

Guidance on the Resource Management (Consent Duration) Amendment Act 2025

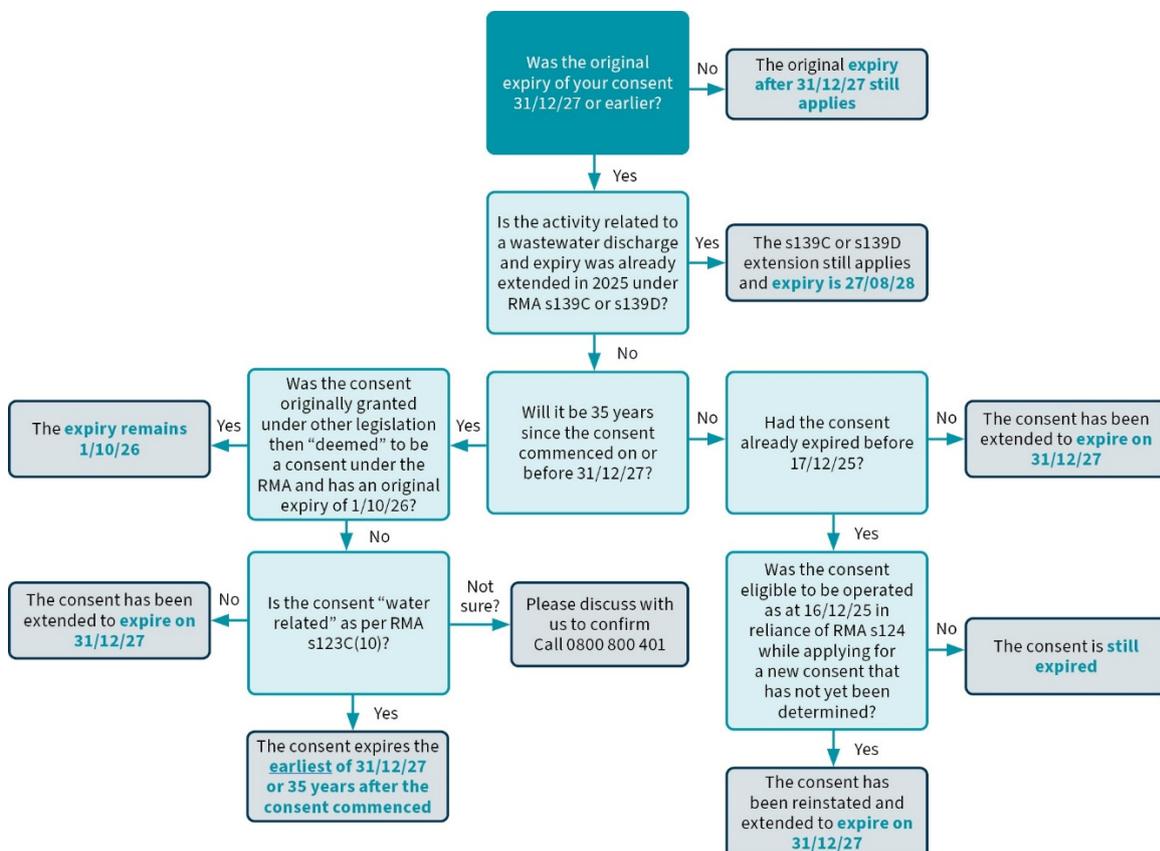
Disclaimer: This guidance note does not constitute legal advice and should not be relied on as such. Please seek specific legal advice if you have legal questions or issues.

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1 Consent Duration Extension Flow Chart

Use the following flow chart to determine if your consent expiry is affected by the duration extension amendment. Further detail is provided in the sections that follow.



2 Background

The Government is undertaking a three-phase work programme to reform the resource management system. While phase three will replace the Resource Management Act 1991 (RMA) in its entirety, the Resource Management (Consent Duration) Amendment Act 2025 makes a targeted change to the RMA in the interim to extend the duration of many consents that would otherwise expire in 2026 and 2027, plus reinstating expired consents where replacement applications are currently in progress.

This guidance document focuses on which consents are affected and what this means for affected consent holders.

All statutory references below are to the RMA.

3 Commencement of provisions

The amendment came into force on 17 December 2025 and introduced new section 123C to the RMA.

4 About the Amendment

Under this amendment any consent due to expire before 31 December 2027 is automatically extended until that date unless:

- a) It is a water-related consent, and the extension to 31 December 2027 will take the duration beyond 35 years. In that case, the consent's duration will be extended to expire 35 years after commencement.
- b) It is a deemed consent that was due to expire on 1 October 2026. These are consents that were first authorised under legislation that existed prior to the RMA and were "deemed" to be resource consents when the RMA was introduced (including but not limited to old water rights). In that case, the consent duration remains unchanged and will continue to expire on 1 October 2026.
- c) It is a resource consent related to a wastewater discharge that was extended under RMA section 139C or 139D in 2025. In that case the expiry has already been extended from its original date and remains 27 August 2028.

In addition, for lodged replacement applications operating on an expired consent in reliance of the continuation provisions under s124 of the RMA, the expired consent has been reinstated and has a new expiry of 31 December 2027 if none of the exceptions above apply. Importantly, if the expired consent is not subject to s124, it has not been reinstated.

5 What this means for existing consents due to expire before 31 December 2027

For consents where the extension applies, the existing consent has been automatically extended to 31 December 2027 (or the date noted above for the exceptions).

As a consent holder you can choose to rely on your extended consent until it expires, noting that you:

- a) Can only do the activity covered by the consent.

- b) Will need to continue following the existing consent conditions.
- c) Will continue to receive annual charges for applicable activities.
- d) May need to apply for a new replacement application before the existing consent expires on 31 December 2027 if you wish to continue the activity.
- e) Can surrender the consent if it is no longer required (see [Surrenders and transfers - resource consents | Waikato Regional Council](#)).

Early in 2026 we will be contacting consent holders whose consents have been automatically extended to let them know they are affected. Councils have until 17 June 2026 to update their records to reflect the automatic extension. As we update our records we will write to consent holders to let them know the new expiry date on their consent certificate.

6 What this means for a replacement application in process

Where an existing consent has been extended, or an expired consent reinstated, and a replacement application is in progress but not yet decided, applicants can decide what to do with their replacement application. Applicants have the option to withdraw the consent application currently in process or to continue with the processing.

Unless you tell us otherwise, we must continue to process your application and standard RMA processing steps still apply.

If you decide to withdraw an application, **we suggest you either contact us and/or seek professional planning advice before taking this action.** If contacting us, talk to the officer processing your replacement application or send your enquiry to: rudbusinesssupport@waikatoregion.govt.nz

When considering withdrawal of your application it's important to note that if you do:

- a) You must continue to operate within the scope of activity authorised by the existing or reinstated consent - any activities beyond the scope of the existing or reinstated consent will still require a new consent application.
- b) Compliance with current consent conditions and any outstanding enforcement actions remains mandatory.
- c) If the replacement application relates to a limited resource, it will lose any processing priority it may have had based on its lodgement date or application progress.
- d) Applicants must formally let us know if they wish to withdraw an application, and we will continue to process the application until that time.
- e) The costs of processing the application up to the date an application is withdrawn will be invoiced to you.
- f) A new replacement application may still be required before the extended consent expires on 31 December 2027.

7 Other Government announcements

The consent duration changes sit alongside wider resource management system reform, with the proposed Planning Bill and Natural Environment Bill expected to replace the RMA by mid-2026. These Bills are still progressing through the parliamentary process and do not affect current consents or applications at this stage.

You may have heard that consent expiry extensions could be further extended until around the end of 2031. This is dependent on further legislation being passed and cannot be guaranteed at this time. We will know more about this after mid-2026 when the proposed Planning Bill and Natural Environment Bill are passed.

After the new Bills pass into law, the RMA process will continue to apply, with some modifications, for a transition period until a new combined plan is notified and the Minister formally switches over to the new RM system, which is expected to happen by 2029.

8 Still have questions?

We encourage you to contact us if you are not sure if the consent duration extension applies to your specific consent, or what the implications are for that consent or an associated application. We particularly suggest you do this before considering withdrawing any application that is currently in progress.

For in-progress applications you should contact the Officer processing your application in the first instance. For general enquiries about other consents, these can be sent to: rudbusinesssupport@waikatoregion.govt.nz