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Committee Secretariat
Environment Committee
Parliament Buildings
Wellington
via: En.Legislation@parliament.govt.nz

Dear Environment Committee,

HORIZONS REGIONAL COUNCIL SUBMISSION – NATURAL ENVIRONMENT BILL AND PLANNING BILL

This submission is from the Horizons Regional Council (Horizons), the regional authority for the Manawatū-Whanganui Region.

Horizons wish to appear before the committee to speak to our submission.

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Horizons wish to appear in support of our submission:

ABOUT OUR REGION

1. The Manawatū-Whanganui Region accounts for approximately 8% of New Zealand's total land area and has a population of approximately 260,000. The local government arrangements in the region consists of one Regional Council (Manawatū-Whanganui trading as Horizons), six district councils– Ruapehu, Whanganui, Rangitikei, Manawatū, Taranaki and Horowhenua as well as one city council – Palmerston North. The region also contains parts of three other district councils, Stratford, Waitomo and Taupō; these parts are either sparsely populated or uninhabited. The urban character of the region is diverse, ranging from a Tier 2 urban environment (Palmerston North) to three districts which contain no urban environments.
2. Our region is home to approximately 35 formal iwi and hapū groups. Some of these groups have unique and complex Treaty of Waitangi settlements with the Crown which

interface with the Resource Management Act. Two that have resulted in detailed statutory arrangements related to rivers are Te Awa Tupua (Whanganui) under the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017, and Te Waiū o Te Ika (Whangaehu) under the Ngāti Rangi Claims Settlement Act 2019. However, there are many iwi and hapū in our region that have yet to settle with the Crown.

3. The regional economy is primarily driven by primary industries, logistics, warehousing and distribution, and government services. Nationally significant infrastructure in the region includes three New Zealand Defence Force (NZDF) bases (Waiouru, Linton, and Ohakea), a Corrections facility, a number of hydroelectricity and wind generation assets, and transport infrastructure reflective of the region's key freight distribution role for the lower North Island.
4. Our region contains a number of nationally and internationally important environmental features. Water Conservation Orders apply to the Rangitīkei and Manganui-o-te-Ao rivers, the Manawatū estuary is a wetland of international significance under the Ramsar Convention on Wetlands of International importance, and Tongariro National Park has UNESCO world heritage status for its natural and cultural values.
5. Our region also faces a number of environmental challenges, generations in the making. The region has the highest proportion of highly erodible land in New Zealand, which create significant water quality, ecological health and climate resilience challenges. Many of our catchments require significant and challenging reductions in contaminant loads to reach current national bottom lines for nitrogen, phosphorus, sediment and *E. coli*. Over half of the region's ecosystem types are critically endangered and it is our informed estimate that only 6% and 3% of our pre-human lowland forest and wetland land cover, respectively, remains.
6. Our region has two coastlines, with a port at Whanganui and very little other activity in both coasts.
7. Our region is particularly vulnerable to natural hazards. Most of our urban centres, including Whanganui and Palmerston North, are located on floodplains and rely on flood control infrastructure that we manage to safeguard communities and our land-based economy. Ongoing maintenance and upgrade of this infrastructure is essential to enable the supply of housing and business land and safeguard communities.

Submission on the Planning Bill and the Natural Environment Bill 2025

8. The structure of our submission is in two parts:
 - a cover letter with key submission points, and
 - a table with detailed submission points, recommendations and amendments to the two Bills.
 - a table with corrections and errors

Replacement legislation

9. Horizons supports the two RMA replacement Bills, the Planning Bill and the Natural Environment Bill 2025. We consider that certainty and clear goals, outcomes and decision-making processes, together with clear environmental limits can promote integrated management, and enable the use, development and protection of natural resources while ensuring that effects on people and the environment are addressed within environmental limits.
10. We support a plan framework established through two Bills, where the relationship between those two Bills, and the Goals within them, is clear and provides certainty about the outcomes that will be delivered through the decision-making processes under each piece of legislation.
11. We support a new planning framework, with legislation that:
 - provides clear direction to decision-makers, including the Minister, Spatial Plan Committees, territorial authorities and regional councils
 - provides a clear purpose for planning and for natural environmental outcomes
 - provides for long term strategic planning
 - enables the use, development of natural resources within environmental limits
 - recognises ecological and cultural values that are of significance to the community
 - provides for the protection and enhancement of the natural environment, and
 - provides a range of tools in the planning framework including Action Plans and Farm Plans
 - has regard to other planning instruments such as the Emergency Management Plans
 - is clear about how scarce natural resources will be allocated within environmental, human and ecological health limits.¹
12. We support a system that provides for a more consistent, practical and predictable framework for users. We support an overarching set of Goals that decision makers must achieve when making decisions.
13. We consider that the reforms present an opportunity to strengthen regional leadership on environmental management through setting limits, and providing for integrated catchment management, while improving certainty and efficiency for use, protection and development.
14. We recommend amendments to support consistency and to provide improved certainty that these matters will be delivered by the new framework.

¹ Ecological health refers to the overall condition, stability, and functional integrity of an ecosystem, representing its capacity to maintain biodiversity, self-sustain processes (like nutrient cycling), and withstand environmental stress. It indicates a balanced state where natural ecosystems systems can persist and provide essential services for life.

Top-down planning framework supported by clear and consistent National Direction

15. We support a policy approach that provides for national direction that delivers on a clear set of Goals and recognises environmental limits as the backbone of the new planning framework. The legislation needs to clearly define roles, accountability, and decision-making responsibilities. The limits within which natural resources are used, developed or protected relies on establishing limits that are clear, enforceable, regionally grounded, and adequately resourced.
16. Horizons considers that there is potential to lose the local and regional voice through increased centralisation, and potential for increased real-world transition costs and risks for councils and communities. We recommend that the legislation provides a planning framework and decision-making and governance structures that provides for ecological health, population, geography, local democracy development and Treaty obligations. The proposed legislation should ensure the delivery of better environmental outcomes while enabling housing, infrastructure, and regional economic development.
17. We recommend amendments to address these matters, improve consistency and provide increased certainty within the new framework.

Goals and National Direction

18. We support a new planning framework approach that can provide more certainty for the use, development and enjoyment of land; and more certainty for the use, protection and enhancement of the environment.
19. The Scheme of the two Bills is such that all of the Goals are able to be applied and in no set order, or none, or some. This enables a 'pick and mix' approach to national direction, planning instruments and decisions on consents and permits that has the potential for inconsistency and uncertainty.
20. We support clear goals that are set at the top, establishing the framework for the National policy direction and standards that follow.
21. We support an approach where national direction is subject to both the purpose of the Act and a clear set of Goals, and that is consistent across national instruments, so these can support the plans and decisions that follow.
22. We consider it important that local authorities, Māori, communities and developers have the ability to engage effectively at an appropriate level in the development of National Direction.
23. We recommend amendments to address these matters, improve consistency and provide increased certainty within the new framework. The term 'Significant natural areas' features in the two Bills. A "specific topic" is defined in both Bills and includes a 'significant natural area'. Regulatory relief relates to land-based indigenous biodiversity, 'significant natural areas', or sites of significance to Māori, and 'Significant natural areas' are a mandatory matter for a regional spatial plan.

24. While these matters feature in the new planning framework, there is no clear criteria or definition of 'significant natural areas' and no Goal associated with the protection of areas of threatened and vulnerable species and their significant natural habitats, or regionally significant natural areas in the Natural Environment Bill. While the Natural Environment Bill refers to land based natural areas, it appears silent on threatened and vulnerable species and their significant natural habitats that also occur in aquatic and coastal environments. These remain matters that are relevant to the new planning framework for the environment. With no clear Goal and no definition provided for significant natural areas in the legislation it is unclear how these areas are to be treated through the new framework with regard to National Direction, and plans.
25. We consider that provisions should be added to the Goals to provide for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna, and that direction be given as to how these areas are to be defined.
26. Provisions should be added to the Goals to provide for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna, particularly those that are identified in the International Union for Conservation of Nature (IUCN) Red List of Threatened Species (IUCN Red List), together with other regionally significant natural areas. To support the planning framework and decision making that follows, the protection of threatened and vulnerable species and their significant natural habitats, and regionally significant natural areas would be a helpful addition to the Goals and national direction in the Natural Environment Bill.
27. The timing of that national direction is important and those planning instruments need to be in place ahead of the drafting of the Regional Spatial Plan so that the criteria applied, spatial extent and any constraints can be identified.
28. We recommend amendments to address these matters, improve consistency and provide increased certainty within the new framework.

Engagement with treaty partners and the community

29. Providing the opportunity for engagement with the community and meaningful Treaty partnership at the catchment scale, to acknowledge and leverage the relationships already built, will be critical to ensuring the reform delivers better and inclusive environmental and development outcomes over the long term.
30. We recommend amendments to address this matter, improve consistency and provide increased certainty within the new framework.

Community and Māori involvement in decision making

31. Horizons support a planning framework that enables community engagement and processes that will support good community outcomes.
32. We support a planning framework that includes provisions for iwi, hapū and Māori to participate at appropriate levels and points in the plan making, consent and permitting processes, and that provide the opportunity to recognise and provide for Māori values

and interests, identify and protect of sites of significance; and enable the development and protection of identified Māori land.

33. We support the Government upholding Treaty settlements and related arrangements that interact with the planning and decision-making system.
We support a planning framework that is not limited to the participation of iwi authorities, but also includes iwi, hapu and Māori that do not yet have settlement legislation.
34. We recommend amendments to address these matters, improve consistency and provide increased certainty within the new framework.

Alignment and timing of Regional Spatial Plan, national direction and setting of limits

35. We note a misalignment between the setting of human and ecological limits, and the ambitious timeframes for producing the Regional Spatial Plan (RSP), which poses risks to the proper implementation of the new framework.
36. The scheme of the legislation relies on a sequential 'top down' approach. The effectiveness of the system will be affected by the timing, consistency, quality, clarity and extent of direction provided by the higher order national instruments. The implementation timeframes for the planning instruments that follow national direction are of concern given these rely on the supporting national standards, establishing limit setting methodology, allocation methodology, robust hazard risk information and national direction being released on time (later in the year) and ahead of the preparation phases of the Regional Spatial Plan.
37. We support a clear and prescriptive transitional arrangement that recognises iwi, hapu and existing settlements and retains Regional Policy Statements until Regional Spatial Plans are operative. This will provide clarity about what weight is to be placed on new instruments over current ones.
38. We recommend amendments to address these matters, improve consistency and provide increased certainty within the new framework.

Improving system performance

39. We support the establishment of a Planning Tribunal deliver quick, low-cost dispute resolution and administrative review of council functions to improve efficiency and reduce costs.

Increased use of non-regulatory tools

40. We support the value of non-regulatory methods to achieve positive environmental outcomes. Utilizing non-regulatory methods that focus on fostering cooperation, flexibility, proactive ownership, and which may offer support and financial incentives, can achieve faster, more innovative, and often more lasting results in comparison to imposed rules alone.
41. For example, Horizons has seen considerable progress made through our voluntary partnership approach with landowners on the Sustainable Land Use Initiative, where

financial assistance is provided to farmers to incentivise erosion mitigation actions. The budget for this non-regulatory programme is more than \$5.3 million per annum.

42. We support the Bills providing for non-regulatory methods as an integral component of the new framework, in particular for enabling the protection and enhancement of the natural environment in the Environment Bill.
43. We recommend amendments to address these matters, improve consistency and provide increased certainty within the new framework.

Regulatory relief when some land use is subject to unreasonable restrictions

44. We support a system of regulatory relief, that is affordable, fair and proportional. We support a system for setting regulatory relief that first establishes that the values or criteria for significant values is met and then considers the appropriate type and/or quantum of relief, rather than conflating the two decisions. Separating these decisions will ensure greater transparency, reduce ambiguity, and avoid conflating value assessment with the allocation of relief.
45. We would be concerned if the provisions that require regulatory relief were to divert funds from current non-regulatory incentives and to undermine the achievement of goals.
46. We support the approach including a range of different tools when providing relief, including cash payments, rates relief, bonus development rights, no-fees consents, land swaps, and access to grants or expert advice.
47. We recommend amendments to address these matters, improve consistency and provide increased certainty within the new framework.

Market based allocation

48. We oppose the inclusion of market-based allocation tools in the Natural Environment Bill because it will impose additional costs on resource users, and alternative allocation approaches such as first in, first served or comparative allocation are preferable.

Resource use levies

49. We oppose the inclusion of resource use levies because a Minister may use them to increase the revenue taken from our community, and local government's existing funding sources are sufficient.

Legislative and transition timelines

50. We support a clear and prescriptive transitional arrangement that recognises iwi and hapu and existing settlements, retains Regional Policy Statements until those are replaced by operative Regional Spatial Plans; and provides clarity about what weight is to be placed on new instruments over current ones.

51. We recommend amendments to address these matters, improve consistency and provide increased certainty within the new framework.

Context of changes in light of other legislation

52. We note that there are a number of other changes to legislation, including rates caps and local government operating environment that may have implications for timing and resourcing the work needed to deliver these changes on the ground in a timely and cost-effective way.

Recommended changes

53. The tables in the attachment include recommended changes that are intended to address the matters raised in our submission, to improve consistency and provide increased certainty within the Bills and the new framework.

Attachments:

Annex B: table with detailed submission points and recommendations for amendments to the two Bills.

Annex C: table identifying corrections and errors

Thank you for the opportunity to submit on these proposals. For further information, please contact oneplan@horizons.govt.nz.

Yours sincerely,



Nikki Riley, JP, BBS, MInstD
CHAIR
Horizons Regional Council