

THE NEW ARCHITECTURE OF NEW ZEALAND'S PLANNING SYSTEM

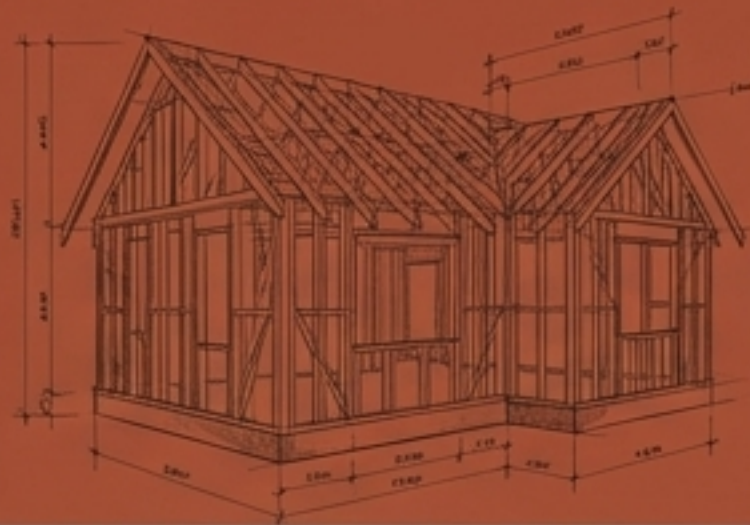
A strategic analysis of the dual-bill framework, policy priorities, and structural contradictions.



National Policy Direction (NPD)

The Planning Bill

- Presumption of unconstrained land use
- Property rights at the core
- Mandated growth and enjoyment of land



The Natural Environment Bill

- Establishes hard environmental limits
- Safeguards life-supporting capacity
- Protects significant biodiversity

The Strategic Rationale: Scrapping case-by-case RMA assessment to cut red tape, reduce costs, and restore certainty for large-scale investment.

A system built on equal, competing mandates with no legislative tie-breaker



The Paradigm Shift

The goals of the two Bills sit alongside each other with absolutely no hierarchy.

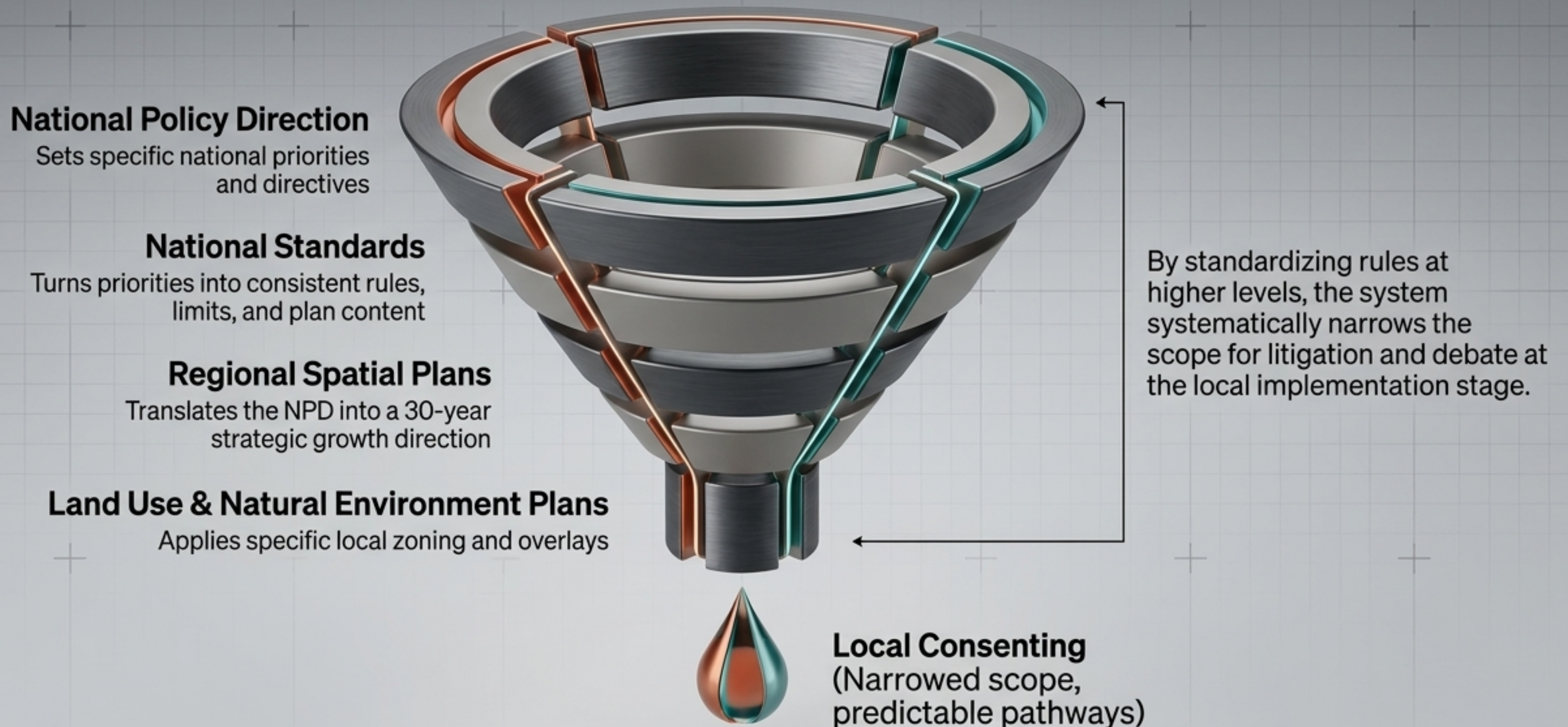
The Operational Reality

The friction of resource management is not eliminated; it is relocated from local consent hearings to the top of the regulatory system.

The Mandate

The National Policy Direction is forced to navigate and reconcile these internal contradictions directly.

Settling debate at the top to accelerate action at the bottom



The normative framework driving regional spatial planning



Housing & Development

Mandating land abundance and competitive urban markets to eliminate future scarcity.



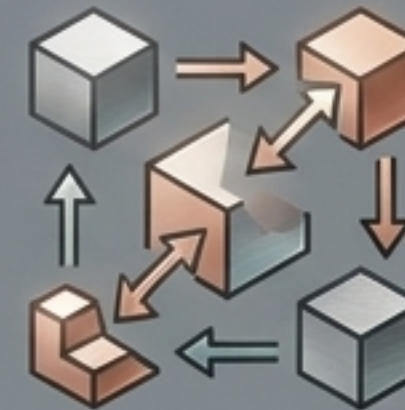
Infrastructure

Delivering interconnected regional networks with functional needs to locate in specific environments.



Primary Production

Enabling a thriving rural economy through resilient resource access and reverse sensitivity protection.



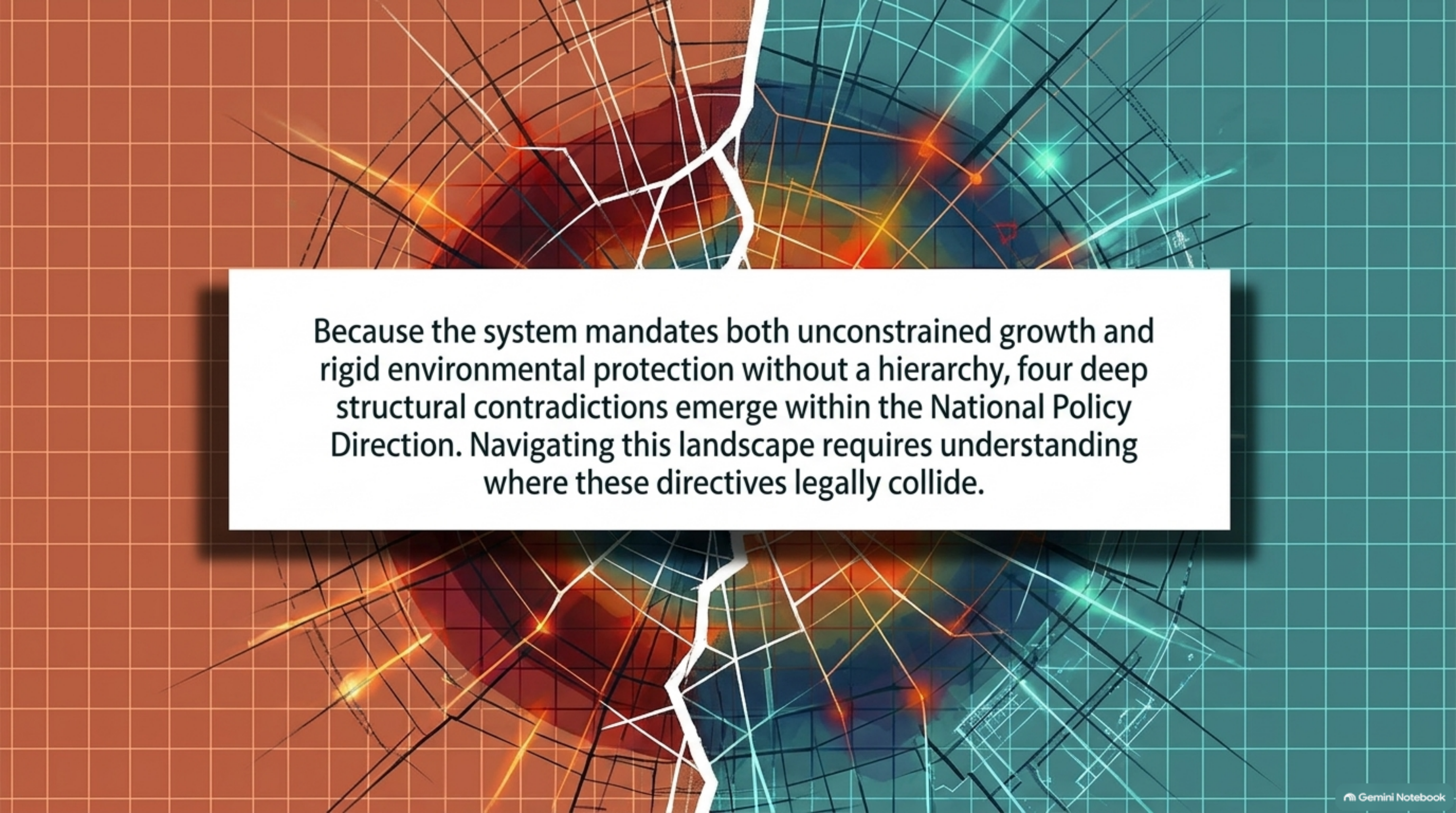
Resources

Securing supply chains for quarrying, mining, and waste management with progressive site rehabilitation.



Public Values

The environmental "guardrails"—protecting human health, historic heritage, and biodiversity.

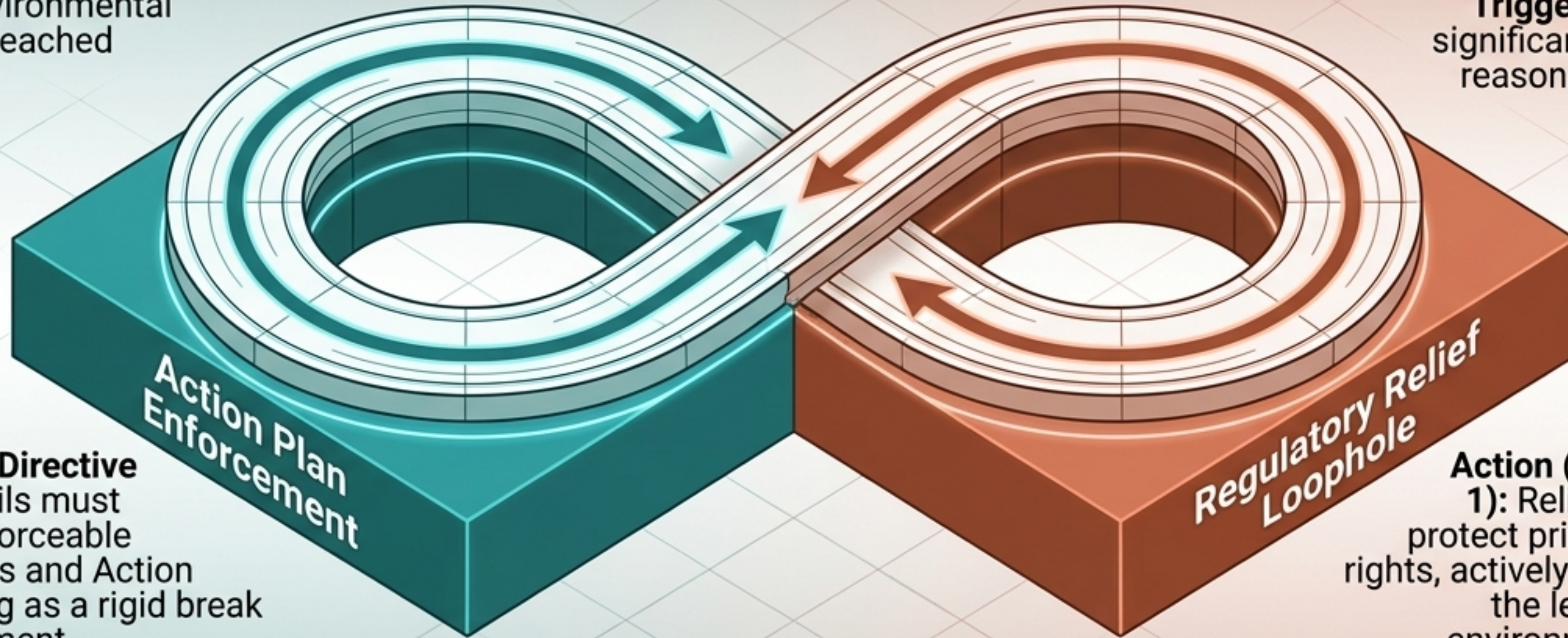
The background features a grid pattern that transitions from a reddish-orange on the left to a teal on the right. Overlaid on this grid are numerous thin, intersecting lines in black, white, orange, and cyan. Some of these lines are thicker and more prominent, creating a complex, web-like structure. There are also some glowing points and segments, particularly in orange and cyan, which add a sense of energy or data flow to the design.

Because the system mandates both unconstrained growth and rigid environmental protection without a hierarchy, four deep structural contradictions emerge within the National Policy Direction. Navigating this landscape requires understanding where these directives legally collide.

Contradiction 1: The 'Re-Regulation' Backdoor vs. Regulatory Relief

Trigger: Environmental limits are breached

Trigger: Local rules significantly constrain reasonable land use



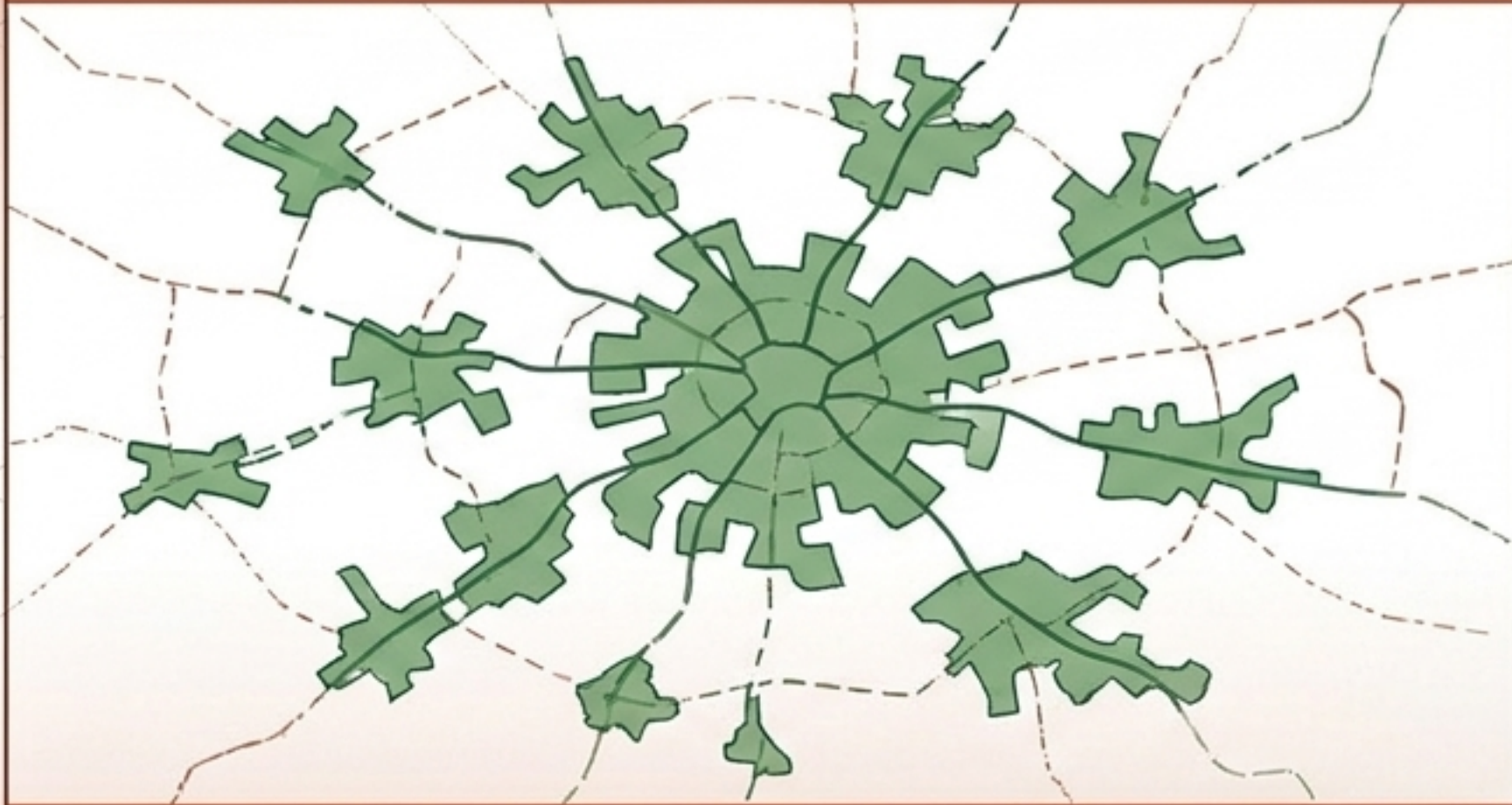
Action (PP-Directive 1.3): Councils must develop enforceable mechanisms and Action Plans, acting as a rigid break on development.

Action (CC-Directive 1): Relief granted to protect private property rights, actively undermining the legally binding environmental limits.

Key Takeaway: The system establishes hard environmental limits, only to create standard processes to bypass them for property rights—while simultaneously forcing councils to **re-regulate** if those very limits are breached.

Contradiction 2: Market expansion directly conflicts with cost sequencing

The Market Mandate - HD-Directive 1.5



Councils are explicitly banned from using urban growth boundaries or requiring connection to existing footprints to foster a “highly competitive” abundant land market.

The Infrastructure Conflict - CC-Directives 6 & 7

Public Ledger

Item	Amount	Communications	Budget	Budget
Budget items				
Motional ideator government	123,000			576,000
Stibo anadise	128,000			75,500
Mostud imamiement	106,000	16,000	75,000	205,000
Planned infrastructure				
Atlam ropolienets	58,000	15,000		
Public sequence and targets				
Budget baonite	38,000		79,000	155,000
Budget haerite	50,000		30,000	155,000
Budget infrastructure	15,000		120,000	156,000
Additional items				
Rebnoe sotaee	45,000	36,000		
Rebnoe edienetes	35,000			
Obiects perpoit				

Councils must sequence growth efficiently, make best use of planned infrastructure, and “avoid unnecessary long-term costs to communities.”

Synthesis: Councils are legally responsible for infrastructure cost efficiency but are legally stripped of the zoning authority to restrict where greenfield developers choose to build.

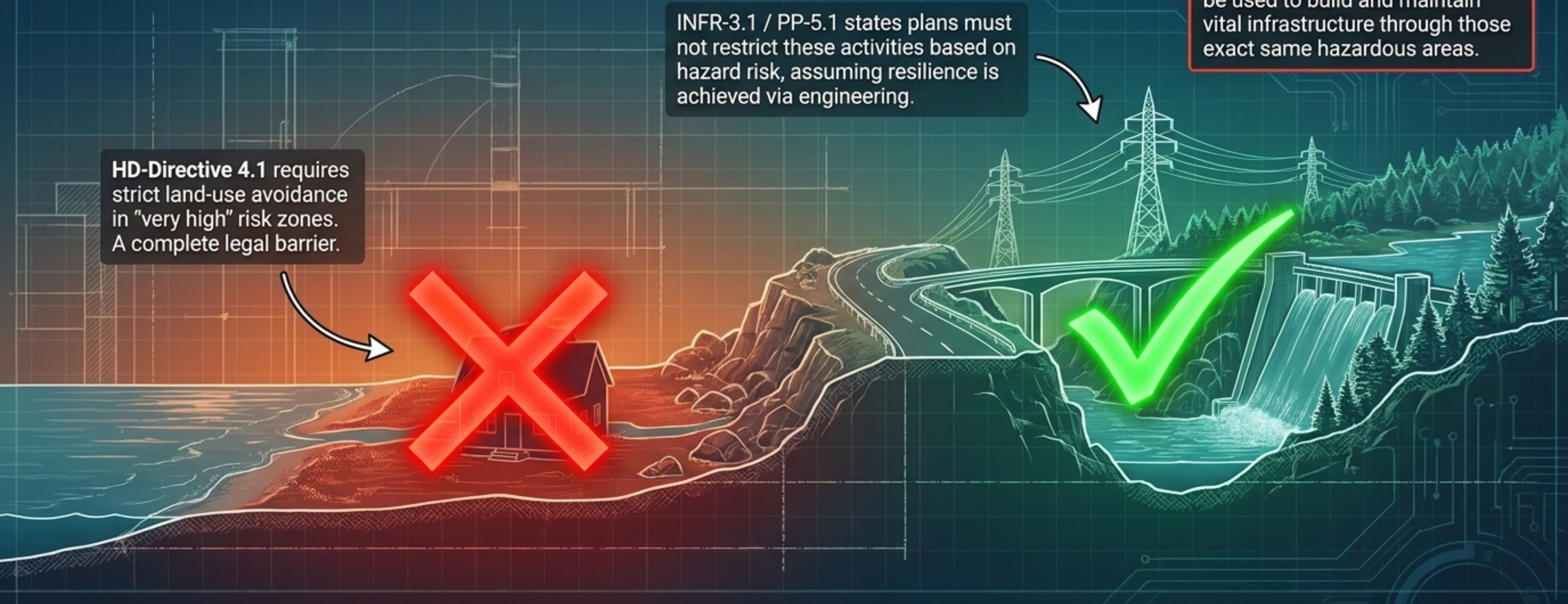
Contradiction 3: Asymmetric Hazard Risk Application

The Absurdity

The system legally prohibits residential housing in high-risk zones, yet allows public funds to be used to build and maintain vital infrastructure through those exact same hazardous areas.

INFR-3.1 / PP-5.1 states plans must not restrict these activities based on hazard risk, assuming resilience is achieved via engineering.

HD-Directive 4.1 requires strict land-use avoidance in "very high" risk zones. A complete legal barrier.



Key Takeaway: The planning framework applies a double standard: strict prohibition for private housing in hazardous zones, but allowances for public infrastructure investment in the same areas under the assumption of engineering resilience.

Contradiction 4: A standardized national system with a massive regional exception



The Promise

A unified, predictable, nationally consistent rulebook for investors and developers across all jurisdictions.

The Reality

Under cross-cutting directives, Te Ture Whaimana (Waikato River Treaty settlement) legally prevails over the National Policy Direction in cases of inconsistency.

The Impact

In one of New Zealand's largest economic catchments, standardized national rules are completely superseded by regional, iwi-led direction, resulting in regulatory fragmentation.

Embedding Treaty obligations across the dual-bill framework

Participation (SW-Directive 1.2)

Mandatory direct involvement in developing national instruments, spatial plans, and local plans.

Protection (Clause 11(1)(i))

Mandatory identification and safeguarding of sites of significance (wāhi tapu, water bodies).

Development

Enabling the economic, cultural, and social use of identified Māori land, specifically including papakāinga, infrastructure, and commercial activities.

Treaty Redress & Arrangements (SW-Directive 1.1)
- Ensuring equivalent effect to the RMA.

Implications for Local Government: From planners to market efficiency monitors

**Urban Land Market
Statutory Officer**
(New Power Player)



**Power to declare
market
non-competitive**
(HD-Directive 1.2)

**Local Council
Authority**

Strategic Analysis

- » **Loss of Sovereignty:** Councils lose traditional tools (growth boundaries) and must prioritize Housing Growth Targets and 'land efficiency indicators.'
- » **Forced Remedial Action:** If the Statutory Officer determines regulatory provisions are deteriorating market competitiveness, councils are forced to take remedial action, prioritizing market permissiveness over local planning preferences.

Implications for Developers & Communities: The shift in leverage

Developers



Permissive
Action

Developers gain massive leverage through “non-complaint covenants” (CC-Directive 4c) to manage reverse sensitivity.



Caveat: Developers face absolute stop-signs if Action Plans are triggered by environmental limit breaches.

Communities



The battleground moves entirely to the 30-year Spatial Plan. The ability for communities to argue against local “effects” at the late consent stage is structurally curtailed.

Strategy Synthesis: Success requires mastering the top of the funnel



Core Takeaways

1 Conflict Relocated, Not Resolved

The transition to a "directive-led" system moves friction from local courts to national and regional strategic policy.

2 Navigate the Contradictions

Because there is no hierarchy, strategy is about anticipating how growth mandates and environmental guardrails will legally collide (Action Plans vs. Regulatory Relief).

3 Engage Early

The window for influence is compressed. Stakeholders must secure their interests at the Spatial Plan level before local rules are permanently locked in by the funnel.

The background of the slide is split vertically. The left half features a stylized city map with various building footprints in shades of brown and tan. The right half is a solid light blue color, with a thin, winding white line representing a river or path running vertically through it. The title "Questions & Discussion" is centered across the middle of the slide, overlapping both the map and the blue background.

Questions & Discussion