Submission of Hutt City Council to the Environment Committee on the Planning Bill and Natural Environment Bill

13 February 2026

About us

1. Hutt City Council is the territorial authority covering the City of Lower Hutt, and is home to around 114,000 residents. Council has significant responsibilities under both the existing resource management system and that proposed by the Bills, and for Council, effectively using this system is critical to achieving our community's desired outcomes for the built and natural environment.
2. Accordingly, we welcome the opportunity to submit on the Bills and share our experience and concerns with how the Bills will affect both our community and us as an organisation.
3. We would appreciate the opportunity to speak to our submission.
4. We have prepared our submission with an eye to the submissions being made by other councils and organisations in the region and mana whenua. We have focussed this document on issues where we think Hutt City Council has a distinct experience or point of view.
5. We agree that there are significant issues with the existing resource management system. While we broadly agree with direction of reform, subject to addressing the significant practical issues with implementation and points of principle that we wish to call attention to.
6. Hutt City Council, like most territorial authorities, is in the midst of a significant workload implementing other current or upcoming government reforms. In addition to multiple phases of RMA changes and suites of national direction, councils are facing significant expense and challenge managing the

transition to the new water model, emergency management system, and pressure for potential structural change or amalgamation.

7. Hutt City Council is committed to a partnership approach with mana whenua in our district, as set out in our Te Herenga Kairangi / Māori Strategy which seeks to go above and beyond statutory requirements for recognition of Te Tiriti o Waitangi and to support and enhance positive outcomes for Māori. This has included using and relying on provisions of the Resource Management Act that recognise and protect Māori interests in environmental resources and Māori participation in resource management planning processes. We seek to continue this partnership in the new planning system, including in parts of the system not under HCC's direct control.
8. Hutt City Council is home to the country's most populated flood plain and what will in the coming decades be some of the most significantly at-risk areas from coastal natural hazards. The inevitable impacts of climate change on natural hazards are a critical issue for our city to manage, and accordingly we have an obligation to demonstrate doing our part in attempting to mitigate the emissions driving climate change.
9. Hutt City Council like other local authorities is also facing a likely significantly increased workload and financial burden from emergency management reforms.
10. This submission contains first some high-level feedback on the proposal, and then more detailed feedback on individual parts of the Planning Bill. Given that territorial authorities will not be leading implementation of the Natural Environment Bill we have not provided detailed feedback on that bill. We do however support the submissions of the Greater Wellington Regional Council and Taituarā which discuss the Natural Environment Bill and the connection between the two bills in more detail.
11. We also anticipate mana whenua will provide detailed submissions on Te Tiriti o Waitangi and Māori participation, and we encourage the committee to consider those perspectives alongside ours.

Discussion

Implementation timeline

12. The implementation timeline proposed for the Planning Bill is unworkable and will not be met. Councils, central government, and the wider planning sector cannot deliver what is demanded in the timeframe set out in the Bill. In an effort to meet these timelines there is a high risk that the first two rounds of national direction and the first generation of plans will be poor quality, deliver

subpar environmental and development outcomes, and needlessly increase the cost of the transition itself as well as compliance and consenting costs.

13. This is exacerbated by the significant volume of interim and transitional changes to the RMA, both in the form of national direction issued in the last few years and the RMA amendments in the Planning Bill.
14. Constant change in the policy environment is a bad thing. Certainty about national direction enables councils to commit to longer term planning, reporting, engagement, and high-quality technical work. Certainty about environmental standards makes consistent monitoring possible. Certainty about the policy environment is needed to give developers and infrastructure providers confidence to invest in major projects.
15. The bills also set out that regional spatial plans will need to give effect to national direction that will not be finalised until after the regional spatial plans have been prepared. This is obviously unworkable and will require the regional spatial plans (and lower-level plans) to be immediately and wastefully redone after the first generation of plans is complete.
16. Higher quality planning will be done when each step in the "funnel" has received definitive, lasting outcomes from the step before. Accordingly, the implementation timetable needs to allow each step some time to consider the results of the previous step prior to notifying a new plan.

Resourcing and connection with other systems

17. Hutt City Council is in the final stages of a district plan review which has so far cost $5.3 million, or nearly $130 per household. This is not including the cost of formal hearings which are yet to happen. Under the proposed new system, HCC will need to immediately repeat this exercise. There may be some cost savings from reusing existing technical reports (such as natural hazard modelling) but other work will likely need to be completely redone in line with the national direction required by the Planning Bill, and so it is likely the cost will be similar. HCC will also need to participate in and pay a share of the cost of a regional spatial plan.
18. Government is considering rates caps, and in any case, HCC wants to take every effort to keep rates down. Councils operate in an extremely constrained financial environment and the costs of transitioning to and operating the new system should not be underestimated. HCC believes the figures given in the regulatory impact statement are overly optimistic. Parliament should be mindful of the real costs of the new system and resource the forthcoming Ministry of Cities, Environment, Regions and Transport ("MCERT") adequately to avoid unnecessary costs falling by default on councils. Key aspects are:

a. Timely provision of new national direction.

b. Allowing councils the flexibility to reuse existing technical work where possible, even when this may not meet the exact requirements of the new national direction.

c. Ensuring central government takes the burden of regulatory relief for rules whenever the Planning Bill requires councils to impose them and do not have a choice to not impose the rule instead.

d. Ensuring the cost of regulatory relief is not excessive for councils in other situations.

e. Minimising process and overhead.

19. The Planning Bill considerably increases the decision-making role of the Minister in the new system. The recent Plan Stop process is a good preview of the sheer volume of decisions this will require the Minister to make, and thus the Ministry to provide advice on. This can be aided by both addressing current short-staffing and increasing resourcing to match to additional workload, so that the Ministry can quickly make high-quality decisions and recommendations in the many areas the Planning Bill grants decision-making power to the Minister.

20. The process for setting up and resourcing spatial plan committees is complicated and will require substantial negotiation between councils at both levels and central government. This will add cost and time and encourage politicking, and in any case the body will lack accountability and a mandate to hold member councils to its decisions. Councils will be hesitant to grant powers to a body that could dictate Council decisions in future Long-Term Plans.

21. Regional spatial plans are also intended to inform Long Term Plans and councils need to consider spatial plans in LTP decision-making. However, in practice, individual councils are not actually committed to spending money and may not be able to fund projects, may not agree with the spending decisions implied in the regional spatial plan, or may change priorities after elections. There are risks that the coherence of regional spatial plans are undermined because of these differences and councils would be in the awkward position of conflicting direction from a regional spatial plan and their own community on capital projects.

Financial Contributions

22. The Planning Bill removes the provision for financial contributions made by the RMA. While the Development Contributions system is partially due to be replaced with the Development Levies scheme (see also the submission of

Taituarā on that), there is a potential gap for financial contributions in the interim between the RMA and Development Levies scheme. Hutt City Council relies on financial contributions for funding parks and reserves and unplanned infrastructure. Especially in an environment of rates caps, HCC needs the ability to ensure that growth pays for growth-related costs.

System Goals

23. The planning bill sets out a number of goals but does not set out their relative importance. While it provides for national direction to set out how these values are to be traded off, we think for the planning system to be effective and avoid frequent flip-flops and inconsistency, there should be as far as possible a political consensus and statutory recognition about the relative importance of the goals.

24. The goals of the new system do not include mitigation of climate change. This is a critical environmental issue. While the resource management system plays a supporting role to the Emissions Trading Scheme, there are still a wide range of planning decisions that indirectly affect greenhouse gas emissions, including particularly the shaping of urban form and the transport network. The Climate Change Response Act and its Emissions Reduction Plan envisage a significant role for the planning system in mitigation, as provided for in the Resource Management Act.

Māori Participation and Interests

25. The Planning Bill would eliminate the RMA's requirement that decision-makers take into account the principles of Te Tiriti o Waitangi / the Treaty of Waitangi, and provides for "the relationship of Māori and their culture, and traditions with their ancestral lands, water, sites, wāhi tapu, and taonga" as a matter of the highest national importance. This would in the new system be removed in favour of limited opportunities for consultation and providing for Māori interests as one of a large number of unprioritised goals.

26. The Planning Bill also leaves a short transition period for altering existing Te Tiriti o Waitangi settlements to take account of the new system, with no incentive for either side to reach a quick settlement, after which the problem would be essentially handed over the local government. Local government would be tasked with unilaterally substituting its own rewriting of Te Tiriti o Waitangi settlements for the actual agreement reached by iwi and the Crown and ratified by Parliament.

27. It is unrealistic to think that Te Tiriti o Waitangi can be compartmentalised to limited aspects of the system, or that the Crown can abdicate its central role as a Te Tiriti o Waitangi partner. It cuts against decades of settled law on

which existing settlements are based, and future settlement negotiations are likely to revolve around. It is also an abdication of the Crown and Parliament's role to attempt to delegate the renegotiation of settlements to local government. The Crown and Parliament must remain involved until a genuine agreement is reached for all settlements in a region covered by a regional spatial plan. Te Tiriti o Waitangi obligations are ongoing and practical, and cannot be treated as a completed historical event or delegated away once a transition deadline passes.

28. The Planning Bill continues to provide for Māori input in the development of national direction, regional spatial planning, and natural environment and land use plans. However, the direction for decision-makers to advance the results of this participation is weaker, and in some cases non-existent. For Council, this risks planning done in partnership with iwi being undone later in the process by commissioners or the Environment Court.

29. Effective partnership is not just participation in process. It requires practical mechanisms that ensure mātauranga Māori and iwi priorities can shape outcomes, for example through resourcing for iwi and hapū participation, recognition of iwi planning documents, and the use of cultural impact assessments where appropriate.

30. The Expert Advisory Group recommended retaining the RMA's approach to Te Tiriti and Māori interests, on the basis that the relationship and kinship connections of Māori with the environment is fundamental to the Māori worldview that underpins the guarantees and protections of the Treaty, and that as this has been partly delegated to local government, that delegation should ensure those obligations are upheld. We seek that a general obligation to give effect to Te Tiriti o Waitangi remain.

31. The Planning Bill also removes formal arrangements for plan-making and power-sharing such as Joint Management Agreements, transfers of powers, and Mana Whakahono a Rohe. Hutt City Council does not participate in any such arrangements at present but wishes to keep these tools open for our mana whenua partners in future.

Public participation

32. The new system significantly reduces opportunities for public participation, both by permitting more activities without consents and by raising notification thresholds. While we acknowledge the streamlining objectives of the reforms, public input often reveals critical local knowledge about site conditions, cumulative effects, and practical impacts that can improve decision-making quality and build community acceptance of development.

Scope of the system

33. The Planning Bill has a more limited definition of "effects" than the Resource Management Act. While some of these changes will help avoid relitigating settled issues or duplicating matters better handled under different regulatory regimes, some of the changes leave the potential to remove the council's ability to control effects in situations where the controls are well established and desired by the community:

    a. Removing "the external layout of buildings on a site" would remove the council's control over aspects of design that influence things such as traffic safety, Crime Prevention through Environmental Design, and bulk and location controls designed to protect the privacy of neighbours.

    b. Removing "the visual amenity of a use … in relation to its appearance" is something the Council supports and has tried to provide for in its Proposed District Plan. However, removing aesthetic considerations from non-residential activities can undermine generally popular controls that aim to enhance the attractiveness of city and local centres, screen unsightly services such as refuse collection, and limit councils' ability to control advertising in residential areas.

34. In addition, some of these effects are still within the scope of council bylaw making powers, and so would encourage the same controls to be re-enacted as bylaws, undermining the integration of the planning system.

35. Other parts are vague, and liable to produce extensive time and resource spent in court producing case law defining the edges of the system:

    a. "Retail distribution effects" is not defined and is not a term of art used commonly enough to have the meaning be obvious.

    b. "The type of residential use" is not defined in the legislation, and definitions that might provide clarity (e.g. in the current national planning standards) can't inform the meaning in the context of legislation. Our assumption is that this is intended to not discriminate between different tenures of homes (rental, owner-occupied, state housing), different formats (attached or detached), different sizes (e.g. number of bedrooms), and different arrangements of shared facilities (e.g. apartments versus bedsits or boarding houses), and if so, is supported by HCC.

    c. "The effect of setting a precedent" is difficult to separate from the concept of managing cumulative effects, recognised in the Planning

Bill, and the general principle of natural justice of fairness and impartiality, which implies that cases that are alike should be treated alike.

Compensation regime

36. The Planning Bill proposes a regime of mandatory compensation for the effects of some planning decisions on property values. This is an extremely novel approach for the planning system, which has previously operated on the basis that effects on property values are not an environmental effect, and are not to even be considered, let alone compensated for. It is uncommon internationally, and uncommon in other regulatory domains in New Zealand.

37. Hutt City Council supports in principle this new approach to compensating for the financial impacts on property owners of planning rules, but seeks that the substantial flaws in the proposal must be fixed to make it workable.

38. Councils including Hutt City have sometimes provided voluntary incentive or support schemes to acknowledge that burdens of complying with the resource management systems can be significant, but this has been a gesture of goodwill usually in the form of contestable grants or resource consent fee waivers, and likely not ever approached a 100% monetary compensation for assessed value.

39. Hutt City Council, like other territorial authorities, regularly gets submissions and correspondence asking for compensation for all manner of council decisions that landowners think may have an effect on their property value, as well as arguing for or against planning decisions on the basis of their effect on property value. Codifying regulatory compensation in the system will encourage the expansion of effects on property value being considered.

40. The proposed system is poorly structured, leading to deep uncertainty about how far councils will be expected to go, leading to councils being deterred from taking regulatory action even in situations where the Planning Bill would expect them to act. It also has the potential for significant unexpected costs for councils, in an environment of limited resources and proposed rates caps.

41. It is worth considering the potential scale of this compensation. The Planning Bill envisages one approach as being handing over cash to landowners. While the Bill does not propose an approach that this be 100% of the assessed impact on property value, it also does not preclude the courts taking such an approach and imposing it on councils. For restrictions that could apply to thousands of properties and have an impact possibly in the hundreds of thousands of dollars per property this is the potential for an unplanned expense of hundreds of millions of dollars, which would need to be paid for in

rates of the order of tens of thousands of dollars per ratepayer. The impact on Council's finances and credit rating, and on ratepayers, would be devastating.

42. It is also unclear how Councils are expected to respond to the contradiction between the Bill on the one hand, *requiring* that councils take regulatory action to protect heritage, sites of significance to Māori, landscapes, and natural character, while on the other hand mandating that councils compensate landowners for having done what the Bill requires them to do. To the extent the regulatory relief scheme compensates landowners for advancing goals set by central government, central government should pay for it. Accordingly, central government should set – and directly pay for - the regulatory relief scheme for matters set out in national direction instruments.

43. Also, despite the description of the regulatory relief scheme in the introduction to the Bill, the text as proposed does not limit the scheme to heritage, sites of significance to Māori, landscapes, and natural character. This restriction applies only to the framework determined by council and challenges to the Planning Tribunal. The Environment Court is empowered to order compensation for any type of rule. The potential of needing to compensate any landowner for any impact on property values for any potential planning decision would be an impossible financial risk and paralyse Council's decision-making, preventing implementation of the system.

Structural and technical issues

44. The Planning Bill sets out the resource consent process in less detail than in the Resource Management Act. This is a positive in some ways, as the process changed regularly under the RMA and having details about, for example, starting and stopping the clock in regulations. However, there is no requirement that such regulations be issued and the timeline as proposed is unworkable – we recommend some changes so that the system is coherent in the interim.

45. One change from the RMA is the new suite of activity statuses, and the change in structure so that activities are no longer permitted by a rule, but by the absence of a rule. This is a positive change in general as it is consistent with the general scheme of New Zealand legislation that everything is allowed unless there is a rule against it. The RMA did not comply with this principle, and this has caused endless structural and interpretation problems.

46. However, one side effect of this is the two types of "permitted" activity – there are both activities permitted subject to a rule, that need to be registered with the council, and those permitted by default because there is no applicable

rule. However, these are both termed “permitted activity” throughout the Bill, which is liable to cause confusion and councils inventing their own terminology to tell the two apart (such as “registered permitted” and “unregistered permitted” activities).

47. Hutt City Council also supports the ability for resource consents to update land use plans, where anticipated by the land use plan, which will be useful in, for example, staged greenfield developments, where land can be “live zoned” in steps as different conditions of the consents are met.

Recommendations

Implementation timeline

48. Allow at least 12 months after the first **and second** packages of national direction, including nationally set environmental limits, for notification of Regional Spatial Plans.

49. Allow at least 12 months from the decisions on Regional Spatial Plans before notification of natural environment plans and land use plans.

Resourcing and connection with other systems

50. Work with local government to develop realistic estimates of implementation costs and regulatory relief costs and develop a funding plan.

51. Set out in legislation the membership of spatial planning committees, including being proportional to population, and provide that spatial planning committees have final decision-making power on Regional Spatial Plans

52. Ensure that a local authority may only become a lead for an action under a regional spatial plan if it consents to be so.

Financial Contributions

53. Retain financial contributions from the RMA at least as an interim measure, and ensure that Development Levies allow at least the same level of cost recovery.

System Goals

54. Set out the system goals in clause 11 in terms of their relative importance (e.g. in groups), consistent with the approach in the Resource Management Act.

55. Add, as one of the highest-level goals, the mitigation of climate change.

Māori Participation and Interests

56. In clauses 9 and 10, retain Parliament and the Crown as responsible for interpretation and negotiation with iwi for how Te Tiriti o Waitangi settlements relating to the RMA will be transitioned to the new planning system.
57. Remove the two-year time limit and retain the transition period (in relation to a particular region) until all Te Tiriti o Waitangi settlement changes in that region have been agreed.
58. Require decision-makers to have regard to iwi authority planning documents and Mana Whakahono a Rohe.
59. Require engagement, rather than consultation, with iwi and hapū in developing national direction, regional spatial plans, and natural environment and land use plans.
60. Retain a general obligation to take into account the principles of Te Tiriti o Waitangi.
61. Retain the option for councils and iwi to enter into Joint Management Agreements, transfers of powers, and Mana Whakahono a Rohe.

Public participation

62. We do not make any specific recommendations on public participation but ask the committee to consider that it is local councils that are generally held responsible for notification and consenting decisions, even the statutory scheme gives council little or no real ability to make meaningfully different decisions.

Scope of the system

63. Retain some aspects of the scope of the RMA in the scope of effects covered by the system in clause 14:
    a. Allow consideration of non-aesthetic effects of the external layout of buildings on a site, such as safety, wayfinding, and protection of corridors for services.
    b. Allow consideration of visual amenity in commercial areas and for other aspects that are not related to the design of private homes, such as signage, waste and servicing.
64. Clarify some limitations on effects:
    a. Provide a definition of “retail distribution effects”
    b. Provide a definition of “the type of residential use”
    c. Remove the limitation on “the effect of setting a precedent”.

Compensation regime

65. Provide that, where council chooses against imposing a specified rule, but that rule is imposed anyway by independent commissioners, the Planning Tribunal, or the Environment Court, that any resulting regulatory relief is at the expense of central government.

66. Require the regulatory relief policy for matters in national direction instrument to be set out in that national direction and paid for by central government.

67. Give councils the final opportunity to withdraw rules that would leave them liable for compensation, rather than be forced to both continue with the rule and compensation.

68. Remove the ability of the Environment Court (clause 105) to order compensation where the severe impairment is not caused by a specified rule. Preferably, remove the role of the Environment Court in the compensation scheme altogether and retain the financial decision with councils.

69. Define clearly what is meant by a "significant impact" and "severe impairment" of the reasonable use of land, including guidance and examples.

70. Set out specifically what scale of relief is expected for particular types of rules, in particular make it clear that councils are not expected to provide 100% cash compensation for assessed impacts on property values.

Structural and technical issues

71. Provide default rules for when the resource consent clock starts and stops, including stopping for incomplete applications where council is waiting on the applicant. As written, the Bill places a definite timeline on Councils when the progress of the application is not within their control – when the application is incomplete or requires further information, Council cannot cancel or reject the application, cannot force the applicant to act, and yet the clock still ticks. The Bill should:

    a. Provide for timeframes to pause while waiting for the applicant to respond to the first request for further information.

    b. Provide for the consent to be eventually rejected if the council is waiting for further information that does not arrive.

72. Separate permitted activities subject to rules, and permitted activities not subject to rules, as two separate activity statuses, for clarity. We recommend permitted activities not subject to rules retain the name "permitted", for consistency with existing practice, and make permitted activities subject to rules known as "registered activities", "controlled activities", or some other similar term.

73. Retain the provision for resource consents to alter land use plans where this is anticipated by the land use plan.

Clause by clause recommendations – Planning Bill

Provision	Feedback
cl3 - Interpretation	Provide definitions of "the type of residential use", "retail distribution effects", and in relation to the regulatory relief system, "significant impact", "severe impairment", and "reasonable use of land". Provide a definition for another activity status, e.g. "registered activity" or "controlled activity", to differentiate permitted activities subject to rules from those that are not, and accordingly define "permitted activity" as an activity not subject to any rule.
cl8 – Treaty of Waitangi / Tiriti o Waitangi	Retain the general duty in the RMA for decision-makers to take into account the principles of Te Tiriti o Waitangi / the Treaty of Waitangi.
cl9 - Crown to seek to enter agreements to uphold Treaty settlement redress or arrangements	Remove the two-year time limit and retain the transitional period until changes to settlements are agreed between iwi and the Crown.
cl10 - Treaty redress or arrangements to be given same or equivalent effect	Provide that the RMA continues to apply as necessary to Te Tiriti o Waitangi settlements until the transition in s9 is complete.

Provision	Feedback
cl11 - Goals	Set out the relative importance of the goals. Provide for the mitigation of climate change and achieving the 2050 target in the Climate Change Response Act as a goal at the topmost level of importance.
cl14 - Effects outside the scope of this Act	Allow consideration of non-aesthetic effects of the external layout of buildings on a site, such as safety, wayfinding, and protection of corridors for services. Allow consideration of visual amenity in commercial areas and for other aspects that are not related to the design of private homes, such as signage, waste and servicing. Remove the limitation on "the effect of setting a precedent". Clarify which situations are covered by "any matter where the land use effects of an activity are dealt with under other legislation", particularly how this applies to: • Situations where the other legislation makes it optional whether to use that power, for example offensive trades under the Health Act • Situations where other legislation would be better suited to deal with that matter, but has deliberately chosen not to, for example disability access to residential units under the Building Act • Situations where the same topic matter is regulated for different reasons, for example noise insulation under the Building Act (for intertenancy noise) versus under the RMA (for external noise)

Provision	Feedback
cls30-32, 38	Provide for another activity status, e.g. "registered activity" or "controlled activity", to replace permitted activity rules and so differentiate permitted activities subject to rules from those that are not.
cl40 - Relationship between national rules and plan rules	As written this section does not seem to allow for a national rule to allow a plan rule to be more enabling by permitting the activity without conditions (i.e. a permitted activity with no rule). Amend to provide that plans can, where the national direction allows for this, override a national rule with having no rule.
cl45 - Matters to consider when making national instrument	In subsection (2)(c) provide which goals should always be achieved and which sometimes need not be achieved.
cl105 - Environment Court may give directions in respect of land subject to controls	Limit subsection (4)(b) through (f) to only apply where the severe impairment is the result of a specified rule. Where the impairment is the result of a specified rule, give the local authority the option to modify, delete, or replace the plan provision rather than one of the options in (4)(b) through (f).
cl115 - Consent authority may return incomplete application	We support the extension of the timeline for rejecting incomplete consents to 10 days. Consenting workloads are highly dynamic and it is often not practical to assess consents for completeness before starting the notification and substantive assessments.

Provision	Feedback
cl117 – Consent processing time frames	Provide for the same excluded time periods as in the RMA ss88C-88I, such as time waiting for an applicant to furnish required extra information or where an applicant refuses to pay administrative charges. Time should also be excluded for new situations provided for in the Bill that mean councils are waiting on an applicant, such as waiting for an applicant to review draft conditions under cl152.
cl177 - Consent authority may treat certain activities as permitted activities	The Bill should include a term for activities treated as permitted activities. This could possibly be the same as our suggestion for a new term for permitted activities subject to rules, e.g. a registered activity or a controlled activity.
Schedule 1 – Part 1	Provide a power to extend the timeframes for any part of the transition by Order in Council. Provide for the transition period to last until all Te Tiriti o Waitangi settlement redress is renegotiated. Change the deadline for notification of regional spatial plans to be 1 year after all of the first national policy direction, the national standards, and environmental limits are issued. Change the deadline for notification of natural environment plans and land use plans to be 1 year after regional spatial plans are issued (rather than 9 months).
Schedule 2	Provide that a regional spatial plan may not include an infrastructure project or other project for which a local authority would have financial responsibility without that local authority's consent.

Provision	Feedback
Schedule 3 – Part 1 - cl20	This limits the ability of people to make further submissions if they are not qualifying residents even if they do have a genuine interest in the plan greater than the general public – e.g. landowners in adjoining districts who would be affected by activities within the district, organisations or industries who may be singled out by provisions sought in a submission, nationwide organisations, or organisations who do not currently operate in a district but whose ability to expand into it would be affected. People with an interest in the plan greater than the general public should not need to also meet the test of being a qualifying resident.
Schedule 11 – amendments to RMA s104	See our recommendations on the scope of the system for the Planning Bill. In addition, if these effects are to be disregarded for a s104 decision they should also be disregarded for the purposes of the notification test, or you could end up with the perverse result of a consent needing to be notified due to an effect covered by these exclusions and then no meaningful case could be brought in the hearing.
Schedule 11 – Part 4	Missing some interaction with the RMA in other legislation, e.g. in s54(7) of the Health Act 1956 and s15 of the Prostitution Reform Act 2003.