

**Submission on the Planning Bill and Natural Environment Bill**

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**Submitter details**

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## Submission

### Introduction

1. Recreation Aotearoa is the professional association and industry body responsible for providing leadership, advocacy, and professional development opportunities for those involved in the broader recreation sector.
2. We serve as the collective voice of recreation in New Zealand, ensuring that the value of recreation is recognised across government, industry, and communities. We work at an agency, industry, and professional level to build capability, develop partnerships, and equip individuals and organisations with the skills they need to deliver high-quality recreation experiences that engage participants.
3. Our membership includes recreation policy makers, territorial local authorities, voluntary organisations, regional sports trusts, consultants, outdoor recreation businesses and providers, and others involved in the delivery of facilities and services that make recreation accessible throughout New Zealand.
4. Our mission is enhancing wellbeing through recreation. We believe recreation is not a discretionary “nice-to-have” but a fundamental contributor to New Zealand’s physical and mental health, social cohesion, youth development, and climate resilience.
5. The English term “recreation” has no direct equivalent in te reo Māori. Te Kāhui Kura Māori, Recreation Aotearoa’s Māori navigational group, instead conceptualises recreation as Te Whai Oranga – the pursuit of wellbeing. This concept has been adopted as both the title and foundation of our organisational strategy.
6. Te Whai Oranga reframes recreation as a holistic endeavour, shifting focus away from purely physical activity toward wellbeing in its broadest sense. It recognises that individual wellbeing is inseparable from the wellbeing of communities and the environment.
7. Recreation is vital to New Zealand society; it is not just about enjoyment, but about being healthy, engaged, stimulated, and interacting with others.

It generates significant value for society across several of the wellbeing domains expressed within NZ Treasury's Living Standards Framework, including health, subjective wellbeing, and safety.

8. Engaging in active recreation is known to reduce the prevalence of mental health conditions like depression and anxiety, as well as non-communicable diseases, ultimately enhancing life expectancy.
9. Sport New Zealand, the Crown entity responsible for sport and recreation, references research showing that the net health benefits associated with recreational physical activity in Aotearoa New Zealand were estimated at about \$8.4 billion after accounting for injury costs, forming a significant portion of the total social value generated by sport and active recreation.
10. Our nation's recreation values are also fundamental to the economy. The play, active recreation and sport industry makes up 2.3% of our annual GDP and employs more than 72,000 New Zealanders, according to Stats NZ. Recent research by Sport NZ, revealed that each dollar allocated to these activities yields a social return of \$2.12.
11. Local government is the single largest investor in recreation, play, and sport infrastructure in New Zealand, spending over \$1.3 billion annually on facilities ranging from playgrounds and skateparks to aquatic centres and regional parks. Over 25% of the total funding to the sector comes from local government, an amount that far exceeds central government and gaming grants combined. Councils are the primary providers of this infrastructure, and the policy settings that govern them directly shape the opportunities communities have for healthy, connected lives.
12. As such, legislation that mandates Local Government or imposes costs or constraints, will ultimately be of huge importance for the provision of recreation in New Zealand.
13. Greater understanding of these benefits and awareness of how legislation, regulation, and policy influence delivery are key to ensuring that New Zealand's recreation opportunities remain among the world's best.

## **The critical role of urban green space and recreation spaces**

14. Recreation Aotearoa considers that the reform of the resource management system occurs at a critical inflection point for Aotearoa New Zealand. Urbanisation, intensification, climate change, and widening health inequities are converging. Decisions made through the Planning Bill and Natural Environment Bill will shape not only environmental outcomes, but also the everyday lived experience, health, and resilience of communities for generations.
15. The Active NZ survey, conducted annually by Sport NZ, consistently shows that the most common forms of physical activity in New Zealand occur in informal, everyday settings. These are predominantly outdoor and open green spaces. Walking, informal play, cycling, running, and unstructured exercise dominate participation across all age groups, far exceeding organised or facility-based sport.
16. In 2024/25, informal participation (“net play”, playing alone or with whānau or friends, and exercising independently) remained the primary mode of activity for both tamariki and rangatahi, with over four in five young people engaging in informal activity during the year. Among adults, the same pattern holds, with the majority of activity occurring outside formal clubs or competitions.
17. This evidence confirms that parks, neighbourhood green spaces, trails, and accessible outdoor environments are the backbone of New Zealand’s physical activity system, rather than ancillary amenities. Active NZ also shows that connection to local spaces and places is a key driver of physical activity, particularly for tamariki. The survey’s belief-network modelling demonstrates a strong relationship between feeling connected to nearby spaces and higher confidence, greater enjoyment, and increased hours of physical activity. Where children feel that parks and open spaces “belong” to them, participation increases through multiple reinforcing pathways, including whānau involvement, cultural connection, and social encouragement.
18. Conversely, lack of nearby spaces is identified as a growing barrier, with the proportion of young people reporting “no places nearby to do what they want to do” increasing in 2024/25. These findings underscore that access to

open green space is not simply about opportunity, but about enabling the conditions that sustain lifelong participation.

19. Critically, Active NZ shows that these informal, place-based activities are also the most equitable and resilient forms of participation. Cost, time, and transport are consistently identified as the main barriers to being active, particularly for tamariki and rangatahi in higher-deprivation communities. Open green spaces mitigate all three barriers simultaneously: they are free to use, locally accessible, and flexible in timing. As pressures on household budgets and urban density increase, reliance on informal outdoor activity is likely to grow rather than diminish.
20. Recreation Aotearoa therefore submits that any planning system which fails to explicitly protect and provide for accessible open green space will directly undermine the most common, most inclusive, and most effective forms of physical activity in New Zealand, as evidenced by the country's own participation data
21. As an independent Officer of Parliament, the Parliamentary Commissioner for the Environment (PCE) provides authoritative, non-partisan analysis of these challenges. In 2023, the PCE published "Are we building harder, hotter cities? The vital importance of urban green spaces." That report has been widely accepted across disciplines including planning, infrastructure, public health, civil defence, and recreation. Recreation Aotearoa affirms the core findings of that report and submits that they are directly relevant to the intent and operation of the new planning system.
22. The PCE's analysis shows that urban green spaces are not discretionary amenities. They perform essential system functions: moderating extreme heat, absorbing and slowing stormwater, improving air quality, supporting biodiversity, and providing spaces where people can be physically active, socially connected, and psychologically restored. These functions become more—not less—important as cities densify and climate impacts intensify.
23. The report highlights a structural risk that is highly relevant to this reform programme: as cities have intensified, green space has been incrementally but dramatically eroded. Infill development has removed gardens, trees, permeable surfaces, and informal play spaces. Population growth has increased pressure on remaining parks. In many cases, green spaces have

been repurposed entirely. Now lost, these spaces are exceptionally difficult and costly to reinstate.

24. The PCE identifies three interlinked risks arising from this trajectory. The first concerns human health and wellbeing: hotter neighbourhoods, reduced opportunities for physical activity, and higher exposure to heat stress. The second concerns urban amenity and liveability. The third—and most salient in light of recent flooding and severe weather events—relates to the loss of natural stormwater management capacity and the increasing vulnerability of hardened urban environments.
25. Recreation Aotearoa considers that recreation and urban green space sit at the intersection of these risks and opportunities. Parks, greenways, trails, and accessible open spaces are where environmental protection, climate adaptation, and human wellbeing converge. They are places where mitigation and adaptation strategies are valued and enjoyed by communities.
26. The planning system has historically been more effective at regulating adverse effects than at securing positive, enabling outcomes for recreation and everyday access to nature. We take the view that the new system must not repeat that imbalance. If green space and recreation are treated as residual outcomes—rather than as essential components of resilient urban form—Aotearoa risks entrenching hotter, harder, less liveable cities at a time when adaptability and wellbeing should be central.
27. For these reasons, Recreation Aotearoa considers that the Planning Bill and Natural Environment Bill must be read, interpreted, and implemented through a lens that recognises recreation and urban green space as foundational to environmental resilience, public health, and social cohesion. This is not a peripheral concern; it is central to the success of the reform programme.

### **Long standing issues with the existing Resource Management Act**

28. Recreation Aotearoa considers that the Resource Management Act 1991 (RMA) has not adequately provided for recreation outcomes over its 30-plus years of operation. While the Act has been effective in embedding natural environment considerations into land use planning, it has consistently failed to recognise recreation as a core outcome in its own right. The omission of explicit statutory recognition of recreation has led to inconsistent consideration across plans, policies, and consent decisions.
29. The RMA's effects-based framework has treated recreation infrastructure as discretionary rather than essential. Parks, trails, playgrounds, sports facilities, and green networks are routinely assessed as optional amenities, rather than as foundational public infrastructure that underpins physical health, mental wellbeing, social connection, and community resilience.
30. Recreation Aotearoa considers that this has resulted in recreation outcomes being negotiated, reduced, or traded off during development processes—particularly in high-growth and intensification contexts. Recreation Aotearoa considers that the Act has failed to integrate recreation into quality urban form. Although natural environment protection is well embedded in regulatory settings, there is no equivalent requirement to deliver usable public open space for recreation and social use.
31. Recreation Aotearoa has observed that under the existing RMA, as housing density has increased, land allocated for recreation has frequently been the residual outcome, leading to long-term deficits in access to quality open space that are effectively locked in for generations.
32. The RMA has also created disproportionate process and cost burdens for recreation providers. Small-scale, low-impact recreation activities and facility upgrades are often subject to the same consenting complexity as high-impact developments. This has discouraged investment, delayed delivery, and constrained innovation—particularly for community-based and not-for-profit providers with limited capacity.
33. Finally, the absence of national direction for recreation has entrenched inequity. Outcomes depend heavily on local plan settings, resourcing, and

interpretation, resulting in uneven access to recreation opportunities across regions and communities. Recreation Aotearoa considers that this inconsistency is incompatible with the recognised wellbeing, public health, and social benefits delivered by recreation.

### **Specific comments**

34. Recreation Aotearoa observes that the core architecture of the Planning Bill and the Natural Environment Bill is built upon the foundational principle of 'the enjoyment of private property rights.' While we acknowledge the Government's intent to stimulate economic growth and productivity by moving toward a more permissive planning regime, we hold grave concerns regarding the shift away from a precautionary approach toward a 'starting presumption that land use is enabled'.
35. Under this new system, the management of adverse effects is narrowed to the economic concept of externalities, meaning only effects that impact third parties or the natural environment will be regulated. In practice, this means that internal site layouts, apartment sizes, and the configuration of private outdoor open spaces are essentially excluded from regulatory oversight.
36. If the system only intervenes when there is "clear, measurable harm," there is a distinct risk that the cumulative loss of "less than minor" recreational and amenity values will go unaddressed, leading to a permanent degradation of the public realm. We believe that for cities to be truly liveable, the protection of public recreational interests must be a core system requirement rather than a secondary consideration sidelined by the weight of property rights.
37. Recreation Aotearoa considers that there should be explicit recognition of Recreation, in both Acts. The most significant positive change the Committee can recommend is the explicit inclusion of the word "Recreation" within the purpose, goals, and outcomes of both Bills. Historically, the Resource Management Act (RMA) omitted this term, forcing planners and decision-makers to subsume recreational values under the narrow concept of "Amenity". This has led to decades of legal



ambiguity where recreational physical use, public access, and community cohesion were often dismissed as sensory or visual character issues.

38. Recreation Aotearoa notes a clear distinction between 'amenity' which relates largely to sensory experience, and 'recreation' which relates to physical use, health, and the functionality of open space networks. Without clear statutory recognition, recreation is consistently undervalued in the face of competing development interests. Explicit recognition will provide a clear mandate for councils and the new Planning Tribunal to protect the activity-based values that are essential to community wellbeing.
39. Recreation Aotearoa strongly urges that public open space, recreation facilities, and green networks be formally recognised as essential public infrastructure, equivalent to transport and water systems. Currently, the Planning Bill distinguishes between 'development infrastructure' (like pipes and roads), which councils must provide capacity for, and 'additional infrastructure' (like open space), which they only need to be 'satisfied' is likely to be available.
40. This creates a hierarchy where parks are treated as optional nice-to-have amenities rather than foundational elements of the urban form. Treating green space as a discretionary service leads to a 'death by a thousand cuts' pattern of removal. If we are to support the push for higher-density living, we must acknowledge that public parks are the outdoor living rooms or 'third-spaces' of intensified communities and require the same level of investment certainty as traditional infrastructure.
41. Recreation Aotearoa considers that the proposed system relies heavily on National Policy Directions (NPD) and National Standards to provide consistency. However, there is currently a structural incompleteness in the Bills because there is no coherent national framework for open space and recreation. We propose the development of a National Policy Statement for Open Space to establish minimum baseline metrics for quantity, quality, and equitable access.
42. Without these national benchmarks, decision-making will remain highly variable, leaving smaller or less-resourced councils without the tools to safeguard green space during rapid intensification. The "Hotter Harder Cities" report, cited previously, demonstrates the urgency of this need:

since the 1940s, green space in Auckland and Hamilton has declined by 15 percentage points, a trend that is accelerating. In post-2016 developments, green space accounts for only 20–30% of individual sections, roughly half the historical city-wide average. A national standard for such things as minimum landscaped area and canopy cover is essential to prevent our future urban environments from becoming concrete heat sinks.

43. Recreation Aotearoa would like the role of green space within the new Acts to be expanded beyond a social preference, to a critical form of climate change mitigation and adaption. Parks and green spaces act as sponges, and their removal can increase stormwater runoff volume by up to 20 times in a single rain event. In addition, a 10% loss of green space can subject a city like Auckland to 1.3°C of additional warming due to the urban heat island effect.
44. The Natural Environment Bill must recognise that these services - temperature regulation and stormwater management- are provided most effectively by diverse, complex vegetation such as shrubs and trees rather than simple mown lawns. By mandating the protection of these nature-based solutions, the system can reduce the need for expensive, engineered built infrastructure that lacks the social and biodiversity co-benefits of green space.
45. Recreation Aotearoa is concerned the regulatory relief provisions will undermine the national esplanade network. Acquisition of these strips, which are vital for public access to coastal areas, lakes, and rivers could be deemed a "regulatory taking," requiring councils to provide financial compensation or land swaps.
46. We submit that this would create a major financial barrier for local authorities, especially in high-value locations where relief costs may be prohibitive. In many cases, councils might opt out of securing these links to avoid liability, permanently diminishing public enjoyment of our waterways. A planning system that prioritises property rights over public access risks eroding the public realm. The Bills must ensure esplanade provision remains a core, viable function of local government, not a financial liability.

47. Recreation Aotearoa strongly urges that Recreation Assessments must be mandated in Planning Processes. To support robust, evidence-based decision-making, the Bills should mandate Recreation Assessments for significant infrastructure and development projects. These assessments would function as a legitimate part of the planning toolkit, providing a clear evidential basis for how a project might displace or enhance recreational opportunities. This is particularly vital given the 30-year regional spatial planning process. If recreational opportunities are not identified and secured early - before expectations of up-zoning drive land prices upwards - they will be rendered financially impossible to achieve once development begins. By integrating these assessments into the Regional Spatial Plans, councils can move away from reactive, consent-by-consent arguments and toward a proactive, strategic network design.
48. Recreation Aotearoa considers that there is more scope to include innovative funding and stewardship mechanisms. One of the primary barriers to establishing new public spaces is the ongoing maintenance burden on local authorities, who often decline to take on new assets due to rating concerns. We propose a positive legislative change to allow consent conditions to impose ongoing public realm maintenance requirements on bodies corporate or housing associations. This would unlock the creation of high-quality, privately maintained public spaces in situations where councils lack the immediate operational budget to manage them.
49. Additionally, we support the inclusion of incentivised planning tools where developers can negotiate outcomes that exceed baseline requirements—such as increased canopy cover or shared community benefit lots—in exchange for density bonuses or transferable development rights. Using these ‘carrots’ alongside regulatory ‘sticks’ will help deliver the quality urban environments we all aspire to create.

## Recommendations

50. Part 1, Clause 3 (Interpretation) of both the Natural Environment Bill (page 16) and the Planning Bill (page 14), insert the following definitions:

Recreation means activities relating to physical use, public access, experience, health, community cohesion, and the functionality of open space networks.

Public open space means land available to the public for active or passive recreation, including parks, reserves, and esplanades, which functions as foundational community infrastructure.

Green networks means an integrated system of public open spaces, trails, green corridors, and environmental features that support biodiversity and community connectivity.

Equitable access means the fair distribution of high-quality green spaces and recreation opportunities across all communities to prevent spatial inequities.

51. Amend Section 3 (Interpretation) of both the Natural Environment Bill (page 28) and the Planning Bill (page 24) to explicitly exclude rules relating to the creation of esplanade reserves and esplanade strips from the definition of a "specified topic" or "specified rule".
52. Amend Schedule 3, Part 4 (Regulatory Relief) (page 252) of the Planning Bill to include a new clause: "A rule requiring the setting aside of an esplanade reserve or the creation of an esplanade strip of 20 metres or less in width is deemed not to have a significant impact on the reasonable use of land for the purposes of this Part".
53. Amend Section 84 (page 68) of the Planning Bill (Rules that modify requirements for esplanade reserves) to include a subclause stating: "Any rule made under this section is for the primary purpose of achieving the goal in Section 11(f) [public access] (page 32) and shall not be subject to the regulatory relief framework in Schedule 3, Part 4".

54. Natural Environment Bill, Part 1, Clause 3 (page 22), the definition of "long-lived infrastructure" should be amended to specifically include: "(h) public open space, green networks, and community recreation facilities necessary to support growth and intensification".
55. Amend Section 111 (page 86) of the Natural Environment Bill to clarify that rules requiring esplanade areas to function as "nature-based solutions" for stormwater or biodiversity management are exempt from regulatory relief.
56. Natural Environment Bill, Part 2, Clause 11 (page 36): Insert new subclause (g) "to ensure the provision of, and equitable access to, high-quality public open space and recreation opportunities as essential components of community wellbeing".
57. Planning Bill, Part 2, Clause 11 (page 32): Insert new subclause (j) "to recognise and provide for public open space and green networks as essential public infrastructure foundational to liveable, higher-density communities".
58. Planning Bill Clause 14(1)(e) amend to read: "the visual amenity of a use, development, or building... excluding effects on the physical use, public access, and functionality of recreation and open space networks".
59. Planning Bill, Part 2 amend to include a mandatory requirement: "The national policy direction must include a specific framework for open space and recreation that defines national benchmarks for quantity, quality, distribution, and accessibility".
60. Planning Bill, Part 2 amend to include "national standards for minimum levels of access to green space and recreation provision per capita in urban development areas".
61. Planning Bill, Schedule 2, Clause 3 (page 203): Add to the list of mandatory matters for regional spatial plans: "(m) a regional network plan for public open space and recreation that identifies strategic green corridors and ensures the equitable distribution of recreation opportunities".
62. Natural Environment Bill, Schedule 2 (page 217) and Planning Bill, Schedule 6 (page 299): Insert a new information requirement for all significant infrastructure or urban development applications: "Recreation Assessment:

An application must include an assessment of the effects on physical use, public access, and the functionality of the recreation network, distinct from any assessment of visual amenity".

63. Planning Bill, Part 5, Clause 184 of the Planning Bill (page 117). Subclause (2) should be amended to include: "(i) the provision, management, and equitable distribution of public open space, green networks, and recreation opportunities"

## **Conclusion**

64. Recreation Aotearoa recognises the introduction of the Planning Bill and the Natural Environment Bill as a once-in-a-generation opportunity to fundamentally realign New Zealand's resource management system with the actual needs of its people. However, as currently drafted, the system risks codifying the prioritisation of private property rights and a narrow definition of "externalities" over the collective health, wellbeing, and resilience provided by recreation and open space.

65. Evidence shows that New Zealanders are already living through an era of declining green space per capita. This trend is accelerating; in developments since 2016, lawns and gardens account for only 20–30% of site area, roughly half the historical average. If the new system does not provide a robust counterweight to this loss of private nature, our future cities will be demonstrably less liveable.

66. To avoid this outcome, the Committee must address the structural incompleteness of the proposed legislation regarding recreation and public open space.

67. We urge the following interventions:

**Explicit Recognition:** The term "Recreation" must be explicitly included in the purpose and goals of both Bills. Subsuming recreation under the narrow, sensory-focused concept of "Amenity" was a core failure of the RMA that led to decades of legal ambiguity and the systemic undervaluing of activity-based community needs.

**Infrastructure Status:** Public open space and green networks must be legally recognised as essential public infrastructure. Currently, the system prioritises "development infrastructure" like pipes and roads while treating parks as "additional" or optional amenities. This hierarchy is unsustainable; for higher-density communities to thrive, green space must be treated as a foundational requirement, equivalent to transport and water.

**National Policy Direction:** A National Policy Statement (NPS) for Open Space is urgently required. Without national baseline metrics for quantity, quality, and equitable distribution, the "nationally consistent" system promised by the Government will be inconsistent in practice, leaving smaller or less-resourced councils without the tools to safeguard community wellbeing during rapid intensification.

**Securing the Esplanade Network:** The legislation must ensure that the provision of esplanade reserves and strips is not treated as a financial liability under the proposed regulatory relief framework. Categorising these vital public access links as regulatory takings subject to compensation or land swaps will create a financial barrier for local authorities. If councils are disincentivised from securing access links to avoid relief payments, particularly where acquisition is discretionary, the public will suffer a permanent loss of access to our coastal and inland waters. Furthermore, the erosion of this network would remove essential nature-based solutions that are critical for managing urban stormwater.

**Evidence-Based Decision-Making:** Mandating Recreation Assessments for significant infrastructure and development projects will ensure that recreational values are measured, protected, and enhanced on an equal footing with environmental and economic interests.

68. Recreation Aotearoa holds the view that with the correct legislation in place, New Zealand can build vibrant, resilient communities where every New Zealander has equitable access to high-quality recreation and the natural world. By adopting the recommendations outlined in this submission, the Government can ensure that we can deliver a New Zealand that is not just more productive, but more liveable for generations to come.

69. Recreation Aotearoa wishes to speak to our submission.