

**Policy  
Forum.**



# **Resource Management Reform.**

**Discussion Paper**

# Introduction.

The Resource Management Act 1991 (RMA) is one of New Zealand's most consequential, but also most damaging, pieces of legislation. Originally intended to promote sustainable management of natural and physical resources, the RMA has instead become synonymous with delay, cost, and regulatory obstruction.

After 30 years of failure, the RMA is being scrapped. ACT is proud to be driving this reform in Government. Our goal is a system that enables growth and development, uplifts property rights, protects essential environmental values, and respects the rule of law.

This paper sets out:

- The key problems with the RMA
- Case studies illustrating the RMA's harm
- Past reform attempts and what the Government is doing now.
- ACT's position and principles
- The current reform process and Cabinet decisions
- A member questionnaire to inform our next steps.



# The Problem.

The RMA was designed to integrate environmental and planning law. But over time, it has become a major barrier to housing, infrastructure, agriculture, and energy – and failed to deliver better environmental outcomes. Key problems include:

- **Excessive complexity and cost:** Major projects routinely take 5–7 years to gain consents. Transmission Gully suffered 18 months of delay navigating RMA approvals and iwi consultation.
- **Unpredictability and inconsistency:** Regional councils interpret the Act differently. A developer building the same project in Auckland, Hamilton, and Tauranga faces three zoning rules, inconsistent iwi processes, and years of litigation risk.
- **Housing and infrastructure constraints:** In Auckland, Kāinga Ora’s Mt Roskill and Māngere redevelopments were delayed over four years by RMA appeals and iwi objections – despite being on land already zoned for housing.
- **Ideological drift:** Vague concepts like “amenity” and “intrinsic value” are weaponised to block development for political or cultural reasons. Meanwhile, environmental outcomes continue to decline.
- **Legal uncertainty:** The Courts act as second-tier policymakers, with outcomes driven by ideology as much as law. The RMA’s broad “effects-based” test enables almost anything to be appealed. The Supreme Court’s King Salmon ruling is a key example.

## Case Studies

- **Auckland Housing Crisis and the Unitary Plan:** In 2016, Auckland’s Unitary Plan was passed to enable more housing. Yet RMA appeals saw over 30 objections from one homeowners’ group, delaying projects for years.
- **Transmission Gully Highway:** Delayed 6 months after the regional council failed to issue consents previously agreed with NZTA. An entire earthworks season was lost, contributing to over \$400m in additional costs. Council-mandated design changes (e.g. grass swales on steep slopes) will increase future maintenance costs.
- **East-West Link:** Planned to remove 15,000 trucks a day from local roads. The Supreme Court overturned earlier approvals. Positive transport and economic benefits could not be fully considered under current law.
- **Fast-Track Failures:** Labour’s COVID-19 fast-track process failed. Of 70 referred projects, fewer than 20 received consents on time – many remained stuck in the RMA morass.
- **Significant Natural Areas:** Farmers in regions like Northland and the West Coast have seen large portions of productive land mapped as SNAs, restricting grazing and development without consultation or compensation.

# Reform History.

## National (2008–2017)

- Incremental changes: fast-track Board of Inquiry consenting, minor streamlining. Ultimately ineffective.

## Labour (2017–2023)

- Commissioned the Randerson Review. Replaced the RMA with the Natural and Built Environment Act (NBEA) and Spatial Planning Act – a regime that ACT described as “RMA 2.0,” with even greater complexity and centralisation.

## What the Government Is Doing Now

Thanks to ACT’s leadership:

- **The NBEA and Spatial Planning Acts have been repealed.**
- A streamlined **Resource Management (Consenting and Other System Changes) Bill** is in progress.
- The Government will introduce two new replacement Acts in 2025:
  - a Planning Act
  - a Natural Environment Act

Both Acts will be shaped by principles ACT has long championed: property rights, clear environmental bottom lines, and simple, rules-based planning.



# Our Positions.

ACT has opposed the RMA since its inception. The Party's principles include:

- **Full repeal and replacement** of the RMA
- A **simple planning framework** based on *property rights* and *environmental bottom lines*
- **Fewer and clearer rules**, not vague value judgments
- Restoration of the right to develop land without political interference
- **Urban development enabled by default**, not blocked by process
- **Limited Treaty obligations**, defined clearly to avoid litigation traps
- **Reduced consent requirements:** if environmental limits are met, consents should not be required.

## 2023 Election Policy

ACT promised to:

- Repeal the RMA entirely
- Remove vague concepts like "amenity" and "intrinsic value"
- Introduce clear environmental bottom lines (e.g., air and water quality)
- Enable fast-track consenting for housing, infrastructure, and energy
- Restore certainty for iwi and councils alike – no more perpetual consultation
- Reassert property rights as the starting point of planning law.

## The Expert Advisory Group Blueprint

The Government-appointed Expert Advisory Group's Blueprint aligns with many ACT principles:

- **Narrower scope:** move from an "effects-based" to an "externalities-based" system.
- **Clear bottom lines:** measurable environmental targets.
- **Standardised zones:** to stop 67 different councils from creating 1,175 zoning variations.
- **Simplified plans:** one combined plan per region.
- **Faster consenting:** greater use of permitted activities and track-based consents.
- **Proportionate iwi participation:** specified roles, not open-ended veto rights.
- **Focus on outcomes:** replace process obsession with environmental and development results.

# Next Steps.

**The RMA will not be reformed – it will be replaced.**

The new system will:

- Enable property use unless clear harm to others is shown.
- Standardise zoning across the country.
- Simplify and accelerate consenting.
- Limit ideological creep and litigation risk.
- Deliver a major economic boost, particularly in housing and infrastructure.

ACT will continue to push to ensure:

- The Planning Act is **simple, clear, and pro-development**.
- The Natural Environment Act focuses strictly on **bottom lines – not ideology**.
- Treaty provisions are **limited and clearly defined**.
- Consent **costs and delays are radically reduced**.



# Questionnaire.

To ensure that ACT's approach aligns with the views of our members, we invite your feedback on the following questions:

## **Evaluating Current Positions**

- Do you support ACT's goal of full repeal and replacement of the RMA?
- What outcomes matter most to you in the new planning system?

## **Policies and Alternatives**

- Which ACT positions should be emphasised most strongly?
- Should more land uses be permitted "as of right"?
- How should Treaty obligations be handled in the new Acts?

## **Future Directions**

- Should ACT push for fast-track consenting for specific sectors (e.g., housing, renewables, agriculture)?
- Would you support private-sector certification of consents to reduce council bottlenecks?
- How can ACT better communicate the case for RMA replacement to voters?

## **Policy Forum Feedback**

- What suggestions do you have to improve the delivery of the webinar?
- Does the webinar and this brief discussion paper give you a broad enough understanding of the policy area?
- Which MP and policy area would you like covered next?

[Start the Online Questionnaire](#) or email your feedback to [policy@act.org.nz](mailto:policy@act.org.nz)