

Council Agenda 11 February 2026

Meeting will be held at Council Chamber, Phillip Laing House, Level 2, 144 Rattray Street, Dunedin, Otago, and live streamed at [ORC YouTube](#)



Members:

- Cr Hilary Calvert (Chair)
- Cr Kevin Malcolm (Deputy Chair)
- Cr Robbie Byars
- Cr Chanel Gardner
- Cr Neil Gillespie
- Cr Matt Hollyer
- Cr Gary Kelliher
- Cr Michael Laws
- Cr Andrew Noone
- Cr Gretchen Robertson
- Cr Alan Somerville
- Cr Kate Wilson

Senior Officer: Richard Saunders, Chief Executive
Meeting Support: Kylie Darragh, Governance Support Officer

11 February 2026 02:00 PM

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1. WELCOME Deputy Chair Kevin Malcolm will say a reflection to open the meeting.	
2. APOLOGIES No apologies received at the time of printing.	
3. CONFIRMATION OF AGENDA The agenda to be confirmed as published.	
4. DECLARATIONS OF INTEREST Members are reminded of the need to stand aside from decision-making when a conflict arises between their role as an elected representative and any private or other external interest they might have.	
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6.1 [Response to the Government's Simplifying Local Government proposal](#) 9

This paper seeks approval for Otago Regional Council's (ORC's) submission on the Government's Simplifying Local Government proposal.

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This report provides a draft Otago Regional Council (ORC) submission on the Planning Bill and the Natural Environment Bill (the Bills) for Council consideration and approval.

6.2.1 [Potential submission points based on analysis Murihiku Charter of Understanding](#) 21

6.2.2 [Resource Management Draft Submission](#)

This is a late paper that will be circulated to council when available.

7. NOTICES OF MOTION

No notices of motion had been submitted at the time of publishing.

8. CLOSURE



**Council
MINUTES**

Minutes of an ordinary meeting of the Otago Regional Council held in the Council Chamber, Level 2 Philip Laing House, 144 Rattray Street, Dunedin on Tuesday 9 December 2025, at 1:00 pm

<https://www.youtube.com/live/2CK1yeCwtS8?si=-1jLA9WWJ2k5lE3k>

PRESENT

Cr Hilary Calvert

(Chair)

Cr Kevin Malcolm

(Deputy Chair, online from 3:33 pm)

Cr Robbie Byars

Cr Chanel Gardner

Cr Neil Gillespie

Cr Matt Hollyer

Cr Gary Kelliher

Cr Michael Laws

Cr Andrew Noone

Cr Gretchen Robertson

Cr Alan Somerville

Cr Kate Wilson

1. WELCOME

Cr Matt Hollyer said a reflection to open the meeting at 1:00 pm.

Staff present included Richard Saunders (Chief Executive), Anita Dawe (GM Regional Planning and Transport), Nick Donnelly (GM Finance), Joanna Gilroy (GM Environmental Delivery), Tami Sargeant (GM People and Corporate), Amanda Vercoe (GM Strategy and Customer, Deputy CE), Kylie Darragh (Governance Support).

2. APOLOGIES

Resolution: Cr Noone Moved, Cr Wilson Seconded:

That the apologies from Cr Malcolm for lateness be accepted.

MOTION CARRIED

3. PUBLIC FORUM

3.1 Jacqui Eggleton a volunteer from CCS Disability Action Waitaki spoke online, on Total Mobility, there was an opportunity for questions and Chair Calvert thanked Jacqui for attending.

3.2 Mary O'Brien spoke on behalf of Access Coordinator at CCS Disability Action, there was an opportunity for questions and Chair Calvert thanked Mary for attending.

3.3 Chris Ford spoke on behalf of Disability Person's Assembly, online, there was an opportunity for questions, Chair Calvert thanked Chris for attending.

4. CONFIRMATION OF AGENDA

Resolution: Cr Calvert Moved, Cr Hollyer Seconded:

That the agenda be confirmed as published.

MOTION CARRIED

5. DECLARATIONS OF INTERESTS

Councillors were reminded of their need to stand aside if a conflict of interest arises. Cr Gardner noted that she would sit back from item 8.2 Navigational Safety Bylaw.

6. CONFIRMATION OF MINUTES

There was an apology for early departure to be added to the minutes for Cr Wilson.

Resolution: Cr Somerville Moved, Cr Gillespie Seconded

That the minutes of the Council meeting held on 26 November 2025 be confirmed as a true and accurate record.

MOTION CARRIED

7. ACTIONS (STATUS OF COUNCIL RESOLUTIONS)

Open actions from resolutions of the Committee were reviewed. No changes were noted.

8. MATTERS FOR CONSIDERATION

8.1. Local Government Reform

[YouTube 37:20] This report provided an overview of the Government's Simplifying Local Government. A draft proposal, summarised the key elements of the reform package, outlined the implications for regional governance, and sought direction from elected members on how the Council wishes to engage in the consultation process. Richard Saunders (Chief Executive) was available to respond to questions.

Resolution CM25-240: Cr Robertson Moved, Cr Kelliher Seconded

That the Council:

- 1) **Notes** this report.
- 2) **Confirms** its preferred approach for engaging with the Government's Simplifying Local Government consultation, and approves the following option to guide Otago Regional Council's response to the draft proposal:
 - c. **Option 3:** Undertaking a Whole-of-Council process, including a Councillor Workshop and the preparation of a full Council submission with input from all Councillors.

MOTION CARRIED**At 2:48 pm Cr Wilson moved, Cr Somerville Seconded**

That the Council adjourns until 3:00 pm

MOTION CARRIED**8.2. Navigational Safety Bylaw**

[YouTube 1:28:15] This paper sought approval to undertake public consultation on an updated Otago Navigation Safety Bylaw under the Local Government Act 2002 (LGA), and delegate authority to three Councillors to hear submissions and make recommendations to Council on the updated Bylaw. Cr Robbie Byars introduced the paper. Fleur Matthews (Manager Policy and Planning), Steve Rushbrook (Harbourmaster), and Jo Gilroy (GM Environmental Delivery), were available to respond to questions.

Cr Gardner sat back from the table for this item.

Resolution CM25-241: Cr Byars Moved, Cr Hollyer Seconded

That the Council:

- 1) **Notes** the report, the proposed amendments to the Otago Navigation Safety Bylaw, the Statement of Proposal, and the draft communications plan.
- 2) **Approves** public consultation on the updated Navigation Safety Bylaw under the Local Government Act 2002, subject to any changes discussed (options 1A, 2A and 3A).
- 3) **Delegates to the Chief Executive** the authority to correct any minor typographical errors in the proposed Navigation Safety Bylaw or Statement of Proposal as needed prior to notification.
- 4) **Delegates** authority to Cr Byars, Cr Wilson and Cr Kelliher to hear submissions on the proposed Otago Navigation Safety Bylaw and make recommendations to Council on adopting the Bylaw.

MOTION CARRIED

Cr Gardner abstained from the vote.

8.3. Consideration of Meeting Schedule for 2026

[YouTube 2:05:40] The paper sought to adopt a meeting schedule for the Otago Regional Council for 2026. Amanda Vercoe (GM Strategy and Customer) was available to respond to questions.

Resolution CM25-242: Cr Calvert Moved, Cr Gillespie Seconded

That the Council:

- 1) **Notes** this report.
- 2) **Adopts** the meeting schedule for 2026, with or without changes.

MOTION CARRIED**8.4. Non-Financial Activity Performance as at Quarter 1 2025-26**

[YouTube 2:13:34] This paper presented the Council's Activity Performance Reports for the 3-month period ended 30 September 2025. Councillor Chanel Gardner introduced the paper, Vanessa Vidallon (Corporate Planning Business Partner) Joanne Greatbanks (Manager Organisational Planning and Performance) were available to respond to questions on the report.

Resolution CM25-243: Cr Gardner Moved, Cr Wilson Seconded

That the Council:

- 1) **Notes** this report.
- 2) **Notes** that the attached Activity Performance Report for the period 1 July 2025 to 30 September 2025 being a quarter one of the 2025-26 financial year.

MOTION CARRIED

At 3:33 pm Cr Malcolm joined the meeting.

8.5. Quarter 1 Financial Report (July-September)

[YouTube 2:25:35] This report presented Council's Financial Reports for the 3-month period to 30 September 2025 being Quarter 1 of the 2025-26 financial year. Cr Gardner introduced the paper and Nick Donnelly, GM Finance, was available to respond to questions.

Resolution CM25-244: Cr Gardner Moved, Cr Wilson Seconded

That the Council:

- 1) **Notes** this report and the attached Financial Reports for September 2025 (Quarter 1 of the 2025-26 financial year).

MOTION CARRIED

At 3:36 pm Cr Hollyer left the meeting.

At 3:39 pm Cr Hollyer returned to the meeting.

8.6. Queenstown Lakes Housing and Business Capacity Assessment 2025

[YouTube 2:41:04] The purpose of this report was to seek Council approval to adopt the Queenstown Lakes District Housing and Business Capacity Assessment 2025 that has been jointly prepared by Queenstown Lakes District Council (QLDC) and Otago Regional Council (ORC). Cr Neil Gillespie introduced the paper, Julia Briggs (Senior Policy Analyst), Fleur Matthews (Manager Policy and Planning), Anita Dawe (GM Regional Planning and Transport), were available to respond to questions.

Resolution CM25-245: Cr Gillespie Moved, Cr Hollyer Seconded

That the Council:

- 1) **Notes** this report.
- 2) **Adopts** the Queenstown Lakes Housing and Business Capacity Assessment 2025.
- 3) **Delegates** to the General Manager Regional Planning and Transport the authority to finalise the Housing and Business Capacity Assessment pending feedback from the Ministry for the Environment.
- 4) **Notes** that the key findings of this assessment indicate that there is insufficient infrastructure-ready development capacity over the short term (residential) and medium and long term (commercial and industrial).

- 5) **Notes** that in accordance with 3.7(1)(a) of the National Policy Statement on Urban Development, Queenstown Lakes District Council and Otago Regional Council will notify the Minister for the Environment that there is insufficient development capacity.
- 6) **Notes** that in accordance with 3.6(2) of the National Policy Statement on Urban Development, Otago Regional Council will update the Proposed Otago Regional Policy Statement with the following Housing Bottom Lines:
 - a) Short-Medium Term (10 years, 2023-2033): an additional 9,100 dwellings.
 - b) Long Term (20 years, 2033-2053): an additional 18,000 dwellings.
- 7) **Notes** the key findings of this assessment will inform any future work required under the Resource Management Act 1991 or subordinate national direction or the new legislative framework that is currently being developed to replace the Resource Management Act 1991.

MOTION CARRIED

Cr Gardner left the meeting at 4:09 pm.

Cr Gardner returned to the meeting at 4:11 pm.

8.7. Total Mobility

[YouTube 2:53:00] This paper sought direction from Council on options for managing expenditure on Total Mobility services through to the end of year 3 of the Long-Term Plan. Cr Matt Hollyer, Laura Faulkner (Transport Officer) Julian Phillips (Transport Operations Lead) and Anita Dawe (GM Regional Planning and Transport) were available to respond to questions.

Resolution CM25-246: Cr Hollyer Moved, Cr Somerville Seconded

That the Council:

- 1) **Notes** this report.
- 2) **Directs** staff to maintain status quo and wait for further guidance from Ministry of Transport.
- 3) **Notes** the forecasted overspend for Total Mobility services, in 2026/2027 irrespective of the option chosen.

MOTION CARRIED

9. NOTICES OF MOTION

None received for this meeting.

At 4:16 pm Cr Laws left the meeting.

At 4:17 pm Cr Byars left the meeting.

At 4:18 pm Cr Laws returned to the meeting.

At 4:19 pm Cr Byars returned to the meeting.

10. RESOLUTION TO EXCLUDE THE PUBLIC

Resolution: Cr Wilson Moved, Cr Somerville Seconded

That the public be excluded from the following items under LGOIMA 48(1)(a):

- 1.1 Award of Unit 1 and 2 Bus Contracts.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
1.1 Award of Unit 1 and 2 Bus Contracts	<p>To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities – Section 7(2)(h)</p> <p>To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) – Section 7(2)(i)</p>	<p>Section 48(1)(a); Subject to subsection (3), a local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on 1 or more of the following grounds: (a) that the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.</p>

This resolution is made in reliance on [section 48\(1\)\(a\)](#) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by [section 6](#) or [section 7](#) of that Act or [section 6](#) or [section 7](#) or [section 9](#) of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public.

Subject to subsection (3), a local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on 1 or more of the following grounds:

(a) that the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

MOTION CARRIED

11. CLOSURE

There was no further business, and Cr Hollyer gave thanks to staff and councillors and the public meeting closed at 4:20 pm.

Chairperson

Date

6.1. Response to the Government's Simplifying Local Government proposal

Prepared for:	Council
Report No.	S&C2607
Activity:	Strategy
Author:	Marianna Brook (Principal Advisor Mayoral Forum and Local Government Reform)
Endorsed by:	Amanda Vercoe (General Manager Strategy and Customer) Richard Saunders (Chief Executive)
Date:	11 February 2026
Portfolio Leads:	Chair Calvert and Cr Laws, Strategy and Customer

PURPOSE

- [1] This paper seeks approval for Otago Regional Council's (ORC's) submission on the Government's *Simplifying Local Government* proposal.

RECOMMENDATION

That the Council:

- 1) **Notes** this paper.
- 2) **Approves** the attached response (including cover letter and online submission) to the Government's *Simplifying Local Government* proposal.
- 3) **Authorises** the Chair to make minor amendments or additions to the letter or submission if required before the due date.

BACKGROUND

- [2] The Government released its *Simplifying Local Government: Draft Proposal* in November 2025 for consultation. Submissions close on 20 February 2026.
- [3] The proposal sets out two major steps:
- a. Replacing elected regional councillors with a Combined Territories Board (CTB) comprised of territorial authority mayors (with optional Crown Commissioner involvement); and
 - b. Requiring each CTB to prepare a Regional Reorganisation Plan (RRP) within two years to determine future local government arrangements, including potential structural reform.
- [4] The proposal represents a significant structural shift for the local government sector and would have considerable implications for regional and local governance, environmental management, funding arrangements, and partnerships with iwi/Māori and territorial authorities.
-

- [5] Throughout December 2025 and January 2026, ORC councillors were invited to share written and verbal feedback on the proposal. A workshop was held on 14 January 2026, and further input provided by councillors by email.

DISCUSSION

- [6] Staff have prepared the attached draft submission based on the inputs described above. The submission follows the constrained format of the online feedback form, accompanied by a cover letter.
- [7] In overview, the submission supports the Government's efforts to review and reform local government in New Zealand, noting that simplification should be guided by the outcomes it is intended to achieve rather than by structural reform for its own sake.
- [8] However, it expresses concerns about both stages of the proposal. The submission maintains that regional council governance functions should remain with those holding a regional mandate while the reorganisation work is undertaken. (As an alternative position, ORC would support commissioners or statutory observers).
- [9] The submission also offers support in principle for Regional Reorganisation Plans (RRPs) but does not support CTBs developing them. Instead, ORC considers that this task would be better suited to an independent body nationally or a South Island-wide process involving the Crown, regional and territorial councils, iwi/Māori, and independent experts.

OPTIONS

Option 1: Approve the submission, amended if required (recommended)

- [10] Council approves the attached submission for lodgement with DIA by the 20 February 2026 deadline.

Advantages:

- Ensures ORC's views are clearly communicated.
- Provides constructive alternatives aligned with ORC's regional roles and obligations.
- Contributes to national dialogue on meaningful local government reform.

Disadvantages:

- None identified.

Option 2: Do not submit

- [11] ORC chooses not to provide a submission.

Advantages:

- None identified.

Disadvantages:

- ORC's position would not be represented in national decision-making.
- Potential reputational risk given the significance of the proposed reforms.

CONSIDERATIONS

Strategic Framework and Policy Considerations

- [12] Preparing and lodging a submission ensures Council's positions are represented in the reform discussions.

Financial Considerations

- [13] There are no direct financial implications associated with lodging the submission. Any future financial impacts arising from local government reform would be subject to separate reporting.

Significance and Engagement

- [14] This decision is assessed as low significance under Council's Significance and Engagement Policy.

Legislative and Risk Considerations

- [15] Not applicable.

Climate Change Considerations

- [16] Not applicable.

Communications Considerations

- [17] Staff will ensure elected members and staff are kept informed as the reforms progress.

NEXT STEPS

- [18] Subject to Council approval, staff will finalise and lodge the submission with DIA by 20 February 2026.
- [19] Staff will continue to monitor the reform process and provide updates to Council, including implications for regional functions and partnerships.

ATTACHMENTS

1. DRAFT ORC responses to Simplifying Local Government proposal [6.1.1 - 3 pages]
2. DRAFT ORC cover letter for Simplifying Local Government submission [6.1.2 - 2 pages]

ORC feedback on ‘Simplifying Local Government – a draft proposal’

[Note: The following responses follow the structure of the digital consultation form at <https://consultations.digital.govt.nz/simplifying-local-government/proposal>. They will be transferred to the online form once approved.]

1. Do you agree there is a need to simplify local government?

[Multi-choice question] ORC **strongly agrees** that there is a need to reform local government.

2. What do you think of the proposed approach overall?

ORC recognises the importance of ensuring that local government structures are fit for purpose and able to support strong community representation, effective environmental management, resilient infrastructure, and coherent planning across regions. ORC’s response to the proposal reflects its commitment to reform, to robust regional governance, and to the long-term wellbeing of the communities and environments it serves.

ORC supports the Government’s initiatives to review and reform local government in New Zealand. ORC considers that simplification can be beneficial where it reduces duplication, reduces costs, gains efficiencies and strengthens public understanding.

ORC has concerns with both stages of the proposal, as detailed in later responses.

- ORC strongly disagrees with the stage 1 proposal to replace regional councillors with a Combined Territories Board (CTB).
- ORC considers that business as usual regional council governance functions should remain with regional councillors, who hold a regional mandate from the community. If further oversight is needed, a statutory observer could be added to each regional council. As an alternative option, ORC would support a crown commissioner model being established to continue to manage ongoing day-to-day governance of the regional council.
- ORC supports Regional Reorganisation Plans (RRPs) in principle but strongly recommends that the process be undertaken by an alternative body to the CTB. This could be a national or South Island-wide process involving the Crown, regional and territorial councils, iwi/Māori, and independent experts. There are existing local government reorganisation processes that specify participants, timeframes, consultation and implementation that could be used to support the reorganisation process, with appropriate amendments as necessary to meet Government and the sector’s ambitions to complete reorganisation plan as efficiently as possible

3. Do you agree with replacing regional councillors with a Combined Territories Board (CTB)?

[Multi-choice question] ORC **strongly disagrees** with the proposal to replace regional councillors with a CTB.

ORC does not agree with the proposal to replace regional councillors with a CTB. Territorial mayors are elected to represent their own districts or cities, not their region. ORC is concerned that the CTB model would create unavoidable conflicts of interest and undermine the integrity of regional decision-making and regional democracy. ORC considers that regional council governance functions should remain with those holding a regional mandate from the community or, as a fallback position, commissioners operating in a caretaker capacity.

ORC is particularly concerned that a CTB would urbanise decision-making and weaken practical rural voices, undermining the catchment-based and environmental responsibilities that regional governance must uphold. ORC considers that effective regional governance requires a dedicated regional focus, community endorsement, specialist understanding, and continuity of oversight, none of which are supported by the CTB model.

4. What level of Crown participation in regional decision-making do you prefer?

[Multi-choice question]

- None – only Mayors on the CTB
- Crown Commissioner on CTB (non-voting)
- Crown Commissioner on CTB (with veto power)
- Crown Commissioner on CTB (with majority vote)
- Crown Commissioners instead of a CTB**

5. Do you agree that mayors on the CTB should have a proportional vote adjusted for effective representation?

[Multi-choice question] ORC **disagrees** that mayors on the CTB should have a proportional vote adjusted for effective representation.

6. What do you like or dislike about the voting proposal for the CTB?

ORC maintains that voting mechanics cannot resolve the underlying structural issues associated with the CTB. For any CTB to work effectively, members would require clear statutory expectations to act for the regional interest rather than their territorial constituencies. Without such expectations, adjusted voting risks reinforcing the territorial bias it seeks to overcome.

ORC considers that the ability of the governance structure, and those sitting within it, to focus on the regional interest is more important than the technical design of the voting system. Governance conduct, strong analysis, and appropriate process design are, therefore, more critical than the voting formula itself.

7. What do you think about the ways that communities crossing regional boundaries could be represented?

While ORC does not support mayoral representation on the CTB, should that model progress ORC would support the 'additional representation' approach set out in the proposal document. This approach would ensure that communities spanning regional boundaries (particularly the Waitaki District) are represented in all relevant forums. Representation through a delegate of the mayor would be appropriate for smaller communities in that instance. ORC views this approach as consistent with natural communities of interest, particularly catchments, and essential to ensuring these communities are not disadvantaged by administrative boundary lines.

ORC does not think the re-organisation process should be constrained by current regional boundaries. Looking beyond boundaries would provide for innovation and an opportunity to re-set the local government model for the future. It would also provide an opportunity to look how to best govern catchment scale opportunities, environmental issues that go beyond current regional boundaries, infrastructure requirements and social impacts on communities of interest.

8. Do you support the proposal to require CTBs to develop Regional Reorganisation Plans?

[Multi-choice question] ORC **strongly disagrees** with the proposal to require CTBs to develop regional reorganisation plans.

ORC supports RRP in principle but does not support CTBs developing them. ORC considers that designing future governance arrangements is a complex and sensitive task requiring impartiality, expertise, and balanced representation. It is therefore better suited to an independent body or to a South Island-wide process involving the Crown, regional and territorial councils, iwi/Māori, and independent experts. Such an approach would provide greater legitimacy, reduce conflicts of interest, and allow for more innovative and regionally appropriate solutions.

Further, there are existing local government reorganisation processes that specify participants, timeframes, consultation and implementation that could be used to support the reorganisation process with appropriate amendments as necessary to meet Government and the sector's ambitions to complete reorganisation plan as efficiently as possible.

9. What do you think about the criteria proposed for assessing Regional Reorganisation Plans?

ORC considers the criteria to be a constructive starting point but incomplete. It believes that environmental protection and catchment outcomes must be explicitly included. Strengthening the criteria in this area would support more credible and durable reorganisation proposals.

10. What do you think about how the proposal provides for iwi/Māori interests and Treaty arrangements?

We support an iwi voice being in the room through the reorganisation processes and urge the government to make provision for this.



20 February 2026

Department of Internal Affairs
Wellington

Via online Submission Portal

Otago Regional Council Submission on the Simplifying Local Government Proposal

Otago Regional Council (ORC) welcomes the opportunity to provide feedback on the Government's *Simplifying Local Government* proposal. ORC supports the Government's intent to reshape local government in New Zealand and is committed to working constructively to help shape a strong, sustainable model of local governance for the future.

The proposal released by the Government combines two quite different functions within a single body:

- (a) governing existing regional council responsibilities, and
- (b) designing a new local government system through the Regional Reorganisation Plan (RRP)

ORC believes the experience and expertise of regional councillors should be maintained for the governance of existing regional council responsibilities. In addition, ORC believes the inclusion of regional council knowledge and expertise within the re-organisation process, will be critical to achieving a successful outcome and transition.

Accordingly, ORC considers that business-as-usual regional council governance functions should remain with regional councillors, who currently hold a regional mandate from the community.

ORC considers that designing a future system is a separate and specialised task. That work is best undertaken through an independent or alternative process. Existing local government reorganisation processes already contain much of the core machinery needed, including participants, consultation requirements, timeframes, and implementation pathways, and these could be adapted to support the RRP process and ensure that the priorities of the Government are achieved within the desired timeframes.

The next Local government election would be a good time to begin the new structure for governance and the transition phase for operational activities. Retaining regional councillors as part of the ongoing regional council business as usual activities, would also enable them to be part of the reorganisation processes, which we think is important as outlined above.

Importantly, ORC considers that the reorganisation process should not be constrained by existing regional boundaries. Looking beyond current lines on a map would enable fresh thinking and allow governance arrangements to better reflect catchment-scale issues, environmental systems that span regions, infrastructure management and communities of interest that do not align neatly with current structures.

At the very least, the Government should provide an expectation that CTBs or the reorganisation bodies must have cross-boundary discussions about issues as outlined above.

Two examples of regional collaboration currently underway in Otago include Grow Well Whaiora and the Otago Regional Transport Committee. These provide useful context for the Government around what has worked and what doesn't in a regional collaboration process.

Finally, ORC emphasises that this work must be aligned with the broader reform landscape. Local government reform does not stand alone; it intersects with resource management reform, emergency management reform, rates capping and climate adaptation planning. Regular changes to national direction and Government policy settings have generated significant workloads and created a resource burden on regional councils. Ensuring these programmes are connected, coherent and workable as a whole package will be essential to achieving an enduring and effective future system.

ORC appreciates the opportunity to provide this submission and looks forward to continued engagement as the reforms progress.

Yours Sincerely

Hilary Calvert
Chairperson, Otago Regional Council

6.2. Resource Management Reform Submission

Prepared for:	Council
Report No.	P&P2601
Activity:	Submissions
Author:	Tom De Pelsemaeker (Team Leader Freshwater and Land), Fleur Matthews (Manager Policy and Planning), Warren Hanley (Senior Resource Planner Liaison)
Endorsed by:	Anita Dawe (General Manager Regional Planning and Transport)
Date:	11 February 2026
Portfolio Leads:	Cr Wilson and Cr Gillespie, Policy and Planning

PURPOSE

- [1] This report provides a draft Otago Regional Council (ORC) submission on the Planning Bill and the Natural Environment Bill (the Bills) for Council consideration and approval.

EXECUTIVE SUMMARY

- [2] In late January 2026, Councillors and staff held a Council workshop to discuss the Bills, which detail the proposed new resource management framework for New Zealand. The purpose of the workshop was for Councillors to identify and develop submission points for an ORC response on the Bills.
- [3] Staff have developed a draft ORC submission based on the discussion of Councillors at the workshop. The draft submission is attached for Council discussion and feedback.

RECOMMENDATION

That the Council:

- 1) **Notes** this report.
- 2) **Approves** the draft Otago Regional Council submission on the Planning Bill and National Environment Bill, subject to any further changes directed by Council.
- 3) **Approves** Cr Kate Wilson and Cr Neil Gillespie to approve any final changes to the draft Otago Regional Council submission on the Planning Bill and National Environment Bill, and to sign out the final submission.
- 4) **Delegates** to the Chief Executive the authority to correct any minor errors in the submission as needed (in addition to any changes directed through recommendations above).

- 5) **Confirms** whether Council wishes to request to appear before the Environment Committee in support of its submission, and, if so, which Councillor/s and/or staff would appear on behalf of Council.

BACKGROUND

- [4] The Planning Bill and National Environment Bill were released on 9 December 2025. The Bills were referred to the Environment Committee on 16 December 2025, which then called for submissions on the Bills. Submissions close at 4:30 pm on 13 February 2026.
- [5] Staff gave an initial presentation to Council in December 2025 to introduce the fundamentals of what the Bills proposed. Council's comments during that presentation helped identify seven topics of interest for staff to develop a more focused and detailed presentation for a workshop.
- [6] The Council workshop was held over 28 and 29 January 2026. The workshop material provided Councillors with further information about the implications of the Bills to assist with detailed discussions about the Bills. The outcome was a series of submission points on Council's position on the Bills which staff have consolidated into the draft submission, the subject of this report.

DISCUSSION

- [7] ORC, as a regional authority, has a range of responsibilities, functions and duties regulated by the Resource Management Act 1991 (RMA).
- [8] The Bills, which propose two Acts which would replace the RMA, would retain the overall functions of regional councils but result in significant changes to processes, roles and responsibilities as to how those functions are carried out.
- [9] Staff have developed a draft submission on the Bills for Council to consider and provide feedback. This draft submission will be circulated separately and ahead of the Council meeting. The draft submission includes paragraph numbers so that individual submission points can be removed or amended as directed by Council. These paragraph numbers will be removed from the final submission.
- [10] The draft submission includes a small number of paragraphs highlighted in green and yellow. The green highlighted paragraphs present alternative submission points for councillors to consider and provide guidance on, so staff can confirm ORC's final position. Once this direction is received, the draft submission will be finalised prior to lodgement. The paragraphs highlighted in yellow indicate other matters where staff are seeking further direction from councillors. These relate to iwi involvement in plan development and consenting processes under the new Bills, as well as areas of overlapping regional and national jurisdiction.
- [11] During the workshop, the implications of the Bills for iwi was discussed. Councillors expressed a view that Council's relationship with Kāi Tahu would endure regardless of the proposed legislation. Councillors expressed a desire to understand the views of mana whenua on the Bills before finalising the Council submission points. Te

Rōpū Taiao Murihiku (which includes Aukaha) has produced a document to inform the submission from Te Rūnanga o Ngāi Tahu. This document is included as Attachment 1 and sets out how the Bills relate to the Murihiku Charter of Understanding and possible submission points for Councils to include. Council may wish to identify whether to include any of these points within its submission.

OPTIONS

- [12] Council can confirm if it approves the draft ORC submission as provided, or if it directs further changes. Council could also decide not to submit on the proposed Bills if it considers that the most appropriate outcome.
- [13] Council can consider if it requests to appear before the Environment Committee, if there is the opportunity, in support of its submission. The draft submission wording has provided for this. If Council direct to retain this request, ORC staff are happy to support Councillors to prepare for, and in attendance at, the hearing.

CONSIDERATIONS

Strategic Framework and Policy Considerations

- [14] The ORC submission addresses matters of consequence to ORC as the Bills would result in changes to the resource management framework, and resource management in Otago.

Financial Considerations

- [15] The budget for responding to consultations is approved through the 2024-2034 Long-Term Plan.

Significance and Engagement

- [16] Making a submission on the Bills does not trigger any need to consult or engage with the public in terms of the He Mahi Rau Rika: the Otago Regional Council Significance, Engagement and Māori Participation Policy.

Legislative and Risk Considerations

- [17] There is no identified risk in ORC making a submission on the Bills. However, should ORC not provide its voice through a submission, a risk would be missing its opportunity to contribute on behalf of Otago as to proposed changes to resource management.

Climate Change Considerations

- [18] There are no climate change considerations associated with submitting on the Bills.

Communications Considerations

- [19] Following lodgement of an ORC submission, the submission will be made available to the public through the ORC website.

NEXT STEPS

- [20] If an ORC submission is approved, staff will lodge the submission with the Environment Committee by the required deadline, including incorporating any changes as directed at the meeting. The submission will also be available on our website as it will be a public document.
- [21] If Council chooses to appear before the Committee, staff will liaise with the Committee and the Councillor/s nominated to appear and speak to submissions.

ATTACHMENTS

1. Potential submission points based on analysis Murihiku Charter of Understanding
[6.2.1 - 4 pages]

Attachment 1. Potential Submission Points identified by Te Rōpū Taiao Murihiku based on analysis of the Murihiku Charter of Understanding

Topic	Suggested Submission Text	What the Bills do	Relevant Charter Sections	How the Charter Aligns
1. Meaningful Mana Whenua Participation	<p>We are concerned that the Bills largely limit mana whenua participation to consultation, without guaranteeing meaningful decision-making roles in spatial planning or regional plan development.</p> <p>In regions like Otago and Southland where established governance arrangements already provide for mana whenua representation, the legislation should explicitly enable and protect bespoke joint decision-making arrangements, including guaranteed iwi representation on spatial plan committees.</p>	<p>The Bills provide for Māori participation in developing national instruments, spatial plans and regional plans, but don't guarantee mana whenua representation on spatial plan committees.</p> <p>The Bills rely on descriptive, non-operative Treaty clauses rather than enforceable duties, reducing the strength of statutory direction for councils.</p>	<p>1.8–1.9 Commitment to stable long-term relationships</p> <p>2.4 Goals & Principles</p> <p>2.6 Te Tiriti o Waitangi</p> <p>3.1 Te Rōpū Taiao</p> <p>3.2 Representation</p> <p>3.3 Shared Decision-Making</p> <p>4.2 Engagement</p>	<p>The arrangements in place between southern councils and Ngāi Tahu ki Murihiku set out in the Charter are a key element in upholding Crown obligations under the Treaty and Ngāi Tahu Settlement Act 1998. They have been built on enduring, trust-based relationships over many years.</p> <p>The Charter emphasises meaningful engagement, recognition of mana whenua interests and shared decision-making.</p> <p>Constraining established arrangements for mana whenua participation is considered to risk achievement of the goals of the new legislation.</p>
2. Consenting Changes Risk Excluding Mana Whenua	<p>Raising notification thresholds and limiting mana whenua engagement to notified consents risks excluding iwi and hapū from decisions where cultural, cumulative, or waahi tapu effects may be significant but not formally recognised as “more than minor”.</p>	<p>The NEB narrows the scope of effects and raises thresholds, activities with less than minor effects aren't considered unless it contributes to cumulative effects. Engagement is done at plan making rather than consenting, so mana whenua are expected to influence outcomes early when rules are written but will have fewer opportunities to</p>	As above	As above.

Topic	Suggested Submission Text	What the Bills do	Relevant Charter Sections	How the Charter Aligns
	It is submitted that the consenting framework should better recognise cultural effects and cumulative impacts, and retain flexibility for mana whenua input where appropriate.	influence decisions later when applications for activities are processed. The reforms don't carry over existing Treaty obligations which significantly impact mana whenua rights.		
3. Certainty for Treaty Settlements During Transition	We hold deep concerns about the legal and practical risks arising from the two-year timeframe for renegotiating how Treaty settlements operate under the new system, and the absence of clarity on consequences if agreement is not reached. The legislation must provide assurance that Treaty settlement redress will not be undermined, diminished or rendered uncertain during transition, and must uphold the "full and final" nature of settlements.	The NEB includes a 2-year transitional window for the Crown to work with post-settlement entities to agree how settlement redress will operate under the new system, after which the section is repealed (discussions and agreements can continue).	2.6 Te Tiriti o Waitangi 2.7 Ngāi Tahu Claims Settlement Act 1998	The Charter acknowledges the Ngāi Tahu Claims Settlement Act and its mechanisms (e.g. Statutory Acknowledgements). Any legislative transition that risks undermining the settlement conflicts with the Charter's commitments.
4. Ngāi Tahu Context Requires Stronger Recognition of Rangatiratanga	Within the Ngāi Tahu takiwā, it is submitted that the Bills must go beyond merely "upholding" Treaty settlements and actively reflect Crown commitments under the Ngāi Tahu Claims Settlement Act, including recognition of mana	The Bills say they will uphold Treaty settlements and provide goals for Māori participation, but the obligations are nationally framed and may not fully reflect region specific settlement commitments (e.g. the Ngāi Tahu Claims Settlement Act).	2.6 Te Tiriti o Waitangi 2.7 Ngāi Tahu Claims Settlement Act 1998 3.1–3.3 Governance &	The Charter affirms the special context of Ngāi Tahu and provides specific mechanisms in line with the Ngāi Tahu Claims Settlement Act.

Topic	Suggested Submission Text	What the Bills do	Relevant Charter Sections	How the Charter Aligns
	<p>whenua rangatiratanga over their takiwā.</p> <p>A one-size-fits-all national framework risks failing to honour these regionally specific obligations.</p>		Shared Decision-Making	
5. Loss of s33-Style Transfer Powers Reduces Partnership Options	<p>Repeal of the explicit s33 transfer of powers mechanism removes a clear statutory pathway for devolving decision-making authority to iwi.</p> <p>It is submitted that the new system should clearly enable the transfer or sharing of functions, powers, or duties with iwi authorities, where councils and mana whenua mutually agree this would achieve better outcomes.</p>	The RMA s33 allows transfer of function, powers or duties (including to an iwi authority). This ability is removed under the Bills.	3.5 Transfer of Powers	The Charter identifies the transfer of powers as a potential mechanism for recognising rangatiratanga and kaitiakitanga. Removing these powers reduces partnership options.
6. Flexible Plan-Making Timeframes and Templates	Tight plan-making timeframes and standardised templates risk marginalising local tikanga, mātauranga Māori and place-based solutions, particularly given capacity constraints faced by Papatipu Rūnanga.	<p>The Bills propose standardised national content and require justification reports when councils depart from standardised provisions.</p> <p>Combined plans per region consolidate spatial, natural environment and land use chapters.</p>	4.2 Engagement 4.4 Capacity Building 4.5 Resourcing	The Charter identifies there must be sufficient time and information for iwi to contribute meaningfully.

Topic	Suggested Submission Text	What the Bills do	Relevant Charter Sections	How the Charter Aligns
	<p>It is submitted that greater flexibility is required to genuinely reflect local context and to support mana whenua participation at a strategic level, without undue reliance on justification reports or ministerial discretion.</p>			
<p>7. Ministerial Override Powers Undermine Local Partnership</p>	<p>The breadth of ministerial override powers risks diluting locally negotiated arrangements between councils and mana whenua.</p> <p>It is submitted that strong safeguards are needed to ensure that local partnership agreements are not overridden without transparent justification and engagement with affected mana whenua and councils.</p>	<p>The NEB gives the Minister broad intervention powers (e.g. to direct councils to prepare plan changes, appoint persons to exercise council functions, direct outcomes). In the wider system, the Fast-track Approvals Act 2024 centralises executive powers and limits participation. Together, this risks overriding local partnership arrangements.</p>	<p>1.8–1.9 Commitment to stable long-term relationships 2.4 Goals & Principles 3.1 Te Rōpū Taiao 4.2 Engagement</p>	<p>The Charter is built on enduring, trust-based relationships and locally developed partnership structures. Broad ministerial override powers could undermine these by disrupting agreed governance processes and bypassing the Charter’s commitment to mutual understanding, local collaboration and joint decision-making.</p>