitangi.** This would provide legitimacy at the highest level, complement existing participation and consultation mechanisms, and ensure the reforms are enduring across political cycles.

National direction

27. National direction will play a central role in the new system, shaping spatial strategies, informing planning rules, giving effect to environmental limits and influencing consenting outcomes. Because of its system-wide reach, the design of national direction must be durable and capable of supporting long-term outcomes. Direction that is poorly designed or frequently amended risks creating ongoing instability and undermining confidence in the system.

National direction should provide long-term stability while remaining responsive to emerging issues

Planning Bill cl. 53-62; Natural Environment Bill cl. 77-81

28. Infrastructure projects typically operate over long planning, design, and delivery horizons. Frequent or incremental changes to national direction – especially where those changes are not linked to demonstrable system failure or new evidence – create uncertainty for investment decisions, increase risk and can delay or disrupt project delivery. Specifically, our members have raised that policy instability is one of the biggest disruptors to infrastructure delivery.
29. To avoid a cycle in which direction is repeatedly amended in response to political, institutional or sector-specific drivers, there is strong support for introducing a clear threshold for change. Amendments to national direction should be limited to circumstances where the Minister can demonstrate a material and compelling reason, such as:
- significant new scientific evidence
 - a measured failure to achieve stated outcomes or environmental limits
 - a major change in national targets or international commitments
 - an urgent and demonstrable risk to life, health, or safety; or
 - unforeseen and significant adverse effects arising from the existing direction.
30. To ensure this test has practical effect, the Bill should also provide clarity on how these triggers are assessed. At a minimum, this should include a requirement for the Minister to publish a statement of reasons, supported by evidence, and a regulatory impact statement demonstrating how the relevant trigger has been met. This should also be subject to an appropriate level of scrutiny – for example, Parliament, select committee or a specific oversight body.

31. Once a change to national direction has been made, the Bills must also consider minimum stability periods or clear transition provisions to ensure that changes to national direction do not disrupt projects already in planning or delivery.
32. While we acknowledge that the ability to make changes to national direction can also deliver practical improvements and efficiencies over time, our objective is to avoid frequent or reactive policy shifts that undermine investment certainty. INZ considers that more incremental or technical improvements are better addressed through national standards, which can be updated more readily, while national direction should remain more stable and focused on enduring system outcomes.
33. **INZ recommends introducing an explicit trigger-based test for changes to national direction, clear accountability provisions on how relevant thresholds have been met, and set provisions on managing the effects of change.**

A clear and consistent definition of infrastructure across the system

Planning Bill cl. 3, Natural Environment Bill cl. 3

34. How infrastructure is defined will directly shape what can be enabled through national direction, spatial strategies, and how infrastructure is treated within the system. While the Bills refer to infrastructure in multiple operative contexts, the only clear definition of infrastructure sits in Schedule 5 of the Planning Bill and is limited to the designation context.
35. Across the Bills, different infrastructure-related concepts unlock different planning, consenting and environmental pathways. For example:

Concept	Relates to
Infrastructure (as a goal)	System outcome that must be planned for, enabled and provided; shapes how balancing will be made across the system
Listed infrastructure (Schedule 5, cl. 2 of Planning Bill)	Defined classes of infrastructure that can be designated, enabling long-term land protection, corridor preservation, and delivery certainty
Significant infrastructure (cl. 86 Natural Environment Bill)	Categories of infrastructure activity with significant public benefits that may have alternative consenting or permitting pathways, including the ability to exceed environmental limits, to be defined in national standards
Key/ core/ long-lived infrastructure	Functional categories used for process, planning, and regulatory treatment (e.g. spatial planning priority, engagement requirements, participation rights, or extended consent durations)

36. This creates a risk that the same project may be recognised as infrastructure for some statutory purposes but not others, depending on the context in which the term is used. This undermines the integrated design of the two-Bill system, where planning decisions about priority and location are intended to work alongside environmental limits and management pathways. A consistent definition

would provide a clear statutory anchor, ensuring that infrastructure is recognised coherently across both Bills.

37. Similarly, consideration should be given to a unifying concept for significant infrastructure across both Bills. This provides a more enduring, integrated mechanism for nationally and regionally important projects. This would also reduce reliance on separate fast-track pathways that depend on case-by-case referrals, ministerial decisions and panel interpretations, outside the core planning system.
38. This reform presents the right place and time to consider how we can strengthen the core statutory framework so that it is coherent and future-proofed across the board. Over time, the planning and natural environment system itself should be capable of efficiently consenting significant infrastructure through clear statutory settings, rather than relying on special regimes.
39. **INZ recommends adopting a consistent definition of infrastructure, with consideration given to a unifying concept for significant infrastructure across both Bills.**

Regional Spatial Plans

40. INZ supports the reduction in the number of Regional Spatial Plans (RSPs). A smaller number of plans, developed at an appropriate regional scale, has the potential to improve alignment between land use, infrastructure, and investment decisions. Notwithstanding, the effectiveness of RSPs will depend on or how well these are grounded in delivery realities and supported by clear implementation pathways.

The system to ensure that the right people are engaged early and meaningfully

Planning Bill cl. 69-70

41. For RSPs to be feasible and enduring, they must be grounded in delivery realities. Engagement must occur early enough to shape spatial direction and reflect constraints, including infrastructure sequencing, funding, operational requirements and sector-specific issues. The current drafting focuses largely on procedural engagement, rather than ensuring that the right parties are involved early enough, and with sufficient weight relative to their role in the system, to shape the direction and feasibility of the plans.
42. As an example, central government plays a decisive role across all aspects of infrastructure planning, funding, regulation and delivery. Decisions relating to water, energy, education, health and other sectors ultimately determine whether the priorities identified in an RSP are achievable in practice. Yet central government is just listed among other parties that local authorities must work with. This gives insufficient weight to both its enabling and delivery role in the system and is out of step with the purpose of RSPs.
43. A related but distinct issue arises in the treatment of infrastructure providers. INZ supports their inclusion among the listed parties, but considers the Bill should be more explicit in requiring early and meaningful engagement. Without this, there is a risk that it becomes consultation as a procedural step rather than a genuine opportunity to shape spatial direction. While detailed engagement principles can

be addressed within national standards, a mandate for meaningful and early involvement should still be established in primary legislation.

- 44. INZ recommends that the Planning Bill be amended to better recognise the critical role of central government in RSPs. It should also require local authorities to agree both when and how relevant parties will be engaged in the preparation of RSPs, and for this approach to be made publicly available before the development process begins.**

RSPs must be implemented to maintain relevance over the 30-year horizon

Planning Bill – Schedule 2, Part 3, cl. 36-38

45. INZ supports the proposed purpose of RSPs – specifically, their role *in setting the strategic direction and public investment priorities for a region, supporting a coordinated approach to infrastructure funding and investment across government, and integrating development planning with infrastructure investment*. These are appropriately bold and ambitious objectives, and are absolutely necessary to address Aotearoa New Zealand’s current infrastructure deficit.
46. The Planning Bill largely focuses on the requirement and process to prepare RSPs, without providing sufficient direction on how those plans will be implemented in practice. While INZ recognises that further detail on *co-ordination documents* will be provided through regulations, the current drafting gives this component limited weight and status, which risks undermining its importance within the broader system.
47. Current system failures reflect a combination of shortcomings in planning, investment and delivery. For RSPs to be successful, all three elements must be addressed with equal weight – otherwise, plans risk losing relevance over their 30-year horizon. RSPs must, up front, have a strong and clear pathway to implementation. This should not be left solely to secondary legislation.
48. All actors – central and local government, key delivery agencies and other relevant parties – must be required to agree on who will deliver key components of the RSP, when they will be delivered, and how they will be funded. Given the long-term and sequential nature of infrastructure investment, this is a critical component of the system as a whole.
- 49. INZ recommends that the Planning Bill requires that an implementation plan is prepared and adopted alongside each RSP within six months, and to make that plan publicly available.** We do not consider the current co-ordination document provisions sufficient in its current form.

Land-Use Plans

Regulatory relief introduces a disproportionate risk to councils and must be managed carefully

Planning Bill – Schedule 3, Part 4, cl. 62-75

50. INZ understands that the regulatory relief provisions are intended to influence decision-making behaviour where restrictions are placed on private land, particularly where those restrictions are seen

as overly risk-averse or applied disproportionately. While we acknowledge the importance of protecting private property rights, we are concerned about the practical implications of this.

51. As raised by our members, councils are already operating within constrained funding environments. These provisions may create further unintended consequences. Introducing a new and untested compensation-style mechanism, alongside other potential policy changes affecting local government revenue, places a disproportionate financial and administrative burden on councils relative to the problem the policy is seeking to address.
52. INZ is concerned that the regulatory relief provisions, as currently framed, may do more harm than good. They risk creating new fiscal liabilities and could deter councils from making necessary planning interventions, even on decisions that are required to give effect to agreed spatial outcomes. The system should deliver faster and more certain outcomes, but not at the expense of sound planning decisions.
53. **INZ recommends that the provisions be carefully reviewed to ensure they do not create unintended fiscal or behavioural barriers to achieving the objectives of the new planning system.**

Conclusion

54. Critically, these reforms must result in smarter, faster and better outcomes on the ground. We recognise the Government's desire to move quickly, and our members share that sense of urgency. However, we echo concerns that it is important that reform is not only delivered quickly, but is also designed carefully. **There must be sufficient engagement and development timeframes across the system** so it can deliver durable long-term settings. If there is no system, there is no delivery.
55. Again, INZ broadly supports the Government's proposed reforms and agrees that a new planning system is necessary to address long-standing shortcomings in infrastructure delivery. The current system has not kept pace with the scale and urgency of the challenges we are currently facing.
56. That said, we believe that the system must be smarter in how it aligns environmental protection with infrastructure delivery, faster in enabling timely and certain decisions, and better in coordinating infrastructure delivery on the ground. If the legislation provides the right foundations, these reforms have the potential to create real change.
57. INZ welcomes the opportunity to appear before the Select Committee to speak to this submission and discuss these matters in more detail.