



# **SUPPLEMENTARY AGENDA**

## **City Future Committee meeting Tuesday, 14 October 2025**

**Date: Tuesday, 14 October 2025**

**Time: 9.30am**

**Location: Tauranga City Council Chambers  
Level 1 - 90 Devonport Road  
Tauranga**

*Please note that this meeting will be livestreamed and the recording will be publicly available on Tauranga City Council's website: [www.tauranga.govt.nz](http://www.tauranga.govt.nz).*

**Marty Grenfell  
Chief Executive**



## Order of Business

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## 9 BUSINESS

### 9.1 Te Tumu Planning Pathways

**File Number:** A18695875

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#### PURPOSE OF THE REPORT

1. To provide the Committee with information around the potential planning pathways for progressing a plan change to rezone the Te Tumu Urban Growth Area for decision-making. This includes an overview of the advantages and disadvantages of these pathways, and feedback received by the Te Tumu Landowners Group on these pathways.

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#### RECOMMENDATIONS

That the City Future Committee:

- (a) Receives the report "*Te Tumu Planning Pathways*".
- (b) Endorses Council's continued commitment to rezoning Te Tumu, either through the current Resource Management Act system, the proposed new Resource Management system or an alternative pathway should one become available, whichever is ultimately determined to be the most appropriate by Council in consultation with the landowners.
- (c) Recognises that progressing a Council-initiated plan change under Part 1; Schedule 1 of the Resource Management Act 1991 would require an exemption application to be approved by the Minister for the Environment under Section 80V of the RMA.
- (d) Notes that current information and timeframes available in relation to proposed Resource Management Reform create uncertainty about whether the existing process under the Resource Management Act would provide the most efficient and effective pathway to achieve operative zoning for Te Tumu.
- (e) Does not make a decision on the preferred planning pathway for Te Tumu at this time, and requests that staff report back to the City Future Committee in the first quarter of 2026 when further information is available, including:
  - (i) details on the Resource Management reform related Bills (proposed to be introduced to parliament in late 2025); and
  - (ii) any details on implementation timeframes and transition provisions arising from the Bills.
- (f) Notes that until final decisions are made, staff will:
  - (i) continue to progress technical workstreams and planning provisions with landowners; and
  - (ii) not work on the drafting of a detailed section 32 evaluation report which is specific to the RMA plan change option.
- (g) Recognises the importance of engagement and working in partnership with tangata whenua throughout any rezoning or plan change process for Te Tumu and confirms that this remains a key focus for staff in progressing the rezoning.
- (h) Notes that a key consideration of an exemption pathway is whether it would accelerate delivery of housing and urban development outcomes. This requires other critical

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matters to be progressed by landowners in collaboration with TCC, including:

- (i) Compensation agreements associated with access and infrastructure corridors, including agreement from TK14 Trust registered owners;
  - (ii) Agreement on affordable wastewater, stormwater, and landform solutions; and
  - (iii) Commitment from landowners to co-fund and deliver internal infrastructure, including high level agreed terms between themselves.
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## EXECUTIVE SUMMARY

2. Te Tumu is a regionally significant growth area identified in SmartGrowth 2024 as a Priority Development Area and a cornerstone of Tauranga's eastern growth corridor. Rezoning Te Tumu is essential to meeting the city's long-term housing needs.
3. The current planning approach has been to rezone Te Tumu through a Council-initiated plan change under Schedule 1 of the Resource Management Act 1991 (RMA). However, recent amendments to the RMA in August this year have suspended most council-initiated plan changes in preparation for a new resource management system which is currently in development with draft legislation expected later this year. This reform proposes to introduce a new Planning Act and Natural Environment Act, with a stronger focus on regional spatial planning, standardised zoning, and more efficient and cost-effective processes for enabling housing and infrastructure.
4. Given this changing legislative environment, several different planning pathways have been considered for progressing Te Tumu. Two particular pathways have been considered and are described in this report as follows:
  - (a) **RMA Process Pathway (Schedule 1 Plan Change, subject to exemption):**

This pathway allows Council to continue under the current system if the Minister grants an exemption. It provides continuity and builds on existing technical work but can be slow and costly. This option also carries high risk of sunk costs given the timing of the new planning system coming into effect and the need to carry out processes under that framework. Even with an exemption, and an operative zoning framework in place, development is unlikely to take effect before the mid-2030s without resolving infrastructure and funding issues.
  - (b) **Resource Management Reform Pathway (Emerging Preferred Option):**

Aligning Te Tumu with the new planning framework offers potential for greater efficiency and avoids sunk costs from overlapping processes. It enables continued progress on technical, infrastructure, and cultural engagement work while preparing for integration into the new system. The main risks relate to timing and uncertainty until the legislation is enacted, but these can be mitigated through ongoing preparatory work which would allow Council to continue with the RMA process (subject to an exemption being approved) in future if necessary.
5. There are key issues that must be resolved under either pathway including securing access through Māori land, finalising affordable infrastructure solutions, confirming infrastructure funding arrangements, and maintaining active partnership with tangata whenua and landowners.
6. Staff recommend reporting back to the Committee for a decision on the planning pathway in the first quarter of 2026, while in the interim continuing technical and planning workstreams to maintain readiness for either pathway. The option of seeking an exemption to progress under the RMA once further details of the reform are understood and if reform is delayed or key project dependencies are resolved early remains a possibility at this time. This balanced approach ensures progress continues without committing to a process that could soon be overtaken by legislative change.

## BACKGROUND

7. Te Tumu is a regionally significant growth area encompassing approximately 740 hectares. It is located alongside the Wairakei Urban Growth Area and positioned between the coastline and Kaituna River.
8. Te Tumu is part of a Priority Development Area in the SmartGrowth Strategy 2024 including being identified as a key growth area for the eastern corridor within the Future Development Strategy. It plays a core role in the sub-region's connected centres settlement vision as set out in the Urban Form and Transport Initiative (UFTI) and is critical to meeting the city's requirement to enable sufficient development capacity for housing.
9. Te Tumu is zoned Future Urban under the Operative Tauranga City Plan (City Plan). This zoning identifies land currently not ready for urban development but earmarked to meet Tauranga's future growth needs. The zoning provides clarity for landowners, developers, and the community that growth is planned to occur in this location.
10. The current planning approach for enabling urban development has been to progress a change to the City Plan under the RMA. A plan change would seek to rezone this land to allow a range of development opportunities across the entire growth, including housing and business land as well as the protection of significant natural and cultural features.
11. Advancing a rezoning proposal under the RMA at Te Tumu requires resolution of complex issues, including identifying and enabling the delivery of viable infrastructure to support comprehensive urban outcomes, management of natural hazard risks, and protection of cultural and ecological values. While substantial technical work has been undertaken to date to progress the resolution of these issues there remains further work to complete to compile a robust evidence base to support a rezoning proposal under the RMA.
12. The Government is now progressing its Going for Housing Growth programme, which includes replacing the current RMA system with a new Resource Management system. The intent of the resource management reform is to enable a more timely and efficient planning process, including narrowing the scope of the resource management system and the effects it controls, and ultimately "putting the right conditions in place to increase the supply of appropriate land for housing".
13. It is now clear that the pathway for the rezoning of Te Tumu under the RMA will almost certainly overlap with work that is progressing on the reform of the resource management system. Further, the Government's recent amendments to the RMA, effectively stopping the preparation of Council-initiated plan changes, are intended "to achieve greater efficiency for local authorities in view of the changes expected to be in force by the end of 2027". For Te Tumu this presents further potential impacts to the timing and pathway for rezoning.
14. Notwithstanding, Council remains committed to enabling urban development opportunities in Te Tumu, however, given the legislative changes, it is important to ensure the most efficient and effective planning process is used. Staff have been analysing the possible pathways for progressing the rezoning of Te Tumu, which include those under the RMA and the Government's resource management reforms. In addition, a number of other pathways options have been considered that offer alternatives to the current approach. These planning pathways are discussed in further detail below.

## STATUTORY CONTEXT

### Resource Management Act 1991 (RMA)

15. Under the RMA, rezoning can occur through a plan change process that can follow several pathways. These pathways include:
  - (a) A Council-initiated plan change (being the current Te Tumu rezoning approach).
  - (b) A private plan change (an alternative approach that is developer-led)

- (c) Alternative processes such as a Minister-directed plan change or a streamlined planning process (PC33 was an example of a specific type of streamlined planning process).
16. The RMA also provides alternative pathways for development that do not require a change to the underlying zone of the land. These pathways include:
    - (a) A resource consent application (subject to operative City Plan provisions and is a specific development proposal).
    - (b) Minister regulation making powers (introduced through the recent RMA amendments, this pathway provides the Minister with discretion to modify or remove provisions within an operative plan where an investigation has shown they have negative impacts on economic growth, development capacity or employment).
  17. The recent changes to the RMA in August this year introduced the requirement to suspend work on plan-making processes. This includes prohibiting the notification of Council-initiated plan changes (the current approach for rezoning Te Tumu) unless an exemption applies. Plan changes that do not qualify for an automatic exemption can progress under the RMA if an exemption is approved by the Minister for the Environment.
  18. The intention of the 'plan stop' amendment is to limit Council resources being spent on planning processes that will soon be replaced as part of the resource management programme. This approach is consistent with the recognition that the RMA is not fit for purpose and has delivered poor outcomes for housing, infrastructure and the environment. The current system is too complex and costly to navigate, and this amendment is intended to achieve greater efficiency for Council's in view of the changes expected to be in force by the end of 2027.
  19. Recent experience with large-scale plan changes in Tauranga demonstrates the challenges of the RMA pathway. Plan Change 27 (Flooding from Intense Rainfall) was completed under a standard RMA schedule 1 process and took nearly five years to become fully operative. The rezoning of Tauriko West benefitted from a bespoke planning process which resulted in the plan change becoming operative only 1 year after it was notified.
  20. Prior to the plan stop amendment coming into effect, notification of a plan change for Te Tumu under the RMA was estimated for around July / August 2026. This assumes substantial progress on a number of key workstreams and that planned changes to national direction, currently signalled for release at the end of 2025, do not create further delays.
  21. It is estimated that it could take at least approximately 12-15 months from notification of the plan change for decisions to be issued on the plan change (approx. Sept – Dec 2027). Under the schedule 1 process, these decisions would be subject to an appeal period, which depending on the number and complexity of any appeals could substantially delay the plan change becoming operative and taking effect.

#### **Fast-track Approvals Act 2024**

22. The Fast-track Approvals Act 2024 (FTA) offers a process for obtaining resource consent and a wide range of other approvals using a streamlined process. Although this process does not provide for rezoning, it does offer a pathway for specific development proposals to proceed outside of the standard RMA process.
23. In 2024, Ford Land Holdings Pty Ltd applied to have the Te Tumu Urban Growth Area included as a listed project under the FTA. This application was not recommended by the Fast-track Projects Advisory Group for inclusion in the Act at that time. Similarly, TCC also sought to have the Kaituna Stormwater Overflow project included as a listed project under the FTA. That application was also not recommended for inclusion at that time.
24. Despite these projects not being included in the FTA when it first came into effect, there is no reason why an application to have a specific development proposal considered under FTA could not be resubmitted in due course.

## Resource Management System Reform

25. The Government has committed to replacing the RMA with a new planning system. This forms phase 3 of the Resource Management system reform programme and includes the proposed creation of two new statutes – the Planning Act, and Natural Environment Act.
26. This change recognises that the existing RMA framework is complex and inefficient. Key features of the new system include:
  - A stronger role for regional spatial strategies to set the direction for growth
  - Narrowing the scope of the Resource Management system
  - Standardised zones and provisions across combined plans, with more permitted activities (no resource consents being required)
  - More enabling settings for housing and infrastructure development, informed by regional spatial planning that has legal weight
  - Reduced duplication and costs, streamlined processes, and fewer appeal rights where standardised zones and provisions are adopted.
27. The Planning Act will deal with land use, development, infrastructure, natural hazards and enjoyment of land, while the Natural Environment Act will set environmental limits and protections for matters such as freshwater, biodiversity, and coastal policy. Together they are intended to reduce complexity, give more national consistency, and provide clearer environmental safeguards.
28. Regional spatial plans are intended to be a new feature of the system. These will identify priority areas for growth and infrastructure corridors. Te Tumu has a distinct advantage in this regard being already identified as a planned growth area (and priority development area) within the SmartGrowth strategy.
29. The Government intends to introduce Bills by the end of 2025, enact the new system by mid-2026 and have changes in force by the end of 2027.
30. It is important to understand that the zoning for Te Tumu will need to be integrated into this new system using standardised zones and in line with broader requirements of the new system including national direction. This means that the zoning for Te Tumu would need to be revisited as part of the review of the overall zoning framework for the entire city at the time the new combined plan is notified. This is illustrated in the diagram provided in **Attachment 1**.
31. More certainty of the timing and detail of this process is likely once information on the new system is provided by the government – likely late this year.

## OPTIONS ANALYSIS

32. This section of this report summarises the advantages and disadvantages of the alternative planning pathways. A full assessment of all options is contained in **Attachment 2**. Discussions are occurring through the City & Regional Deals process on any potential improvements to current planning pathways or potential new pathways to enable urban development in Te Tumu.
33. Although several planning pathways have been identified, at this stage, two primary pathways are considered to be the most advantageous for progressing rezoning at Te Tumu. The first is to continue under the existing RMA framework through a Schedule 1 plan change, which would require an exemption from the Minister to be approved. The second is to refocus workstreams of this project in anticipation of the new planning framework that is being developed through Resource Management reform. An analysis of these two primary options is set out as follows.

### **RMA Process Pathway (Schedule 1 Plan Change, subject to exemption)**



34. The Schedule 1 process is the traditional method allowing Council to make changes to a planning document and allows for rezoning of land to take place. However, this pathway has been suspended under the recent amendments to the RMA and would require the Minister to approve an exemption to allow Council to continue progressing the plan change.
35. Because a plan change has not yet been notified, there is no deadline for Council to apply for an exemption. This means the RMA pathway remains available for longer, giving flexibility to respond once the details of Resource Management Reform are clearer, including any transitional provisions and timing. It also allows Council to continue using the RMA pathway if reform is delayed or influenced by political change.

On the basis that the Minister approves an exemption for a plan change to be notified under the RMA, the following advantages and disadvantages have been identified for this pathway.

#### Advantages

36. This pathway provides for a Council-led process, enabling planning to be consistent with existing statutory plans, infrastructure strategies and regional growth planning. It also allows for the plan change to consider the rezoning and associated provisions more comprehensively across the entire Te Tumu growth area rather than in a piecemeal (block by block) approach that could potentially occur under a developer led process. Council also has the benefit of an existing base of technical work that has been prepared based on this 'whole of growth area' rezoning approach, noting however that further updates and refinement of this technical work will be required due to ongoing changes currently signalled to be made to the RMA and may also be necessary as part of the new system.

#### Disadvantages

37. Notwithstanding the uncertainty of an exemption application outcome, the Schedule 1 process under the RMA is inherently slow, costly, and subject to appeal which can add to costs and further impact timing. Plan changes under the RMA require a substantial evidence base to support an evaluation to ensure the proposal is appropriate, efficient, and effective for achieving the RMA's purpose of sustainable resource management. This requires assessment to understand the costs, benefits and risks of new plan provisions on the environment, economy and community. To date, there has been substantial technical work completed to support the rezoning proposal, however further work is needed to revisit these previous technical assessments to ensure provisions to enable urban development in Te Tumu, that include ensuring appropriate servicing of the land, is the most suitable approach.
38. Despite the considerable effort and costs needed to progress this work, including the evaluation of alternative options, it remains unlikely that rezoning would result in development occurring before the mid-2030s unless infrastructure and funding issues are resolved quickly.
39. The consideration of timing for development is a critical issue. The expected overlap between an RMA process and the rollout of the new planning system creates a real risk of duplication, rework, and sunk costs. As stated above, Council would still be required to prepare a combined plan under the proposed new system, meaning Te Tumu would inevitably be revisited regardless of progress under the RMA. Resourcing demands would be significant, not only for Council but also for partners and stakeholders. This brings reputational risk, as continuing with the RMA pathway could be perceived as running an inefficient process with unnecessary costs at a time when Government is signalling more efficient alternatives.

### **Resource Management Reform Pathway (Emerging preferred option)**

#### Advantages

40. Aligning Te Tumu with the new planning framework offers the opportunity to repurpose much of the existing technical work — for example, in relation to infrastructure, hazards, ecology— so that remains valid under the new system. This reduces duplication and wasted effort. Council can also continue to build relationships and work in partnership with tangata whenua on developing this proposal. It also allows Council to hold back on workstreams that are

likely to be materially changed or become more centralised under the reforms, such as standardised zones or elements of national direction. It is noted that this aligns with the adaptive approach being taken with Council's greenfield growth projects, given where we are at with RM reform based on timing and the levels of detail available.

41. The reform pathway is expected to deliver a more efficient development framework. One of its objectives is to provide greater certainty and reduce consenting risk, which could avoid the problem of enabling development under the RMA that later conflicts with new environmental limits or policy direction. Importantly, regional spatial planning will carry statutory weight under the reforms. This gives Te Tumu's growth area status stronger security and allows for better sequencing of infrastructure delivery across the sub-region.
42. This approach also positions Te Tumu strategically to take advantage of the new system as soon as it is in place. Work can continue on technical matters such as infrastructure and hazard management that will directly support streamlined development under the new framework. At the same time, it avoids committing resources to statutory processes that may be overtaken by reform. The reforms are expected to provide more consistent alignment with updated national directions, such as biodiversity and infrastructure provision, thereby reducing the risk of future conflict or compliance issues. Decision-making processes under the new system are also designed to be more streamlined, with limited rights of appeal, which is likely to shorten rezoning timeframes and costs compared to the RMA.

#### Disadvantages

43. The timing and detail of the reform remain uncertain until legislation is introduced. While the Government's intention is to progress the legislation-making process quickly, the risk of delay or change remains. This creates uncertainty for project planning and cost management until transitional provisions are known, likely towards the end of 2025 or early 2026. A further disadvantage is the perception that waiting for reform will delay housing and infrastructure delivery, even if in practice the timeframe may be little different from pursuing rezoning under the RMA.
44. There is a risk of losing momentum if workstreams were to be paused entirely rather than repurposed. Stakeholder confidence could be affected if progress is not visible, and if reform stalls or drags on, Tauranga's growth planning could fall behind. It is noted that the Te Tumu Landowner Group have clearly signalled to Council their desire to see the project progressed through the RMA pathway and support Council seeking an exemption to continue the plan change under the RMA. As noted, that pathway remains a valid option and should not be discounted at this time. This position does need to be closely monitored and revisited as further detail on the reform becomes available.
45. In the meantime, the risks with this pathway can be mitigated to an extent by continuing technical work and maintaining active engagement with iwi, landowners and other partners, to ensure workstreams are advanced and can be adapted to fit the most suitable pathway.

#### **Key Project Issues to Resolve**

46. Regardless of statutory pathway, the following matters must be addressed before Te Tumu can be advanced to rezoning or development:
  - Securing access through TK14 land.
  - Agreement on affordable wastewater, stormwater, and landform solutions.
  - Commitment from landowners to co-fund and deliver internal infrastructure.
  - Formal engagement with tangata whenua (iwi and hapu).
47. These matters represent critical components to be resolved, and work is progressing. The resolution of these matters is a relevant factor to the progression of the plan change under the RMA relative to the timeline signalled for the Resource Management reform as can be seen in Table 1 below.



- *We are concerned about the likely overlap between an RMA plan change process now and the implementation of a new planning system creating inefficiency and rework*
- *Regardless of whether a plan change is pursued, Te Tumu urban zoning will be included in the combined plan under the new system, with that process commencing in 2027.*
- *We expect to have more clarity on the reforms, including timeframes and transitional provisions, when the Bills are introduced to Parliament later this year. This will enable a more informed decision in the new year.*
- *In the meantime, we recommend continuing with technical workstreams needed for a plan change, but with limited effort on drafting detailed planning provisions and no work on a section 32 assessment.*
- *We would not recommend seeking an exemption to progress a plan change unless there is considerable movement on key unresolved issues that would provide confidence that housing and urban development in Te Tumu can be brought forward.*

55. In response, the Te Tumu Landowner Group provided feedback as follows (verbatim):

- (a) The landowners have been waiting for this plan change for over two decades. Each has invested significantly in the structure plan and plan change process with TCC, and there is an expectation that the plan change will be progressed to allow for the development of the land.*
- (b) Significant time & effort has been invested in the structure plan and technical reports. The landowners paid 50% of the share of this. This has been a partnership. The landowners expect the Council to honour their obligations to notify a plan change.*
- (c) Various growth strategies envisaged the land would be rezoned over a decade ago. The slippage has been unacceptable.*
- (d) The housing crisis in Tauranga and Bay of Plenty is acute. Housing supply is the only way to resolve this. Each year Te Tumu is delayed means housing affordability in Tauranga gets exponentially worse. The primary purpose of the Council is to forward plan and provide for housing supply – any delay does not achieve this.*
- (e) With the recommencement of the plan change preparation in late 2023 the Council has made numerous promises to notify the plan change in timely manner. To date progress has been slow, however this does not mean a plan change cannot be notified in 2026.*
- (f) TCC should at a minimum secure an option to notify the plan change by seeking and receiving an exemption from the Government. The political climate is primed to have this exemption approved.*

#### Staff response

56. A number of these matters are currently moving towards resolution, and it is considered that the new Resource Management system will assist in reducing regulatory complexity through the rezoning process and for future development and infrastructure consenting.
57. As outlined within the Relationship agreement, Council agreed to rezone Te Tumu through a plan change to the City Plan or an alternative process deemed appropriate by the Council to rezone the Growth Area.
58. Council remains committed to enabling zoning of Te Tumu through the most appropriate process. However, given the strong likelihood of legislative changes, it is important to ensure the most efficient and effective process is used.
59. The technical work will be used and remains relevant regardless of the planning process we use, including under a new Resource Management system.
60. Staff acknowledge the frustrations outlined by the landowner group in terms timing to move forward the plan change. Timeframes have been impacted by specific challenges (generally outside TCC's control) including:

- Legal proceedings relating to Māori Land Court and wider implications
  - Ongoing regulatory change and increased regulatory complexity
  - Ongoing access and servicing negotiations
  - Infrastructure funding, infrastructure timing and development feasibility.
61. It remains unclear whether an RMA plan change approach would result in housing being delivered earlier than a rezoning approach under the new Resource Management system. Housing timeframes (critical path) are currently driven by infrastructure funding and delivery timeframes, expected to be mid-2030s.
62. We agree that the Government has signalled a strong focus on housing delivery and that the option of seeking an exemption from the Minister should not be dismissed.
63. A further meeting was held with landowner representatives to discuss the staff position and landowner views. Staff clarified that while reporting would occur in October 2025 and final decision-making was recommended to occur in early 2026. Staff also clarified that our position that making an exemption to progress a plan change under the RMA remains a potential option at this time. This is consistent with the recommendations set out in this report. Landowner's representatives were more comfortable once this was understood, although it is understood that Ford Land Holdings still has concern with the staff position.
64. Staff have also provided landowners with the recommendations for their review and input. The representative for the Totara Farm Park Joint Venture has advised that they are comfortable with the resolutions as proposed. The representative for Tumu Kaituna 14 Trust made a request for minor amendments. This request was considered and accepted in part.

### LEGAL IMPLICATIONS / RISKS

65. Any Council decision-making needs to be undertaken within the context of obligations under existing Resource Management legislation (including recently released legislation relating to 'plan stop') as well as forthcoming legislation, such as the proposed Resource Management Reform Bills. This legal framework, and the risks associated with available zoning pathways is outlined in this report.

### STRATEGIC ALIGNMENT

66. This contributes to the promotion or achievement of the following strategic community outcome(s):

	Contributes
We are an inclusive city	<input type="checkbox"/>
We value, protect and enhance the environment	<input checked="" type="checkbox"/>
We are a well-planned city	<input checked="" type="checkbox"/>
We can move around our city easily	<input checked="" type="checkbox"/>
We are a city that supports business and education	<input checked="" type="checkbox"/>

67. Tauranga City Council, as a Tier 1 local authority, must satisfy the requirements of the National Policy Statement on Urban Development (NPS-UD) which requires that planning decisions contribute to well-functioning urban environments. Structure planning is an important part of the design and planning of greenfield growth areas and is integral to informing future plan changes to enable a variety of homes that have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active.
68. Ensuring this work is undertaken using an efficient planning process that delivers on these outcomes is in the best interest of the city and community.

## TE AO MĀORI APPROACH

69. Te Tumu holds significant cultural value to tangata whenua. A number of iwi and hapū have expressed interests in the planning for this area including rezoning and future development proposals in Te Tumu. Around 40% of the area comprises six Māori freehold land blocks of varying size, which are subject to the provisions of Te Ture Whenua Māori Act 1993.
70. Staff have been working to restart engagement with tangata whenua on this project after a considerable pause period to allow for progress to be made on key matters affecting the project associated with the Tumu Kaituna 14 land. Discussions continue with the directors of the Trust for the Tumu Kaituna 14 to progress these specific matters.
71. A key part of progressing engagement with Tangata Whenua is to establish and maintain processes to ensure Tangata Whenua are supported to participate meaningfully in planning processes. This means building capacity where needed, maintaining clear processes for consultation, enabling resource management issues of concern to be raised, and showing how those issues are addressed. Council staff are continuing to work with iwi, hapū and the Māori land trusts within Te Tumu to ensure these processes are put in place.

## CLIMATE IMPACT

72. Under the National Policy Statement on Urban Development, planning decisions are required to contribute to well-functioning urban environments which include supporting reductions in greenhouse gas emissions and that are resilient to the likely current future effects of climate change.
73. There has been and continues to be considerable work done on ensuring future development in Te Tumu is resilient to the effects on natural hazards including the impact that climate change has on the frequency and severity of specific hazards. Management of natural hazard risk remains a key focus for this project, and this is not expected to change regardless of the rezoning pathway that is taken for Te Tumu.

## SIGNIFICANCE

74. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
75. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
  - (a) the current and future social, economic, environmental, or cultural well-being of the district or region
  - (b) any persons who are likely to be particularly affected by, or interested in, the issue.
  - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
76. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the issue of a planning pathway for Te Tumu is of high significance because this project is a large scale growth project with relevance to the management of growth for the city, however the decisions proposed in this report are of low significance as they address options for planning pathways to progress the project that are recommended to be considered further once details are released around upcoming Resource Management reform and key project workstreams are further progressed.

## ENGAGEMENT

77. Taking into consideration the above assessment, that the issue is of low significance, officers are of the opinion that no further engagement is required prior to Council making a decision.

If final decisions are made in early 2026 as recommended, further engagement with landowners will be undertaken to inform those decisions.

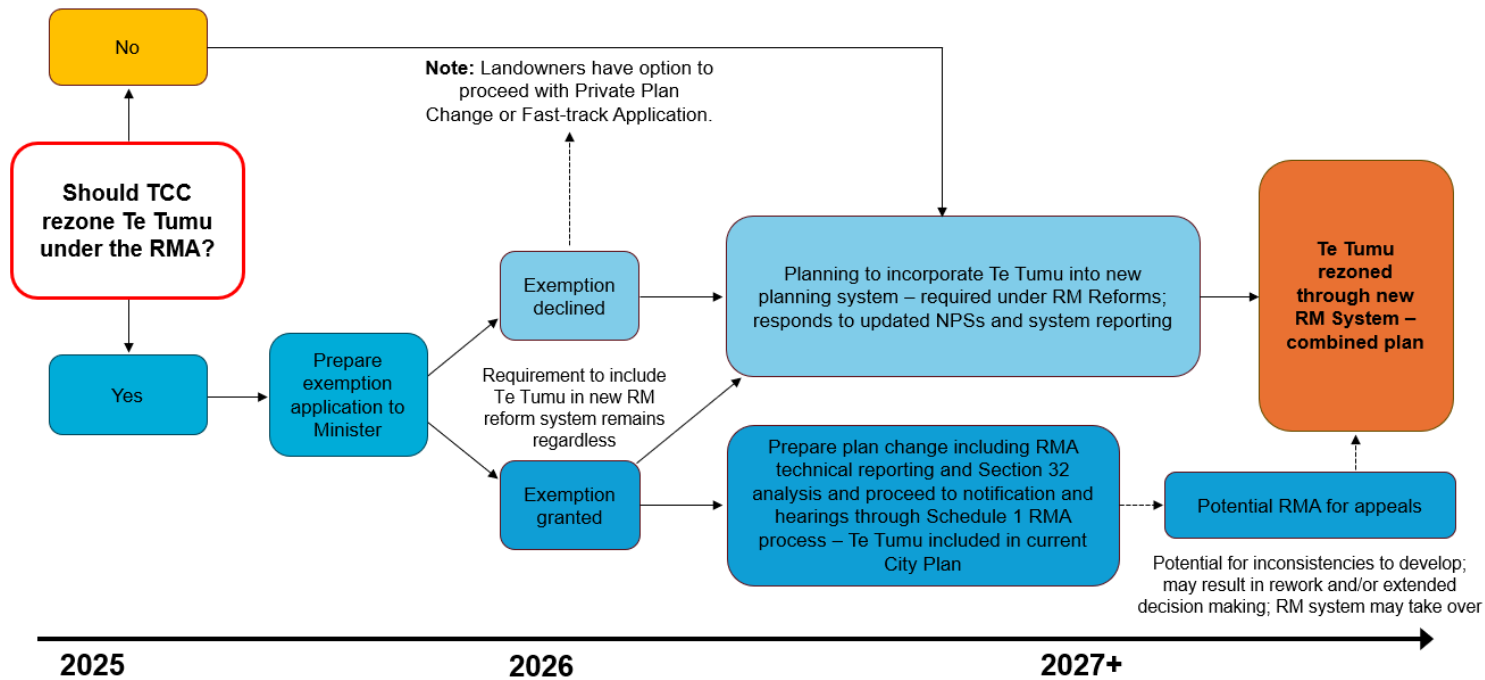
## NEXT STEPS

78. As outlined above, the Resource Management system reform appears to provide an efficient, effective and robust way forward. However, for the reasons outlined, there is potential for this to change.
79. We consider that moving towards the new Resource Management system is appropriate, while keeping the door open to change back to the RMA system if:
  - (a) Critical matters are substantially progressed in partnership with landowners to enable more timely development; and/or
  - (b) The Resource Management system reform slows down significantly.
80. Applying for an exemption to continue under the RMA should be revisited once further detail is known on the detail of the new system (late 2025). Staff can bring this matter back to the Council early in 2026.
81. In the meantime, it is recommended that staff continue to progress:
  - (a) Updates to technical reporting and completion of structure planning processes in partnership with the Te Tumu Landowner Group.
  - (b) Discussions on important planning issues (like minimum densities) and initial drafting of planning provisions to support an urban development framework in Te Tumu enabled through either the RMA or alternative planning system.
82. Alongside these planning workstreams, work would continue on:
  - (a) Establishing processes that enable meaningful Tangata Whenua engagement.
  - (b) Infrastructure and feasibility, including developer funding and delivery arrangements.
  - (c) Negotiations for infrastructure corridors through Māori land.
83. Staff do not recommend drafting of a section 32 evaluation report to support an RMA plan change, as this is a significant exercise, and signals are that this reporting would be substantively different under the new Resource Management system.

## ATTACHMENTS

1. **Attachment 1 - Schedule 1 RMA Flowchart - A19055968** [↓](#) 
2. **Attachment 2 - Te Tumu Planning Pathways Assessment - A19055970** [↓](#) 

**Attachment 01 – Schedule 1, Resource Management Act Pathway**





**Attachment 02**

**Te Tumu Planning Pathways Assessment Table – Draft for Review and Feedback**

The following table have been prepared to identify possible pathways for progressing the Te Tumu project. These pathways consider potential options available under the Resource Management Act 1991, the Fast-track Approvals Act 2024, and also under the RM System Reform that central Government are currently developing. It is understood that further information on the pathways under the RM system reform pathway will become available towards the end of 2025 with the planned release of the two Bills proposed to replace the current Act.

The pathway options and a short summary presented are outlined below:

Pathway	Summary
Option 1 – Council initiated Plan Change (Schedule 1 RMA)	<ol style="list-style-type: none"> <li>1. Pathway currently prohibited under 31 Dec 2027 unless approved by Minister exemption</li> <li>2. Approved exemption allows plan change to be notified and for a schedule 1 RMA process to be followed.</li> <li>3. Operative date for plan change is uncertain under schedule 1 and likely to have significant overlap with new RM legislation.</li> <li>4. Uncertainty over whether framework would expedite development occurring.</li> <li>5. Te Tumu Landowner Group have written to Mayor supporting exemption application being lodged.</li> </ol>
Option 2 – Private Plan Change (RMA)	<ol style="list-style-type: none"> <li>1. Landowner/ developer led plan change process.</li> <li>2. Not subject to plan stop provisions of RMA.</li> <li>3. Operative date for plan change is uncertain under schedule 1 and likely to have significant overlap with RM system reform.</li> <li>4. Uncertainty over whether framework would expedite development occurring.</li> </ol>
Option 3 – Streamline Planning Process (RMA)	<ol style="list-style-type: none"> <li>1. Exempt from 'Plan Stop' but requires separate application by Council to Minister for approval.</li> <li>2. Previously explored for Te Tumu but considered unsuitable due to uncertainty on Minister decision process and iwi views.</li> <li>3. No appeal rights if Council accepts SPP panel recommendations.</li> <li>4. Potential for overlapping with combined plan preparation and uncertain over whether framework would expedite development occurring.</li> </ol>
Option 4 – Minister directed Plan Change (RMA)	<ol style="list-style-type: none"> <li>1. Process that is at the discretion of the Minister</li> <li>2. Uncertain if such a direction would occur.</li> <li>3. Pathway is automatically exempt from plan stop requirements.</li> <li>4. Uncertainty over operative dates and overlap with new RM legislation requirements and whether framework enables expedite development outcomes.</li> </ol>
Option 5 – Ministerial Regulation Powers (RMA)	<ol style="list-style-type: none"> <li>1. Bespoke regulation-making powers at the Ministers discretion.</li> <li>2. Understood to be for specific well-defined issues.</li> <li>3. Considered inappropriate for a comprehensive rezoning proposal and is therefore unlikely to eventuate.</li> </ol>
Option 6 – Resource Consents under RMA	<ol style="list-style-type: none"> <li>1. Subject to existing operative City Plan provisions including Te Tumu Future Urban Zone.</li> <li>2. Clear understanding on development proposal necessary to prepare 'complete' application and supporting information.</li> <li>3. Likely to necessitate concurrent regional consenting and further consenting where proposals change.</li> <li>4. Subject to notification, hearing and appeal rights.</li> <li>5. Consenting pathway would be complex and likely to be unsuccessful.</li> </ol>
Option 7 – Fast-track Approval	<ol style="list-style-type: none"> <li>1. Separate process outside of RMA.</li> <li>2. Required referral application to be approved by the Minister, prior to substantive application being made.</li> <li>3. Application information needs to include a high level of detail to match proposal.</li> <li>4. Appeal rights to specified people only.</li> </ol>
Option 8 – RM System Reform	<ol style="list-style-type: none"> <li>1. New legislation to replace RMA intended to become law mid-2026.</li> <li>2. Council required to prepare combined plan which will include urban zoning of Te Tumu.</li> <li>3. Preparation of combined plan commencing 2027 with Minister direction being for a quick transition for these to come into effect.</li> <li>4. Intention to provide greater enablement of development and focus on externalities.</li> <li>5. Greater emphasis on spatial planning and providing statutory weight to these with development options without plan changes.</li> <li>6. Limited Environment court appeals.</li> <li>7. Uncertainty on current legislative detail and final timelines.</li> </ol>

Potential Pathways under Resource Management Act			
RMA Pathway Option	Context/ Pathway Description	Advantages/ Benefits	Disadvantages/ Risks
<p><b>Option 1 – Council Initiated Plan Change – s73(1A) (Part 1, Schedule 1 RMA)</b></p> <p><b>Section 80P RMA prohibits a local authority from notifying a draft planning instrument (i.e. a plan change) until 31 December 2027.</b></p> <p><b>A council-initiated plan change can only continue if the Minister grants an exemption under section 80V RMA.</b></p>	<p>For the plan change to continue on this pathway council would need to apply to the Minister for an exemption under section 80V RMA.</p> <p><u>Exemption Application process comprises:</u></p> <ul style="list-style-type: none"> <li>Local authority decides to apply for an exemption.</li> <li>Local authority discusses exemption process/ merits with MIE</li> <li>Submit exemption application to MIE.</li> <li>MIE assesses application completeness – may request further information.</li> <li>MIE provides advice to the Minister.</li> <li>Minister considers application and makes determination (section 80W RMA).</li> <li>If approved Council can commence the re-zoning process.</li> </ul> <p>If an exemption application is granted, work continues to prepare rezoning proposal under schedule 1 process.</p> <p><u>Schedule 1 Plan Change process comprises:</u></p> <ul style="list-style-type: none"> <li>Preparing the Plan Change material:</li> <li>Developed structure plan – Method 18 (RPS)</li> <li>Consultation requirements (including Tangata Whenua) - Clause 3 (1) &amp; 3B, Schedule 1 RMA</li> <li>Ensuring the plan change addresses the matters sets out under s/4, s/5 RMA (NZCPS, NPS, RPS, Iwi documents); and</li> <li>Section 32 report that evaluates appropriateness, costs and benefits, reasonably practicable alternatives</li> <li>All supporting technical assessments and draft plan provisions.</li> </ul> <ul style="list-style-type: none"> <li>Engagement and mandatory consultation</li> <li>Council adopts the plan change for notification</li> <li>Public notification</li> <li>Submissions, further submissions</li> <li>Appointment of Hearings Commissioners</li> <li>Public hearing, decision &amp; appeal period.</li> </ul> <p><u>Timeframes (based on current assumptions):</u></p> <ul style="list-style-type: none"> <li>Notification – estimated July/Aug 2026</li> <li>Notification to Decision – estimated 12-15 months (Sept - Dec 2027)</li> <li>Appeal period – timeframe uncertain but dependant on number and complexity of any appeals and could add a further 12-24 months (Dec 2028-2029). <b>Note: PC27 appeals took 3 yrs to resolve.</b></li> </ul> <p><b>If exemption is not granted this pathway is currently not available.</b></p>	<ul style="list-style-type: none"> <li>As there is no time limit for Council to make exemption application, it leaves this pathway open for longer providing more time to better understand details of RM reform system including transitions provisions/timing and other details to assess implications on overall project timeline.</li> <li>Provides flexibility if progress on the RM reform slows or becomes affected by political change.</li> <li>A schedule 1 process is a Council controlled process that provides for an entire growth area rezoning outcome, enabling consistency with existing statutory plans and infrastructure strategies, and regional growth strategies.</li> <li>A strong base of technical information has been prepared previously, noting significant updates to these is still necessary.</li> </ul>	<ul style="list-style-type: none"> <li>Uncertainty on whether the Minister will grant exemption application.</li> <li>The schedule 1 process can be uncertain, subject to appeals and can be costly and time consuming.</li> <li>Significant levels of technical assessment, analysis, reporting and resource required for this process. This includes reassessment of existing information to consider more cost effective and efficient options for enabling rezoning and to align with new and updated standards and national direction.</li> <li>Uncertain to provide a framework to enable development occurring on the ground before mid-2030s (best case), unless infrastructure and funding matters can be resolved, and all necessary consenting is in place.</li> <li>Current assessed timeline for progressing under this pathway has significant overlap with timelines signalled for RM reform, including preparation of new proposed combined plan.</li> <li>Continuing with schedule 1 process does not avoid the need to prepare a combined plan for the entire city which would include Te Tumu under the new legislation/ planning system.</li> <li>A level of duplication, re-work or sunk costs associated with progressing matters under this process that are likely to be amended (significantly or in part) or removed under new legislation/ planning system.</li> <li>Requires significant resourcing for Council, partners and key stakeholders (overlapping with RM reform). This includes reputational risk of running inefficient processes and incurring additional costs and wasted resources.</li> </ul>

RMA Pathway Option	Context/ Pathway Description	Advantages/ benefits	Disadvantages/ risks
<p><b>Option 2 – Private Plan Change – s73(2) (Part 2, Schedule 1 RMA)</b></p> <p><b>A private plan change requested under Schedule 1 is not subject to the 'plan stop' provisions.</b></p>	<p>Developer/ landowner requests a change (rezoning) to City Plan (i.e. not Council initiated or adopted by Council).</p> <p><b>Private Plan Change process comprises:</b></p> <ul style="list-style-type: none"> <li>Preparing plan change material (as per cl 22, sch1);</li> <li>The purpose of the proposed plan change</li> <li>The reasons for the proposed plan change</li> <li>The content of the proposed plan change</li> <li>An evaluation report prepared in accordance with s32 RMA, including iwi authority consultation requirements</li> <li>An assessment of the anticipated environmental effects of the proposed plan change and taking into account the requirements of schedule 4 RMA.</li> </ul> <ul style="list-style-type: none"> <li>Council may accept or reject the request (note: Council cannot adopt under plan stop provisions).</li> <li>If accepted, Council processes the plan change under Schedule 1 of the RMA.</li> <li>Process includes public notification, submissions, hearings, and appeal period.</li> </ul> <p><b>Timeframes:</b></p> <ul style="list-style-type: none"> <li>Notification - Dependent on scale and complexity of request.</li> <li>Notification to Decision – potentially 12-15 months</li> <li>Appeal period – timeframe uncertain and dependent on number and complexity (12-24 months).</li> </ul>	<ul style="list-style-type: none"> <li>This pathway is not affected by 'plan stop' provisions.</li> <li>Available to landowners wishing to progress a plan change independently of Council's work programme.</li> <li>Enables private investment and initiative in advancing urban development.</li> <li>Council retains statutory oversight through the Schedule 1 process, including as decision-maker.</li> <li>Council staff can continue to focus delivery of high-level workstream in alignment with new legislative framework.</li> </ul>	<ul style="list-style-type: none"> <li>Council's ability to direct the process is reduced, which may affect alignment with broader growth and infrastructure strategies.</li> <li>Developer/ landowner led process risks fragmented planning outcomes if land blocks are considered separately and not well integrated with adjoining landowners or Council's strategic framework.</li> <li>Despite being a private plan change, this pathway remains subject to Schedule 1 process which can be uncertain, subject to appeals and can be costly and time consuming.</li> <li>A private plan change is still required to include significant levels of technical assessment, analysis and reporting to conform with RMA requirements, which would need to be tailored for the specific land blocks relating to the plan change proposal.</li> <li>Further information requests from Council can lead to rework and additional time and costs.</li> <li>It is uncertain a private plan change would provide a framework to enable development occurring on the ground before mid-2030s (best case), unless infrastructure and funding matters can be resolved, and all necessary consenting is in place.</li> <li>The timeline for progressing under this pathway has the potential to overlap with timelines signalled for RM reform, including preparation of new proposed combined plan.</li> <li>A private plan change process does not avoid the need for Council to prepare a combined plan for the entire city which would include Te Tumu under the new legislation/ planning system.</li> <li>A level of duplication, re-work or sunk costs associated with preparing information for a private plan change that are likely to be amended (significantly or in part) or removed under new legislation/ planning system.</li> </ul>
<p><b>Option 3 – Streamlined Planning Process (SPP) – s80C RMA</b></p> <p><b>The SPP allows Council to apply to the Minister for a bespoke process to suit the topic of the plan change.</b></p> <p><b>A plan change subject to the SPP is automatically exempt from the 'plan stop' provisions.</b></p>	<p>The Council would be required to apply for the plan change to use the SPP under clause 75, Schedule 1.</p> <p><b>SPP comprises:</b></p> <ul style="list-style-type: none"> <li>The Council identifies the proposed process steps and timeframes it wants to use as part of its application to the Minister.</li> <li>If Minister agrees then the process steps and timelines set out in a direction issued under cl 78, Sch 1 are followed. This will include as a minimum: <ul style="list-style-type: none"> <li>Mandatory consultation with iwi.</li> <li>Notification of the plan change</li> <li>Submissions and report on submissions.</li> <li>Evaluation report under s32 or 32AA.</li> <li>Appoint SPP (Independent) panel</li> </ul> </li> </ul> <p><b>Timeframes:</b></p> <p>Council can request specific timeframes, but these will be subject to final Minister direction under cl 78.</p>	<ul style="list-style-type: none"> <li>If Minister approval is given to use SPP then the plan change is automatically exempt from 'plan stop' (i.e. no additional exemption application necessary).</li> <li>Preliminary work on this pathway previously completed for Te Tumu.</li> <li>SPP panel considers submissions and evidence and makes recommendations.</li> <li>Council considers recommendations and decides whether to accept or reject panel recommendations.</li> <li>Accepting recommendations become operative with no appeal rights potentially reducing timeline to PC being operative.</li> <li>Rezoning can continue under RMA – similar advantages to continuing under approved exemption.</li> </ul>	<ul style="list-style-type: none"> <li>Uncertainty over whether Minister will approval use of SPP for this plan change.</li> <li>Application processes seeking Minister approval to use SPP have historically been lengthy and uncertain.</li> <li>Considerable information necessary upfront to satisfy application information requirements.</li> <li>SPP Panel cannot include elected members.</li> <li>Previous iwi opposition to use of SPP (for other project in region) resulted in work on this option for Te Tumu being discontinued.</li> <li>Subject to the same risks as continuing with Council-initiated sch 1 process, including preparation of significant technical work, provisions and reporting that may become obsolete or require significant rework under RM reform framework.</li> <li>It is uncertain the use of the SPP would provide a framework to enable development occurring on the ground before mid-2030s (best case), unless infrastructure and funding matters can be resolved, and all necessary consenting is in place.</li> <li>SPP may still result in overlap with Council preparation of combined plan and involve a level of duplication and require rework to integrate any change with new legislative framework/ planning system.</li> </ul>

RMA Pathway Option	Context/ Pathway Description	Advantages/ benefits	Disadvantages/ risks
<p><b>Option 4 – Ministerial Intervention Powers – s25A RMA</b></p> <p><b>The Minister can direct Council to prepare a plan change to address any non-compliance with an NPS.</b></p> <p><b>Any plan change directed by the Minister is automatically exempt from the 'plan stop' provisions.</b></p>	<p>Legislative powers provided to the Minister for the Environment under the RMA to take 'proportionate responsive' action if a council is not exercising its functions and powers under the RMA.</p> <p>These ministerial powers include to direct changes to council plans if these would be deemed necessary:</p> <ul style="list-style-type: none"> <li>to address a resource management issue relating to a function in s31; or</li> <li>to address any non-compliance with a NPS and to use a planning process under the RMA to prepare the change.</li> </ul> <p>The Minister cannot make such directions without having investigated the local authority in relation to the non-compliance and has made recommendations to the local authority.</p> <p>The intervention powers are to be used if the authority fails to act on a recommendation that gives the Minister grounds to act.</p> <p><b>Timeframes:</b></p> <ul style="list-style-type: none"> <li>At the discretion of the Minister to investigate any issue and make recommendations.</li> <li>To initiate any specific plan change will be set out in direction as necessary.</li> </ul>	<ul style="list-style-type: none"> <li>A plan change directed by the Minister is automatically exempt from the plan stop provisions.</li> <li>It can provide a rezoning pathway if Minister directs that a plan change process be undertaken.</li> <li>Potential for the SPP to be the process directed by the Minister in which case similar advantages may be possible as noted under that pathway – including time savings through reduced appeal process.</li> </ul>	<ul style="list-style-type: none"> <li>Uncertainty over recommendations of any Minister-led investigation and whether Minister would direct a plan change be undertaken.</li> <li>Choice of plan change process is uncertain.</li> <li>Subject to the same risks as continuing with Council-initiated sch 1 process, including preparation of significant technical work, provisions and reporting that may become obsolete under RM reform framework.</li> <li>It is uncertain that a plan change directed by the Minister would result in a framework that enables development to occur on the ground before mid-2030s (best case), unless infrastructure and funding matters can be resolved, and all necessary consenting is in place.</li> <li>This pathway will still likely overlap with Council requirements to prepare a combined plan and involve a level of duplication and require rework to integrate any change with new legislative framework, making pathway less likely to occur.</li> </ul>
<p><b>Option 5 – Ministerial Regulation-making Power (s360) - 3600</b></p> <p><b>Process allowing modification to existing plan provisions without use of Schedule 1 process.</b></p> <p><b>Process is not subject to plan stop provisions and at Ministers discretion.</b></p>	<p>A process available to the Minister until December 2027 that requires an investigation into the negative impact on economic growth and development capacity that specific provisions are having.</p> <p>Any modification must meet specific requirements, including providing Council with recommendations and consultation with parties likely to be affected before a recommendation is made to the Governor General.</p> <p><b>Timeframes:</b></p> <ul style="list-style-type: none"> <li>At the discretion of the Minister to investigate any issue and make recommendations.</li> <li>To initiate any specific plan change will be set out in direction as necessary.</li> </ul>	<ul style="list-style-type: none"> <li>Not a process subject to 'plan stop' provisions.</li> <li>Enables removal or amendment of obstructive plan rules.</li> </ul>	<ul style="list-style-type: none"> <li>A pathway that is understood to be intended for specific and well-defined issues and therefore highly unlikely to address the complexity of a large growth area subject to multi-constraints and seeking comprehensive urban growth opportunities.</li> <li>Does not result in a comprehensive plan change and is a process entirely at Ministers discretion.</li> <li>Pathway will not remove requirement for preparation of combined plan and require rework to integrate any change with new legislative framework, making pathway less likely to occur.</li> </ul>
<p><b>Option 6 – Resource Consent Application under RMA</b></p> <p><b>A resource consent application is not subject to the 'plan stop' provisions.</b></p>	<p>Landowners/ Developers seek resource consents for development plans for land blocks.</p> <p>Applications would be made based on current City Plan provisions and likely require consideration of consent requirements from the BOP Regional Council (s91 RMA).</p> <p>Decisions would be required on affected persons and notification.</p>	<ul style="list-style-type: none"> <li>Not subject to 'plan stop' provisions.</li> <li>Available to landowners wishing to progress development aspirations independently of Council's work programme.</li> </ul>	<ul style="list-style-type: none"> <li>Not a rezoning pathway and only allows development proposals in line with application information.</li> <li>Requires high levels of certainty on development proposals including detail and timeframes to inform applications.</li> <li>Likely to be subject to notification and hearing processes and will be subject to an appeal period.</li> <li>Requires further applications if details of proposal changes.</li> <li>Unlikely to be consistent with existing operative provisions and not a pathway with high likelihood of success.</li> </ul>

Potential Pathway under Fast-track Approvals Act 2024			
Pathway Option	Context/ Pathway Description	Advantages	Disadvantages
<p><b>Option 7 – Fast-track Approvals Act</b></p> <p><b>Applications under the FTA are not subject to the plan stop provisions.</b></p>	<p>A bespoke 'ones-stop-shop' consenting pathway to deliver infrastructure and other development projects with significant regional or national benefits.</p> <p><b>Fast-Track Approvals process comprises:</b>                      Consultation steps must be undertaken prior to referral application – cl 11, Pt 2, schedule 13</p> <p>Referral application to meet requirements under clause 12, Sch 13.                      Expert independent panel consider substantive applications.</p>	<ul style="list-style-type: none"> <li>Not subject to 'plan stop' provisions set out by Amendment Act.</li> <li>Only people specified in the Act can appeal decision of the panel.</li> <li>Provides a quicker process to final decision than plan change subject to referral application and substantive application accepted.</li> <li>Despite landowners previously being unsuccessful in having proposal included in FTA schedule, a further referral application can be made.</li> </ul>	<ul style="list-style-type: none"> <li>Not a rezoning pathway and only allows for specific development proposals. Therefore, still requires Council to progress a rezoning process.</li> <li>Requires high levels of detail to align with the specific development proposal being sought (effectively a resource consent process).</li> <li>Requires further applications if details of proposal changes.</li> <li>Council and tangata whenua have less direct involvement in the process and can lead to outcomes that are misaligned cultural matters and wider council growth objectives and infrastructure strategies.</li> <li>A panel's decision to grant or decline an approval may be appealed to the High Court.</li> <li>Appeals can be against the whole or a part of the decision, but only a on question of law.</li> </ul>

Potential Pathway under RM System Reform – Emerging Pathway		
Pathway Option	Context/ Pathway Summary	Advantages/ benefits
<p><b>Option 8 – RM System Reform (Phase 3)</b></p>	<p>Proposed new RM system – splitting the existing RMA functions into two new pieces of legislation:</p> <ul style="list-style-type: none"> <li>The Natural Environment Act (NEA) - managing the use, protection and enhancement of the natural environment; including environmental limits.</li> <li>The Planning Act (PA) - regulate the use, development and enjoyment of land.</li> </ul> <p>Each new Act to have a single set of national policy direction (NPD) covering specific matters:</p> <ul style="list-style-type: none"> <li>NEA - Freshwater; IB; coastal policy matters</li> <li>PA - Urban Development; infrastructure; natural hazards</li> </ul> <p>Other features of this emerging pathway include:</p> <ul style="list-style-type: none"> <li>Use of NPD to provide guidance on how conflicts between various uses will be reconciled.</li> <li>No additional layer of regional policy statements between NPD and combined plans.</li> <li>Significant culling of the number of policy documents and a high degree of standardisation across the country.</li> <li>One national e-plan for the country to contain the natural environment plans prepared by regional councils under the NEA.</li> <li>One combined plan for each region - containing a spatial planning chapter; an environment chapter to regulate natural resource use; one planning chapter for each TA to regulate land use &amp; utilise standard zones.</li> <li>Greater focus on regional spatial planning.</li> <li>Release of future urban areas for development without a plan change is also intended to be provided for.</li> <li>Rationalise consenting classes - greater use of permitted activities and narrower scope for using prohibited activities.</li> <li>Limit on Env. Court appeals.</li> <li>Narrower scope of effects - focus on externalities (not control activities; if land use effects are borne solely by the applicant). Landscapes effects (unless an ONFL), urban design not relevant effects under regime.</li> <li>Redefine what effects may be considered.</li> <li>Raise the threshold of effects that are permitted.</li> <li>Historic heritage, archaeological sites are recommended to be excluded from the PA and dealt solely by Heritage NZ.</li> </ul> <p><b>Timelines (indicative):</b></p> <ul style="list-style-type: none"> <li>Late 2025 - Natural Environment Bill, Planning Bill introduced</li> <li>Mid 2026 - Bills expected to become law, including new national policy direction &amp; national standards (incl. standardised zones)</li> <li>2027 - Councils begin developing combined plans including spatial plans, natural environment &amp; land use chapters.</li> </ul>	<p><b>Disadvantages/ costs</b></p> <p>Timing and legislative uncertainty:</p> <ul style="list-style-type: none"> <li>Legislative timing is uncertain — the reform programme has shifted before and could be delayed or repeated, creating risk in overcommitting to a framework that may not arrive when expected. Noting that opposition party have signalled support to current RM reforms.</li> <li>Potential delay to operative zoning if RM reform stalls or reverses (risk is currently considered low).</li> <li>Perceived delay to housing and infrastructure delivery, even if the eventual timeframe is not much longer than under the RMA, could create political and reputational pressure.</li> <li>Not having a full understanding of transitional provisions and timing creates significant uncertainty for project planning and managing costs. Noting this risk may be better understood upon release of Bills at end of 2025.</li> </ul> <p>Loss of momentum and opportunity cost:</p> <ul style="list-style-type: none"> <li>If all workstreams are paused instead of repurposed then it risks losing project momentum, with consequences for stakeholder confidence (developers, iwi, landowners).</li> <li>If the reform process drags, growth planning could fall behind creating further pressures.</li> </ul>
	<p><b>Advantages/ benefits</b></p> <p>Efficient use of existing work:</p> <ul style="list-style-type: none"> <li>Repurpose technical work (infrastructure, hazards, ecology, iwi engagement) so it remains valid under the new framework, avoiding a level of duplication, rework &amp; sunk costs.</li> <li>Hold back on workstreams likely to be materially changed or centralised under the new legislation (e.g. some national direction, standard zones), reducing wasted effort.</li> </ul> <p>Efficient Development Framework:</p> <ul style="list-style-type: none"> <li>Intentions of the reform are to provide greater certainty &amp; reduced consenting risk for development. Development planning under this potential framework may be more efficient than an existing framework avoiding the risk of enabling development under the RMA that may later be restricted or prohibited under new environmental limits (or vice versa).</li> </ul> <p>Stronger integration with regional spatial planning:</p> <ul style="list-style-type: none"> <li>The new system proposes to give statutory weight to regional spatial plans, meaning Te Tumu's status as a growth area could be locked in more strongly if aligned with these plans.</li> <li>Regional spatial planning can better coordinate the timing &amp; sequencing of infrastructure delivery, reducing misalignment between rezoning and servicing.</li> </ul> <p>Strategic positioning under system reform:</p> <ul style="list-style-type: none"> <li>Positions Te Tumu to respond more efficiently as detail and timing of RM reform become clearer.</li> <li>Keeps momentum in key technical workstreams (infrastructure, hazard management) that will directly support streamlined development once the new pathways are available.</li> <li>Improves alignment with updated national direction outcomes (e.g. NPS-IB, climate response), reducing future compliance risk and policy tension if work continues based on current direction.</li> <li>Streamlined decision-making process as appeals based on planning merit are excluded, thereby likely reducing the re-zoning timeline &amp; cost</li> </ul> <p>Transition efficiency:</p> <ul style="list-style-type: none"> <li>By holding off on statutory RMA processes, Te Tumu avoids potential duplication or disputes in the transition period (e.g. plan changes caught mid-stream when new Acts commence). Minister has directed a quick transition to new system.</li> <li>As transition costs will be high, and Council will be required to prepare a new combined plan under the new planning system limiting rework will limit sunk costs.</li> </ul> <p>Stakeholder/ Partner Relationships:</p> <ul style="list-style-type: none"> <li>Focusing engagement and communications on key technical workstreams helps avoid confusion &amp; could assist in focusing input under the new framework more effectively than retrofitting later.</li> <li>Timeframe for implementing new system may allow processes connected with infrastructure matters on TK14 to be completed &amp; finalised with WLC, thereby reducing risk.</li> </ul>	

