

Natural and Built Environment Bill Reform Series: Spatial Strategies and Plans

The introduction of long-term spatial strategies and plans

The Spatial Planning Bill (**SP Bill**) requires development of Regional Spatial Strategies (**RSS**). Each RSS is to set strategic direction for use, development, protection, restoration, and enhancement of the environment for each region, for a period of at least 30 years. The intention is to provide for integrated management of the environment by identifying key issues and opportunities facing each region and developing strategies for responding to them, with a spatial focus – i.e. identifying where/which areas are important for urban and commercial development, infrastructure, significance to Māori, natural resources, in need of protection.

In summary:

- RSS are expected to have a strong mapping component and will be required to implement the national direction from the national planning framework (**NPF**). These strategies will also set out a vision and objectives for the region's development over time and the actions that must be taken as a matter of priority in order to achieve these.
- RSS must also provide strategic direction on matters such as: areas for urban development, business and residential use, rural use, extractive industries; areas to be protected, restored or enhanced for environmental reasons; areas of cultural heritage and of significance to Māori; and areas vulnerable to natural hazards and climate change.
- The SP Bill provides that a regional planning committee must prepare and adopt an implementation plan for its regional spatial strategy. These plans are required to set out: a summary of key steps that will be taken to deliver the priority action and who will be responsible for taking them; how progress on

the priority action will be monitored and reported on and who will be responsible for it; and the interdependences (if any) between the priority action and other priority actions.

- Implementation of RSS is going to require substantial structural change at council level, with the primary decision making on plan making being effectively removed from each council and given to the new “Regional planning committees”, which will include representatives from the councils, Māori and central government.

General themes from industry submissions relating to RSS include:

- Concern that an RSS is too broad and generic and not able to consider granular planning requirements.
- Suggest the development of a national spatial strategy alongside the NPF to provide national direction for the RSS.
- Concern at the lack of variety proposed in the make-up of the Regional Planning Committee (RPC) which may not consider a range of sector and commercial interests. Concerned at the potential political nature of RPC membership with no maximum number set. Feedback advocated for the inclusion of representation from the private sector at the RPC.
- Propose that engagement focused on major regional issues should happen prior to an RSS being drafted. Submitters believe the RSS should be the only strategic direction, as drafted the NBE Plans are also to address strategic direction which may conflict when both are implemented.

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- Consider that NBE plans should give effect to the RSS and this should be made clearer in draft provisions of the NBE Bill.
 - A draft RSS should go through an independent hearing panel inquiry rather than solely by the regional planning committee.
 - Spatial Plans need to engage with and address landscape characteristics and values as part of supporting appropriate development, use or protection.
 - Concern the Bills do not work together to protect the environment including that the currently planned sequencing of the RSS first will result in no protection of natural values until the NBE plan stage. The potential consequence is leaving important places without protection in the interim.
 - Concerned at the lack of detail for the governance structure of the RSS, the lack of local voices and sector expertise within the planning and decision-making progress and implementation of the planning regime and funding of infrastructure in the future by local councils.
 - Submitters consider more clarity required that local government representatives on the RPCs can be elected members or independent people appointed by Councils. Concern that if elected there is potential for politicisation of the RPCs.
 - Concern there is a potential misalignment with Three Waters Reform, Review of the Future of Local Government and the work on climate change including the National Adaptation and Emissions Reduction Plans and Climate Adaptation Act due to current slow progress with competing government agendas. The Climate Adaptation Act is much slower than anticipated
- despite the need for integration with the NBE Bill, SP Bill and NPF.
- Concern that District and Regional Councils will have limited say in plans and strategies but full responsibility to implement the provisions. Limited consultation with Councils may create an accountability challenge with additional monitoring, enforcement and compliance challenges that councils are not appropriately funded for.

The Ministry for the Environment has indicated it intends for the Bills to be passed in mid-2023 before Parliament dissolves for the General Election this October.

Want to know more?

Please contact a member of our [Environments, Planning and Natural Resources Team](#) if you would like to know more about the Spatial Planning Bill and Natural and Built Environment Bill.