

Resource Management (Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting) Bill

Government Bill

Explanatory note

General policy statement

This Bill is an omnibus bill introduced under SO 267(1)(a).

The Resource Management (Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting) Bill repeals the Natural and Built Environment Act 2023 (the **NBA**) and the Spatial Planning Act 2023 (the **SPA**). The Bill delivers on the Government's policy commitment to repeal the NBA and SPA and reinstate the Resource Management Act 1991 (the **RMA**) as the primary legislation for New Zealand's resource management system, pending the Government's proposed future resource management reform.

The Bill aims to deliver an orderly return to the RMA, which is achieved by—

- setting out transitional and savings provisions for some parts of the NBA that are already in use, to provide continuity and certainty for system users:
- making minor amendments to the RMA for clarity and workability:
- reversing consequential and other amendments made by the NBA and SPA to other legislation (with some limited exceptions).

Transitional and saving provisions in this Bill include retention of the NBA fast-track consenting process. The provisions ensure that fast-track consenting remains for significant projects until an alternative fast-track infrastructure consenting regime can be introduced to the RMA. These provisions also ensure that Treaty settlements are upheld for fast-track consenting.

The Bill also extends the RMA freshwater planning deadline in order to provide time to replace the National Policy Statement for Freshwater Management 2020.

As spatial planning under the SPA has not yet begun and no decisions have been made under the SPA, no transitional or savings provisions are required for this Act.

Departmental disclosure statement

The Ministry for the Environment is required to prepare a disclosure statement to assist with the scrutiny of this Bill. The disclosure statement provides access to information about the policy development of the Bill and identifies any significant or unusual legislative features of the Bill.

A copy of the statement can be found at <http://legislation.govt.nz/disclosure.aspx?type=bill&subtype=government&year=2023&no=8>

Regulatory impact statement

The policy decisions relating to the contents of this Bill are not subject to the regulatory impact statement requirements. This reflects the decision by Cabinet to suspend the requirement for regulatory impact statements for decisions relating to 100-day plan proposals (taken within the 100 days) that solely involve the repeal of legislation.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 relates to commencement. Most of the Act will come into force on the day after Royal assent. *Clauses 5 to 7 of Schedule 1* come into force 9 months later.

Part 1

Preliminary provisions

Clause 3 provides for transitional, savings, and related provisions, which are set out in *Schedule 1*.

Clause 4 provides that the Act binds the Crown.

Part 2

Repeals and related provisions

Clause 5—

- repeals the Natural and Built Environment Act 2023:
- repeals the Spatial Planning Act 2023:
- revokes the Natural and Built Environment (Forms and Fees) Regulations 2023.

Clause 6 provides that the legislation specified in *Schedule 2* is amended as set out in that schedule.

Schedule 1 provides for interim arrangements, including—

- preserving the status of Treaty settlements:
- continuing in a modified form the fast-track consenting regime in Schedule 10 of the Natural and Built Environment Act 2023:
- providing for Mana Whakahono ā Rohe entered into under the Natural and Built Environment Act 2023:
- providing for applications made under the Natural and Built Environment Act 2023 to become a requiring authority:
- providing for compliance and enforcement action commenced or affected by the Natural and Built Environment Act 2023:
- providing for applications made under the Natural and Built Environment Act 2023 for an affected resource consent:
- providing for the disestablishment of a board of inquiry set up to consider a draft national planning framework:
- providing for the transfer of powers by local authorities:
- providing for regulations relating to interim arrangements during a specified transition period ending no later than the third anniversary of the commencement of *Schedule 1*:
- excluding compensation for the effects of the repeals.

Schedule 2 sets out amendments to other legislation that largely reverse the effect of amendments made by the repealed Acts to other legislation. This schedule also—

- restores section 33 of the Resource Management Act 1991, which provides for the transfer of powers under that Act by local authorities and was repealed by the Natural and Built Environment Act 2023:
- inserts *new section 42AA* of the Resource Management Act 1991, which requires consent authorities to provide post-settlement governance entities with relevant information relating to applications for resource consents (and retains the effect of section 271 of the Natural and Built Environment Act 2023 as it related to the Resource Management Act 1991):
- inserts *new section 87AAE* of the Resource Management Act 1991, which relates to the interim continuation of Schedule 10 of the Natural and Built Environment Act 2023 subject to the modifications set out in *Schedule 1* of this Bill.

Hon Chris Bishop

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Resource Management (Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting) Act **2023**.

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and Spatial Planning Repeal and Interim Fast-track
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2 Commencement

- (1) **Clauses 5 to 7 of Schedule 1** come into force on the day that is 9 months after the rest of this Act comes into force.
- (2) The rest of this Act comes into force on the day after Royal assent.

Part 1

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Preliminary provisions

3 Transitional, savings, and related provisions

The transitional, savings, and related provisions set out in **Schedule 1** have effect according to their terms.

4 Act binds the Crown

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This Act binds the Crown.

Part 2

Repeals and related provisions

5 Repeals and revocation

- (1) The Natural and Built Environment Act 2023 (2023 No 46) is repealed. 15
- (2) The Spatial Planning Act 2023 (2023 No 47) is repealed.
- (3) The Natural and Built Environment (Forms and Fees) Regulations 2023 (SL 2023/259) are revoked.

6 Amendments to other legislation

Amend the legislation specified in **Schedule 2** as set out in that schedule. 20

Schedule 1
Transitional, savings, and related provisions

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Part 1 Provisions relating to this Act as enacted

1 Interpretation

In this Part,—

- commencement date** means the day after Royal assent 5
- claimant group** means a group of Māori with Treaty of Waitangi claims against the Crown, whether or not those claims have been lodged with, or heard by, the Waitangi Tribunal under the Treaty of Waitangi Act 1975
- Environment Court** has the meaning given in section 2(1) of the Resource Management Act 1991 10
- fast-track consenting process** means the process provided for in **clause 8**
- joint management agreement** means a joint management agreement made under any provision of the Resource Management Act 1991 and in force on the commencement date
- Mana Whakahono ā Rohe** means an arrangement entered into under subpart 2 of Part 5 of the Resource Management Act 1991 and in force on the commencement date 15
- ngā hapū o Ngāti Porou** has the meaning given in section 10 of the Ngā Rohe Moana Ngā Hapū o Ngāti Porou Act 2019
- NHNP Act** means provisions of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 that relate to the exercise of a power or the performance of a function or duty under the Resource Management Act 1991 20
- other arrangements** means Mana Whakahono ā Rohe and joint management agreements in force on the commencement date
- post-settlement governance entity**— 25
- (a) means a body corporate or the trustees of a trust established by a claimant group for the purposes of receiving redress or participating in arrangements established under a Treaty settlement Act; and
- (b) includes an entity established to represent a collective or combination of claimant groups 30
- relevant party** means,—
- (a) in relation to a Treaty settlement, the post-settlement governance entity for the Treaty settlement:

- (b) in relation to the NHNP Act, ngā hapū o Ngāti Porou:
- (c) in relation to other arrangements, each iwi authority or group that represents hapū that is a party to that arrangement

Treaty of Waitangi claim means a claim within the meaning of section 6 of the Treaty of Waitangi Act 1975, whether or not that claim was submitted to the Waitangi Tribunal 5

Treaty settlement means the provisions of a Treaty settlement Act or Treaty settlement deed that relate to the exercise of a power or the performance of a function or duty under the Resource Management Act 1991

Treaty settlement Act— 10

- (a) means—
 - (i) an Act listed in Schedule 3 of the Treaty of Waitangi Act 1975 by an Act that was enacted on or before the commencement date; and
 - (ii) any other Act that was enacted on or before the commencement date and that provides redress for Treaty of Waitangi claims, including—
 - (A) an Act that provides collective redress or participation arrangements for claimant groups whose claims are, or are to be, settled by another Act; and
 - (B) the Hawke’s Bay Regional Planning Committee Act 2015; 20but
- (b) does not include the Maori Commercial Aquaculture Claims Settlement Act 2004

Treaty settlement deed—

- (a) means a deed or other agreement that— 25
 - (i) is signed for and on behalf of the Crown by 1 or more Ministers of the Crown and by representatives of a claimant group on or before the commencement date; and
 - (ii) is in settlement of the Treaty of Waitangi claims of the members of that group, or in express anticipation, or on account, of that settlement; but 30
- (b) does not include an agreement in principle or any document that is preliminary to a signed and ratified deed

Treaty settlement entity means any of the following:

- (a) a post-settlement governance entity: 35
- (b) a board, trust, committee, authority, or other body, incorporated or unincorporated, that is recognised in, or established under, a Treaty settlement Act:

- (c) an entity or a person that is authorised to act for a natural resource with legal personhood:
- (d) a mandated iwi organisation (as defined in section 5(1) of the Maori Fisheries Act 2004):
- (e) an iwi aquaculture organisation (as defined in section 4 of the Māori Commercial Aquaculture Claims Settlement Act 2004). 5

Compare: 2023 No 46 Schedule 2 cl 2, Schedule 10 cl 13

2 References to regulations made under section 360 of Resource Management Act 1991

Despite the repeal of the Natural and Built Environment Act 2023, a reference in this schedule to regulations made under section 360 of the Resource Management Act 1991 must be read as if section 360 included the provisions of section 798 of the Natural and Built Environment Act 2023. 10

3 Amendments unaffected by this Act

- (1) This clause applies in relation to amendments made to other legislation by— 15
 - (a) the Natural and Built Environment Act 2023:
 - (b) the Spatial Planning Act 2023.
- (2) To avoid doubt,—
 - (a) section 32(1)(c) of the Legislation Act 2019 applies in relation to those amendments that are not reversed or otherwise expressly dealt with by **Schedule 2** of this Act; and 20
 - (b) accordingly, the repeal of the Natural and Built Environment Act 2023 and the Spatial Planning Act 2023 does not affect those amendments.

Status of Treaty settlements under this Act

4 Obligation to uphold Treaty settlements, NHNP Act, and other arrangements 25

- (1) All persons exercising a power, or performing a function or duty, in relation to the fast-track consenting process provided for in this Part must give a Treaty settlement, NHNP Act, or other arrangement the same or equivalent effect as would be given to those matters under the Resource Management Act 1991. 30
- (2) **Subclause (1)** applies to the extent that the power, function, or duty being exercised or performed in relation to the fast-track consenting process provided for in this Part is generally the same or equivalent to a power, function, or duty under the Resource Management Act 1991 that is affected by the Treaty settlement, NHNP Act, or other arrangement. 35

Compare: 2023 No 46 Schedule 2 cls 1, 3

5 Process for upholding Treaty settlements, NHNP Act, and other arrangements

- (1) The Crown must, unless otherwise agreed with the relevant party,—
- (a) discuss with each relevant party, for the purpose of agreeing how to uphold the integrity, intent, and effect of the Treaty settlement, the NHNP Act, and other arrangements in relation to the fast-track consenting process under this Act; and 5
 - (b) support the capacity of the relevant party to participate effectively in those discussions, including by providing appropriate resources; and
 - (c) enter into any agreements with the relevant party that are necessary to uphold the Treaty settlement, the NHNP Act, or other arrangement, including by entering into a deed to amend the entity’s Treaty settlement deed. 10
- (2) If necessary, to give effect to an agreement relating to a Treaty settlement or the NHNP Act, the Crown must— 15
- (a) take all necessary steps within the Crown’s authority to introduce a Bill to the House of Representatives that—
 - (i) amends the relevant party’s Treaty settlement Act or the NHNP Act; and
 - (ii) is in a form agreed by the relevant party; and 20
 - (b) use the Crown’s best endeavours to promote the enactment of the Bill not later than 18 months after the commencement of this clause.
- (3) The Crown must also—
- (a) monitor the progress of the matters set out in **subclauses (1) and (2)**; and 25
 - (b) make a report to the relevant party on progress every 3 months after this clause and **clause 7** come into force.

Compare: 2023 No 46 Schedule 2 cl 4(2)–(4)

6 Duration of obligations relating to fast track consenting process

- Clause 4** ceases to apply in relation to a Treaty settlement, the NHNP Act, or other arrangement when,— 30
- (a) in the case of a Treaty settlement or the NHNP Act,—
 - (i) the relevant Treaty settlement Act or Treaty settlement deed is amended in accordance with **clause 5(2)**; or
 - (ii) the Crown and the relevant party agree that amendments are not necessary to uphold the Treaty settlement or NHNP Act in respect of this Part: 35
 - (b) in the case of any other arrangement, it has been transitioned to the arrangements under this Part.

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7 Regulations to uphold other arrangements

- (1) The Governor-General may, by Order in Council made on the recommendation of the Minister for the Environment, make regulations to provide a process for giving effect to Mana Whakahono ā Rohe and joint management agreements in relation to this Act. 5
- (2) The regulations may provide for the terms of Mana Whakahono ā Rohe and joint management agreements to be modified, but only with the agreement of every iwi authority or group that represents hapū that is party to the Mana Whakahono ā Rohe or joint management agreement.
- (3) The Minister for the Environment must not recommend the making of regulations under this clause unless that Minister is satisfied that the regulations are consistent with the objective of ensuring that the integrity, intent, and effect of Treaty settlements, the NHNP Act, and other arrangements, as they relate to the Resource Management Act 1991, are upheld. 10
- (4) Regulations made under this clause are secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements). 15

Compare: 2023 No 46 Schedule 2 cl 5

Fast-track consenting provisions

8 Fast-track consenting process

- (1) This clause applies despite the repeal of the Natural and Built Environment Act 2023. 20
- (2) Subject to **subclauses (3) and (4)**, the following provisions of the Natural and Built Environment Act 2023 must be treated as continuing in force and also be treated as provisions of an environmental Act for the purposes of the Environmental Protection Authority Act 2011: 25
- (a) section 44(a):
 - (b) section 46(1) and (4):
 - (c) section 104:
 - (d) section 798:
 - (e) clause 36 of Schedule 1: 30
 - (f) Part 2 of Schedule 10:
 - (g) clauses 94 to 97 of Schedule 10.
- (3) The provisions specified in **subclause (2)** apply with the modifications set out in the following table:

Part 3 provisions	Elements of Part 3 provisions to be modified	Modifications: to be read or disregarded as follows
Section 44(a)	“Parts 2 to 5”	To be read as “Parts 2 and 5”
Section 46(1)	“section 35(c)”	To be disregarded

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Part 3 provisions	Elements of Part 3 provisions to be modified	Modifications: to be read or disregarded as follows
Section 46(1)	“Parts 2 to 5 of Schedule 10”	To be read as “Parts 2 and 5”
Section 46(1)	“sections 767 and 768”	To be read as “sections 357B and 357C of the Resource Management Act 1991”
Section 46(1)(b) to (f)		To be disregarded
Part 4 provision	Elements of Part 4 provision to be modified	Modifications: to be read or disregarded as follows
Section 104(2)(a)	“the national planning framework”	To be read as “a national policy statement, New Zealand coastal policy statement, or national planning standard”
Section 104(2)(b)	“any plan made under this Act that affects the Waikato River or the Waipā River of activities within their catchments, and the remainder of the plan”	To be read as “the Waikato regional policy statement and any relevant regional and district plan”
Schedule 1 provision	Elements to be modified	Modifications: to be read or disregarded as follows
Clause 36(2)(b)	”this Act”	To be disregarded
Schedule 10 provisions	Elements of Schedule 10 provisions to be modified	Modifications: to be read or disregarded as follows
Clause 13, definition of panel, paragraph (b)	“regulations made under section 798”	To be read as “regulations made under section 360 of the Resource Management Act 1991”
Clause 13, definition of usual consenting pathway	replace the definition	To be read as: “usual consenting pathway means,— (a) for processing a resource consent application, the standard processes under the Resource Management Act 1991; and (b) for a notice of requirement, the process set out in Part 8 of the Resource Management Act 1991”
Clause 16(1)(c)(i)	“this Act”	To be disregarded
Clause 16(1)(c)(ii)	“national planning framework” and “this Act”	To be read as “national environmental standards and national policy statements” and “the Resource Management Act 1991”
Clause 16(1)(c)(iii)	“(including the Resource Management Act 1991)”	To be disregarded
Clause 16(3)(a)	“support the well-functioning urban area outcomes set out in section 6(9)”	To be read as “support a well-functioning urban environment (as defined in the National Policy Statement: Urban Development 2020)”

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Schedule 10 provisions	Elements of Schedule 10 provisions to be modified	Modifications: to be read or disregarded as follows
Clause 16(3)(c)(i)	“regional spatial strategy or a plan”	To be read as “regional policy statement, regional plan, or district plan”
Clause 17(3)	“regulations made under section 798”	To be read as “regulations made under section 360 of the Resource Management Act 1991”
Clause 17(3)(j)	“this Act or”	To be disregarded
Clause 18(2)(b)	“portfolios:”	To be read as “portfolios; and”
Clause 18(2)(c)	“regulations made under section 798”	To be read as “regulations made under section 360 of the Resource Management Act 1991”
Clause 18(7)(b)(i) to (iv)		Replace “.” with “; and”
Clause 18(7)(b)(iii)	“this Act”	To be read as “the Resource Management Act 1991”
Clause 22(2)(b)	“regulations made under section 798”	To be read as “regulations made under section 360 of the Resource Management Act 1991”
Clause 22(2)(c)(i)	“section 239”	To be read as “section 88 of the Resource Management Act 1991”
Clause 22(2)(c)(ii)	“sections 517 to 520”	To be read as “sections 168 and 168A of the Resource Management Act 1991”
Clause 23(2)(a)	“regulations made under section 798”	To be read as “regulations made under section 360 of the Resource Management Act 1991”
Clause 25(2)	“section 354”	To be read as “section 139 of the Resource Management Act 1991”
Clause 26(2)(a)(i)	“regulations made under section 798”	To be read as “regulations made under section 360 of the Resource Management Act 1991”
Clause 26(2)(b)(ii)	replace clause 26(2)(b)(ii)	To be read as replaced by the following: “(ii) for whom the panel considers the activity is relevant.”
Clause 27(2)	“Sections 272 to 276 ”	To be read as “Sections 96 to 99 of the Resource Management Act 1991”
Clause 27(2)(c)	“section 522(4)”	To be read as “section 168A of the Resource Management Act 1991”
Clause 29(1)	“clauses 78 to 80, 83, and 86 to 93 of Schedule 6”	To be read as “sections 39, 39AA, 39B, and 41 to 42A of the Resource Management Act 1991”
Clause 31(5)	“regulations made under section 798”	To be read as “regulations made under section 360 of the Resource Management Act 1991”
Clauses 33 and 34	replace clauses 33 and 34	To be read as replaced by the following:

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Schedule 10 provisions	Elements of Schedule 10 provisions to be modified	Modifications: to be read or disregarded as follows
		<p>“33 Panel’s consideration of resource consent application or notice of requirement</p> <p>(1) If the panel is considering a resource consent application,—</p> <p>(a) section 149P(2) of the Resource Management Act 1991 applies as if the panel were a board of inquiry; and</p> <p>(b) section 220 of that Act applies with the necessary modifications.</p> <p>(2) If the panel is considering a notice of requirement, section 149P(4) and (4A) of the Resource Management Act 1991 applies as if the panel were a board of inquiry.”</p>
Clause 35	“Sections 326, 335, and 336 apply”	To be read as “Section 123 of the Resource Management Act 1991 applies”
Clause 36(4)	“regulations made under section 798”	To be read as “regulations made under section 360 of the Resource Management Act 1991”
Clause 39(3)(a)	“in its plan”	To be read as “in the district plan and any proposed district plan”
Clause 40(2)	replace clause 40(2)	<p>Read clause 40(2) as being replaced with the following:</p> <p>“(2) The territorial authority must, as soon as practicable and without using Schedule 1 of the Resource Management Act 1991,—</p> <p>(a) include the designation in its district plan and any proposed district plan as if it were a rule in the plan or proposed plan issued in accordance with the Resource Management Act 1991; and</p> <p>(b) state in its district plan and in any proposed district plan the name of the requiring authority that has the benefit of the designation.”</p>
Clause 42(1)(c)	“the regional planning committee”	To be disregarded
Clause 42(2)	“Clauses 80 to 87 of Schedule 13”	To be read as “Sections 300 to 307 of the Resource Management Act 1991”
Clause 53	“under clause 75”	To be disregarded

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Schedule 10 provisions	Elements of Schedule 10 provisions to be modified	Modifications: to be read or disregarded as follows
Clause 94(1)	“or regional planning committee”	To be disregarded.
Clause 94(1)	“any of Parts 2 to 4 or”	To be read as “Part 2”
Clause 94(3)	“to 4”	To be disregarded.
Clause 94(4)	replace clause 94(4)	To be read as replaced with the following: “(4) The Minister must recover from an applicant the actual and reasonable costs incurred in relation to a panel.”
Clause 94(7)	“section 767”	To be read as “section 357B of the Resource Management Act 1991”
Clause 97(6)	“section 767”	To be read as “section 357B of the Resource Management Act 1991”
Clause 97(6)	“section 771”	To be read as “section 358 of the Resource Management Act 1991”
(4)	Part 2 of Schedule 10 of the Natural and Built Environment Act 2023 must be treated as if it were subject to Part 2 of the Resource Management Act 1991, with any necessary modifications.	
9	Existing applications	
(1)	This clause applies in the case of applications described in subclause (2) , if the application—	
	(a)	was made or lodged under the Natural and Built Environment Act 2023 before the commencement date; but
	(b)	has not been determined.
(2)	The applications referred to in subclause (1) are a referral application or substantive fast-track application made under Part 2 of Schedule 10 of the Natural and Built Environment Act 2023.	
(3)	If the application complied with the requirements for those instruments under the Natural and Built Environment Act 2023 and has not been withdrawn,—	
	(a)	no further steps in the process may be taken; and
	(b)	the application may proceed under the process described in clause 8 of this Part.
10	Existing delegations	
	An existing delegation made by a Minister to the EPA under section 44 or 46 of the Natural and Built Environment Act 2023 continues in accordance with its terms, as long as it has not been revoked.	

Mana Whakahono ā Rohe

11 Mana Whakahono ā Rohe

If a group that represents hapū has, before the commencement date, initiated a Mana Whakahono ā Rohe under Part 3 of the Natural and Built Environment Act 2023,—

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- (a) that Mana Whakahono ā Rohe must not be progressed further under that Act:
- (b) the group representing hapū may initiate a Mana Whakahono ā Rohe under the Resource Management Act 1991 as if it were an iwi authority under section 58O(1) of that Act.

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Requiring authorities

12 Provisions relating to requiring authorities

(1) An application for approval as a requiring authority lodged under section 513 of the Natural and Built Environment Act 2023 before the commencement date that has not been approved must be treated as withdrawn and must not be processed further.

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(2) However, **subclause (1)** does not prevent an applicant that is a network utility operator as defined in section 2(1) of the Resource Management Act 1991 from making a new application for approval as a requiring authority under that Act.

(3) If an application has been approved under section 513 of the Natural and Built Environment Act 2023, the following provisions apply:

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(a) if the applicant is a network utility operator as defined in section 2(1) of the Resource Management Act 1991, the approval must be treated as an approval under section 167 of that Act and has effect on the same terms as approved:

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(b) in any other case, the approval is revoked.

(4) The following provisions apply in relation to a council-controlled organisation that is treated as a requiring authority under section 166 of the Resource Management Act 1991 only by virtue of clause 38 of Schedule 1 of the Natural and Built Environment Act 2023:

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(a) a notice of requirement lodged by the organisation before the commencement date that has not been confirmed must be treated as withdrawn and must not be processed further:

(b) a notice of requirement lodged by the organisation and confirmed before the commencement date ceases to have effect and must not be exercised.

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(5) To avoid doubt, **subclause (4)** does not apply in relation to a council-controlled organisation (as defined in the Local Government Act 2002) approved as a requiring authority under section 167 of the Resource Management Act

1991 otherwise than by virtue of clause 38 of Schedule 1 of the Natural and Built Environment Act 2023.

Compliance and enforcement

13 Provisions relating to compliance and enforcement

- (1) If a consent authority has not determined an application for a resource consent under section 104 of the Resource Management Act 1991 lodged before the commencement date, the consent authority may— 5
- (a) consider any non-compliance by the applicant as if section 104 included section 286(5) of the Natural and Built Environment Act 2023 in respect of the applicant’s non-compliance; and 10
- (b) require the applicant to provide financial assurance as if section 104 of the Resource Management Act 1991 included sections 674 to 691 of the Natural and Built Environment Act 2023, and as if the consent authority were the NBE regulator.
- (2) A financial assurance required under **subclause (1)(b)** may include— 15
- (a) a bond referred to in section 108A of the Resource Management Act 1991:
- (b) insurance or any other financial assurance in addition to a bond referred to in section 108A of that Act.
- (3) A decision made by a consent authority in reliance on any provision of the Natural and Built Environment Act 2023 or **subclause (1)**, including a decision relating to consent conditions or other requirements, remains as valid as when it was made. 20
- (4) Proceedings commenced in the Environment Court or the District Court under section 661 of the Natural and Built Environment Act 2023 (which relates to the suspension or revocation of a resource consent), but not determined before the commencement date, may be determined as if that Act had not been repealed and any orders made by the court have full effect accordingly. 25
- (5) An abatement notice served under section 322 of the Resource Management Act 1991 before the commencement date must be treated as if that section included section 649(1)(d) or (e) of the Natural and Built Environment Act 2023 and that notice remains as valid as when it was made and may be enforced as an abatement notice under the Resource Management Act 1991. 30
- (6) Without limiting anything in the Legislation Act 2019, any action taken or proceedings commenced before the commencement date in respect of an offence under section 701(1)(c) of the Natural and Built Environment Act 2023 (which relates to the offence of contravening a condition of a resource consent) may be completed or determined as if that Act had not been repealed. 35
- (7) In relation to any breach or alleged breach of the Resource Management Act 1991 committed between 24 August 2023 and the commencement date, section 40

338(4) of that Act (which relates to the limitation period for offences) applies as if “12 months” were read as “2 years”.

- (8) A local authority may require a person to pay any reasonable costs of, or incidental to, monitoring or enforcing the person’s compliance with the Natural and Built Environment Act 2023 (such as the costs of its investigations, inspections, monitoring, and actions required to avoid, minimise, or remedy adverse effects of the person’s activities) incurred by the authority as an NBE regulator between 24 August 2023 and the commencement date, as if section 722 of that Act had not been repealed. 5
- (9) In this clause, **NBE regulator**— 10
- (a) means a local authority and the EPA, when acting under this Part; and
- (b) includes any public service agency empowered under any Act to exercise or perform any functions, powers, or duties of an NBE regulator under this Part.

Affected resource consents 15

14 Provisions relating to affected resource consents

- (1) This clause applies to an application for an affected resource consent (as that term was defined in clause 38 of Schedule 12 of the Resource Management Act 1991) applied for under section 88 or 124 of that Act on or after 24 August 2023 and before the commencement date. 20
- (2) If the consent authority has not notified the applicant of its decision on the application in accordance with sections 114 and 115 of the Resource Management Act 1991 before the commencement date, the consent authority must determine the duration of the consent in accordance with that Act.
- (3) If the application for an affected resource consent was applied for under section 124 of the Resource Management Act 1991 (as was provided for in clause 41 of Schedule 12 of that Act) on or after 24 August 2023 and before the commencement date, and the consent authority has not notified the applicant of its decision on notification in accordance with section 95 of the Resource Management Act 1991 before the commencement date, sections 95A to 95G of that Act apply to that decision. 25 30
- (4) Subject to **subclauses (2) and (3)**, the application must be determined in accordance with Part 6 of the Resource Management Act 1991.
- (5) An affected resource consent granted before the commencement date in accordance with clauses 38 to 42 of Schedule 12 of the Resource Management Act 1991 has effect under that Act on the same terms on which it was granted. 35

National planning framework

15 Provisions relating to national planning framework

- (1) This clause applies to actions taken under—

**Resource Management (Natural and Built Environment
and Spatial Planning Repeal and Interim Fast-track
Consenting) Bill**

Schedule 1

-
- (a) Part 1 of Schedule 5 of the Natural and Built Environment Act 2023 associated with the preparation of a national planning framework; and
- (b) Part 4 of Schedule 5 of that Act associated with the preparation of a transitional national planning framework.
- (2) No further action may be taken under those Parts. 5
- (3) The engagement draft of the transitional national planning framework has no effect.
- (4) The board of inquiry established under Part 1 of Schedule 5 of the Natural and Built Environment Act 2023 is disestablished.
- Transfer of powers by local authorities* 10
- 16 Transfer of powers by local authorities**
- A transfer of powers made under section 57 of the Natural and Built Environment Act 2023 by a local authority before the commencement date must be treated as a transfer of powers made under **section 33** of the Resource Management Act 1991, but only if the local authority that made the transfer under section 57 of the Natural and Built Environment Act 2023 still holds the equivalent function, power, or duty under the Resource Management Act 1991. 15
- Suspension or revocation of resource consents*
- 17 Notice of application to suspend or revoke resource consent**
- Despite the revocation of the Natural and Built Environment (Forms and Fees) Regulations 2023, form 2 in Schedule 2 of the those regulations may continue to be used for up to 5 working days after the commencement date. 20
- Regulations relating to savings and transitional matters*
- 18 Regulations relating to this Act**
- (1) The Governor-General may from time to time, by Order in Council made on the recommendation of the Minister for the Environment, make regulations for all or any of the following purposes: 25
- (a) providing transitional and savings provisions concerning the commencement of this Act that may be in addition to, or in substitution for, the provisions in this schedule: 30
- (b) providing that (subject to any conditions specified in the regulations), during a specified transitional period ending no later than the third anniversary of the commencement date,—
- (i) specified provisions of the Resource Management Act 1991 or Part 2 of Schedule 10 of the Natural and Built Environment Act 2023 do not apply (or apply with modifications or additions) either generally or in respect of a specified region or area: 35

-
- (ii) specified provisions repealed, revoked, or amended by this Act continue to apply (or continue to apply with modifications or additions):
- (iii) regulations, Orders in Council, notices, schemes, rights, licences, permits, approvals, authorisations, or consents made or given under the Resource Management Act 1991 or the Natural and Built Environment Act 2023 continue to apply: 5
- (iv) specified terms have the meanings given to them by regulations:
- (c) providing for other matters necessary for facilitating or ensuring an orderly transition from the legislative regime under the Natural and Built Environment Act 2023: 10
- (d) providing for anything this Act says may or must be provided for by regulations:
- (e) providing for anything incidental that is necessary for any carrying out, or giving full effect to, this Act. 15
- (2) Regulations made under this section are secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).
- Compare: 1991 No 69 s 360

Provision relating to compensation

- 19 No compensation payable** 20
- (1) A person is not entitled to any compensation or other payment or benefit for any of the following that arises from the enactment or operation of this Act:
- (a) any adverse effect on their rights or interests:
- (b) any loss or transfer of their functions, duties, powers, office, or employment: 25
- (c) any other loss or damage suffered or likely to be suffered by the person.
- (2) If there is any inconsistency between this section and any other enactment or rule of law, this section prevails over that enactment or rule of law.

Schedule 2

Amendments to other legislation

s 6

Part 1

Amendments to Acts

5

Airport Authorities Act 1966 (1966 No 51)

In section 6(8), replace “section 22 and Part 10 of the Natural and Built Environment Act 2023” with “section 11 and Part 10 of the Resource Management Act 1991”.

Aquaculture Reform (Repeals and Transitional Provisions) Act 2004 (2004 No 109)

10

Replace section 34 with:

34 Resource Management Act 1991 called principal Act in sections 35 to 54

In sections 35 to 54, the Resource Management Act 1991 is called “the principal Act”.

Auckland City Council (St Heliers Bay Reserve) Act 1995 (1995 No 4 (L))

15

In section 6(1)(e), replace “section 655 of the Natural and Built Environment Act 2023” with “section 326 of the Resource Management Act 1991”.

Auckland Improvement Trust Act 1971 (1971 No 9 (L))

In section 4(1D),—

- (a) replace “application of the Natural and Built Environment Act 2023” with “application of the Resource Management Act 1991”: 20
- (b) replace “Part 10 of the Natural and Built Environment Act 2023” with “Part 10 of the Resource Management Act 1991”.

In section 5(1D),—

- (a) replace “application of the Natural and Built Environment Act 2023” with “application of the Resource Management Act 1991”: 25
- (b) replace “Part 10 of the Natural and Built Environment Act 2023” with “Part 10 of the Resource Management Act 1991”.

Biosecurity Act 1993 (1993 No 95)

In section 7(2), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 30

In the heading to section 7A, replace “**Natural and Built Environment Act 2023**” with “**Resource Management Act 1991**”.

Biosecurity Act 1993 (1993 No 95)—continued

In section 7A(1) and (4), replace “Part 2 of the Natural and Built Environment Act 2023” with “Part 3 of the Resource Management Act 1991” in each place.

In section 7A(5), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991” in each place.

In section 7A(6), replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 5

In section 7D(1)(a), replace “Part 2 of the Natural and Built Environment Act 2023” with “Part 3 of the Resource Management Act 1991”.

Replace section 71(a)(iv) with:

- (iv) a regional policy statement or regional plan prepared under the Resource Management Act 1991; or 10

Replace section 74(a)(iv) with:

- (iv) a regional policy statement or regional plan prepared under the Resource Management Act 1991; or

Replace section 76(6) with: 15

- (6) The application is made under section 291 of the Resource Management Act 1991 and regulations made under that Act.

Replace section 91(a)(iii) with:

- (iii) a regional policy statement or regional plan prepared under the Resource Management Act 1991; or 20

Replace section 94(a)(iii) with:

- (iii) a regional policy statement or regional plan prepared under the Resource Management Act 1991; or

Replace section 96(6) with:

- (6) The application is made under section 291 of the Resource Management Act 1991 and regulations made under that Act. 25

Replace section 100F(3) with:

- (3) The application is made under section 291 of the Resource Management Act 1991 and regulations made under that Act.

Building Act 2004 (2004 No 72) 30

In section 7(1), definition of **heritage building**, paragraph (a)(iv), replace “heritage protection order within the meaning of section 11 of the Natural and Built Environment Act 2023” with “heritage order within the meaning of section 187 of the Resource Management Act 1991”.

In section 7(1), definition of **heritage building**, replace paragraph (a)(v) with: 35

- (v) a place, or part of a place, that is included in a schedule of a district plan because of its heritage value:

**Resource Management (Natural and Built Environment
and Spatial Planning Repeal and Interim Fast-track
Consenting) Bill**

Schedule 2

Building Act 2004 (2004 No 72)—continued

In section 7(1), definition of **territorial authority**, paragraph (a)(ii), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 10(1)(b)(i) and (2)(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 35(2), definition of **special feature of the land concerned**, paragraph (c), replace “plan under the Natural and Built Environment Act 2023” with “district plan under the Resource Management Act 1991”. 5

In section 37(1)(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 116A, replace “section 589 of the Natural and Built Environment Act 2023” with “section 224(f) of the Resource Management Act 1991”. 10

In section 133BW(4)(g), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 133BY, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 15

In section 177(3)(h), replace “section 589 of the Natural and Built Environment Act 2023” with “section 224(f) of the Resource Management Act 1991”.

In section 212(1), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In Schedule 1, clause 1AA, definition of **rural zone**, replace “plan under the Natural and Built Environment Act 2023” with “district plan”. 20

In Schedule 1, clause 41(2), replace “plan under the Natural and Built Environment Act 2023” with “district plan”.

Burial and Cremation Act 1964 (1964 No 75)

In section 45A(1)(c), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 25

In section 45D(1), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Canterbury Property Boundaries and Related Matters Act 2016 (2016 No 40)

In section 10, replace “section 22 or Part 10 of the Natural and Built Environment Act 2023” with “section 11 or Part 10 of the Resource Management Act 1991”. 30

Chatham Islands Council Act 1995 (1995 No 41)

In section 7(1)(a)(iv) and (b), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Before section 27, insert: 35

Chatham Islands Council Act 1995 (1995 No 41)—*continued*

26 Resource management planning

- (1) The Chatham Islands Council must have a single resource management document.
- (2) That document must contain all the information that the Resource Management Act 1991 requires to be contained in— 5
 - (a) a regional policy statement; and
 - (b) a regional coastal plan; and
 - (c) a district plan.
- (3) That document may also contain provision for— 10
 - (a) the matters provided for in section 67 of the Resource Management Act 1991; and
 - (b) regional rules made in accordance with section 68 of the Resource Management Act 1991.
- (4) The Chatham Islands Council may develop, in addition to the document specified in **subsection (1)**, 1 or more regional plans in accordance with section 65 of the Resource Management Act 1991. 15
- (5) Despite section 28(b) of the Resource Management Act 1991, the Minister of Conservation has the function of approving any part of the document specified in **subsection (1)** that relates to the coastal marine area.
- (6) The Chatham Islands Council must publicly notify the proposed Chatham Islands resource management document no later than 2 years after the commencement of this Act. 20

In section 27, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 28, replace “section 725 of the Natural and Built Environment Act 2023” with “section 38 of the Resource Management Act 1991”. 25

Christ Church Cathedral Reinstatement Act 2017 (2017 No 52)

In Schedule 2, replace paragraph (h) with:

- (h) the Resource Management Act 1991:

Christchurch City Council (Robert McDougall Gallery) Land Act 2003 (2003 No 4 (L)) 30

In section 9, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Christchurch District Drainage Act 1951 (1951 No 21 (L))

In section 43(1), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 35

Christchurch District Drainage Amendment Act 1969 (1969 No 1 (L))

In section 4(1), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Civil Defence Emergency Management Act 2002 (2002 No 33)

Replace section 17(3)(j) with: 5

(j) Resource Management Act 1991:

In the heading to section 111, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 111,—

(a) replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”: 10

(b) replace “section 696” with “section 330B”.

Clevedon Agricultural and Pastoral Association Empowering Act 1994 (1994 No 6 (P))

In section 4(3), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 15

Climate Change Response Act 2002 (2002 No 40)

In section 5ZO(1), delete “and regional planning committees”.

Repeal section 5ZO(3).

Repeal section 5ZW(8)(ca). 20

In section 182A(4)(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 182C(1)(c)(i), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Conservation Act 1987 (1987 No 65) 25

In section 2(1), definition of **contaminant**, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 2(1), definition of **effect**, replace “Natural and Built Environment Act 2023” with “section 3 of the Resource Management Act 1991”.

Repeal section 6X(2)(d). 30

Replace section 17P with:

17P Relationship with Resource Management Act 1991

(1) Except as provided in **subsection (2)**, this Part does not relieve any person from any obligation to obtain a resource consent under the Resource Management Act 1991. 35

Conservation Act 1987 (1987 No 65)—continued

(2) Section 11 and Part 10 of the Resource Management Act 1991 do not apply to any lease granted by the Minister.

In section 17SD(1), replace “assessment of environmental effects” with “environmental impact assessment”.

Replace section 17SD(3) with:

(3) An environmental impact assessment that is provided for the purposes of this section must be—

(a) in the form set out in Schedule 4 of the Resource Management Act 1991; or

(b) in any other form that the Minister requires.

In section 23(1), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 24(5), replace “section 611 of the Natural and Built Environment Act 2023” with “section 230 of the Resource Management Act 1991”.

In section 39(6), after “continuing one”, insert “; but it is a defence to the charge if the defendant can show that the contaminant was discharged in terms of the conditions of a current discharge permit granted under the Resource Management Act 1991 or was a permitted activity in the relevant regional plan under that Act, and for this purpose it is a sufficient defence to produce a certificate to that effect from the regional council in the area of which the permit was purported to be granted or activity otherwise permitted”.

Repeal section 39(6A).

Contract and Commercial Law Act 2017 (2017 No 5)

In Schedule 5, Part 4, paragraph (s), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Corrections Act 2004 (2004 No 50)

In section 32(2A), replace “section 21 of the Natural and Built Environment Act 2023” with “section 9 of the Resource Management Act 1991”.

Replace section 178 with:

178 Application of Resource Management Act 1991

For the purposes of Part 8 of the Resource Management Act 1991, the construction, management, operation, and maintenance of a prison (other than a Police jail) or community work centre is to be treated as a public work for which the Minister has financial responsibility, whether or not the prison or community work centre, or proposed prison or community work centre, is, or is to be, constructed, managed, operated, or maintained by the Crown.

Costs in Criminal Cases Act 1967 (1967 No 129)

In section 4(5), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 7(3), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

5

In section 10(2), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Crown Forest Assets Act 1989 (1989 No 99)

In section 33(1) and (2), replace “Part 10 of the Natural and Built Environment Act 2023” with “Part 10 of the Resource Management Act 1991”.

10

Crown Minerals Act 1991 (1991 No 70)

In section 2(1), definition of **coastal marine area**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

In section 2(1), definition of **consent authority**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

15

In section 2(1), definition of **serve**, replace “section 742 or 744 of the Natural and Built Environment Act 2023” with “section 352 or 353 of the Resource Management Act 1991”.

20

In section 2(1), definition of **specified Act**, replace paragraph (c) with:

(c) Resource Management Act 1991:

In sections 61(3) and 61B(3),—

(a) replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”:

25

(b) replace “section 11” with “section 2(1)”.

In section 89B(1), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 89E(1)(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

30

In section 90E(3)(b), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991” in each place.

In section 95(2), replace “sections 742 and 744 of the Natural and Built Environment Act 2023” with “sections 352 and 353 of the Resource Management Act 1991”.

In section 96, replace “Sections 742 and 744 of the Natural and Built Environment Act 2023” with “Sections 352 and 353 of the Resource Management Act 1991”.

35

In Schedule 1, clause 12(1)(b), replace “the Natural and Built Environment Act 2023” with “the Resource Management Act 1991” in each place.

Crown Minerals Act 1991 (1991 No 70)—*continued*

In Schedule 1, in the heading to clause 15, replace “**Natural and Built Environment Act 2023**” with “**Resource Management Act 1991**”.

In Schedule 1, clause 15(1)(b), replace “section 49 or 51 of the Natural and Built Environment Act 2023” with “section 30 or 31 of the Resource Management Act 1991”. 5

In Schedule 1, clause 15(1), replace “provisions of the Natural and Built Environment Act 2023” with “provisions of the Resource Management Act 1991”.

In Schedule 1, clause 15(6), replace “section 727 of the Natural and Built Environment Act 2023” with “section 332 of the Resource Management Act 1991”.

In Schedule 1, clause 15(8)(b), replace “section 49 or 51 of the Natural and Built Environment Act 2023” with “section 30 or 31 of the Resource Management Act 1991”. 10

In Schedule 1, clause 16(5), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Crown Organisations (Criminal Liability) Act 2002 (2002 No 37) 15

In section 3(b), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 6(1)(c), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 7(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 20

In section 8(5), replace “section 16(9) of the Natural and Built Environment Act 2023” with “section 4(9) of the Resource Management Act 1991”.

Replace section 10(1)(b)(vii) with:

(vii) section 22 of the Resource Management Act 1991; or 25

Crown Pastoral Land Act 1998 (1998 No 65)

In section 96(1), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In Schedule 1AC, clause 44(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 30

Crown Research Institutes Act 1992 (1992 No 47)

In section 32, replace “section 22 or Part 10 of the Natural and Built Environment Act 2023” with “section 11 or Part 10 of the Resource Management Act 1991”.

Earthquake Commission Act 1993 (1993 No 84)

In section 19(a)(i), replace “a plan under the Natural and Built Environment Act 2023” with “a district plan”. 35

Earthquake Commission Act 1993 (1993 No 84)—*continued*

In section 19(a)(i), replace “that plan” with “the district plan”.

Education and Training Act 2020 (2020 No 38)

In section 563(1)(b), replace “plans under the Natural and Built Environment Act 2023” with “district plans under the Resource Management Act 1991”.

In section 563(8),— 5

(a) replace “section 517 of the Natural and Built Environment Act 2023” with “section 168 of the Resource Management Act 1991”:

(b) replace “in the Natural and Built Environment Act 2023” with “in the Resource Management Act 1991”.

Replace section 564(4)(c) with: 10

(c) section 354 of the Resource Management Act 1991.

In section 571(5), replace “section 574 of the Natural and Built Environment Act 2023” with “section 218 of the Resource Management Act 1991”.

Electricity Act 1992 (1992 No 122)

In section 23F(6), replace “sections 637 to 640 of the Natural and Built Environment Act 2023” with “sections 310 to 313 of the Resource Management Act 1991”. 15

In section 23F(9), replace “clauses 79 to 88 of Schedule 13 of the Natural and Built Environment Act 2023” with “sections 299 to 308 of the Resource Management Act 1991”.

In section 24A(3) and (5), replace “plan under the Natural and Built Environment Act 2023” with “district plan”. 20

Electricity Industry Act 2010 (2010 No 116)

In section 116, definition of **consent authority**, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 116, definition of **permit**, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 25

In section 122(3)(b), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In the heading to section 126, replace “**Natural and Built Environment Act 2023**” with “**Resource Management Act 1991**”. 30

In section 126(1), replace “Sections 239 to 325 and 334 of the Natural and Built Environment Act 2023” with “Sections 88 to 121 and 127 of the Resource Management Act 1991”.

Energy Efficiency and Conservation Act 2000 (2000 No 14)

In section 3, definition of **environment**, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Replace section 11 with:

- 11 Consistency with national policy statements** 5
- A strategy must be consistent with any national policy statement for the time being in force under the Resource Management Act 1991.

Environment Act 1986 (1986 No 127)

In section 2, definition of **consent**, replace paragraph (c) with:

- (c) any operative regional plan or district plan or proposed plan under the Resource Management Act 1991— 10

Replace section 31(c)(i) with:

- (i) the application, operation, and effectiveness of the Acts specified in the Schedule in relation to the achievement of the objectives of this Act: 15

In the Schedule, repeal the item relating to the Natural and Built Environment Act 2023.

Environmental Protection Authority Act 2011 (2011 No 14)

In section 5, definition of **environment**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 20

In section 5, definition of **environmental Act**, replace paragraph (ca) with:

- (ca) the Resource Management (Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting) Act **2023**:

In section 5, definition of **environmental Act**, repeal paragraph (f).

In section 13(c)(iia), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991 or the Resource Management (Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting) Act **2023**”. 25

In section 24(1)(e), replace “section 46(1) of the Natural and Built Environment Act 2023” with “section 29(4) of the Resource Management Act 1991”. 30

Environmental Reporting Act 2015 (2015 No 87)

In section 4, definition of **structure**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

**Resource Management (Natural and Built Environment
and Spatial Planning Repeal and Interim Fast-track
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Schedule 2

**Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act
2012 (2012 No 72)**

In section 4(1), definition of **existing interest**, paragraph (c), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 4(2), replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 5

Replace section 4(2)(a) with:

(a) **biological diversity:**

In section 7(1), replace “policies, and regional spatial strategies” with “and policies”.

Replace section 7(2)(l) with: 10

(l) Resource Management Act 1991:

Repeal section 7(2)(la).

Repeal section 7(3).

In section 33(3)(d), replace “indigenous biodiversity” with “biological diversity”.

In section 39(1)(e), replace “indigenous biodiversity” with “biological diversity”. 15

In section 59(2)(d), replace “indigenous biodiversity” with “biological diversity”.

In section 88, definition of **assessment of environmental effects**, replace “section 239(4)(b) of the Natural and Built Environment Act 2023” with “section 88(2)(b) of the Resource Management Act 1991”.

In section 88, definition of **coastal marine area**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 20

In section 88, definition of **joint application for consent** or **joint application**, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 25

In section 88, definition of **resource consent**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

In section 88, definition of **resource consent authority**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 30

Replace section 90(a)(ii) with:

(ii) the Resource Management Act 1991, and any regulations, national environmental standards, or regional or district plans made under that Act, in relation to the part of the activity that relates to New Zealand; or 35

In section 91(3), replace “section 239(4)(b) of the Natural and Built Environment Act 2023” with “section 88(2)(b) of the Resource Management Act 1991”.

Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (2012 No 72)—continued

In section 91(4), replace “clause 60 of Schedule 10 of the Natural and Built Environment Act 2023” with “section 145 of the Resource Management Act 1991”.

In section 94(4)(a), replace “clause 55(2)(b) or 63(1)(b) of Schedule 10 of the Natural and Built Environment Act 2023” with “section 142(2)(b) or 147(1)(b) of the Resource Management Act 1991”. 5

In section 94(4)(b), replace “section 232 of the Natural and Built Environment Act 2023” with “section 87D of the Resource Management Act 1991”.

In section 94(5), replace “clause 84 of Schedule 10 of the Natural and Built Environment Act 2023” with “section 149T of the Resource Management Act 1991”.

In section 94(6), replace “sections 235(2) to (5) and 236 to 238 of the Natural and Built Environment Act 2023” with “sections 87F(2) to (5) and 87G to 87I of the Resource Management Act 1991”. 10

In section 94A(4)(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 98(3), replace “sections 303 and 318 to 323 of the Natural and Built Environment Act 2023” with “Sections 104 to 116 of the Resource Management Act 1991”. 15

In section 99(1), replace “clause 55(2)(a) or 63(1)(a) of Schedule 10 of the Natural and Built Environment Act 2023” with “section 142(2)(a) or 147(1)(a) of the Resource Management Act 1991”. 20

In section 99(3)(b), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 99A(1)(b), replace “clause 55(2)(a) or 63(1)(a) of Schedule 10 of the Natural and Built Environment Act 2023” with “section 142(2)(a) or 147(1)(a) of the Resource Management Act 1991”. 25

In section 99A(5)(a)(i) and (10)(b), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Replace section 99A(9) with:

(9) The following provisions of the Resource Management Act 1991 apply to the processing of the application for a marine consent as if the application were part of the associated application for a resource consent: 30

- (a) section 149L (which deals with the conduct of the inquiry):
- (b) section 149R (which requires the board to produce a final report), but not subsections (3)(e) and (f) and (4)(b) and (c):
- (c) section 149RA(1) and (2) (which allows the board to make minor corrections to board decisions and resource consents): 35
- (d) section 149S (which allows the Minister for the Environment to extend the time by which the board must report), but not subsection (4)(b):

Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (2012 No 72)—continued

- (e) section 149V (which provides for appeals against decisions to be on questions of law only) as if the reference in that section to section 149R(4)(a) to (f) were a reference to section 149R(4)(a), (d), (e), and (f).

Replace section 116(3) with:

- (3) Part 11 of the Resource Management Act 1991 applies as if the application were made under Part 12 of that Act. 5

Replace section 129(3) with:

- (3) Part 11 of the Resource Management Act 1991 applies as if the appeal were lodged under Part 12 of that Act.

In section 131, replace “Clauses 79 to 88 of Schedule 13 of the Natural and Built Environment Act 2023” with “Sections 299 to 308 of the Resource Management Act 1991”. 10

In section 158(6), replace “clause 17 of Schedule 13 of the Natural and Built Environment Act 2023” with “section 279(3)(a) of the Resource Management Act 1991”.

In section 158(7), replace “clause 17(1)(b) of Schedule 13 of the Natural and Built Environment Act 2023” with “section 279(3)(b) of the Resource Management Act 1991”. 15

In section 158B(4), definition of **regulatory agency**, paragraph (a), replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 20

Farm Debt Mediation Act 2019 (2019 No 73)

In section 6(1), definition of **property**, paragraph (b), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Fencing Act 1978 (1978 No 50)

In section 3(1)(e), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 25

Fiordland (Te Moana o Atawhenua) Marine Management Act 2005 (2005 No 36)

In section 4(1), definition of **management agency**, replace paragraph (e) with:

- (e) the Southland Regional Council

In section 4(2), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 30

In section 11(3), replace “Part 1 of Schedule 6 of the Natural and Built Environment Act 2023” with “Part 1 of Schedule 1 of the Resource Management Act 1991”.

In section 15(2)(a), replace “joint planning committee for the region” with “Southland Regional Council”. 35

Fiordland (Te Moana o Atawhenua) Marine Management Act 2005 (2005 No 36)
—*continued*

In Schedule 3, clause 1(3)(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In Schedule 13, replace the item relating to the Natural and Built Environment Act 2023 with:

Resource Management Act 1991 5

Fire and Emergency New Zealand Act 2017 (2017 No 17)

In section 6, definition of **fire in open air**, paragraph (a), replace “plan under the Natural and Built Environment Act 2023” with “district plan”.

In section 61(5)(a), replace “plan under the Natural and Built Environment Act 2023” with “district plan”. 10

Food Act 2014 (2014 No 32)

Replace section 368(3)(i) with:

(i) the Resource Management Act 1991; or

Forestry Rights Registration Act 1983 (1983 No 42)

In section 6, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 15

Forests Act 1949 (1949 No 19)

In section 67L, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 67P(3), replace “Schedule 13 of the Natural and Built Environment Act 2023” with “Part 11 of the Resource Management Act 1991”. 20

Replace section 67V with:

67V Relationship of Part with Resource Management Act 1991

Nothing in this Part derogates from any provision of the Resource Management Act 1991. 25

In section 67ZD(10), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Replace section 67ZU with:

67ZU Relationship of Part with Resource Management Act 1991

Nothing in this Part derogates from any provision of the Resource Management Act 1991. 30

In Schedule 2, replace clause 4 with:

Forests Act 1949 (1949 No 19)—continued

4 Plan to specify relevant requirements under Resource Management Act 1991

The plan must specify the relevant details of all applicable district plans and regional plans under the Resource Management Act 1991.

Gas Act 1992 (1992 No 124)

5

In section 25A(3), replace “a plan under the Natural and Built Environment Act 2023” with “a district plan”.

In section 25A(3), replace “the plan under that Act” with “the district plan”.

In section 25A(5), replace “plan under the Natural and Built Environment Act 2023” with “district plan”.

10

Goods and Services Tax Act 1985 (1985 No 141)

In section 5(7B)(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 5(7C)(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

15

Gore District Council (Otama Rural Water Supply) Act 2019 (2019 No 1 (L))

In section 9(d), replace “plan under the Natural and Built Environment Act 2023” with “district plan”.

In section 9(e), replace “plan under the Natural and Built Environment Act 2023” with “regional plan”.

20

Government Roding Powers Act 1989 (1989 No 75)

In section 43(1), replace the definition of **Environment Court** with:

Environment Court means the Environment Court constituted under the Resource Management Act 1991

In section 48(8), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

25

In section 61(10), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 73(e) and (f), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

30

In section 88(6), replace “section 592(2)(c) of the Natural and Built Environment Act 2023” with “section 238(1)(c) of the Resource Management Act 1991”.

Hauraki Gulf Marine Park Act 2000 (2000 No 1)

Replace sections 9 and 10 with:

Hauraki Gulf Marine Park Act 2000 (2000 No 1)—continued

9 Relationship of Act with Resource Management Act 1991

- (1) For the purposes of this section and **section 10**, the terms **district plan, plan, proposed plan, regional plan, regional policy statement, resource consent,** and **New Zealand coastal policy statement** have the same meanings as in the Resource Management Act 1991, and **regional council** and **territorial authority** have the same meanings as in the Local Government Act 2002. 5
- (2) A regional council must ensure that any part of a regional policy statement or a regional plan that applies to the Hauraki Gulf, its islands, and its catchments, does not conflict with sections 7 and 8.
- (3) A territorial authority must ensure that any part of a district plan that applies to the Hauraki Gulf, its islands, and catchments, does not conflict with sections 7 and 8. 10
- (4) A consent authority must, when considering an application for a resource consent for the Hauraki Gulf, its islands, and catchments, have regard to sections 7 and 8 in addition to the matters contained in the Resource Management Act 1991. 15
- (5) The provisions of section 55 of the Resource Management Act 1991 apply as though sections 7 and 8 of this Act were a national policy statement, and a regional council or a territorial authority must take action in accordance with that section and notify a change to a regional policy statement, plan, or proposed plan within 5 years of the date of commencement of this Act. 20

10 Creation of New Zealand coastal policy statement by this Act

- (1) For the coastal environment of the Hauraki Gulf, sections 7 and 8 must be treated as a New Zealand coastal policy statement issued under the Resource Management Act 1991. 25
- (2) For the coastal environment of the Hauraki Gulf, if there is a conflict between sections 7 and 8 and the provisions of any New Zealand coastal policy statement issued under the Resource Management Act 1991, the New Zealand coastal policy statement prevails.
- (3) The provisions of section 55 of the Resource Management Act 1991 apply to the New Zealand coastal policy statement created by this section, and a regional council or a territorial authority must take action in accordance with that section and notify a change to a regional policy statement, plan, or proposed plan within 5 years of the date of commencement of this Act. 30

In Schedule 1, insert in its appropriate alphabetical order: 35

Resource Management Act 1991

In Schedule 1, repeal the items relating to the Natural and Built Environment Act 2023 and the Spatial Planning Act 2023.

Hawke’s Bay Endowment Land Empowering Act 2002 (2002 No 1 (L))

In section 5(3)(b), replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

Hazardous Substances and New Organisms Act 1996 (1996 No 30)

In section 2(1), definition of **natural and physical resources**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 5

In section 97(1)(h)(ii) and (2)(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 142(4)(b), replace “section 26 of the Natural and Built Environment Act 2023” with “section 15 of the Resource Management Act 1991”. 10

In section 142(4), replace “section 337 of the Natural and Built Environment Act 2023” with “section 128 of the Resource Management Act 1991”.

In section 142(5), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 15

Health Act 1956 (1956 No 65)

In section 54(7), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Health and Safety at Work Act 2015 (2015 No 70)

In the heading to section 230, replace “**Natural and Built Environment Act 2023**” with “**Resource Management Act 1991**”. 20

In section 230(3)(b), replace “section 26 of the Natural and Built Environment Act 2023” with “section 15 of the Resource Management Act 1991”.

In section 230(4), replace “section 337 of the Natural and Built Environment Act 2023” with “section 128 of the Resource Management Act 1991”. 25

In section 230(5), replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

Health Sector (Transfers) Act 1993 (1993 No 23)

In Schedule 1, clause 5, replace “section 22 or Part 10 of the Natural and Built Environment Act 2023” with “section 11 or Part 10 of the Resource Management Act 1991”. 30

In Schedule 1, replace clause 8 with:

8 Uses deemed to be permitted activity

If any land is transferred to a transferee under this Act, the use of that land which is established at the date of the transfer is deemed to be a permitted activity under the Resource Management Act 1991 until the next completion of the review of the district plan or appropriate part of the district plan, and after 35

Health Sector (Transfers) Act 1993 (1993 No 23)—*continued*

that review the status of that use is to be as provided from time to time in or under the district plan.

Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26)

In section 6, replace the definition of **Environment Court** with:

Environment Court has the meaning given in section 2(1) of the Resource Management Act 1991 5

In section 6, insert in its appropriate alphabetical order:

heritage order has the meaning given in section 187 of the Resource Management Act 1991

In section 6, definition of **heritage protection authority**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 187 of the Resource Management Act 1991”. 10

In section 6, repeal the definition of **heritage protection order**.

In section 6, definition of **statutory acknowledgement**, replace “Schedule 14 of the Natural and Built Environment Act 2023” with “Schedule 11 of the Resource Management Act 1991”. 15

In section 7(b)(ii), replace “Part 9 of the Natural and Built Environment Act 2023” with “Part 8 of the Resource Management Act 1991”.

In section 13(1)(i), replace “Part 9 of the Natural and Built Environment Act 2023” with “Part 8 of the Resource Management Act 1991”. 20

In section 21(j), replace “heritage protection order under Part 9 of the Natural and Built Environment Act 2023” with “heritage order under Part 8 of the Resource Management Act 1991”.

In section 40(2)(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 25

In section 46(5), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991” in each place.

Replace section 58(3)(b) with:

(b) state any matters that are prescribed in regulations made under the Resource Management Act 1991 for appeals under section 120 of that Act; and 30

In section 58(4), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 59(2) and (5), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 35

In section 59(5), replace “heritage protection order” with “heritage order”.

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Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26)—continued

In section 65(3)(c), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Replace section 92(2) with:

- (2) An application under subsection (1) is to be treated as if it were an application for an enforcement order under section 314 of the Resource Management Act 1991, and sections 315(1) to (3), 317, 318, 320, and 321 of that Act apply to an application, except as those provisions are modified by this section or section 93. 5

In section 92(4)(b), replace “Part 11 of the Natural and Built Environment Act 2023” with “Part 12 of the Resource Management Act 1991”. 10

In section 92(5), replace “section 647 of the Natural and Built Environment Act 2023” with “section 320 of the Resource Management Act 1991”.

In section 92(6)(b), replace “section 647(5) of the Natural and Built Environment Act 2023” with “section 320(5) of the Resource Management Act 1991”.

In section 92(6)(c), replace “section 648 of the Natural and Built Environment Act 2023” with “section 321 of the Resource Management Act 1991”. 15

In section 92(7), replace “Schedule 13 of the Natural and Built Environment Act 2023” with “Part 11 of the Resource Management Act 1991”.

Housing Act 1955 (1955 No 51)

Replace section 3A with: 20

3A Relationship to Resource Management Act 1991

Nothing in this Part derogates from any of the provisions of the Resource Management Act 1991.

In section 11(2), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 25

Housing Assets Transfer Act 1993 (1993 No 50)

In section 7(4), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Income Tax Act 2007 (2007 No 97)

In section CB 14(2)(a), (e), and (g), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 30

In section CB 14(2)(i), replace “heritage protection order, obligation, prohibition, or restriction under the Natural and Built Environment Act 2023” with “heritage order, obligation, prohibition, or restriction under the Resource Management Act 1991”.

In section DB 19(1), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 35

Income Tax Act 2007 (2007 No 97)—continued

In section DU 12(a)(iii), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section EE 57(3)(cb), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section YA 1, definition of **contaminant**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 5

In section YA 1, definition of **property**, paragraph (a), delete “or the Natural and Built Environment Act 2023”.

In section YA 1, definition of **resource consent**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 10

In Schedule 14, replace item 10 with:

- 10 a consent granted under the Resource Management Act 1991 to do something that otherwise would contravene sections 12 to 15B of that Act (other than a consent for a reclamation), being a consent granted in or after— 15
- (a) the 1996–97 tax year, if the consent relates to sections 12 to 15 of that Act; or
 - (b) the 2014–15 income year, if the consent relates to sections 15A and 15B of that Act 20

Infrastructure Funding and Financing Act 2020 (2020 No 47)

In section 7(1), repeal the definition of **environmental contribution**.

In section 7(1), insert in its appropriate alphabetical order:

financial contribution has the same meaning as in section 108(9) of the Resource Management Act 1991 25

In section 8(3), definition of **natural hazard**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

In section 9(6), definition of **establishment costs**, paragraph (b), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 30

In section 11(2), definition of **mana whenua**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

In section 76(3), replace “environmental contributions” with “financial contributions”. 35

In section 87(3), replace “environmental contributions” with “financial contributions”.

Infrastructure Funding and Financing Act 2020 (2020 No 47)—*continued*

In the cross-heading above section 94, replace “*environmental contributions*” with “*financial contributions*”.

In section 94(2)(b), replace “an environmental contribution that was a condition under section 295 of the Natural and Built Environment Act 2023” with “a financial contribution that was a condition under section 108(2)(a) of the Resource Management Act 1991”. 5

Inquiries Act 2013 (2013 No 60)

In Schedule 1, insert in its appropriate alphabetical order:

Resource Management Act 1991	s 41
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Irrigation Schemes Act 1990 (1990 No 52)

Replace sections 12 and 13 with: 10

12 Section 11 and Part 10 of Resource Management Act 1991 and Part 21 of Local Government Act 1974 not to apply

Section 11 and Part 10 of the Resource Management Act 1991 and Part 21 of the Local Government Act 1974 do not apply to or in respect of the transfer of any land or interest in land under this Part nor to any subdivision required in respect of that transfer. 15

13 Activity permitted as of right

For the purposes of section 375(1)(a)(iii) of the Resource Management Act 1991 and for the avoidance of doubt, where any irrigation scheme is sold or otherwise disposed of under this Part, any use for irrigation purposes of the land upon which the irrigation scheme is situated is deemed to be a permitted activity within the meaning of that Act, and section 375 of that Act applies accordingly. 20

In section 15(1), replace “the Natural and Built Environment Act 2023” with “section 386 of the Resource Management Act 1991”. 25

Joint Family Homes Act 1964 (1964 No 45)

In section 3(3), replace “Part 10 of the Natural and Built Environment Act 2023” with “Part 10 of the Resource Management Act 1991”.

Lake Wanaka Preservation Act 1973 (1973 No 107)

Repeal section 5(2)(b)(iv). 30

In section 6(1), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 8(1), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Land Act 1948 (1948 No 64)

In section 2, definition of **Crown land**, paragraph (f), replace “Part 10 of the Natural and Built Environment Act 2023” with “Part 10 of the Resource Management Act 1991”.

In section 24(2A), replace “plan changes under the Natural and Built Environment Act 2023” with “district plan changes”. 5

In section 66A(5), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 82(3A)(b), replace “section 592 or 593 of the Natural and Built Environment Act 2023” with “section 238 or 239 of the Resource Management Act 1991”. 10

In section 93(1), replace “Part 10 of the Natural and Built Environment Act 2023” with “Part 10 of the Resource Management Act 1991”.

In section 93(3), replace “section 592 of the Natural and Built Environment Act 2023” with “section 238 of the Resource Management Act 1991”.

In section 165(6A), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 15

Land Drainage Act 1908 (1908 No 96)

Replace section 2A with:

2A Relationship to Resource Management Act 1991

Nothing in this Act derogates from the Resource Management Act 1991. 20

Land Transport Management Act 2003 (2003 No 118)

Repeal section 14(a)(iii).

Replace section 14(c)(ii) with:

- (ii) relevant national policy statements and any relevant regional policy statements or plans that are for the time being in force under the Resource Management Act 1991; and 25

Replace section 19B(b)(v) with:

- (v) relevant national policy statements and any relevant regional policy statements or plans that are for the time being in force under the Resource Management Act 1991. 30

Replace section 20(3)(a)(ii) with:

- (ii) any relevant national policy statements and relevant regional policy statements that are for the time being in force under the Resource Management Act 1991; and

Replace section 22G(1)(b)(iii) with: 35

Land Transport Management Act 2003 (2003 No 118)—*continued*

- (iii) any relevant national policy statements or regional policy statements for the time being in force under the Resource Management Act 1991:

In section 63(5)(a), replace “section 574 of the Natural and Built Environment Act 2023” with “section 218 of the Resource Management Act 1991”. 5

Replace section 67(1)(b)(ii) with:

- (ii) any relevant national policy statement that is in force under the Resource Management Act 1991; and

Repeal section 67(1)(b)(iii).

Replace section 124(c)(ii) with: 10

- (ii) any relevant regional policy statement, regional plan, district plan, or proposed regional plan or district plan under the Resource Management Act 1991; and

In section 140(7), replace “Schedule 13 of the Natural and Built Environment Act 2023” with “Part 11 of the Resource Management Act 1991”. 15

In section 140(8),—

- (a) replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”; and
- (b) replace “section 313” with “section 120”.

Lawyers and Conveyancers Act 2006 (2006 No 1) 20

In section 322(6), definition of **conveyance**, paragraph (a)(i), replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

Legal Services Act 2011 (2011 No 4)

In section 7(1)(o), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 25

Legislation Act 2019 (2019 No 58)

In Schedule 3, repeal the item relating to the Natural and Built Environment Act 2023.

Local Authorities (Members’ Interests) Act 1968 (1968 No 147) 30

Replace section 6(3)(e) with:

- (e) the preparation, recommendation, approval, or review of a district plan under the Resource Management Act 1991 or any section of a district plan, unless the matter relates to any variation or change of or departure from a district plan or section of it or to the conditional use of land as defined in that Act; or 35

Local Authorities (Members' Interests) Act 1968 (1968 No 147)—*continued*

In Schedule 1, Part 1, repeal the item relating to regional planning committees.

Local Electoral Act 2001 (2001 No 35)

In section 5(1), definition of **allotment**, replace “section 575 of the Natural and Built Environment Act 2023” with “section 218(2) of the Resource Management Act 1991”.

5

Local Government Act 1974 (1974 No 66)

In section 2(1), insert in its appropriate alphabetical order:

district plan, operative (in relation to a district plan), and **proposed plan** have the same meanings as in section 2(1) of the Resource Management Act 1991

In section 2(1), replace the definition of **Environment Court** with:

10

Environment Court means the Environment Court as defined in section 2(1) of the Resource Management Act 1991

In section 2(1), repeal the definitions of **NBEA plan** and **operative**.

In section 2(1), definition of **rural area**, replace “NBEA plan” with “district plan”.

In section 319(1)(e), replace “NBEA” with “district”.

15

In section 336(4), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Replace section 336(6) with:

(6) Subsections (2)(b) and (3) to (5) do not apply to a declaration that gives effect to the provisions of an operative district plan under the Resource Management Act 1991.

20

In section 340(1), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 341(1), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

25

In section 345(3), replace “(as defined in section 11 of the Natural and Built Environment Act 2023) for the purposes specified in section 609 of that Act” with “(as defined in section 2(1) of the Resource Management Act 1991) for the purposes specified in section 229 of that Act”.

In section 345(4), replace “an NBEA plan” with “a district plan under section 77 of the Resource Management Act 1991”.

30

In section 346G(2), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 346G(3), replace “clause 79 of Schedule 13 of the Natural and Built Environment Act 2023” with “section 299 of the Resource Management Act 1991”.

35

In section 347, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

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Local Government Act 1974 (1974 No 66)—continued

In section 348(6), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In the heading to section 502, replace “**Natural and Built Environment Act 2023**” with “**Resource Management Act 1991**”.

In section 502, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 5

Replace section 517A with:

517A This Part subject to Resource Management Act 1991 and Soil Conservation and Rivers Control Act 1941

Nothing in this Part derogates from the provisions of the Resource Management Act 1991 or the Soil Conservation and Rivers Control Act 1941. 10

In section 517B, definition of **scheme asset**, paragraph (e), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 517I(i), replace “NBEA” with “district”.

In section 517I(j), replace “NBEA plan or proposed NBEA plan” with “regional plan or proposed regional plan”. 15

In section 517I(k), replace “are resource consents under the Natural and Built Environment Act 2023” with “have become resource consents under section 386 of the Resource Management Act 1991”.

In section 517U(e), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 20

In section 517Z(1)(b), replace “NBEA” with “district”.

In section 517Z(3), replace “section 513 of the Natural and Built Environment Act 2023” with “section 167 of the Resource Management Act 1991”.

Replace section 517ZH with: 25

517ZH Section 11 and Part 10 of Resource Management Act 1991 and Part 21 of this Act not to apply

Section 11 and Part 10 of the Resource Management Act 1991 and Part 21 of this Act do not apply to or in respect of the transfer of any land or interest in land under this Part, nor to any subdivision required in respect of any such transfer. 30

In Schedule 10, clause 6, replace “NBEA plan” with “district plan”.

Local Government Act 2002 (2002 No 84)

In section 5(1), definition of **natural hazard**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 35

Local Government Act 2002 (2002 No 84)—continued

Repeal section 41A(5A).	
Repeal section 47A.	
In section 48J(1)(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.	
Repeal section 54A(1A).	5
In section 54C(1), replace “(c), or (1A)” with “or (c)”.	
Repeal section 76AA(5A).	
In section 79(3), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.	
In section 102(2)(d) and (3A)(a), replace “environmental contributions” with “financial contributions”.	10
In section 103(2)(h), replace “environmental contributions under the Natural and Built Environment Act 2023” with “financial contributions under the Resource Management Act 1991”.	
In the heading to section 106, replace “ environmental contributions ” with “ financial contributions ”.	15
Replace section 106(1) with:	
(1) In this section, financial contributions has the meaning given to it by section 108(9) of the Resource Management Act 1991.	
In section 106(2) and (4), replace “environmental contributions” with “financial contributions” in each place.	20
In section 106(2)(d), replace “an environmental contribution” with “a financial contribution”.	
In section 106(2)(f) and (4), replace “the plan under the Natural and Built Environment Act 2023” with “the district plan or regional plan prepared under the Resource Management Act 1991”.	25
In section 126(3)(b), replace “plan under the Natural and Built Environment Act 2023” with “district plan prepared under the Resource Management Act 1991”.	
In section 148(6), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.	30
In section 174(5)(b), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.	
In section 195(1)(b) and (2), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.	
In section 196(2), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.	35

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Local Government Act 2002 (2002 No 84)—continued

In section 197(1), definition of **allotment**, replace “section 575 of the Natural and Built Environment Act 2023” with “section 218(2) of the Resource Management Act 1991”.

In section 197(1), definition of **network utility operator**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 166 of the Resource Management Act 1991”. 5

In section 197(2), replace the definition of **resource consent** with:

resource consent has the meaning given to it in section 2(1) of the Resource Management Act 1991, and includes a change to a condition of a resource consent under section 127 of that Act 10

In section 198(1)(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 200(1)(a), replace “section 295(1)(b) of the Natural and Built Environment Act 2023” with “section 108(2)(a) of the Resource Management Act 1991”.

In section 202(1)(b)(i), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 15

In section 207D(3)(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 207D(3)(d), replace “section 578 of the Natural and Built Environment Act 2023” with “section 224 of the Resource Management Act 1991”. 20

In section 208(1)(a)(i), replace “section 578 of the Natural and Built Environment Act 2023” with “section 224(c) of the Resource Management Act 1991”.

In section 208(1)(a)(ii), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 209(1)(a)(i), replace “section 332 of the Natural and Built Environment Act 2023” with “section 125 of the Resource Management Act 1991”. 25

In section 209(1)(a)(ii), replace “section 350” with “section 138”.

In section 211, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 212, insert in their appropriate alphabetical order: 30

plan has the meaning given to it by section 2(1) of the Resource Management Act 1991

proposed plan has the meaning given to it by section 2(1) of the Resource Management Act 1991

Replace section 222 with: 35

Local Government Act 2002 (2002 No 84)—continued

**222 Provisions of Resource Management Act 1991 and Building Act 2004
continue to apply**

Except as otherwise provided in this subpart or in Schedule 14, sections 215 to 221 and Schedule 14 apply in addition to, and not in derogation of, the provisions relating to the removal or alteration of fences, structures, or vegetation under this Act, the Resource Management Act 1991, and the Building Act 2004.

5

In section 225(2)(a)(ii), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In Schedule 3, clause 2, definition of **affected area**, paragraph (d), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

10

In Schedule 3, clause 23(1)(e)(ii) and (3)(b), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In Schedule 3, replace clause 43(1)(e) with:

- (e) provisions dealing with—
 - (i) the administration of an existing, proposed, or operative district plan or regional plan under the Resource Management Act 1991:
 - (ii) the administration of any designations, resource consents, and notices of requirement under the Resource Management Act 1991, but subject to sections 81 to 180 of that Act:

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20

In Schedule 7, repeal clause 6(1)(g).

In Schedule 10, repeal clause 1A.

In Schedule 10, repeal clause 26A.

In Schedule 14, replace clause 4 with:

4 Circumstances when certain other Acts do not apply

25

A removal order may be made under section 216 even if the fence, structure, or vegetation has been constructed or is otherwise in accordance with—

- (a) a resource consent granted under the Resource Management Act 1991;
or
- (b) a building consent granted under the Building Act 2004.

30

Compare: 1974 No 66 s 692ZD(7)

Local Government (Auckland Council) Act 2009 (2009 No 32)

After section 3(d), insert:

- (e) to require the Auckland Council to adopt a spatial plan for Auckland;
and

35

Local Government (Auckland Council) Act 2009 (2009 No 32)—continued

In section 15(1)(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 45(b)(ii), replace “section 513 of the Natural and Built Environment Act 2023” with “section 167 of the Resource Management Act 1991”.

In section 47(1), replace “section 513 of the Natural and Built Environment Act 2023” with “section 167 of the Resource Management Act 1991”. 5

In section 47(2), replace “subpart 1 of Part 9 of the Natural and Built Environment Act 2023” with “Part 8 of the Resource Management Act 1991”.

In section 47(2)(a), replace “section 11” with “section 166”.

In section 47(3), replace “section 541 of the Natural and Built Environment Act 2023” with “section 180(1) of the Resource Management Act 1991”. 10

In section 48(3)(a), replace “section 540 of the Natural and Built Environment Act 2023” with “section 186 of the Resource Management Act 1991”.

In section 48(3)(b), replace “sections 539(5) and (6) and 540 of the Natural and Built Environment Act 2023” with “sections 185(5) and (6) and 186 of the Resource Management Act 1991”. 15

In section 48(5), replace “sections 539 and 540(2) of the Natural and Built Environment Act 2023” with “sections 185 and 186(2) and (4) of the Resource Management Act 1991”.

In section 50(5), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 20

In section 59(2), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 75(2)(a)(ii), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 25

After section 78, insert:

Part 6
Spatial planning for Auckland

79 Spatial plan for Auckland

(1) The Auckland Council must prepare and adopt a spatial plan for Auckland. 30

(2) The purpose of the spatial plan is to contribute to Auckland’s social, economic, environmental, and cultural well-being through a comprehensive and effective long-term (20- to 30-year) strategy for Auckland’s growth and development.

(3) For the purposes of **subsection (2)**, the spatial plan will—

(a) set a strategic direction for Auckland and its communities that integrates social, economic, environmental, and cultural objectives; and 35

Local Government (Auckland Council) Act 2009 (2009 No 32)—*continued*

<ul style="list-style-type: none"> <li style="margin-left: 2em;">(b) outline a high-level development strategy that will achieve that direction and those objectives; and <li style="margin-left: 2em;">(c) enable coherent and co-ordinated decision making by the Auckland Council (as the spatial planning agency) and other parties to determine the future location and timing of critical infrastructure, services, and investment within Auckland in accordance with the strategy; and <li style="margin-left: 2em;">(d) provide a basis for aligning the implementation plans, regulatory plans, and funding programmes of the Auckland Council. 	5
<p>(4) The spatial plan must—</p> <ul style="list-style-type: none"> <li style="margin-left: 2em;">(a) recognise and describe Auckland’s role in New Zealand; and <li style="margin-left: 2em;">(b) visually illustrate how Auckland may develop in the future, including how growth may be sequenced and how infrastructure may be provided; and <li style="margin-left: 2em;">(c) provide an evidential base to support decision making for Auckland, including evidence of trends, opportunities, and constraints within Auckland; and <li style="margin-left: 2em;">(d) identify the existing and future location and mix of— <ul style="list-style-type: none"> (i) residential, business, rural production, and industrial activities within specific geographic areas within Auckland; and (ii) critical infrastructure, services, and investment within Auckland (including, for example, services relating to cultural and social infrastructure, transport, open space, water supply, wastewater, and stormwater, and services managed by network utility operators); and <li style="margin-left: 2em;">(e) identify nationally and regionally significant— <ul style="list-style-type: none"> (i) recreational areas and open-space areas within Auckland; and (ii) ecological areas within Auckland that should be protected from development; and (iii) environmental constraints on development within Auckland (for example, flood-prone or unstable land); and (iv) landscapes, areas of historic heritage value, and natural features within Auckland; and <li style="margin-left: 2em;">(f) identify policies, priorities, land allocations, and programmes and investments to implement the strategic direction and specify how resources will be provided to implement the strategic direction. 	10 15 20 25 30 35
80 Development, adoption, and implementation of spatial plan	
<p>(1) The Auckland Council must involve central government, infrastructure providers (including network utility operators), the communities of Auckland, the pri-</p>	

Local Government (Auckland Council) Act 2009 (2009 No 32)—continued

- vate sector, the rural sector, and other parties (as appropriate) throughout the preparation and development of the spatial plan.
- (2) The Auckland Council must adopt the spatial plan in accordance with the special consultative procedure.
- (3) The Auckland Council may amend the spatial plan, at any time, in accordance with **subsections (1) and (2)**. 5
- (4) The Auckland Council must—
- (a) make the spatial plan (including any amendments) available for inspection during working hours, free of charge, at—
- (i) the office of the Auckland Council; and 10
- (ii) any other places in Auckland that the Auckland Council, at its discretion, decides are appropriate; and
- (b) make copies of the plan available, free of charge or for purchase at a reasonable price, from—
- (i) the office of the Auckland Council; and 15
- (ii) any other places in Auckland that the Auckland Council, at its discretion, decides are appropriate; and
- (c) make copies of the plan available, free of charge, on an Internet site maintained by or on behalf of the Auckland Council.
- (5) The Auckland Council must endeavour to secure and maintain the support and co-operation of central government, infrastructure providers (including network utility operators), the communities of Auckland, the private sector, the rural sector, and other parties (as appropriate) in the implementation of the spatial plan. 20
- In Schedule 1AA, repeal Part 2. 25

Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37)

In section 58(1), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 60(1) and (2), replace “section 295 of the Natural and Built Environment Act 2023” with “section 108 of the Resource Management Act 1991”. 30

In the heading to section 71, replace “**Natural and Built Environment Act 2023**” with “**Resource Management Act 1991**”.

In section 71(1), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 71(2), replace “section 62” with “section 34A(1)(b)”. 35

In section 77(1), replace “Section 210 of the Natural and Built Environment Act 2023” with “Section 81 of the Resource Management Act 1991”.

Local Government Official Information and Meetings Act 1987 (1987 No 174)

In section 7(2)(ba), replace “heritage protection order, under the Natural and Built Environment Act 2023” with “heritage order, under the Resource Management Act 1991”.

Replace section 45(1A) with: 5

(1A) Despite subsection (1), **meeting**, in relation to a local authority that is a board of inquiry, special tribunal, or freshwater hearings panel given authority to conduct hearings under section 149J or 202 or clause 58 of Schedule 1 of the Resource Management Act 1991, is limited to any hearing that—

- (a) the board or tribunal holds under section 149L or 206 of the Resource Management Act 1991; and 10
- (b) the freshwater hearings panel holds under clause 39 of Schedule 1 of that Act.

In section 45A(a), replace “clause 75 of Schedule 10 of the Natural and Built Environment Act 2023” with “section 149J of the Resource Management Act 1991”. 15

In section 45A(b), replace “section 367 of the Natural and Built Environment Act 2023” with “section 202 of the Resource Management Act 1991”.

After section 45A(b), insert:

- (c) a freshwater hearings panel given authority to conduct hearings under clause 58 of Schedule 1 of the Resource Management Act 1991. 20

In Schedule 1, Part 1, replace “section 367, 650, 653, or 655 or clause 75 of Schedule 10 of the Natural and Built Environment Act 2023” with “section 33, 34, 34A, 117, 149J, or 202 or clause 58 of Schedule 1 of the Resource Management Act 1991”.

In Schedule 1, Part 1, repeal the item relating to regional planning committees established under the Natural and Built Environment Act 2023 with functions set out in section 48 of that Act. 25

In Schedule 6, replace clause 2 with:

2 Application of amendments to boards of inquiry and special tribunals

The amendments made by the amendment Act apply to a board of inquiry appointed under section 149J of the Resource Management Act 1991, or to a special tribunal appointed under section 202 of that Act, whether appointed before or after the commencement of the amendments. 30

Local Government Official Information and Meetings Amendment Act 2023 (2023 No 41)

In section 4, insert in its appropriate alphabetical order: 35

climate change has the meaning given in section 2(1) of the Resource Management Act 1991

**Local Government Official Information and Meetings Amendment Act 2023
(2023 No 41)—continued**

In section 4, new definition of **natural hazard**, replace “paragraphs (a) and (b) of the definition of that term in section 11(1) of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

In section 7, new section 44A(2)(aa)(ii), replace “plan under the Natural and Built Environment Act 2023” with “district plan under the Resource Management Act 1991”. 5

In section 8, replace new sections 44B and 44C with:

44B Natural hazard information to be included in land information memoranda

- (1) The purpose of this section is to ensure that land information memoranda contain understandable information about the following in relation to land: 10
 - (a) natural hazards:
 - (b) impacts of climate change that exacerbate natural hazards.
- (2) A land information memorandum must include—
 - (a) information that identifies the following, to the extent that the information is known to the territorial authority: 15
 - (i) each natural hazard, and each impact of climate change that exacerbates natural hazards, that affects the land concerned:
 - (ii) each potential natural hazard, and each potential impact of climate change that exacerbates natural hazards, to the extent that the territorial authority is satisfied that there is a reasonable possibility that the hazard or impact may affect the land concerned (whether now or in the future): 20
 - (iii) the cumulative or combined effects of the hazards and impacts referred to in **subparagraphs (i) and (ii)** on the land concerned; and 25
 - (b) any further information required by the regulations to make the information provided under **paragraph (a)** more understandable.
- (3) The information must be summarised and presented in the land information memorandum in the form required by the regulations (if any). 30

44C Regional council must provide territorial authority with natural hazard information

- (1) A regional council must, as soon as is reasonably practicable in the circumstances, provide to a territorial authority within or partly within its region—
 - (a) information that identifies the following, to the extent that the information is known to the regional council: 35

**Local Government Official Information and Meetings Amendment Act 2023
(2023 No 41)—continued**

- (i) each natural hazard, and each impact of climate change that exacerbates natural hazards, that affects land in the territorial authority's district:
- (ii) each potential natural hazard, and each potential impact of climate change that exacerbates natural hazards, to the extent that the regional council is satisfied that there is a reasonable possibility that the hazard or impact may affect land in the territorial authority's district (whether now or in the future): 5
- (iii) the cumulative or combined effects of the hazards and impacts referred to in **subparagraphs (i) and (ii)** on land in the territorial authority's district; and 10
- (b) any further information required by the regulations to make the information provided under **paragraph (a)** more understandable.
- (2) The information must be summarised and presented in the form required by the regulations (if any). 15

Local Government (Rating) Act 2002 (2002 No 6)

In Schedule 2, replace items 2 and 3 with:

- 2 The activities that are permitted, controlled, or discretionary for the area in which the land is situated, and the rules to which the land is subject under an operative district plan or regional plan under the Resource Management Act 1991. 20
- 3 The activities that are proposed to be permitted, controlled, or discretionary activities, and the proposed rules for the area in which the land is situated under a proposed district plan or proposed regional plan under the Resource Management Act 1991, but only if— 25
 - (a) no submissions in opposition have been made under clause 6 of Schedule 1 of that Act on those proposed activities or rules, and the time for making submissions has expired; or
 - (b) all submissions in opposition, and any appeals, have been determined, withdrawn, or dismissed. 30

Maori Commercial Aquaculture Claims Settlement Act 2004 (2004 No 107)

In section 4, definition of **aquaculture activities**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

In section 4, definition of **authorisation**, replace “section 442 of the Natural and Built Environment Act 2023” with “section 165C of the Resource Management Act 1991”. 35

**Resource Management (Natural and Built Environment
and Spatial Planning Repeal and Interim Fast-track
Consenting) Bill**

Schedule 2

**Maori Commercial Aquaculture Claims Settlement Act 2004 (2004 No 107)—
*continued***

In section 4, definition of **coastal marine area**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

In section 4, definition of **coastal permit**, replace “section 220(c) of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 5

In section 4, definition of **new space**, paragraph (a), replace “section 324 of the Natural and Built Environment Act 2023” with “section 116A of the Resource Management Act 1991”.

In section 4, definition of **occupy**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 10

In section 4, definition of **public notice**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

In section 4, definition of **regional council**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 15

In section 4, definition of **space**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

In section 5(1)(aa), replace “section 451, or a notice in the *Gazette* under section 454, of the Natural and Built Environment Act 2023” with “section 165K, or a notice in the *Gazette* under section 165N, of the Resource Management Act 1991”. 20

In section 11(2)(b)(ii), replace “section 487 of the Natural and Built Environment Act 2023” with “section 165ZH of the Resource Management Act 1991”.

In section 12(3), replace “Section 444 of the Natural and Built Environment Act 2023” with “Section 165E of the Resource Management Act 1991”. 25

In section 13(6), replace “section 458 of the Natural and Built Environment Act 2023” with “section 165R of the Resource Management Act 1991”.

In section 14(4)(d)(iv)(A), replace “Natural and Built Environment Act 2023 that could commence under section 324 of that Act” with “Resource Management Act 1991 that could commence under section 116A of that Act”. 30

In section 16A(1), replace “Section 460 of the Natural and Built Environment Act 2023” with “Section 165T of the Resource Management Act 1991”.

In section 16A(2)(b), replace “section 324(3) and (7) of the Natural and Built Environment Act 2023” with “section 116A(3) or (7) of the Resource Management Act 1991”. 35

In section 16A(3), replace “section 459 of the Natural and Built Environment Act 2023” with “section 165S of the Resource Management Act 1991”.

Replace section 50(6) with:

**Maori Commercial Aquaculture Claims Settlement Act 2004 (2004 No 107)—
*continued***

(6) This section applies subject to sections 135 and 165S of the Resource Management Act 1991.

Maritime Transport Act 1994 (1994 No 104)

In section 4(2), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 5

In section 33I(4)(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 33M(2)(d)(ii), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 110(1)(d), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 10

In section 225, definition of **pollution incident**, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 227(1)(b), replace “section 28 of the Natural and Built Environment Act 2023” with “section 15B of the Resource Management Act 1991”. 15

In section 227(6), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 232(1) and (1A), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 233(1)(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 20

In section 235(1), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 261(5)(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 25

Replace section 272(1)(e)(iii) with:

(iii) section 15A, 15B, or 15C of the Resource Management Act 1991;
or

In section 272(1)(e)(iv), replace “section 801 of the Natural and Built Environment Act 2023” with “any of paragraphs (ha) to (he) of section 360(1) of the Resource Management Act 1991”. 30

In section 276(2)(a) and (c), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Replace section 291(2)(c) with:

(c) any regional coastal plan applying to that region and prepared under the Resource Management Act 1991: 35

**Resource Management (Natural and Built Environment
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Schedule 2

Maritime Transport Act 1994 (1994 No 104)—*continued*

In section 397(2) and (7), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991” in each place.

In section 463(2B)(b), replace “section 28 of the Natural and Built Environment Act 2023” with “section 15B of the Resource Management Act 1991”.

In section 464(2), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 5

In the heading to section 467, replace “**Natural and Built Environment Act 2023**” with “**Resource Management Act 1991**”.

In section 467, replace “sections 21 and 23 to 29 of the Natural and Built Environment Act 2023” with “sections 9, 12, 13, 14, 15, 15A, 15B, and 15C of the Resource Management Act 1991”. 10

Mauao Historic Reserve Vesting Act 2008 (2008 No 31)

In section 11(1), replace “section 22 or Part 10 of the Natural and Built Environment Act 2023” with “section 11 or Part 10 of the Resource Management Act 1991”.

National Parks Act 1980 (1980 No 66) 15

In section 7(6), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

National War Memorial Park (Pukeahu) Empowering Act 2012 (2012 No 76)

In section 4, definition of **consent authority**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 20

In section 4, definition of **designation**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 166 of the Resource Management Act 1991”.

In section 4, definition of **discharge permit**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 87(e) of the Resource Management Act 1991”. 25

In section 4, replace the definition of **district plan** with:

district plan—

(a) means the Wellington City District Plan as approved by the Wellington City Council under Schedule 1 of the Resource Management Act 1991; and 30

(b) includes all operative changes to that plan; and

(c) includes a proposed plan, to the extent that—

(i) it has legal effect under section 86B of the Resource Management Act 1991; or 35

(ii) it must be treated as operative under section 86F of that Act; and

**National War Memorial Park (Pukeahu) Empowering Act 2012 (2012 No 76)—
continued**

(d) includes any changes to the district plan notified before 1 October 2009

In section 4, definition of **land use consent**, replace “section 220 of the Natural and Built Environment Act 2023” with “section 87(a) of the Resource Management Act 1991”.

In section 4, definition of **requiring authority**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 166 of the Resource Management Act 1991”. 5

In section 4, definition of **resource consent**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 10

In section 4, definition of **water permit**, replace “section 220 of the Natural and Built Environment Act 2023” with “section 87(d) of the Resource Management Act 1991”.

Replace section 9(4) with:

(4) The provisions of the Resource Management Act 1991 apply to the designation provided for by this section (other than as excluded by subsection (5)). 15

Natural Hazards Insurance Act 2023 (2023 No 1)

Replace section 44(6) with:

(6) In this section,—
area cap means,—
(a) if there is a district plan minimum area, the lesser of— 20
(i) the district plan minimum area; and
(ii) 4,000 square metres;
(b) if there is no district plan minimum area, 4,000 square metres
district plan means the operative district plan (within the meaning of Part 5 of the Resource Management Act 1991) for the district where the damaged residential land is situated 25
district plan minimum area means the minimum area (in square metres) allowable under the district plan for land that is used for the purpose for which the damaged residential land was being used at the time the natural hazard damage occurred. 30

New Plymouth District Council (Waitara Lands) Act 2018 (2018 No 2 (L))

In the heading to section 53, replace “**Natural and Built Environment Act 2023**” with “**Resource Management Act 1991**”.

In section 53, replace “Section 22 and Part 10 of the Natural and Built Environment Act 2023” with “Section 11 and Part 10 of the Resource Management Act 1991”. 35

New Zealand Railways Corporation Act 1981 (1981 No 119)

Replace section 3A with:

3A Relationship to Resource Management Act 1991

The Corporation is not an instrument of the Executive Government of New Zealand for the purposes of the Resource Management Act 1991.

5

In section 31(9), replace “Part 2 of the Natural and Built Environment Act 2023” with “Part 3 of the Resource Management Act 1991”.

New Zealand Railways Corporation Restructuring Act 1990 (1990 No 105)

In section 12(3), replace “Section 22 of the Natural and Built Environment Act 2023” with “Section 11(1) of the Resource Management Act 1991”.

10

In section 25A(1), replace “section 22 and Part 10 of the Natural and Built Environment Act 2023” with “section 11 and Part 10 of the Resource Management Act 1991”.

In section 25A(2)(b) and (6)(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

15

In section 25A(12), definition of **allotment**, replace “section 575 of the Natural and Built Environment Act 2023” with “section 218 of the Resource Management Act 1991”.

Northland Regional Council and Far North District Council Vesting and Empowering Act 1992 (1992 No 2 (L))

20

In the Preamble, paragraph (c), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In the heading to section 7, replace “**Natural and Built Environment Act 2023**” with “**Resource Management Act 1991**”.

In section 7(1), replace “section 574 of the Natural and Built Environment Act 2023” with “section 218 of the Resource Management Act 1991”.

25

In section 7(1), replace “purposes of the Natural and Built Environment Act 2023” with “purposes of the Resource Management Act 1991”.

In section 7(2), replace “Section 22 and Part 10 of the Natural and Built Environment Act 2023” with “Section 11 and Part 10 of the Resource Management Act 1991”.

30

In section 7(2), replace “Part 6 of the Natural and Built Environment Act 2023” with “Part 6 of the Resource Management Act 1991”.

In section 8(1), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Ombudsmen Act 1975 (1975 No 9)

35

In Schedule 1, Part 2, repeal the items relating to National Māori Entity and Regional planning committees established under the Natural and Built Environment Act 2023.

Overseas Investment Act 2005 (2005 No 82)

In section 6(1), repeal the definition of **cultural heritage**.

In section 6(1), insert in its appropriate alphabetical order:

historic heritage has the meaning set out in section 2(1) of the Resource Management Act 1991

5

In section 6(1), definition of **kaitiakitanga**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

In section 6(1), definition of **lake**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

10

In section 6(1), definition of **natural and physical resources**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

In section 6(1), definition of **river**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

15

In section 16A(6)(b), replace “cultural heritage” with “historic heritage”.

In section 17(1)(c) and (d), replace “cultural heritage” with “historic heritage”.

In section 61B(c)(vii), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In Schedule 1, Part 1, table 1, item 8, replace “plan under the Natural and Built Environment Act 2023” with “district plan or proposed district plan under the Resource Management Act 1991”.

20

In Schedule 1, Part 1, table 1, item 9, replace “heritage protection order, or a requirement for a heritage protection order, under the Natural and Built Environment Act 2023” with “heritage order, or a requirement for a heritage order, under the Resource Management Act 1991”.

25

In Schedule 5, clause 21, replace “section 22 and Part 10 of the Natural and Built Environment Act 2023” with “section 11 and Part 10 of the Resource Management Act 1991”.

Property Law Act 2007 (2007 No 91)

30

In section 325(4), replace “Part 10 of the Natural and Built Environment Act 2023” with “Part 10 of the Resource Management Act 1991”.

In section 326, definition of **reasonable access**, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 330(3), replace “Part 10 of the Natural and Built Environment Act 2023” with “Part 10 of the Resource Management Act 1991”.

35

In section 333(3)(a), replace “plan under the Natural and Built Environment Act 2023” with “district plan”.

**Resource Management (Natural and Built Environment
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Schedule 2

Property Law Act 2007 (2007 No 91)—continued

In section 335(1)(b)(ii) and (vi), replace “plan under the Natural and Built Environment Act 2023” with “district plan”.

In section 336(2), replace “Part 9 of the Natural and Built Environment Act 2023” with “Part 8 of the Resource Management Act 1991”.

In section 340(1), replace “section 22 or Part 10 of the Natural and Built Environment Act 2023” with “section 11 or Part 10 of the Resource Management Act 1991”. 5

In Schedule 2, clause 4(b)(i), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In Schedule 2, clause 14(2)(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 10

Prostitution Reform Act 2003 (2003 No 28)

In section 15(1) and (2), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 15(2), replace “sections 287 and 288” with “sections 104A to 104D”.

In section 15(2), replace “section 294” with “section 108”. 15

In section 15(3), replace “of the Natural and Built Environment Act 2023” with “of the Resource Management Act 1991”.

In section 15(3), replace “plan or proposed plan under the Natural and Built Environment Act 2023” with “district plan or proposed district plan”.

Public Audit Act 2001 (2001 No 10) 20

In Schedule 2, repeal the item relating to the National Māori Entity.

Public Safety (Public Protection Orders) Act 2014 (2014 No 68)

In section 114(4), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Public Works Act 1981 (1981 No 35) 25

In section 2, replace the definition of **Environment Court** with:

Environment Court means the Environment Court constituted under the Resource Management Act 1991

In section 24(6A)(a), replace “clause 78 of Schedule 6 of the Natural and Built Environment Act 2023” with “section 39(1) of the Resource Management Act 1991”. 30

In section 24(14), replace “clauses 79 to 88 of Schedule 13 of the Natural and Built Environment Act 2023” with “sections 299 and 308 of the Resource Management Act 1991”.

In section 27(8), replace “Part 2 of the Natural and Built Environment Act 2023” with “Part 3 of the Resource Management Act 1991”. 35

Public Works Act 1981 (1981 No 35)—continued

In section 46(3), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 59, definition of **notified**, paragraph (a), replace “section 517 of the Natural and Built Environment Act 2023” with “section 168 of the Resource Management Act 1991”. 5

In section 59, definition of **notified**, paragraph (a), replace “section 562” with “section 189”.

In section 59, definition of **notified**, paragraph (a), replace “clause 30 of Schedule 6” with “clause 4 of Part 1 of Schedule 1”.

In section 59, definition of **notified**, paragraph (b), replace “heritage protection order, included in an operative or a proposed plan under the Natural and Built Environment Act 2023” with “heritage order, included in an operative or proposed district plan under the Resource Management Act 1991”. 10

In section 71(1)(b), replace “section 515 of the Natural and Built Environment Act 2023” with “section 167 of the Resource Management Act 1991”. 15

In section 71(9), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 111A(1)(ba), replace “section 11 of the Natural and Built Environment Act 2023” with “section 166 of the Resource Management Act 1991”.

In section 111A(1)(ba), replace “section 513” with “section 167”. 20

In section 118(2), replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

In section 166(e), (f), and (g), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 190(3), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 25

In section 191(9), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 218(1), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 30

In section 224(20), replace “Natural and Built Environment Act 2023, in their or its own name or on behalf of all parties, may make any requirement under subpart 1 of Part 9 of that Act” with “Resource Management Act 1991, in their or its own name or on behalf of all parties, may make any requirement under Part 8 of the Resource Management Act 1991”. 35

Racing Industry Act 2020 (2020 No 28)

Replace section 32(12) and the heading above section 32(12) with:

Racing Industry Act 2020 (2020 No 28)—continued

Application of Resource Management Act 1991

- (12) Section 11 and Part 10 of the Resource Management Act 1991 do not apply to—
- (a) the vesting of a surplus venue under this subpart; or
 - (b) any matter incidental to, or required for the purpose of, the vesting.

5

Railways Act 2005 (2005 No 37)

In section 77(1), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Rating Valuations Act 1998 (1998 No 69)

In section 2, replace the definition of **district plan** with:

10

district plan has the meaning given in section 2(1) of the Resource Management Act 1991

Remuneration Authority Act 1977 (1977 No 110)

In Schedule 4, repeal the item relating to the members of regional planning committees appointed under the Natural and Built Environment Act 2023 by the Minister responsible for the Spatial Planning Act 2023.

15

Reserves Act 1977 (1977 No 66)

In section 14(2), replace “a plan under the Natural and Built Environment Act 2023 provides for the use of the land as a reserve or the land is designated as a proposed reserve under an operative plan under that Act” with “a district plan makes provision for the use of the land as a reserve or the land is designated as a proposed reserve under an operative district plan under the Resource Management Act 1991”.

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In section 15(2), replace “an operative plan under the Natural and Built Environment Act 2023” with “an operative district plan under the Resource Management Act 1991”.

25

Replace section 15AA(1) with:

- (1) A person may apply to the administering body of a recreation reserve to exchange all or part of the land comprised in the reserve (the **recreation reserve land**) for other land to be held for the same purposes if—
- (a) the application is made jointly—
 - (i) with an application for a resource consent under section 88(1) and (1A) of the Resource Management Act 1991 (the **RMA**); or
 - (ii) with a request for a change to a district plan or a regional plan (including a regional coastal plan) under section 65(4) and (4A) or 73(2) and (2A) of the RMA; and

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35

Reserves Act 1977 (1977 No 66)—continued

- (b) the recreation reserve land is vested in the administering body for the reserve; and
- (c) the administering body of the reserve is also the relevant local authority under the RMA.
- In section 15AA(2)(a)(i), replace “section 239(3)(a) of the NBEA” with “section 88(6)(a) of the RMA”. 5
- In section 15AA(2)(a)(ii), replace “sections 266 and 205(2) of the NBEA” with “section 95A of the RMA”.
- In section 15AA(2)(c), replace “NBEA” with “RMA”.
- In section 15AA(3)(a)(i), replace “clause 67 of Schedule 6 of the NBEA” with “clause 21(5)(a) of Schedule 1 of the RMA”. 10
- In section 15AA(3)(a)(ii), replace “clause 70 of Schedule 6 of the NBEA” with “clause 26 of Schedule 1 of the RMA”.
- In section 15AA(3)(c), replace “NBEA” with “RMA”.
- In section 15AA(5)(a), replace “NBEA” with “RMA”. 15
- In section 16(2A)(g), replace “Part 10 of the Natural and Built Environment Act 2023” with “Part 10 of the Resource Management Act 1991”.
- In section 16(5)(b), replace “plan under the Natural and Built Environment Act 2023” with “district plan under the Resource Management Act 1991”.
- In section 23(2)(a), delete “or under Part 10 of the Natural and Built Environment Act 2023”. 20
- In section 24(7), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.
- Replace section 24A(3)(a) with:
- (a) the operative district plan in force under the Resource Management Act 1991 for the district in which the reserve is situated: 25
- In section 48(1), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.
- In section 53(1)(i) and (j), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 30
- In section 54(2A)(b), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.
- In section 54(2A)(b), replace “sections 266 and 205(2)” with “section 93(2)”.
- In section 55(1)(d) and (2)(f), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 35
- In section 56(3)(b), replace “Part 6 of the Natural and Built Environment Act 2023” with “Part 6 of the Resource Management Act 1991”.

**Resource Management (Natural and Built Environment
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Schedule 2

Reserves Act 1977 (1977 No 66)—continued

In section 58A(3)(b), replace “Part 6 of the Natural and Built Environment Act 2023” with “Part 6 of the Resource Management Act 1991”.

Riccarton Racecourse Development Enabling Act 2016 (2016 No 30)

In section 9(c), replace “planning requirements under the Natural and Built Environment Act 2023” with “regional and district planning requirements”.

5

River Boards Act 1908 (1908 No 165)

In section 76(d) and (f), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 86(1), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

10

Sale and Supply of Alcohol Act 2012 (2012 No 120)

In section 47A(4), replace “section 21 of the Natural and Built Environment Act 2023” with “section 9 of the Resource Management Act 1991” in each place.

In section 78(2)(a), replace “the relevant plan under the Natural and Built Environment Act 2023” with “its district plan”.

15

In the heading to section 93, replace “**plans under Natural and Built Environment Act 2023**” with “**district plans**”.

In section 93(1) and (2), replace “plan under the Natural and Built Environment Act 2023” with “district plan”.

In section 100(f), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

20

In section 143(1)(b), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Search and Surveillance Act 2012 (2012 No 24)

In the Schedule, repeal the item relating to the Natural and Built Environment Act 2023.

25

In the Schedule, insert in its appropriate alphabetical order:

Resource Management Act 1991	334(1)	Constable or enforcement officer may obtain and execute search warrant if issuing officer is satisfied that there are reasonable grounds for believing that at, in, on, over, or under any place or vehicle there is any thing in respect of which imprisonable offence under Resource Management Act 1991 or any regulations made under that Act has been committed or any thing that is evidence of such offence or that is intended to be used to commit such offence	All (except that sections 118 and 119 apply to constables only)
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Selwyn Plantation Board Empowering Act 1992 (1992 No 4 (L))

In section 3(8), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Sentencing Act 2002 (2002 No 9)

In section 4(4), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 5

Sharemilking Agreements Act 1937 (1937 No 37)

In the Schedule, note above clause 67, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Soil Conservation and Rivers Control Act 1941 (1941 No 12) 10

Replace section 10A with:

10A Relationship to Resource Management Act 1991

Despite section 10, nothing in this Act derogates from the provisions of sections 176 to 182 of the Harbours Act 1950 or the Resource Management Act 1991. 15

State-Owned Enterprises Act 1986 (1986 No 124)

In section 23(1)(ba), replace “plans under the Natural and Built Environment Act 2023” with “district plans under the Resource Management Act 1991”.

In section 27D(5), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 20

In section 29(1), definition of **assets**, paragraph (e), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Summary Proceedings Act 1957 (1957 No 87)

In section 2(1), definition of **infringement notice**, repeal paragraph (jk).

Summit Road (Canterbury) Protection Act 2001 (2001 No 3 (L)) 25

In section 4(1), replace the definition of **Environment Court** with:

Environment Court means the Environment Court referred to in section 247 of the Resource Management Act 1991

In section 4(1), definition of **subdivision**, replace “section 574 of the Natural and Built Environment Act 2023” with “section 218 of the Resource Management Act 1991”. 30

Replace section 8 with:

8 Authority deemed to be affected local authority

(1) In relation to the protected land, the Authority is deemed to be—

Summit Road (Canterbury) Protection Act 2001 (2001 No 3 (L))—continued

- (a) an affected local authority under clause 3 of Part 1 of Schedule 1 of the Resource Management Act 1991; and
 - (b) an adjacent local authority under clause 5(4)(d) and a constituent territorial authority under clause 5(4)(e) of Part 1 of Schedule 1 of the Resource Management Act 1991.
- (2) For the purposes of the Resource Management Act 1991, the Authority must be consulted and notified and may make submissions in respect of any proposal to prepare, change, or review any policy statement or plan referred to in that Act that affects or may affect the protected land.

5

In section 12(2)(b)(ii), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

10

In the heading to section 15, replace “**Natural and Built Environment Act 2023**” with “**Resource Management Act 1991**”.

In section 15, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

15

Replace section 24(2)(b) with:

- (b) state any matters that regulations made under the Resource Management Act 1991 require to be stated in the case of an appeal under section 120 of that Act; and

In section 24(5) and (6), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

20

In section 27, replace “sections 742 and 744 of the Natural and Built Environment Act 2023” with “sections 352 and 353 of the Resource Management Act 1991”.

Replace section 29(1)(a) with:

- (a) apply to the Environment Court for an enforcement order under section 314 of the Resource Management Act 1991, as if the notice under subsection (1) were an abatement notice within the meaning of section 322 of the Resource Management Act 1991; and

25

In section 29(2), replace “section 642 of the Natural and Built Environment Act 2023” with “section 315 of the Resource Management Act 1991”.

30

In section 29(3), replace “section 641 of the Natural and Built Environment Act 2023, as if that continuing breach or continuing offence contravenes, or is likely to contravene, the Natural and Built Environment Act 2023” with “section 314 of the Resource Management Act 1991, as if that continuing breach or continuing offence contravenes, or is likely to contravene, the Resource Management Act 1991”.

35

Taumata Arowai—the Water Services Regulator Act 2020 (2020 No 52)

In section 4, replace the definition of **Te Mana o te Wai** with:

Taumata Arowai—the Water Services Regulator Act 2020 (2020 No 52)—*continued*

Te Mana o te Wai—

- (a) has the meaning set out in the National Policy Statement for Freshwater Management issued in 2020 under section 52 of the Resource Management Act 1991 and any statement issued under that section that amends or replaces the 2020 statement (and *see also* sections 5, 10, 17, and 18 of this Act); and 5
- (b) applies, for the purposes of this Act, to water (as that term is defined in this section)

Telecommunications Act 2001 (2001 No 103)

In section 3(2), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 10

In the cross-heading above section 69XI, replace “*Natural and Built Environment Act 2023*” with “*Resource Management Act 1991*”.

In the heading to section 69XI, replace “**Natural and Built Environment Act 2023**” with “**Resource Management Act 1991**”. 15

In section 69XI(1), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Replace section 69XI(2) with:

- (2) Part 8 of the Resource Management Act 1991 applies with necessary modifications as if the approval had been given under section 167 of that Act. 20

In the heading to section 69XJ, replace “**Natural and Built Environment Act 2023**” with “**Resource Management Act 1991**”.

In section 69XJ(1), replace “section 11 of the Natural and Built Environment Act 2023” with “section 166 of the Resource Management Act 1991”.

In section 69XJ(2)(a), replace “section 541 of the Natural and Built Environment Act 2023” with “section 180 of the Resource Management Act 1991”. 25

In section 69XJ(3), replace “section 532 of the Natural and Built Environment Act 2023” with “section 177 of the Resource Management Act 1991”.

Replace section 69XJ(4) with:

- (4) Part 8 of the Resource Management 1991 applies with necessary modifications as if the designations had been transferred or made under that Part. 30

In section 117(2), replace “plan under the Natural and Built Environment Act 2023” with “district plan or regional plan under the Resource Management Act 1991”.

In section 119(3), replace “plan under the Natural and Built Environment Act 2023 as an area in relation to which, under that plan” with “district plan as an area in relation to which, under the district plan”. 35

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Schedule 2

Telecommunications Act 2001 (2001 No 103)—*continued*

In section 119(5), replace “plan under the Natural and Built Environment Act 2023” with “district plan”.

In Schedule 1, Part 3, item relating to co-location on cellular mobile transmission sites, item relating to limits on access principles, paragraph (c), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 5

Te Ture Whenua Maori Act 1993 (1993 No 4)

In section 4, definition of **subdivision consent**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

In section 99(3), replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 10

In section 123(6A), replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

In the heading to section 301, replace “**Natural and Built Environment Act 2023**” with “**Resource Management Act 1991**”. 15

In section 301(2), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 301(3)(a), replace “section 574 of the Natural and Built Environment Act 2023” with “section 218 of the Resource Management Act 1991”.

In section 301(3)(b), replace “sections 313 and 314 of the Natural and Built Environment Act 2023” with “sections 120 and 121 of the Resource Management Act 1991”. 20

In section 301(4), replace “section 611 of the Natural and Built Environment Act 2023” with “section 230(3) to (5) of the Resource Management Act 1991”.

In section 302(1), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 25

In section 302(2), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 302(2)(b), replace “Part 10 of the Natural and Built Environment Act 2023” with “Part 10 of the Resource Management Act 1991”.

In section 303(1) and (3), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 30

In section 303(2)(a), replace “Part 10 of the Natural and Built Environment Act 2023” with “Part 10 of the Resource Management Act 1991”.

In section 303(2)(b), replace “sections 609 to 619 and Schedule 11 of the Natural and Built Environment Act 2023” with “sections 229 to 237H of the Resource Management Act 1991”. 35

Te Ture Whenua Maori Act 1993 (1993 No 4)—continued

In section 304(3)(b), replace “sections 609 to 619 and Schedule 11 of the Natural and Built Environment Act 2023” with “sections 229 to 237H of the Resource Management Act 1991”.

In section 304(4), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 326D(5), replace “Part 10 of the Natural and Built Environment Act 2023” with “Part 10 of the Resource Management Act 1991”.

Unit Titles Act 2010 (2010 No 22)

Replace section 13 with:

13 General relationship to Resource Management Act 1991

(1) Except as provided in this section and sections 28 and 29, nothing in this Act derogates from the provisions of the Resource Management Act 1991.

(2) Nothing in section 11 or Part 10 of the Resource Management Act 1991 applies to section 74, subparts 2 and 3 of Part 4, or section 204.

Compare: 1972 No 15 s 2A(1), (2)

In section 26, replace “plan requirements under the Natural and Built Environment Act 2023 applied at the date on which approval of the proposed unit development plan under section 578 of that Act” with “district plan requirements applied at the date on which approval of the proposed unit development plan under section 223 of the Resource Management Act 1991”.

In the heading to section 28, replace “**Natural and Built Environment Act 2023**” with “**Resource Management Act 1991**”.

In section 28(1), replace “section 22 or Part 10 of the Natural and Built Environment Act 2023” with “section 11 or Part 10 of the Resource Management Act 1991”.

In section 28(1)(a), replace “section 587” with “section 224(c)” in each place.

In section 28(1)(b), replace “section 585(2)” with “section 224(e)”.

In section 28(2), replace “Section 22 and Part 10 of the Natural and Built Environment Act 2023” with “Section 11 and Part 10 of the Resource Management Act 1991”.

In section 28(2), replace “section 587” with “section 224(c)”.

In section 28(3) and (4), replace “section 587 of the Natural and Built Environment Act 2023” with “section 224(c) of the Resource Management Act 1991”.

In the heading to section 29, replace “**section 587 of Natural and Built Environment Act 2023**” with “**section 224(c) of Resource Management Act 1991**”.

In section 29(1) and (2), replace “section 587 of the Natural and Built Environment Act 2023” with “section 224(c) of the Resource Management Act 1991”.

Unit Titles Act 2010 (2010 No 22)—*continued*

In section 29(1)(b)(ii), replace “section 587(4)(a)(i), (ii), and (iii) of the Natural and Built Environment Act 2023” with “section 224(c)(i), (ii), and (iii) of the Resource Management Act 1991”.

In section 35(b) and (c), replace “plan under the Natural and Built Environment Act 2023” with “district plan”. 5

In section 36(3), replace “plan under the Natural and Built Environment Act 2023 or the requirements of that Act” with “district plan or the requirements of the Resource Management Act 1991”.

Urban Development Act 2020 (2020 No 42)

Replace section 4 with: 10

4 Treaty of Waitangi

In achieving the purpose of this Act, all persons performing functions or exercising powers under it must take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

In section 5(1)(a)(ii), replace “facilities” with “amenities”. 15

Replace section 5(1)(b) with:

- (b) promote the sustainable management of natural and physical resources and, in doing so,—
 - (i) recognise and provide for the matters in section 6 of the Resource Management Act 1991; and 20
 - (ii) have particular regard to the matters in section 7 of that Act; but
 - (iii) recognise that amenity values may change.

Replace section 5(2) with:

- (2) In this section, **sustainable management** has the same meaning as in section 5(2) of the Resource Management Act 1991. 25

In section 7(2)(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 9, repeal the definitions of **cultural heritage, implementation plan, iwi and hapū participation legislation, national planning framework, natural and built environment plan, regional planning committee, regional spatial strategy, and te Tiriti o Waitangi.** 30

In section 9, definition of **coastal marine area**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

In section 9, definition of **designation**, paragraph (a), replace “section 11 of the Natural and Built Environment Act 2023” with “section 166 of the Resource Management Act 1991”. 35

Urban Development Act 2020 (2020 No 42)—*continued*

In section 9, definition of **development contribution**, paragraph (a), replace “section 220(b) of the Natural and Built Environment Act 2023” with “section 87(b) of the Resource Management Act 1991”.

In section 9, replace the definition of **dwelling house** with:

dwelling house has the same meaning as dwellinghouse in section 2(1) of the Resource Management Act 1991 5

In section 9, definition of **infrastructure**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

In section 9, definition of **interest**, paragraph (a), replace “iwi and hapū participation legislation” with “iwi participation legislation”. 10

In section 9, replace the definition of **iwi authority** with:

iwi authority has the same meaning as in section 2(1) of the Resource Management Act 1991

In section 9, definition of **iwi planning document**, paragraph (b), replace “iwi and hapū participation legislation” with “iwi participation legislation”. 15

In section 9, definition of **iwi planning document**, repeal paragraph (e).

In section 9, definition of **land**, paragraph (a), replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

In section 9, replace the definition of **limited notification** with: 20

limited notification is the form of notification described in section 95B of the Resource Management Act 1991

In section 9, definition of **Māori entity**, paragraph (h), replace “iwi and hapū participation legislation” with “iwi participation legislation”.

In section 9, definition of **nationally significant infrastructure**, paragraph (g), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 25

In section 9, definition of **network utility operator**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 166 of the Resource Management Act 1991”. 30

In section 9, definition of **participation arrangement**, delete “, the Natural and Built Environment Act 2023,”.

In section 9, definition of **participation arrangement**, paragraph (a), replace “natural and built environment plan” with “planning instrument”.

In section 9, definition of **public notice**, replace “section 12 of the Natural and Built Environment Act 2023” with “section 2AB of the Resource Management Act 1991”. 35

Urban Development Act 2020 (2020 No 42)—*continued*

In section 9, definition of **requiring authority**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 166 of the Resource Management Act 1991”.

In section 9, definition of **resource consent**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 5

In section 9, definition of **working day**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

In section 9, insert in their appropriate alphabetical order:

amenity values has the same meaning as in section 2(1) of the Resource Management Act 1991 10

combined planning instrument means a document of the kind described in section 80 of the Resource Management Act 1991

district plan has the same meaning as in section 43AA of the Resource Management Act 1991 15

historic heritage has the same meaning as in section 2(1) of the Resource Management Act 1991

iwi participation legislation has the same meaning as in section 58L of the Resource Management Act 1991

planning instrument means a regional or district plan, a combined planning instrument, or a regional policy statement 20

regional plan has the same meaning as in section 43AA of the Resource Management Act 1991

regional policy statement has the same meaning as in section 43AA of the Resource Management Act 1991 25

In section 14(1)(b), replace “Natural and Built Environment Act 2023 and the Spatial Planning Act 2023” with “Resource Management Act 1991”.

In section 17(5), definition of **mana whenua**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 30

Replace section 28(b)(ii) with:

(ii) existing national directions under the Resource Management Act 1991; and

In section 32(1), replace “31(a)” with “31(1)(a)”.

In section 32(1)(e), replace “cultural heritage” with “historic heritage”. 35

In section 32(1)(f), delete “, including how the project aligns with the regional spatial strategy”.

Urban Development Act 2020 (2020 No 42)—continued

In section 32(2)(a), before “iwi planning documents”, insert “existing planning instruments and”.

In section 33(1)(a), replace “31(b)” with “31(1)(b)”.

In section 33(4)(f), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 5

In section 33(5), replace “cultural heritage” with “historic heritage”.

In section 35(1), replace “31(d)” with “31(1)(d)”.

Replace the heading to section 38 with “**Contents of report: recommendation to establish specified development project**”.

In section 38(2)(a)(viii), replace “cultural heritage” with “historic heritage”. 10

In section 38(2)(a)(ix), replace “31(a)” with “31(1)(a)”.

In section 48(1)(c), replace “section 57 of the Natural and Built Environment Act 2023” with “**section 33** of the Resource Management Act 1991”.

In section 51(2), replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 15

In section 57(a), replace “the plan outcomes of any natural and built environment plan” with “the objectives of any planning instrument”.

Replace section 58(a) with:

- (a) the following instruments made under the Resource Management Act 1991: 20
- (i) national policy statements:
 - (ii) a New Zealand Coastal Policy Statement:
 - (iii) national environmental standards and other regulations (other than a national environmental standard):
 - (iv) all applicable provisions of national planning standards approved 25
under section 58E of the Resource Management Act 1991, including as they relate to—
 - (A) matters of structure, format, definitions, and metrics; and
 - (B) the requirements for electronic functionality and accessibility; and 30
 - (C) regional and district spatial layers standards (*see* National Planning Standard clauses 11 and 12); or

In section 60(4)(b) and (5)(b), replace “iwi and hapū participation legislation” with “iwi participation legislation”.

In the heading above section 60(5), replace “*natural and built environment plans*” with “*planning instruments*”. 35

Replace section 60(5)(a) with:

Urban Development Act 2020 (2020 No 42)—*continued*

- (a) any modifications to be made to objectives, policies, methods, and rules in planning instruments to enable the project objectives to be achieved; and

In section 60(5)(c), after “controlled”, insert “or restricted discretionary”.

In section 63(5)(a), replace “natural and built environment plan” with “district plan”. 5

In the heading to section 64, replace “**natural and built environment plans**” with “**planning instruments**”.

Replace section 64(1) and (2) with:

- (1) A development plan may incorporate material by reference, applying the provisions of Part 3 of Schedule 1 of the Resource Management Act 1991 with all necessary modifications, as if— 10
 - (a) a reference to a plan or proposed plan included a development plan:
 - (b) a reference to a local authority were a reference to Kāinga Ora:
 - (c) a reference to the Minister were a reference to the responsible Minister under this Act. 15
- (2) Any objectives, policies, methods, or rules of a development plan that override, add to, or suspend any provisions of a regional policy statement or a plan made under the Resource Management Act 1991 must—
 - (a) not go beyond the scope provided for plans or regional policy statements prepared under the Resource Management Act 1991; and 20
 - (b) provide for classes of activities to be specified that are consistent with those set out in section 87A of the Resource Management Act 1991; and
 - (c) be clearly identified in the development plan; and
 - (d) if relevant, enable the provision of all necessary infrastructure for a specified development project. 25

Replace section 68(1)(b)(i) with:

- (i) regional policy statements, regional plans, and district plans made under the Resource Management Act 1991:

After section 68(1)(b)(iii), insert:

- (iv) any spatial plans prepared under the Local Government (Auckland Council) Act 2009: 30

In section 69(1), replace “override, add to, or suspend the natural and built environment plan” with “change the planning instruments”.

In section 70(1)(b)(i), replace “cultural heritage” with “historic heritage”.

In section 72(8)(a), replace “natural and built environment plan” with “regional coastal plan”. 35

Urban Development Act 2020 (2020 No 42)—*continued*

In section 72(9)(b), replace “natural and built environment plan” with “regional coastal plan”.

In section 72(10)(e), replace “cultural heritage” with “historic heritage”.

In section 72(10)(f), replace “section 609 of the Natural and Built Environment Act 2023” with “section 229 of the Resource Management Act 1991”. 5

In section 83(4), replace “natural and built environment plan” with “regional coastal plan”.

In section 86(b), replace “natural and built environment plan” with “district plan”.

In the heading to section 87, replace “**natural and built environment plan**” with “**planning instruments**”. 10

In section 87(1), replace “natural and built environment plans” with “planning instruments”.

In section 87(2), replace “natural and built environment plan” with “district plan”.

In section 87(3), replace “natural and built environment plan” with “planning instrument”. 15

In the heading to section 88, replace “**natural and built environment plan**” with “**planning instruments**”.

In section 88(1), replace “natural and built environment plan that applies to the project area and, despite sections 167(b) and 104 of the Natural and Built Environment Act 2023, may be inconsistent with the applicable regional spatial strategy” with “planning instrument that applies to the project area”. 20

Replace section 88(2) with:

(2) However, subsection (1) does not apply to any objective, policy, rule, or other method relating to historic heritage included in a planning instrument, unless the change imposes more stringent management or protection for historic heritage. 25

In section 89(1) and (2)(b), replace “natural and built environment plan” with “planning instrument”.

In section 89(3), replace “subpart 6 of Part 3 of the Natural and Built Environment Act 2023” with “subpart 2 of Part 5 of the Resource Management Act 1991”. 30

In section 90(3), replace “iwi and hapū participation legislation” with “iwi participation legislation”.

In section 90(3)(a), (b), and (c), replace “natural and built environment plan” with “planning instrument”.

In section 91(2)(a)(i), replace “natural and built environment plans” with “planning instruments”. 35

In section 91(2)(a)(i), replace “a natural and built environment plan” with “an instrument”.

Urban Development Act 2020 (2020 No 42)—*continued*

In section 91(2)(a)(ii), replace “any amendments to the national planning framework” with “any relevant new or amended national direction”.

In section 92(1), replace “natural and built environment plan is overridden by, added to, or suspended by” with “planning instrument is modified by”.

In section 93(2), replace “subpart 2 of Part 2 of Schedule 6 of the Natural and Built Environment Act 2023” with “Part 2 of Schedule 1 of the Resource Management Act 1991”. 5

In the heading to section 95, replace “**natural and built environment plans**” with “**planning instruments**”.

In section 95(a), replace “natural and built environment plans” with “planning instruments”. 10

In section 95(b), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In the heading to section 96, replace “**natural and built environment plans**” with “**planning instruments**”. 15

Replace section 96(1) with:

- (1) Without using the processes required for a plan change under Schedule 1 of the Resource Management Act 1991, every local authority must include in the electronic versions of its planning instruments—
 - (a) a map showing the area of any project area within its district or region; and 20
 - (b) advice on where to access the relevant development plan or draft development plan.

In section 97(1), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 25

Replace section 97(2) with:

- (2) **Section 33** of the Resource Management Act 1991 applies in relation to the transfer as if Kāinga Ora were a public authority under that section.

In the cross-heading above section 98, replace “*Natural and built environment plan*” with “*Regional or district plan*”. 30

In section 98(1), replace “natural and built environment plan” with “district or regional plan”.

In section 98(1) and (2), replace “regional planning committee” with “local authority”.

In the heading to section 99, replace “**Regional planning committee**” with “**Relevant local authority**”. 35

In section 99(1), replace “natural and built environment plan” with “district or regional plan”.

Urban Development Act 2020 (2020 No 42)—continued

Replace section 99(2) with:

- (2) The relevant local authority must notify Kāinga Ora of that fact, in writing, at least 20 working days before whichever of the following is relevant to the plan change:
- (a) the date on which the relevant local authority considers whether to approve or adopt the plan change under clause 17 or 18 of Schedule 1 of the Resource Management Act 1991: 5
 - (b) the date on which the relevant local authority submits the information required by clause 83(1) of Schedule 1 of the Resource Management Act 1991 to the Minister described in that clause. 10

In section 100(1), replace “a decision under clause 44 of Schedule 6 of the Natural and Built Environment Act 2023” with “an approval, adoption, or submission of information under clause 17, 18, or 83(1) of Schedule 1 of the Resource Management Act 1991”.

In section 100(1)(b) and (3)(a), replace “regional planning committee” with “relevant local authority”. 15

In section 100(7), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 101(1)(c), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 20

In section 102(4), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 103(1) and (5), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Replace section 104(3) with: 25

- (3) When exercising a power under subsection (1), sections 104 to 111 of the Resource Management Act 1991 apply to Kāinga Ora as if it were the consent authority, but with the modification that references in those sections to Part 2 of that Act are treated as references to subpart 1 of Part 1 of this Act.

Replace section 105(3) with: 30

- (3) Sections 357C to 358 of the Resource Management Act 1991 apply, with the necessary modifications, as if the objection were made under section 357A(1)(f) or (g) of that Act.

In section 108(1) and (3), replace “iwi and hapū participation legislation” with “iwi participation legislation”. 35

In section 108(1)(a), replace “section 755 of the Natural and Built Environment Act 2023” with “section 35A of the Resource Management Act 1991”.

In section 109(1)(a) and (b)(i), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

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In section 109(2)(b) and (c), replace “natural and built environment plan as overridden by, added to, or suspended by” with “district plan as amended by”.

In section 109(3), replace “section 725 of the Natural and Built Environment Act 2023” with “section 38 of the Resource Management Act 1991”.

In section 109(4), replace “sections 727 and 729 to 731 of the Natural and Built Environment Act 2023” with “sections 332, 334, and 335 of the Resource Management Act 1991”.

In section 109(5), replace “iwi and hapū participation legislation” with “iwi participation legislation”.

In section 110(1) and (2), replace “Part 10 of the Natural and Built Environment Act 2023” with “Part 10 of the Resource Management Act 1991”.

In section 113(1)(b), replace “sections 286 to 293 of the Natural and Built Environment Act 2023” with “sections 104 to 107 of the Resource Management Act 1991”.

Replace section 113(2) with:

- (2) The modifications referred to in subsection (1)(b) are:
- (a) a reference to Part 2 of the Resource Management Act 1991 is to be read as a reference to subpart 1 of Part 1 of this Act:
 - (b) a reference to a plan or proposed plan is to be read as a reference to a plan as overridden by, added to, or suspended by a development plan.

In section 113(3), replace “iwi and hapū participation legislation” with “iwi participation legislation”.

In section 113(3)(a) and (4), replace “natural and built environment plan” with “district plan”.

In the cross-heading above section 114, replace “*Natural and Built Environment Act 2023*” with “*Resource Management Act 1991*”.

In section 114(1), replace “sections 21 to 34 of the Natural and Built Environment Act 2023” with “sections 9 to 15 of the Resource Management Act 1991”.

In section 114(2), replace “Sections 153 to 232 of the Natural and Built Environment Act 2023” with “Sections 87AA to 87D of the Resource Management Act 1991”.

Replace section 114(3) with:

- (3) The following provisions of the Resource Management Act 1991 apply with the following modifications:
- (a) section 87E (except subsection (6A));
 - (b) section 87F (but subsection (5) is to be read as including Kāinga Ora, unless Kāinga Ora is acting as the consent authority);
 - (c) section 87G(6) and (7) must be read as requiring the Environment Court to apply the decision-making framework set out in section 113 of this

Urban Development Act 2020 (2020 No 42)—*continued*

Act if the court is determining a new consent application or an application for a change to, or cancellation of, a resource consent.

In section 115(2), replace “section 239(4) of the Natural and Built Environment Act 2023” with “section 88(2) of the Resource Management Act 1991”.

Replace section 115(2)(b) with:

- (b) an assessment of environmental effects that complies, to the extent that is relevant, with Schedule 4 of that Act (modified to replace a reference to Part 2 of that Act with a reference to subpart 1 of Part 1 of this Act).

In section 115(4)(a)(i), after “controlled”, insert “or restricted discretionary”.

In section 115(4)(a)(ii), after “discretionary”, insert “or non-complying”.

In section 115(6), replace “section 239 of the Natural and Built Environment Act 2023” with “section 88 of the Resource Management Act 1991”.

In section 116(2), replace “Sections 222, 225, 253 to 257, 262, and 263 of the Natural and Built Environment Act 2023” with “Sections 88A to 88E, 89, and 89A of the Resource Management Act 1991”.

Replace section 116(3) with:

- (3) Section 91 of the Resource Management Act 1991 applies, modified by reading the reference to additional consents under the Resource Management Act 1991 as a reference to additional consents under a development plan or under the Resource Management Act 1991 (*see* section 91(1)(a) of that Act).

Replace section 117 with:

117 Deferral and suspension

Sections 91A to 91F of the Resource Management Act 1991 apply to applications made under this subpart or under the Resource Management Act 1991 for further consents in relation to a project area.

In section 118(1), replace “sections 249 and 184 of the Natural and Built Environment Act 2023” with “section 92 of the Resource Management Act 1991”.

In section 118(2), replace “Sections 250 and 251 of the Natural and Built Environment Act 2023” with “Sections 92A and 92B of the Resource Management Act 1991”.

In section 119(2), replace “in a natural and built environment plan as overridden by, added to, or suspended by” with “in a plan as modified by”.

Replace section 119(3) with:

- (3) For activities other than those required to be notified by rules in a development plan, district plan, or regional plan, the consent authority may determine whether to notify an application for a resource consent, applying the relevant provisions of sections 95 to 95G of the Resource Management Act 1991, modified by reading—

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- (a) a reference to a district plan as including a reference to a development plan; and
- (b) a reference to a rule as including a reference to a rule in a development plan; and
- (c) the time limits required under subsection (4) instead of those provided for in section 95(2) of the Resource Management Act 1991. 5

In section 119(4)(a), after “controlled”, insert “and restricted discretionary”.

Replace section 119(6) with:

- (6) A rule for notification in a district or regional plan under the Resource Management Act 1991 continues to apply if it is not displaced by a provision in the relevant development plan. 10

In section 120(1)(a), after “controlled”, insert “or restricted discretionary”.

In section 120(3), replace “section 302 of the Natural and Built Environment Act 2023” with “section 115 of the Resource Management Act 1991”.

In section 121(1), replace “sections 272 to 280 of the Natural and Built Environment Act 2023” with “sections 96 to 99A and 100A of the Resource Management Act 1991”. 15

In section 121(3), replace “section 280(2) and (4) of the Natural and Built Environment Act 2023” with “section 100A(2) and (4) of the Resource Management Act 1991”. 20

Replace section 122(5) with:

- (5) Despite subsections (2) to (4), there is no right to a hearing in respect of applications for resource consents for land use or subdivision activities that are controlled or restricted discretionary activities under the district plan as that plan is modified by the development plan. 25

In section 122(6), replace “clause 90 of Schedule 6 of the Natural and Built Environment Act 2023” with “section 41D of the Resource Management Act 1991”.

In section 123, replace “Sections 279 and 281 to 285 of the Natural and Built Environment Act 2023” with “Sections 101 to 103B of the Resource Management Act 1991”. 30

In section 123(a), replace “section 279(3)” with “section 101(3)”.

In section 123(b), replace “section 281(2)” with “section 102(2)”.

In section 123(c), replace “section 284(2)(a)” with “section 103B(2)(a)”.

In section 123(c), replace “clause 92 of Schedule 6” with “section 42A(1)”.

In section 124(a), replace “iwi and hapū participation legislation” with “iwi participation legislation”. 35

In section 124(b), replace “natural and built environment plan” with “regional or district plan”.

Urban Development Act 2020 (2020 No 42)—*continued*

Replace section 125 with:

125 Conditions and other obligations

Sections 108 to 111 of the Resource Management Act 1991 apply to resource consents granted under this subpart by a consent authority, but with the following modifications:

- (a) in section 108(10)(a) of that Act, the reference to a plan means a plan as overridden by, added to, or suspended by a development plan:
- (b) in section 108AA(1)(b)(ii) of that Act, the reference to an applicable district or regional rule includes a reference to an applicable rule in the relevant development plan:
- (c) in section 109(3) of that Act, replace the reference to section 171 of the Local Government Act 2002 with a reference to section 280 of this Act.

In section 126(1), replace “Sections 301 and 303(1) to (3) of the Natural and Built Environment Act 2023” with “Sections 113 and 114(1) to (3) of the Resource Management Act 1991”.

In section 126(1)(a), replace “section 301(1)(b)” with “section 113(1)(aa)”.

Replace section 126(1)(b) with:

- (b) in section 113(1)(ab) of that Act, a reference to a regional policy statement or a plan is a reference to a regional policy statement or plan, as the case requires, overridden by, added to, or suspended by a development plan:

In section 126(1)(c), replace “section 303(2)” with “section 114(2)”.

In section 127, replace “Sections 318 to 325 of the Natural and Built Environment Act 2023” with “Sections 116 to 119A of the Resource Management Act 1991”.

In section 128(1), replace “Sections 764 to 771 of the Natural and Built Environment Act 2023” with “Sections 357 to 358 of the Resource Management Act 1991”.

In section 129(3), replace “section 313 of the Natural and Built Environment Act 2023” with “section 120 of the Resource Management Act 1991”.

Replace section 129(4) with:

- (4) Section 121 of the Resource Management Act 1991 applies to an appeal under this section, except that the reference in section 121(1)(c) to the consent authority must be read as including Kāinga Ora if Kāinga Ora is not the consent authority.

Replace section 130 with:

Urban Development Act 2020 (2020 No 42)—*continued*

130 Right of appeal against direction given under section 85 of Resource Management Act 1991

Nothing in this Act limits or affects a right of appeal to the High Court on points of law under section 299 of the Resource Management Act 1991 that a person may have against a direction given under section 85 of that Act (which relates to the reasonable use of land that is subject to controls). 5

In section 131(1), replace “section 513 of the Natural and Built Environment Act 2023” with “section 167 of the Resource Management Act 1991”.

Replace section 132(3) and (4) with:

- (3) Sections 168 to 186 (but not section 168A or 170) of the Resource Management Act 1991 apply, with the necessary modifications, as if— 10
- (a) a reference to Part 2 of the Resource Management Act 1991 were a reference to subpart 1 of Part 1 of this Act; and
 - (b) a reference to the territorial authority were a reference to Kāinga Ora, as the context may require; and 15
 - (c) a reference to a rule in section 169 of the Resource Management Act 1991, and in sections 149ZCB, 149ZCC, 149ZCD, 149ZCE, and 149ZCF of that Act (as applied by section 169(1) of that Act) included a rule in a development plan; and
 - (d) a reference to a district plan were a reference to a development plan; and 20
 - (e) references to both a district and regional plan were references to a plan as modified by a development plan (*see* sections 171(1)(a)(iv) and 176(2) of the Resource Management Act 1991); and
 - (f) the reference to section 170 in section 169(2) of the Resource Management Act 1991 were a reference to section 134(4) of this Act; and 25
 - (g) the reference to a proposed plan in section 178(3)(e) of the Resource Management Act 1991 were a reference to the draft development plan; and
 - (h) a reference to a recommendation of a territorial authority were a reference to a decision of Kāinga Ora; and 30
 - (i) a reference to the process under Schedule 1 of the Resource Management Act 1991 were a reference to the process for preparing a development plan under subpart 2 of Part 2 of this Act; and
 - (j) a reference to clause 4 of Schedule 1 of the Resource Management Act 1991 were a reference to this section. 35
- (4) References to a proposed district plan in sections 175, 176, 177, and 181 of the Resource Management Act 1991 do not apply to designations within the meaning of this subpart.

Urban Development Act 2020 (2020 No 42)—*continued*

In section 132(5), replace “Section 541 of the Natural and Built Environment Act 2023” with “Section 180 of the Resource Management Act 1991”.

In section 132(6), replace “Section 540 of the Natural and Built Environment Act 2023” with “Section 186 of the Resource Management Act 1991”.

In the heading to section 133, replace “**Part 9 of Natural and Built Environment Act 2023**” with “**Part 8 of Resource Management Act 1991**”. 5

In section 133(1), replace “section 531(1) of the Natural and Built Environment Act 2023” with “section 176(1) of the Resource Management Act 1991”.

In section 133(2), replace “section 531(1)(b) of the Natural and Built Environment Act 2023” with “section 176(1)(b) of the Resource Management Act 1991”. 10

In section 133(3), replace “section 532 of the Natural and Built Environment Act 2023” with “section 177 of the Resource Management Act 1991”.

In section 133(3)(b), replace “natural and built environment plan” with “district plan”.

Replace section 133(5) with: 15

(5) Section 171(1) of the Resource Management Act 1991 must be applied as if, for the purpose of applying Part 8 of that Act to this subpart, the requiring authority (whether Kāinga Ora or the territorial authority) must have particular regard to—

- (a) all the matters set out in that subsection; and 20
- (b) the relevant project objectives; and
- (c) whether the work and designation are reasonably necessary for achieving those project objectives.

In section 133(6), replace “Section 533(2) to (6) of the Natural and Built Environment Act 2023” with “Section 178(2) to (6) of the Resource Management Act 1991”. 25

In section 135(2), replace “clause 60 of Schedule 10 of the Natural and Built Environment Act 2023” with “section 145 of the Resource Management Act 1991”.

In section 136(2), replace “section 517 of the Natural and Built Environment Act 2023” with “section 168 of the Resource Management Act 1991”.

In section 136(4), replace “Sections 517 to 542 (but not section 530) of the Natural and Built Environment Act 2023” with “Sections 169 to 185 (but not section 175) of the Resource Management Act 1991”. 30

In section 136(5), replace “Natural and Built Environment Act 2023 provided in section 132(3)(c) and (d), (4), (5), and (6)” with “Resource Management Act 1991 provided in **section 132(3)(a), (c), and (d), (4), (5), and (6)**”. 35

Replace section 136(7) with:

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(7) A designation applying wholly outside a project area must be included in the relevant district plan, as required by section 175 of the Resource Management Act 1991.

In section 136(8)(b), replace “natural and built environment plan” with “district plan”.

5

Replace section 136(9) with:

(9) A designation referred to in subsection (6), (7), or (8) must be included in a development plan or district plan, as the case requires, without applying section 91 of this Act or Schedule 1 of the Resource Management Act 1991.

In section 144(3)(c), replace “a natural and built environment plan” with “a district plan”.

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In section 223(1)(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 232(1)(a)(i), replace “section 587 of the Natural and Built Environment Act 2023” with “section 224(c) of the Resource Management Act 1991”.

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In section 232(1)(a)(ii), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 235(4)(d), replace “section 587 of the Natural and Built Environment Act 2023” with “section 224(c) of the Resource Management Act 1991”.

Replace section 244(1)(g)(ii) with:

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(ii) under section 128(1)(a) or (c) of the Resource Management Act 1991; or

After section 244(1)(g)(ii), insert:

(iii) in accordance with section 128(2) of the Resource Management Act 1991:

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After section 244(1)(g), insert:

(h) charges payable by a person who carries out a permitted activity in a project area, for the monitoring of the activity, if a local authority is empowered to charge for the monitoring in accordance with section 43A(8) of the Resource Management Act 1991:

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In section 244(1)(j)(i), replace “section 757 of the Natural and Built Environment Act 2023” with “section 36 of the Resource Management Act 1991 (*see* section 36(1)(g) of that Act)”.

In section 265(4)(d), replace “section 587 of the Natural and Built Environment Act 2023” with “section 224(c) of the Resource Management Act 1991”.

35

In Schedule 1, repeal Parts 2 and 3.

Urban Development Act 2020 (2020 No 42)—*continued*

In Schedule 2, clause 10(2)(b), replace “sections 30 to 34 of the Natural and Built Environment Act 2023” with “section 10, 10A, 10B, or 20A(2) of the Resource Management Act 1991”.

In Schedule 2, replace clause 10(3) with:

- (3) After a disestablishment order comes into force, the relevant local authorities, without using the processes in Schedule 1 of the Resource Management Act 1991,— 5
- (a) may adopt any of the resource management objectives, policies, rules, or methods from a development plan; and
 - (b) must update the district plans to include the designations that were in the development plan; and 10
 - (c) must remove the project area from the planning instruments.

In Schedule 2, clause 10(6), replace “natural and built environment plan” with “planning instruments”.

In Schedule 3, replace clause 1(2) with: 15

- (2) At least 1 member of an IHP who is an accredited person in accordance with section 39A of the Resource Management Act 1991 must be given hearing authority under section 39B of that Act, but more than 1 member who is accredited may be given hearing authority.

In Schedule 3, clause 1(4)(c), replace “te Tiriti o Waitangi” with “the Treaty of Waitangi”. 20

In Schedule 3, clause 1(4)(e), replace “iwi and hapū participation legislation” with “iwi participation legislation”.

In Schedule 3, replace clause 6(1)(b) with:

- (b) by any person who has hearing authority under section 39B of the Resource Management Act 1991 or is otherwise suitably skilled to undertake the role, as long as the person is not involved in the preparation of the draft development plan or its supporting documents. 25

In Schedule 3, clause 8(2), replace “clause 75 of Schedule 10 of the Natural and Built Environment Act 2023” with “section 149J of the Resource Management Act 1991”. 30

Waitakere Ranges Heritage Area Act 2008 (2008 No 1 (L))

In section 4(2), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 7(2)(i), delete “and amenity values”.

Repeal section 7(3). 35

Replace sections 9 and 10 and the cross-heading above section 9 with:

Waitakere Ranges Heritage Area Act 2008 (2008 No 1 (L))—continued

Matters relating to Resource Management Act 1991

9 Relationship between this Act and Resource Management Act 1991

- (1) If a conflict arises between this Act and the Resource Management Act 1991, the Resource Management Act 1991 prevails.
- (2) **Subsection (1)** does not apply to section 13(1)(a)(ii) or 15(2)(b). 5

10 Regional policy statements and regional plans

- (1) When preparing or reviewing a regional policy statement or regional plan that affects the heritage area, the Council must give effect to the purpose of this Act and the objectives.
- (2) The requirements in **subsection (1)** are in addition to the requirements in sections 61, 66, and 79 of the Resource Management Act 1991. 10
- (3) When evaluating a proposed policy statement, or proposed plan, change, or variation that affects the heritage area, the Council must also examine whether the statement, plan, change, or variation is the most appropriate way to achieve the objectives (having regard to the purpose of this Act). 15
- (4) The requirements in **subsection (3)** are in addition to the requirements in section 32(3) of the Resource Management Act 1991.

11 District plans

- (1) When preparing or reviewing a district plan that affects the heritage area, the Council must give effect to the purpose of this Act and the objectives. 20
- (2) The requirements in **subsection (1)** are in addition to the requirements in sections 74, 75, and 79 of the Resource Management Act 1991.
- (3) When evaluating a proposed district plan, change, or variation that affects the heritage area, the Council must examine whether the plan, change, or variation is the most appropriate way to achieve the objectives (having regard to the purpose of this Act). 25
- (4) The requirements in **subsection (3)** are in addition to the requirements in section 32(3) of the Resource Management Act 1991.

In section 12(3)(a), replace “clause 68 of Schedule 6 of the Natural and Built Environment Act 2023” with “clause 22 of Schedule 1 of the Resource Management Act 1991”. 30

In section 12(4), replace “clause 67 of Schedule 6 of the Natural and Built Environment Act 2023” with “section 65(4) or 73(2) of the Resource Management Act 1991”.

In section 12(4)(a), replace “plan under the Natural and Built Environment Act 2023” with “regional or district plan”. 35

In section 13(1), after “discretionary”, insert “or non-complying”.

Waitakere Ranges Heritage Area Act 2008 (2008 No 1 (L))—continued

In section 13(1)(a)(ii), replace “national planning framework” with “national policy statement or New Zealand coastal policy statement”.

In section 13(1)(b), replace “plans” with “regional and district plans”.

In section 13(2), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 5

Replace section 13(3) with:

- (3) When considering an application for resource consent for a controlled activity or a restricted discretionary activity in the heritage area, a consent authority must consider the purpose of this Act and the relevant objectives as if they were matters specified in the plan or proposed plan over which the Council has reserved its control or has restricted the exercise of its discretion. 10

In section 14, replace “section 295 of the Natural and Built Environment Act 2023” with “section 108 of the Resource Management Act 1991”.

In the heading to section 15, delete “**protection**”.

Replace section 15(1) with: 15

- (1) Subsection (2) applies to a person if the person is making a decision or recommendation that relates to the heritage area or a part of it for—
- (a) a designation under section 168A, 171, 172, 174, 179, 181, or 182 of the Resource Management Act 1991; or
- (b) a heritage order under section 189, 189A, 191, 192, 195, or 196 of the Resource Management Act 1991. 20

In section 15(2)(b), replace “national planning framework” with “national policy statement or New Zealand coastal policy statement”.

In section 15(3), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 25

In section 16, replace “Sections 636 to 640 of the Natural and Built Environment Act 2023 apply as if the following matters were stated in section 637” with “Sections 309 to 313 of the Resource Management Act 1991 apply as if the following matters were stated in section 310”.

Replace section 18 with: 30

18 Auckland spatial plan

- (1) To the extent of any inconsistency, this Act prevails over the Auckland spatial plan prepared under **section 79** of the Local Government (Auckland Council) Act 2009.
- (2) When adopting or amending the Auckland spatial plan, the Auckland Council must ensure that its provisions are not inconsistent with the purpose of this Act or the objectives. 35

Waitakere Ranges Heritage Area Act 2008 (2008 No 1 (L))—continued

In the heading to section 28, replace “**Natural and Built Environment Act 2023**” with “**Resource Management Act 1991**”.

Replace section 28(1) with:

- (1) The Council may include in its district plan any part of a LAP that relates to managing the use, development, or protection of natural and physical resources. 5

In section 28(2), replace “Schedule 6 of the Natural and Built Environment Act 2023” with “Part 1 of Schedule 1 of the Resource Management Act 1991”.

In section 28(3) and (4), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 10

In section 35(b), replace “Schedule 14 of the Natural and Built Environment Act 2023” with “Schedule 11 of the Resource Management Act 1991”.

Repeal the heading above section 36(1).

Repeal section 36(3) and the heading above section 36(3).

Waste Minimisation Act 2008 (2008 No 89) 15

In section 5(1), definition of **environment**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

Water Services Act 2021 (2021 No 36)

In section 3(1)(b), replace “Natural and Built Environment Act 2023, regulations made under that Act, and the relevant part of the national planning framework under that Act” with “Resource Management Act 1991, regulations made under that Act, and the National Policy Statement for Freshwater Management”. 20

In section 5, insert in its appropriate alphabetical order:

National Policy Statement for Freshwater Management means the National Policy Statement for Freshwater Management issued in 2020 under section 52 of the Resource Management Act 1991 and any statement issued under that section that amends or replaces the 2020 statement 25

In section 5, repeal the definition of **NPF freshwater provisions**.

Replace section 14(1) with: 30

- (1) In this Act, **Te Mana o te Wai**—
- (a) has the meaning set out in the National Policy Statement for Freshwater Management (as that term is defined in section 5 of this Act); and
- (b) applies, for the purposes of this Act, to water (as that term is defined in section 5 of this Act). 35

In section 41, replace “Natural and Built Environment Act 2023, regulations made under that Act, and the national planning framework freshwater provisions” with

Water Services Act 2021 (2021 No 36)—continued

“Resource Management Act 1991, regulations made under that Act, and the National Policy Statement for Freshwater Management”.

In section 43(2)(d), replace “NPF freshwater provisions” with “National Policy Statement for Freshwater Management”.

In the heading to section 65, replace “**Part 2 of Natural and Built Environment Act 2023**” with “**Part 3 of Resource Management Act 1991**”. 5

In section 65(1), replace “Part 2 of the Natural and Built Environment Act 2023” with “Part 3 of the Resource Management Act 1991”.

In section 66(1), replace “Part 2 of the Natural and Built Environment Act 2023” with “Part 3 of the Resource Management Act 1991”. 10

In section 67, replace “Part 2 of the Natural and Built Environment Act 2023” with “Part 3 of the Resource Management Act 1991”.

In section 106(1), replace “sections 21, 23, 24, 25, and 26 of the Natural and Built Environment Act 2023” with “sections 9, 12, 13, 14, and 15 of the Resource Management Act 1991”. 15

Water Services Entities Act 2022 (2022 No 77)

In section 6, repeal the definitions of **regional spatial strategy**.

In section 6, replace the definition of **Te Mana o te Wai** with:

Te Mana o te Wai—

- (a) has the meaning set out in the National Policy Statement for Freshwater Management issued in 2020 under section 52 of the Resource Management Act 1991 and any statement issued under that section that amends or replaces the 2020 statement (*see also* sections 4, 5, and 14 of this Act); and 20
- (b) applies, for the purposes of this Act, to water (as that term is defined in this section) 25

Repeal section 148(7).

Repeal section 152(2).

Repeal section 154(3).

Repeal section 158(9). 30

Wellington Regional Council (Water Board Functions) Act 2005 (2005 No 1 (L))

In section 3, definition of **renewable energy**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

Wellington Town Belt Act 2016 (2016 No 1 (L))

In section 28(7), replace “Section 22 and Part 10 of the Natural and Built Environment Act 2023” with “Section 11 and Part 10 of the Resource Management Act 1991”.

Whakarewarewa and Roto-a-Tamaheke Vesting Act 2009 (2009 No 50) 5

In section 9, insert before subsection (2):

- (1) Section 11 and Part 10 of the Resource Management Act 1991 (which relate to subdivisions and reclamations) do not apply to—
- (a) the vesting of the fee simple estate in the Southern Arikikapakapa Reserve under this Part; or 10
 - (b) any matter incidental to, or required for the purpose of, that vesting.

In section 9(2)(c), replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

In section 25(3), replace “section 22 and Part 10 of the Natural and Built Environment Act 2023” with “section 11 and Part 10 of the Resource Management Act 1991”. 15

Whakatane Paper Mills, Limited, Water-supply Empowering Act 1936 (1936 No 7 (P))

In section 24A(b), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 20

Part 2

Amendments to Fisheries Act 1996

Section 2

In section 2(1), definition of **aquaculture activities**, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 25

In section 2(1), definition of **coastal marine area** and **coastal permit**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

In section 2(1), insert in its appropriate alphabetical order:

regional plan has the meaning given to it by section 2(1) of the Resource Management Act 1991 30

In section 2(1), repeal the definitions of **NBEA plan** and **regional planning committee**.

Section 6

In the heading to section 6, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 35

Section 6—*continued*

In section 6(1), replace “natural and built environment plan” with “regional plan”.

In section 6(2)(a), replace “section 50(b) of the Natural and Built Environment Act 2023” with “section 30(1)(d) of the Resource Management Act 1991”.

In section 6(3), definition of **occupy**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 5

Section 11

Replace section 11(2)(a) with:

- (a) any regional policy statement, regional plan, or proposed regional plan under the Resource Management Act 1991; and

Repeal section 11(2)(aa). 10

Section 182

In section 182, replace “clauses 79 and 88 of Schedule 13 of the Natural and Built Environment Act 2023” with “sections 299 and 308 of the Resource Management Act 1991”.

Section 186C

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In section 186C, definition of **application for a coastal permit**, paragraph (a), replace “section 239 of the Natural and Built Environment Act 2023” with “section 88 of the Resource Management Act 1991”.

In section 186C, definition of **application for a coastal permit**, paragraph (b)(i), replace “section 334” with “section 127”. 20

In section 186C, definition of **application for a coastal permit**, paragraph (b)(ii), replace “section 337” with “section 128”.

In section 186C, repeal the definitions of **aquaculture area** and **aquaculture area decision**.

In section 186C, definitions of **coastal permit** and **regional council**, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 25

In section 186C, replace the definition of **determination** with:

- determination**, in relation to a coastal permit, means a decision by the chief executive that they are satisfied that the aquaculture activities authorised by the coastal permit will not have an undue adverse effect on fishing
- 30

In section 186C, replace the definition of **reservation** with:

- reservation**, in relation to a coastal permit, means a decision by the chief executive that they are not satisfied that the aquaculture activities authorised by the coastal permit will not have an undue adverse effect on fishing.

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Schedule 2

Section 186D

In section 186D(1), replace “section 293 of the Natural and Built Environment Act 2023” with “section 107F of the Resource Management Act 1991”.

Section 186E

In section 186E(1), replace “section 303 of the Natural and Built Environment Act 2023” with “section 114 of the Resource Management Act 1991”. 5

Section 186F

In section 186F(3), replace “section 303(5) of the Natural and Built Environment Act 2023” with “section 114(5) of the Resource Management Act 1991”.

Section 186GA

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In section 186GA(a)(ii) and (b), delete “or the Natural and Built Environment Act 2023”.

In section 186GA(d), replace “section 303(6) of the Natural and Built Environment Act 2023” with “section 114(6) of the Resource Management Act 1991”.

Section 186GAA

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Repeal section 186GAA.

Subpart 1A of Part 9A

Repeal subpart 1A of Part 9A.

Section 186N

In section 186N(2), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 20

Section 186R

In section 186R(2), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Section 186S

25

In section 186S(2)(a)(i), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Section 186ZD

In section 186ZD, repeal the definitions of **proposed aquaculture activity** and **reservation**. 30

Section 186ZEA

Repeal section 186ZEA.

Section 186ZF

Replace section 186ZF(3) and (4) with:

- (3) After an aquaculture agreement is registered, no person whose consent is contained in the agreement may revoke the consent, but the consent and the aquaculture agreement itself come to an end when the coastal permit to which they relate comes to an end, unless the coastal permit is replaced by a new permit in accordance with section 165ZH of the Resource Management Act 1991. 5
- (4) For the purposes of this section, subsection (2) applies to the persons specified in that subsection as at 5 pm on the date on which the chief executive gives notice of a reservation under section 186H(2)(a) in relation to the coastal permit concerned. 10

Section 186ZH

Replace section 186ZH(2)(b) and (c) with:

- (b) notify the person who lodged it, or another person whom the chief executive considers is entitled to receive notification, that the agreement has been registered. 15

Section 186ZHA

Replace section 186ZHA(2)(b) and (c) with:

- (b) notify the person who lodged it, or another person whom the chief executive considers is entitled to receive notification, that the declaration has been registered. 20

Section 186ZI

Replace section 186ZI(1)(b) with:

- (b) within 6 months after the notification of the reservation under section 186H(2)(a) in relation to the coastal permit concerned. 25

In section 186ZI(4)(c), delete “or aquaculture area decision”.

Section 186ZIA

Replace section 186ZIA(1)(b) with:

- (b) within 6 months after the date of the notification of the reservation under section 186H(2)(a) in relation to the coastal permit concerned. 30

In section 186ZIA(4)(c), delete “or aquaculture area decision”.

Section 186ZK

In section 186ZK(1), delete “, in the case of an aquaculture decision or an aquaculture area decision,”.

Section 186ZL

In section 186ZL(1) and (3)(a), delete “or 186JB”.

35

Section 186ZL—*continued*

In section 186ZL(2), delete “or 186JF”.

Section 186ZM

In section 186ZM(1), replace “section 303 of the Natural and Built Environment Act 2023” with “section 114 of the Resource Management Act 1991”.

In section 186ZM(5)(b), replace “section 487 of the Natural and Built Environment Act 2023” with “section 165ZH of the Resource Management Act 1991”. 5

Section 186ZNA

Repeal section 186ZNA.

Section 186ZO

Replace section 186ZO(1) with: 10

- (1) The holder of a coastal permit may submit to an arbitrator a request to determine the amount of compensation to be provided under section 186ZN and the provisions of the Arbitration Act 1996 (other than those relating to the appointment of an arbitrator) apply as if this section were an arbitration agreement.

Replace section 186ZO(2)(a) with: 15

- (a) by agreement between the holder of the coastal permit and all the quota owners; but

Section 186ZP

In section 186ZP(3)(a), delete “or the negotiator, as the case may be”.

Section 186ZQ 20

Replace section 186ZQ(2) with:

- (2) For the purposes of section 186ZR(3)(a)(ii), the holder of the coastal permit and quota owners may submit proposals to the arbitrator that set out the maximum extent to which complementary use may be made of the site concerned for particular quota stocks and aquaculture activities. 25

Repeal section 186ZQ(6).

Section 186ZR

In section 186ZR(1)(b), replace “the proposed aquaculture activities” with “the aquaculture activities authorised by a coastal permit”.

In section 186ZR(3)(a)(ii), delete “or area”. 30

Part 3

Amendments to Marine and Coastal Area (Takutai Moana) Act 2011

Section 9

In section 9(1), definition of **aquaculture activities**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 5

In section 9(1), replace the definition of **coastal permit** with:

coastal permit has the meaning given in section 2(1) of the Resource Management Act 1991

In section 9(1), definition of **consent authority**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 10

In section 9(1), definition of **environment**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 15

In section 9(1), replace the definition of **infrastructure** with:

infrastructure has the meaning given in section 2(1) of the Resource Management Act 1991

In section 9(1), definition of **kaitiakitanga**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 20

In section 9(1), definition of **marine and coastal area**, paragraph (b), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 9(1), definition of **plan**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 43AA of the Resource Management Act 1991”. 25

In section 9(1), definition of **proposed plan**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 43AAC of the Resource Management Act 1991”.

In section 9(1), definition of **public notice**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 30

In section 9(1), definition of **regional council**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

In section 9(1), definition of **resource consent**, replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 35

Section 9—*continued*

In section 9(1), definition of **structure**, paragraph (a), replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

In section 9(1), repeal the definitions of **environmental limit**, **Minister responsible for aquaculture**, **national planning framework**, **NBEA permission right**, **network utility operator**, **permitted activity**, **permitted activity notice**, **regional planning committee**, **regional spatial strategy**, **target**, and **te Oranga o te Taiao**. 5

In section 9(1), insert in its appropriate alphabetical order:

RMA permission right means the right held by a customary marine title group under a customary marine title order or agreement as provided for in sections 66 to 68 10

In section 9(2), replace “section 11 of the Natural and Built Environment Act 2023” with “section 3 of the Resource Management Act 1991”.

Section 9A

Repeal section 9A. 15

Section 19

In section 19(3A)(b), replace “section 23(6) of the Natural and Built Environment Act 2023” with “section 12(7) of the Resource Management Act 1991”.

In section 19(3C), replace “plan” with “regional coastal plan” in each place.

Section 23 20

In section 23(4), replace “Part 10 of the Natural and Built Environment Act 2023” with “Part 10 of the Resource Management Act 1991”.

Section 30

In section 30(2), replace “section 605 of the Natural and Built Environment Act 2023” with “section 245(5) of the Resource Management Act 1991”. 25

Section 35

After section 35(6), insert:

(7) In this section, **network utility operator** and **network utility operation** have the same meanings as in section 166 of the Resource Management Act 1991.

Section 39 30

In section 39(1)(c), replace “section 605(2) of the Natural and Built Environment Act 2023” with “section 245(5)(b) of the Resource Management Act 1991”.

Section 43

In section 43(5), replace “section 605(2) of the Natural and Built Environment Act 2023” with “section 245(5)(b) of the Resource Management Act 1991”.

Section 51

In section 51(2)(e), replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 5

Section 52

Replace section 52(1) with:

- (1) A protected customary right may be exercised under a protected customary rights order or an agreement without a resource consent, despite any prohibition, restriction, or imposition that would otherwise apply in or under sections 12 to 17 of the Resource Management Act 1991. 10

In section 52(2)(a), replace “section 182 of the Natural and Built Environment Act 2023” with “section 64A of the Resource Management Act 1991”.

In section 52(2)(b), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 15

Section 55

In section 55(3)(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 55(3)(b), replace “section 695 of the Natural and Built Environment Act 2023” with “section 330A of the Resource Management Act 1991”. 20

In section 55(3)(b), replace “section 694” with “section 330”.

Repeal section 55(3A).

Section 59

In section 59(4)(b)(ii), replace “section 11 of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 25

Section 60

In section 60(2)(b)(i), replace “section 182 of the Natural and Built Environment Act 202” with “section 64A of the Resource Management Act 1991”.

In section 60(2)(b)(ii), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 30

Section 62

Replace section 62(1)(a) with:

- (a) a Resource Management Act 1991 (RMA) permission right (*see* sections 66 to 70); and 35

Section 62A

In section 62A(3), replace “section 240 of the Natural and Built Environment Act 2023” with “section 88 of the Resource Management Act 1991”.

Section 63

In section 63, definition of **accommodated activities**, paragraph (a), replace “NBEA” with “RMA”. 5

In section 63, definition of **accommodated infrastructure**, paragraph (b)(iii), after “network utility operator”, insert “(within the meaning of section 166 of the Resource Management Act 1991)”.

In section 63, definition of **accommodated infrastructure**, repeal paragraph (b)(vii). 10

In section 63, definition of **associated operations**, paragraph (a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In section 63, definition of **emergency activity**, paragraph (c)(vi), replace “sections 692 and 694 of the Natural and Built Environment Act 2023” with “section 330 of the Resource Management Act 1991”. 15

Section 64

In section 64(1)(b), replace “NBEA” with “RMA”.

Replace section 64(2)(a) with:

- (a) an activity authorised under a resource consent, whenever granted, if the application for the consent is first accepted by the consent authority before the effective date: 20

In section 64(2)(b), delete “or a permitted activity notice, whenever issued,”.

In section 64(2)(d), delete “or permitted activity notice”.

Replace section 64(2)(e) with:

- (e) an activity carried out under a coastal permit granted under the Resource Management Act 1991 to permit existing aquaculture activities to continue to be carried out in a specified part of the common marine and coastal area,— 25
 - (i) regardless of when the application is lodged or whether there is any change in the species farmed or in the method of marine farming; but 30
 - (ii) provided that there is no increase in the area, or change of location, of the coastal space occupied by the aquaculture activities for which the existing coastal permit was granted:

Section 66 35

In the cross-heading above section 66, replace “NBEA” with “RMA”.

Section 66—*continued*

In the heading to section 66, replace “**Natural and Built Environment Act 2023**” with “**Resource Management Act 1991**”.

Replace section 66(1) with:

- (1) An RMA permission right applies to activities that are to be carried out under a resource consent, including a resource consent for a controlled activity, to the extent that the resource consent is for an activity to be carried out within a customary marine title area. 5

In section 66(2), (4), and (5), replace “NBEA” with “RMA”.

In section 66(4), delete “or permitted activity notice”.

In section 66(6), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 10

Section 67

In the heading to section 67, replace “NBEA” with “RMA”.

In section 67(1), replace “NBEA” with “RMA”.

Replace section 67(1)(b) with: 15

- (b) may do so at any time before the relevant resource consent may commence.

In section 67(3), delete “or issued the permitted activity notice”.

In section 67(3), delete “or request”.

Replace section 67(5) and (6) with: 20

- (5) In subsection (3), the grant of a resource consent means that the consent has been granted and any appeal rights exhausted, and that the resource consent would, but for the requirement for the permission of the customary marine title group, commence under section 116 of the Resource Management Act 1991.
- (6) When the relevant consent authority receives an application for a resource consent to which an RMA permission right applies, it must refer the application to the relevant customary marine title group as soon as practicable unless the group has already notified its decision in accordance with subsection (2). 25

Section 68

In the heading to section 68, replace “NBEA” with “RMA”. 30

Replace section 68(1) with:

- (1) The holder of a resource consent for an activity in a customary marine title area to which an RMA permission right applies must not commence the activity to which the consent applies unless—
- (a) permission has been given by the relevant customary marine title group under section 66(2) for that activity; and 35

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Schedule 2

Section 68—*continued*

(b) the permission covers the activity to which the resource consent applies.

In section 68(2)(b), replace “sections 764 and 765 of the Natural and Built Environment Act 2023” with “section 357 or 357A of the Resource Management Act 1991”.

Section 69

In section 69(1), replace “NBEA” with “RMA”.

5

Section 70

Replace section 70(1) with:

- (1) Subsection (3) applies only if, in relation to the exercise of a resource consent,—
- (a) the RMA permission right is applicable; and
 - (b) a resource consent is exercised without the permission of the customary marine title group being obtained.

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Section 77

Replace section 77 and the cross-heading above section 77 with:

New Zealand coastal policy statement

15

77 Consultation

If the Minister of Conservation is proposing to prepare, issue, change, review, or revoke a New Zealand coastal policy statement under section 57 of the Resource Management Act 1991, the Minister must seek and consider the views of the customary marine title groups recorded on the register.

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Section 84

Replace section 84(2)(b) with:

- (b) from the regional council, any royalties for sand and shingle taken from the customary marine title area imposed by regulations made under the Resource Management Act 1991.

25

Section 85

In section 85(2)(b), delete “vision and”.

Replace section 85(2)(c) with:

- (c) to set out policies for achieving those objectives.

Replace section 85(3) and (3A) with:

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- (3) A planning document may include any matter that can be regulated under the enactments specified in subsection (5), including matters that are relevant to—

Section 85—*continued*

- (a) promoting the sustainable management of the natural and physical resources of the customary marine title area; and
- (b) the protection of the cultural identity and historic heritage of the group.

In section 85(5), delete “or managed”.

In section 85(5)(d), replace “Natural and Built Environment Act 2023 or the Spatial Planning Act 2023” with “Resource Management Act 1991”. 5

Section 86

Repeal section 86(1)(aa).

Section 91A

Replace section 91A with: 10

91A Obligations on Minister of Aquaculture

If a customary marine title group lodges a planning document with the Minister of Aquaculture, the Minister must consider the document when deciding under section 360B of the Resource Management Act 1991 to recommend the making of regulations that directly affect the customary marine title area of the group. 15

Section 92

In section 92, replace the definition of **regional document** with:

- regional document** means any of the following:
- (a) a regional plan or regional policy statement (within the meanings given in section 43AA of the Resource Management Act 1991): 20
 - (b) a proposed regional plan or proposed policy statement (within the meanings of sections 43AA and 43AAC of that Act)

Section 93

Replace section 93 with: 25

93 Obligations on regional councils in relation to planning documents

Preliminary obligations

- (1) A regional council with functions in a region where 1 or more planning documents are registered in accordance with section 86 must, until the requirements of **subsection (5)** have been completed, attach the planning documents to copies of its relevant regional documents that it makes publicly available. 30

Section 93—*continued*

Identification and application of resource management matters included in planning document

- (2) Between the time that a planning document is lodged under section 86(1) and the time it is deemed to be registered under section 86(2), a regional council must identify the matters in the planning document that relate to resource management issues within its functions under the Resource Management Act 1991, to the extent that those matters are relevant within— 5
- (a) the customary marine title area to which the planning document relates; and
 - (b) any parts of the common marine and coastal area to which the planning document relates other than the customary marine title area. 10
- (3) When considering, under section 104 of the Resource Management Act 1991, a resource consent application for an activity that would, if the consent were granted, directly affect, wholly or in part, the area to which the planning document applies, a consent authority of a regional council must have regard to any matters identified under **subsection (2)**. 15
- (4) The obligation under **subsection (3)** applies only to the matters in respect of which a regional council is able to exercise discretion.
- (5) The obligation under **subsection (3)** continues until—
- (a) a regional document, altered in accordance with this section, becomes operative in accordance with Schedule 1 of the Resource Management Act 1991; or 20
 - (b) 30 working days after the date that the customary marine title group is informed of the decision under **subsection (11)** that no alterations are to be made to the relevant regional documents. 25

Obligations with respect to relevant regional documents

- (6) A regional council must initiate a process to determine whether to alter its relevant regional documents, if and to the extent that any alteration would achieve the purpose of the Resource Management Act 1991, in order to—
- (a) recognise and provide for any matters identified under **subsection (2)(a)**; and 30
 - (b) take into account any matters identified under **subsection (2)(b)**.
- (7) The process required by **subsection (6)** may be commenced—
- (a) at any time after a planning document is registered; but
 - (b) not later than the first proposed change to, or variation or review of, any provision in a relevant regional document that applies to a customary marine title area. 35

Section 93—*continued*

- (8) In making a determination under **subsection (6)**, a regional council must consider the extent to which alterations must be made to its relevant regional documents to—
- (a) recognise and provide for the matters in a planning document that relate to the customary marine title area; and 5
 - (b) take into account the matters in a planning document that relate to the parts of the common marine and coastal area other than the customary marine title area.
- (9) The obligations on a regional council under **subsection (8)** must be carried out in accordance with the requirements and procedures that relate to regional documents in— 10
- (a) Part 5 of the Resource Management Act 1991; and
 - (b) Schedule 1 of that Act.
- (10) A regional council may decide, in conducting the process required by **subsection (6)**, not to alter its relevant regional documents, but only on the grounds that the matters in the planning document— 15
- (a) are already provided for in a relevant regional document; or
 - (b) would not achieve the purpose of the Resource Management Act 1991; or
 - (c) would be more effectively and efficiently addressed in another way. 20
- (11) If a regional council determines that no alterations should be notified in a proposed policy statement or plan that is notified under clause 5 of Schedule 1 of the Resource Management Act 1991, it must inform the customary marine title group in writing and provide reasons for its decision within 5 working days of that decision. 25
- (12) If an application is made to a regional council under Part 2 of Schedule 1 of the Resource Management Act 1991 for a private plan change that includes a customary marine title area in respect of which a planning document has been lodged,—
- (a) the provisions of Part 2 of that schedule apply to the application, subject to the regional council having regard to any matters in the planning document when making a decision under clause 25 of that schedule; and 30
 - (b) if the private plan change is not rejected or treated as a resource consent application, the regional council must adopt the request and initiate the process required by **subsection (6)**. 35

Section 110

Repeal section 110(2)(b)(ia).

Schedule 1AA

Repeal Schedule 1AA.

Schedule 2

In Schedule 2, Part 1, clause 1, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 5

In Schedule 2, Part 1, clauses 6(b) and 10(a), replace “NBEA” with “RMA”.

In Schedule 2, Part 1, clause 10(d), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Part 4

Amendments to Resource Management Act 1991 10

New section 33

After section 32A, insert:

33 Transfer of powers

(1) A local authority may transfer any 1 or more of its functions, powers, or duties under this Act, except this power of transfer, to another public authority in accordance with this section. 15

(2) For the purposes of this section, **public authority** includes—

- (a) a local authority; and
- (b) an iwi authority; and
- (c) a government department; and 20
- (d) a statutory authority; and
- (e) a joint committee set up for the purposes of section 80; and
- (f) a local board.

(3) A local authority must not transfer any of its functions, powers, or duties under this section unless— 25

- (a) it has used the special consultative procedure set out in section 83 of the Local Government Act 2002; and
- (b) before using that special consultative procedure it serves notice on the Minister of its proposal to transfer the function, power, or duty; and
- (c) both authorities agree that the transfer is desirable on all of the following 30 grounds:
 - (i) the authority to which the transfer is made represents the appropriate community of interest relating to the exercise or performance of the function, power, or duty;
 - (ii) efficiency: 35

New section 33—*continued*

- (iii) technical or special capability or expertise.
- (4) A transfer of functions, powers, or duties under this section must be made by agreement between the authorities concerned and on such terms and conditions as are agreed.
- (5) A public authority to which any function, power, or duty is transferred under this section may accept the transfer, unless expressly forbidden to do so by the terms of any Act by or under which it is constituted, and upon the transfer its functions, powers, and duties are deemed to be extended in such manner as may be necessary to enable it to undertake, exercise, and perform the function, power, or duty. 5
- (6) A local authority that has transferred any function, power, or duty under this section may change or revoke the transfer at any time by notice to the transferee. 10
- (7) A public authority to which any function, power, or duty has been transferred under this section, may relinquish the transfer in accordance with the transfer agreement. 15

New section 42AA

After section 42A, insert:

- Information for post-settlement governance entities*
- 42AA Provision of relevant information to post-settlement governance entity** 20
- (1) This section applies if—
- (a) a consent authority is or was required by legislation to provide to a post-settlement governance entity relevant information relating to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area of a post-settlement governance entity; and 25
- (b) the requirement to provide the relevant information no longer applies (for example, through the expiry of any period specified in the legislation).
- (2) The consent authority must provide the post-settlement governance entity with relevant information relating to an application for a resource consent. 30
- (3) In this section, **relevant information** means the following information relating to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area of the post-settlement governance entity:
- (a) if the application is received by the consent authority, a summary of the application; or 35
- (b) if a notice of the application is served on the consent authority under section 145(10), a copy of the notice.

New section 42AA—continued

- (4) The summary must be the same as would be given to an affected person by limited notification under section 95B or as may be agreed between the post-settlement governance entity and the consent authority.
- (5) A consent authority must provide the post-settlement governance entity—
- (a) with the summary— 5
 - (i) as soon as is reasonably practicable after the consent authority receives the application for the resource consent; but
 - (ii) before the relevant consent authority decides under section 95 whether to notify the application; and
 - (b) with the copy of the notice not later than 10 working days after the day on which the consent authority receives the notice. 10
- (6) The post-settlement governance entity may, by written notice to a consent authority,—
- (a) waive the right to be provided with the summary or copy of the notice; and 15
 - (b) state the scope of that waiver and the period it applies for.
- (7) This section does not affect the obligation of a consent authority to decide,—
- (a) under section 95, whether to notify an application:
 - (b) under section 95E, whether the post-settlement governance entity is an affected person in relation to an activity. 20
- (8) In this section, **legislation** has the meaning given in section 5 of the Legislation Act 2019 and includes any enactment.

Section 44

Replace section 44(2)(a) with:

- (a) must consider a report and any recommendations made to the Minister under section 46A(4)(c) or 51, as the case requires; and 25

Repeal section 44(4).

Section 51

Repeal section 51(1)(da).

Section 52

30

Replace section 52(1)(a) with:

- (a) first, must consider a report and any recommendations made to them by a board of inquiry under section 46A(4)(c) or 51, as the case requires; and

Section 53

Repeal section 53(2A).

Section 58E

Repeal section 58E(1)(aa).

Section 58H

Repeal section 58H(2B).

5

Section 79A

Repeal section 79A.

Section 80A

In section 80A(4)(b), replace “31 December 2024” with “31 December 2027”.

10

New section 87AAE

After section 88AAD, insert:

87AAE Other fast-track consenting process

Despite the repeal of the Natural and Built Environment Act 2023, Schedule 10 of that Act continues in force subject to the modifications set out in **Schedule 1** of the Resource Management (Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting) Act **2023**.

15

Section 357A

Repeal section 357A(3A).

Schedule 12

In Schedule 12, repeal the second Part 6.

20

Part 5

Amendments to secondary legislation

Animal Products (Regulated Control Scheme—Bivalve Molluscan Shellfish) Regulations 2006 (SR 2006/38)

25

In regulation 49(1)(b), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Biosecurity (National PA Pest Management Plan) Order 2022 (SL 2022/208)

Replace clause 26(d) with:

(d) regulating earthworks under its district or regional plans under the Resource Management Act 1991.

30

Building (Accreditation of Building Consent Authorities) Regulations 2006 (SR 2006/399)

In regulation 6A(3), definition of **building control offence**, paragraph (c), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Building (Forms) Regulations 2004 (SR 2004/385) 5

In Schedule 2, form 4, replace “**Natural and Built Environment Act 2023**” with “**Resource Management Act 1991**”.

In Schedule 2, form 4, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991” in each place.

In Schedule 2, form 14, under the heading “**Matter for determination**”, paragraph (e), replace “section 589 of the Natural and Built Environment Act 2023” with “section 224(f) of the Resource Management Act 1991”. 10

Building Regulations 1992 (SR 1992/150)

In Schedule 1, clause A2, definition of **allotment**, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991” in each place. 15

In Schedule 1, clause A2, definition of **contaminant**, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In Schedule 1, clause A2, definition of **territorial authority**, replace “section 23(1)(b) of the Natural and Built Environment Act 2023” with “section 12(1)(b) of the Resource Management Act 1991”. 20

In Schedule 1, clause E1.3.1, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In Schedule 1, clause G13.3.4(d), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In Schedule 1, clause G14.3.2(d), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 25

Cadastral Survey Rules 2021 (LI 2021/95)

In rule 72(b), replace “section 579 of the Natural and Built Environment Act 2023” with “section 223 of the Resource Management Act 1991”.

In Schedule 2, definition of **company lease**, replace “section 11(1) of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 30

In Schedule 2, definition of **cross lease**, replace “section 11(1) of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 35

In Schedule 2, definition of **esplanade strip**, replace “section 11(1) of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

Christ Church Cathedral Reinstatement Order 2020 (LI 2020/226)

In clause 4(1), revoke the definition of **NBEA**.

In clause 4(1), insert in its appropriate alphabetical order:

RMA means the Resource Management Act 1991

Replace clause 4(2)(a) with:

(a) in the RMA have the same meaning as in that Act; and

In clause 5(2)(a), replace “sections 239 and 240 of the NBEA” with “section 88 of the RMA”.

In clause 5(2)(b), replace “section 334 of the NBEA” with “section 127 of the RMA”.

In clause 6, replace “section 787(1)(a) of the NBEA” with “section 37(1)(a) of the RMA”.

In the cross-heading above clause 8, replace “*NBEA*” with “*RMA*”.

In clause 8(1), replace “section 288 of the NBEA” with “section 87A(2) of the RMA”.

In clause 8(3), replace “section 288(3) of the NBEA” with “section 87A(2)(b) of the RMA”.

After clause 8(3), insert:

(4) Section 87A(2)(c) of the RMA does not apply in relation to a consent granted in reliance on this order.

In clause 15(1), replace “Part 6 of the NBEA” with “Part 6 of the RMA”.

In clause 15(3), replace “sections 264 to 276 of the NBEA” with “sections 95 to 103B of the RMA”.

Replace clause 16 with:

16 Conditions: modification of RMA (as allowed by section 8 of Christ Church Cathedral Reinstatement Act 2017)

Clauses 8 to 14 modify sections 104, 104A, 105, 108, and 108AA of the RMA as follows:

(a) section 104(3)(c) and (d) and (6) is disapplied:

(b) section 104A(b) is replaced by clauses 8(3) and 9 to 14 (allowing the consent authority to impose conditions on a resource consent granted in reliance on this order):

(c) section 105(1) is disapplied:

(d) section 108 is disapplied:

(e) section 108AA is disapplied.

In clause 17(3), replace “NBEA, and section 742 of the NBEA” with “RMA, and section 352 of the RMA”.

Christ Church Cathedral Reinstatement Order 2020 (LI 2020/226)—*continued*

In clause 17(4)(a), replace “section 313 of the NBEA” with “section 120 of the RMA”.

In clause 17(4)(b), replace “Part 12 of the NBEA” with “Part 14 of the RMA”.

In clause 17(5), replace “Section 303 of the NBEA” with “Section 114 of the RMA”.

In clause 19(1), replace “section 302 of the NBEA” with “section 115 of the RMA”. 5

In clause 19(2), replace “sections 257 and 787 of the NBEA” with “section 37, 88B, or 88E of the RMA”.

In clause 19(2)(b), replace “section 255 or 787 of the NBEA” with “section 88C”.

In clause 21(1), replace “Part 11 of the NBEA” with “Part 12 of the RMA”.

In clause 21(1), replace “section 18 or 19 of the NBEA” with “section 16 or 17 of the RMA”. 10

Climate Change (Forestry) Regulations 2022 (SL 2022/266)

In regulation 46(2)(b), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Crown Minerals (Royalties for Minerals Other than Petroleum) Regulations 2013 (SR 2013/206) 15

In regulation 4(1), definition of **permit maintenance and consent costs**, paragraph (a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In regulation 29(5), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 20

Crown Minerals (Royalties for Petroleum) Regulations 2013 (SR 2013/126)

In regulation 4(1), definition of **permit maintenance and consent costs**, paragraph (a)(i), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 25

In regulation 26(7), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Education (Early Childhood Services) Regulations 2008 (SR 2008/204)

In regulation 9(1)(d), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 30

Replace regulation 20 with:

20 Consents under Resource Management Act 1991

The Secretary must not grant any licence for an early childhood education and care centre unless satisfied that the use of the premises in respect of their use as a centre complies with the Resource Management Act 1991. 35

Electricity (Hazards from Trees) Regulations 2003 (SR 2003/375)

In regulation 17(3), replace “natural and built environment plan under the Natural and Built Environment Act 2023” with “district plan (as defined in section 2(1) of the Resource Management Act 1991)”.

Fisheries (Aquaculture Compensation Methodology) Regulations 2012 (SR 2012/335) 5

In regulation 3, definition of **party**, paragraph (b), delete “; or”.

In regulation 3, definition of **party**, revoke paragraph (c).

In regulation 3, definition of **proposed aquaculture activities**, delete “, or aquaculture activities provided for in an aquaculture area,”. 10

In Schedule 1, clause 2(2), delete “or by reference to the aquaculture area rules”.

In Schedule 1, revoke clause 2(3).

In Schedule 1, clause 3(1), item cl of the formula, delete “or in the aquaculture area decision made by the chief executive under section 186JB of the Act”.

In Schedule 2, clause 1(2), delete “or aquaculture area”. 15

Fisheries (Commercial Fishing) Regulations 2001 (SR 2001/253)

In Schedule 2, clause 18A(1)(a) and (b), delete “or aquaculture area decision”.

In Schedule 2, clause 18A(1)(c), delete “or aquaculture area decisions”.

Fisheries (Cost Recovery) Rules 2001 (SR 2001/229)

In rule 3(1), definition of **certificate of compliance**, replace “section 11(1) of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 20

In rule 3(1), definition of **resource consent**, replace “section 11(1) of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 25

Fisheries (Kaimoana Customary Fishing) Regulations 1998 (SR 1998/434)

In regulation 16(2)(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Fisheries (South Island Customary Fishing) Regulations 1999 (SR 1999/342)

In regulation 16(2)(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 30

Freshwater Fish Farming Regulations 1983 (SR 1983/278)

Replace the heading to regulation 5 with “**Applicant to obtain right to take or discharge water required by Resource Management Act 1991**”.

**Resource Management (Natural and Built Environment
and Spatial Planning Repeal and Interim Fast-track
Consenting) Bill**

Schedule 2

Freshwater Fish Farming Regulations 1983 (SR 1983/278)—*continued*

In regulation 5(1) and (2), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In regulation 9, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Freshwater Fisheries Regulations 1983 (SR 1983/277) 5

In regulation 44(3), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Health and Safety at Work (Asbestos) Regulations 2016 (LI 2016/15)

In regulation 40(1)(b) and (2)(b), replace “under a natural and built environment plan under the Natural and Built Environment Act 2023” with “by a territorial authority under section 73 of the Resource Management Act 1991”. 10

In regulation 53(1)(b) and (2)(b), replace “under a natural and built environment plan under the Natural and Built Environment Act 2023” with “by a territorial authority under section 73 of the Resource Management Act 1991”.

In regulation 59(2)(f)(iii), delete “or the Natural and Built Environment Act 2023”. 15

In regulation 67(1)(b), delete “or the Natural and Built Environment Act 2023”.

Health and Safety at Work (Hazardous Substances) Regulations 2017 (LI 2017/131)

In regulation 14.32, definition of **site**, paragraph (a)(iii)(A), replace “section 628 of the Natural and Built Environment Act 2023” with “section 240 of the Resource Management Act 1991”. 20

Infrastructure Funding and Financing (Western Bay of Plenty Transport System Plan Levy) Order 2022 (SL 2022/308)

In clause 12(3)(b), replace “plan under the Natural and Built Environment Act 2023” with “district plan or regional plan under the Resource Management Act 1991”. 25

Land Transfer Regulations 2018 (LI 2018/193)

In Schedule 2, item relating to instrument creating esplanade strip, column 2, replace “s 617 of the Natural and Built Environment Act 2023” with “s 232 or 235 of the Resource Management Act 1991”.

In Schedule 2, item relating to instrument creating easement for access strip, column 2, replace “s 615 of the Natural and Built Environment Act 2023” with “s 237B of the Resource Management Act 1991”. 30

In Schedule 2, item relating to covenant against transfer, lease, or other disposition of part of land, column 2, replace “s 628 of the Natural and Built Environment Act 2023” with “s 240 of the Resource Management Act 1991”. 35

Land Transfer Regulations 2018 (LI 2018/193)—*continued*

In Schedule 3, item relating to instrument creating esplanade strip, column 2, replace “s 617 of the Natural and Built Environment Act 2023” with “s 232 or 235 of the Resource Management Act 1991”.

In Schedule 3, item relating to instrument creating easement for access strip, column 2, replace “s 615 of the Natural and Built Environment Act 2023” with “s 237B of the Resource Management Act 1991”. 5

In Schedule 3, item relating to covenant against transfer, lease, or other disposition of part of land, column 2, replace “s 628 of the Natural and Built Environment Act 2023” with “s 240 of the Resource Management Act 1991”.

Lawyers and Conveyancers Act (Conveyancers: Registration and Practice) Regulations 2008 (SR 2008/189) 10

In the Schedule, clause 1(i), replace “the Natural and Built Environment Act 2023” with “resource management”.

In the Schedule, clause 2(g), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 15

Legislation (Publication) Regulations 2021 (LI 2021/246)

In Schedule 4, Part 1, replace the table with:

Empowering legislation	Empowering provision(s)
There are no provisions listed in Part 1 in these regulations.	

Local Government (Financial Reporting and Prudence) Regulations 2014 (LI 2014/76) 20

In regulation 3, insert in its appropriate alphabetical order:

financial contribution means a payment of money made to a local authority under section 108(2)(a) of the Resource Management Act 1991

In regulation 3, revoke the definition of **environmental contribution**.

Māori Land Court Fees Regulations 2013 (SR 2013/219) 25

In the Schedule, item 23(f), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Māori Land Court Rules 2011 (SR 2011/374)

In the Schedule, form 39, Schedule 1, item 5, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 30

Marine Reserve (Motu Manawa-Pollen Island) Order 1995 (SR 1995/216)

In clause 3(1), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Marine Reserve (Motu Manawa-Pollen Island) Order 1995 (SR 1995/216)—*con-
tinued*

In clause 3(2), replace “section 11(1) of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

Marine Reserve (Taputeranga) Order 2008 (SR 2008/226)

In clause 4(1)(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 5

In clause 4(2), replace “section 11(1) of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

In clause 5(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In clause 6(2)(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 10

Marine Reserve (Whangarei Harbour) Order 2006 (SR 2006/283)

In clause 4(1)(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

In clause 4(2), replace “section 11(1) of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 15

In clause 5(a), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Maritime (Charges) Regulations 2014 (LI 2014/26)

In Schedule 1, Part A, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 20

National Water Conservation (Rakaia River) Order 1988 (SR 1988/241)

In clause 2, definition of **Act**, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

National Water Conservation (Te Waihora/Lake Ellesmere) Order 1990 (SR 1990/155) 25

In clause 2, definition of **Act**, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

New Zealand Game Bird Habitat Stamp Regulations 1993 (SR 1993/329)

In regulation 5(5), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 30

Overseas Investment Regulations 2005 (SR 2005/220)

In regulation 3C(6)(b), replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”.

Overseas Investment Regulations 2005 (SR 2005/220)—*continued*

In regulation 13(2)(g), replace “section 11(1) of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

Residential Tenancies (Healthy Homes Standards) Regulations 2019 (LI 2019/88)

In regulation 3(1), definition of **geothermal energy**, replace “section 11(1) of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”. 5

In regulation 31(4), definition of **consent**, paragraph (b), replace “section 11(1) of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

Residential Tenancies (Smoke Alarms and Insulation) Regulations 2016 (LI 2016/128) 10

In regulation 20(5), definition of **resource consent**, replace “section 11(1) of the Natural and Built Environment Act 2023” with “section 2(1) of the Resource Management Act 1991”.

Resource Management (Forms, Fees, and Procedure) Regulations 2003 (SR 2003/153) 15

In Schedule 1AA, revoke Part 3.

In Schedule 1, form 9, revoke paragraph 2A.

Sharemilking Agreements Order 2011 (SR 2011/295)

In the Schedule, note above clause 67, replace “Natural and Built Environment Act 2023” with “Resource Management Act 1991”. 20

Whitebait Fishing Regulations 2021 (LI 2021/180)

In regulation 3, replace the definition of **licensed structure** with:

licensed structure means a structure authorised to be used for the purpose of fishing for whitebait under the Resource Management Act 1991— 25

(a) by a regional plan or a regional coastal plan; or

(b) by a resource consent