

Regional Spatial Planning Roadshow

Briefing Note 4: Process Agreements –
What are the requirements and steps in their formation

July - August 2026



4. Process Agreements - what are the requirements and steps in their formation

This Briefing Note supports a RSP Roadshow presentation to chief executives, tier-two leaders, planning managers, reform leads, programme managers, and prospective RSP secretariat or committee support staff. Issues of organisational design, establishment choices, and key points for council managers, taking account of Head Start scenarios are covered.

This note draws on papers prepared to support Workshop presentations that are synthesised in this series of eight Briefing Notes on topics relevant to organisational readiness for regional spatial planning. It includes information and advice based on official sources prepared for Taituarā by Simon Markham Consulting Ltd as an advisory Briefing Note.

Its statutory framing is Planning Bill 235-3, as reported from the Committee of the whole House, on regional spatial plans, national instruments, process agreements, iwi consultation, spatial plan committees, public notification, hearings, adoption, implementation and review. It considers what the current Bill and subsequent legal commentary mean for council managers, in light of existing spatial-planning collaborations and wider regional collaboration experience.

This Note is current to 14 September 2026. It integrates the July 2026 report-back changes into the substantive text and adds subsequent Committee-stage changes reflected in Planning Bill 235-3, together with relevant interpretation from the Regional Spatial Planning Legal Commentary Paper as at 14 September 2026 that accompanies this series of Briefing Notes. The Bill has completed Committee of the whole House consideration but has not yet received third reading or Royal assent. All update material is fully integrated into the main text.

1. Executive Summary

The process agreement is the operating spine and continuity mechanism before the RSP Committee or secretariat can be relied on to work at pace. Under the Planning Bill, it is not a simple memorandum of understanding or project-start note. It is the document in which all local authorities in a region must agree how the first regional spatial plan will be prepared, who will do what, how the region will work with central government and adjacent regions, how iwi participation and existing agreements and obligations will be upheld, and how infrastructure providers, sectors, communities, and others with a strong interest will be brought into the process. For existing unitary authority regions, the process agreement will be simpler and somewhat different.

The process agreement is in Schedule 2 clause 4 and is expressly binding on the local authorities and spatial plan committee. It must be published and may be amended by agreement. Its statutory content in 235-3 covers the council/committee working relationship; any division of decision responsibilities or consensus approach; the consultation approach and identification of relevant infrastructure, development, sector and community

representatives; establishment and management of the secretariat; processes for applicable iwi participation legislation and existing joint-management agreements; and prescribed matters.

The updated Head Start and RSP Committee notes make the process agreement even more central. It is the place where the region records that current regional boundaries are the immediate RSP establishment baseline, while also setting review triggers for the Agreement if Head Start proposals are lodged, accepted in principle, altered, rejected, converted into detailed design, or legislated.

As MCERT develops the central-government operating model, the process agreement should document how the region will work with central government in practice. It should not simply list central agencies. It should provide information on intentions for a Ministerial appointee and arrangements for a collective central-government position to be formed on matters before the Committee so as to assist it and the secretariat to function, including any central government participation in the secretariat. This may include how NZTA/Waka Kotahi, Regional Public Service Commissioners and other agencies are engaged.

Planning Bill 235-3 is now the consolidated pre-third-reading baseline. The report-back RSP machinery remains, with later Committee-stage changes layered onto it. The separate Climate Change Response Amendment Bill remains a separate source stream; importantly, Planning Bill 235-3 itself now requires RSPs to identify priority areas for planning adaptation to the effects of climate change. The Bill has not yet been enacted.

Funding, quorum, and voting rights for spatial plan committee members should be treated as likely contested design matters. The proposed LGA voting-rights change means the agreement and linked committee ToR should expose any reliance on non-elected appointed members voting or counting for quorum, and should identify legally durable advisory, partnership, or statutory routes if voting membership is unavailable.

For council managers, the practical implication is that process-agreement formation is a governance-establishment task, a programme-design task, and a risk-control task. It should be settled before the region relies on the RSP Committee or secretariat to commission evidence, prepare options, engage partners, or recommend a draft plan for public notification. A weak process agreement will push unresolved role, mandate, engagement, resourcing, and dispute issues into the committee itself, at exactly the point where it will need to make strategic choices at pace.

The current Bill adds a national-standardisation dimension to this risk-control role. Sections 53-54 and 67BA allow national standards to prescribe RSP objectives, actions, policies, methods and standardised provisions, and to limit regional choices to specified locations, alternatives or parameters. The process agreement should therefore allocate who interprets national instruments, who recommends the regional choices left open by them, and how changed national direction is brought through change control.

2. What councils need to know now

2.1 The statutory minimum is already substantial

Planning Bill requirement	What it means in practical formation terms
Key geographical areas, issues, and opportunities for the draft RSP	Agree the focus of the first RSP, including whether sub-regional workstreams are needed and how they feed into one region-wide spatial plan.

Roles of each local authority, including how they will work together	Record lead, support, decision, evidence, engagement, funding, and escalation roles, including consideration of which councils will be responsible for any sub-regional workstreams. Do not leave this to custom or goodwill.
How local authorities will work with central government, relevant agencies, and CG entities	Set expectations for CG engagement, infrastructure-funding interface, agency evidence, and escalation of central-government issues. In 235-3 this is not a separate listed clause 4 statutory matter. Keep it as an important operating clause because Ministers/agencies are consulted through the RSP process and central-government infrastructure/investment inputs are material, but distinguish policy/design choice from the statutory minimum.
How local authorities will work with adjacent regions	Agree cross-boundary issues directly with relevant adjacent-region authorities, not just within the home region. This is no longer a separate clause 4 item. Address it operationally and, where common content is proposed, record the formal Schedule 2 clause 5 inter-regional-content agreement; a section 74E joint RSP is a different pathway.
How iwi partnering and participation legislation, existing agreements, joint management agreements, and Mana Whakahono ā Rohe and Treaty settlement arrangements and obligations will be upheld	Map Treaty settlement redress and obligations, relationship instruments, and obligations or agreements under iwi participation legislation before drafting the agreement; treat them as establishment design inputs that must be upheld, not later engagement details. For 235-3, clause 4 refers to iwi participation legislation and existing joint-management agreements; MWAR ceases after Royal assent. Any new iwi participation agreement is a separate request-based mechanism and should not be conflated with the clause 4 statutory minimum.
How the spatial plan committee will consult iwi authorities	Specify timing, materials, advice pathways, resourcing assumptions and how feedback is documented before public notification. This would need to comply with the Planning Bill requirements for pre-notification consultation with iwi authorities.
How councils will work with infrastructure providers, development and sector groups, others with a strong interest and communities	Define the engagement architecture for providers and sectors whose investment and land-use decisions will be affected by the RSP. In relation to designating authorities, processes will need to comply with the Planning Act requirements for pre-notification engagement with designating authorities.
Agreement must be set out in a document and made publicly available	Prepare the agreement as a public-facing governance document, with enough clarity to support accountability and later review. Clause 4 now also permits amendment at any time by agreement and requires the councils and committee to comply with the published agreement, subject to the Act and other legislation.
Current-boundary RSP continuity and Head Start change-control	Record that the first establishment baseline is the current Bill-introduction region unless legislation later provides otherwise. Include triggers for review of the process agreement, reconstitution, evidence transfer and residual-region or cross-boundary arrangements.

Collective central-government representation	Go beyond “working with central government” as a generic phrase. Address intentions for a Ministerial appointee, arrangements for forming a collective central-government position on matters before the Committee, CG secretariat input, portfolio agency roles, and escalation to Ministers.
NZTA/Waka Kotahi, Regional Public Service Commissioner and other agency interfaces	Treat NZTA as a transport, investment, RLTP, state-highway and possible designating-authority participant, not automatically the whole CG. Treat RPSCs as possible convenors or advisers only where they have a clear mandate. There may also be other agencies that may need to play roles in regions' spatial plan than simply as part of the single central government voice. It might vary by region but could include Te Waihanga (Infracom), MoE, Health NZ, Kāinga Ora, etc. MCERT is the central coordination point for the CG interface
Voting, quorum, funding, and participation assumptions	Identify whether any proposed committee or partnership model depends on non-elected voting rights or quorum status, and record cost-sharing, voting, and funding assumptions early rather than allowing them to surface during notification or adoption decisions.
National-standard interface	Although not a listed clause 4 matter, allocate interpretation, decision and change-control responsibilities for NPD and national standards, including standardised RSP provisions and any spatial/parameter choices left to the region.

2.2 Formation should be treated as a staged establishment process

Step	Managerial task	Likely output
1. Secure mandate to prepare the agreement	Use the CE Forum, Mayoral Forum, regional council/territorial authority chief executives or existing regional forum to mandate agreement-development work.	Mandate note and work programme.
2. Identify parties and interfaces	Confirm all local authorities in the region, cross-boundary councils, iwi/Māori interfaces, CG agencies, infrastructure providers, and sector/community interfaces.	Stakeholder and participation map.
3. Agree drafting lead and working group	Nominate a lead agency or shared drafting team, with legal, planning, governance, iwi partnering/participation, infrastructure, and programme-management input.	Drafting group terms of reference.
4. Prepare issue and assumptions register	Record legislative dependencies, national direction dependencies, data gaps, funding assumptions, Head Start/local-government change risks, and review triggers.	Assumptions and change-control register.
5. Draft statutory clauses compliance schedule	Address each Schedule 2 clause 4 process-agreement matter explicitly and, where relevant, the inter-regional-content requirements of clause 5. Use the final 235-3 wording: do not carry over superseded introduced/report-back descriptions of CG, adjacent-region or MWAR matters as if each were a separate mandatory clause 4 element.	Draft statutory-compliance schedule.
6. Add operating clauses	Add decision pathways, committee relationship, secretariat model, programme controls, evidence/data	Draft full process agreement.

	standards, funding, communications, risk, and dispute resolution ¹ . escalation.	
7. Test with partners and councils	Run the draft through planning managers, legal/governance staff, Iwi/Māori relationship teams, (incl. external Iwi/Māori contacts), infrastructure leads, CEs and elected-member channels.	Tracked issues log and revised draft.
8. Resolve adjacent-region matters	Agree cross-boundary matters with affected adjacent local authorities, especially transport corridors, growth pressures, hazards, catchments, and coastal issues.	Adjacent-region annex or protocol.
9. Approve and publish	Take agreement to participating councils or agreed regional forum for approval, then make it publicly available.	Approved public process agreement.
10. Maintain and review	Build in triggers for review if the Bill changes, regulations are made, national direction is issued, Head Start proposals progress, or partner arrangements change. Include statutory s 74 RSP review/new-information triggers as well as process-agreement amendment triggers.	Review and amendment process.
11. Confirm current-boundary continuity and Head Start triggers	State the current-region establishment assumption and identify review triggers for outline proposal, Cabinet decision in principle, detailed design, legislation, or rejection.	Current-boundary continuity and Head Start trigger schedule.
12. Map CG, NZTA and RPSC interfaces	Map central agencies, CG entities, relevant Government policy statements, national plans/strategies, NZTA interests, designating authorities and any RPSC coordination role.	CG agency and investment interface map.
13. Prepare partnering/participation, voting and funding assumptions for spatial plan committee, (and secretariat).	Test proposed governance and Iwi/Māori partnering and participation arrangements against LGA voting-rights proposals, quorum requirements, funding shares, and cost-approval pathways.	Participation/voting/funding assumptions note.
14. Establish national-instrument interface	Assign responsibility for tracking NPD/national standards, analysing standardised RSP provisions, deciding spatial/parameter choices and updating the programme/evidence assumptions.	National-instrument decision and change-control protocol.
15. Confirm first-RSP critical path	Map Royal assent/NPD dependencies, notification and decision milestones, implementation-plan timing and downstream LUP/NEP notification.	Integrated statutory critical path.

2.3 The agreement should go beyond compliance

The Bill specifies mandatory matters, but the attached readiness and risk papers show that the management challenge is wider. Regions will need the agreement to stabilise the operating model before the statutory process becomes time-critical. The agreement should therefore include operational provisions that are not

¹ A dispute resolution process is to be included in regulations and can be used, but councils may want to agree to use less formal processes before initiating the regulated process.

merely descriptive. Further direction on some of these matters (e.g., evidence and data, options, and scenarios), is intended to be provided in national standards or regulations.

Operating issue	Recommended process-agreement treatment
Sponsorship and escalation	Identify executive sponsors, reporting cycle, escalation route and how unresolved issues move from staff to CEs, Mayoral Forum, and councils.
Relationship with RSP Committee Terms of Reference	Clarify what is decided by the agreement, what is delegated to the committee, and what remains for local authority approval.
Secretariat	Record host model, funding, staffing, document ownership, reporting, procurement support, and service levels expected by the committee.
Evidence and data	Specify minimum viable data standards, evidence quality, metadata, common GIS/document platforms, and evidence gap process. This may include protocols for handling Iwi/Māori data inputs. Add s 67C requirements for robust/reliable and proportionate information, explicit uncertainty, and a pathway to improve evidence over time.
Options and scenarios	Describe the process for how scenarios/options will be prepared, tested, and documented for the options assessment report, noting direction for their substance may come in national instruments Account for the possibility that national standards will prescribe methodologies or standardised plan content, leaving the region to choose only spatial application, alternatives or parameters.
Funding and cost sharing	Set cost-sharing principles, approval pathways, budget-cycle alignment, procurement responsibilities, and contingency handling. This includes funding for Iwi/Māori partnering/participation.
Public communications	Agree common narrative, public information responsibility, councillor briefing protocol and consistent use of project materials.
Dispute and deadlock management	Set internal dispute steps before formal statutory dispute routes are needed; define what counts as unresolved and who can escalate.
Records and transparency	Clarify records ownership, official information handling, publication points, conflicts, decision logs, and document-control rules.
Change control	Record review triggers and process for amendments so the agreement can adapt when legislation, regulations, or national direction change. Include triggers for statutory NPD/standards, environmental-limit methodologies, MWAR cessation/any new iwi participation agreement, and major new hazard/infrastructure evidence.
Current-boundary continuity	State the working geography, make clear that Head Start does not pause current-boundary RSP formation, and specify when the agreement will be reviewed or reconstituted.
Collective CG model	Specify how CG advice will be collected, authorised, communicated, conflicted and escalated; include any central-government secretariat role and agency workstreams. ²
NZTA and RPSC role clarity	Separate NZTA transport/investment/designating roles from any possible whole-of-government role, and identify whether an RPSC is member, observer, officials-group chair, convenor, or escalation conduit.

² A similar challenge may arise for Iwi/Māori inputs where there are multiple parties and potentially conflicting positions. Mechanisms for resolving this among relevant parties might include sub committees or other collaborative operating models for Iwi/Māori to determine.

Voting and quorum assumptions	Record any reliance on appointed non-elected voting members, non-voting advisers, partner forums, or statutory/Treaty exceptions, and ensure the linked ToR can be legally tested.
Regional Function Continuity Schedule	For any non-full-region Head Start scenario, require a schedule covering RSP, NEP, RLTP, RPTP, CDEM/EM, catchment/flood, water, biosecurity, science/monitoring, and compliance/enforcement interfaces.
RSP review cycle	Allocate ownership of the s 74 new-information watch, public review/reporting process and progression of amendments when review recommends change.

3. Relationship to RSP Committee, secretariat, and later statutory steps

The process agreement should allocate the implementation-plan, monitoring and review interfaces as well as preparation and notification work. Sections 73B-73D require an implementation plan with actions, priority, responsible actors, timing and planned or secured funding, followed by annual monitoring/reporting; section 74 creates an ongoing review function that should be resourced and assigned from the start.

For adjacent regions, the agreement should distinguish ordinary liaison from formal common content under Schedule 2 clause 5. That pathway enables adjoining committees and local authorities to jointly prepare, notify, hear and decide common content in separate RSPs. A single joint RSP for combined regions is instead a deliberate section 74E option.

The process agreement should be completed far enough ahead of substantive plan drafting to shape the RSP Committee terms of reference and secretariat establishment. The RSP Committee will then prepare the draft RSP, prepare an options assessment report, consult, recommend approval of the draft spatial plan for public notification, advise on IHP recommendations, review/amend the RSP, prepare, maintain, and publish Implementation plans and monitor and report on progress in implementing the spatial plan. The process agreement is therefore the upstream governance settlement that makes those later steps workable.

Interface	What must be aligned
RSP Committee terms of reference	Membership assumptions, chair/secretariat arrangements, decision rights, reporting to councils, conflict handling, and relationship to local authority approval steps.
Secretariat	Administrative and programme functions required to carry out the agreement: evidence, meeting support, consultation, public notification, records, risk, and reporting.
iwi/Māori partnering and participation	How obligations, agreements, joint management arrangements, Mana Whakahono ā Rohe, and iwi authority consultation protocols are upheld. Update for 235-3 by removing MWAR as a continuing new-system mechanism and cross-referencing direct RSP duties plus any later iwi participation agreement.
Infrastructure and investment planning	How infrastructure providers, LTP/infrastructure strategy/RLTP processes and CG infrastructure/funding priorities are connected to RSP development.
Independent Hearings Panel	How the region will support public notification, submissions, evidence, IHP logistics, recommendations, advice, and local authority decisions.
Implementation plan	How implementation actions, leads and reporting obligations will be carried through after the RSP is adopted. Section 68 should also be reflected: RSP implementation connects to LUP/NEP, RLTP, GPS and LTP processes, so responsible actors and funding pathways need to match those statutory links.

Head Start and regional-function continuity	Current-boundary RSP establishment, four-scenario testing, Regional Function Continuity Schedule, evidence transfer, records continuity and reconstitution triggers.
Central government, NZTA and RPSC	How CG positions are to be fed into the spatial planning process. how central government participates in the secretariat, how NZTA investment/designating interests are managed, and how any RPSC convening role is authorised.

4. Main risks and mitigations

Risk	Why it matters	Mitigation
Agreement treated as a legal formality	The real operating model remains unresolved, and delays shift into committee meetings.	Use the agreement as the establishment constitution; include decision rights, programme, secretariat, funding, and escalation clauses.
Insufficient elected-member and CE ownership	Councils may later resist notification, funding, or IHP recommendation decisions.	Secure early CE/Mayoral Forum mandate and consistent council briefing before approval.
Adjacent-region issues left late	Transport corridors, catchments, growth pressures, hazards, and coastal matters can trigger later rework.	Agree adjacent-region protocols while drafting the agreement, not after options are settled.
Iwi/Māori partnering and participation obligations are not identified, resourced and upheld	Participation becomes compressed, under-resourced or contested.	Prepare partnering/participation register before finalising committee/secretariat arrangements.
Sub-regional platforms dominate the region-wide process	Existing growth partnerships may unintentionally narrow the RSP to metropolitan issues.	Use sub-regional workstreams as inputs to a single region-wide statutory plan.
Funding not aligned with council budget cycles	Work cannot be resourced even if legally required.	Include cost-sharing principles, annual plan/LTP timing, procurement assumptions, and contingency.
Digital/evidence fragmentation	Different councils commission incompatible evidence or use different data standards.	Agree minimum viable evidence and data rules in the agreement in accordance with any relevant and available national standards, including protocols for Māori data inputs
No change-control mechanism	Final legislation, regulations, or national direction may require rework without an agreed process.	Include assumptions register and formal review triggers.
Current-boundary work paused unnecessarily	Councils wait for Head Start decisions even though the latest guidance points to current-region RSP work continuing.	State the current-boundary baseline in the agreement and add explicit review triggers rather than pausing establishment work.
Premature rebasing to proposed Head Start geography	A proposal geography is treated as the statutory RSP region before legislation provides for it.	Record proposed geographies as scenarios unless and until legislation changes the region for RSP purposes.
Fragmented CG voice	Different agencies provide inconsistent positions on transport, housing, infrastructure, conservation, fiscal or national-direction matters.	Create a central-government officials group, CG secretariat support, and Ministerial escalation route behind any formal appointee. Seek provision of a

		CG priorities/outcomes statement for each region.
NZTA or RPSC role confusion	NZTA or an RPSC is treated as the whole CG without mandate, despite separate portfolio, Board, funding, or coordination roles.	Separate technical/portfolio roles from collective-government representation and require a mandate, clearance process, and conflict protocols.
Voting and funding assumptions contested late	Committee membership, quorum, partner participation, or cost shares become disputed after work has begun.	Include a participation/voting/funding assumptions schedule and test it legally with the committee ToR.
National standards arrive after local drafting has hardened	Locally designed RSP text or methods may be displaced by standardised provisions, creating rework and governance disputes.	Keep early work focused on evidence/spatial choices; create a national-instrument protocol and assumptions register; avoid premature bespoke drafting.
MWAR assumed to continue	Process agreement and relationship architecture may be built around a mechanism that 235-3 terminates after Royal assent.	Map the underlying relationships and legal duties; plan the transition; treat any iwi participation agreement as a separate request-based mechanism.

5. Immediate work programme for managers

- Establish a drafting group with planning, legal, governance, iwi/Māori, infrastructure, finance, data/GIS, and programme-management capability.
- Prepare a statutory compliance matrix against the process-agreement requirements in Schedule 2 clause 4, together with any other applicable Schedule 2 procedures.
- Create a regional collaboration and participation map, including adjacent regions, CG agencies, iwi authorities, customary marine title groups, Post-Settlement Governance Entities, infrastructure providers, and sector/community interests.
- Draft a plain-English operating model diagram showing councils, RSP Committee, secretariat, technical groups, iwi/Māori participation channels, IHP and implementation pathways.
- Prepare a cost-sharing and resourcing schedule covering secretariat, evidence, engagement, hearings, legal advice, and communications.
- Set up an assumptions and change-control register to track legislative, national direction, digital, funding, and Head Start uncertainties.
- Prepare a public-facing explanation of why the process agreement matters and how it supports transparency and participation.
- Prepare a current-boundary RSP continuity statement and incorporate it into the agreement as a standing assumption, with clear triggers for review if Head Start proposals proceed.
- Work with MCERT to prepare a CG agency and investment interface map, including NZTA/Waka Kotahi, designating authorities, relevant Government policy statements, national strategies, CG-funded assets, and any Regional Public Service Commissioner role.
- Prepare a participation, voting and funding assumptions note so that committee membership, iwi/Māori influence pathways, quorum, and cost-sharing questions are not deferred until contested decisions arise.
- For any non-full-region Head Start scenario, prepare or require a Regional Function Continuity Schedule as a companion to the process agreement.

6. Matters that remain uncertain

Planning Bill 235-3 now provides that all existing and initiated Mana Whakahono ā Rohe cease after Royal assent. Do not draft agreements on the assumption that MWAR continues: the statutory process is now framed around applicable iwi participation legislation and existing joint-management agreements. Any later iwi participation agreement under sections 198A-198E should be cross-referenced operationally but is a separate mechanism.

Planning Bill 235-3 itself now requires RSPs to identify priority areas for planning adaptation to climate-change effects. Include that strategic hazard/adaptation workstream in the agreement's evidence, consultation and implementation arrangements; the separate Climate Change Response Amendment Bill remains a related but distinct stream.

Uncertain matter	Why it matters for process-agreement formation
Final form of the Planning Bill and regulations	May alter committee, chair, secretariat, public-notification, IHP or process details. As at 14 September, 235-3 is the consolidated Committee-stage baseline; remaining uncertainty concerns enactment and the secondary/national instruments rather than the report-back structure alone.
National standards and national policy direction	Will shape evidence requirements, RSP form, methodology and consistency tests. They may prescribe RSP provisions/methodology and directly constrain the spatial choices open to councils, so the process agreement needs a national-instrument decision path.
Central government role in practice	Schedule 2 clause 4 requires the process agreement to set the working relationship, decision responsibilities, consultation and engagement approach, secretariat arrangements, iwi-participation arrangements and prescribed matters. The agreement should also record a practical central-government working model, even though that is no longer a separate listed clause 4 matter. Treat the collective-government model as an operating-design choice. The statutory secretariat minimum in s 73A is narrower: one or more Ministry-chief-executive-appointed technical experts/advisers, Crown-funded and committee-directed.
Secretariat regulations	Section 71 requires the committee to appoint a chairperson in accordance with regulations. Section 73A separately requires a committee-directed secretariat, including Ministry-chief-executive-appointed technical experts or advisers whose work for the secretariat is Crown-funded.
Head Start/local government structural change	Could change regional boundaries, council roles, committee pathways, and participation arrangements.
Funding and rates constraints	The agreement may need to operate before all councils have aligned annual plan or LTP budgets.
Digital planning scope	The region may not yet know national e-plan or data system specifications.
Extent to which existing FDS/spatial plan material can be relied on	Existing material is valuable but is often sub-regional and may not provide the evidence needed to meet the core RSP obligations in sections 67B–67D, together with applicable Schedule 2 process requirements.

Current-boundary RSP continuity and Head Start detailed design	The immediate baseline is clearer, but future succession, reconstitution, residual-region, cross-boundary, and regional-function arrangements still require detailed design.
Proposed LGA voting-rights change	May affect whether appointed non-elected members on an LGA-based RSP Committee can vote or count for quorum, and therefore affects process-agreement assumptions.
Collective central-government representation	National guidance may be needed on the relationship between Ministerial appointees, officials groups, CG secretariat participation, and agency workstreams ³ .
NZTA and Regional Public Service Commissioner roles	NZTA has transport, investment, and possible designating-authority interests; RSPCs may convene regional public service input but are not automatically statutory CG representatives.
Iwi participation transition	MWAR cessation is now stated in 235-3. Clause 4 focuses on iwi participation legislation and existing JMAs; any s 198A-198E agreement is separate and request-based.

7. Key points for council managers to note

Suggested framing: "The process agreement is the operating spine for the first Regional Spatial Plan."

No.	Briefing point	Talk-to note
1	Start with the Schedule 2 clause 4 process agreement.	The reported-back Bill requires local authorities to agree how they will work together and with the committee, any division of decision responsibilities, the consultation and engagement approach, secretariat establishment and management, and compliance with relevant iwi participation arrangements. It also requires the process agreement to address prescribed matters and to be published.
2	Formation is an establishment project.	Do not treat the agreement as a template. It should be developed through a mandated regional work programme.
3	Use it to lock in decision rights early.	The agreement should clarify who decides, who recommends, who funds, who provides evidence and who escalates disputes.
4	Iwi/Māori arrangements are central.	Existing obligations and agreements, Mana Whakahono ā Rohe, joint management agreements and iwi authority consultation need to be mapped before the agreement is finalised. Use iwi/Māori partnering and consultation language and ensure Treaty-settlement, and existing relationship arrangements are not collapsed into generic engagement.
5	Adjacent-region matters require separate attention.	The Bill requires adjacent-region working arrangements to be agreed with the relevant adjacent authorities.
6	The agreement should shape committee and secretariat design.	The RSP Committee ToR and secretariat model should flow from the operating choices made in the agreement.
7	Add operational clauses beyond the statutory minimum.	Include funding, programme controls, evidence/data, communications, records, risk, dispute, and change-control provisions. Funding and associated voting-rights assumptions are likely to be among the most contested elements and should be exposed early.

³ This work is underway with MCERT agencies which will use this as a basis to inform the CG representative's role, secretariat support, and other input into the RSP process (incl. priority setting, regional support, and coordination functions).

8	Make uncertainty manageable.	Use assumptions, review triggers, and change-control clauses rather than waiting for every detail to be certain.
9	Publish with purpose.	Because the agreement must be public, make it clear enough to explain how the region will work and how participants will be involved.
10	Bottom line for managers.	A good process agreement reduces rework, dispute, and legitimacy risk before the RSP Committee is under statutory delivery pressure.
11	Head Start does not pause the process agreement.	Use the May guidance to state current-boundary RSP continuity, but include review and reconstitution triggers for later Head Start decisions.
12	Central government needs a collective operating model.	The agreement should describe how CG advice is collected, authorised, and escalated, and how central government participates in the secretariat.
13	NZTA is central but not the whole CG.	Build NZTA into transport, RLTP, state highway, investment, business-case, and designation workstreams, while avoiding role confusion.
14	RPSCs may help convene, not automatically decide.	Use any Regional Public Service Commissioner role as convening or coordination support only where clearly mandated by the relevant Ministers/agencies.
15	The agreement should connect to regional-function continuity.	For non-full-region Head Start scenarios, require a Regional Function Continuity Schedule so RSP, transport, catchment, emergency management, science, and compliance systems are not fragmented.
16	Use the 235-3 clause 4 list, not the introduced-Bill list.	Central-government and adjacent-region protocols remain important operating provisions, but the statutory minimum now centres on council/committee working, decision allocation/consensus, consultation identification, secretariat, iwi-participation/JMA processes and prescribed matters.
17	Build the national-instrument interface into the agreement.	The region needs a clear route for implementing standardised RSP provisions and making any spatial/parameter choices that national standards leave open.
18	Make review an assigned function.	The first RSP will be prepared while standards/evidence evolve; assign ownership for s 74 new-information monitoring, review and amendment from the outset.

8. Bottom line for managers

Councils should treat the process agreement as the first substantive establishment product for regional spatial planning. It is the place to make regional collaboration explicit, turn statutory duties into a workable programme, preserve participation obligations, connect with infrastructure and adjacent regions, and give the RSP Committee and secretariat a stable basis on which to work.

The agreement should now also be treated as the main continuity instrument for accommodating Head Start, the main organising document for collective central-government participation, and the place where voting, funding, iwi/Māori partnering/participation, and NZTA/RPSC interface assumptions are exposed early.

Appendix: Practical checklist for managers

Checklist area	Question for managers
Mandate	Has a regional forum or all councils authorised development of the process agreement?

Parties	Have all local authorities, adjacent-region interfaces, iwi/Māori entities, CG agencies, infrastructure providers, and sector/community interests been mapped?
Statutory coverage	Does the draft explicitly address every matter required by the Schedule 2 clause 4 process agreement?
Iwi/Māori obligations	Have existing iwi partnering/participation legislation obligations and agreements, joint management agreements, and Mana Whakahono ā Rohe been identified and reflected?
Committee alignment	Does the agreement state how the RSP Committee will be supported and how it reports/recommends to councils?
Secretariat	Does the agreement describe host, funding, authority, service expectations, and document-control arrangements?
Evidence/data	Are minimum evidence, GIS, metadata, and confidence requirements recorded?
Funding	Are cost-sharing, procurement, and budget-cycle assumptions clear?
Dispute/change control	Is there a clear path for escalation and amendment when assumptions change?
Public availability	Is the agreement written so that it can be published and understood by participants and the public?
Current-boundary continuity	Does the agreement state that current regional boundaries are the RSP establishment baseline unless legislation provides otherwise?
Head Start change-control	Does the agreement contain triggers for outline proposal, decision in principle, detailed design, legislation, rejection, or material change?
Collective government model	Does the agreement explain how the CG position will be collected, authorised, communicated, and escalated?
NZTA interface	Does the agreement separate NZTA transport/investment/designating-authority roles from any whole-of-government role?
Regional Public Service Commissioner role	Does the agreement clarify whether any RPSC role is as member, observer, officials-group chair, convenor, secretariat adviser, or escalation conduit?
Voting and funding assumptions	Have non-elected voting, quorum, partner participation, cost-sharing, and budget-cycle assumptions been identified for legal/governance testing?
Regional Function Continuity Schedule	For any non-full-region Head Start proposal, is there a companion schedule for RSP, NEP, RLTP, RPTP, CDEM/EM, catchment, water, biosecurity, science, and compliance functions?
National-instrument interface	Does the agreement allocate responsibility for tracking and implementing NPD/national standards and for deciding any authorised spatial/parameter choices?
MWAR / iwi participation transition	Has the agreement removed any assumption that MWAR continues, while preserving the underlying duties/relationships and accommodating any later iwi participation agreement?
First-RSP and review cycle	Does the agreement allocate the statutory timetable, implementation-plan/annual reporting duties and s 74 review/new-information function?

Source documents and official references

Primary source documents (prepared by SMConsulting)

1. Info Paper - RMA Replacement Spatial Planning Implementation - Detailed Notes, 18 March 2026.
2. Discuss Paper - Enabling organisational readiness for regional spatial planning, 20 March 2026

3. Info Paper - PL & NE Bills - Implementation Risk Synthesis incl. Spatial Planning., 23 March 2026
4. Info paper - RMA Instruments and Governance Transition to Spatial Planning, 27 March 2026.
5. Relevant preceding RSP Committees briefing-note source set - updated Notes 1, 2 and 5.
6. Regional Spatial Planning under the Planning Bill and Natural Environment Bill - Legal commentary and implementation implications, as at 11 September 2026: current synthesis used for the further interpretive and organisational edits in this Note.

Official references

7. New Zealand Legislation, Planning Bill 235-3, as reported from the Committee of the whole House, 25 August 2026 - <https://www.legislation.govt.nz/bill/government/2025/235/en/latest/>
8. New Zealand Legislation, Natural Environment Bill 234-3, as reported from the Committee of the whole House, 25 August 2026 - <https://www.legislation.govt.nz/bill/government/2025/234/en/latest/>
9. Ministry for the Environment, Better planning for a better New Zealand - <https://environment.govt.nz/publications/better-planning-for-a-better-new-zealand/>
10. Ministry for the Environment, Transitioning into the new planning system - <https://environment.govt.nz/publications/transitioning-into-the-new-planning-system/>
11. Te Uru Kahika, Spatial Planning under the Planning Act position piece - <https://www.teurukahika.govt.nz/media/5tuds14x/te-uru-kahika-spatial-planning-sector-position-piece-final-270825.pdf>
12. DIA Guidance for Head Start outline proposals released 29 May 2026 [https://www.dia.govt.nz/diawebsite.nsf/Files/Local-Government-2026/\\$file/Guidance-for-Head-Start-outline-proposals.pdf](https://www.dia.govt.nz/diawebsite.nsf/Files/Local-Government-2026/$file/Guidance-for-Head-Start-outline-proposals.pdf)
13. Supplementary Analysis Report statement that central government may be represented on spatial plan committees and must be part of spatial plan secretariats https://environment.govt.nz/assets/publications/Supplementary-Analysis-Report_-Replacing-the-Resource-Management-Act-1991-Further-Policy-Decisions_Redacted.pdf

September 2026 legislative-update status and sources

14. Planning Bill 235-3, as reported from the Committee of the whole House, 25 August 2026: consolidated current pre-third-reading text incorporating the report-back and Committee-stage amendments - <https://www.legislation.govt.nz/bill/government/2025/235/en/latest/>
15. Climate Change Response Amendment Bill 2026 (Bill 334-1), introduced 15 July 2026, remains a separate legislative source stream. For this RSP briefing, Planning Bill 235-3 is now the primary statutory baseline and itself requires priority areas for planning adaptation to climate-change effects.
16. Planning Bill 235-3, Schedule 1 clause 21 and sections 198A-198E: all existing and initiated Mana Whakahono ā Rohe cease to have legal effect on the day after Royal assent; one or more iwi authorities may request one or more local authorities to enter iwi participation agreements, with hapū able to join as parties. Direct RSP consultation and Treaty-settlement duties remain separate.
17. MCERT, New Zealand's New Planning System - Testing the Approach to National Policy Direction, 25 August 2026: illustrative material, expressly not Government policy, used only as an implementation signal for likely RSP emphasis on growth/infrastructure sequencing, natural hazards, environmental/cultural values and conflict resolution.