



# Questions and answers

## From the national direction webinars June 2025

Thank you to those who attended and contributed to our webinar series. The purpose of these webinars was to provide information to support people in making their submissions.

Written questions were asked and the majority responded to during the webinars. A copy of these questions and answers is provided below.

### General questions

#### General questions

*Q: Will the entire package be required to be implemented before the end of the year? Will policies have immediate effect?*

A: National Environmental Standards (NES) will have immediate effect. The new and amended National Policy Statement (NPS) will have an immediate effect on Resource Management Act 1991 (RMA) decision making including resource consents. The NPS proposals do not include specific implementation provisions. Unless a case is made for something else through submissions, local authorities must make the amendments as soon as practicable (per s55(2D)(a) of the RMA). There are some exceptions to this (where s55(2A) of the RMA applies), which are noted in the discussion documents. Questions around implementation options and timeframes for the NPS provisions are included in the discussion documents. Options include staging implementation across instruments, or geographical locations. We welcome your views on how implementation could be managed to reduce the impact on local government, while ensuring the national direction is introduced where it is needed to support decision-making.

Consultation will help to inform when freshwater changes are implemented, as feedback is sought on whether/which changes should be implemented now under the current resource management system, or through the future resource management system.

*Q: What are the timeframes for publishing draft wording on NPS and NES documents?*

A: Indicative provisions for Package 1: Infrastructure and Development, and Package 2: Primary Sector are included in each discussion document. These provisions will form the basis of draft provisions, informed by the consultation process. Package 3: Freshwater will include further consultation on draft provisions later this year, following feedback on broad options outlined in the discussion document.

*Q: Where possible, is it possible to see a track changes version of existing NPS-NES's?*

A: Indicative changes to each NPS and NES are included in the discussion documents for Package 1: Infrastructure and Development and Package 2: Primary Sector. Draft provisions for Package 3: Freshwater will be prepared later this year and then be subject to further consultation.

*Q: The proposals refer to planning standards zones. there are many councils that have not yet started using the planning standards. How will you address this in the instruments?*

A: Most proposals that refer to planning standards relate to definitions. The only proposal that specifically refers to planning standards zones is NES-TF.

However, others NES have prepared provisions for all relevant zones that may be available under the Planning Standards (eg, papakāinga).

The intent of that policy is to ensure that where planning standards zones are used; the provisions have been prepared to apply to those zones.

The intent is to apply the provisions to existing planning zones in plans; and apply it to future planning zones that may be implemented through plans.

If you consider that is not clear from the framing of the proposals, your suggestions through submission would be appreciated.

*Q: What analysis has been done against Treaty settlements to ensure that they are not undermined by these proposals?*

A. An interim assessment of the impacts of the proposals on Treaty settlements and other legislative arrangements including the Marine and Coastal Area (Takutai Moana) Act 2011 and the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 has been undertaken. The Government is committed to obligations set out in Treaty settlement legislation and is working with Post Settlement Governance Entities (PSGE) on the details of how proposals interact with Treaty settlement commitments. The nature of these commitments is broad and interact with the resource management system in a range of ways. These conversations are on-going.

*Q: Is any non-statutory guidance being considered to support this work? Thinking solar farms in particular?*

A: When national direction is finalised information will be available about how to use the national direction.

The Government has a large resource management reform programme including replacing the RMA this term, so we need to prioritise what we can deliver.

We are interested in your submission on what additional support is needed and why.

# Package 1: Infrastructure and development

## New National Policy Statement for Infrastructure

*Q: Does 'additional infrastructure' (presumably under the category of fire and emergency services facilities) include civil defence facilities operated by regional councils or territorial authorities (by way of Civil Defence Emergency Management Groups) to meet obligations under the Civil Defence Emergency Management Act 2002?*

A: The purpose of 'additional infrastructure' in the proposed National Policy Statement for Infrastructure (NPS-I) definition is to widen the scope of infrastructure that the NPS applies to from the RMA definition of infrastructure, and to include fire and emergency services, among others.

We agree that the definition is not clear whether it includes civil defence facilities operated by regional councils or territorial authorities.

In your submission it would be helpful to explain why or why not you think such facilities would benefit from the policies under the proposed NPS, what barriers are currently faced, and any unintended consequences.

*Q: What is the rationale for including quarries as infrastructure supporting activities?*

A: The intent is that activities necessary for the maintenance, upgrading and construction of infrastructure, but are independent of infrastructure, are enabled. We are keen to hear your views on the proposals for infrastructure supporting activities including quarries.

## Amendments to the National Policy Statement for Renewable Electricity Generation 2011

*Q: Bulletpoint 2 of National Policy Statement for Renewable Electricity Generation (NPS-REG) slide used terminology 'renewable energy' while all other bullet points referred to 'renewable electricity' – is this intentional?*

A: This was not intentional – electricity is more accurate.

## Amendments to the National Environmental Standards for Electricity Transmission Activity Regulations 2009 (to be renamed National Environmental Standards for Electricity Network Activities)

*Q: Is there a definition for 'natural area' in relation to the National Environmental Standards for Electricity Network Activities (NES-ENA)?*

A: Yes. Proposed definition 27 (D27) amends the existing definition of natural area to 'an area that is protected by a rule because it is an outstanding natural feature or landscape, an area of significant indigenous vegetation, or a significant habitat of indigenous fauna'.

## Amendments to the National Environmental Standards for Telecommunication Facilities Regulations 2016

*Q: Can you please indicate if / how you see these proposals improving rural connectivity?*

A: There are several proposed changes to the National Environmental Standards for Telecommunication Facilities (NES-TF) that we anticipate will enable improvements to rural connectivity. These include:

- **Permitting taller poles in rural zones.** The Government proposes to permit poles up to 35 metres in height in rural zones (and up to 40 metres where multiple facility operators co-locate their equipment). This is an increase from the 25-metre height limit that currently applies to new poles outside of the road reserve in rural zones. Enabling taller poles in rural zones will reduce the likelihood of connectivity black spots, which are often caused by topography, shelter belts and overgrown trees.
- **Making it easier to build new poles in the road reserve for rural zones.** Currently, NES-TF only permits the construction of new poles in the road reserve where they are within 100 metres of an existing pole (including existing cell towers, streetlights and other poles). The Government proposes to remove the 100-metre distance requirement to enable telecommunication providers to build new poles anywhere in the road reserve, including in rural zones. I note that new poles in rural zones must still be set back at least 50-metres from buildings used for sensitive activities.
- **Enabling the use of renewable electricity generators in rural zones.** One of the new proposed standards in NES-TF is to enable telecommunication providers to build solar panels or a wind turbine to power telecommunication facilities in rural zones. This will support providers to build new facilities in more remote areas that are off-grid, or to provide resilience in the event of a mains power outage.
- **Increasing the permitted size of cabinets in the road reserve.** The proposal to enable larger telecommunication cabinets in the road reserve, including in rural zones. This will support telecommunication providers to store additional back-up batteries to enhance resilience.
- **Increasing the size and notional envelope of antennas.** The Government is proposing to permit larger dish antennas through NES-TF, which increases the distance a signal can travel. This is particularly relevant for rural and remote sites without fibre backhaul, or for resilience in instances where the fibre backhaul is damaged. Larger panel antenna will also support the roll out of newer and faster technologies, such as the roll-out of 5G mobile services to some rural towns.

These proposed NES-TF changes are designed to incentivise improvements to telecommunications networks, including the above rural connectivity enhancements. The proposals will reduce the costs and uncertainty that providers face when seeking a resource consent. This will help enable providers to invest more in improvements to their networks, rather than in planning and consenting costs. The NES-TF proposals will also support a faster rollout of planned upgrades to telecommunication services in rural areas.

## New National Environmental Standards for Granny Flats (Minor Residential Units)

*Q: Will granny flats be permitted in limited wastewater capacity areas and hazard zones?*

A: The proposed National Environmental Standard for granny flats (known as minor residential units in the National Planning Standards 2019) will not set rules or standards or change any consent requirements for:

- subdivision
- earthworks
- matters of national importance under section 6 of the RMA (eg, management of risks from natural hazards)
- specific residential use of the minor residential unit
- regional plan rules
- papakāinga
- setbacks from transmission lines, railway lines and the National Grid Yard.

These matters will continue to be managed through existing RMA plans or national environmental standards (where relevant).

Proposals relating to development contributions and how councils are notified of new granny flats are being considered through the proposed changes to the Building Act 2004, which are following a separate legislative process. These proposed changes are contained within the *Building and Construction (Small Stand-alone Dwellings) Amendment Bill* (the Bill), which has been referred to the Transport and Infrastructure Select Committee. Further details on the Bill can be found at: <https://bills.parliament.nz/v/6/eebf1e27-e084-4cd3-fed9-08dd98c831fd?Tab=history>.

This consultation only relates to the NES proposal under the Resource Management Act 1991 (RMA).

*Q: Granny flats proposals talks about permitting secondary dwellings. Will it be extended to permit a first dwelling if it is a small dwelling. i.e granny flat?*

A: The policy intent is to enable 'minor residential units', as defined in the National Planning Standards 2019: *"means a self-contained residential unit that is ancillary to the principal residential unit and is held in common ownership with the principal residential unit on the same site."*

Primary dwellings will still be subject to the relevant requirements in RMA plans and the Building Act 2004.

*Q: I'm confused by the provision of a PIM for the granny flats. Isn't the new legislation going to override the District Plan?*

A:

### **Provision of a PIM for granny flats**

This consultation only relates to the NES proposal under the RMA.

The provision of Project Information Memorandums is being considered as part of the proposed changes to the Building Act 2004, which are following a separate legislative process. These proposed changes are contained within the *Building and Construction (Small Stand-alone Dwellings) Amendment Bill* (the Bill), which has been referred to the Transport and Infrastructure

Select Committee. Further details on the Bill can be found at:

<https://bills.parliament.nz/v/6/eebf1e27-e084-4cd3-fed9-08dd98c831fd?Tab=history>.

### **NES granny flats and interaction with District Plans**

The proposal is for the National Environmental Standard (NES) for granny flats to apply in residential, rural, mixed-use and Māori-purpose zones, where specified permitted activity standards are met. Some district plans already have rules relating to minor residential units that are more enabling than the standards proposed in the NES. The proposal is that:

- council standards can be more lenient than those in the proposed NES to not restrict the level of development already enabled in some areas by district and unitary plans
- existing district plan rules apply where a development does not meet one or more of the specified permitted activity standards in the NES-GF.

*Q. Is it intended that the NES for Granny Flats will be able to be used only in conjunction with the exemption under the Building Act?*

A: While the proposed NES for granny flats and proposed Building Act 2004 changes have been developed as a package, a resource consent and/or building consent may still be required depending on the proposed granny flat, and whether it meets the proposed permitted activity standards in the NES granny flats and conditions in the Building and Construction (Small Stand-alone Dwellings) Amendment Bill (the Bill).

In the NES, it is proposed that council standards can be more lenient than those in the NES to ensure councils can retain these more lenient standards, and that this NES does not limit a greater scale of development of granny flats already provided for in district/unitary plans. Therefore, a resource consent and/or building consent may still be required in some circumstances.

The Bill is currently before the Transport and Infrastructure Select Committee. Further details on that process can be found at: <https://bills.parliament.nz/v/6/eebf1e27-e084-4cd3-fed9-08dd98c831fd?Tab=history>.

*Q: Please clarify whether regional plan provisions (e.g. natural hazards and wastewater) are intended to prevail over the NESGF?*

A: The proposed NES-GF will not set rules or standards or change any consent requirements for:

- subdivision
- earthworks
- matters of national importance under section 6 of the RMA (eg, management of risks from natural hazards)
- specific residential use of the minor residential unit
- regional plan rules
- papakāinga
- setbacks from transmission lines, railway lines and the National Grid Yard.

## New National Environmental Standards for Papakāinga

*Q: Will the papakāinga national direction apply to land outside of Māori land as defined by TTWMA?*

A: The National Environmental Standards for Papakāinga (NES-P) proposal includes the following definition for Māori ancestral land where the papakāinga rules would apply:

- Māori freehold land (as defined in s 129 of TTWMA), including land deemed to be Māori freehold land under section 243 or 256 of TTWMA
- Māori customary land (as defined in s 129 of TTWMA)
- Land set apart as a Māori reservation under Part 17 of TTWMA and predecessor legislation
- Land vested in the Māori Trustee that is constituted as a Māori reserve by or under the Māori Reserved Land Act 1955; and remains subject to that Act
- General land owned by Māori that was previously Māori freehold land, but ceased to have that status in accordance with an order of the Māori Land Court made on or after 1 July 1993 and is beneficially owned by the persons, who beneficially owned the land immediately before the land ceased to be Māori land, or their successors
- General land owned by Māori that was previously Māori freehold land, but ceased to have that status under Part 1 of the Māori Affairs Amendment Act 1967 and is beneficially owned by the persons, who beneficially owned the land immediately before the land ceased to be Māori land, or their successors
- General land owned by Māori that was previously Māori land (as defined in TTWMA 1993), and has at any time been acquired by the Crown or any local or public body for a public work or other public purpose, and has been subsequently returned to its former Māori owners or their successors, and is beneficially owned by the persons, who it was returned to, or their successors
- Land held by or on behalf of an iwi or a hapū if the land was transferred from the Crown, a Crown body, or a local authority with the intention of returning the land to the holders of mana whenua over that land
- Land that forms part of a natural feature that has been declared under an Act to be a legal entity or person (including Te Urewera land under section 7 of the Te Urewera Act 2014)
- The maunga listed in the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act.

The NES-P proposal also provides for papakāinga on Treaty settlement land to be a restricted discretionary activity.

*Q: For the NES-P, are there any notification requirements proposed for developments of more than 30 units?*

A: Yes – limited notification. Notification for papakāinga developments of over 30 units would be limited to iwi authorities under the RMA, joint management entities, NZTA (if the development will access a state highway), local authorities and immediate neighbours.

*Q: What is defined as Treaty settlement lands? Does this include ancillary and SILNA lands returned under settlement? Or do you mean tribal properties / commercial redress lands?*

A: The proposed definition for Treaty Settlement land is:

land held by a post-settlement governance entity if the land was acquired—

- (i) as redress for the settlement of Treaty of Waitangi claims; or
- (ii) by the exercise of rights under a Treaty settlement Act or Treaty settlement deed.



*Q: Is it intended that Māori land owners can build papakāinga using the NES and the proposed <70m<sup>2</sup> exemption under the Building Act?*

A: The amendments to the Building Act 2004 enabling a dwelling of up to 70m<sup>2</sup> to be built without a building consent (as long as it meets the conditions specified in the amendment) will apply to dwellings in papakāinga developments enabled under the NES-P rules.

This consultation only relates to the NES-P proposal under the Resource Management Act 1991. The proposed changes to the Building Act 2004 are following a separate legislative process. The Building and Construction (Small Stand-alone Dwellings) Amendment Bill (the Bill) is currently before the Transport and Infrastructure Select Committee. Further details on the Bill can be found at: <https://bills.parliament.nz/v/6/eebf1e27-e084-4cd3-fed9-08dd98c831fd?Tab=history>.

### **New National Policy Statement for Natural Hazards**

*Q: How will the natural hazards NPS apply to linear infrastructure such as telco and electricity lines?*

A: The proposal for the NPS-NH does not apply to infrastructure as defined in the RMA. This includes telecommunications and electricity networks.

*Q: Why were volcanoes not included in the 'seven' hazards?*

A: The seven hazards have been selected as there is existing information available from which a nationally consistent approach can be derived and implemented for management. Local authorities may still apply the approach to hazards outside these seven hazards; however, this is not a requirement. We anticipate that the list of hazards will be built on overtime. Volcanic and geothermal activity have not been explicitly included at this stage due to the highly localised occurrence of volcanic hazards, the extremely high uncertainty associated with future events, and because these hazards are inherently multi-hazard (ie, volcanic hazards include ashfall, lahars, pyroclastic flows, lava flows, ballistics) making management approaches complex.

*Q: What is the intended interface between NPS for Natural Hazards and the stormwater management tools such as Risk Management Plans and infrastructure settings for stormwater that are set in the Water Services Act. How can those national standards or Engineering Design Standards be incorporated into this approach?*

A: The proposed NPS does not apply to infrastructure (as defined in the RMA) or any activities ancillary to these activities, which in practice means that the stormwater management tools would function as normal. However, we are interested in any difficulties or lost opportunities this approach could generate, particularly if these tools extend beyond 'infrastructure', so we are keen to hear submissions on this issue.

*Q: Is there a proposal to include wildfire risk as a hazard in the NPS-NH, now or in the future?*

A: The NPS-NH applies to the following hazards: flooding; landslips; coastal erosion; coastal inundation; active faults; liquefaction; tsunami. The NPS-NH will direct a management approach for the hazards specified but does not prevent decision-makers from addressing other hazards.



## Package 2: Primary sector

### National Environmental Standards for Commercial Forestry Regulations 2017

*Q: MPI's proposed changes to the NES-CF around stringency are poorly conceived. See the attached published analysis <https://www.sciencedirect.com/science/article/pii/S030147972402526X>, which is not referred to in MPI's analysis despite being provided with it. The problem definition for the proposed changes is also inadequate and does not deal with the causes of slash creation in steep faces and deep incised gullies. Bizarrely there are to be no controls on afforestation and replanting in these highly erosion-prone lands. MPI's slash management changes after Cyclone Gabrielle have failed, and the risk to downstream communities and ecologies remain real and likely to eventuate, thus weakening the national and regional economies. Why are MPI continuing to recommend such poorly targeted policies?*

A: Thanks. Your comments are noted. We'll look forward to more information in your submission.

### New Zealand Coastal Policy Statement 2010 (No questions were asked)

### National Policy Statement for Highly Productive Land 2022

*Q: Will Special Agricultural Areas be identified prior to LUC3 being dropped?*

A: We are seeking feedback on criteria for SAAs and also the process for identifying them. This will be considered alongside options to remove LUC 3.

*Q: Has there been any consideration at this stage as to what criteria would define an SAA?*

A: Ministers have indicated that SAAs may include important food growing hubs such as Pukekohe and Horowhenua. We are seeking feedback on what may distinguish these areas from other primary production areas.

*Q: Are 'Special Agricultural Areas' intended to be mandatory if the (intended) additional criteria are met? Are there any early ideas on what the additional criteria might be?*

A: We are seeking feedback on what criteria for SAA should be and the process for mapping them, noting that the intent is that they are limited to key growing areas.

*Q: Will Special Agricultural Areas be identified prior to LUC3 being dropped?*

A: We are seeking feedback on criteria for SAA and also the process for identifying them. This will be considered alongside options to remove LUC 3.

### Section 360 Stock Exclusion Regulations 2020 (No questions were asked)

### Quarrying and mining amendments to National Policy Statements and National Environmental Standards

*Q: What is the point of having a gateway test for quarries to prove a functional need to carry out the activity in a specific location? Isn't that inherent in the activity i.e. quarrying could always meet this test – it functionally needs to be located where the mineral / resource is?*

A: The proposal to include operational need speaks to ancillary activities (ie, depositing overburden) and structures (associated buildings).

*Q: Any changes to the effects management hierarchy?*

A: No changes are proposed to the effects management hierarchy in the National Policy Statement for Indigenous Biodiversity or to the effects management approach in the National Policy Statement for Highly Productive Land. Nor are any changes currently proposed to the effects management hierarchy in the National Policy Statement for Freshwater Management.

## Package 3: Freshwater

### National Policy Statement for Freshwater Management 2020 and National Environmental Standard for Freshwater 2020

*Q: What are the coalition commitments with respect to Te Mana o te Wai?*

A: The Government's commitments are noted at the start of each Part - see Part 2.2 in relation to Te Mana o te Wai.

*Q: Have non-lobby groups been involved in the formulation of these proposed changes to FW proposals? What about the next generation of farmers or the most innovative ones? Or is this the first time these groups be allowed to have feedback?*

A: The proposed changes are primarily based on responding to the Government's Coalition commitments. A variety of groups have provided input to targeted engagement, including Ballance Farm Environment Award winners and catchment group members. There will be a more detailed exposure draft of the freshwater proposals released later this year. This will reflect feedback received during this consultation.

*Q: Do the freshwater proposals impact on the intensive winter grazing regulations?*

A: No, these freshwater proposals do not include any changes to the intensive winter grazing regulations. (Noting those regulations were amended last year under the Resource Management (Freshwater and Other Matters) Amendment Act 2024: <https://www.legislation.govt.nz/act/public/2024/0043/latest/LMS962882.html>).

*Q: Could you please include a link to the treaty analysis behind freshwater changes?*

A: The upload of the Interim Treaty Impact Analysis was slightly delayed while the document was being finalised. It was uploaded to the website on 11 June 2025 and is now available here: [Interim-Treaty-Impact-Analysis-for-the-Freshwater-Package.pdf](#).

*Q: What is the proposed definition changes to 'wetlands'?*

A: Please see Part 2.6 of the Freshwater Discussion Document.

*Q: Does there remain a commitment to at least maintaining the stock of wetlands and indigenous biodiversity, and if so, how will this happen if we're enabling some land uses (eg infrastructure)? Does this mean there will be a greater expectation on rural areas?*

A: Policy 5 of the NPS-FM, for freshwater to be managed (including through a National Objectives Framework) to ensure that the health and well-being of degraded water bodies and freshwater ecosystems is improved, and the health and well-being of all other water bodies and freshwater ecosystems is maintained and (if communities choose) improved is currently proposed to be retained. As is Policy 6 of the NPS-FM - no further loss of extent of natural wetlands, their values are protected and their restoration promoted.

*Q. What does 'domestic supply of commercial vegetable growing' mean?*

A. It refers to commercially grown vegetables for consumption within New Zealand as opposed to export (see the [Interim-Regulatory-Impact-Statement-Commercial-vegetable-growing.pdf](#)).

*Q: Do the freshwater proposals have substantive impacts on point source discharges and consenting?*

A. There could be changes to consent applications and decision-making (see for example the RIS on wetlands and Te Mana o Te Wai). There are no specific changes in respect of managing point source discharges proposed.

