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Committee Secretariat
Environment Committee
Parliament Buildings
Wellington



Submitted via email: en.legislation@parliament.govt.nz

Submission from Rangitikei District Council on the Natural Environment Bill

1. Introduction

- 1.1. Rangitikei District Council (the Council) thanks the Environment Committee (the Committee) for the opportunity to make a submission on the Natural Environment Bill (the Bill).
- 1.2. The Rangitikei District is a small rural council. Located in Central North Island, the Rangitikei is primarily part of the Manawatū-Whanganui Region. The Rangitikei has the advantage of access to State Highways 1 and 3, both of which provide a significant volume of inter-regional freight and motorists who stop in our towns for services.
- 1.3. The Rangitikei District has magnificent waterways (including the Rangitikei, Whangaehu and Turakina Rivers), beaches, parks, reserves and open spaces. Our natural environment has exceptional beauty, holds a lot of history, and is important to our communities.
- 1.4. Our population of approximately 15,300 residents is distributed over a large land area of around 4,900km². We have a large number of small towns, each with their own unique needs and identity which differ from the main urban centres of New Zealand (e.g. Auckland, Wellington or Christchurch). GDP in our District is highly dependent on primary industry, which comprise of 31.2% of the district's total GDP, significantly higher than 5.8% for New Zealand as a whole.
- 1.5. The needs of our communities (and other similar small rural communities across New Zealand) should be recognised and adequately provided for in the new system. Council asks that the Committee keep this in mind as they consider this and other submissions.

Making this place home.

2. Submission points

Need for reform

- 2.1. Council recognises that the preparation of the Bill (in conjunction with the Planning Bill) constitutes the most significant change to the New Zealand planning system since 1991, with considerable implications for all New Zealanders for many years to come. We ask the Committee to look beyond the immediate issues of today and carefully consider the long-term benefits and costs the provisions of the Bill will confer, particularly on future generations.
- 2.2. The Council is generally supportive and recognises the need for the planning system in New Zealand to be reformed. The Resource Management Act 1991 (RMA) was groundbreaking at the time it was enacted. While the RMA has been successful in some areas it has known issues which have failed to be addressed despite an array of amendments.
- 2.3. The New Zealand planning system needs to better address the issues faced by our people now and in the future. Key infrastructure and business and housing should be enabled, processes should be streamlined, and decision-making should be more efficient and consistent. However, this needs to be balanced appropriately against adequately protecting our environment and ensuring that people have the ability to meaningfully influence how our system is shaped so that the things that are most important to our communities are provided for.
- 2.4. Council is concerned about the cumulative loss of local voice from the wider resource management system and encourages Government to focus on standardisation where there is evidence to show that national standardisation will be both effective and appropriate.
- 2.5. Council acknowledges that the implementation of the Natural Environment Bill largely sits with the regional council. However, as a district that represents a strong rural community, we wish to ensure that the views of our communities are considered.

Environmental Limits

- 2.6. Council acknowledged the importance of environmental limits in a successful resource management system. Clear limits can improve certainty, reduce litigation and provide consistent and long term outcomes. However, limits should be based on robust science, implemented at a catchment scale, supported by realistic transition pathways and developed in collaboration with affected communities. Council notes that environmental limits should vary between catchments, therefore, the development of these limits at a catchment-scale is essential and should not be nationally standardised. The awa within the Rangitikei District have different

characteristics and pressures which need to be recognised in the establishment of environmental limits.

- 2.7. Realistic transition pathways are essential for primary production activities which are significant to the district's economy. Poorly designed limits have the potential to reduce district economic resilience, undermine the viability of primary production and create unintended complexity and compliance costs. Council also considers all environment limits should be set at the regional level, noting the importance of local voice, knowledge and community consultation in setting limits.

2.8. Overreach of ministerial powers

- 2.9. Council has significant concerns regarding the extensive ministerial powers provided in the Bill. As indicated above we do not support the proposed ministerial powers to establish the ecosystem health limits and consider these should be set at the regional level.
- 2.10. Further, Council does not support the powers for the Minister to appoint persons to exercise or perform functions, duties or powers in place of a local authority or direct a local authority to achieve an outcome. There are no criteria to be met for enabling this level of overreach which is inappropriate and non-democratic.

Regulatory relief

- 2.11. The Bill proposes the imposition of a regulatory relief regime which includes financial compensation from councils when the reasonable use of land is significantly impacted. Council is not supportive of these provisions and considers that they could be problematic in effect and implementation. It is particularly difficult where the regulation or protection is mandatory under the Bill.
- 2.12. If enacted these provisions will impose a significant unfunded mandate on local authorities at a time when we are already contending with a raft of parallel reforms and proposals (e.g. local water done well, simplifying local government and rates capping) while also facing continued pressure from the Government to keep our expenditure and rates increases under control. The Council has covered this matter more fully in our submission on the Planning Bill.

Levy for the use of natural resources

- 2.13. Section 313 of the Bill sets out that via Order in Council, on the recommendation of the Minister, regulations can be made prescribing a levy for the taking or use of natural resources. The purpose of the levy is to fund the resolution of issues from over allocation of resources or provide for the efficient use of natural resources or to fund Government and regional councils to undertake their functions.

- 2.14. The Council is concerned about the Minister having such control over a mechanism which could have significant consequences for natural resource users. However, we note the requirement for the development of levies to be done in consultation with iwi authorities and the public and support this.

Treaty relationships and Māori engagement

- 2.15. The Council supports the recognition of Te Tiriti o Waitangi / Treaty of Waitangi and the role of mana whenua in natural resource management. Council considers it essential that the new system recognises and provides for existing Treaty Settlement agreements, as well as enabling iwi and hapū involvement in decision-making and future settlements to be recognised.
- 2.16. Council is a member of Ngā Wāi Tōtā, the governance group for Te Waiū o Te Ika. Through this role, Council is committed to catchment restoration, collaborative freshwater management, partnership with mana whenua and other local authorities in relation to the Whangaehu River catchment.

3. Recommendations

- 3.1. That both human health and environmental limits are set by the regional council through the natural environment plan development. That the setting of environmental limits is undertaken on a catchment basis, without national standardisation.
- 3.2. That ministerial powers to appoint persons to exercise functions, duties or powers of a local authority or its functions are either removed, or provided with threshold criteria.
- 3.3. That the regulatory relief provisions of the Bill, and associated cross-references from the Planning Bill, be deleted.

4. Conclusion

- 4.1. Thank you again for the opportunity to provide feedback on the Natural Environment Bill. The Rangitikei District Council does not wish to be heard in support of this submission.

Ngā mihi,



Andy Watson
Mayor of the Rangitikei

