

Consenting of Infrastructure, Energy and Wood Processing Activities

Changes introduced by the Resource Management (Consenting and Other System Changes) Amendment Act 2025

These changes, which passed into law on 20 August 2025, belong to a wider programme of resource management reform. Visit the Ministry for the Environment's [webpage about the new Amendment Act](#) for more information.

Context

Under the Resource Management Act 1991 (RMA), the approach to consenting has not been specific to the activity being undertaken (with the exception of aquaculture).

The Resource Management (Consenting and Other System Changes) Amendment Act 2025 (the Amendment Act) makes amendments to the consenting of infrastructure, energy and wood processing activities under the RMA.

The Amendment Act makes changes to resource consent processing timeframes, duration and lapse periods that apply to specified energy activities (renewable energy generation, electricity networks and energy storage and discharge), long-lived infrastructure and wood processing activities.

The changes include:

- a requirement for consents relating to specified energy activities and wood processing activities to be decided within one year of lodgement
- a default 35-year consent duration for renewable energy generation and long-lived infrastructure
- a default lapse period for renewable energy consents of 10 years.

One-year decision-making timeframe for consents relating to specified energy activities and wood processing activities

Key changes

- Section 4 of the Amendment Act amends section 2 of the RMA.
- Section 11 of the Amendment Act amends section 37 of the RMA.
- Section 29 of the Amendment Act adds a new section 88BA to the RMA.

The Amendment Act sets out that the processing and decision-making for resource consents relating to new and existing specified energy activities (renewable energy generation, electricity networks and energy storage and discharge) and wood processing activities must occur within one year of lodgement.

New definitions

The Amendment Act introduces new definitions for specified energy activities and for wood processing activities.

Specified energy activities include the establishment, maintenance, operation or upgrade of any activity, facility or supporting and subsidiary activity related to:

- the production of energy from solar, wind, geothermal, hydro or biomass sources
- electricity networks
- the storage of electricity
- thermal electricity generation facilities.

Wood processing activities include:

- the establishment, operation or maintenance of facilities that specialise in the production of long-lived wood products, products derived from wood fibre, and/or wood derived bioenergy
- facilities that provide for the storage of logs, processed wood products or hazardous materials relating to the operation of the facility.

Extensions can be granted under certain circumstances

The Amendment Act provides for extensions on the one-year timeframe in certain circumstances. Any request for extension must be made to the consent authority before the expiry of the one-year timeframe. If an extension is granted by the consent authority, the total timeframe for decision-making may not exceed two years after the date of lodgement.

For **new geothermal and hydroelectricity generation activities**, consent authorities *must* extend the one-year timeframe at the request of the applicant or of the groups specified in new section 88BA(3) (to uphold Treaty settlements and other arrangements).

For any other specified energy or wood processing activity (including existing hydroelectricity and geothermal activities), the consent authority *must* extend the one-year timeframe at the request of

the applicant and *may* extend the one-year timeframe only once at the request of the groups specified in section 88BA(3) (to uphold Treaty settlements and other arrangements).

The extensions for the groups outlined in section 88BA(3) are provided to recognise the impact these activities can have on Māori freshwater rights and interests, and to uphold Treaty settlements and other arrangements.

Applicants can also request that their application is put on hold. This must be granted by the consent authority, without this time counting towards the overall one-year period or the extended timeframe.

Implementation considerations

For applicants of specified energy activities and wood processing activities, this means that they are expected to receive decisions on their application within one year of lodgement (unless extensions are granted).

For consenting authorities, this means that they must process and decide on applications for resource consents for specified energy activities and wood processing activities within one calendar year from the date of lodgement (unless extensions are granted).

Default 35-year consent duration for renewable energy generation and long-lived infrastructure

Key changes

- Section 4 of the Amendment Act amends section 2 of the RMA.
- Section 41 of the Amendment Act amends section 123 of the RMA.
- Section 42 of the Amendment Act adds a new section 123B to the RMA.
- Section 69 of the Amendment Act amends section 360 of the RMA.
- Section 72 of the Amendment Act adds a new Part 8 to Schedule 12 of the RMA.

The Amendment Act sets out a default period of 35 years for the duration of a time-limited resource consent for renewable energy and long-lived infrastructure, and it sets out how that period may be altered. These changes do not apply to land-use consents.

New definitions

The Amendment Act introduces a definition for 'long-lived infrastructure', which includes:

- gas pipelines
- telecommunication networks
- facilities for the generation of electricity
- electricity networks (which include both electricity transmission and distribution)
- structures, facilities and infrastructure for transport
- facilities for the loading or unloading of cargo or passengers

- any infrastructure (as defined in the RMA) that the Minister for the Environment prescribes as long-lived infrastructure via regulations made under section 360(1)(hr) and that:
 - has an expected lifespan of at least 50 years
 - is suitable for a consent duration of 35 years
 - benefits the public.

Shorter consent durations can be granted under certain circumstances

The Amendment Act includes provisions for a shorter consent duration under specific circumstances, such as:

- if requested by the applicant
- if secondary legislation expressly allows a shorter period
- if a request is made by a relevant group¹ for the purpose of managing any adverse effects on the environment.

If a request is made by a relevant group, the consent authority must consider the need to provide for adequate management of adverse environmental effects and the benefits of providing certainty of long-term consent durations.

New Part 8 of Schedule 12 sets out transitional arrangements for renewable energy and certain long-lived infrastructure consent applications that had been lodged, but not yet determined, at the time of enactment.

The 35-year default duration applies to all relevant consent applications that have been lodged but not determined before the Amendment Act was enacted, except where a hearing has already finished. The 35-year default duration will apply to de novo appeal hearings,² but point-of-law hearings will have the original consent duration.

Implementation considerations

For applicants, this means that any time-limited resource consent relating to renewable energy and long-lived infrastructure will have a default 35-year consent duration, unless shorter durations have been granted under section 123B(2).

For consenting authorities, this means they must grant a default 35-year consent duration to resource consents for renewable energy and long-lived infrastructure, unless they decide that a shorter period is more appropriate under section 123B(2)(c) or if prescribed in regulation (section 123B(2)(b)).

Double the default lapse period for renewable energy consents, from 5 years to 10 years

Key changes

- Section 43 of the Amendment Act amends section 125 of the RMA.

The Amendment Act amends section 125 of the RMA by instating a default lapse period for renewable energy consents of 10 years.

The consent authority may decide on a shorter or longer lapse period, at the applicant's request.

Implementation considerations

Applicants of resource consents relating to renewable energy will benefit from a 10-year lapse period on their consents, unless they request a shorter or longer lapse period.

Consent authorities must provide for a 10-year lapse period for any granted resource consent relating to renewable energy, unless the applicant requests otherwise.

¹ A group who may be or is required to be involved in processes under the Amendment Act that relate to planning documents or resource consents by virtue of any treaty settlement, the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, or the Marine and Coastal Area (Takutai Moana) Act 2011.

² A de novo hearing is when a new hearing is granted with a fresh approach to the application, when there is a reasonable possibility that the first-instance decision-maker may have incorrectly ascertained the facts.

