



## Attachment 1.1

# Proposed provisions – New National Policy Statement for Infrastructure

## National direction consultation – Package 1: Infrastructure and development

### Instrument topic: Proposed National Policy Statement for Infrastructure (NPS-I)

- The proposed provisions are for consultation purposes and do not represent the proposed National Policy Statement (NPS) wording, which will be drafted after the consultation phase.
- The table below provides some illustrative wording (in italics) to help you understand proposed definitions, the policy intent, and scope of the proposed NPS-I.
- Terms used have the same meaning as in the Resource Management Act 1991 and National Planning Standards, unless otherwise specified.
- To help submitters, the proposed objectives and policies are referenced using the following abbreviations: D (definition), O (objective), P (policy), IM (implementation measure) and IT (implementation timeframe).

Application	Proposed provisions	Reasons
<b>Where would the NPS-I apply?</b>	<p>The proposed NPS-I is intended to apply across the whole of New Zealand.</p> <p>The scope of the NPS-I will apply to all infrastructure activities (and supporting infrastructure activities) except renewable electricity generation, electricity transmission and distribution because these are covered by other national policy statements (National Policy Statement for Renewable Electricity Generation (NPS-REG) and National Policy Statement for Electricity Transmission (proposed to be renamed National Policy Statement for Electricity Networks (NPS-EN)).</p>	<p>A nationally consistent approach is needed to enable and protect national infrastructure and infrastructure servicing every community in New Zealand.</p> <p>The proposed NPS-I fills a gap in Resource Management Act 1991 (RMA) national direction and rebalances the current suite of national direction under the RMA. It will sit alongside the updated NPS-REG and NPS-ET (proposed to be renamed NPS-EN).</p>

Application	Proposed provisions	Reasons
	<p>Include a statement in the NPS-I that:</p> <p><i>This National Policy Statement does not apply to renewable electricity generation activities and assets managed under the National Policy Statement for Renewable Electricity Generation [2025] and the electricity transmission network and electricity distribution network activities and assets that are managed under the National Policy Statement for Electricity Networks [2025].</i></p>	The NPS-I policies apply to infrastructure and infrastructure supporting activities not specifically addressed in the NPS- REG and NPS-EN.

Definitions	Proposed provisions	Reasons
<b>D1 Additional infrastructure</b>	<p>a) <i>a relevant school or institution as defined in the Education and Training Act 2020;</i></p> <p>b) <i>a hospital care institution within the meaning of section 58(4) of the Health and Disability Services (Safety) Act 2001;</i></p> <p>c) <i>fire and emergency services facilities;</i></p> <p>d) <i>defence facilities operated by the New Zealand Defence Force to meet its obligations under the Defence Act 1990;</i></p> <p>e) <i>correction facilities operated by the Department of Corrections to meet its obligations under the Corrections Act 2004;</i></p> <p>f) <i>a stormwater network; and</i></p> <p>g) <i>district or regional resource recovery or waste disposal facilities.</i></p>	The NPS-I is intended to apply to social infrastructure and stormwater infrastructure (which are not included in the definition of infrastructure in the RMA) because there is a need for resource management decisions to enable and protect this type of infrastructure.
<b>D2 Buffer</b>	<i>an overlay, a specific control layer, or in a district plan (such as noise insulation requirements) used to manage the effects of activities that may be sensitive or incompatible with, or adversely affect, infrastructure activities, and may include restrictions on those activities or measures to manage the effects of infrastructure on those activities, such as noise insulation.</i>	The intent is to clarify the meaning of this term referred to in the proposed policies.
<b>D3 Consented infrastructure</b>	<i>infrastructure that is authorised by a resource consent or designation approved under the Act but has not yet been constructed.</i>	The intent is to clarify the meaning of this term when referred to in the policies.
<b>D4 Decision-maker</b>	<i>any person making a planning decision under the Act.</i>	The intent is to clarify who the policies direct and is consistent with definitions used in other national policy statements. This definition is linked to the defined term of 'planning decision'.

Definitions	Proposed provisions	Reasons
<b>D5 Existing infrastructure</b>	<i>infrastructure that is lawfully established and constructed.</i>	The intent is to make it clear that ‘existing infrastructure’ is determined by law (rather than deemed to be existing at the time the NPS-I is gazetted or some other meaning).
<b>D6 Functional need</b>	<i>the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment.</i>	The intent is to apply the definition of ‘functional need’ from the national planning standards.
<b>D7 Infrastructure</b>	<i>has the same meaning as in the Resource Management Act 1991 (RMA) but in this National Policy Statement also includes additional infrastructure.</i>	<p>The intent is for the NPS-I to define ‘infrastructure’ based on the current RMA definition with the addition of social infrastructure (such as schools or hospitals) and stormwater infrastructure included in the ‘additional infrastructure’ definition.</p> <p>For legibility, where used in the NPS-I illustrative wording, the term ‘infrastructure’ includes ‘additional infrastructure’.</p> <p>To meet the <a href="#">Legislative Design and Advisory Committee Legislation Guidelines (2001)</a>, the final version of the NPS-I will need to make it clear this is a defined term that is different from the RMA definition of infrastructure.</p>
<b>D8 Infrastructure activities</b>	<i>the construction, operation, maintenance, upgrade, and removal of infrastructure and all ancillary activities, unless otherwise specified, and includes all physical components and assets associated with the infrastructure activity.</i>	The intent is to clear the extent of coverage of the NP-I, which has policies applying to all aspects of infrastructure (including additional infrastructure).
<b>D9 Infrastructure supporting activities</b>	<i>in relation to infrastructure, means activities needed to support infrastructure activities that are not undertaken by the infrastructure provider or ancillary activities, and may include quarrying activities.</i>	The intent is to define activities that are independent of infrastructure but also necessary for infrastructure maintenance, upgrading and construction that should be enabled as per P4.
<b>D10 Maintenance and minor upgrade</b>	<p><i>work undertaken to ensure the effective and efficient operation and performance of existing infrastructure and includes:</i></p> <ul style="list-style-type: none"> <li><i>a) activities associated with the maintenance or repair of existing infrastructure, including all relevant ancillary activities; or</i></li> <li><i>b) replacing existing infrastructure with the modern equivalent equipment or asset, which may not be “like for like”; or</i></li> <li><i>c) maintenance and upgrades necessary to continue to deliver the same or similar level of infrastructure services or to improve resilience; or</i></li> </ul>	The intent is to define ‘maintenance and minor upgrade’ of infrastructure and to distinguish between minor and major upgrades.

Definitions	Proposed provisions	Reasons
	<i>d) other upgrades of existing infrastructure where this will have no more than minor adverse effects on the environment after the upgrade is complete.</i>	
<b>D11 Major upgrade</b>	<i>an upgrade of existing infrastructure that is not a minor upgrade.</i>	The proposed NPS-I references both ‘minor’ and ‘major’ infrastructure upgrades, which require definition. The intent is to define major upgrades as upgrades other than a minor upgrade.
<b>D12 Operational need</b>	<i>the need for a proposal or activity to traverse, locate, or operate in a particular environment because of technical, logistical, or operational characteristics or constraints.</i>	The proposed NPS-I policies include references to ‘operational need’. The intent is to apply the definition from the national planning standards.
<b>D13 Planned infrastructure</b>	<i>infrastructure that is identified in a strategic planning document, including any Future Development Strategy, or a long-term plan or infrastructure strategy prepared under the Local Government Act 2002.</i>	The intent is to make clear what ‘future’ infrastructure is included in the requirement to plan for and manage compatibility between infrastructure and other activities under P9.
<b>D14 Planning decision</b>	<i>a decision on any of the following:</i> <i>a) a regional policy statement or proposed regional policy statement;</i> <i>b) a regional plan or proposed regional plan;</i> <i>c) a district plan or proposed district plan;</i> <i>d) a resource consent;</i> <i>e) a designation;</i> <i>f) a heritage order;</i> <i>g) a water conservation order; and</i> <i>h) a change to a plan requested under Part 2 of Schedule 1 of the RMA.</i>	<p>The intent of the proposed definition is to make the scope of planning decisions as referenced in the NPS-I clear.</p> <p>To ensure consistency across the national direction instruments, the National Policy Statement for Urban Development (NPS-UD) definition of ‘planning decision’ is applied.</p>
<b>D15 Provisions</b>	<i>includes objectives, policies and/or rules.</i>	The proposed NPS-I includes references to the term ‘provision’, which requires definition. This definition is included for the avoidance of doubt.
<b>D16 Quarrying activities</b>	<i>the extraction, processing (including crushing, screening, washing, and blending), transport, storage, sale and recycling of aggregates (clay, silt, rock, sand), the deposition of overburden material, rehabilitation, landscaping and cleanfilling of the quarry, and the use of land and accessory buildings for offices, workshops and car parking areas associated with the operation of the quarry.</i>	The proposed NPS-I includes references to ‘quarrying activities’ as a potential subset of the ‘infrastructure supporting activities’, which require definition. This definition clarifies the nature and extent of quarrying activities relevant as infrastructure supporting activities.

Definitions	Proposed provisions	Reasons
<b>D17 Resilience</b>	<i>the capacity of infrastructure to absorb a shock, including from natural hazards; recover from the disruption; adapt to changing conditions, including climate change; and retain essentially the same or similar level of service as before, even if that means delivering an infrastructure service in a new or different way.</i>	The intent is to clarify what planning decisions should enable under parts of P1 and P4, emphasising infrastructure activities that ensure service continuity, and that this might not mean maintaining the status quo in terms of asset or process. This definition is based on the definition for ‘critical infrastructure resilience’ from the Department of the Prime Minister and Cabinet.
<b>D18 Reverse sensitivity</b>	<i>in relation to infrastructure, means the vulnerability of existing infrastructure activity to complaint, burden, or constraint from a new or more intensive activity proposed or located near the existing infrastructure.</i>	The proposed NPS-I policies include the term ‘reverse sensitivity’, which requires definition. The definition provides clarity about one aspect of the effects of other activities that P9 requires infrastructure to be protected from.
<b>D19 Sensitive activities</b>	<i>residential activity (including visitor accommodation and retirement accommodation), care facilities, childcare facilities, schools, hospitals, custodial or supervised accommodation where residents are detained on site, marae, or place of worship.</i>	<p>The proposed NPS-I policies include the term ‘sensitive activities’, which require definition.</p> <p>It defines the activities that, under P9, local authorities must identify, to then manage reverse sensitivity effects on infrastructure and to manage any health and safety risks generated by infrastructure.</p> <p>The proposed definition also includes social infrastructure that may be sensitive to other infrastructure.</p>
<b>D20 Stormwater network</b>	<p><i>a stormwater network:</i></p> <p><i>a) means the infrastructure and processes that—</i></p> <ul style="list-style-type: none"> <li><i>i. are used to collect, treat, drain, store, reuse, or discharge stormwater in an urban area; and</i></li> <li><i>ii. includes—</i> <ul style="list-style-type: none"> <li><i>i. an overland flow path;</i></li> <li><i>ii. green infrastructure that delivers stormwater services; and</i></li> <li><i>iii. watercourses that are part of, or related to, the infrastructure described in paragraph a).</i></li> </ul> </li> </ul>	<p>The term ‘stormwater network’ is used in the proposed NPS-I. The intent of this definition is to provide further clarity about the scope of ‘drainage systems’ referred to in the RMA infrastructure definition. It is based on the definition in the Water Services Act 2021.</p> <p>‘Stormwater’ has the same meaning as in the National Planning Standards.</p>

Definitions	Proposed provisions	Reasons
<b>D21 Strategic planning document</b>	<i>includes:</i> <ul style="list-style-type: none"> <li>a) <i>Future development strategies under the NPS-UD;</i></li> <li>b) <i>any non-statutory growth plan or strategy adopted by local authority resolution; and</i></li> <li>c) <i>Long-term plans and infrastructure strategies under the Local Government Act 2002.</i></li> </ul>	The term 'strategic planning document' is used in the proposed NPS-I in relation to spatial planning and requires definition. The intent is to clarify what is meant by a long-term planning document that covers infrastructure that resource management decisions should have regard to under P3.
<b>D22 Upgrading infrastructure</b>	<i>increasing the capacity, level of service, efficiency, safety, security, resilience, effectiveness or longevity of existing infrastructure and includes the replacement, renewal, addition, expansion and intensification of existing infrastructure.</i>	The intent of this definition is to clarify the meaning of 'upgraded infrastructure' when referred to in the NPS-I policies.

OBJECTIVES AND POLICIES		
Objectives	Proposed provisions	Reasons
<b>OB1</b>	<p>An objective that identifies desired infrastructure outcomes is proposed. This could be expressed as:</p> <p><i>New Zealand's infrastructure:</i></p> <ul style="list-style-type: none"> <li>a) <i>supports the well-being of people and communities and their health and safety;</i></li> <li>b) <i>provides national, regional or local benefits;</i></li> <li>c) <i>supports the development and change of urban and rural environments to meet the diverse and changing needs of present and future generations;</i></li> <li>d) <i>is well-functioning and resilient;</i></li> <li>e) <i>provides value for money to people and communities;</i></li> <li>f) <i>is delivered in a timely, efficient, and ongoing manner while managing adverse effects on the environment; and</i></li> <li>g) <i>is protected from the adverse effects of other activities.</i></li> </ul>	The intent of this proposed objective is to describe the 'improved' end state that planning decisions (along with other factors) would desirably contribute to. It provides the purpose for the policies that follow.

## Subpart 1 – General provisions

Policies	Proposed provisions	Reasons
<b>P1 Providing for the benefits of infrastructure</b>	<p>Introduce policies in the NPS-I that would apply to planning decisions (in relation to infrastructure) in regional policy statements, regional and district plan documents (including plan changes), resource consent applications and notice of requirement:</p> <ol style="list-style-type: none"> <li>1) <i>Planning decisions about infrastructure shall recognise and provide for the benefits of infrastructure, which includes all of the following:</i> <ol style="list-style-type: none"> <li>a) <i>providing for the well-being of future generations;</i></li> <li>b) <i>creating, supporting and enhancing well-functioning urban and rural environments, including providing for infrastructure necessary to provide sufficient development capacity to meet demand for housing and business land;</i></li> <li>c) <i>providing services that are essential to support human life and the development, growth and functioning of districts, regions, New Zealand and the economy;</i></li> <li>d) <i>enabling infrastructure activities that provide value for money;</i></li> <li>e) <i>helping to protect and restore the natural environment;</i></li> <li>f) <i>supporting New Zealand's emissions reduction targets and mitigating the effects of climate change; and</i></li> <li>g) <i>reducing the risks from, and improving resilience to, natural hazards and climate change.</i></li> </ol> </li> <li>2) <i>When making planning decisions about infrastructure, ensure that the widespread, dispersed, and ongoing national, regional, or local benefits of infrastructure are recognised and provided for relative to any localised adverse effects on the environment.</i></li> <li>3) <i>When making planning decisions about infrastructure, recognise:</i> <ol style="list-style-type: none"> <li>a) <i>the significant risks to, and impacts on, public safety, the well-being of people and communities, and the environment that occur when infrastructure services are compromised; and</i></li> <li>b) <i>the significant benefits of infrastructure to the functioning of districts, regions and New Zealand and to the well-being of present and future generations; and</i></li> <li>c) <i>the independent or interconnected nature of infrastructure networks.</i></li> </ol> </li> </ol>	<p>The intent of policy P1 is to achieve objective OB1 by addressing the issue that plans and resource management decisions often do not fully recognise and enable all the benefits (including national benefits) of infrastructure and adequately weigh these up relative to local adverse effects.</p> <p>This means the sustainable management purpose of the RMA (providing for community well-being) is not fully supported.</p>

Subpart 1 – General provisions		
Policies	Proposed provisions	Reasons
<b>P2 Operational need or functional need of infrastructure to be in particular environments</b>	<p>Introduce a new policy as follows:</p> <ol style="list-style-type: none"> <li>1) <i>Planning decisions must recognise and provide for the operational need or functional need of infrastructure to operate in, be located in, or traverse particular environments, including to:</i> <ol style="list-style-type: none"> <li>a) <i>provide services to people and communities in a timely, effective, and efficient manner;</i></li> <li>b) <i>operate effectively and efficiently as linear and/or interconnected infrastructure networks within and across district and regional boundaries;</i></li> <li>c) <i>access or connect to particular natural or physical resources, including other infrastructure;</i></li> <li>d) <i>be accessible to enable all infrastructure activities to be undertaken effectively and efficiently; and</i></li> <li>e) <i>locate where the services are required, whether or not the infrastructure has been spatially identified in advance.</i></li> </ol> </li> </ol>	<p>The intent of P2 is to ensure resource management decisions recognise that infrastructure may need to be located in particular environments on account of its functional or operational needs.</p> <p>P2 includes a list of considerations relevant to functional or operational needs that decision-makers must recognise and provide for in their decisions.</p>
<b>P3 Considering spatial planning</b>	<p>Introduce a new policy as follows:</p> <ol style="list-style-type: none"> <li>1) <i>Planning decisions on infrastructure activities must:</i> <ol style="list-style-type: none"> <li>a) <i>have regard to the extent to which the infrastructure has been identified within a strategic planning document, including future development strategies, while recognising that not all infrastructure can be spatially identified in advance; and</i></li> <li>b) <i>consider relevant spatial plans and master plans prepared by the infrastructure provider and provided to the consenting authority.</i></li> </ol> </li> </ol>	<p>P3 is intended to strengthen the guidance that existing strategic planning (which identifies future infrastructure priorities and possibly preferred locations, including in non-statutory plan documents such as master plans) can give to regulatory decisions under the RMA.</p> <p>It also links to the NPS-UD requirements for future development strategies.</p>
<b>P4 Enabling the efficient and timely operation and delivery of infrastructure activities</b>	<p>Introduce a new policy as follows:</p> <ol style="list-style-type: none"> <li>1) <i>Planning decisions on infrastructure activities must:</i> <ol style="list-style-type: none"> <li>a) <i>enable the efficient and timely delivery of all infrastructure activities;</i></li> <li>b) <i>enable cross boundary infrastructure networks;</i></li> <li>c) <i>provide flexibility for infrastructure providers to use new or innovative technologies and methods to improve the delivery of infrastructure services and/or improve environmental outcomes;</i></li> </ol> </li> </ol>	<p>P4 is intended to address the long timeframes and costs of consenting for infrastructure projects (which are high relative to other jurisdictions and increasing).</p> <p>It seeks to addresses some specific problems, such as:</p> <ul style="list-style-type: none"> <li>• requiring consents for activities necessary for the service continuity of existing infrastructure, which have minor effects</li> </ul>



## Subpart 1 – General provisions

Policies	Proposed provisions	Reasons
	<p>d) <i>enable opportunities to make more effective use of existing infrastructure;</i></p> <p>e) <i>consider opportunities for continuous improvement in service delivery and environmental outcomes when renewing or replacing resource consents; and</i></p> <p>f) <i>enable the upgrading of infrastructure where this will:</i></p> <p>i. <i>improve the resilience of infrastructure to the risks from natural hazards and effects of climate change;</i></p> <p>ii. <i>maintain or improve its level of infrastructure service, including to meet increasing demand; or</i></p> <p>iii. <i>improve environmental outcomes.</i></p> <p>2) <i>When making planning decisions on infrastructure activities, decision-makers must:</i></p> <p>a) <i>recognise it is the role of the infrastructure provider to identify the preferred location for the infrastructure activity;</i></p> <p>b) <i>consider relevant internationally, nationally and regionally accepted standards and methods to manage common infrastructure activities and effects;</i></p> <p>c) <i>utilise existing information and assessments undertaken by the infrastructure provider, including, for example, information prepared using the better business case methodology for the Commerce Commission, infrastructure strategies prepared under the Local Government Act 2002, or the infrastructure priorities programme; and</i></p> <p>3) <i>Planning decisions must recognise and provide for the role of infrastructure supporting activities, including by:</i></p> <p>a) <i>recognising the importance of infrastructure supporting activities to enable the benefits of infrastructure activities to be realised;</i></p> <p>b) <i>recognising the operational need or functional need of some infrastructure supporting activities, including supporting quarrying activities to be in particular environments and locations; and</i></p>	<ul style="list-style-type: none"> <li>• duplication of assessments and information requirements undertaken in different regulatory regimes</li> <li>• relitigation of the infrastructure providers' assessments of alternative options.</li> </ul> <p>P4 has general application to planning decisions, at a level consistent with national direction in an NPS.</p> <p>P4 is also intended to give direction to decision-makers to recognise and enable the importance of infrastructure supporting activities, such as quarrying, to the timely completion of infrastructure projects.</p>

Subpart 1 – General provisions		
Policies	Proposed provisions	Reasons
	<p>c) <i>enabling the timely delivery of infrastructure supporting activities, particularly when these are directly related to the infrastructure activity.</i></p>	
<b>P5 Recognising and providing for Māori rights and interests</b>	<p>Introduce a new policy as follows:</p> <p>1) <i>Decision-makers must recognise and provide for Māori interests in relation to infrastructure activities and infrastructure supporting activities, including by:</i></p> <p>a) <i>taking into account the outcome of any engagement with tangata whenua on a resource consent, notice of requirement, or request for a private plan change;</i></p> <p>b) <i>recognising the opportunities tangata whenua may have in developing and operating their own infrastructure at any scale or in partnership;</i></p> <p>c) <i>providing opportunities in appropriate circumstances for tangata whenua involvement in relation to sites of significance to Māori and issues of cultural significance; and</i></p> <p>d) <i>operating in a way that is consistent with legislation that provides for iwi participation (as defined in section 58L of the RMA).</i></p>	<p>P5 is intended to ensure matters of importance to relevant iwi/Māori are taken into consideration when developing the infrastructure proposals. This includes a requirement for decision-makers to recognise the opportunities iwi/Māori may have to use and develop infrastructure.</p> <p>The policy also seeks to reinforce the importance of direct involvement in decision-making on proposals in areas that contain sites of significance to iwi/Māori. Through this policy, the relevant rights and interests of iwi/Māori can be reflected in RMA processes, while still supporting efficient and enabling consenting processes.</p>

Subpart 2 – Pathways for infrastructure activities and managing effects on the environment		
Policies	Proposed provisions	Reasons
<b>P6 Assessing and managing the effects of proposed infrastructure activities on the environment</b>	<p>Introduce a new policy as follows:</p> <p>1) <i>When assessing and managing the effects of proposed infrastructure activities on the environment, decision-makers must:</i></p> <p>a) <i>have regard to the extent to which adverse effects have been avoided, remedied, mitigated or minimised (as applicable) through the route, site, design and construction method selection;</i></p> <p>b) <i>consider the technical and operational requirements and constraints of infrastructure activities;</i></p>	<p>P6 is intended to support decision-making on resource consent applications and notices of requirement by specifying matters that the decision-maker must have regard to when making a planning decision.</p>

## Subpart 2 – Pathways for infrastructure activities and managing effects on the environment

Policies	Proposed provisions	Reasons
	<p>c) <i>where considering a proposal involving existing infrastructure only consider any change or increase in environmental effects when the proposal relates to the consenting, renewal or upgrade of existing infrastructure;</i></p> <p>d) <i>adopt relevant international, national standards and recognised best practice standards and methodologies to assess and manage adverse effects; and</i></p> <p>e) <i>consider the financial and timing implications of mitigation measures and consent conditions to ensure these are proportionate and cost-effective.</i></p>	
<b>P7 Operation, maintenance and minor upgrade of existing infrastructure</b>	<p>Introduce a new policy as follows:</p> <p>1) <i>Planning decisions must enable the efficient operation, maintenance and minor upgrade of existing infrastructure in all environments and locations, provided that adverse effects are avoided where practicable, remedied where practicable, or mitigated where practicable.</i></p>	<p>P7 is intended to manage the effects of existing infrastructure on environmental values.</p> <p>P7 seeks to provide certainty that existing infrastructure in any environment can continue, subject to a general requirement to avoid, remedy, or mitigate adverse effects where practicable.</p>
<b>P8 Managing the effects of new infrastructure and major upgrades on environmental values</b>	<p>Introduce a new policy as follows:</p> <p>1) <i>Planning decisions must enable new infrastructure or major upgrades of existing infrastructure, provided that adverse effects on environmental values (not in section 6 or covered by national direction) are avoided where practicable, remedied where practicable, or mitigated where practicable.</i></p>	<p>P8 is intended to provide greater certainty that new infrastructure and major upgrades with effects on environmental values that are not in areas identified as having significant values under section 6 or covered by national direction (eg, outstanding natural landscapes or features) should be enabled while managing their effects in line with the RMA general provision to avoid, remedy, or mitigate.</p> <p>The policy also seeks to introduce a more enabling approach than the status quo by including the term ‘where practicable’ as a qualifier when avoiding, remedying or mitigating the adverse effects of an infrastructure proposal.</p>

## Subpart 3 – Managing the interface between infrastructure and other activities

Policies	Proposed provisions	Reasons
<b>P9 Planning for and managing the interface and compatibility of infrastructure with other activities</b>	<p>Introduce a new policy as follows:</p> <p>1) <i>Planning decisions must manage the interface between existing, consented and planned infrastructure and other activities to ensure:</i></p>	<p>The intent of P9 is to set out a principles-based and flexible approach to plan for and manage the interface between infrastructure and other activities nearby (such as housing development).</p>

### Subpart 3 – Managing the interface between infrastructure and other activities

Policies	Proposed provisions	Reasons
	<ul style="list-style-type: none"> <li>a) <i>infrastructure and other activities are as compatible as practicable;</i></li> <li>b) <i>the safe, efficient and effective operation, maintenance and upgrade of existing, consented or planned infrastructure is not compromised by the adverse effects of other activities; and</i></li> <li>c) <i>the co-location of compatible infrastructure activities while also recognising that some types of infrastructure are not compatible.</i></li> </ul> <p>2) <i>In order to implement clause 1), local authorities must:</i></p> <ul style="list-style-type: none"> <li>a) <i>engage with infrastructure providers to:</i> <ul style="list-style-type: none"> <li>i. <i>understand their existing, consented and planned infrastructure activities and medium to long-terms plans;</i></li> <li>ii. <i>identify appropriate buffers and other methods to protect existing, consented and planned infrastructure from the adverse effects of sensitive and incompatible activities, including direct effects, reverse sensitivity effects, and risks to health and safety;</i></li> <li>iii. <i>support the strategic integration of infrastructure with land use activities;</i></li> </ul> </li> <li>b) <i>identify:</i> <ul style="list-style-type: none"> <li>i. <i>activities that are particularly sensitive to the effects of infrastructure;</i></li> <li>ii. <i>activities that are compatible with infrastructure, or potentially compatible with appropriate buffers, design standards or mitigation measures;</i></li> <li>iii. <i>infrastructure activities, such as social infrastructure, that are sensitive to the effects of other infrastructure;</i></li> </ul> </li> <li>c) <i>apply a range of methods, including, where appropriate:</i> <ul style="list-style-type: none"> <li>i. <i>the use of buffers in plans to manage sensitive and incompatible activities near infrastructure;</i></li> <li>ii. <i>design standards to manage the effects of infrastructure on other activities;</i></li> <li>iii. <i>special purpose zoning and other spatial planning layers; and</i></li> </ul> </li> </ul>	<p>This is to provide greater certainty, particularly in growing cities, that infrastructure services can continue to be provided or as planned, and that housing and other development can also occur in a compatible way.</p> <p>Both these outcomes are necessary to support environments that function well and provide for community well-being now and in the future. However, the two outcomes are currently in tension, because councils use various approaches to deal with reverse sensitivity and health and safety risks. This presents a significant concern for some infrastructure providers and developers who are facing uncertainty and high costs of inputting to individual council plans and Environment Court appeals.</p> <p>The policy articulates the desired outcomes and steps that decision-makers should go through to achieve these outcomes. This includes engaging with infrastructure providers, identifying the characteristics and needs of proximate current and future activities, future focused planning and the use of methods, such as buffers and mitigation requirements, to protect infrastructure while providing flexibility for development.</p>

### Subpart 3 – Managing the interface between infrastructure and other activities

Policies	Proposed provisions	Reasons
	<p>d) <i>ensure that measures to avoid and manage the effects of other activities on infrastructure are consistent with relevant national and international standards, regulations, and guidance.</i></p>	
<b>P10 Assessing and managing the interface between infrastructure and other activities</b>	<p>Introduce a new policy as follows:</p> <p>1) <i>When assessing and managing the interface between existing, consented and planned infrastructure with other activities, planning decisions must:</i></p> <p>a) <i>recognise that noise, vibration, dust and visual effects are all typical effects associated with infrastructure activities that can be managed where practicable but not completely avoided; and</i></p> <p>b) <i>recognise that:</i></p> <p>i. <i>amenity values change due to a range of factors;</i></p> <p>ii. <i>changes in amenity from infrastructure activities are necessary to achieve well-functioning urban and rural environments; and</i></p> <p>c) <i>apply the general principle that the primary responsibility for managing adverse effects is on the new activity (including infrastructure) while allowing for flexibility for site- and project-specific circumstances.</i></p>	<p>The intent of P10 is to provide additional direction to P9 about how to assess the effects that infrastructure has on other activities and people. It seeks to provide:</p> <ul style="list-style-type: none"> <li>• reasonable expectations about what effects infrastructure can and cannot avoid</li> <li>• direction to recognise that amenity changes, countering status quo bias</li> <li>• a principle that responsibility for mitigating effects be allocated to new activities.</li> </ul>

## IMPLEMENTATION MEASURES

The following list of proposals outlines requirements for local authorities to give effect to the proposals in the objective and policies in Part 2 of this National Policy Statement. This is not intended to be an exhaustive list and would not limit the general obligation under the Act to give effect to the objective and policies in a National Policy Statement.

### Matters to be considered by local authorities when preparing regional policy statements and plans

Implementation measure	Proposed provisions	Reasons
<b>IM1 Giving effect to the NPS-I in regional policy statements, regional and district plans, and changes to these documents</b>	<p>The RMA requires that, if a local authority is preparing a new regional policy statement, regional and district plans, or changes to a regional policy statement or a plan change, NPS objectives and policies must be given effect using the Schedule 1 process in the RMA.</p> <p>With new planning legislation now imminent, as part of Phase 3 of the resource management reform programme, it is not proposed to require local authorities to change their regional policy statements or plans within a fixed timeframe. Instead, the general RMA requirements for planning documents to give effect to national direction will continue to apply and will be triggered in instances where a local authority undertakes a plan change or processes a private plan change request, or makes changes to a regional policy statement.</p>	Reduces the burden on local authorities and others caused from having to meet existing plan requirements under the RMA, while transitioning to a new planning system under the forthcoming Planning Act.

### Matters to be considered by decision-makers on resource consent applications and notices of requirement

Matters for consideration	Proposed provisions	Reasons
<b>Relevance of NPS-I objectives and policies to decisions on resource consent applications and notices of requirement</b>	<p>When the NPS-I comes into force, its provisions will be relevant to decision-making on resource consent applications and notice of requirements.</p> <p>The exception to this is the threshold assessment under section 104D of the RMA (non-complying activities), which is confined to the objectives and policies in the relevant regional or district plans, or proposed plans.</p>	The NPS-I provisions will support decision-making on consent applications and notices of requirement by providing clear direction on infrastructure, including recognising the benefits of infrastructure, managing its interface with other activities, and recognising and providing for the operational or functional need for infrastructure to locate in particular environments.

Implementation timeframes	Proposed provisions	Reasons
<b>IT1 Resource consent applications and notices of requirement decision-making</b>	When the NPS-I comes into force, decision-makers must have regard to its objectives and policies when making decisions on resource consent applications and notices of requirement.	Ensuring fast and effective implementation of the NPS-I is crucial to achieving the Government's goals.

Implementation timeframes	Proposed provisions	Reasons
IT2 Given effect to in regional policy statements and plans	<p>Section 55 of the RMA outlines the requirements for local authorities to amend their planning documents.</p> <p>The proposal does not include direction to local authorities to amend regional policy statements or district plans to give effect to the provisions of the NPS-I.</p>	<p>To implement and deliver outcomes on the ground, the NPS-I will have immediate effect in consenting and notice of requirement decision-making. It will not require local authorities to also review and change their regional policy statements or plans.</p> <p>However, plan changes (including private plan changes) that are relevant to infrastructure will still be required, to give effect to the NPS-I.</p> <p>The proposed NPS-I does not include transitional provisions.</p>