

# National Policy Statement for Infrastructure, National Policy Statement for Renewable Electricity Generation and National Policy Statement on Electricity Transmission



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# Introduction

This report summarises submissions received, outlines officials' recommendations in response to those submissions, and presents the Minister Responsible for RMA Reform's (the Minister's)<sup>1</sup> final decisions on the following national direction proposals:

- proposed National Policy Statement for Infrastructure (NPS-I)
- proposed amendments to the National Policy Statement for Renewable Electricity Generation (NPS-REG)
- proposed amendments to the National Policy Statement on Electricity Transmission (NPS-ET).

The NPS-ET has been renamed the National Policy Statement for Electricity Networks (NPS-EN). This report will refer to the NPS-EN unless referring specifically to the NPS-ET.

The proposals formed part of one of three packages notified in May 2025:<sup>2</sup> Package 1: Infrastructure and development (package 1).<sup>3</sup> A report summarising submissions and outlining officials' recommendations was prepared for the Minister in September 2025 in accordance with section 46A of the Resource Management Act 1991 (RMA). The Minister subsequently made some changes to the notified proposals before recommending the NPS-I, NPS-REG and NPS-EN to the Governor-General, who approved them on 15 December 2025. The national direction instruments were subsequently gazetted on 18 December 2025 and will come into effect on 15 January 2026.

The Minister is required to publicly notify any report prepared under section 46A (see sections 44(1)(b) and 52(3)(b) of the RMA) and provide any submitters on an NPS with a summary of officials' recommendations and a summary of the Minister's decision on the recommendations (including reasons for not adopting any recommendations) (see section 52(3)(c) of the RMA). This report fulfils those legal requirements.<sup>4</sup>

The report is structured in two parts.

- **Part 1** sets out officials' final recommendations and the Minister's final decisions on the proposed NPS-I and proposed amendments to the NPS-REG and NPS-EN
- **Part 2** provides the original supporting analysis and recommendations that informed those decisions, as prepared under section 46A of the RMA for the Minister in September 2025.

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<sup>1</sup> The Prime Minister agreed that portfolio responsibility for statutory decisions on the listed national direction rests with the Minister Responsible for RMA Reform, rather than the Minister for the Environment as stated in the RMA. The Minister Responsible for RMA Reform can exercise these powers in accordance with section 7 of the Constitution Act 1986.

<sup>2</sup> Statutory consultation on the proposals in package 1 (infrastructure and development) and package 2 (primary sector), and non-statutory consultation on package 3 (freshwater), ran from 29 May 2025 to 27 July 2025. Non-statutory consultation on package 4 (Going for Housing Growth) ran from 18 June to 17 August.

<sup>3</sup> Ministry for the Environment. 2025. [Package 1: Infrastructure and development – Discussion document](#). Wellington: Ministry for the Environment.

<sup>4</sup> There is no equivalent requirement to provide each person who made a submission with a summary of the recommendations and the Minister's decisions for national environmental standards (NES). However, a similar process has been followed for NES in packages 1 and 2 to give submitters visibility of decision-making and clarity about the changes.



# Summary of recommendations and Minister's decisions

Officials recommended a number of changes to the notified proposed NPS-I, and proposed amendments to the NPS-REG and NPS-EN, drawing on submitter feedback and further analysis of the proposals.

The Minister considered these recommendations and made final decisions on each national direction instrument. In some areas, this resulted in changes to the notified proposals. The final instruments, including changes, have been considered under Part 2 of the RMA, and the instruments are consistent with the purpose of the RMA.

Part 1 of this report includes the full set of recommendations provided to the Minister and the final decisions made by the Minister. Recommendations and supporting rationale in part 1 have been updated from what was originally provided to the Minister in September to reflect subsequent ministerial advice (as noted in the instrument summaries below and tables in part 1) or to correct minor and technical errors and enhance clarity. The original recommendations and accompanying rationale provided to the Minister are preserved in part 2 of this report. Minor and technical updates have been made to the original report in part 2 to correct errors and enhance clarity; any matters considered more significant are not reflected in the text but are highlighted at the start of part 2.

The proposal section of part 1 includes the proposed provisions published in: Ministry for the Environment. 2025. *Package 1: Infrastructure and development – Discussion document*. The recommendations section includes recommended changes to the notified proposal and specifies reasons for recommended changes. Reference to 'no change' means a recommendation to retain the proposal as notified whereas 'change' indicates a recommendation to change the notified proposal.

The exact final text of the instruments may vary from officials' recommendations as a result of legal drafting conventions.

All provisions in existing national direction will be replaced by the proposed amendments, other than provisions (in whole or in part) re-introduced in response to submissions.

A summary of officials' final recommendations and the Minister's final decisions is provided below for each instrument.

## National Policy Statement for Infrastructure

Officials recommended the following:

- retain most of the NPS-I provisions without change, noting the NPS-I will sit alongside and be considered with other national direction instruments
- include flood management and protection infrastructure within the definition of 'additional infrastructure activities'
- update the definition of 'additional infrastructure' to refer to a health facility operated by Health New Zealand to meet its obligations under the Pae Ora (Healthy Futures) Act 2022. This replaces the existing definition of 'a hospital care institution within the meaning of section 58(4) of the Health and Disability Services (Safety) Act 2001'

- amend the definition of ‘infrastructure supporting activities’ to clarify that its scope is limited to activities that directly support ‘infrastructure activities’
- delete the reference to ‘value for money’ in Objective OB1 and Policy 1 of the NPS-I and add references to the social, cultural and economic well-being of current and future generations
- amend Policy 2 to include a reference to infrastructure that has a functional need to locate in areas subject to natural hazard risk
- delete the qualifier ‘in appropriate circumstances’ from the policy references to tangata whenua engagement in relation to sites of significance and issues of cultural significance to Māori
- amend the reconsenting provisions in Policy 6 to ensure decision-makers retain discretion to consider all actual and potential effects on the environment
- amend Policies 9 and 10 to include references to new or intensified activities
- make amendments across a number of policies and definitions to provide continuity and integration with other national direction instruments (proposals for amendments to the NPS-REG and the NPS-EN)
- make refinements and technical changes to make sure the NPS-I is clear.

**The Minister agreed to the recommendations.**

## **National Policy Statement for Renewable Electricity Generation**

Officials recommended the following:

- retain the proposed amendments to the NPS-REG as notified with further amendments in response to submissions
- amend the definitions to ensure that the breadth of renewable electricity generation (REG) assets and activities are captured over the life span of construction and operation, including upgrading and repowering, and irrespective of scale
- ensure that electricity storage, such as batteries, is included no matter where storage is located in the electricity network (EN)
- amend the objective to ensure that it achieves the intent of the proposal and provides for: the national significance of REG and its national, regional and local benefits; the maintenance and increase of REG capacity and output; security of electricity supply and resilience; and protection of REG from adverse effects of other activities
- amend the policies relating to benefits by consolidating them into a single list, ensuring each benefit is expressed as a distinct topic. The list should include displacing greenhouse gas emissions, enabling electricity storage in diverse locations, and not using domestic and imported fossil fuels
- re-introduce policies (from the NPS-REG 2011) that allow for adaptive management measures, and offsetting and compensation
- ensure that an assessment of alternative sites is not required to meet the functional or operational need test for REG to locate in particular environments
- clarify that existing REG assets may form part of the existing environment to support reconsenting, while ensuring that all relevant effects of REG activities are managed

- amend the policy on reverse sensitivity to clarify that it only applies to the adverse effects of nearby activities that impact directly on REG activities
- clarify the policy on Māori engagement by removing the qualifier ‘in appropriate circumstances’ with respect to sites of significance and issues of cultural significance to Māori
- clarify that small- and community-scale REG has the same level of enablement as grid-scale REG
- make other amendments to clarify the policy intent and aid interpretation.

**The Minister agreed to the recommendations.**

## **National Policy Statement for Electricity Networks**

Officials recommended the following:

- rename the National Policy Statement on Electricity Transmission as the National Policy Statement for Electricity Networks
- retain most of the proposed amendments to the NPS-EN as notified
- recognise the different operational needs, technical requirements and scale of the transmission and distribution networks, which restrict the ability of the transmission network to avoid all adverse effects
- provide for electricity network infrastructure that has a ‘functional need’ to locate in areas subject to natural hazard risk
- revise Objective OB1 and Policies 1 and 5 to delete the reference to managing adverse effects in a proportionate and cost-effective way and include references to:
  - ensuring the EN is developed in a timely, efficient and ongoing manner
  - applying mitigation measures that are proportionate to the effects generated
  - providing for benefits relative to any localised adverse effects
- add a new clause in Policy 3 (Māori rights and interests) to require opportunities for tangata whenua involvement where electricity network activities may affect culturally significant sites, consistent with the proposed amendments to the NPS-REG and proposed NPS-I
- remove reference to ensuring compliance with New Zealand standard ECP 34:2001 and replace with engagement requirements for councils and electricity distribution businesses (EDBs) to ensure that key distribution infrastructure is appropriately identified and sufficient on-site space is allocated in new developments to meet demand
- clarify protection for the electricity network and make a distinction between third party activities that directly impact the network and other activities that have reverse sensitivities
- ensure that the definitions and policies are sufficiently comprehensive and precise to capture all relevant aspects of electricity networks and to aid interpretation, including simplifying the works categories into two, ‘routine’ and ‘non-routine’, and ensuring alignment, where appropriate, with definitions in other national direction, including the National Planning Standards 2019, proposed amendments to the NPS-REG and proposed NPS-I
- make refinements and technical changes to make sure the NPS-EN is clear.

**The Minister agreed to the recommendations.**

# Part 1: Recommendations and decisions tables



# Consolidated recommendations and decisions – New National Policy Statement for Infrastructure

## Recommendations and decisions in relation to notified proposed provisions

The following recommendations were made in response to matters raised through submissions and in officials' overall assessment of the proposal.

The proposal section of this table includes the proposed provisions published in: Ministry for the Environment. 2025. *Package 1: Infrastructure and development – Discussion document*. The recommendations section includes recommended changes to the notified proposal and specifies reasons for recommended changes. Reference to 'no change' means a recommendation to retain the proposal as notified, whereas 'change' indicates a recommendation to change the notified proposal.

Additional advice was provided after the Minister considered the Section 46A RMA report and recommendations. That advice resulted in the following:

- alterations to the reasons for the Minister's decision on Policy P6
- amendments to part of the definition of 'additional infrastructure' relating to health facilities.

The final text of the instrument may vary from officials' recommendations as a result of legal drafting conventions.

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR NEW NPS-I			
Application	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>Where would the NPS-I apply?</b>	<p>The proposed National Policy Statement for Infrastructure (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>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 to electricity transmission network and electricity distribution network activities and assets that are managed under the National Policy Statement for Electricity Networks [2025].</i></p>	Scope and definitions	<p><b>No change</b></p> <ol style="list-style-type: none"> <li>1. Retain the proposed application of the NPS-I to all infrastructure activities (and supporting infrastructure activities) except renewable electricity generation, electricity transmission and distribution.</li> </ol>	Most submitters supported the proposed application of the NPS-I and the exclusion of the NPS-REG and NPS-EN from its scope.	<b>Agreed with recommendation</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR NEW NPS-I			
Definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendation	Minister's decision
<b>D1 Additional infrastructure</b>	<p>a) a relevant school or institution as defined in the Education and Training Act 2020;</p> <p>b) a hospital care institution within the meaning of section 58(4) of the Health and Disability Services (Safety) Act 2001;</p> <p>c) fire and emergency services facilities;</p> <p>d) defence facilities operated by the New Zealand Defence Force to meet its obligations under the Defence Act 1990;</p> <p>e) correction facilities operated by the Department of Corrections to meet its obligations under the Corrections Act 2004;</p> <p>f) a stormwater network; and</p> <p>g) district or regional resource recovery or waste disposal facilities.</p>	Scope and definitions	<p><b>Change</b></p> <p>2. Amend the proposal definition of 'additional infrastructure' to:</p> <p>a. include flood control and protection works by a local authority</p> <p>b. refer to a health facility operated by Health New Zealand to meet its obligations under the Pae Ora (Healthy Futures) Act 2022. This replaces the existing definition in b).</p>	<p>A specific reference to flood control and protection works is necessary as it is not captured in the definition of 'stormwater network'.</p> <p>The replacement definition for health facilities more accurately captures the public health system. The updated definition also aligns with the intent of the amendments to the Pae Ora (Healthy Futures) Act introduced to the House on 2 July 2025 to strengthen Health New Zealand's focus on infrastructure delivery.</p> <p>Many submitters sought to include additional activities in this definition, including for commercial or industrial activities. These are either out of scope as they are addressed in other national direction or are not currently managed in RMA plans as infrastructure.</p>	<b>Agreed with recommendation</b>
<b>D2 Buffer</b>	<p>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.</p>	Scope and definitions	<p><b>Change</b></p> <p>3. Amend the proposal definition of 'buffer' by removing specific references to noise insulation standards.</p>	<p>Minor wording changes to improve the clarity of the proposed definition of buffer referred to in the policy.</p> <p>The reference to 'noise insulation requirements' should be removed as this is only one of the tools used in</p>	<b>Agreed with recommendation</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR NEW NPS-I			
Definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendation	Minister's decision
				district plans to manage reverse sensitivity effects.	
<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>	Scope and definitions	<b>No change</b> 4. Retain the proposal definition of 'consented infrastructure'.	The intent is to clarify the meaning of this term when referred to in the policies.	<b>Agreed with recommendation</b>
<b>D4 Decision-maker</b>	<i>any person making a planning decision under the Act.</i>	Scope and definitions	<b>No change</b> 5. Retain the proposal definition of 'decision-maker'.	Retains a consistent approach to terms and references used across the suite of national direction.  This term is used in other national direction (eg, the National Policy Statement on Urban Development 2020 (NPS-UD)).	<b>Agreed with recommendation</b>
<b>D5 Existing infrastructure</b>	<i>infrastructure that is lawfully established and constructed.</i>	Scope and definitions	<b>No change</b> 6. Retain the proposal definition of 'existing infrastructure'.	The term 'lawfully established' is in common usage in the resource management system and is necessary to distinguish consented infrastructure from activities where either they are unconsented, or the existing consent has lapsed.	<b>Agreed with recommendation</b>
<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>	Scope and definitions	<b>No change</b> 7. Retain the proposal definition of 'functional need'.	This definition is from the National Planning Standards 2019.	<b>Agreed with recommendation</b>
<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>	Scope and definitions	<b>No change</b> 8. Retain the proposal definition of 'infrastructure' which includes 'additional infrastructure' as in D1.	The intent is for the NPS-I to define 'infrastructure' based on the current RMA definition and the 'additional infrastructure' definition to ensure the scope of the NPS-I includes other types of infrastructure, for example, schools, hospitals and flood works.	<b>Agreed with recommendation</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR NEW NPS-I			
Definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendation	Minister's decision
				For legibility, where used in the NPS-I illustrative wording, the term 'infrastructure' is intended to include 'additional infrastructure'.	
<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>	Scope and definitions	<b>No change</b> 9. Retain the proposal definition of 'infrastructure activities'.	The definition supports the interpretation of the NPS-I by making it clear the policies apply to all aspects of infrastructure and development stages.	<b>Agreed with recommendation</b>
<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>	Scope and definitions	<b>Change</b> 10. Amend the proposal definition of 'infrastructure supporting activities' to clarify that its scope is limited to activities that directly support 'infrastructure activities'.	Many submitters expressed concern at the potential breadth of this definition and its implications for the consenting process. To address this, the definition requires rewording to make it clear it is limited to activities that directly support infrastructure activities.	<b>Agreed with recommendation</b>
<b>D10 Maintenance and minor upgrade</b>	<i>work undertaken to ensure the effective and efficient operation and performance of existing infrastructure and includes:</i>  a) <i>activities associated with the maintenance or repair of existing infrastructure, including all relevant ancillary activities; or</i> b) <i>replacing existing infrastructure with the modern equivalent equipment or asset, which may not be "like for like"; or</i> c) <i>maintenance and upgrades necessary to continue to deliver the same or similar level of</i>	Scope and definitions	<b>Change</b> 11. Amend the proposal definition of 'maintenance and minor upgrade' to make it clear the definition also covers:  a. the replacement or renewal of existing 'infrastructure'; and b. to ensure the definition applies to all stages of an upgrade and not just after the upgrade is complete.	Minor change to ensure the definition covers all aspects of maintenance and minor upgrades of infrastructure, including where infrastructure needs to be replaced or renewed.  The reference in D10(d) to 'after the upgrade is complete' requires amendment as otherwise it could be interpreted as meaning any level of adverse effect is acceptable during the works, provided they do not	<b>Agreed with recommendation</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR NEW NPS-I			
Definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendation	Minister's decision
	<p><i>infrastructure services or to improve resilience; or</i></p> <p><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></p>			continue after the works are complete.	
<b>D11 Major upgrade</b>	<i>an upgrade of existing infrastructure that is not a minor upgrade.</i>	Scope and definitions	<b>Change</b> 12. Amend the proposal definition of 'major upgrade' to refer to all other upgrades which are not 'maintenance and minor upgrade'.	Minor change to align the definition with the definition of maintenance and minor upgrade.	<b>Agreed with recommendation</b>
<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>	Scope and definitions	<b>No change</b> 13. Retain the proposal definition of 'operational need'.	This definition is from the National Planning Standards 2019.	<b>Agreed with recommendation</b>
<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>	Scope and definitions	<b>Change</b> 14. Amend the proposal definition of 'planned infrastructure' to refer to a 'strategic planning document'.	Minor change to align with recommended changes to the 'strategic planning document' definition in D21.	<b>Agreed with recommendation</b>
<b>D14 Planning decision</b>	<p><i>a decision on any of the following:</i></p> <p><i>a) a regional policy statement or proposed regional policy statement;</i></p> <p><i>b) a regional plan or proposed regional plan;</i></p> <p><i>c) a district plan or proposed district plan;</i></p> <p><i>d) a resource consent;</i></p> <p><i>e) a designation;</i></p> <p><i>f) a heritage order;</i></p> <p><i>g) a water conservation order; and</i></p>	Scope and definitions	<b>Change</b> 15. Amend the proposed 'planning decision' definition to ensure the language refers to both decisions and recommendations for plan making, plan changes, consenting, designations, heritage orders and conservation orders.	Minor change to reflect the different decision-making processes in the RMA. In their role as consent authorities, local authorities make recommendations, not decisions, on notices of requirements issued by a requiring authority.	<b>Agreed with recommendation</b>



NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR NEW NPS-I			
Definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendation	Minister's decision
	<i>h) a change to a plan requested under Part 2 of Schedule 1 of the RMA.</i>				
<b>D15 Provisions</b>	<i>includes objectives, policies and/or rules.</i>	Scope and definitions	<b>Change</b> 16. Amend the proposal definition of 'provisions' to ensure it is consistent with the National Planning Standards 2019.	Minor change to ensure the definition is consistent with the National Planning Standards 2019.  RMA section 58C(2)(b) and (c) relating to the National Planning Standards refers to "objectives, policies, methods and other provisions", which is broader than this definition.  The National Planning Standards define provisions as "all content in a policy statement or plan, including but not limited to background content, issues, objectives, policies, methods, rules, and anticipated environmental results".	<b>Agreed with recommendation</b>
<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 clean filling 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>	Scope and definitions	<b>No change</b> 17. Retain the proposal definition of 'quarrying activities'.	This definition is from the National Planning Standards 2019.	<b>Agreed with recommendation</b>
<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</i>	Scope and definitions	<b>Change</b> 18. Amend the proposal definition of 'resilience' to ensure it provides for reduced service levels where necessary to support managed retreat.	The definition refers to retaining 'essentially the same or similar level of service as before' which may not be possible where managed retreat occurs. To address this, the definition requires amendment to	<b>Agreed with recommendation</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR NEW NPS-I			
Definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendation	Minister's decision
	<i>delivering an infrastructure service in a new or different way.</i>			clarify that resilience might not mean maintaining the status quo in terms of services.	
<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>	Scope and definitions	<b>Change</b> 19. Amend the proposal to delete the definition of 'reverse sensitivity'.	The proposed definition is unnecessary as reverse sensitivity is only referenced once in the NPS-I policies and is now well established in case law as well as being defined in several district plans.	<b>Agreed with recommendation</b>
<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>	Scope and definitions	<b>Change</b> 20. Amend the proposal definition of 'sensitive activities' to include a reference to papakāinga.	'Sensitive activities' are the activities that local authorities must identify under Policy 9, to then manage effects on infrastructure and to manage any health and safety risks generated by infrastructure.  For the avoidance of doubt, the definition should include a reference to papakāinga as this is a specific residential activity and often adjoins marae.	<b>Agreed with recommendation</b>
<b>D20 Stormwater network</b>	<i>a stormwater network:</i> <i>a) means the infrastructure and processes that—</i> <i>i. are used to collect, treat, drain, store, reuse, or discharge stormwater in an urban area; and</i> <i>ii. includes—</i> <i>i. an overland flow path;</i> <i>ii. green infrastructure that delivers stormwater services; and</i>	Scope and definitions	<b>No change</b> 21. Retain the proposal definition of 'stormwater network'.	This definition provides 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.  Note: 'Stormwater' has the same meaning as in the National Planning Standards 2019.	<b>Agreed with recommendation</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR NEW NPS-I			
Definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendation	Minister's decision
	<i>iii. watercourses that are part of, or related to, the infrastructure described in paragraph a).</i>				
<b>D21 Strategic planning document</b>	<i>includes:</i> <ul style="list-style-type: none"> <li><i>b) Future development strategies under the NPS-UD;</i></li> <li><i>c) any non-statutory growth plan or strategy adopted by local authority resolution; and</i></li> <li><i>d) Long-term plans and infrastructure strategies under the Local Government Act 2002 (LGA).</i></li> </ul>	Scope and definitions	<b>Change</b> 22. Amend the proposal definition of 'strategic planning document' to include references to the Land Transport Management Act 2003 (LTMA) and the Local Government (Water Services) Act 2025 (LGWSA).	In addition to their responsibilities under the Local Government Act 2002 (LGA) regarding strategic planning, the LTMA requires councils to prepare and approve regional land transport plans every 6 years. Under the LGWSA, councils who are water service providers must also prepare water services delivery plans.	<b>Agreed with recommendation</b>
<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>	Scope and definitions	<b>No change</b> 23. Retain the proposal definition of 'upgrading infrastructure'.	This definition clarifies the meaning of 'upgraded infrastructure' when referred to in the NPS-I policies.	<b>Agreed with recommendation</b>

## OBJECTIVES AND POLICIES

### NOTIFIED PROPOSAL

OBJECTIVES AND POLICIES		RECOMMENDATIONS AND DECISIONS FOR NEW NPS-I			
Objectives	Proposed provisions	Topic	Recommendation	Reasons for recommendation	Minister's decision
<b>OB1</b>	<p><i>An objective that identifies desired infrastructure outcomes is proposed. This could be expressed as:</i></p> <p><i>New Zealand's infrastructure:</i></p> <ul style="list-style-type: none"> <li><i>a) supports the well-being of people and communities and their health and safety;</i></li> <li><i>b) provides national, regional or local benefits;</i></li> <li><i>c) 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><i>d) is well-functioning and resilient;</i></li> <li><i>e) provides value for money to people and communities;</i></li> <li><i>f) is delivered in a timely, efficient, and ongoing manner while managing adverse effects on the environment; and</i></li> <li><i>g) is protected from the adverse effects of other activities.</i></li> </ul>	Objective	<p><b>Change</b></p> <p>24. Amend the proposal objective (OB1) to align with Part 2 RMA reference to social, economic and cultural well-being and by deleting OB1e).</p>	<p>The inclusion of 'social, economic and cultural well-being' is a minor change to ensure the objective aligns with the wording used in Part 2 of the RMA.</p> <p>Many submitters, including infrastructure providers, sought deletion of references to 'providing value for money' in the objective. Submitters were concerned the term was uncertain and could be weaponised against infrastructure proposals in consent hearings.</p>	<b>Agreed with recommendation</b>

## Subpart 1 – General provisions

### NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR NEW NPS-I					
Policies	Proposed provisions	Topic	Recommendation	Reason for recommendation	Minister's decision
<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> <p>1) <i>Planning decisions about infrastructure shall recognise and provide for the benefits of infrastructure, which includes all of the following:</i></p> <ul 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> </ul>	Benefits of infrastructure	<p><b>Change</b></p> <p>25. Amend the proposed policy on providing for the benefits of infrastructure (P1) to:</p> <ul style="list-style-type: none"> <li>a. clarify that decision-makers do not need to consider all of the listed matters but only those which are relevant to the specific infrastructure proposal</li> <li>b. add reference to the social, cultural and economic well-being of current and future generations</li> <li>c. delete P1(1)(d) and delete P1(3)(b).</li> </ul>	<p>The reference to 'all' in the head clause of Policy 1 should be changed to 'any' (or similar amendment to achieve the policy intent) to enable decision-makers to select benefits as applicable to a specific infrastructure proposal.</p> <p>Proposed amendments to P1(1)(a) are to align with Part 2 of the RMA.</p> <p>The deletion of Policy 1(1)(d) is a consequential amendment to the removal of Objective OB1 e).</p> <p>Policy 1(3)(b) should be deleted as it duplicates Policy 1(1).</p>	<b>Agreed with recommendation</b>

## Subpart 1 – General provisions

### NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR NEW NPS-I					
Policies	Proposed provisions	Topic	Recommendation	Reason for recommendation	Minister's decision
	<p><i>g) reducing the risks from, and improving resilience to, natural hazards and climate change.</i></p> <p><i>2) 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></p> <p><i>3) When making planning decisions about infrastructure, recognise:</i></p> <p><i>a) 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></p> <p><i>b) 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></p> <p><i>c) the independent or interconnected nature of infrastructure networks.</i></p>				



## Subpart 1 – General provisions

### NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR NEW NPS-I					
Policies	Proposed provisions	Topic	Recommendation	Reason for recommendation	Minister's decision
<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>	Operational and functional needs	<p><b>Change</b></p> <p>26. Amend the proposed policy on operational or functional need (P2) to include a reference to 'infrastructure' that has a 'functional need' to locate in areas subject to natural hazard risk including flood protection infrastructure and seawalls.</p>	Policy 2 should also refer to the management of risk from natural hazards and climate change. This recognises there is a functional requirement for protective infrastructure such as stop banks or seawalls to locate in proximity to the hazard.	<b>Agreed with recommendation</b>
<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>	Considering spatial plans and other strategic plans	<p><b>No change</b></p> <p>27. Retain the proposed policy on considering spatial planning (P3).</p>	Policy 3 provides direction to decision-makers and infrastructure providers for coordinated infrastructure development. Most submitters across all sectors supported Policy 3.	<b>Agreed with recommendation</b>

## Subpart 1 – General provisions

### NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR NEW NPS-I					
Policies	Proposed provisions	Topic	Recommendation	Reason for recommendation	Minister's decision
<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> <li>d) <i>enable opportunities to make more effective use of existing infrastructure;</i></li> <li>e) <i>consider opportunities for continuous improvement in service delivery and environmental outcomes when renewing or replacing resource consents; and</i></li> <li>f) <i>enable the upgrading of infrastructure where this will:</i> <ol style="list-style-type: none"> <li>i) <i>improve the resilience of infrastructure to the risks from natural hazards and effects of climate change;</i></li> <li>ii) <i>maintain or improve its level of infrastructure service, including to meet increasing demand; or</i></li> <li>iii) <i>improve environmental outcomes.</i></li> </ol> </li> </ol> </li> <li>2) <i>When making planning decisions on infrastructure activities, decision-makers must:</i></li> </ol>	Efficient and effective delivery of infrastructure	<p><b>Change</b></p> <p>28. Amend the proposed policy to:</p> <ol style="list-style-type: none"> <li>a. remove the requirement for decision-makers to consider relevant standards or methods from P4(2)</li> <li>b. move the policy in P4(3) to a new stand-alone policy.</li> </ol>	<p>The requirement in Policy 4(2)(b) to consider relevant standards or methods is a duplication of Policy 6(1)(d) and should be deleted.</p> <p>The policy direction for infrastructure supporting activities in Policy 4(3) is separated out to improve legibility.</p>	<b>Agreed with recommendation</b>

## Subpart 1 – General provisions

### NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR NEW NPS-I					
Policies	Proposed provisions	Topic	Recommendation	Reason for recommendation	Minister's decision
	<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 LGA, 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> <p>c) <i>enabling the timely delivery of infrastructure supporting activities, particularly when these are directly related to the infrastructure activity.</i></p>				

## Subpart 1 – General provisions

### NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR NEW NPS-I					
Policies	Proposed provisions	Topic	Recommendation	Reason for recommendation	Minister's decision
<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>	Providing for Māori interests	<p><b>Change</b></p> <p>29. Amend the proposed policy on recognising and providing for Māori rights and interests (P5) by removing the qualifier 'in appropriate circumstances'.</p>	The qualifier 'in appropriate circumstances' in Policy 1(c) is unnecessary when referring to tangata whenua involvement in relation to sites of significance to Māori and issues of cultural significance.	<b>Agreed with recommendation</b>

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

### NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR NEW NPS-I					
Policies	Proposed provisions	Topic	Recommendation	Reason for recommendation	Minister's decision
<b>P6 Assessing and managing the effects of proposed infrastructure activities on the environment</b>	<p>Introduce a new policy as follows:</p> <ol style="list-style-type: none"> <li>1) <i>When assessing and managing the effects of proposed infrastructure activities on the environment, decision-makers must:</i> <ol style="list-style-type: none"> <li>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></li> <li>b) <i>consider the technical and operational requirements and constraints of infrastructure activities;</i></li> <li>c) <i>where considering a proposal involving existing infrastructure only consider any change or increase in environmental effects when the proposal relates to the reconsenting, renewal or upgrade of existing infrastructure;</i></li> <li>d) <i>adopt relevant international, national standards and recognised best practice standards and methodologies to assess and manage adverse effects; and</i></li> <li>e) <i>consider the financial and timing implications of mitigation measures and consent conditions to ensure these are proportionate and cost-effective.</i></li> </ol> </li> </ol>	Assessing and managing adverse effects of infrastructure	<p><b>Change</b></p> <p>30. Amend the proposed policy on assessing and managing effects of proposed infrastructure (P6) to:</p> <ol style="list-style-type: none"> <li>a. ensure it is aligned with other references in the NPS-I to 'avoid, remedy and mitigate' in relation to adverse effects on the environment by removing the reference to 'minimised' as applicable</li> <li>b. amend the references to international standards in P6 to ensure only international standards that are recognised or used in New Zealand are relevant</li> <li>c. amend P6(1)(c) to ensure decision-makers retain a discretion to consider all actual and potential effects on the environment</li> <li>d. amend P6(1)(e) to ensure mitigation measures and considerations are proportionate to the adverse effects generated by the project or work and not whether they are 'cost-effective'.</li> </ol>	<p>Minor wording changes are necessary to ensure internal consistency within the NPS-I by deleting the reference to minimising adverse effects in Policy 6(1)(a) as this is not used elsewhere.</p> <p>The reference to international standards requires amending to ensure it is limited to standards which are recognised or used in New Zealand.</p> <p>Policy 6(1)(c) requires amendment to enable decision-makers to have regard to all actual and potential effects on the environment under section 104 of the RMA (consideration of applications) when determining a consent application. This will avoid complexity and uncertainty in processing applications. Direction on consideration of renewals, reconsenting and upgrades can be more fully considered in the new legislation.</p> <p>The term 'cost-effective' in Policy 6(1)(e) is subjective and open to interpretation. By deleting it, the policy more clearly expresses the policy intent to ensure mitigation</p>	<b>Agreed with recommendation</b>

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

### NOTIFIED PROPOSAL

### RECOMMENDATIONS AND DECISIONS FOR NEW NPS-I

Policies	Proposed provisions	Topic	Recommendation	Reason for recommendation	Minister's decision
				measures and considerations are proportionate to the adverse effects generated by the project or work.	
<b>P7 Operation, maintenance and minor upgrade of existing infrastructure</b>	Introduce a new policy as follows: 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>	Assessing and managing adverse effects of infrastructure	<b>No change</b> 31. Retain the proposed policy for operation, maintenance and minor upgrade of existing infrastructure (P7).	Policy 7 is intended to manage the effects of existing infrastructure on environmental values.  The policy 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.	<b>Agreed with recommendation</b>
<b>P8 Managing the effects of new infrastructure and major upgrades on environmental values</b>	Introduce a new policy as follows: 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>	Assessing and managing adverse effects of infrastructure	<b>No change</b> 32. Retain the proposed policy for managing the effects of new infrastructure and major upgrades on environmental values (P8).	Policy 8 is intended to provide greater certainty that new infrastructure and major upgrades with environmental effects — where these are not located in areas protected under section 6 of the RMA or by national direction (eg, outstanding natural landscapes or features) — should be enabled.	<b>Agreed with recommendation</b>



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

#### NOTIFIED PROPOSAL

#### RECOMMENDATIONS AND DECISIONS FOR NEW NPS-I

Policies	Proposed provisions	Topic	Recommendation	Reason for recommendation	Minister's decision
<b>P9 Planning for and managing the interface and compatibility of infrastructure with other activities</b>	<p>Introduce a new policy as follows:</p> <ol style="list-style-type: none"> <li>1) <i>Planning decisions must manage the interface between existing, consented and planned infrastructure and other activities to ensure:</i> <ol 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> </ol> </li> <li>2) <i>In order to implement clause 1), local authorities must:</i> <ol style="list-style-type: none"> <li>a) <i>engage with infrastructure providers to:</i> <ol 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> </ol> </li> <li>b) <i>identify:</i> <ol style="list-style-type: none"> <li>i) <i>activities that are particularly sensitive to the effects of infrastructure;</i></li> </ol> </li> </ol> </li> </ol>	Interface and compatibility of infrastructure and other activities	<p><b>Change</b></p> <p>33. Amend the proposed policy for planning and managing the interface between infrastructure and other activities (P9) to ensure protection measures are in response to new or intensified sensitive activities.</p>	Policy 9 requires amendment to ensure it is focused on new or intensified sensitive activities. This recognises that both new sensitive activities and the intensification of existing sensitive activities have the potential to generate adverse effects on infrastructure.	<b>Agreed with recommendation</b>

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

#### NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR NEW NPS-I					
Policies	Proposed provisions	Topic	Recommendation	Reason for recommendation	Minister's decision
	<ul style="list-style-type: none"> <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> <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> <li>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></li> </ul>				
<b>P10 Assessing and managing the interface between infrastructure and other activities</b>	<p>Introduce a new policy as follows:</p> <ul style="list-style-type: none"> <li>1) <i>When assessing and managing the interface between existing, consented and planned infrastructure with other activities, planning decisions must:</i> <ul style="list-style-type: none"> <li>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></li> <li>b) <i>recognise that:</i></li> </ul> </li> </ul>	Interface and compatibility of infrastructure and other activities	<p><b>Change</b></p> <p>34. Amend the proposed policy for assessing and managing the interface between infrastructure and other activities (P10) by adding a reference to 'intensified sensitive activities'.</p>	Officials support the retention of Policy 10 with a minor amendment to align with recommended changes to Policy 9 discussed above (inclusion of intensified activities).	<b>Agreed with recommendation</b>

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

#### NOTIFIED PROPOSAL

#### RECOMMENDATIONS AND DECISIONS FOR NEW NPS-I

Policies	Proposed provisions	Topic	Recommendation	Reason for recommendation	Minister's decision
	<ul style="list-style-type: none"> <li>i) <i>amenity values change due to a range of factors;</i></li> <li>ii) <i>changes in amenity from infrastructure activities are necessary to achieve well-functioning urban and rural environments; and</i></li> <li>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></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 RMA 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

### NOTIFIED PROPOSAL

### RECOMMENDATIONS AND DECISIONS FOR NEW NPS-I

Implementation measure	Proposed provisions	Topic	Recommendation	Reason for recommendation	Minister's decision
<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-I 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>	Other issues	No decision required.	<p>Implementation of national policy statements is set out in section 55 of the RMA and no specific decision is required.</p> <p>Refer to commentary in part C of the <i>Report on Submissions and Recommendations</i>.</p>	<b>N/A</b>

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

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR NEW NPS-I

Matters for consideration	Proposed provisions	Topic	Recommendation	Reason for recommendation	Minister's decision
<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>	Other issues	No decision required.	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.	N/A

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR NEW NPS-I

Implementation timeframes	Proposed provisions	Topic	Recommendation	Reason for recommendation	Minister's decision
<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.	Other issues	No decision required.	Ensuring timely and effective implementation of the NPS-I is crucial to achieving the Government's goals.	N/A
<b>IT2 Given effect to in regional policy statements and plans</b>	<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>	Other issues	No decision required.	<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>	N/A

## Other recommendations

Recommendations in relation to matters raised through submissions

RECOMMENDATIONS AND DECISIONS FOR NEW NPS-I			
Topic	Recommendation	Reasons for recommendation	Minister's decision
Scope and definitions	<b>Change</b> 35. Amend the proposal to include a definition of 'ancillary activity' which: is consistent with the definitions of ancillary activity in the National Planning Standards 2019, NPS-EN and NPS-REG; and includes references to vegetation clearance, tree trimming, earthworks, the construction, maintenance and upgrading of access tracks and accessways, power supply, and telecommunications.	This definition is required to align the NPS-I with the National Planning Standards 2019, the NPS-EN and the NPS-REG.	<b>Agreed with recommendation</b>



# Consolidated recommendations and decisions – Amendments to the National Policy Statement for Renewable Electricity Generation 2011

## Recommendations and decisions in relation to notified proposed provisions

The following recommendations were made in response to matters raised through submissions and in officials' overall assessment of the proposal.

The proposal section of this table includes the proposed provisions published in: Ministry for the Environment. 2025. *Package 1: Infrastructure and development – Discussion document*. The recommendations section includes recommended changes to the notified proposal and specifies reasons for recommended changes. Reference to 'no changes' means a recommendation to retain the proposal as notified, whereas 'change' indicates a recommendation to change the notified proposal.

The final text of the instrument may vary from officials' recommendations as a result of legal drafting conventions.

All provisions in the existing National Policy Statement for Renewable Electricity Generation 2011 (NPS-REG) will be replaced by the proposed amendments, other than provisions (in whole or in part) re-introduced in response to submissions.

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NPS-REG			
Definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>D1 Act</b>	<i>means the Resource Management Act 1991.</i>	Scope and definitions	<b>No change</b> 1. Retain the proposal definition of 'Act'.	Retains a consistent approach to terms used across the suite of national direction.	<b>Agreed with recommendation</b>
<b>D2 Ancillary REG activities</b>	Include a new definition for 'ancillary REG activities' that means:  <i>all supporting and subsidiary activities needed to provide for the investigation, construction, operation, maintenance, upgrading, repowering and decommissioning of REG assets, including but not limited to vegetation clearance, tree trimming, earthworks, the construction, maintenance and upgrading of access tracks and roads, power supply, and telecommunications.</i>	Scope and definitions	<b>Change</b> 2. Amend the proposal definition of 'ancillary renewable electricity generation activities' to ensure culverts and bridges are included.	For the avoidance of doubt, add culverts and bridges to the non-exclusive list of example ancillary REG activities.  The definition is used in other definitions and throughout the NPS-REG.	<b>Agreed with recommendation</b>
<b>D3 Community-scale REG</b>	Amend and rename the definition of 'small and community-scale distributed electricity generation' to 'community-scale REG' to:  <i>renewable electricity generation with the primary purpose of supplying electricity to a community.</i>	Scope and definitions	<b>No change</b> 3. Retain the proposal definition for 'community-scale renewable electricity generation'.	The intent of the definition is to be clear that the NPS-REG applies equally to community-scale REG and grid-scale REG.	<b>Agreed with recommendation</b>
<b>D4 Decision-makers</b>	Amend the definition of 'decision-makers' to:  <i>any person exercising functions or powers under the Act.</i>	Scope and definitions	<b>No change</b> 4. Retain the proposal definition of 'decision-makers'.	Retains a consistent approach to terms used across the suite of national direction.  This term is used in other national direction (eg, the NPS-UD).	<b>Agreed with recommendation</b>
<b>D5 Electricity networks</b>	Introduce a new definition that has the same meaning as in the proposed National Policy Statement for Electricity Networks.	Scope and definitions	<b>No change</b> 5. Retain the proposal definition of 'electricity networks'.	Retains a consistent approach to terms used across the suite of national direction.	<b>Agreed with recommendation</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NPS-REG			
Definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
				This definition is included in the proposed amendments to the National Policy Statement for Electricity Transmission (proposed to be renamed as the National Policy Statement for Electricity Networks).	
<b>D6 Environmental footprint</b>	Introduce a new definition that: <i>means the horizontal spatial extent of an existing REG asset and/or activity as defined in any applicable resource consent(s) including all supporting infrastructure and ancillary REG activities.</i>	Scope and definitions	<b>Change</b> 6. Amend the proposal to remove the definition of 'environmental footprint'.	A definition of environmental footprint is not needed as the definition of 'existing REG site' (D8) fulfils the intended purpose.	<b>Agreed with recommendation</b>
<b>D7 Existing renewable electricity generation assets (existing REG assets)</b>	Introduce a new definition that: 1) <i>means REG assets that, at a time a decision is made, are already:</i> a) <i>lawfully established and constructed; or</i> b) <i>authorised by an unimplemented resource consent or designation that has not lapsed.</i>	Scope and definitions	<b>Change</b> 7. Amend the proposal definition of 'existing renewable electricity generation assets' to ensure: a. It applies to 'existing REG activities' and 'existing REG assets' b. It also includes any other authorisation (eg, designations, fast-track approvals, permitted activities) that may have been given.	The intent is to ensure all lawfully established 'existing REG assets' and 'existing REG activities' are captured in the one definition.  The definition is used in proposed amendments to policies B, D, proposed Policies P3 and P4 mainly on protecting and consenting, upgrading and repowering 'existing REG assets'.	<b>Agreed with recommendation</b>
<b>D8 Existing renewable electricity generation site (existing REG site)</b>	Introduce a new definition that: <i>means the site or sites as defined in any applicable resource consent(s) used for REG assets to generate, store and convey electricity as applicable, including all supporting infrastructure and ancillary REG activities.</i>	Scope and definitions	<b>Change</b> 8. Amend the proposal definition of 'existing renewable electricity generation site' to ensure it includes any other authorisation (eg, designations, fast-track approvals, permitted activities) that may have been given (in addition to resource consents).	The intent is to define the site in which 'existing REG assets' are located and in which 'existing REG activities' take place.  The definition is used in proposed Policy P4 on consenting, upgrading and repowering 'existing REG assets'.	<b>Agreed with recommendation</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NPS-REG			
Definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>D9 Functional need</b>	Introduce a new definition that: <i>means 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>	Scope and definitions	<b>No change</b> 9. Retain the proposal definition of 'functional need'.	The definition of 'functional need' is included in the National Planning Standards 2019.	<b>Agreed with recommendation</b>
<b>D10 Operational need</b>	Introduce a new definition that: <i>means 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>	Scope and definitions	<b>No change</b> 10. Retain the proposal definition of 'operational need'.	This definition of 'operational need' is included in the National Planning Standards 2019.	<b>Agreed with recommendation</b>
<b>D11 Renewable electricity generation (REG)</b>	Amend the definition to: <i>means the generation of electricity from renewable energy sources from solar, wind, water, geothermal, biomass, tidal, wave, or ocean current energy sources.</i>	Scope and definitions	<b>Change</b> 11. Amend the proposal to remove the proposed amendment to the definition of 'renewable electricity generation'.	The intent is to revert back to the existing definition of 'renewable electricity generation' in NPS-REG 2011, which will ensure alignment with the definition of 'specified energy activity' in the Resource Management (Consenting and Other System Changes) Amendment Act 2025.	<b>Agreed with recommendation</b>
<b>D12 Renewable electricity generation activities (REG activities)</b>	Amend the definition to: <i>Means:</i> a) <i>the investigation, construction, operation, maintenance, upgrade, repowering and decommissioning of REG assets;</i> b) <i>the storage of generated electricity;</i> c) <i>the conveyance of generated electricity to electricity networks or directly to end users; and</i>	Scope and definitions	<b>Change</b> 12. Amend the proposal definition of 'renewable electricity generation activities' to: a. ensure it covers the full range of activities involved in the life cycle of REG assets b. clarify the storage of electricity can be anywhere in the electricity network.	This definition is used throughout the NPS-REG, so the intent is to: <ul style="list-style-type: none"> <li>cover the full range of activities involved in the life cycle of 'REG assets' in the definition such as monitoring and removal, for the avoidance of doubt</li> <li>clarify the situations where electricity is stored to be anywhere in the electricity network.</li> </ul>	<b>Agreed with recommendation</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NPS-REG			
Definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>d) <i>all relevant ancillary REG activities associated with REG assets; but</i></p> <p>e) <i>does not include electricity network assets owned and operated by Transpower NZ Limited or an electricity distributor.</i></p>				
<b>D13 Renewable electricity generation assets (REG assets)</b>	<p>Introduce a new definition that:</p> <p><i>means the physical components and structures for renewable electricity generation and includes:</i></p> <p>a) <i>the supporting infrastructure and assets required to generate and store electricity, such as monitoring equipment, cabling, access tracks and roads; and</i></p> <p>b) <i>the infrastructure required to convey generated electricity to electricity networks or directly to end users.</i></p>	Scope and definitions	<p><b>Change</b></p> <p>13. Amend the proposal definition of 'renewable electricity generation assets' to ensure it includes:</p> <p>a. infrastructure required for 'ancillary REG assets'</p> <p>b. the infrastructure to convey both generated and stored electricity.</p>	<p>The intent is to ensure all relevant REG assets and the conveyance of stored electricity are captured by the definition for the avoidance of doubt.</p> <p>The definition is used throughout the NPS-REG.</p>	<b>Agreed with recommendation</b>
<b>D14 Repowering</b>	<p>Introduce a new definition that:</p> <p><i>means in relation to existing REG assets generating electricity from wind or solar sources, the whole or partial replacement of REG assets within an existing REG site to increase generation output and/or extend the operational life of the REG asset.</i></p>	Scope and definitions	<p><b>Change</b></p> <p>14. Amend the proposal definition of 'repowering' to ensure that increased maximum generation capacity is included.</p>	<p>The intent is to ensure that repowering can increase the maximum generation capacity of wind and solar assets (as well as increase generation output – which varies from day to day, eg, when wind is blowing).</p> <p>The definition is used in proposed Policy P4 on consenting, upgrading and repowering 'existing REG assets'.</p>	<b>Agreed with recommendation</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NPS-REG			
Definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>D15 Resilience of renewable electricity generation assets</b>	Introduce a new definition that: <i>means the capacity of REG assets to absorb a shock, including from natural hazards, recover from the disruption, adapt to changing conditions, including climate change, and retain a similar level of essential service as before, even if that means delivering an infrastructure service in a new or different way.</i>	Scope and definitions	<b>Change</b> 15. Amend the proposal definition of 'resilience of renewable electricity generation assets' to recognise that 'a similar level of essential service' may not be possible where managed retreat occurs.	The intent is to ensure that planning decisions on 'existing REG assets' that consider resilience do not constrain the managed retreat of those assets if that is needed. Resilience also plays a role in defining the benefits of the NPS-REG (Policy A) and is one part of the NPS-REG objective to be achieved.  The current proposed definition refers to retaining 'a similar level of essential service as before', which may not be possible where managed retreat occurs.	<b>Agreed with recommendation</b>
<b>D16 Reverse sensitivity</b>	Introduce a new definition that: <i>means in relation to REG, the vulnerability of existing REG assets to complaint, burden, or constraint from a new or more intensive activity proposed or located near existing REG assets.</i>	Scope and definitions	<b>Change</b> 16. Amend the proposal to remove the proposed inclusion of a definition of 'reverse sensitivity'.	The term is well established through case law and does not require further definition in the NPS-REG. Further definition risks creating uncertainty.	<b>Agreed with recommendation</b>
<b>D17 Small-scale renewable electricity generation (small-scale REG)</b>	Amend the definition of 'small and community-scale distributed electricity generation' to 'small-scale REG' that: <i>means renewable electricity generation where the primary purpose is to provide electricity for on-site use at an individual site or landholder level.</i>	Scope and definitions	<b>Change</b> 17. Amend the proposal definition of 'small-scale renewable electricity generation' to ensure that telecommunication facilities are included in the definition.	The intent of the change to NPS-REG is to align policy with the proposed changes to the National Environmental Standards for Telecommunication Facilities policy to enable renewable backup generation for telecommunication facilities.  The intent of the definition is to be clear that the coverage of the NPS-REG applies equally to 'small-scale REG' and grid-scale REG.	<b>Agreed with recommendation</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NPS-REG			
Definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>D18 Upgrading</b>	Introduce a new definition that: <i>means in relation to existing REG activities, increasing the capacity, efficiency, safety, security, resilience or longevity of the existing REG assets.</i>	Scope and definitions	<b>Change</b> 18. Amend the proposal definition of 'upgrading' to ensure that it includes increasing the reliability or flexibility of 'existing REG assets'.	The intent of the additions is to ensure the definition is comprehensive and covers all the possible reasons for undertaking an upgrade.  The definition is used in proposed Policy P4 on consenting, upgrading and repowering 'existing REG assets'.	<b>Agreed with recommendation</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NPS-REG			
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>Objective</b>	Amend the current NPS-REG 2011 objective to: 1) <i>Renewable electricity generated in New Zealand:</i> a) <i>increases in a rate and manner necessary to support the achievement of New Zealand's emission reduction and energy targets and associated plans under the Climate Change Response Act 2002;</i> b) <i>provides greater resilience to disruptions to electricity supply;</i> c) <i>provides for the social, economic and cultural well-being of people and communities, and for their health and safety; while managing the adverse effects of REG activities.</i>	Objective	<b>Change</b> 19. Amend the proposal to change the objective to ensure that it achieves the intent of the proposal and provides for: a. the national significance of REG and its national, regional and local benefits b. the maintenance and increase of REG capacity and output, and avoids losses c. security of electricity supply and resilience for all people and communities (part b) d. protection of REG from adverse effects of other activities.	The intent is that the proposed amendments to the objective cover the range of policies proposed under the NPS-REG and the outcomes it seeks to achieve, and is sufficiently specific to avoid doubt. The intent is also to align the level of drafting detail with the level of detail of the proposed objectives in NPS-I and NPS-EN.	<b>Agreed with recommendation</b>

## GENERAL POLICIES TO IMPLEMENT THIS NATIONAL POLICY STATEMENT

### Amendments to existing policies

#### NOTIFIED PROPOSAL

#### RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NPS-REG

Clauses	Proposed provisions	Topic	Recommendations	Reason for recommendations	Minister's decision
<b>Policy A</b>  <b>National significance and benefits of renewable electricity generation</b>	<p><i>Amend policy A as follows:</i></p> <p><i>a) Decision-makers must recognise and provide for the national significance and benefits of REG activities at a national, regional and local scale. The benefits of REG activities, include, but are not limited to:</i></p> <p><i>i. avoiding and reducing greenhouse gas emissions to provide positive effects for people, communities and the environment;</i></p> <p><i>ii. contributing to the security, resilience and independence of electricity supply at national, regional and local levels through diverse REG sources and locations;</i></p> <p><i>iii. providing for the social, economic and cultural well-being of people and communities and for their health and safety;</i></p> <p><i>iv. increasing resilience and long-term stability by using renewable rather than finite sources of energy;</i></p> <p><i>v. avoiding reliance on imported fossil fuels for the purposes of generating electricity; and</i></p>	National significance and benefits	<p><b>Change</b></p> <p>20. Amend the proposal to change Policy A to include:</p> <p>a. all benefits in the proposed provision in one list at the same level, and ensure each benefit listed is a distinct topic</p> <p>b. displacing greenhouse gas emissions (part (a)(i)).</p> <p>c. electricity storage in diverse locations (part (a)(ii)).</p> <p>d. not using domestic and imported fossil fuels (part (a)(v)).</p>	<p>The intent is to have both a comprehensive coverage and a precise list of benefits for ease of use.</p> <p>Displacing greenhouse gas emissions is in the existing NPS-REG 2011 and is proposed to be retained in amended NPS-REG.</p> <p>While the benefits of not using imported fossil fuels were captured, the benefits of not using domestic fossil fuels were not.</p> <p>Given the increasing importance of electricity storage, it is recommended to explicitly include it.</p>	<b>Agreed with recommendation</b>



## GENERAL POLICIES TO IMPLEMENT THIS NATIONAL POLICY STATEMENT

### Amendments to existing policies

#### NOTIFIED PROPOSAL

#### RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NPS-REG

Clauses	Proposed provisions	Topic	Recommendations	Reason for recommendations	Minister's decision
	<p>vi. <i>the temporary and reversible adverse effects of some REG technologies on the environment.</i></p> <p>b) <i>The additional benefits of REG activities that are:</i></p> <p>i. <i>located close to electricity demand and electricity networks, such as reduced electricity losses, economic efficiencies and environmental benefits;</i></p> <p>ii. <i>co-located with other appropriate REG activities and assets and other appropriate infrastructure and activities; and</i></p> <p>iii. <i>located where adverse effects on other activities are minimised.</i></p>				
<b>Policy B</b> <b>Considering cumulative gains and losses of renewable electricity generation capacity</b>	<p>Amend policy B as follows:</p> <p>1) <i>Decision-makers on REG activities must recognise and provide for the importance of:</i></p> <p>a) <i>enabling cumulative increases of REG output at any scale and any location, including small-scale and community-scale REG activities; and</i></p> <p>b) <i>avoiding, where practicable, any loss of REG output from a region, district or existing REG assets.</i></p>	Cumulative gains and losses of REG	<b>Change</b>	The intent is to ensure the policy is sufficiently comprehensive and also clear for decision-makers. Inclusion of the reference to all decisions would require decision-makers to consider the listed matters for decisions on consents and designations as well as on policy statements and plans.	<b>Agreed with recommendation</b>

## GENERAL POLICIES TO IMPLEMENT THIS NATIONAL POLICY STATEMENT

### Amendments to existing policies

#### NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NPS-REG					
Clauses	Proposed provisions	Topic	Recommendations	Reason for recommendations	Minister's decision
	<i>c) When making decisions on policy statements and plans, decision-makers must have regard to a reduction in the potential utilisation of renewable electricity resources from inappropriate subdivision, use and development.</i>		21. Amend the proposal to change: a. Policy B(1) to include reference to: i. 'REG activities' and 'REG assets' ii. 'REG capacity' and 'REG output' iii. overall or cumulative losses of REG capacity or output b. Policy B(2) to include all decisions made by decision-makers.		
<b>Policy C1</b> <b>Operational need or functional need for REG activities to be in particular environments</b>	Amend policy C1 as follows: 1) <i>Decision-makers must recognise and provide for REG activities that have an operational need or functional need to be in particular environments.</i> 2) <i>Decision-makers must recognise that the operational need or functional need of REG activities includes the need to:</i> a) <i>be located where a renewable resource is located and available at a viable scale and quality to sustain the REG activity;</i> b) <i>be accessible to electricity networks and nearby to electricity demand; and</i> c) <i>have sufficient and accessible land available to support all associated</i>	Operational and functional need	<b>Change</b> 22. Amend the proposal to change: a. Policy C1(1) to ensure that it applies to 'REG assets' and 'REG activities' b. Policy C1(2) to include: i. the need to connect to electricity networks (part b) ii. future REG activities limited to those that are reasonably foreseeable (part c) c. the NPS-REG to make it clear that an assessment of alternative sites is not required in demonstrating	The intent is that: • the 'functional need' and 'operational need' of both REG assets and REG activities are covered • wording from the existing NPS-REG 2011 on the need to connect to electricity networks is retained • decision-makers are not unreasonably held to account for future REG activities they could not foresee • clarification is provided that applicants do not need to assess alternative sites as part of demonstrating that an 'operational	<b>Agreed with recommendation</b>

## GENERAL POLICIES TO IMPLEMENT THIS NATIONAL POLICY STATEMENT

### Amendments to existing policies

#### NOTIFIED PROPOSAL

#### RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NPS-REG

Clauses	Proposed provisions	Topic	Recommendations	Reason for recommendations	Minister's decision
	<i>current and future REG activities at that particular location.</i>		that a 'functional need' or 'operational need' exists  d. Policy C1 to make it clear that an assessment of alternative sites is not required in demonstrating that a 'functional need' or 'operational need' exists.	need' or 'functional need' exists. This does not limit any need to assess alternative sites as part of an environmental assessment under Schedule 4 of the RMA.	
<b>Policy D</b> <b>Protecting existing REG assets from other activities</b>	Amend policy D as follows: <i>Decision-makers must protect existing REG assets from the adverse effects of new activities near those assets, including by avoiding reverse sensitivity effects to the extent reasonably possible.</i>	Protecting existing REG assets	<b>Change</b> 23. Amend the proposal to change Policy D to:  a. ensure lawful 'REG activities' and 'REG assets' are protected  b. make clear that only the effects from other nearby activities that will affect 'REG assets' and 'REG activities' need to be protected from (rather than all effects).	The intent is to clarify the application of the policy.	<b>Agreed with recommendation</b>
<b>Policy F</b> <b>Small-scale and community-scale REG activities</b>	Amend policy F as follows: <i>Decision-makers must recognise and provide for small-scale and community-scale REG activities.</i>	Small and community-scale REG	<b>Change</b> 24. Amend the proposal to change Policy F and other parts of the NPS-REG to clarify that 'small-scale REG' and 'community-scale REG' assets and activities are to have the same level of enablement in the NPS-REG as other REG.	The intent is to clarify the weight given to small-scale REG and community-scale REG assets and activities is the same as that given to grid-scale REG.	<b>Agreed with recommendation</b>

## GENERAL POLICIES TO IMPLEMENT THIS NATIONAL POLICY STATEMENT

### New policies

#### NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NPS-REG					
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>P1</b> <b>Policies related to Māori interests</b>	<p>Introduce a new policy as follows:</p> <p>1) <i>Decision-makers on resource consents, notice of requirements and private plan changes must recognise and provide for Māori interests in relation to REG activities, including by:</i></p> <p>a) <i>taking into account the outcome of any engagement with tangata whenua in the preparation of a resource consent, notice of requirements or private plan change;</i></p> <p>b) <i>recognising the opportunities tangata whenua may have in developing and operating their own REG activities at any scale or in partnership;</i></p> <p>c) <i>providing opportunities for tangata whenua involvement in appropriate circumstances, in relation to sites of significance to Māori and issues of cultural significance;</i></p> <p>d) <i>operating in a way that is consistent with iwi participation legislation (as defined in section 58L of the RMA).</i></p>	Māori interests	<p><b>Change</b></p> <p>25. Amend the proposal by removing the qualifier 'in appropriate circumstances' (part c).</p>	The intent is to remove uncertainty as to what 'appropriate circumstances' would be.	<b>Agreed with recommendation</b>

## POLICIES FOR ENABLING REG ACTIVITIES WHILE MANAGING ADVERSE EFFECTS ON THE ENVIRONMENT

### New policies

#### NOTIFIED PROPOSAL

#### RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NPS-REG

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>P2</b> <b>Enabling REG activities</b>	Introduce a new policy as follows:  1) <i>Decision-makers must enable REG activities, provided that adverse effects on environmental values not in section 6 of the RMA or covered by national direction are avoided where practicable, remedied where practicable, or mitigated where practicable.</i>	Enabling REG and effects management	<b>Change</b>  26. Amend the proposal to include a new policy for enabling REG activities to:  a. separate the policy into two parts – enabling policy and effects management  b. for the enabling part of the policy, retain the use of adaptive management measures from Policy C1 e) of the existing NPS-REG 2011  c. for the effects management part of the policy, retain Policy C2 of existing NPS-REG 2011 on offsetting and compensation measures.	The intent is to retain aspects of the existing NPS-REG 2011 that were not in the proposals consulted on, as submitters said they are useful. These are:  • Policy C1 e) – “Decision-makers shall have particular regard to ... adaptive management measures”  • Policy C2 – “When considering any residual environmental effects of renewable electricity generation activities that cannot be avoided, remedied or mitigated, decision-makers shall have regard to offsetting measures or environmental compensation including measures or compensation which benefit the local environment and community affected”.	<b>Agreed with recommendation</b>

## POLICIES FOR ENABLING AND PROTECTING EXISTING REG ASSETS

### New policies

#### NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NPS-REG					
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>P3</b> <b>Providing for the operation and maintenance of existing REG assets</b>	Introduce a new policy as follows: <i>Decision-makers must enable the operation and maintenance of existing REG assets, including all relevant ancillary activities and infrastructure.</i>	Existing REG assets	<b>Change</b> 27. Amend the proposal to include a new policy for providing for the operation and maintenance of existing 'REG activities' and 'REG assets'.	The intent is to ensure the policy covers REG activities associated with the operation and maintenance of REG assets.	<b>Agreed with recommendation</b>
<b>P4</b> <b>Reconsenting, upgrading and repowering existing REG assets</b>	Introduce a new policy as follows: 1) <i>Decision-makers on the reconsenting, upgrading and repowering of existing REG assets must:</i> a) <i>have particular regard to the efficiencies and environmental benefits of increasing REG output within the same or similar environmental footprint;</i> b) <i>only consider the extent to which the effects of the proposed REG activity are different in scale, intensity, duration and frequency from the effects of existing REG assets; and</i> c) <i>seek to provide flexibility for changes in consent conditions to enable the upgrading of existing REG assets to adapt to new technologies to increase REG output and improve resilience.</i>	Existing REG assets	<b>Change</b> 28. Amend the proposed new policy for reconsenting, upgrading and repowering 'existing REG assets' to: a. include 'REG activities' and 'REG assets' b. include 'REG capacity' and 'REG output' c. change the reference to 'environmental footprint' to 'REG site' in part a) d. remove 'only consider' from part b) and replace with 'take into account' so that decision-makers can take into account the effects of the proposed REG compared with the existing REG and continue to manage all relevant effects e. remove 'seek to' from part c) f. direct that 'existing REG assets' be recognised as being part of the existing environment.	The intent is to ensure that for reconsenting, upgrading and repowering of existing REG assets, the policy is: <ul style="list-style-type: none"><li>comprehensive to cover REG assets and activities, and REG output</li><li>that decision-makers recognise that existing REG assets are part of the existing environment, but they can still consider managing all relevant effects appropriately, including matters such as the effects of climate change or cumulative effects</li><li>clear and certain.</li></ul>	<b>Agreed with recommendation</b>

## IMPLEMENTATION MEASURES

The following proposals outline requirements for local authorities to give effect to the proposals in this National Policy Statement. This is not intended to be an exhaustive list and would not limit the general obligation under the RMA 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

### NOTIFIED PROPOSAL

### RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NPS-REG

Implementation measure	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>IM1 Giving effect to the NPS-REG 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 the resource management reform programme, it is not proposed to require local authorities to change their regional policy statements or plans within a fixed time frame. Instead, the general RMA requirements for planning documents to give effect to national direction will continue to apply and may be triggered in instances where a local authority undertakes a plan change or processes a private plan change request, or for changes to a regional policy statement.</p>	Other issues	No decision required.	<p>Implementation of national policy statements is set out in section 55 of the RMA and no specific decision is required.</p> <p>This provision was provided for information during the proposal notification to signal how it would be implemented.</p> <p>Part C implementation contains more detailed information about proposed implementation.</p>	<b>Agreed with recommendation</b>

Matters to be considered by decision-makers on resource consent applications and notice of requirements

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NPS-REG

Implementation measure	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>Relevance of NPS-REG objectives and policies to decisions on resource consent applications and notice of requirements</b>	<p>When the NPS-REG 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>	Other issues	No decision required.	<p>This provision was provided for information during the proposal notification to signal how it would be implemented.</p> <p>Part C implementation contains more detailed information about proposed implementation.</p>	N/A

Implementation timeframes

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NPS-REG

Timeframe proposed	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>IT1 Resource consent and notice of requirements decision-making</b>	The NPS-REG is proposed to take immediate effect and decision-makers must have regard to its objectives and policies when making decisions on resource consent applications and notice of requirements from day 1.	Other issues	No decision required.	<p>This provision was provided for information during the proposal notification to signal how it would be implemented.</p> <p>Part C implementation contains more detailed information about proposed implementation.</p>	N/A
<b>IT2 Given effect to in plans</b>	When objectives and policies are given effect to in regional policy statements and RMA plans, a Schedule 1 process for plan changes must be used (timeframe TBC in alignment with wider national direction package).	Other issues	No decision required.	<p>This provision was provided for information during the proposal notification to signal how it would be implemented.</p> <p>Part C implementation contains more detailed information about proposed implementation.</p>	N/A



# Consolidated recommendations and decisions – Amendments to the National Policy Statement on Electricity Transmission 2008

## Recommendations and decisions in relation to notified proposed provisions

The following recommendations were made in response to matters raised through submissions and in officials' overall assessment of the proposal.

The proposal section of this table includes the proposed provisions published in: Ministry for the Environment. 2025. *Package 1: Infrastructure and development – Discussion document*. The recommendations section includes recommended changes to the notified proposal and specifies reasons for recommended changes. Reference to 'no change' means a recommendation to retain the proposal as notified, whereas 'change' indicates a recommendation to change the notified proposal.

The final text of the instrument may vary from officials' recommendations as a result of legal drafting conventions.

All provisions in the existing National Policy Statement on Electricity Transmission 2008 (NPS-ET) will be replaced by the proposed amendments, other than provisions (in whole or in part) re-introduced in response to submissions.

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NPS-ET			
Application	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>Where is it intended to apply?</b>	<p>The proposed National Policy Statement for Electricity Networks (NPS-EN) is proposed to continue to apply to the whole of New Zealand.</p> <p>The scope of the National Policy Statement on Electricity Transmission 2008 (NPS-ET) is proposed to be expanded to include electricity distribution and will be renamed the NPS-EN.</p>	Scope and definitions	<p><b>No change</b></p> <ol style="list-style-type: none"> <li>1. Rename the National Policy Statement on Electricity Transmission as the National Policy Statement for Electricity Networks.</li> <li>2. Retain the proposed application of the National Policy Statement for Electricity Networks (NPS-EN) to all electricity network activities and ancillary electricity network activities as outlined in the proposal.</li> </ol>	Most submitters supported the proposed application of the NPS-EN and supported the expanded NPS-EN scope to include electricity distribution.	<b>Agreed with recommendation</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NPS-ET			
Definitions/ interpretation	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>D1 Act</b>	<i>means the Resource Management Act 1991.</i>	Scope and definitions	<b>No change</b> 3. Retain the proposal definition of 'Act'.	Retains a consistent approach to terms and references used across national direction.	<b>Agreed with recommendation</b>
<b>D2 Ancillary electricity network activities (ancillary EN activities)</b>	Introduce a definition for 'ancillary EN activities' that: <i>means all supporting and subsidiary activities needed to provide the operation, maintenance and upgrading of the EN, including but not limited to vegetation clearance, tree trimming, earthworks, the construction, maintenance and upgrading of access tracks and accessways, power supply, and telecommunications.</i>	Scope and definitions	<b>No change</b> 4. Retain the proposal definition of 'ancillary electricity network activities' in this proposal.	This definition expands on the National Planning Standards 2019 definition for 'ancillary activities', providing an inclusive list of likely ancillary EN activities.	<b>Agreed with recommendation</b>
<b>D3 Customer Driven Projects</b>	Introduce a definition for 'customer driven projects' that: <i>means ETN or EDN activities that a third party other than Transpower New Zealand Limited or an electricity distribution business has requested be carried out, such as new connections to electricity generation or demand, or relocation or undergrounding of assets in order to enable urban or infrastructure development, excluding new connections to electricity generation that are managed under the National Policy Statement for Renewable Electricity Generation (NPS-REG).</i>	Scope and definitions	<b>Change</b> 5. Remove this definition from the proposal.	This definition is no longer required as the number of works categories has been reduced and these activities will be included in the 'non-routine electricity network activities' definition.	<b>Agreed with recommendation</b>
<b>D4 Decision-makers</b>	Amend the definition: <i>means all those persons making planning decisions under this National Policy Statement.</i>	Scope and definitions	<b>Change</b> 6. Amend the proposal definition of 'decision-makers' to mean 'any person exercising	Retains a consistent approach to terms and references used across the suite of national direction.	<b>Agreed with recommendation</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NPS-ET			
Definitions/ interpretation	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			functions or powers under the Act'.	This term is used in other national direction (eg, the NPS-UD).	
<b>D5 Electricity distribution network (EDN)</b>	Introduce a definition that: <i>means any part of the electricity network that is controlled by a person or body who is both an electricity distributor and an electricity operator because those terms are defined in section 2 of the Electricity Act 1992; and does not include the electricity transmission network (as defined below).</i>	Scope and definitions	<b>Change</b> 7. Amend the proposal definition of 'electricity distribution network' to include specific references to the distribution network, consistent with the definition of 'electricity transmission network'.	This definition specifies the distribution network and is consistent with the level of detail in the proposed definition for 'electricity transmission network' (D7).	<b>Agreed with recommendation</b>
<b>D6 Electricity network (EN)</b>	Introduce a definition that: <i>means the electricity transmission network and the electricity distribution network.</i>	Scope and definitions	<b>No change</b> 8. Retain the proposal definition of 'electricity network'.	This definition clarifies that the electricity network comprises the transmission and distribution networks.	<b>Agreed with recommendation</b>
<b>D7 Electricity transmission network (ETN)</b>	Introduce a definition that: <i>means all parts of the National Grid of electricity transmission that:</i> <i>a) comprise the network of transmission lines, and cables (aerial, underground, and submarine, including the high-voltage direct current link), stations, and substations, facilities and works, and all ancillary activities, and other works used to connect grid injection points and grid exit points to convey electricity;</i> <i>b) is owned or used by Transpower New Zealand Limited; and</i> <i>c) is commonly known as the National Grid.</i>	Scope and definitions	<b>Change</b> 9. Amend the proposal definition of 'electricity transmission network' to modify the head clause to refer to the 'electricity transmission network' only.	The minor change to delete the term 'National Grid' in the head clause is recommended because the term 'electricity transmission network' is used in the proposed NPS-EN and proposed National Environmental Standards for Electricity Network Activities (NES-ENA). Reference to the 'National Grid' in clause c) is retained for clarification.	<b>Agreed with recommendation</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NPS-ET			
Definitions/ interpretation	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>D8 Electricity network activities (EN activities)</b>	Introduce a definition that: <i>means the construction, operation, maintenance, development, upgrade, replacement, decommissioning or removal of electricity network assets and all ancillary activities, unless otherwise specified.</i>	Scope and definitions	<b>Change</b> 10. Amend the proposal definition of 'electricity network activities' by deleting 'unless otherwise specified'.	Minor amendment to create greater certainty in the definition.	<b>Agreed with recommendation</b>
<b>D9 Electricity network assets (EN assets)</b>	Introduce a definition that: <i>means the physical components of EN and all ancillary activities, such as access tracks.</i>	Scope and definitions	<b>No change</b> 11. Retain the proposal definition of 'electricity network assets'.	The intent is for the definition to capture the electricity network and 'ancillary EN activities' (as in definition D2 for 'ancillary EN activities').  Submitters requested greater detail (eg, including associated telecommunications assets). However, these are included within the definition of 'ancillary EN activities' (D2).	<b>Agreed with recommendation</b>
<b>D10 Electricity network development activities (EN development activities)</b>	Introduce a definition that: <i>means</i> a) <i>the construction of new EN assets that is not carried out on or related to EN lines, or cables, or at substation sites, that exist at the time of construction; or</i> b) <i>customer driven projects.</i>	Scope and definitions	<b>Change</b> 12. Remove the definition of 'electricity network development activities' and merge clause (a) into the definition of 'non-routine activities'.	The proposed definition is no longer required as the relevant part of this definition can be merged with the definition of 'non-routine activities' and the 'customer driven projects' definition is proposed to be deleted.	<b>Agreed with recommendation</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NPS-ET			
Definitions/ interpretation	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>D11 Electricity network line (EN line)</b>	Introduce a definition that: <i>means EN assets used for, or associated with, the overhead, underground or submarine transmission or distribution of electricity in the EN and:</i> a) <i>includes transmission line support structures, telecommunication cables, and telecommunication devices; but</i> b) <i>does not include an EN substation.</i>	Scope and definitions	<b>Change</b> 13. Amend the proposal definition of 'electricity network line' to: a. include reference to distribution lines in a); and b. clarify coverage of lines attached to a bridge or other structures.	Minor change to the definition to ensure it covers all aspects of distribution and transmission lines, including where they are attached to other structures.	<b>Agreed with recommendation</b>
<b>D12 Functional need</b>	Introduce a definition that: <i>means 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>	Scope and definitions	<b>No change</b> 14. Retain the proposal definition of 'functional need'.	This definition is from the National Planning Standards 2019.	<b>Agreed with recommendation</b>
<b>D13 Non-routine electricity network activities (non-routine EN activities)</b>	Introduce a definition that: <i>means the upgrade, rebuilding or replacement of, or changes to, EN assets, or other EN activities, where the upgrade, rebuilding, replacement or change, or activity is not defined as a routine EN activity.</i>	Scope and definitions	<b>Change</b> 15. Amend the proposal definition of 'non-routine electricity network activities' to provide a single definition for the upgrade and development of new EN assets that are not considered 'routine activities' by merging this definition with D10 'electricity network development activities', except for removing the reference to 'customer driven projects'.	This definition is proposed to be amended to capture all work that is not included in the 'routine electricity network activities' definition. This includes major upgrades where there may be significant adverse effects, and the construction of new EN assets not carried out on or related to EN lines, or cables, or substation sites, that exist at the time of construction.  The range of works categories has been reduced to 'routine' and 'non-routine' to simplify application and provide more specificity.	<b>Agreed with recommendation</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NPS-ET			
Definitions/ interpretation	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>D14 NZECP 34:2001</b>	Introduce a definition that: <i>means the New Zealand Electrical Code of Practice for Electrical Safe Distances (2001)</i>	Scope and definitions	<b>Change</b> 16. Remove the proposal definition of 'NZECP 34:2001'.	The proposed definition is no longer required as the reference to NZECP 34:2001 is proposed to be removed from Policy 10.	<b>Agreed with recommendation</b>
<b>D15 Operational need</b>	Introduce a definition that: <i>means 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 (National Planning Standards definition).</i>	Scope and definitions	<b>No change</b> 17. Retain the proposal definition of 'operational need'.	This definition is from the National Planning Standards 2019.	<b>Agreed with recommendation</b>
<b>D16 Planning decision</b>	Introduce a definition that: <i>means a decision on any of the following:</i> a) <i>a regional policy statement or proposed regional policy statement;</i> b) <i>a regional plan or proposed regional plan;</i> c) <i>a district plan or proposed district plan;</i> d) <i>a resource consent;</i> e) <i>a designation;</i> f) <i>a heritage order;</i> g) <i>a water conservation order;</i> h) <i>a change to a plan requested under Part 2 of Schedule 1 of the Act.</i>	Scope and definitions	<b>Change</b> 18. Amend the proposal definition of 'planning decision' to ensure the language reflects plan change, consenting and designations by referring to both decisions and recommendations.	Minor change to reflect the different decision-making processes in the RMA. In their role as consent authorities, local authorities make recommendations, not decisions, on notices of requirements issued by a requiring authority.	<b>Agreed with recommendation</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NPS-ET			
Definitions/ interpretation	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>D17 Electricity network resilience (EN resilience)</b>	Introduce a definition that: <i>means 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 an appropriate level of service, even if that means delivering an infrastructure service in a new or different way, or at a reduced level of service.</i>	Scope and definitions	<b>Change</b> 19. Amend the proposal definition of 'electricity network resilience' to ensure the definition doesn't unintentionally constrain decisions to reduce service levels where this is necessary to support managed retreat.	This definition refers to retaining 'an appropriate level of service', which may not be possible where managed retreat occurs. To address this, the definition requires amendment to clarify that resilience might not mean maintaining the status quo in terms of service and that the EN operator may determine the required level of service, in accordance with legislation for the supply of electricity.	<b>Agreed with recommendation</b>
<b>D18 Routine electricity network activities (routine EN activities)</b>	Introduce a definition that: <i>means that:</i> a) <i>activities required for, or associated with, the operation or maintenance of existing EN assets or;</i> b) <i>implements the modern equivalent, substitute, or replacement of the existing EN assets that may not be 'like for like'; or</i> c) <i>maintenance and upgrades of existing EN assets necessary to continue to deliver the same or a similar level of service or to improve resilience; or</i> d) <i>other upgrades of existing EN assets where the upgrade or other change will, once the activity is complete, have no more than minor adverse effects on the environment; or</i>	Scope and definitions	<b>Change</b> 20. Amend the proposal definition of 'routine EN activities' to: a. include additional limitations on the resilient activities captured by the definition to ensure it does not include an activity with significant adverse effects b. make the definition more specific by deleting expansive qualifiers such as 'or other change' c. delete consideration of effects and add that upgrades should not result in a change to the nature, scale or intensity of the	This definition supports the interpretation of Policy 6 and the management of adverse effects from EN activities on existing infrastructure through the NES-ENA. Many submitters noted that the inclusion of an assessment of effects ('no more than minor') in a definition created uncertainty and they requested greater specificity due to the enabling of routine activities in areas with section 6 RMA values under Policy 6.  Some EN activities to support resilience could have significant adverse effects and do not fall within the range of regular	<b>Agreed with recommendation</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NPS-ET			
Definitions/ interpretation	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>e) <i>the removal, decommissioning or dismantling of EN assets; and</i></p> <p>f) <i>all relevant ancillary activities, such as vegetation clearance, tree trimming, and creating, maintaining and improving access tracks and accessways to EN assets; and</i></p> <p>g) <i>includes all activities regulated by the National Environmental Standards for Electricity Network Activities NES-ENA, including replacing structures, reconductoring, earthworks, altering or relocating of structures and undergrounding.</i></p>		<p>activity throughout the work, other than that provided for in clauses D18(b) and (c)</p> <p>d. refer to 'ancillary EN activities' to align with definition D2</p> <p>e. ensure the definition only captures EN activities that are permitted or controlled activities under the NES-ENA in D18 (g).</p>	<p>activities essential to operate and maintain the network.</p> <p>The deletion of 'once the activity is complete' is necessary to improve the legibility of D18 d). If retained, the term could be interpreted as meaning any level of adverse effect is acceptable during the works, provided it does not continue after the works are complete.</p> <p>The NES-ENA regulates a broad range of activities on existing EN lines. Some of these activities may have significant adverse effects and are not enabled by the regulations (eg, activities which breach electric and magnetic field limits and have a non-complying activity status as regulated by the NES-ENA).</p>	
<b>D19 Sensitive activities</b>	<p>Introduce a definition that:</p> <p><i>includes residential unit (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>	Scope and definitions	<p><b>Change</b></p> <p>21. Amend the proposal definition of sensitive activities to include a reference to papakāinga.</p>	<p>Local authorities must identify sensitive activities under Policy 10, to then manage effects on the EN and to manage any health and safety risks generated by EN.</p> <p>For the avoidance of doubt, the definition should include a reference to papakāinga as this is a specific residential activity and often adjoins marae.</p>	<b>Agreed with recommendation</b>



NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NPS-ET			
Definitions/ interpretation	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>D20 Upgrading</b>	Introduce a definition that: <i>means improving the capacity, level of service, efficiency, safety, security, resilience, effectiveness or longevity of existing EN assets and includes the replacement, renewal, addition, expansion and intensification of existing infrastructure.</i>	Scope and definitions	<b>No change</b> 22. Retain the proposal definition of 'upgrading'.	This definition clarifies the meaning of 'upgrading' EN infrastructure when referred to in NPS-EN policies and definitions. This definition retains the term 'improving' rather than replacing it with 'increasing' to allow for changes in service performance (eg, more reliability, fewer outages) to be included, rather than solely increasing capacity to meet higher levels of demand.	<b>Agreed with recommendation</b>
<b>D21 Well-being</b>	Introduce a definition that: <i>means the environmental, economic, social and cultural well-being of people and communities, and includes their health and safety.</i>	Scope and definitions	<b>Change</b> 23. Remove the proposal definition of well-being.	In the proposed NPS-EN policies, 'well-being' is referred to twice (see OB1 and P2). The term is well established and does not require further definition in the NPS-EN. The RMA consideration of well-being is referred to.	<b>Agreed with recommendation</b>

## PART 2: OBJECTIVES AND POLICIES

### NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NPS-ET					
Objectives	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>OB1</b>	<p>Amend the objective as follows:</p> <ol style="list-style-type: none"> <li>1) <i>The EN is developed, operated, maintained, upgraded, and protected in a manner that:</i> <ol style="list-style-type: none"> <li>a) <i>recognises and provides for its national significance;</i></li> <li>b) <i>secures the resilience of the EN, including in relation to the effects of natural hazards and climate change;</i></li> <li>c) <i>provides for the well-being and needs of present and future generations, including by increasing and improving the capacity and delivery of the EN over time;</i></li> <li>d) <i>recognises and provides for the role of the EN in achieving New Zealand's emissions reduction and renewable energy targets, and associated commitments in any relevant plan prepared under the Climate Change Response Act 2002;</i></li> <li>e) <i>manages adverse effects on the environment in a proportionate and cost-effective way; and</i></li> <li>f) <i>protects the EN from the adverse effects of other activities.</i></li> </ol> </li> </ol>	Objective	<p><b>Change</b></p> <p>24. Amend the proposal objective (OB1) to:</p> <ol style="list-style-type: none"> <li>a. align with the Part 2 RMA reference to social, economic and cultural well-being of people and communities, now and into the future</li> <li>b. replace reference to 'emissions reduction' with 'climate change mitigation'</li> <li>c. delete OB1 (e) and replace with new clause that the EN is delivered in a timely, efficient, and ongoing manner while managing adverse effects of the EN on the environment</li> <li>d. delete OB1 (f) and replace with new clause that avoids adverse effects of other activities on the EN.</li> </ol>	<p>The inclusion of 'social, economic and cultural wellbeing' is a minor change to ensure the objective aligns with the wording used in Part 2 of the RMA.</p> <p>Submitters, including Transpower, requested that the broader term 'climate change mitigation' is used, which includes emissions reduction.</p> <p>Many submitters, including councils, sought deletion of references to managing adverse effects in a 'proportionate and cost effective' manner. Submitters raised concerns that adverse effects would not be appropriately managed due to financial constraints.</p> <p>Some submitters, including Transpower, suggested direction to 'protect' the EN could be clarified and strengthened by using the term 'avoids adverse effects'. A few submitters noted that the term 'protect' is typically reserved for section 6 RMA values.</p>	<b>Agreed with recommendation</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NPS-ET			
Policies	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>P1 National significance and benefits of the electricity network</b>	<p>Amend policy 1 as follows:</p> <ol style="list-style-type: none"> <li>1) <i>Decision-makers on EN activities must recognise and provide for the national significance and benefits of the EN to be realised at national, regional and local scale.</i></li> <li>2) <i>Decision-makers must recognise that the benefits of the EN include, but are not limited to:</i> <ol style="list-style-type: none"> <li>a) <i>providing for the well-being of people and communities to meet the needs of present and future generations;</i></li> <li>b) <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>c) <i>providing safe, secure, reliable, and resilient electricity supply that is responsive to demand from homes, communities, and businesses at local, regional, and national levels;</i></li> <li>d) <i>efficient storage and transfer of electricity;</i></li> <li>e) <i>supporting reductions in greenhouse gas emissions and the electrification of the economy, including by:</i> <ol style="list-style-type: none"> <li>i) <i>facilitating new renewable electricity generation;</i></li> <li>ii) <i>increasing network capacity; and</i></li> <li>iii) <i>providing direct connections for industry;</i></li> </ol> </li> <li>f) <i>enhancing supply of electricity through the ETN through removing points of congestion.</i></li> </ol> </li> </ol>	National significance and benefits of infrastructure	<p><b>Change</b></p> <p>25. Amend the proposed policy on providing for the national significance and benefits of electricity networks (P1) to:</p> <ol style="list-style-type: none"> <li>a. add reference to 'the social, economic and cultural well-being of current and future generations'</li> <li>b. add the policy intent to provide for benefits relative to any localised adverse effects</li> <li>c. replace reference to 'greenhouse gas emissions' with 'climate change mitigation'</li> <li>d. add 'expanded or increased' generation in P1(2)(e)(i).</li> </ol>	<p>Proposed amendments to P1 2) a) are to align with Part 2 of the RMA. The benefits proposed extend to the network itself, communities and beyond, and to wider goals for climate change and electrification of the economy, recognising the critical role that EN plays.</p> <p>The inclusion of 'climate change mitigation' instead of 'greenhouse gas emissions' is a consequential amendment of the same change in the proposed objective.</p> <p>The addition of 'expanded or increased' ensures that upgrades and increases in capacity from existing generators are included, in addition to new generation.</p>	<b>Agreed with recommendation</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NPS-ET			
Policies	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<i>The above list of benefits is not intended to be exhaustive and a particular project or development may have other benefits.</i>				
<b>P2 Operational need or functional need for EN activities to be in particular locations and environments</b>	<p>Includes a new policy 2 as follows:</p> <ol style="list-style-type: none"> <li>1) <i>Planning decisions must recognise and provide for EN activities that have an operational need or functional need to be in particular environments, including in areas with section 6 RMA values, with unavoidable adverse effects on those environments.</i></li> <li>2) <i>Decision-makers shall recognise that the operational or functional need of EN activities may include:</i> <ol style="list-style-type: none"> <li>a) <i>the need for EN assets to convey electricity over long distances and in all locations and environments, including:</i> <ol style="list-style-type: none"> <li>i) <i>within and across urban and rural environments;</i></li> <li>ii) <i>within the coastal environment, including the coastal marine area;</i></li> <li>iii) <i>across jurisdictional boundaries within and across districts and regions; and</i></li> </ol> </li> <li>b) <i>the need for the EN to operate effectively and efficiently as an interconnected system across New Zealand;</i></li> <li>c) <i>the requirement for regular maintenance and upgrading of the EN due to its age, the need to improve resilience, and the need to increase capacity to meet increasing demand; and</i></li> </ol> </li> </ol>	Operational and functional needs	<p><b>Change</b></p> <p>26. Amend the proposed policy on operational or functional need (P2) to:</p> <ol style="list-style-type: none"> <li>a. clarify the intent that EN activities may not always have unavoidable adverse effects on the environment</li> <li>b. recognise the different operational needs and technical requirements and scale of the EDN and ETN.</li> <li>c. include a reference to EN that has a 'functional need' to locate in areas subject to natural hazard risk and recognise that Transpower and the EDN providers are best placed to determine and manage risk to EN assets.</li> </ol>	<p>Policy 2 should clarify that EN activities may not always have unavoidable adverse effects on environments, although this is a possibility, particularly for transmission (due to the scale and size of the assets). Accordingly, the policy should also refer to the different requirements of the ETN and EDN.</p> <p>Policy 2 should refer to the management of risk from natural hazards and climate change, recognising that there may be a functional requirement for EN infrastructure to locate or continue to operate and upgrade in proximity to the hazard (eg, in the coastal environment).</p>	<b>Agreed with recommendation</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NPS-ET			
Policies	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<i>d) the need for the EN to connect to electricity generation, and to respond to demand, wherever located.</i>				
<b>P3 Policies relating to Māori rights and interests</b>	<p>Include a new policy 3 as follows:</p> <p>1) <i>Decision-makers (and applicants, as appropriate) must recognise and provide for Māori interests in relation to EN activities, including by:</i></p> <p>a) <i>taking into account the outcomes of any engagement with tangata whenua on a resource consent, notice of requirement, or request for a private plan change, including through the site, route and method selection process;</i></p> <p>b) <i>recognising the opportunities tangata whenua may have in developing and operating their own distribution infrastructure at any scale or in partnership;</i></p> <p>c) <i>avoiding, where practicable, or otherwise mitigating, the adverse effects of EN activities on sites of significance to Māori;</i></p> <p>d) <i>operating in a way that is consistent with iwi participation legislation.</i></p>	Providing for Māori interests	<p><b>Change</b></p> <p>27. Amend the proposed policy on Māori interests (P3) to add a new clause that provides for tangata whenua involvement in EN activities that affect sites of significance to Māori and issues of cultural significance.</p>	Most submitters supported the inclusion of policy to address Māori interests and engagement. Policy 3 requires amendment to ensure that tangata whenua have the opportunity to be involved where EN activities impact sites of significance and issues of cultural significance. This amendment supports the direction of 'avoid where practicable, or otherwise mitigate' adverse effects by ensuring that opportunities for engagement occur prior to works being undertaken.	<b>Agreed with recommendation</b>

## SUBPART 2: POLICIES FOR ENABLING ELECTRICITY NETWORK ACTIVITIES WHILE MANAGING ADVERSE EFFECTS ON THE ENVIRONMENT

### NOTIFIED PROPOSAL

### RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NPS-ET

Clauses	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>P4 Identifying the location for EN activities and managing adverse effects through the route, site, and method selection process</b>	<p>Amend policy 4 as follows:</p> <p>1) <i>Decision-makers must:</i></p> <ul style="list-style-type: none"> <li>a) <i>recognise that it is the role of Transpower and the EDN provider to:</i></li> <li>b) <i>determine the purpose, scope, required capacity, and technical solution for a proposed EN activity; and</i></li> <li>c) <i>consider sites, routes, and methods where appropriate and identify the preferred site, route, and method for EN activities and assets;</i></li> <li>d) <i>recognise and provide for the operational need or functional need of EN activities to be in particular environments as directed by policy 2 in this National Policy Statement;</i></li> <li>e) <i>have regard to the extent to which any adverse effects have been avoided, remedied or mitigated by the route, site, and method selection;</i></li> <li>f) <i>recognise that there will be unavoidable adverse effects on some values regardless of the route, site, and method chosen.</i></li> </ul>		<p><b>Change</b></p> <p>28. Amend the proposed policy on reducing adverse effects through the route, site and method selection process (P4) to make it clear that EN activities may not always have unavoidable adverse effects on the environment and that EN providers must manage the adverse effects of EN activities on the environment in addition to consideration of effects.</p>	<p>Policy 4(1)(d) should clarify that EN activities may not always have unavoidable adverse effects on the environment. This provides a requirement to reduce adverse effects.</p>	<p><b>Agreed with recommendation</b></p>

## SUBPART 2: POLICIES FOR ENABLING ELECTRICITY NETWORK ACTIVITIES WHILE MANAGING ADVERSE EFFECTS ON THE ENVIRONMENT

### NOTIFIED PROPOSAL

NOTIFIED PROPOSAL			RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NPS-ET		
Clauses	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>P5 General considerations when considering and managing the environmental effects of EN activities</b>	<p>Include a new policy 5 as follows:</p> <p>1) <i>When considering the environmental effects of EN activities and measures to avoid, remedy, or mitigate any adverse effects on the environment, decision-makers must also:</i></p> <p>a) <i>consider the constraints imposed on achieving those measures by the technical and operational requirements of the EN;</i></p> <p>b) <i>recognise that EN activities are needed to increase and improve the capacity and delivery of the EN over time;</i></p> <p>c) <i>recognise that changes in amenity from EN activities are unavoidable and necessary to achieve an effective, efficient, safe, secure, reliable, and resilient EN;</i></p> <p>d) <i>adopt relevant international and 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 any consent conditions to ensure these are proportionate and cost-effective.</i></p>		<p><b>Change</b></p> <p>29. Amend the proposed policy on general considerations to manage adverse effects (P5 (1)) to:</p> <p>a. clarify that EN activities may result in changes to amenity values that are unavoidable and that such changes do not inherently constitute adverse effects under the RMA</p> <p>b. amend the references to international standards to ensure only international standards that are recognised or used in New Zealand are relevant</p> <p>c. ensure mitigation measures and considerations are proportionate to the adverse effects generated by the project or work and not whether they are 'cost-effective'.</p>	<p>Policy 5(1)(c) amendments clarify that changes in amenity can be expected from some EN upgrades and that these changes are not always considered to be an adverse effect. This approach is consistent with other direction, for example, NPS-UD and the proposed NPS-I.</p> <p>The reference to international standards in Policy 5(1)(d) requires amending to ensure that it is limited to standards which are recognised or used in New Zealand.</p> <p>The term 'cost-effective' in Policy 5(1)(e) is subjective and open to interpretation. Deleting it means the Policy more clearly expresses the intent to ensure that mitigation measures and considerations are proportionate to the adverse effects generated by the project or work.</p>	<b>Agreed with recommendation</b>
<b>P6 Enabling routine EN activities</b>	<p>Include a new policy 6 as follows:</p> <p>1) <i>Decision-makers must enable routine EN activities to occur in all locations and</i></p>		<p><b>No change</b></p> <p>30. Retain the proposed policy for enabling routine EN activities (P6).</p>	<p>Policy 6 is intended to provide greater certainty that routine maintenance and upgrades of existing infrastructure, in any environment, can continue, subject to the</p>	<b>Agreed with recommendation</b>

## SUBPART 2: POLICIES FOR ENABLING ELECTRICITY NETWORK ACTIVITIES WHILE MANAGING ADVERSE EFFECTS ON THE ENVIRONMENT

### NOTIFIED PROPOSAL

### RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NPS-ET

Clauses	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<i>environments, provided adverse effects on the environment are avoided where practicable, remedied where practicable, or mitigated where practicable, acknowledging the existing nature of the assets.</i>			<p>management of adverse effects on the environment through the NES-ENA regulations.</p> <p>Submitters expressed mixed support for this proposal. Many councils, non-government organisations and iwi/Māori were concerned that enabling maintenance and upgrades in sensitive environments would lead to adverse effects, particularly cumulative effects, on important environmental values. Other submitters, including industry, supported the approach to maximise use of existing infrastructure and provide certainty that essential maintenance and upgrade work can occur. Officials note that the proposed NES-ENA regulations include provisions for the management of adverse effects in sensitive environments and that interactions with domain-based national direction remain (eg, National Environmental Standards for Freshwater for work near wetlands).</p>	



## SUBPART 2: POLICIES FOR ENABLING ELECTRICITY NETWORK ACTIVITIES WHILE MANAGING ADVERSE EFFECTS ON THE ENVIRONMENT

### NOTIFIED PROPOSAL

### RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NPS-ET

Clauses	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>P7 EN development and non-routine activities</b>	<p>Include a new policy 7 as follows:</p> <p>1) <i>In rural environments, planning and development of the EN should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character, and areas of high recreation value and amenity.</i></p>	Non-routine activities	<p><b>No change</b></p> <p>31. Retain the proposed policy for non-routine EN activities (P7) and clarify that it only applies to 'non-routine activities', in accordance with the proposed changes to the works category definitions.</p>	<p>Policy 7 retains the existing NPS-ET direction for new EN development and upgrades with significant adverse effects. This maintains policy consistency until the replacement RMA legislation is in place.</p> <p>Amend the title and policy to reference 'non-routine' activities only. This is a consequential amendment following the deletion of the 'EN development' works category and definition.</p>	<b>Agreed with recommendation</b>
<b>P8 Reducing existing adverse effects of EN assets when considering upgrades</b>	<p>Include a new policy 8 as follows:</p> <p>1) <i>Decision-makers must consider practicable opportunities and measures to reduce the existing adverse effects of EN assets when considering non-routine EN activities, taking into account the technical and operational requirements of the EN and the financial implications of any measures to reduce adverse effects.</i></p>	Reducing existing effects during non-routine activities	<p><b>Change</b></p> <p>32. Amend the proposed policy for reducing adverse effects of existing EN infrastructure (P8) to ensure that the duty to reduce adverse effects of EN assets is the responsibility of the EN operator rather than the decision-maker.</p>	<p>Minor amendments to clarify the policy title and acknowledge that responsibility to consider opportunities to reduce adverse effects of existing EN infrastructure during major upgrades rests with the asset owners.</p> <p>Amend title to reference 'non-routine' activities instead of 'upgrades'.</p>	<b>Agreed with recommendation</b>
<b>P9 EN activities within urban environments and servicing new development</b>	<p>Include a new policy 9 as follows:</p> <p>1) <i>Decision-makers on EN activities within urban environments must:</i></p> <p>a) <i>recognise that the EN forms an essential part of well-functioning urban environments that must be provided for;</i></p> <p>b) <i>allow for changes in amenity associated with routine EN activities;</i></p>	EN activities in urban areas	<p><b>Change</b></p> <p>33. Amend the proposed policy on EN activities in urban environments (P9) to:</p> <p>a. merge P9(1)(b) and (c) and recognise that it 'may' not be practicable to avoid all adverse effects including changes in</p>	<p>Provide for nuanced direction on 'practicably' avoiding adverse effects by including 'may not be' instead of 'it is not' practicable. The consultation wording presupposes that avoiding adverse effects will not be practicable and this could discourage more innovative solutions to EN activities.</p>	<b>Agreed with recommendation</b>

## SUBPART 2: POLICIES FOR ENABLING ELECTRICITY NETWORK ACTIVITIES WHILE MANAGING ADVERSE EFFECTS ON THE ENVIRONMENT

### NOTIFIED PROPOSAL

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NPS-ET			
Clauses	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>c) <i>recognise that it is not practicable to avoid all adverse effects of EN activities; and</i></p> <p>d) <i>recognise that the effective and efficient development, operation, maintenance, and upgrade of the EN may be appropriate use and development when protecting historic heritage.</i></p> <p>e) <i>Planning decisions within urban environments must:</i></p> <p>f) <i>ensure that, where development will result in an increase in demand for electricity, sufficient on-site space is provided for EDN assets to meet demand; and</i></p> <p>g) <i>recognise that determining whether there is sufficient on-site space for EDN assets to meet demand will require consultation with the EDN provider.</i></p>		<p>amenity associated with routine activities</p> <p>b. delete Policy 9(2)(b) and replace with direction for councils to engage with EDN providers on appropriate means to determine if sufficient space is allocated on-site</p> <p>c. add new policy to support undergrounding of EN in urban areas, particularly in new subdivision developments, and recognise financial and technical constraints for undergrounding of existing EN lines.</p>	<p>Adding policy direction for undergrounding of EN lines in new subdivisions supports existing practice but requires differentiation for existing lines to recognise the financial and technical constraints, particularly for transmission lines.</p>	

### SUBPART 3: POLICIES FOR PROTECTION AND STRATEGIC PLANNING OF THE ELECTRICITY NETWORK

#### NOTIFIED PROPOSAL

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NPS-ET			
Clauses	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>P10 Managing the effects of third parties on the electricity network</b>	<p>Include a new policy 10 as follows:</p> <p>1) <i>Decision-makers must avoid the adverse effects of third parties on the EN, including by:</i></p> <p>a) <i>avoiding direct and reverse sensitivity effects on the EN to the extent reasonably possible; and</i></p> <p>b) <i>ensuring that the effective operation, maintenance, upgrading, and development of the EN is not compromised.</i></p> <p>c) <i>In order to avoid the adverse effects of third parties on the EN, local authorities must:</i></p> <p>d) <i>identify EN assets within their district, whether or not these are designated;</i></p> <p>e) <i>engage with the operator of the ETN to implement the buffer corridor provided for in NES-ENA, within which it can be expected that sensitive activities, buildings, earthworks, and other activities that have the potential to compromise the EN, are to be generally avoided; and</i></p> <p>f) <i>engage with the operators of the EDN to identify an appropriate buffer corridor for the EDN, within which buildings, subdivision, and earthwork activities must comply with NZECP34; and</i></p>	Managing third-party effects on the EN	<p><b>Change</b></p> <p>34. Amend the proposed policy on third party effects on the electricity network (P10) to direct:</p> <p>a. decision-makers to manage third parties to avoid adverse effects on the EN and separate direct and reverse sensitivity effects, providing for 'direct' effects to be 'avoided' and 'reverse sensitivity' effects to be 'avoided to the extent reasonably practicable' and align 2(d) accordingly</p> <p>b. local authorities to identify the ET networks on relevant planning maps, whether designated or not</p> <p>c. local authorities to engage with EDN operators to determine where it may be appropriate to identify key EDN assets; and delete reference to compliance with NZECP 34.</p>	<p>The policy intent is to provide stronger direction to control development near the EN to protect human health and safety and ensure the safe and efficient ongoing operation of the network. A distinction is made between activities that generate 'direct effects' on the EN, which are to be avoided, and activities that may have 'reverse sensitivities', which are to be 'avoided, where practicable'. This distinction recognises the role of councils in managing adjacent development and land-use planning.</p> <p>Direction is provided for councils to engage with EN operators to identify appropriate EN assets. These are intended to be nationally or regionally significant assets and substations, and the voltage threshold may vary by district (eg, some 11 kV lines to remote rural areas are regionally significant).</p> <p>There are issues with the visibility and implementation of NZECP 34:2001, an electrical safety standard. Many submitters, including councils and EDBs, noted that directing compliance with NZECP 34 may cause implementation issues leading to consenting delays, so P10 (2) (c) has been amended to require engagement to meet the requirements of NZECP:34.</p>	<b>Agreed with recommendation</b>

### SUBPART 3: POLICIES FOR PROTECTION AND STRATEGIC PLANNING OF THE ELECTRICITY NETWORK

#### NOTIFIED PROPOSAL

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NPS-ET			
Clauses	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p><i>g) require buildings, structures, earthworks, and activities to avoid adverse effects on the EN, including reverse sensitivity effects, and to be designed and located to maintain safe distances from, and allow sufficient space for access to, and maintenance, construction, development, and upgrading of, EN assets;</i></p> <p><i>h) manage subdivision to avoid adverse effects on the EN while providing for ongoing and efficient construction, operation, maintenance, development, and upgrade of the EN;</i></p> <p><i>i) ensure the nature and location of any proposed trees or vegetation to be planted around the EN does not compromise its function and operation.</i></p>				
<b>P11 Long-term strategic planning for the EN</b>	<p>Include a new policy 11 as follows:</p> <p>1) <i>Local authorities must:</i></p> <p><i>a) engage with the operators of the EN to facilitate the medium to long-term strategic planning for the construction, operation, maintenance, and upgrade of the EN; and</i></p> <p><i>b) recognise that the designation process can facilitate long-term planning for construction, operation, maintenance, and upgrade and development of the EN.</i></p>	Long-term planning	<p><b>Change</b></p> <p>35. Amend the proposed policy on long-term strategic planning of the EN (P11) to include reference to spatial planning, including future development strategies, and note that not all EN infrastructure can be spatially identified in advance.</p>	Most submitters support the identification of key EN infrastructure in spatial plans and including consideration of the EN in spatial planning processes. The demand-led nature of the EN development means that some projects may arise outside of the spatial plan process timeframes.	<b>Agreed with recommendation</b>

### SUBPART 3: POLICIES FOR PROTECTION AND STRATEGIC PLANNING OF THE ELECTRICITY NETWORK

#### NOTIFIED PROPOSAL

NOTIFIED PROPOSAL			RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NPS-ET		
Clauses	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>P12 Electric and magnetic fields</b>	<p>Include a new policy 12 as follows:</p> <p>1) <i>Local authorities must include provisions in their district plans to manage electric or magnetic fields associated with the EN that are based on recommendations from the World Health Organization monograph Environmental Health Criteria (No 238, Extremely low frequency fields) and International Commission on Non-Ionizing Radiation Protection 'Guidelines for limiting exposure to time-varying electric and magnetic fields (1 Hz to 100 kHz)' (Health Physics 99(6): 818–836; 2010) (ICNIRP Guidelines) or their revisions, or any other applicable New Zealand standards.</i></p>	Electric and magnetic fields	<p><b>Change</b></p> <p>36. Amend the proposed policy on electric and magnetic fields (P12) to delete requirement to include provisions in district plans and retain the rest of the proposal.</p>	<p>Policy 12 updates the existing NPS-ET references to international guidelines. Council submitters were concerned that the requirement to include provisions in plans would not be able to be fulfilled given the Government direction to halt plan changes ahead of replacement RMA legislation. Minor wording amendments can be made to align with the existing NPS-ET Policy 9 direction on provisions. The remainder of the policy is proposed to be retained.</p>	<b>Agreed with recommendation</b>

# Part 2: Section 46A RMA report and recommendations

Minor and technical corrections, including formatting and style adjustments, have been made to the Section 46A RMA report and the recommendations originally provided to the Minister Responsible for RMA Reform in September 2025. Additionally, minor and technical revisions have been made to enhance clarity.

The following issues were not changed but are noted here for reference.

## **NPS-I content**

- Additional advice was provided after the Minister considered the Section 46A RMA report and recommendations. That advice resulted in alterations to the reasons for the Minister’s decision on Policy P6 and amendments to part of the definition of ‘additional infrastructure’ relating to health facilities (Part 1, NPS-I decisions table refers).

## **NPS-REG & NPS-EN content**

- The statements in the NPS-EN and NPS-REG consolidated recommendations appendices — *“Any provision in the existing National Policy Statement for Renewable Electricity Generation 2011 (NPS-REG) not included in the notified proposal or these tables is intended to remain the same”* and *“Any provision in the existing National Policy Statement on Electricity Transmission 2008 (NPS-ET) not included in the notified proposal or these tables is intended to remain the same”* — are not accurate. All existing national direction will be replaced by the proposed amendments, except where provisions (in whole or in part) have been reinstated in response to submissions.

# **Proposed National Policy Statement for Infrastructure, and Proposed Amendments to the National Policy Statement for Renewable Electricity Generation and the National Policy Statement on Electricity Transmission**

## **Report on Submissions and Recommendations**

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# Executive summary

## Purpose

The proposals covered by this report are intended to better enable infrastructure while appropriately managing effects on people and the environment.

The proposed National Policy Statement for Infrastructure (NPS-I) aims to address a current policy gap and rebalance the current suite of national direction toward greater enablement and protection of infrastructure.

The proposed amendments to the National Policy Statement for Renewable Electricity Generation 2011 (NPS-REG) provide direction to enable and protect renewable electricity generation assets and activities, while being consistent with Resource Management Act 1991 (RMA) requirements to protect certain environmental values from inappropriate development.

The proposed amendments to the National Policy Statement on Electricity Transmission 2008 (to be renamed as National Policy Statement for Electricity Networks (NPS-EN)) add electricity distribution activities into the instrument and provide direction and regulations to enable and protect new and existing electricity network assets and activities, while being consistent with RMA requirements to protect certain environmental values from inappropriate use and development.

## Background

The proposed NPS-I, NPS-REG and NPS-EN are part of a broader programme to change national direction under the resource management system. They form part of one of four packages: Package 1: Infrastructure and development (package 1).

The proposals contribute towards the Government's wider resource management reform programme. They are complemented by the Fast-track Approvals Act 2024, targeted amendments to the RMA,<sup>5</sup> and the development of a new resource management system.

Statutory consultation on package 1 ran from 29 May 2025 to 27 July 2025.<sup>6</sup>

## Officials' recommendations

This report outlines the key matters raised through statutory consultation on the proposed NPS-I, NPS-REG and NPS-EN, and includes officials' recommended amendments to the notified proposals. Officials' recommendations are informed by submissions and further analysis of the proposals. They are intended to support the effective implementation of the proposed national direction and help achieve their intended outcomes.

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<sup>5</sup> [Resource Management \(Freshwater and Other Matters\) Amendment Act 2024 and the Resource Management \(Consenting and Other System Changes\) Amendment Act 2025.](#)

<sup>6</sup> Statutory consultation on package 2 (primary sector) and non-statutory consultation on package 3 (freshwater) also ran from 29 May 2025 to 27 July 2025. Non-statutory consultation on package 4 (Going for Housing Growth) ran from 18 June to 17 August 2025.

Consolidated recommendations are provided in the following appendices:

- **Appendix A: Consolidated recommendations** – New National Policy Statement for Infrastructure
- **Appendix B: Consolidated recommendations** – Amendments to the National Policy Statement for Renewable Electricity Generation 2011
- **Appendix C: Consolidated recommendations** – Amendments to the National Policy Statement on Electricity Transmission 2008.

# Introduction

This report provides recommendations to the Minister Responsible for RMA Reform on the proposed new National Policy Statement for Infrastructure (NPS-I), proposed amendments to the National Policy Statement for Renewable Electricity Generation 2011 (NPS-REG) and proposed amendments to the National Policy Statement on Electricity Transmission 2008 (to be renamed as National Policy Statement for Electricity Networks (NPS-EN); this report will use this name unless referring specifically to the NPS-ET), notified on 29 May 2025, in accordance with section 46A(1)(c) of the Resource Management Act 1991 (RMA).

This report is separated out into three parts.

**Part A** provides an overview of the three proposals and the consultation and submissions process.

**Part B** provides a summary of key issues raised by submitters at an instrument level; sets out officials' analysis of the submissions and subject matter of the proposal; and outlines officials' key recommendations to amend the notified proposals.

**Part C** provides a summary of submissions made on general implementation of national direction in packages 1 and 2 . It also discusses implementation options available specifically for the proposed NPS-I, NPS-REG and NPS-EN.

# 1. Part A: Overview

## 1.1 Proposals

### 1.1.1 Proposed National Policy Statement for Infrastructure, and proposed amendments to the National Policy Statement for Renewable Electricity Generation and National Policy Statement on Electricity Transmission

The proposals for the NPS-I, NPS-REG, and NPS-EN under section 46A(1) and (2) of the RMA were outlined in *Package 1: Infrastructure and development – Discussion document*,<sup>7</sup> along with proposed provisions.<sup>8</sup>

### 1.1.2 Proposed national direction in Package 1: Infrastructure and development – Discussion document

Other proposals to create or amend national direction in *Package 1: Infrastructure and development – Discussion document* included the following:

- amendments to Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (proposed to be renamed National Environmental Standards for Electricity Network Activities)
- amendments to Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016
- new National Environmental Standards for Granny Flats
- new National Environmental Standards for Papakāinga
- new National Policy Statement for Natural Hazards.

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<sup>7</sup> Ministry for the Environment. 2025. *Package 1: Infrastructure and development – Discussion document*. Wellington: Ministry for the Environment.

<sup>8</sup> Attachment 1.1: Proposed provisions – New National Policy Statement for Infrastructure. Attachment 1.2: Proposed provisions – Amended National Policy Statement for Renewable Electricity Generation. Attachment 1.3: Proposed provisions – Amended National Policy Statement on Electricity Transmission (to be amended to Electricity Networks).

## Other proposed national direction

The proposed infrastructure and development national direction is complemented by additional proposals in *Package 2: Primary sector – Discussion document*<sup>9</sup> and *Package 3: Freshwater – Discussion document*,<sup>10</sup> which are being considered separately and will collectively contribute to a more enabling resource management system.

### 1.2 Overview of consultation and submissions process

The Ministry for the Environment (MfE) publicly consulted on the proposed NPS-I, NPS-REG and NPS-EN – alongside other proposed new and amended infrastructure and development, primary sector, and freshwater national direction<sup>11</sup> – from 29 May 2025 to 27 July 2025, in accordance with section 46A of the RMA.

MfE sent pre-notification letters on 5 May 2025 to all post-settlement governance entities (PSGEs) and other Māori groups with which the Ministry holds arrangements related to the RMA. These letters provided detailed information on the intended national direction proposals for infrastructure and development, primary sector, and freshwater. An invitation was extended to all groups to discuss the proposals.

MfE also conducted public engagement on the national direction proposals. This involved hosting four webinars, and seven themed forums with an opportunity for discussion. PSGEs were also invited to attend two online hui.

A total of 726 submitters provided feedback on packages 1 and 2. Of these submitters:

- 301 gave feedback on the proposed NPS – Infrastructure
- 162 gave feedback on the proposed amendments to the NPS for Renewable Electricity Generation
- 125 gave feedback on the proposed amendments to the NPS on Electricity Transmission.

#### 1.2.1 Collating, processing and analysing submissions

Officials collated submissions received through CitizenSpace – the Ministry for the Environment’s consultation platform<sup>12</sup> – and the consultation email inbox and worked with an external provider to process and analyse submissions across three different software platforms: Croissant, Excel and NVivo. Officials and the external provider analysed the submission data to show overall themes and common topics across all submissions. The full text of each submission was available to officials while summary analysis was being undertaken.

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<sup>9</sup> Ministry for the Environment. 2025. *Package 2: Primary sector – Discussion document*. Wellington: Ministry for the Environment.

<sup>10</sup> Ministry for the Environment. 2025. *Package 3: Freshwater – Discussion document*. Wellington: Ministry for the Environment.

<sup>11</sup> The Department of Conservation publicly consulted on matters relating to the New Zealand Coastal Policy Statement as part of this process.

<sup>12</sup> Submitters could provide feedback on the platform via a survey and/or by uploading a file.

## 1.3 Officials' recommendations

This report outlines key issues raised in submissions from statutory consultation on the proposed NPS-I, NPS-REG and NPS-EN. It outlines officials' recommended changes to the objectives, policies and implementation requirements of the proposed national direction in response to those issues. Officials from Ministry for the Environment have led this process, working closely with other agencies that have contributed to the work – including the Ministry of Business, Innovation & Employment and the Infrastructure Commission.

Officials considered the matters in Part 2 of the RMA<sup>13</sup> and how best to uphold relevant Treaty of Waitangi (Treaty) settlements when preparing the report and recommendations.

The recommendations address both substantive and technical matters, supporting the implementation and intent of the proposed NPS-I, NPS-REG and NPS-EN. Minor changes may not be fully analysed in the main body of the report, but are captured in the lists of consolidated recommendations provided in appendix A, appendix B and appendix C.

The lists of consolidated recommendations provide a clear and direct connection to the notified proposed provisions of the proposed NPS-I, NPS-REG and NPS-EN, helping to inform and support the decision-making process.

## 1.4 Decision-making

This report includes officials' recommendations on the proposed NPS-I, NPS-REG and NPS-EN provisions (as notified on 29 May 2025), in accordance with section 46A of the RMA.

The Minister Responsible for RMA Reform (the Minister) must consider the report and recommendations in accordance with section 52 of the RMA.

The report will be updated with the Minister's decisions and publicly released around the time the Minister makes recommendations to the Governor-General on the national policy statements.<sup>14</sup>

## 1.5 Limitations and constraints

### 1.5.1 Collating, processing and analysing submissions

The high number of proposed instruments, combined with multiple submission channels, introduced complexity for quantitative analysis. Submissions often addressed multiple instruments and included numerous submission points. Additionally, each submitter could

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<sup>13</sup> As required by section 46A(3) of the RMA.

<sup>14</sup> The report and recommendations for National Environmental Standards are required to be publicly notified before the Governor-General is recommended to make the National Environmental Standards (see [s44\(1\)\(b\) of the RMA](#)). The report and recommendations for a National Policy Statement are required to be publicly notified as soon as practicable after the NPS is approved by the Governor-General (see [s52\(3\)\(b\) of the RMA](#)).

identify with more than one submitter type (eg, business, individual, industry), further complicating categorisation.

A large proportion of submitters opted to submit a file rather than or in addition responding to the survey. This significantly increased the complexity of analysing these submissions.

### **1.5.2 Level of detail**

This report is not intended to provide a detailed summary of all issues raised through submissions on the proposed NPS-I, NPS-REG and NPS-EN. Feedback from submitters has been summarised by topic. These follow the same order as the topics in *Package 1: Infrastructure and development – Discussion document* and officials have generalised statements for brevity.

Issues raised by submitters that officials considered were minor are addressed in the consolidated recommendations table but do not include a full in-depth analysis within the body of the report.

## 2. Part B: Proposed National Policy Statement for Infrastructure

### 2.1 Proposal overview

The proposed National Policy Statement for Infrastructure (NPS-I) addresses a gap in, and rebalances, the existing suite of national direction under the Resource Management Act 1991 (RMA). It is intended to direct resource management decisions to enable infrastructure while managing adverse effects on the environment and protecting existing and planned future infrastructure while enabling compatible development. The proposed NPS-I includes:

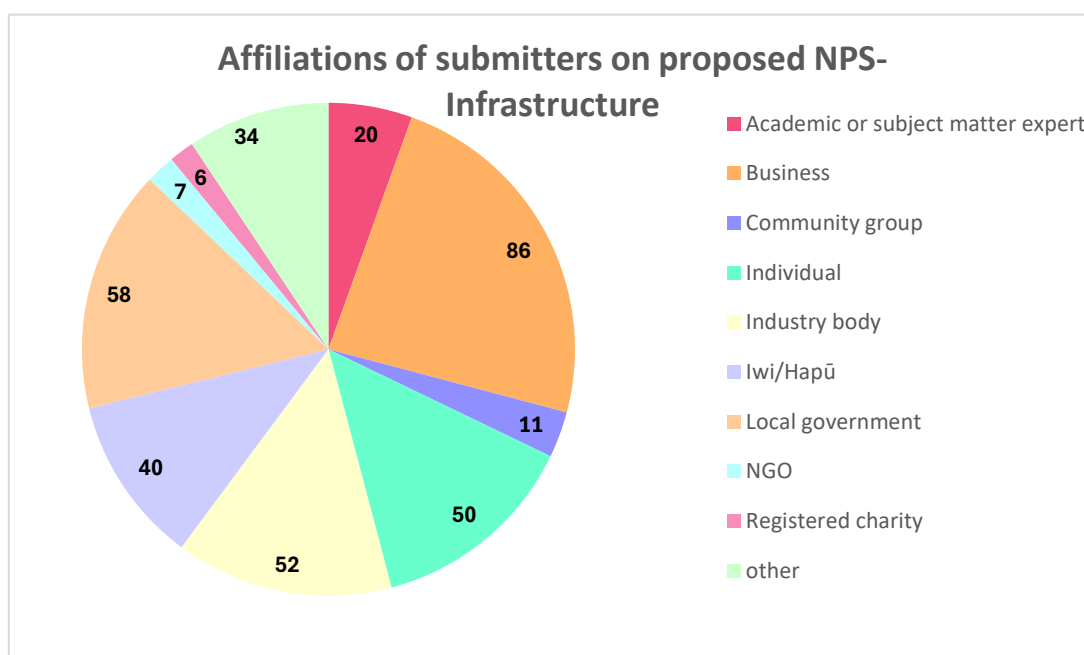
- general policies for infrastructure and supporting activities, which focus on the benefits and needs of infrastructure, spatial planning, general approaches to managing effects on the environment, and efficient and timely consenting
- policies to manage the interface between infrastructure and other activities.

The NPS-I is intended to apply to all infrastructure, except renewable electricity generation and electricity networks, which are covered by other national policy statements. The NPS-I would apply to decisions affecting the operation, maintenance, renewal and upgrade of existing infrastructure, as well as the construction of new infrastructure.

### 2.2 Summary of submissions

#### 2.2.1 Overview of submissions

A total of 301 submitters provided feedback on the proposal to introduce the NPS-I. Submitters can be broadly categorised into the following groups.



Note: The sum of all groups shown in the graph does not correspond to the total number of submitters on this instrument as submitters could select multiple affiliation options.



## **2.2.2 Key submission topics**

Key topics from submissions on this instrument include:

- scope:
  - whether the NPS-I prevails over other national direction
  - interaction with the National Policy Statement for Renewable Energy Generation (NPS-REG), the National Policy Statement for Electricity Networks (NPS-EN) and other national direction
- requests for industry-specific policies and direction in the NPS-I
- activities classified as infrastructure, additional infrastructure or infrastructure supporting activities in the NPS-I
- recognition of the benefits of infrastructure
- functional or operational need for infrastructure to locate in particular environments
- the extent to which the NPS-I recognises and protects Māori rights and interests
- effects of infrastructure on environmental values
- protecting infrastructure from incompatible housing and other land development.

These topics are discussed in further detail below.

## **2.3 Analysis of proposal and submissions**

### **2.3.1 Topic 1: Scope and definitions**

#### **2.3.1.1 Proposal**

The proposed NPS-I covers the types of infrastructure defined in the RMA definition of infrastructure, with the 'additional infrastructure' definition including hospitals, schools, correction facilities and district or regional resource recovery or water disposal facilities.

The proposed NPS-I is intended to apply to all RMA decisions affecting the operation, maintenance, renewal and upgrade of existing infrastructure, as well as to develop new infrastructure.

The proposal includes a set of definitions for infrastructure and related activities to support consistent interpretation and application of the NPS-I. Refer to appendix A for these definitions.

#### **2.3.1.2 Key issues from submissions**

Most submitters expressed support for the proposed NPS-I, and many also sought specific changes or additions to its provisions. The key issues identified through submissions related to this instrument were as follows.

- Some submitters requested further clarification regarding the status of the NPS-I in relation to other national direction. Some submitters requested the NPS-I prevail over other national direction, or outline processes to address conflicts with other national direction, including through the introduction of an effects management hierarchy.
- Many submitters supported the exclusion of the NPS-REG and NPS-EN from the scope from the NPS-I, while other submitters suggested the instruments should be combined.

- Some submitters questioned whether the scope of the NPS-I was too broad and also raised concerns that it was inadequate for managing the adverse effects of infrastructure on the environment.
- Many district, regional and unitary councils generally supported the scope of the NPS-I, provided amendments to definitions and activities to be included as infrastructure activities are made, such as flood management and protection infrastructure.
- Many submitters sought additions or changes to the proposed definitions. These are outlined in appendix A and include requests for new definitions, additional activities in the 'additional infrastructure' definition, and changes to the scope of the 'infrastructure supporting activities' definition.

### **2.3.1.3 Analysis of submissions and proposal**

#### **NPS-I scope**

The NPS-I is intended to fill a gap in the current suite of national direction and to sit alongside the other instruments. As the NPS-I is only one component of the broader national direction reform programme, officials do not support submitters' requests to combine all infrastructure-related national direction into a single instrument, or to establish a hierarchy across the instruments by specifying that the NPS-I should prevail over other instruments. While officials are supportive of integrating national direction, the changes sought by submitters relating to primacy or priority between instruments (as well as merging the instruments) are beyond the scope of this proposal and have merit for future consideration as part of the new resource management system.

Other amendments sought by submitters would be in phase 3 of the reform programme.

To address submitters' concerns regarding a lack of integration across the national direction instruments, officials recommend making wording changes to the NPS-I to ensure there are consistent policies and definitions across NPS-I, NPS-REG and NPS-EN. Officials have reviewed the NPS-REG and NPS-EN to ensure alignment with the NPS-I and will align any wording changes through further drafting and refinement of the instruments as appropriate.

#### **Definitions**

##### *'Additional infrastructure'*

In response to suggestions from submitters, officials support including 'flood control and protection infrastructure by a local authority' in the definition of 'additional infrastructure' as this is commonly included in comparable definitions in regional and district plans. Flood control and protection infrastructure are significant local authority assets in many regions. It is necessary to include flood control and protection infrastructure in the 'additional infrastructure' definition as it is not captured by the proposed definition of 'stormwater network' (D20) (which excludes flood management and drainage assets owned and managed by local authorities).

Other categories suggested by submitters for inclusion in the definition of 'additional infrastructure', such as commercial or industrial activities, are addressed by other national direction or are not currently managed under existing RMA instruments (including regional policy statements and plans) as infrastructure.

Submitters sought to include fuel (including biofuel), manufacturing, storage and distribution, and battery energy storage systems (BESS). Officials do not recommend their inclusion in the definition. Fuel production, including bio-gasification, is principally an industrial activity, recognising its distribution via pipelines is defined as infrastructure in the RMA. Officials note BESS is referenced in Policy 1(2)(d) of the NPS-EN (the 'efficient storage and transfer of electricity') and have recommended a new definition of BESS to be included in the NPS-EN (refer appendix C).

Officials note the proposed National Policy Standard for Natural Hazards (NPS-NH) excludes from its scope infrastructure as defined in the RMA (which is predominantly linear infrastructure, ports and airports). The definition of 'additional infrastructure' in the proposed NPS-I includes social infrastructure (eg, schools, hospitals), which is proposed to be subject to the NPS-NH as these facilities accommodate vulnerable people.

#### *'Ancillary activities'*

'Ancillary activities' are not defined in the proposed NPS-I, despite being referenced in several of its definitions. This absence may lead to interpretation issues, particularly when assessing the scope and application of related provisions. To address this, officials recommend adding a definition of ancillary activities that is consistent with the definition of 'ancillary activity' in the National Planning Standards 2019, and the proposed amendments to the NPS-EN and NPS-REG.

#### *'Infrastructure supporting activities'*

Many submitters expressed concern at the proposed breadth of the definition for 'infrastructure supporting activities' and the implications this may have on consenting processes. In particular, Waikato Regional Council stated that the definition is inconsistent with the RMA as similar types of activities could be treated differently in planning and consent processes depending on who the applicant's customers are.

To address these concerns, officials recommend the scope of the definition is refined to only include activities which directly support infrastructure activities. This approach will help decision-makers on consent applications to more easily distinguish between activities that are necessary to enable infrastructure (eg, a new quarry needed to supply aggregate for an infrastructure project) and those that more generally support infrastructure (eg, a quarry that may provide aggregate for an infrastructure project, but is consented for 20+ years and supplies aggregate on a commercial basis to the infrastructure and development sectors).

In both examples, the effects and the activity category under the relevant plans are likely to be the same; however, the decision-maker will apply the enabling policies in Policy 4(3) if the proposal is for an infrastructure supporting activity.

#### *Maintenance and minor upgrades / major upgrades*

In response to the submissions, officials support amending the definition to ensure it covers all aspects of maintenance and minor upgrades of infrastructure, including where infrastructure needs to be replaced or renewed to enable its ongoing functioning. Officials agree the reference in D10(d) to 'after the upgrade is complete' should be amended; otherwise, it could be interpreted as meaning any level of adverse effect is acceptable during the works, provided they do not continue after the works are complete.

## *Resilience*

In response to a submission from the New Zealand Planning Institute (NZPI), officials support amending the proposed definition of 'resilience' to ensure it provides for reduced service levels where this is necessary to support managed retreat. The definition refers to retaining 'essentially the same or similar level of service as before' which may not be possible where managed retreat occurs.

## *'Reverse sensitivity'*

The proposed NPS-I includes a definition of 'reverse sensitivity' which is referred to in Policy 9. As a planning approach under the RMA, 'reverse sensitivity' is well established through case law and is defined in several district plans, which suggests that including a specific definition in the NPS-I may not be necessary.<sup>15</sup> While many submitters supported the policies relating to reverse sensitivity, as there is only one reference in the policies, officials consider that it does not need to be specifically defined in the NPS-I. Officials note a new definition of reverse sensitivity may have merit for further investigation in the new resource management system.

## *All other definitions*

Officials recommend the remainder of the proposed NPS-I definitions are either retained unchanged or amended with minor changes. The definitions with minor changes are: D2 – Buffer, D13 – Planned infrastructure, D14 – Planning decision, D19 – Sensitive activities, D21 – Strategic planning document (refer appendix A for detail on the recommended changes and reasons for the recommendations). Officials will also amend the definitions if required to align with the proposed NPS-REG and NPS-EN definitions and where there is no change to policy intent.

### **2.3.1.4 Recommendations**

The amendments to definitions in the proposed NPS-I aim to improve the legibility of the overall NPS-I and the application of its policies by ensuring the definitions are clear and certain in their application. In particular, the recommended changes to the 'infrastructure supporting activity' definition ensure it more clearly expresses the policy intent that the definition only applies to activities that directly support infrastructure.

The key change recommendations for this topic are summarised below and the complete list (including 'no change' recommendations) is outlined in full in the consolidated recommendations table in appendix A.

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<sup>15</sup> Reverse sensitivity refers to the effects of sensitive activities on nearby existing activities. It arises when an established use is causing adverse environmental impact to nearby land, and a new, benign activity is proposed for the land. The 'sensitivity' is if the new use is permitted, the established use may be required to restrict its operations or mitigate its effects so as not to adversely affect the new activity (*Ngatarawa Development Trust Limited v The Hastings District Council* W017/2008 [2008] NZEnvC 100 (14 April 2008)).

### Key recommendations

Scope of NPS-I to remain as provided in the notified proposal ([see recommendation 1](#))

Amend the definition of additional infrastructure to include flood control and protection by local authorities ([see recommendation 2](#))

Add a definition of ‘ancillary activities’ that is consistent with the National Planning Standards 2019 and proposed NPS-EN and NPS-REG definitions of ancillary activities ([see recommendation 35](#))

Remove reference to ‘noise insulation requirements’ under the definition of ‘buffer’ ([see recommendation 3](#))

Amend the definition of ‘infrastructure supporting activities’ to limit scope to activities directly supporting infrastructure activities ([see recommendation 10](#))

Amend the definition of ‘maintenance and minor upgrade’ to include the replacement or renewal of existing infrastructure, for all stages of upgrade (not just once the upgrade is complete) ([see recommendation 11](#))

Amend the definition of ‘major upgrade’ to reflect the wording within ‘maintenance and minor upgrade’ definition ([see recommendation 12](#))

Amend the definition of ‘planned infrastructure’ to align with changes to the ‘strategic planning document’ definition ([see recommendation 14](#))

Amend the definition of ‘planning decision’ to reflect different decision-making processes in the RMA ([see recommendation 15](#))

Amend the definition of ‘provisions’ to align with the scope and provisions under the RMA ([see recommendation 16](#))

Amend the definition of ‘resilience’ to avoid constraint on decisions (eg, to reduce services levels where necessary) ([see recommendation 18](#))

Delete the definition of ‘reverse sensitivity’ from the NPS-I ([see recommendation 19](#))

Amend the definition of ‘sensitive activities’ to include reference to papakāinga ([see recommendation 20](#))

Amend the definition of ‘strategic planning document’ to include reference to the Land Transport Management Act 2003 and the Local Government (Water Services) Act 2025 ([see recommendation 22](#))

## 2.3.2 Topic 2: Objective

### 2.3.2.1 Proposal

The proposed NPS-I includes a single overarching objective to guide future planning decisions related to infrastructure development, with the intent of improving decision-making across a range of infrastructure types.<sup>16</sup>

The proposed objective aligns with Part 2 of the RMA through the inclusion of the concept of well-being, which in turn informs the functions of the proposed NPS-I policies.

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<sup>16</sup> As defined by the key definitions, and to be implemented by resulting policies.

### **2.3.2.2 Key issues from submissions**

Key issues identified for Objective 1<sup>17</sup> were centred on clause 1(e), which introduces the concept of ‘value for money’ and is not a well-established concept under the RMA. A wide range of submitters – including councils, environmental non-government organisations (ENGOS) and industry – expressed concern that the concept could create challenges during consenting. Specifically, the submitters noted the difficulty of assessing infrastructure against what they considered to be a subjective term (‘value for money’) – and one which is undefined in the RMA. Some submitters requested the reference to ‘well-being’ in Objective 1 is prefaced with ‘social, economic and cultural’ to ensure it is consistent with Part 2 of the RMA.

Most council submitters suggested changes to, or deletion of, clause (f), as did several infrastructure providers, including Transpower, Wellington Airport, Christchurch Airport, Opuha Water and Central Plains Water. The council submitters suggested that this clause would be difficult for councils or decision-makers to implement within an RMA context as it refers to ‘managing’ adverse effects which does not have a clear meaning, and because the RMA is limited in what it can achieve regarding the delivery of infrastructure ‘in a timely, efficient and ongoing manner’. To address these issues, several submitters requested ‘managed’ is replaced with ‘are appropriately avoided, remedied or mitigated’.

Iwi/hapū submitters provided mixed support for the objective (many conditioned their support as subject to requested wording changes), while other iwi/hapū submitters expressed strong concerns that the objective would place infrastructure or private development above other RMA objectives. A strong theme among iwi/hapū submitters was that Objective 1 did not explicitly provide for Treaty of Waitangi rights and interests.

Industry submitters, such as Infrastructure New Zealand, Fulton Hogan, Northport and Lyttelton Port, supported most of Objective 1. However, they expressed concerns for the threshold set by Objective 1(e), and questioned what criteria would deem infrastructure to be ‘value for money’. Infrastructure providers, such as Lyttelton Port, Opuha Water and Central Plains Water, also expressed concern that references to ‘value for money’ could become a contentious and potentially subjective matter during the consenting process and that the concept is also difficult to effectively define in a resource management context.

### **2.3.2.3 Analysis of submissions and proposal**

Officials agree with submitters that clause (e) introduces terms and concepts that fall outside the scope of the RMA and recommend its removal. Officials do not support the requested amendments to clause (f) as these narrow the scope of the objective in relation to the policies. Policy 6 in the NPS-I provides specific direction to decision-makers to avoid, remedy or mitigate adverse effects; however, other policies include reference to managing effects (eg, Policy 4 requires decision-makers to consider relevant standards to manage infrastructure activity and effects).

Officials also recommend that ‘social, economic and cultural’ precedes ‘well-being’ in Objective 1. This will ensure that Objective 1 is better aligned with the wording in Part 2 of the RMA.

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<sup>17</sup> Objective 1 is the only objective included in the NPS-I

### 2.3.2.4 Recommendations

The recommendation for this topic is summarised below and outlined in full in the consolidated recommendations table in appendix A.

#### Key recommendation

Amend Objective 1 to include reference to ‘social, economic and cultural well-being’, and to remove OB 1(e) ([see recommendation 24](#))

## 2.3.3 Topic 3: Benefits of infrastructure

### 2.3.3.1 Proposal

Policy 1 requires decision-makers to recognise and provide for the benefits of infrastructure. The policy provides the full list of benefits that decision-makers must consider. The benefits include: providing for the well-being of future generations; creating, supporting and enhancing well-functioning urban and rural environments, including providing for sufficient development capacity; supporting development and growth; protecting the natural environment; mitigating the effects of climate change; and improving resilience to natural hazards.

### 2.3.3.2 Key issues from submissions

Key issues raised in submissions on Policy 1 included the following.

- Most submitters supported the direction in Policy 1 for decision-makers to recognise and provide for the benefits of infrastructure.
- Many submitters sought wording changes to ensure the policy captured industry-specific infrastructure benefits.
- Many submitters requested the deletion of the reference to ‘enabling infrastructure activities that provide value for money’.
- Some submitters requested changes to ensure the policy more directly addressed potential conflicts between the NPS-I and policies in other national policy statements.
- Some submitters, most of whom were councils, expressed concern at the direction in Policy 1(2) for decision-makers to recognise and provide for the national, regional or local benefits of infrastructure relative to localised adverse effects.
- Many submitters sought specific wording changes to improve the legibility of Policy 1. These included amendments to the chapeau (the header to the policy) to clarify that ‘any’, rather than ‘all’, of the policy subclauses are relevant to a planning decision, as well as minor changes to ensure consistent language (eg, consistent use of ‘must’ and ‘shall’).
- Several submitters considered the proposed Policy 1 elevated the provision of infrastructure to be equivalent to a matter of national importance under section 6 of the RMA.

### 2.3.3.3 Analysis of submissions and proposal

Policy 1 achieves Objective 1 by supporting planning decisions to fully recognise and enable all the benefits (including national benefits) of infrastructure relative to localised adverse effects. Officials do not consider that the policy will elevate the benefits of infrastructure above other considerations provided for in the RMA. Officials also do not support Policy 1 taking precedence

over any other policy in another national policy statement as this is outside the intended scope of the NPS-I and represents a significant change requiring renotification to ensure all affected parties had an opportunity to submit. Instead, the NPS-I will sit alongside the existing and amended national policy statements as a matter to which decision-makers must have regard.

Officials recommend that Policy 1 is amended to enable decision-makers to select any benefits which apply to the specific infrastructure proposal. For example, flood protection infrastructure may protect urban or rural environments as a benefit but not necessarily provide for sufficient development capacity to meet housing demand as another benefit.

Several submitters sought minor changes in Policy 1 to ensure greater consistency with the purpose of the RMA. Officials agree with these suggestions and recommend Policy 1 is amended by including references to 'current' generations and 'social, economic and cultural well-being'.

The deletion of Policy 1(1)(d) was sought by submitters including Fulton Hogan, Chorus, Northport and Spark, as a consequential amendment to the removal of Objective OB1(e). For the same reasons noted above in the discussion on Objective OB1, officials agree that the reference to infrastructure providing value for money should be deleted. It is a subjective concept and is not within the scope of the RMA.

Officials also recommend Policy 1(3)(b) is deleted as it largely duplicates Policy 1(1).

#### **2.3.3.4 Recommendations**

Recommendations for this topic are summarised below and outlined in full in the consolidated recommendations table in appendix A.

##### **Key recommendations**

Amend Policy 1 to:

- clarify that not all listed matters require consideration by decision-makers
- reference both current and future generations, and reference social, economic and cultural well-being.
- delete clauses P1(1)(d) and P1(3)(b) from Policy 1 ([see recommendation 25](#))

### **2.3.4 Topic 4: Operational and functional need**

#### **2.3.4.1 Proposal**

Proposed Policy 2 requires decision-makers to recognise and provide for the 'functional need' or 'operational need' to locate infrastructure in particular environments. The intent of Policy 2 is to ensure planning decisions recognise that infrastructure may need to be located in particular environments on account of its functional or operational needs. Both 'functional need' and 'operational need' are defined terms in the National Planning Standards 2019 and are proposed for inclusion as NPS-I definitions.

The 'operational need' component of the policy is intended to recognise the technical and financial constraints faced by infrastructure providers in managing the adverse environmental effects of infrastructure.



The infrastructure-related needs acknowledged in this policy include: efficient, effective and timely delivery of infrastructure; access to particular natural resources and other infrastructure networks; and the ability to locate infrastructure where services are needed, regardless of whether this has been identified spatially in advance or not.

#### **2.3.4.2 Key issues from submissions**

Submitters were generally supportive of Policy 2 but sought clearer language to ensure it is unambiguous and that significant adverse environmental effects are avoided. The reference to 'particular environments' was a point of concern for some submitters.

Most industry submitters supported this policy and sought changes to recognise the operational or functional need of existing infrastructure to be located, operated, maintained and upgraded, in particular environments.

Many industry submitters sought amendments that make explicit the need to locate in environments with section 6 values and that unavoidable adverse effects may occur. They also sought to clarify that an assessment of alternative locations is not required, whereas some councils wanted to ensure that alternatives are robustly considered and the 'least effects' options chosen.

Some organisations noted that operational and functional need are separate concepts and should not be applied uniformly across the natural environment. In their view, infrastructure with a functional need to locate in a particular environment should be prioritised over infrastructure with operational needs requirements.

Many councils and ENGOs were concerned that the policy does not provide enough safeguards for the environment. Submitters sought changes to ensure high-value, sensitive or compromised environments are taken into account. These groups were concerned that Policy 2 applies to places recognised in section 6 of the RMA (matters of national importance).

Some submitters suggested additional wording to clarify the decision-making criteria around avoiding, remedying or mitigating adverse effects on the environment (as expressed in section 5 of the RMA), and to include a reference to existing infrastructure.

The Royal Forest and Bird Protection Society of New Zealand Inc (Forest & Bird) suggested that the policy should only provide for the operational needs of infrastructure, where this is necessary to support the functional need of a principal infrastructure activity, and where the operational (including financial) constraints cannot be addressed through an alternative site, route, design or construction method.

NZPI and Transpower recommended a further matter is added to Policy 2 to address the risk from natural hazards and climate change. Some councils also sought to ensure the functional or operational need for protective infrastructure such as seawalls or stop banks to locate on the coast or adjacent to rivers is recognised.

#### **2.3.4.3 Analysis of submissions and proposal**

In response to suggestions by industry submitters for changes to recognise the operational or functional need of existing infrastructure, officials note Policy 2 requires decision-makers to recognise and provide for the operational or functional need of infrastructure, which includes both new and existing infrastructure. 'Infrastructure' is a defined term in the NPS-I and includes new and existing infrastructure. A further reference to existing infrastructure in Policy 2 is

therefore not required. Officials agree with industry submitters that it is more efficient for existing infrastructure to remain in situ and receive ongoing maintenance and upgrades than to construct new infrastructure.

In response to submissions seeking further clarification of the term ‘particular environments’, officials note the term is part of the existing definitions of ‘functional need’ and ‘operational need’ in the National Planning Standards 2019 and does not require a different definition in the NPS-I. Officials do not support a policy change to exclude assessments of alternatives as it is likely to conflict with the process requirements under the RMA for notices of requirement, and with the requirements in Schedule 4 of the RMA.

Officials do not consider it necessary for the policy to reiterate the general requirement to avoid, remedy or mitigate adverse effects on the environment, as the NPS-I does not override this obligation from Part 2 of the RMA. Furthermore, policies 6, 7 and 8 within the proposed NPS-I already address the management of adverse effects generated by infrastructure. Officials reiterate that the proposed NPS-I policies are to be read together when considering the location of infrastructure activities and managing adverse effects.

Officials do not support operational need under Policy 2 being subordinate to functional need. The NPS-I is intended to provide direction across most infrastructure categories to address the current lack of national direction on the different operational and functional needs of different types of infrastructure. Limiting Policy 2 to only functional need would considerably limit its scope to infrastructure that ‘can only occur in that environment’. Recognising both the operational and functional needs of infrastructure to be in particular locations and environments is a well-established principle in resource management practice and this scope in Policy 2 should be retained.

Officials support the recommendation from NZPI, Transpower and some councils to add a reference in Policy 2 to recognise that some types of infrastructure may need to be located in areas at risk from natural hazards and climate change (eg, seawalls in the coastal environment or stop banks beside a river). This recognises there is a functional requirement for protective infrastructure to locate in proximity to the hazard.

#### **2.3.4.4 Recommendations**

The recommendation for this topic is summarised below and outlined in full in the consolidated recommendations table in appendix A.

##### **Key recommendation**

Amend Policy 2 to include a reference to ‘infrastructure’ that has a functional need to locate in areas subject to natural hazard risk ([see recommendation 26](#))

### **2.3.5 Topic 5: Considering spatial plans and other strategic plans**

#### **2.3.5.1 Proposal**

Policy 3 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. It also links to the National Policy Statement for Urban Development 2020 (NPS-UD)

requirements for future development strategies. Policy 3 requires decision-makers to have regard to infrastructure identified in council-prepared spatial plans, and to consider relevant spatial plans and master plans prepared by infrastructure providers. The intent of this policy is to strengthen and elevate the consideration of long-term plans and other strategic planning processes in decision-making on plan changes, consents and designations for infrastructure.

Spatially mapping infrastructure also provides more certainty around operational and functional need, as well as supporting the co-location of infrastructure, to allow for coordinated maintenance and upgrade programmes across sectors.

### **2.3.5.2 Key issues from submissions**

Submitters were generally supportive of Policy 3 because it supports enabling a coordinated approach to infrastructure planning and development in planning processes under the RMA.

The key concern raised by submitters was in relation to the weighting applied to spatial plans by decision-makers on a plan change, consent application, or a notice of requirement to designate infrastructure. ENGOs including Forest & Bird, as well as councils, raised concerns over whether it was appropriate to require decision-makers to consider spatial plans prepared by infrastructure providers.

Several councils and council-controlled organisations also requested the definition of 'strategic planning document' is extended to include plans prepared under the Land Transport Management Act 2003 and the Local Government (Water Services) Act 2025.

### **2.3.5.3 Analysis of submissions and proposal**

Officials consider that the differentiation between Policy 3(1)(a) 'have regard to' (strategic planning documents from a council), and (b) 'consider' (spatial plans or master plans from an infrastructure provider) provides sufficient direction for weighting in consent decisions. Officials consider that the proposed approach also aligns with the notice of requirement processes under the RMA. Officials do not consider that Policy 3 requires amendments or updates.

Policy 3 references 'strategic planning documents' which are a defined term in the proposed NPS-I (refer D21 in appendix A).<sup>18</sup> As a change to the definition, officials support the inclusion of references to the Land Transport Management Act 2003 and Local Government (Water Services) Act 2025 in the definition of strategic planning documents as transport and the 3 waters are significant components of local authority strategic planning processes.

### **2.3.5.4 Recommendations**

The recommendation for this topic is summarised below and outlined in full in the consolidated recommendations table in appendix A.

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<sup>18</sup> D21 Strategic planning document *includes*:

- a) *Future development strategies under the NPS-UD;*
- b) *any non-statutory growth plan or strategy adopted by local authority resolution; and*
- c) *Long-term plans and infrastructure strategies under the Local Government Act 2002 (LGA).*

#### Key recommendation

Retain Policy 3 as provided (see recommendation 27)

## 2.3.6 Topic 6: Efficient and effective delivery of infrastructure

### 2.3.6.1 Proposal

Proposed Policy 4 seeks to address some of the long timeframes and high costs associated with consenting infrastructure projects. It requires decision-makers to enable efficient and timely processes for consenting and re-consenting infrastructure, including making use of information gathered via investment processes, and the application of nationally and internationally recognised standards for assessing and managing effects.

These requirements aim to reduce duplication in assessments and information requests, and to avoid the re-litigation of options across different processes.

### 2.3.6.2 Key issues from submissions

The Government received mixed feedback on this policy proposal.

Key submission themes included the following.

- **Infrastructure delivery.** Many submitters noted that the efficient and timely delivery of infrastructure is beyond the scope of what the RMA can control. They argued that other factors such as construction costs, supply chains and access to finance cannot be influenced through RMA decision-making. Additionally, submitters noted that process requirements are already set in the RMA (ie, Schedule 1).
- **Standards and methods.** A wide range of groups, particularly councils and some industry, said that the reference to internationally accepted standards and methods is inappropriate. They suggested that the reference be either clarified by specifying which standards should be adopted or removed entirely.
- **Site selection concerns.** Councils and ENGOs raised concerns about the policy's requirement for decision-makers to recognise site selection as being the role of the infrastructure provider.

Other feedback from infrastructure providers included specific changes to recognise a range of infrastructure lifecycle needs, and suggestions to mitigate the risk of adverse effects on the environment being traded off against timely decision-making or infrastructure delivery.

### 2.3.6.3 Analysis of submissions and proposal

Officials consider the current resource management system can generate considerable uncertainty and delays for infrastructure projects, and the costs of consenting processes are high and increasing. The requirements in Policy 4 would enable efficient and timely processes for consenting and re-consenting infrastructure.

In response to concerns raised in submissions as to the ability of the RMA to influence the efficient and timely delivery of infrastructure, officials' interpretation of section 45A of the RMA is that it affords the Government wide discretion to direct plans and planning processes of relevance to achieving the purpose of the RMA, including where the Government envisages

process improvements to help drive down costs associated with planning and consenting processes. Officials agree not all aspects of infrastructure delivery can be influenced through planning alone, but research in this area suggests there are worthwhile opportunities to reduce costs and timing delays at the consenting stage.

The proposed policy seeks to address some specific issues including the duplication of assessments and information requirements undertaken in different regulatory regimes. It also recognises the role infrastructure providers undertake in assessing alternative sites and routes before arriving at a preferred location. This reinforces the presumption under the RMA that it is for the provider, not the decision-maker, to ultimately select the site appropriate for the infrastructure type, and to have carried out an alternatives assessment. This also aligns with duties for requiring authorities under the Public Works Act 1981 (ie, to purchase designated land upon request). This policy also operates concurrently with Policy 2.

Officials agree with submitters that requiring decision-makers to consider relevant internationally accepted standards without specificity could cause implementation issues. There is the possibility that decision-makers will rely on poor-quality international documents or documents that are not appropriate for New Zealand's context or are not used widely by infrastructure providers or councils. This could increase litigation risks. Ideally, international guidelines should be given legal force through an incorporation by reference process in an NPS or a National Environmental Standard (NES) or otherwise be widely accepted and used by the relevant industry. Officials recommend minor wording changes to clarify that the international standards referred to are those which are to be recognised or used by infrastructure providers and councils in New Zealand.

The proposed NPS-I includes duplicate policies relating to standards (policies 4(2)(b) and 6(1)(d)). As the use of standards in planning decisions more directly relates to the assessment and management of effects on the environment from infrastructure activities, officials recommend deleting Policy 4(2)(b) and retaining Policy 6(1)(d).

To improve the legibility of the NPS-I, officials recommend Policy 4(3) is re-ordered as a standalone policy for infrastructure supporting activities. While this drafting approach will not change the intent of the policy, for clarity, and to take account of infrastructure supporting activities being distinct compared with infrastructure more generally, a discrete policy will help users engage more with it.

#### **2.3.6.4 Recommendations**

The recommendation for this topic is summarised below and outlined in full in the consolidated recommendations table in appendix A.

##### **Key recommendation**

Amend Policy 4 to remove clause P4(2)(b) (standards) and move P4(3) to a standalone policy (see recommendation 28)

### **2.3.7 Topic 7: Providing for Māori interests**

#### **2.3.7.1 Proposal**

The intent of Policy 5 is to provide national requirements for engaging, considering and involving iwi/Māori in infrastructure projects, whether publicly or privately led. The policy

provides considerations, where relevant, for direct involvement of iwi/Māori in relation to projects proposed on sites of significance to Māori.

Through this proposed policy, the relevant rights and interests of iwi/Māori can be reflected in RMA processes, while still supporting efficient and enabling consenting processes.

The wording for this proposed policy is based on the language used in the NPS-UD. Similar wording is proposed for the NPS-EN and NPS-REG.

### **2.3.7.2 Key issues from submissions**

Most submitters were concerned about the strength of the wording within proposed Policy 5.

Multiple regional and local councils, as well as the majority of submissions from Māori representative groups, expressed concern that the reference to ‘in appropriate circumstances’ in Policy 5(1)(c) is inconsistent with section 6 or section 8 of the RMA. Councils recommended that that direction should be strengthened to facilitate a greater obligation to engage with these provisions.

### **2.3.7.3 Analysis of submissions and proposal**

Proposed Policy 5 complements the requirement for decision-makers to recognise and provide for section 6(e), section 6(g) and section 7(a) matters in the RMA, by providing a means through which Māori relationships with ancestral lands and taonga can be understood, recognised and provided for.

Officials note that the NPS-I policies will not override the district plan controls in place for sites of significance to Māori. When determining a resource consent application, a decision-maker must have regard to the policies in the NPS-I (as well as the policies in any other relevant national direction) along with the relevant district plan and regional policy statement provisions. In addition, the NPS-I will not directly impact the decision-making process requirements under the RMA or Treaty settlement legislation in relation to Māori participation. It also does not directly affect the role of mana whakahono ā rohe agreements. Further detail on this is provided in section 2.3.10.3 on Treaty settlements.

Officials agree with submitters that the proposal should be amended to remove the qualifier ‘in appropriate circumstances’ in Policy 5(c) when referring to tangata whenua involvement in relation to sites of significance to Māori and issues of cultural significance. The qualifier is also used in Policy 9(c) of the NPS-UD; however, it references opportunities for Māori involvement in decision-making on resource consents and other RMA approval processes.<sup>19</sup> By contrast, Policy 5(c) does not include these references and RMA section 36A will apply to resource consent applications and notices of requirement.<sup>20</sup>

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<sup>19</sup> Policy 9: Local authorities, in taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) in relation to urban environments, must:

- (a) -
- (b) -
- (c) provide opportunities in appropriate circumstances for Māori involvement in decision-making on resource consents, designations, heritage orders, and water conservation orders, including in relation to sites of significance to Māori and issues of cultural significance; and
- (d) -

<sup>20</sup> Section 36A: No duty under this Act to consult about resource consent applications and notices of requirement.

#### 2.3.7.4 Recommendations

The recommendation for this topic is summarised below and outlined in full in the consolidated recommendations table in appendix A.

##### Key recommendation

Amend Policy 5 to remove the qualifier 'in inappropriate circumstances' (see recommendation 29)

### 2.3.8 Topic 8: Assessing and managing adverse effects of infrastructure

#### 2.3.8.1 Proposals

Three NPS-I policies were proposed to provide nationally consistent direction for assessing and managing adverse effects of infrastructure on the environment.

Policy 6 includes general considerations for assessing and managing adverse environmental effects.

Policy 7 requires councils to enable the efficient operation, maintenance and minor upgrade of existing infrastructure, provided that adverse effects are avoided where practicable, remedied where practicable or mitigated where practicable.

Policy 8 requires councils to enable new infrastructure and major upgrades to existing infrastructure, provided that adverse effects on environmental values (not included in section 6 of the RMA or covered by other national direction) are avoided where practicable, remedied where practicable or mitigated where practicable.

#### 2.3.8.2 Key issues from submissions

##### *Policy 6: Assessing and managing effects of proposed infrastructure on the environment*

Many industry groups and infrastructure providers supported this policy, albeit most preferred to see it amended. Some councils and other groups thought this policy conflicts with section 104 of the RMA as it requires decision-makers to only consider any change or increase in adverse effects when existing infrastructure is reconsented. Some submissions from ENGOs sought its removal.

A few industry submitters suggested amending Policy 6 so that consideration is given to the practical and affordability implications of mitigation measures. ENGOs considered the proposed NPS-I lacks sufficient detail for directing the assessment of environmental effects.

Some Māori groups and Te Uru Kahika were concerned that this policy benefits industry but does not focus on reducing adverse effects. A key concern from these submitters was that Policy 6(1)(c) could constrain councils' ability to seek improvements during the reconsenting stage (the same sentiments were expressed for Policy 7).

Various submitters raised concerns with the approach of using international standards to assess and manage adverse effects.

A few submitters made the point that this policy and others in the NPS-I disproportionately place the burden of assessment on decision-makers with little direction or focus on the duties of infrastructure providers to consider solutions to manage their adverse effects.

*Policy 7: Operation, maintenance and minor upgrading of existing infrastructure*

Submitters provided mixed support for this policy and many submitters sought changes.

Most ENGOs and councils considered this policy to be inconsistent with the preservation and protection of environmental values under section 6 of the RMA. Many submitters from local government and ENGOs questioned whether 'where practicable' is appropriate and sought its deletion. Some councils and industry groups sought further direction, such as the Environmental Defence Society, which contends the policy should also provide for offsetting and compensation.

Some councils expressed concern that the policy does not propose any bottom lines, nor does it provide direction on how to manage conflicts between national direction instruments – particularly those related to freshwater.

A couple of submitters expressed concern over impacts from minor upgrades on co-located infrastructure in shared infrastructure corridors.

*Policy 8: Managing the effects of new infrastructure and major upgrades on environmental values*

The policy received relatively low support from submitters for various reasons and many wanted changes.

Submitters – particularly industry – considered this policy will not address tensions between different environmental values, particularly in places with section 6 values.

Councils were particularly concerned that environmental protection is not adequately provided for and that this policy is too enabling. They argued that this policy could conflict with section 104 matters (consideration of consent applications).

We also heard strong opposition to the use of the phrase, 'where practicable'. Most submitters called for it to be deleted, along with the reference to 'not in section 6 or covered by national direction'. Some industry submitters sought a pathway to access places protected by section 6 and national direction, where they can demonstrate functional need or operational need to locate in these environments, in accordance with Policy 2.

### **2.3.8.3 Analysis of submissions and proposal**

*Policy 6: Assessing and managing effects of proposed infrastructure on the environment*

The Government directed the management of effects on matters of national importance in section 6 of the RMA to be addressed in legislation replacing the RMA.

Policy 6 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 or consider when making a planning decision. Officials recommend minor wording changes to ensure internal consistency within the proposed NPS-I by deleting the reference to minimising adverse effects in Policy 6(1)(a) as this is not used elsewhere and could be interpreted by decision makers as requiring minimal size or scale of a project.



Officials recommend Policy 6(1)(c) is deleted on the basis it is likely to result in implementation issues and additional complexity for consent authorities. Along with the other policies in the proposed NPS-I, Policy 6 sets out a list of considerations consent authorities must have regard to under section 104(1)(b) as a 'relevant provision'. However, officials acknowledge the drafting of Policy 6(1)(c) could result in uncertainty as to how it applies in conjunction with the requirement under section 104(1)(a) for consent authorities to have regard to any actual or potential effects on the environment of allowing the activity.

Officials acknowledge some submitters will be concerned at the removal of Policy 6(1)(c) with regard to their reconsenting proposals. However, officials consider this approach to be more appropriate at this stage, and direction as to the types of environmental effects that should be assessed when reconsenting, renewing or upgrading existing infrastructure could be more comprehensively addressed in the new legislation.

Officials agree with submitters that the term 'cost-effective' in Policy 6(1)(e) is subjective and open to interpretation. By deleting it, the policy more clearly expresses the policy intent to ensure mitigation measures and considerations are proportionate to the adverse effects generated by the project or work. This still retains the intent of ensuring that mitigation measures or conditions are not overly onerous or costly.

Please refer to our comments in topic 6 relating to the use of international standards.

#### *Policy 7: Operation, maintenance and minor upgrading of existing infrastructure*

Officials recommend no changes to Policy 7. The policy seeks to enable operations, maintenance and minor upgrades without undue restriction. Policy 7 applies to proposals located in areas identified under section 6 of the RMA. However, the policy must be read alongside any other relevant national direction as well as any relevant local planning provision.

Officials do not consider it necessary to amend the wording 'where practicable', because it recognises that infrastructure activities could have adverse effects on section 6 values and that some of these may be unavoidable. Other national direction – namely the National Policy Statement for Freshwater Management and National Policy Statement for Indigenous Biodiversity – already provide specific direction around managing adverse effects to aquatic and biodiversity values. The 'where practicable' qualifier directs decision-makers to consider site-specific matters and reasonableness where these matters are not already provided for in local planning instruments.

Officials also note the term 'where practicable' is in existing national direction and provides a framework for assessing adverse effects. Through resource management practice the term has an established meaning which emphasises the need to consider context-specific factors. It is not intended to operate as a hierarchy.

#### *Policy 8: Managing the effects of new infrastructure and major upgrades on environmental values*

Officials do not support the deletion of Policy 8. The policy is intended to provide greater certainty that proposals for new infrastructure and major upgrades with environmental effects – where these proposals are not located in areas protected under section 6 of the RMA or by national direction – should be enabled. These developments will still need to manage their effects in accordance with the RMA's purpose to avoid, remedy or mitigate adverse effects on the environment. For infrastructure proposals in areas with section 6 environmental values, the effects on these values will continue to be managed using existing instruments (other

national direction, regional policy statements, regional and district plans). This approach will maintain the status quo with the added benefit of the NPS-I objective and policies.

As discussed above, the Government has decided to focus on resolving the major tensions between infrastructure and the natural environment values in section 6 of the RMA in the replacement of the RMA. In response to submissions relating to the section 104 issue, officials support the retention of the term 'where practicable' for the reasons set out above in the discussion on Policy 7.

#### **2.3.8.4 Recommendations**

Recommendations for this topic are summarised below and outlined in full in the consolidated recommendations table in appendix A.

##### **Key recommendations**

Amend Policy 6 to:

- align with previous direction in the instrument for references to 'avoid, remedy and mitigate'
- amend the reference to international standards
- ensure decision-makers retain a discretion to consider all actual and potential effects on the environment
- ensure mitigation measures and considerations are proportionate to the adverse effects generated by the project (see recommendation 30)

Retain Policies 7 and 8 (see recommendations 31 and 32)

### **2.3.9 Topic 9: Interface and compatibility of infrastructure and other activities**

#### **2.3.9.1 Proposal**

Proposed Policy 9 aims to manage the tensions between providing long-term certainty for infrastructure services and providing for compatible housing and other land development. The policy outlines what local authorities must do, including engaging with infrastructure providers, identifying activities that are either compatible with or sensitive to infrastructure, and adopting a range of methods to manage interfaces.

Proposed Policy 10 provides direction on managing the interface between infrastructure and other activities. It recognises that some typical effects – such as dust, vibration or noise – cannot be completely avoided, that amenity changes are necessary to achieve well-functioning environments, and that new activities are primarily responsible for managing adverse effects.

#### **2.3.9.2 Key issues from submissions**

Industry submitters, including ports and airports, expressed strong support for most of policies 9 and 10. Most submissions from these groups sought specific wording changes across both policies, including changes to ensure that the policies apply to new and intensified sensitive activities and not existing sensitive activities.

Submissions from many iwi groups expressed concern that operational needs for infrastructure may override protections for Māori interests and that the proposed policies could undermine papakāinga, marae, and Māori-led development on whenua Māori. Many submitters, including councils, sought stronger guidance on how to manage the interface between infrastructure and other activities.

NZPI submitted that Policy 10 does not need to be provided through national direction and that it should be put into guidelines instead. It expressed concerns about including references to international standards as they may be untested in the New Zealand context or may conflict with existing national or local standards.

### **2.3.9.3 Analysis of submissions and proposal**

Officials note many submissions framed Policy 9 in terms of reverse sensitivity effects. While reverse sensitivity is a relevant factor, Policy 9 is intended to be broader than this. The intent of the policy is to set out an approach to plan for and manage the interface between infrastructure and other activities nearby (such as housing development).

The policy articulates the desired outcomes and steps that decision-makers should go through to achieve these outcomes. This includes engaging with infrastructure providers to identify current and future activities and the use of methods such as buffers to protect infrastructure while providing flexibility for development.

In response to submissions, officials recommend amending Policy 9(2)(a)(ii) to ensure the policy is focused on new or intensified sensitive activities. This recognises that both new sensitive activities and the intensification of existing sensitive activities have the potential to generate adverse effects on infrastructure.

Officials support the retention of Policy 10 with a minor amendment to reflect the recommended changes to Policy 9 discussed above (inclusion of intensified activities). The matters outlined in Policy 10 are necessary to direct decision-makers and should be retained as national direction. Transferring the matters in Policy 10 to guidance would weaken this approach as the matters would then be left to the discretion of the authority to consider as 'any other matter considered relevant and reasonably necessary' under section 104(1)(c).

### **2.3.9.4 Recommendations**

Recommendations for this topic are summarised below and outlined in full in the consolidated recommendations table in appendix A.

#### **Key recommendations**

Amend Policy 9 to ensure protection measures are in response to new or intensified sensitive activities ([see recommendation 33](#))

Amend Policy 10 to align with changes to Policy 9 ([see recommendation 34](#))

### 2.3.9.5 Other issues

#### *Implementation*

Submitters sought specific direction in the NPS-I relating to its implementation by councils, including requirements to undertake plan changes to give effect to the instrument.

In response, officials reiterate that there are no provisions in the proposed NPS-I to provide further direction on implementation other than what is provided by the RMA. The NPS-I will have immediate effect once it comes into force and consent authorities must have regard to the NPS-I provisions when considering an application for a resource consent under section 104 of the RMA (or particular regard when a territorial authority is considering a notice of requirement).

The NPS-I will not include requirements for local authorities to review and change their regional policy statements or plans and this is consistent with subpart 5B of the Resource Management (Consenting and Other System Changes) Amendment Act 2025 (the Plan Stop provisions) (refer section 5.5.3). However, plan changes (noting private plan changes are exempt) that have been approved to proceed and include content relevant to infrastructure will still be required to give effect to the NPS-I.

#### *Out of scope matters*

Submitters raised several matters which fall outside the scope of the proposed NPS-I. The matters are:

- inclusion of an effects management hierarchy (refer section 2.3.1.3 above)
- proposals for new national direction and other policies under the future Planning Act and Natural Environment Act (new resource management system)
- further national direction under the RMA outside of the Government's current reform programme (eg, a national environmental standard for water infrastructure)

### 2.3.9.6 Recommendations

Recommendations for this topic are summarised below and outlined in full in the consolidated recommendations table in appendix A.

Key recommendations

No changes

## 2.3.10 Other considerations

### 2.3.10.1 Part 2 RMA

#### *Context*

Officials are required give effect to Part 2 matters of the RMA when preparing reports and making recommendations on proposals for amendments to national policy statements (refer to section 46A (3)). Part 2 includes section 5 (purpose), section 6 (matters of national importance), section 7 (other matters) and section 8 (Treaty of Waitangi).

Submissions which specifically refer to Part 2 matters, and officials' consideration of Part 2 matters, are outlined below.

### *Submissions*

The key issues identified through submissions related to Part 2 of the RMA were:

- concerns that the proposed NPS-I does not implement Part 2 of the RMA
- concerns that the proposed NPS-I does not provide sufficient direction for managing infrastructure that is proposed to locate in areas with section 6 environmental values
- a lack of recognition and provision for section 6 environmental values, particularly section 6(e), which relates to the relationship of Māori and their culture and traditions with their ancestral lands, water sites, wāhi tapu and other taonga.

### *Analysis*

The objective and policies in the NPS-I have direct relevance to Part 2, section 5(2) of the RMA, as they promote sustainable management in a way which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety over time, including meeting the reasonably foreseeable needs of future generations.

Officials consider the proposed NPS-I is consistent with Part 2 of the RMA for the following reasons.

- Infrastructure is an essential component for enabling people and communities to provide for their social, economic and cultural well-being, and for their health and safety. This includes the provision of physical infrastructure such as 3 waters, ports and airports and social infrastructure including schools, hospitals and fire and emergency service facilities. It further enables the use and development of natural and physical resources to develop, operate, protect, maintain and upgrade infrastructure while managing effects on the environment by providing clear and directive objectives and policies to decision-makers.
- It further enables people and communities to provide for their social, economic and cultural well-being and for their health and safety by ensuring decision-makers recognise the benefits that infrastructure provides.
- It enables development while protecting natural environmental values in accordance with relevant national direction (ie, rivers, lakes and wetlands continue to be managed under the National Policy Statement for Freshwater Management). The proposed NPS-I does not prevail over other national direction and RMA section 6 matters without national direction will continue to be protected through the provisions of district and regional plans.
- The policies are consistent with the matters in section 7 of the RMA that decision-makers shall have particular regard to, including (section 7(b)) the efficient use and development of natural and physical resources, and the effects of climate change.
- The recommended changes to Policy 5 (removing the qualifier 'in appropriate circumstances') is consistent with section 6(e) of the RMA. The direction in Policy 5 for decision-makers to recognise and provide for Māori interests in relation to infrastructure, including to operate in a way that is consistent with legislation that provides for iwi participation, is consistent with section 8 of the RMA (principles of the Treaty of Waitangi).

### 2.3.10.2 Recommendations

Recommendations for this topic are summarised below and outlined in full in the consolidated recommendations table in appendix A.

#### Key recommendations

No changes

### 2.3.10.3 Treaty of Waitangi and Treaty settlement considerations

#### Context

The Crown has made a number of commitments to iwi and hapū through Treaty settlements. Officials have considered these relevant settlements when preparing the proposed NPS-I. When deciding on the recommendations in this report, decision-makers for this NPS will also need to consider settlement legislation matters as well as their obligations under the RMA, as highlighted further in this section.

#### Submissions

Submissions directly relating to Policy 5 (recognising and protecting for Māori rights and interests) are discussed above under topic 7: Providing for Māori interests.

Separate to Policy 5, submissions identified several key issues relating to Treaty matters and Treaty settlements.

- There is a need to state that, where there is a conflict between the NPS-I and Te Ture Whaimana – the Vision and Strategy for the Waikato River, the NPS-I does not prevail.
- NPSs need to follow a robust process of engagement and consultation with iwi. The proposed changes must uphold the Crown's Tiriti obligations and enable Māori to participate meaningfully from the outset.
- The NPS-I must not erode the capacity of Māori to exercise their kaitiakitanga and tino rangatiratanga.
- Where NPSs affect whenua, wai, taonga species or resource access, they must uphold the rights and responsibilities of mana whenua under Te Tiriti o Waitangi.

#### Analysis

Officials note that Treaty settlement agreements and related legislation continue to apply. The commitments under Treaty settlement agreements and legislation that are relevant to national direction take the following form:

- engagement obligations relating to the development of national direction (ie, policy process)
- direct obligations on RMA actors and mechanisms that relate to tangata whenua values and objectives for an identified taonga or the legal status of a taonga (eg, Te Awa Tupua, Whanganui River)

- obligations to actively involve identified Treaty partners in the local plan-making process and/or resource consents, through co-governance, decision-making or consultation.

Officials are of the view that the proposals do not present a risk to the operation of these Treaty settlement commitments. Officials consider that the NPS-I proposal does not conflict with the intention of the commitments as it does not allow decision-makers to avoid any obligation to recognise, provide for or have particular regard to the values, objectives, strategies, plans or legal status for a specific taonga. The proposed NPS-I does not amend the RMA, nor any decision-making and participation arrangements provided under Treaty settlements. The proposed NPS-I does not limit the ability for local authorities to utilise relevant Treaty settlement legislation, co-management mechanisms and iwi management plans when making planning decisions on infrastructure.

However, the proposed NPS-I could affect the influence of some settlements where the enabling policy direction does not specifically prevail over protective policies established under Treaty settlement arrangements. In practice, decision-makers will be required to consider both the provisions of the NPS-I and the policies influenced by Treaty settlements and other arrangements.

The enabling direction of the proposed NPS-I could make those decisions harder to balance, especially when decision-makers are required to achieve both strong enabling and protective policy goals. To aid consideration of that balance, Policy 5(1)(d) provides a backstop to partnership requirements so that decision-makers must take into account tangata whenua values and aspirations specifically related to infrastructure proposals. It should be noted that infrastructure proposals are not inherently in conflict with local Māori values and aspirations, and the intent of Policy 5 is towards understanding shared benefits and appropriate effects management to improve project outcomes.

Submissions from the Waikato councils emphasised the legislative status of the Waikato River. Under section 13 of the Ngāti Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2020, Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy for the Waikato River) prevails over any inconsistent provision in a national policy statement. This is a statutory requirement across all RMA national direction and does not need to be restated in the NPS-I.

#### **2.3.10.4 Recommendations**

Officials acknowledge the concerns raised in submissions regarding Treaty settlements but do not recommend further changes in addition to those recommended for Policy 5.

##### **Key recommendations**

No changes

### 3. Part B: Proposed amendments to the National Policy Statement for Renewable Electricity Generation

#### 3.1 Proposal overview

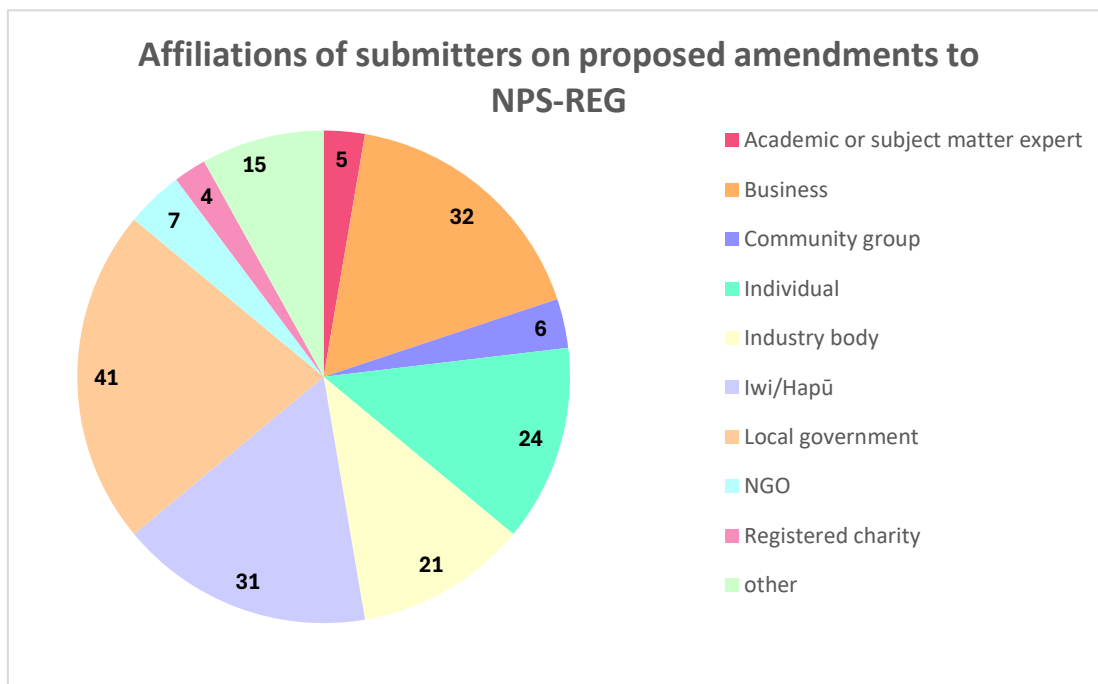
The proposed changes to the National Policy Statement for Renewable Electricity Generation 2011 (NPS-REG) aim to enable a substantial increase in renewable energy generation (REG) output by providing a more directive and enabling consenting environment, while managing adverse effects on the environment. The key proposals to amend the NPS-REG include:

- a strengthened objective that better recognises the critical role REG plays in society and the economy and the rapid increase in REG required to achieve reductions in greenhouse gas emissions
- enabling and directive policies to better enable REG and protect existing REG assets
- direction on recognising and providing for Māori interests
- policies to better enable REG while managing effects on the environment.

#### 3.2 Summary of submissions

##### 3.2.1 Overview of submissions

A total of 162 submitters provided feedback on the proposal to amend the NPS-REG. Submitters can be broadly categorised into the following groups.



Note: The sum of all groups shown in the graph does not correspond to the total number of submitters on this instrument as submitters could select multiple affiliation options.



### **3.2.2 Key submission topics**

Key topics from submissions on this instrument include:

- the scope, weight and alignment of the NPS-REG in comparison with other national direction, coverage of electricity storage, and inclusion of aspects from NPS-REG 2011
- recognition of the national significance and benefits of REG
- the functional and operational need for REG to locate in particular environments
- the extent to which the NPS-REG recognises and protects Māori rights and interests
- managing the effects of REG including in areas with values in section 6 of the Resource Management Act 1991 (RMA)
- protecting and expanding existing REG.

## **3.3 Analysis of proposal and submissions**

### **3.3.1 Topic 1: Scope and definitions**

#### **3.3.1.1 Proposal**

The proposed amendments to the NPS-REG 2011 apply to REG activities and REG assets as defined in the 2025 proposals.

The proposed REG activities include those necessary for the development and ongoing operation of these assets and activities, including maintenance, upgrades and repowering. The proposed amendments are intended to be read alongside all other national direction.

Electricity storage is included where it is associated with REG.

Some changes to definitions are proposed. For example, 'hydro-electricity' in the definition of REG is proposed to change to 'water' for consistency with the rest of the definition. A number of new definitions are also proposed to assist interpretation of the new and amended policies.

Where possible, NPS-REG definitions have been aligned with the National Planning Standards 2019, as well as with the proposed definitions in the National Policy Statement for Infrastructure (NPS-I) and amendments to the National Policy Statement for Electricity Networks (NPS-EN).

#### **3.3.1.2 Key issues from submissions**

The key issues identified through submissions related to this topic were:

- Some submitters requested clarity that electricity storage systems (eg, batteries) are in scope of the proposed NPS-REG and some generators requested inclusion of some aspects of the existing NPS-REG 2011 that were not part of the proposals.
- Many submitters sought additions or changes to the proposed definitions. These are outlined in appendix B and include ensuring the definitions of REG assets and activities cover the full range of assets and activities, ensuring that resilience allows a reduction or loss of service from managed retreat, and clarification of reverse sensitivity. Some submitters also requested inclusion of examples in the definition lists for the avoidance of doubt.

### 3.3.1.3 Analysis of submissions and proposal

#### *Proposed NPS-REG Scope*

The proposed NPS-REG includes the storage of generated electricity in the definition of renewable electricity generation activities (definition 12) and, by inference, storage is connected to REG. However, electricity storage (eg, battery energy storage systems, BESS), wherever it is located, directly contributes to the objective of the proposed NPS-REG as it reduces marginal emissions from the electricity system by offsetting fossil fuel generation at times of peak electricity demand. Storage also helps energy security and resilience by moderating intermittent renewable energy by storing it when generation is abundant and then releasing that energy when needed (eg, charging battery systems when solar generation is high in the day and releasing it when electricity demand is high in the evening).

As New Zealand's electricity supply is predominantly renewable, the intent is that storage facilities will store 100 per cent or predominantly renewable electricity – depending on where the storage facility is situated in the network and the operating conditions at the time. While it is possible that someone may wish to store non-renewable electricity (eg, adjacent to a fossil fuel generator), in practice this would be very unlikely and this is not the intent of the policy. Officials recommend clarifying that electricity storage, no matter whether it is connected directly to REG or not, is within the scope of NPS-REG. This means clarifying storage is included in a few proposed policies and definitions identified below.

Submitters' requests to include some existing NPS-REG 2011 policies are covered in discussion of the relevant policies below.

#### *Definitions*

**Renewable electricity generation (REG):** A few submitters supported the change from 'hydro-electricity' in the 2011 definition to 'water'. However, one submitter wanted to include electricity generation from steam even if what generated the steam was not renewable. We recommend reverting back to the 2011 definition to avoid this, as well as to ensure alignment with the definition of 'specified energy activity' in the Resource Management (Consenting and Other System Changes) Amendment Act 2025.

**Environmental footprint:** A few submitters queried the use of this definition in proposed Policy 4. One submitter suggested it is unnecessary as the definition of 'existing REG site' can be used instead without possible unintended consequences. Officials agree.

**Reverse sensitivity:** In the proposed NPS-REG, reverse sensitivity is referred to once in Policy D. A few submitters suggested problems with the definition. The term is already well established through case law, so officials consider the proposed definition in the NPS-REG could create uncertainty and should be deleted.

**Resilience:** Officials support amending the proposed definition of 'resilience' to ensure it provides for reduced service levels where this is necessary to support managed retreat. The definition refers to retaining 'essentially the same or similar level of service as before', which may not be possible where managed retreat occurs. The aim is to have a consistent definition across instruments.

**All other definitions:** Officials recommend the remainder of the proposed NPS-REG definitions are adopted and either retained unchanged from the proposals or amended with minor or technical changes. These changes are for completeness (eg, REG assets and REG activities definitions covering the full range of assets and activities) or to avoid an unintended consequence (refer appendix B).

### 3.3.1.4 Recommendations

The key change recommendations for this topic are summarised below and the complete list (including ‘no change’ recommendations) is outlined in full in the consolidated recommendations table in appendix B.

#### Key recommendations

Amend the proposal definition of ‘ancillary renewable electricity generation activities’  
(see recommendation 2)

Amend the proposal to remove the definition of ‘environmental footprint’  
(see recommendation 6)

Amend the proposal definition of ‘existing renewable electricity generation assets’  
(see recommendation 7)

Amend the proposal definition of ‘existing renewable electricity generation site’  
(see recommendation 8)

Amend the proposal to remove the proposed amendment to the definition of ‘renewable electricity generation’ (see recommendation 11)

Amend the proposal definition of ‘renewable electricity generation activities’  
(see recommendation 12)

Amend the proposal definition of ‘renewable electricity generation assets’  
(see recommendation 13)

Amend the proposal definition of ‘repowering’ (see recommendation 14)

Amend the proposal definition of ‘resilience of renewable electricity generation assets’  
(see recommendation 15)

Amend the proposal to remove the proposed inclusion of a definition of ‘reverse sensitivity’  
(see recommendation 16)

Amend the proposal definition of ‘small-scale renewable electricity generation’  
(see recommendation 17)

Amend the proposal definition of ‘upgrading’ (see recommendation 18)

## 3.3.2 Topic 2: Objective

### 3.3.2.1 Proposal

The proposed amendments to the NPS-REG objective respond to the Government’s policy to increase renewable electricity generation. The proposal covers meeting New Zealand’s legislative targets for reducing emissions, improving resilience to disruptions to electricity supply, and to provide for well-being while managing its adverse effects. The amendments to the objective update the NPS-REG 2011 to meet the outcomes needed from REG in 2025.

### 3.3.2.2 Key issues from submissions

There were mixed views from submitters. Most supported the proposed objective but wanted further amendments, including better alignment with the proposed NPS-EN and proposed NPS-I objectives.

Some submitters from the electricity sector requested amendments to the objective to be more directive and enabling of REG. They considered it important that the objective emphasised the significant increase in REG required to meet New Zealand's emissions reduction and renewable energy targets, and more specific references to proposed policies in the NPS such as the national significance and benefits of REG and its protection from other activities.

Some councils, the Resource Management Law Association and NZPI sought further direction on how to manage the adverse effects of REG projects. The New Zealand Law Society considered the current reference to managing adverse effects was ambiguous as it did not indicate how effects should be managed and to what end.

Two non-government organisations, Environmental Defence Society and Forest & Bird, were broadly supportive of the intention to increase REG output but were concerned that the proposed objective does not provide sufficient recognition of environmental, social and cultural costs and protection of the environment.

Some councils and iwi submitters wanted greater recognition of small or remote communities' need to directly benefit from REG.

Some councils and most iwi submitters recommended the objective is amended to reference Te Tiriti o Waitangi, tangata whenua and early engagement. Some also considered it important to recognise and enable Māori-led REG initiatives.

### **3.3.2.3 Analysis of submissions and proposal**

Officials recommend amendments to clarify the intent of the objective, making it more directive, and to align with the proposed NPS-EN and proposed NPS-I where appropriate. However, the objective should remain high-level with the detail provided by policies and the drafters can determine the best construction, including alignment with NPS-I and NPS-EN.

To increase the directiveness of the objective, officials recommend specifying that REG is nationally significant, and has national, regional and local benefits.

Officials also recommend amendments to clarify that both the capacity and output of REG are integral to the objective, thereby directing decision-makers to take account of the fact that REG activities cannot always run at 100 per cent capacity (eg, when maintenance is required, or the resource is not available at optimum generation levels).

Further recommended amendments require decision-makers to consider security of supply as being essential for all people and communities (particularly as this relates to small- and community-scale REG), and to ensure that decision-makers protect REG from adverse effects of other activities (broadly consistent with equivalent provisions for infrastructure and electricity networks).

### **3.3.2.4 Recommendations**

Recommendations for this topic are summarised below and outlined in full in the consolidated recommendations table in appendix B.

#### Key recommendations

Amend the proposal to change the objective to ensure that it achieves the intent of the proposal and provides for:

- the national significance of REG and its national, regional and local benefits
- the maintenance and increase of REG capacity and output, and avoids losses
- security of electricity supply and resilience for all people and communities
- protection of REG from adverse effects of other activities ([see recommendation 19](#))

### 3.3.3 Topic 3: National significance and benefits

#### 3.3.3.1 Proposal

The proposed amendments to Policy A are intended to strengthen the weight that RMA decision-makers give to the national significance and benefits of REG projects. The proposed amendments include an updated list of REG benefits that decision-makers must recognise and provide for. The benefits include avoiding and reducing greenhouse gas emissions, contributing to the security, resilience and independence of electricity supply, and providing for social, economic and cultural well-being, as well as benefits derived from the efficient location of REG activities.

#### 3.3.3.2 Key issues from submissions

Most submitters supported the proposed amendments, but some considered further amendments necessary and expressed a range of views on whether particular benefits were more important than others.

A cross-section of submitters (the electricity sector, NZPI, local government) sought further direction on how the benefits should be provided for in decision-making as they are concerned that decision-makers lack guidance on how to weigh national benefits against local adverse effects, particularly when effects management policies are articulated in other national direction.

Some non-government organisations (NGOs) submitted that the identified benefits did not reflect the potential environmental costs of REG or the loss of environmental benefits. They were also concerned that the proposal to 'recognise and provide for' these benefits inappropriately uses the language of section 6 of the RMA (matters of national importance), rather than having 'particular regard to the benefits to be derived from the use and development of renewable energy' as specified in section 7(j) of the RMA (other matters).

Some submitters sought that the benefits include specific reference to the targets and plans in the Climate Change Response Act 2002. A few sector submitters sought to retain displacing greenhouse gas emissions from the current NPS-REG (in addition to avoiding and reducing those emissions).

A few submitters were concerned about the additional benefits proposed and most suggested that they should all be weighted at the same level (which is what was intended). A few industry submitters were concerned that projects without the additional benefits (eg, REG not located close to electricity demand) would be disadvantaged. A few submitters were concerned about Policy A (a)(vi) on the temporary and reversible adverse effects of some REG technologies

being framed as a benefit and recommended it be deleted or reworded. This benefit was proposed unchanged from the existing NPS-REG 2011.

Some submitters sought amendments to recognise the local, regional and national benefits of energy storage and local generation. A few submitters queried why the proposals mentioned not using imported fossil fuel but omitted not using domestic fossil fuel.

### **3.3.3.3 Analysis of submissions and proposal**

Officials recognise the challenges of competing national direction and the difficulty of balancing the benefits of REG activities against adverse effects, especially on values of national importance addressed in other national direction. The Government decided to address these decision-making challenges in the legislation to replace the RMA, and any interim amendments that would effectively override or directly conflict with other national direction are outside the scope of this consultation package. Decision-makers will be required to undertake an 'at place' assessment by weighing the benefits of REG development against local planning consideration and no further amendments are proposed. The 'recognise and provide for' weighting for the benefits that some submitters queried has been retained from the existing NPS-REG 2011.

We recommend further amendments to link benefits of REG to climate change statutory targets and plans, include the displacement of greenhouse gas emissions from the existing NPS-REG 2011, clarify the role of electricity storage in diverse locations, and include the benefits of avoiding reliance on both imported and domestic fossil fuels.

### **3.3.3.4 Recommendations**

Recommendations for this topic are summarised below and outlined in full in the consolidated recommendations table in appendix B.

#### **Key recommendations**

Amend the proposal to change Policy A to include:

- all benefits in the proposed provision in one list at the same level, and ensure each benefit listed is a distinct topic
- displacing greenhouse gas emissions
- electricity storage in diverse locations
- not using domestic and imported fossil fuels ([see recommendation 20](#))

## **3.3.4 Topic 4: Cumulative gains and losses of REG**

### **3.3.4.1 Proposal**

The proposed amendments to Policy B direct decision-makers to recognise and provide for the importance of cumulative gains of REG at any scale and location, and avoiding where practicable losses of REG capacity from a district or region. The proposal also directs decision-makers to consider the impacts of decisions on the potential utilisation of REG resources.

### **3.3.4.2 Key issues from submissions**

There were mixed views from submitters.

The REG sector was generally supportive and noted the importance of the proposal for smaller developers, but sought further amendments, including:

- clarifying that both REG output and capacity, and both REG activities and assets are included
- explicit protection for existing flexible generation output, given its national importance to maintaining a resilient electricity system
- amendments to ensure the policy applies to all decision-making (ie, resource consents), rather than being confined to decisions regarding plans and policy statements
- clarifying the policy so it does not risk forcing REG providers to retain outdated or inefficient technologies
- direction to consider the potential loss that may result from imposing conditions on proposals to upgrade or repower existing REG assets.

A few councils consider it inappropriate to enable REG 'at any scale and location'. They considered this policy too broad and did not think it reflected that REG activities may not be appropriate at some scales and in some locations due to adverse effects (eg, in areas with high natural character and recreational values.)

Some iwi were broadly supportive. However, some also noted that it is a high bar to avoid where practicable the loss of any REG asset and recommended softening the language.

### **3.3.4.3 Analysis of submissions and proposal**

Officials consider that this policy is to be read alongside the other NPS policies (eg, demonstrating a functional or operational need to locate, see below), so disagree with submitters that this policy inappropriately enables REG 'at any scale and location'.

Consistent with officials proposed amendments to the NPS objective, we recommend clarifying that both output and capacity of REG are included in Policy B(1)(a) and (b). 'Capacity' refers to the maximum power (measured in megawatts – MW) able to be generated from a site or sites, and 'output' refers to the energy actually produced based on the available resource and generation equipment online at that time.

Officials also recommend changing the application of Policy B(2) so that it applies to all relevant decisions including consents (rather than just decisions on policy statements and plans). The Government has directed councils (via the Resource Management (Consenting and Other System Changes) Amendment Act 2025) to cease work on any plan changes that have not yet reached the hearing stage, until the enactment of the pending RMA reforms. In the interim, the NPS-REG will apply to resource consent applications, designations and private plan changes (see part C for more information on implementation).

An additional amendment is recommended to direct that both overall and cumulative losses are avoided, in order that the NPS-REG does not disadvantage REG providers seeking to switch to newer and more efficient assets and activities.

### 3.3.4.4 Recommendations

Recommendations for this topic are summarised below and outlined in full in the consolidated recommendations table in appendix B.

#### Key recommendations

Amend the proposal to change:

- a. Policy B(1) to include reference to:
  - i. 'REG activities' and 'REG assets'
  - ii. 'REG capacity' and 'REG output'
  - iii. overall or cumulative losses of REG capacity or output
- b. Policy B(2) to include all decisions made by decision-makers ([see recommendation 21](#))

## 3.3.5 Topic 5: Operational and functional need for REG

### 3.3.5.1 Proposal

The proposed amendments to Policy C1 would require decision-makers to recognise and provide for the functional need or operational need of REG to locate in 'particular environments'.

The purpose of this policy is to recognise the need for REG to be located where the renewable energy source is located and available at a viable scale and quality to sustain the REG activity, as well as the need to locate where it can connect to the electricity network and have sufficient land for supporting activities.

### 3.3.5.2 Key issues from submissions

There were mixed views from submitters. Some submitters emphasised the importance of striking the appropriate balance between enabling REG and still protecting New Zealand's most significant or sensitive environments. Some submitters, particularly NGOs and iwi, did not think having operational need is appropriate in addition to a functional need.

The electricity sector submitted in favour of stronger direction, seeking amendments that make explicit the need to locate in environments with RMA section 6 values, that unavoidable adverse effects may occur, and that both REG assets and activities are included. This sector also sought to make clear that an assessment of alternative locations is not required, whereas some councils wanted to ensure that alternatives are robustly considered and the 'least effects' options is chosen.

Transpower sought to retain wording on the 'need to connect' to electricity networks from Policy C1(c) of the existing NPS-REG 2011 (rather than only needing to be accessible to the network).

NZPI sought further clarity on how operational and functional need should be provided for in decision-making.



A few council submitters sought amendments to specific wording in Policy C1(2)(c). They considered it more appropriate to refer to future REG activities that were ‘reasonably foreseeable’. This is because it would be difficult to predict the extent to which REG activities in a particular location would need to expand over time and hence the amount of land required to accommodate ‘all associated current and future REG activities’.

Other council submissions sought additional direction on operational need and functional need to confirm that they do not override protections under sections 5 and 6 of the RMA or negate requirements for meaningful engagement with iwi/hapū.

### **3.3.5.3 Analysis of submissions and proposal**

In response to submissions, officials recommend amending Policy C1 to explicitly state that there is no requirement to assess potential alternative sites as part of meeting this policy. In other words, applicants need not demonstrate that they have identified and assessed alternative sites in order to demonstrate to a decision-maker that there is a functional or operational need to locate on the site that is the subject of the application.

These proposed amendments will provide greater certainty to applicants, submitters and decision-makers and ensure that applications are not subject to tests that are not intended under Policy C1. Officials note that an assessment of alternatives may still be otherwise required, including under Schedule 4 of the RMA or any applicable local planning provisions. Other proposed policies in the NPS-REG address how effects are to be managed.

Officials do not recommend further amendments to provide direction in relation to section 5 or 6 or to clarify that the policy does not affect existing requirements for meaningful engagement with iwi/hapū. The intention is not to override these protections. These protections are already established in law and/or included in other relevant national direction.

Officials support the submission to include ‘reasonable foreseeability’ as a qualifier for future REG activities on a subject site. While this term is not strictly defined, it provides direction to decision-makers that they need not consider every possibility, however speculative. Officials also recommend including wording on the need to connect to electricity networks and that both REG assets and activities are included.

### **3.3.5.4 Recommendations**

Recommendations for this topic are summarised below and outlined in full in the consolidated recommendations table in appendix B.

#### **Key recommendations**

Amend the proposal to change:

- a. Policy C1(1) to ensure that it applies to ‘REG assets’ and ‘REG activities’
- b. Policy C1(2) to include:
  - the need to connect to electricity networks
  - future REG activities limited to those that are reasonably foreseeable
- c. the NPS-REG to make it clear that an assessment of alternative sites is not required in demonstrating that a ‘functional need’ or ‘operational need’ exists

- d. Policy C1 to make it clear that an assessment of alternative sites is not required in demonstrating that a 'functional need' or 'operational need' exists ([see recommendation 22](#))

## **3.3.6 Topic 6: Existing REG activities and assets**

### **3.3.6.1 Proposal**

Proposed amendments to Policy D and two new proposed policies (policies 3 and 4) are aimed at protecting and maintaining existing REG assets.

The proposed amendments to Policy D direct decision-makers to protect existing REG assets from reverse sensitivity effects from new activities.

Proposed Policy 3 ensures decision-makers enable the continued operation and maintenance of existing REG assets.

Proposed Policy 4 provides direction to decision-makers when existing REG assets are being consented, upgraded or repowered, including the benefits of maximising the use of an existing site, only considering the marginal increase or change of effects, and providing flexibility in setting conditions.

### **3.3.6.2 Key issues from submissions**

#### *Policy D – protecting existing REG assets from other activities*

There were mixed views from submitters. The electricity sector generally did not consider the proposed policy provided adequate protection for existing REG assets and activities and sought for it to be strengthened.

Councils were concerned that the proposed policy was unnecessarily restrictive of other activities, especially where the effects of the new activity on the REG activity would be minor. Submissions include that effects should be limited to reverse sensitivity effects that impact the safe and efficient operation of REG infrastructure and that the definition of 'reverse sensitivity' should be narrowed to exclude complaints.

Ngati Tahu-Ngati Whaoa Runanga Trust and some councils also considered that cumulative effects of an activity should be taken into account.

NZPI submitted that the policy should be reframed to apply to decision-making on consent applications seeking to establish new activities near to existing REG activities, rather than in the context of plan-making.

#### *Policy 3 – providing for the operation and maintenance of existing REG*

There were mixed views from submitters.

The REG sector supported the proposed policy but sought further direction and alignment with the NPS-EN and NPS-I including:

- stronger direction to recognise the importance of securing REG output from existing REG assets

- recognising that existing REG assets and infrastructure are often located in diverse and sensitive environments
- applying the policy to REG activities as well as assets.

The Electricity Sector Environment Group also sought to include minor upgrades (including a definition), enabling these activities in all locations and environments, and applying an effects management approach that requires effects to be 'avoided, remedied or mitigated where practicable'.

Forest & Bird sought an additional subclause directing decision-makers to consider opportunities and measures to reduce adverse effects when addressing upgrades on existing REG.

#### *Policy 4 – reconsenting, upgrading and repowering existing REG*

There were mixed views from submitters on this proposal.

Some councils, iwi and NZPI strongly opposed policy direction where only the changed or additional effects of existing REG activities would be considered in decision-making. NZPI was concerned that this would lock in historical decisions that may not adequately account for or mitigate ongoing adverse effects, particularly for water permits. For example, NZPI considered that hydropower schemes established prior to the RMA could be improved to better support fish passage, erosion control and residual flows. Waikato Regional Council questioned this approach to reconsenting, referring to current case law and the meaning of 'environment' under section 104(1)(a) of the RMA.

Some submitters considered a more appropriate approach is to delete the limited consideration of effects (Policy 4(1)(b)) and instead rely on the established concepts of 'existing environment' and 'permitted baseline'. This approach would also provide decision-makers with the flexibility to select and consider all relevant matters.

The electricity sector was generally supportive of the proposed policy, particularly the new direction for decision-makers to consider only the additional/changed adverse effects. Some submitters recommended further amendments, including:

- further direction for upgrading and repowering to ensure that opportunities and potential additional capacity are not constrained by disproportionately small potential adverse effects
- preventing the definition of 'environmental footprint' from being interpreted as the occupation of the structures, rather than use of the full site (which should be considered when reconsenting, upgrading and repowering). (Also see section 3.3.1 on definitions.)

Some councils and electricity generators considered that the words 'seek to' in providing flexibility in conditions (Policy 4(1)(c)) introduced unnecessary uncertainty and suggested their deletion.

### **3.3.6.3 Analysis of submissions and proposal**

In response to submissions, officials recommend several changes to proposed policies D, P3 and P4 to strengthen and clarify the protections for existing REG assets. These changes better align the NPS-REG with the NPS-I and NPS-EN and reflect the importance of existing assets for security of supply.

#### *Policy D – protecting existing REG assets from other activities*

In response to submissions, officials recommend amending this policy to specify that lawfully established REG activities must be protected (along with assets) and limiting the effects to be considered to those directly impacting REG assets and activities (including reverse sensitivity effects).

Officials recommend changes to proposed Policy 4 to clarify that decision-makers maintain the ability for cumulative effects to be managed. Officials also recommend the deletion of definition 16 ‘reverse sensitivity’ as the term is well understood in case law and defining it risks causing uncertainty (see section 3.3.1 on definitions).

#### *Policy P3 providing for the operation and maintenance of existing REG*

In response to submissions on Policy 3, officials considered better aligning the NPS-REG with the NPS-EN and NPS-I by including minor upgrades in all locations and environments (including in areas comprising RMA section 6 values), provided that adverse effects have been avoided where practicable, remedied where practicable and mitigated where practicable. It was considered that these upgrades would be substantial changes from the proposals consulted on and would require reconsultation to ensure all affected parties had the opportunity to submit. Therefore, no change is recommended at this stage.

Officials consider that the proposed policy already covers effects of operation and maintenance of existing REG activities on RMA section 6 values and that no amendments are required, except to make it clear that it applies to both assets and activities of REG.

Officials do not recommend requiring decision-makers to consider opportunities to reduce adverse effects when considering operation and maintenance of existing REG activities. Applicants are nonetheless able to propose reductions as part of their overall management approach.

#### *Policy P4 – consenting, upgrading and repowering existing REG*

Officials recommend clarifying that the policy includes both assets and activities of REG, and both capacity and output of REG. They also recommend deleting the words ‘seek to’ to provide greater certainty of direction when providing for flexibility in consent conditions.

Officials recommend amending the policy by directing decision-makers to recognise that existing REG assets (ie, the structures) form part of the existing environment. Recognising the assets only as part of the existing environment will ensure that any relevant adverse effects of the REG activities can still be managed. Recognising existing REG assets is only relevant when seeking to renew an expired regional consent. An example is a hydro-electric dam structure forming part of the existing environment against which effects are to be assessed. This policy does not require existing water takes and diversions to be considered part of the existing environment.

Officials recommend amending Policy P4(b) to remove ‘only consider’ and replace it with ‘take into account’ which is well understood by decision-makers and applicants and requires a contextual assessment to give it whatever weight is appropriate in the circumstances (subject to final drafting). This will mean that decision-makers will be required to ‘take into account’ the extent to which effects are different in scale, intensity, duration and frequency, but are not precluded from considering all relevant effects and issues (eg, cumulative effects, best-practice

mitigations, and adapting to changing circumstances such as climate change). Variations to existing consent conditions under section 127 of the RMA continue to apply.

The recommended amendments taken together are designed to deliver on the Government's goal to get the most out of existing REG assets while managing effects on the environment.

### 3.3.6.4 Recommendations

Recommendations for this topic are summarised below and outlined in full in the consolidated recommendations table in appendix B.

#### Key recommendations

**Protecting existing REG assets from other activities.** Amend the proposal to change Policy D to:

- ensure lawful 'REG activities' and 'REG assets' are protected
- make clear that only the effects from other nearby activities that will affect 'REG assets' and 'REG activities' need to be protected from (rather than all effects) ([see recommendation 23](#))
- **Providing for the operation and maintenance of existing REG.** Amend the proposal to include a new policy for providing for the operation and maintenance of existing 'REG activities' and 'REG assets' ([see recommendation 27](#))

**Reconsenting, upgrading and repowering existing REG.** Amend the proposed new policy for reconsenting, upgrading and repowering 'existing REG assets' to:

- include 'REG activities' and 'REG assets'
- include 'REG capacity' and 'REG output'
- change the reference to 'environmental footprint' to 'REG site'
- remove 'only consider' and replace with 'take into account' so that decision-makers can take into account the effects of the proposed REG compared with the existing REG and continue to manage all relevant effects
- remove 'seek to'
- direct that 'existing REG assets' be recognised as part of the existing environment ([see recommendation 28](#))

## 3.3.7 Topic 7: Providing for Māori interests

### 3.3.7.1 Proposal

The proposed Policy P1 is intended to provide direction to decision-makers and applicants on how to recognise and provide for Māori values, interests and engagement in REG decisions about consenting, notices of requirement and private plan changes. The direction includes considering the outcomes of engagement, recognising development opportunities, and providing opportunities for involvement in relation to sites of significance to Māori and issues of cultural significance.

The wording for this proposed policy is based on, and aligned with, the language used in Policy 9 of the National Policy Statement for Urban Development 2020 (NPS-UD), with modifications to reflect that NPS-UD is direction to plan-making rather than to applications for REG activities.

Treaty settlement agreements and related legislation continue to apply.

### **3.3.7.2 Key issues from submissions**

Submitters generally supported the policy on Māori interests, but some submitters thought further amendments were needed to strengthen and clarify the direction.

Some submitters (mainly from hapū/iwi/Māori groups and local government) thought the policy needed to better reflect the principles of the Treaty of Waitangi and section 8 of the RMA, and provide explicit protections for Treaty settlement obligations and Māori interests. Some identified that the legal weight of the subclauses is unclear.

Most hapū/iwi/Māori groups and some councils considered the proposed NPS-REG did not provide sufficient direction on issues including:

- ensuring Treaty settlements and other arrangements are not undermined
- engaging iwi and hapū, including in ongoing relationships
- protection for sites and taonga of significance to Māori
- mechanisms for assessing cultural effects and how to incorporate mātauranga Māori in REG planning and assessment
- enabling Māori rights, interests, responsibilities and aspirations within the energy sector including whānau, marae and hapū-scale projects.

#### *Policy direction on engagement*

Many regional and local councils, as well as most submissions from hapū/iwi/Māori groups, strongly opposed the caveat in Policy 1(c), which required decision-makers to provide opportunities for tangata whenua engagement ‘in appropriate circumstances’. They did not consider it appropriate to limit engagement and could not foresee a situation where it would not be appropriate for tangata whenua to be involved in relation to sites of significance to Māori and issues of cultural significance.

One submitter did not consider it appropriate that engagement was limited to tangata whenua and thought the obligation should be extended to all Māori, including owners of Māori freehold land.

A few submitters wanted to strengthen the requirement for decision-makers to provide opportunities for tangata whenua involvement. This included requiring early engagement and requiring decision-makers to consider and demonstrate how tangata whenua input has been addressed in the proposal.

An NGO submitted that clause 3.3 of the National Policy Statement for Indigenous Biodiversity 2023 (NPSIB) provides a more appropriate framework for policies related to Māori interests than those in the NPS-UD.

### **3.3.7.3 Analysis of submissions and proposal**

The policy provides direction to the requirement for decision-makers to recognise and provide for RMA section 6(e) and section 6(g) matters, by providing a means for Māori values and aspirations for their ancestral territory, resources and specific taonga to be understood, considered and weighed when resource consent, notices of requirement or plan change decisions are made in relation to REG.

For submissions seeking greater direction regarding Māori interests, officials note the NPS-REG policies will not override the local plan controls in place for sites of significance to Māori. When determining a resource consent application, a decision-maker must have regard to the policies in the NPS-REG (as well as the policies in any other relevant national direction) along with the relevant plan provisions. In addition, the NPS-REG proposals will not directly impact the decision-making process requirements under the RMA and Treaty settlement legislation where Māori participation is concerned, nor the role of mana whakahono ā rohe agreements. This is further detailed in section 3.3.10.3 on Treaty settlements below.

Officials agree that the weight of the subclauses is unclear and the policy is not intended to conflict with sections 6 to 8 of the RMA. This intent will be clarified in final drafting.

#### *Policy direction on engagement*

Officials agree with submitters that deleting 'in appropriate circumstances' from Policy 5(c) will provide more clarity and certainty.

Officials do not consider that further direction or amendments are required as the policy does not restrict or prohibit engagement with iwi/hapū/Māori beyond tangata whenua (although it does not require it). Officials also do not propose to restructure this policy in line with the NPS-IB, noting that these two instruments have different purposes: the NPS-IB is protective, while the NPS-REG is enabling of development (like the NPS-UD).

### **3.3.7.4 Recommendations**

The recommendation for this topic is summarised below and outlined in full in the consolidated recommendations table in appendix B.

#### **Key recommendation**

Amend the proposal by removing the qualifier 'in appropriate circumstances' (see recommendation 25)

## **3.3.8 Topic 8: Managing adverse effects**

### **3.3.8.1 Proposal**

Policy 2 provides direction on how to manage the adverse effects of REG. It directs decision-makers to enable REG activities provided that adverse effects are avoided where practicable, remedied where practicable or mitigated where practicable, but only where REG activities do not interact with values identified as matters of national importance in section 6 of the RMA, or covered by other national direction.

As noted above (see section 3.3.3.3), effects on RMA section 6 values will be addressed in upcoming RMA reforms.

### **3.3.8.2 Key issues from submissions**

There were mixed views from submitters.

Many submitters (electricity sector, local government, NGOs, professional bodies, iwi/Māori) commented on the gaps in the proposed effects management approach. They sought direction

on how to manage REG in areas with RMA section 6 values and stronger guidance on how to balance the benefits of REG with adverse effects during decision-making. They considered the proposed policy maintains the existing consenting uncertainty over weighting of positive and adverse effects. The level of enablement sought varied between the REG sector, NGOs, iwi/Māori and council submitters.

Many in the REG sector sought to include aspects of effects management that were proposed for NPS-I, for example, considering unavoidable changes in amenity, the constraints to managing effects from the technical and operational requirements of REG, and financial and timing implications of mitigation measures.

While many iwi/Māori and NGO submitters were supportive of enabling REG, they did not think it should come at the detriment of the environment. They recommended removing the phrase 'where practicable' as they considered it set too low a bar for management of adverse effects.

Many in the REG sectors wanted aspects of the existing NPS-REG 2011 retained; the offsetting and compensation provision from Policy C2; and the use of adaptive management measures from Policy C1(e) as these provisions are currently used, for example, to manage geothermal resources.

Some submitters proposed alternative approaches such as separating the enabling part of the policy from the effects management part, introducing an effects management hierarchy, and requiring effects to be avoided, remedied and mitigated to make them as low as reasonably practicable.

Many submitters sought clarity on how the proposed policy interacts with other policies in the NPS-REG, specifically with policies on operational and functional need, the national significance and benefits of REG and Māori rights at interests. A few submitters sought clarity on the protections for sites of significance to Māori.

### **3.3.8.3 Analysis of submissions and proposal**

The Government has directed that the management of effects on values identified as matters of national importance in section 6 of the RMA, whether addressed via other national direction or in local plan provisions, will be addressed in the RMA replacement legislation.

The proposed policy supports the Government's objective to enable REG while also ensuring the adverse effects are managed appropriately. For managing effects on RMA section 6 values (matters of national importance), the proposals must be read both in the context of the section 6 direction to 'recognise and provide for' these values and alongside any other relevant national direction. For managing adverse effects on all values, any relevant provisions of local planning instruments apply.

In response to submissions seeking more explicit direction on the matters decision-makers should consider when enabling REG activities, officials recommend that drafters consider how best to draft the combination of proposed policies across the NPSs and to consider alignment across NPS-I and NPS-EN.

In response to submissions seeking the inclusion of effects management aspects from NPS-I, it was considered that these would be substantial changes from the proposals consulted on and would require reconsultation to ensure all affected parties had the opportunity to submit. Therefore, no change is recommended at this stage.



Officials recommend separating out the enabling part from the effects management part of the policy. For the enabling part of the policy, officials agree that the existing guidance on the use of adaptive management measures would be beneficial and recommend a provision is included in the updated NPS-REG.

For the effects management part of the policy, officials agree that the existing guidance on offsetting and compensation would be beneficial for decision-makers, REG applicants, submitters and local communities.

### 3.3.8.4 Recommendations

Recommendations for this topic are summarised below and outlined in full in the consolidated recommendations table in appendix B.

#### Key recommendations

Amend the proposal to include a new policy for enabling REG activities to:

- separate the policy into two parts – enabling policy and effects management
- retain, for the enabling part of the policy, the use of adaptive management measures from Policy C1(e) of the existing NPS-REG 2011 (see [recommendation 26](#))

### 3.3.9 Other issues

#### 3.3.9.1 Proposals, issues and analysis

##### *Small-scale and community-scale REG*

Proposed Policy F is intended to better enable the effective and efficient consenting, operation, maintenance and upgrading of small-scale and community-scale REG projects. It is also intended to recognise the contribution of small-scale and community-scale REG projects, including by supporting community well-being, increasing electricity resilience, and assisting in meeting New Zealand's emissions reduction targets and budgets.

Most submitters were supportive of the proposed policy. A few submitters wanted further support for small and community-scale REG, for example, by permitting small-scale REG activities in district plans and providing specific rules and supporting policy for community-scale REG activities. An NPS cannot permit activities or provide specific rules.

A few submitters wanted clarity on how Policy F related to other policies. The intent is that small-scale and community-scale REG has the same level of enablement as grid-scale REG. Officials recommend that the drafting makes clear that the level of enablement is the same, in line with the policy intent.

##### *Implementation*

Some submitters noted that the successful delivery of the NPS-REG depends on effective implementation measures and some sought direction in the NPS-REG for its implementation by councils, including requirements to undertake plan changes to give effect to the instrument. Some iwi submitters suggested dedicating resources to enable iwi and hapū to participate meaningfully in planning, consenting and governance processes.

In response, officials reiterate that there are no provisions in the proposed NPS-REG to provide further direction on implementation other than what is provided by the RMA. The NPS-REG will have immediate effect once it comes into force and consent authorities must have regard to the NPS-REG provisions when considering an application for a resource consent under section 104 of the RMA (or particular regard when a territorial authority is considering a notice of requirement).

The NPS-REG will not include requirements for local authorities to review and change their regional policy statements or plans and this is consistent with the new subpart 5B of Part 5 of the RMA (the Plan Stop provisions)(section 5.5.3 refers). However, plan changes (including private plan changes) that have been approved to proceed and include content relevant to REG will still be required to give effect to the NPS-REG.

### *Issues out of scope*

Several issues raised by submitters are out of scope of this consultation. Many council and industry submitters commented on:

- the lack of direction on how to manage adverse effects of REG activities on RMA section 6 values such as through an effects management hierarchy
- the lack of a policy framework to reconcile conflicting approaches in other national direction, with some generators seeking that the NPS-REG prevail over other national direction.

Several submitters supported the exclusion of the NPS-REG and NPS-EN from the scope of the NPS-I, while other submitters suggested the instruments should be combined.

The Government decided not to address interaction between different NPSs or managing effects on RMA section 6 values in this package of amendments.

These matters will be addressed in the RMA replacement legislation (new Planning Act and Natural Environment Act). These submission points are therefore out of scope.

However, officials have looked at options to align the NPS-REG, NPS-EN and NPS-I where it makes policy sense and is legally possible.

A few iwi/Māori submitters sought further direction on decommissioning and removal of REG infrastructure and restoration of the site. As the Government did not release proposals on the restoration of REG sites where assets have been removed or decommissioned, this is out of scope of the current proposals.

The Electricity Sector Environment Group requested an equivalent policy to NPS-REG as is proposed in NPS-I covering spatial planning. While officials agree that REG can contribute to good spatial planning, we do not recommend adding a requirement to the NPS as the Government's intent is to have a direct effect on consents before the RMA replacement legislation takes effect. We recommend detailing REG's role in spatial planning in the new system.

As these submissions are out of scope of the phase 2 national direction package, officials do not make any recommendations on these submissions.

### 3.3.9.2 Recommendations

The recommendations for this topic is summarised below and outlined in full in the consolidated recommendations table in appendix B.

#### Key recommendation

Amend the proposal to change Policy F and other parts of the NPS-REG to clarify that 'small-scale REG' and 'community-scale REG' assets and activities are to have the same level of enablement in the NPS-REG as other REG ([see recommendation 24](#))

## 3.3.10 Other considerations

### 3.3.10.1 Part 2 RMA

#### Context

Officials are required give effect to Part 2 matters of the RMA when preparing reports and making recommendations on proposals for amendments to national policy statements (refer to section 46A(3)). Part 2 includes section 5 (purpose), section 6 (matters of national importance), section 7 (other matters) and section 8 (Treaty of Waitangi).

Submissions which specifically refer to Part 2 matters, and officials consideration of Part 2 matters, are outlined below.

#### Submissions

The key issues identified through submissions related to Part 2 of the RMA were:

- concerns that the proposed NPS-REG does not implement Part 2 of the RMA, including the approach to managing effects of REG (eg, use of 'where practicable'). (Managing effects is addressed in section 3.3.8 above)
- a lack of recognition and provision for section 6 values, particularly section 6(e), which relates to the relationship of Māori and their culture and traditions with their ancestral lands, water sites, wāhi tapu and other taonga.

#### Analysis

The objective and policies in the NPS-REG have direct relevance to Part 2, section 5(2) of the RMA, as they promote sustainable management in a way which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety over time, including meeting the reasonably foreseeable needs of future generations. The NPS-REG is consistent with Part 2 of the RMA for the following reasons.

- It enables the use and development of natural and physical resources to develop, operate, protect, maintain and upgrade REG assets and activities while managing effects on the environment by providing clear and directive objectives and policies to decision-makers.
- It enables people and communities to provide for their social, economic and cultural well-being and for their health and safety by contributing to maintaining and improving the services that REG provides.
- It enables development while protecting natural environmental values in accordance with relevant national direction (ie, rivers, lakes and wetlands continue to be managed under

the National Policy Statement for Freshwater Management). RMA section 6 matters without national direction will continue to be protected through the provisions of district and regional plans, including section 6(e) on the relationship of Māori and their culture and traditions with their ancestral lands, water sites, wāhi tapu and other taonga.

- It provides direction on achieving ‘the benefits to be derived from the use and development of renewable energy’ in section 7(j) of the RMA, for example by displacing fossil fuels.
- The proposals take into account the principles of the [Treaty of Waitangi](#), in particular by providing for partnership opportunities in REG development, and including provisions requiring decision-makers to consider engagement outcomes and opportunities for involvement in decision-making.

### 3.3.10.2 Recommendations

Officials do not recommend any further changes to the NPS-REG.

#### Key recommendations

No changes

### 3.3.10.3 Treaty of Waitangi and Treaty settlement considerations

#### *Context*

The Crown has made a number of commitments to iwi and hapū through Treaty settlement agreements and legislation, while other settlement agreement processes are well advanced. Officials have considered these relevant settlements when preparing the proposed NPS-REG. Officials have also considered whether any proposals in this package have the potential to inhibit future settlement agreements. When deciding on the recommendations in this report, decision-makers for this NPS will also need to consider settlement legislation obligations, as highlighted further in this section.

#### *Treaty settlement obligations*

Obligations under Treaty settlement agreements and legislation that are relevant to national direction take several forms, as follows:

- obligations relating to the development of national direction (ie, policy development process)
- obligations to actively involve identified Treaty partners in the plan-making process and/or resource consent, through co-governance, decision-making or engagement/consultation
- direct obligations on RMA actors and mechanisms that relate to tangata whenua values and objectives for an identified taonga or the legal status of a taonga (eg, Te Awa Tupua, Whanganui River).

As discussed in detail below, officials have not identified any specific impacts of the proposed NPS-REG on Treaty settlement legislation. The overall impact of the proposed NPS-REG on Treaty settlements is likely to be minor, because the proposal does not:

- prevent councils from upholding their statutory acknowledgment commitments for consenting and plan-making

- directly affect planning processes that involve post-settlement governance entities (PSGEs) and joint entities.

In terms of obligations relating to development of national direction, in addition to this public consultation process, officials have provided PSGEs with opportunities to meet, and met with PSGEs who wished to do so, to seek their particular views on the proposals. The PSGE consultation is addressed below.

### *Post-settlement governance entity engagement*

Through engagement with PSGEs, and from the submissions received, officials have identified the following themes:

- ensuring the NPS-REG provides ongoing care for taonga, and active protection for taonga in a degraded or vulnerable state, particularly freshwater
- ensuring regulation is more enabling of iwi/hapū-led and whānau-, marae- and hapū-scale REG
- ensuring iwi participation arrangements under the RMA and iwi participation legislation are not undermined by national direction
- providing for early iwi/hapū input into local resource management policies and participation in decisions and conditions to reflect the status of Māori as Treaty partners
- ensuring the relationship of tangata whenua to their ancestral lands and waters is understood by decision-makers, and is provided for
- ensuring iwi/Māori can build constructive and ongoing relationships with REG providers based on respect and reciprocity
- ensuring protection of sites of significance
- ensuring protection of customary rights, including access to mahinga kai
- ensuring REG outcomes are equitable for the Māori population, who are on average younger, on lower incomes, in lower decile areas or more likely to be living rurally than the general population
- ensuring a planned and integrated approach to resource use and REG, for example, through spatial planning that benefits local iwi/hapū and communities
- ensuring REG facilitates productive use of Māori land, including freehold Māori land and land returned in settlements.

### *Submissions*

Many submitters also submitted on issues of relevance to Māori and/or the Treaty of Waitangi. In addition to submissions on Policy P1 (Māori interests), some submitters suggested issues specific to Treaty settlements.

- Some requested stating that, where there is a conflict between the NPS-REG and Te Ture Whaimana – the Vision and Strategy for the Waikato River, the NPS-REG does not prevail.
- NPSs need to follow a robust process of engagement and consultation with iwi. The proposed changes must uphold the Crown's Tiriti obligations and enable iwi/Māori to participate meaningfully from the outset.
- Where NPSs affect whenua, wai, taonga species or resource access, they must uphold the rights and responsibilities of mana whenua under Te Tiriti o Waitangi.

Submissions directly relating to Policy P1 (Māori interests) are discussed above under topic 7: Providing for Māori interests.

### *Analysis*

Officials note that Treaty settlement agreements and related legislation continue to apply.

Officials are of the view that the proposals do not present a risk to the operation of these Treaty settlement commitments. Officials consider that the NPS-REG proposal does not conflict with the intention of the commitments as it does not allow consent decision-makers to avoid any obligation to recognise, provide for or have particular regard for the values, objectives, strategies, plans or legal status for a specific taonga. The proposed NPS-REG does not amend the RMA, nor any decision-making and participation arrangements provided under Treaty settlements.

However, the NPS-REG could affect the influence of some settlements where the enabling policy direction does not specifically prevail over protective policies established in planning instruments under Treaty settlement arrangements. In practice, decision-makers will be required to consider both the provisions of the NPS-REG and the policies influenced by Treaty settlements and other arrangements, and come to a decision which upholds those agreements.

The enabling direction of the NPS-REG could make those decisions harder to balance, especially when decision-makers are required to achieve both strong enabling and protective policy goals. To aid consideration of that balance, Policy P1 provides a backstop to settlement requirements so that decision-makers must take into account tangata whenua values and aspirations specifically related to REG proposals. It should be noted that REG proposals are not inherently in conflict with local iwi/Māori values and aspirations, and the intent of Policy P1 is to understand shared benefits and appropriate effects management to improve project outcomes.

Submissions from the Waikato councils emphasised the legislative status of the Waikato River. Under section 13 of the Ngāti Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2020, Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River prevails over any inconsistent provision in a national policy statement. This is a statutory requirement across all RMA national direction and does not need to be restated in the NPS-REG.

RMA section 6 matters will continue to be regulated by councils, in particular “the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga” and “the protection of protected customary rights” in section 6(e) and (g) respectively.

### **3.3.10.4 Recommendations**

Officials acknowledge the concerns raised in submissions regarding Treaty settlements but do not recommend further changes in addition to those recommended for Policy P1.

#### **Key recommendations**

No changes

## **4. Part B: Proposed amendments to the National Policy Statement on Electricity Transmission**

### **4.1 Proposal overview**

The proposal amends the National Policy Statement on Electricity Transmission 2008 (NPS-ET) to broaden its application to include electricity distribution networks (EDNs). To reflect this change of scope, the NPS-ET is being renamed to the National Policy Statement for Electricity Networks (NPS-EN). This report will refer to the NPS-EN unless referring to the NPS-ET specifically.

The intent of the proposed NPS is to enable electricity networks (ENs) to support electrification of the economy, transition to renewable electricity generation and meet New Zealand's climate change mitigation obligations.

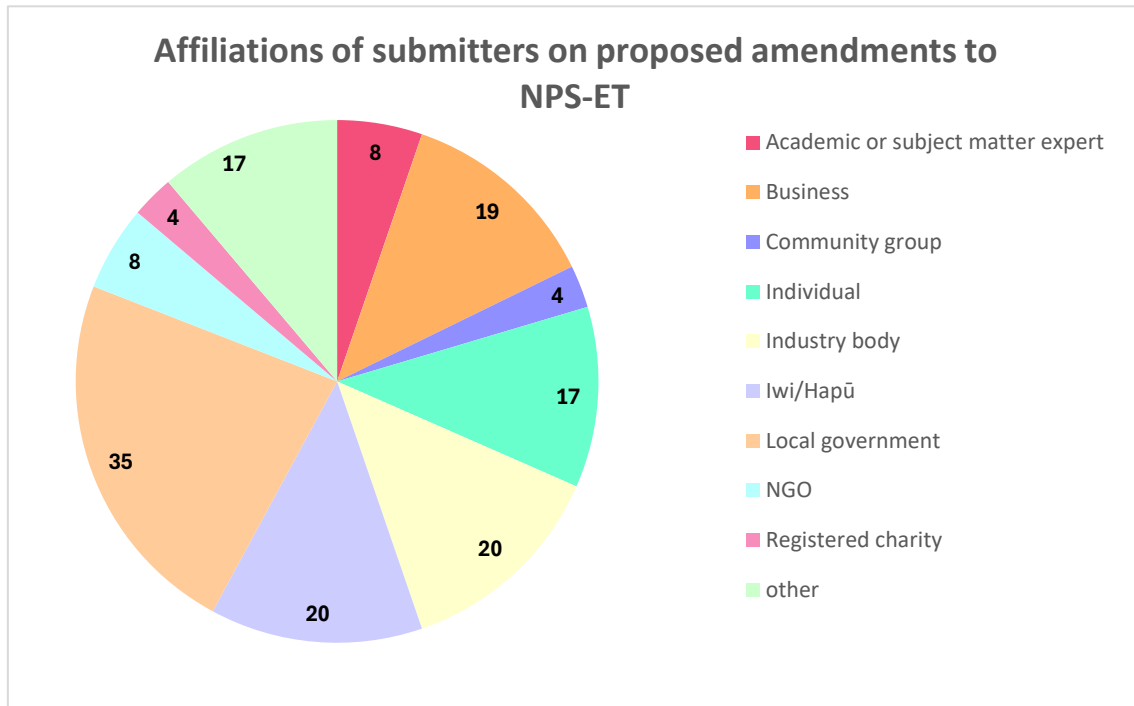
The proposed NPS-EN includes a new updated objective and new enabling policies to:

- recognise and provide for the national significance and benefits of electricity networks (which include electricity distribution)
- manage adverse effects through consideration of route and site selection processes
- enable routine operation, maintenance and upgrade activities on electricity networks
- recognise and provide for the interests of tangata whenua
- provide greater protection of electricity networks
- update the international guidelines for electric and magnetic fields (from the currently referenced 1998 guidelines to the 2010 guidelines)
- align the policy direction with the National Environmental Standards for Electricity Network Activities (NES-ENA) proposal.

## 4.2 Summary of submissions

### 4.2.1 Overview of submissions

A total of 125 submitters provided feedback on the proposal. Submitters can be broadly categorised into the following groups.



Note: The sum of all groups shown in the graph does not correspond to the total number of submitters on this instrument as submitters could select multiple affiliation options.

### 4.2.2 Key submission topics

The key topics from the submissions on the proposed NPS-EN include:

- scope and definitions:
  - inclusion of electricity distribution networks
  - definitions of works categories, including the meaning of a routine activity
- objective for electricity networks
- recognising the benefits and national significance of electricity networks
- recognising the functional or operational needs to be in particular environments
- recognising and protecting Māori interests and values, for example on sites of cultural significance
- consideration of route, site and method selection processes
- managing the adverse effects of the electricity network, particularly in sensitive environments and urban areas
- protection of electricity networks from incompatible development
- strategic planning of electricity networks using spatial planning.

These topics are discussed in further detail below.



## 4.3 Analysis of proposal and submissions

### 4.3.1 Topic 1: Scope and definitions

#### 4.3.1.1 Proposal

The NPS-EN proposal applies to the electricity transmission network (commonly known as the 'National Grid') and the electricity distribution networks, together referred to as the electricity network. It is intended to apply to all Resource Management Act 1991 (RMA) decisions which relate to the protection, operation, maintenance and upgrade of electricity networks, as well as the construction of new electricity networks.

The proposal includes a set of definitions for electricity networks to support consistent interpretation and application of NPS-EN. Please refer to appendix C for a description of these definitions.

#### 4.3.1.2 Key issues from submissions

Many submitters expressed support for amending NPS-EN and sought specific changes or additions to the proposals. The key issues identified through submissions related to the scope and definitions were as follows.

- Most submitters, including council and industry submitters, supported the expanded application and inclusion of electricity distribution in the NPS-EN as a 'core pillar' of the electricity system, although a few submitters requested safeguards, suggesting that enabling distribution networks in high-value environments could increase the likelihood of adverse effects on those significant values.
- Some submitters, particularly councils and environmental non-government organisations (ENGOS), raised concerns about the enabling and directive nature of the proposal, especially in environments with RMA section 6 values. Those submitters contend that adding the distribution network to an existing permissive framework could lead to more complex decision-making, especially without direction on how to prioritise and resolve competing environmental and planning interests, values and outcomes.
- Many submitters sought clarification of the status of NPS-EN in relation to other national direction and proposed greater alignment between infrastructure-related instruments, in particular the National Policy Statement for Renewable Electricity Generation (NPS-REG) and the National Policy Statement for Infrastructure (NPS-I). Some submitters sought amendments to have the NPS-EN prevail over other national direction in the event of any conflicts.
- Some submitters, including councils, industry and the New Zealand Planning Institute (NZPI), suggested that battery storage or energy firming infrastructure should be more explicitly provided for in the NPS-EN, in view of its future role to 'firm' electricity supply and balance the intermittency between supply and demand of REG.
- Submitters had mixed views on the definition of 'routine EN activities'. Many councils and ENGOS felt the definition was too broad in including activities like EN asset removal and replacement. Other submitters thought the definition did not clearly cover upgrades and replacements, creating uncertainty for consenting. Many, including councils and EN providers, opposed including an effects assessment ('no more than minor') in the definition, saying it was subjective and reduced clarity. Concerns were also raised about how the definition applies in areas with RMA section 6 values.

- Submitters expressed concern with the number of definitions for EN works categories (eg, 'routine'), suggesting that the definitions could be clearer to avoid interpretation issues.
- Many submitters sought specific additions or changes to the proposed definitions and wish to see alignment across the definitions used in NPS-EN, NPS-REG and NPS-I proposals.

The changes to definitions are outlined in appendix C and include a merging of work categories into two definitions ('routine' and 'non-routine') and a greater specification of activities within definitions to simplify implementation.

### **4.3.1.3 Analysis of submissions and proposal**

#### *NPS-EN scope*

The intent of the NPS-EN amendments is to apply national direction to the entire electricity network, addressing a policy gap for the distribution network and ensuring nationally consistent policy.

Most individuals and organisations who provided a written response agreed with conditional support, on the basis that there should not be a 'one-size-fits-all' approach to the electricity network. Some submitters did not support including the distribution network in NPS-EN scope because the broad definition risked capturing parts of the network that are not regionally or nationally significant. Officials do not recommend changing the scope of the proposed NPS-EN as the entire electricity network is essential for electrification and relevant differences between transmission and distribution are better addressed through specific policies and the NES-ENA regulations.

Electricity storage and transfer are referenced in Policy 1(2)(d). Officials do not recommend any further provisions for electricity storage in NPS-EN and note that NPS-REG will be amended to include electricity storage, associated with and independent of REG.

The NPS-EN is part of a broader national direction reform programme, intended to focus on changes that can have an immediate impact on achieving the Government's goals in relation to easing regulatory burden. Officials consider the changes sought by submitters relating to primacy or priority between instruments are beyond the scope of this targeted review and are better addressed as part of the wider replacement of the resource management system. Other amendments sought by submitters are out of scope, including requests to introduce a new effects management hierarchy for EN infrastructure that is proposed to locate in areas with RMA section 6 values. Officials note that an effects management process for infrastructure will be considered as part of the RMA replacement legislation.

To address submitters' concerns regarding a lack of integration across the national direction instruments, officials have reviewed the NPS-REG and NPS-I to ensure alignment with the NPS-EN and recommend making wording changes to ensure that, where appropriate, there are consistent policies and definitions across NPS-EN, NPS-I and NPS-REG (refer recommendations in appendices A and B).

A common theme in submissions was the inclusion of direction to 'avoid, remedy, mitigate' adverse effects in each policy. The policies in an NPS are to be read together, meaning that the effects management policies will be considered alongside the enabling policies in decisions.

## Definitions

### *Electricity distribution network*

In response to suggestions from submitters, officials recommend amending the definition for 'electricity distribution network' to provide more detail on the range of assets associated with the electricity distribution network to a level that is similar to the level of detail in the 'electricity transmission network' definition. This will provide greater clarity for application of the definition in the NPS-EN policies.

### *Routine electricity network activities*

The definition of 'routine EN activities' is central to enabling regular work on the electricity network as it describes the range of essential maintenance and upgrade activities that can be expected under Policy 6 and provided for by NES-ENA. The Government's aim is to enable work on existing infrastructure using standards. Officials note that it is more efficient for existing infrastructure to remain in situ and receive ongoing maintenance and upgrades, required irrespective of the asset's location. The nature of network utilities means that there are some instances where they need to locate in particular environments, such as the coast and rivers, and these locations may require more regular maintenance activities to withstand environmental pressures. Officials consider that asset removal and replacement are 'routine' activities, and although they may not occur regularly and their frequency will depend on the location and nature of the asset, they are an essential part of the EN asset lifecycle and should be enabled where the effects can be appropriately managed through standards.

To address the remaining concerns, officials make the following recommendations.

- Clarify that the reference to resilience is for activities that do not have significant adverse effects.
- Remove the reference to the nature, scale and intensity of the existing activity and removing an assessment of effects in D18(d), and 'or other change', as this is dealt with in the NES-ENA. Reference to assessment of effects in a definition creates uncertainty over the activities included. This definition will be applied in areas with RMA section 6 values (in accordance with Policy 6) and requires additional specificity to ensure that any adverse effects on those values can be managed appropriately under the NES-ENA regulations. This includes provision for more controls in some environments to protect sensitive values.
- Include reference to 'ancillary EN activities' to align with definition D2.
- Amend D18(g) to specify 'enabled by' and the inclusion of 'permitted or controlled activities' within the NES-ENA to ensure that activities with significant adverse effects are not included within the definition.

### *Electricity network development activities, non-routine electricity network activities, customer driven projects*

Officials recommend combining the definitions for 'customer driven projects' and 'electricity network development activities' into the 'non-routine activities' definition. The amended definition will include all EN development and upgrade activities that are not included within the 'routine EN activities' definition. This will simplify the EN interpretation, resulting in two works categories: 'routine' and 'non-routine'.

### *Other matters*

Officials recommend deleting definition D21 for 'well-being' as it is a well-established term and where it is used in the objective and Policy 1, the full RMA reference to social, economic and cultural well-being is made.

Officials recommend deleting definition D14 for 'NZECP34:2001' as the term is no longer proposed to be used in the NPS-EN. For further commentary, please see Policy 10.

### *All other definitions*

Officials recommend the remainder of the proposed NPS-EN definitions are retained unchanged or with minor changes. The definitions with minor changes are: definition D4 'decision makers', definition D7 'electricity transmission network (ETN)', definition D8 'electricity network activities', definition D11 'electricity network line', definition D16 'planning decisions' and definition D17 'electricity network resilience'.

## **4.3.1.4 Recommendations**

The amendments to the definitions in the proposed NPS-EN aim to improve the legibility of the overall NPS and clarify the application of its policies by ensuring the definitions are clear and certain in their application. In particular, the recommended changes to the 'routine activities' definition ensure that it is more specific about the activities included and only supports activities that have effects that can be appropriately managed under the standards in NES-ENA. The key change recommendations for this topic are summarised below and the complete list (including 'no change' recommendations) is outlined in full in the consolidated recommendations table in appendix C.

#### **Key recommendations**

Retain the proposed new name for this instrument 'National Policy Statement for Electricity Networks' as provided in the notified proposal ([see recommendation 1](#))

Scope of the NPS-EN to remain as provided in the notified proposal ([see recommendation 2](#))

Delete the definition of 'customer driven projects' from the NPS-EN ([see recommendation 5](#))

Amend the definition of 'decision-makers' to mean any person exercising functions or powers under the RMA ([see recommendation 6](#))

Amend the definition of 'electricity distribution network' to specify the infrastructure included consistent with the level of detail in the electricity transmission network definition ([see recommendation 7](#))

Amend the definition of 'electricity transmission network' to remove reference to the 'National Grid' in the head clause as this term is no longer used in the NPS ([see recommendation 9](#))

Amend the definition of 'electricity network activities' to create more specificity by deleting 'unless otherwise specified' ([see recommendation 10](#))

Delete the definition of 'electricity network development activities' from the NPS and merge clause (a) into the definition of 'non-routine electricity network activities' ([see recommendation 12](#))

Amend the definition of ‘electricity network lines’ to include reference to distribution lines and clarify coverage of lines attached to a bridge or other support structures (see recommendation 13)

Amend the definition of ‘non-routine electricity network activities’ to provide a single definition for the upgrade and development of new electricity network assets that are not considered ‘routine activities’ by merging definition 10(a) into definition 13 (see recommendation 15)

Delete the definition for ECP34:2001 from the NPS (see recommendation 16)

Amend the definition of ‘planning decision’ to reflect different decision-making processes under the RMA (see recommendation 18)

Amend the definition of ‘electricity network resilience’ to ensure that the definition supports changes in service levels where this is necessary to support managed retreat (see recommendation 19)

Amend the definition of ‘routine electricity network activities’ to make the definition more specific and only capture activities that are permitted or controlled under the NES-ENA in definition 18(g) (see recommendation 20)

Amend the definition of ‘sensitive activities’ to include reference to ‘papakāinga’ (see recommendation 21)

Delete the definition of ‘well-being’ from the NPS as the term is well established and include appropriate RMA well-being references in Objective 1 and Policy 1 (see recommendation 23)

## 4.3.2 Topic 2: Objective

### 4.3.2.1 Proposal

The proposed NPS-EN provides a single overarching objective to guide the delivery of planning decisions for electricity networks. The objective recognises:

- the national significance of the electricity network
- the benefits it provides to present and future generations
- its role in achieving emissions reduction and renewable energy targets
- the need to manage adverse effects on the environment in a proportionate and cost-effective way
- the need to protect the electricity network from the effects of other nearby activities.

### 4.3.2.2 Key issues from submissions

Most submitters supported the proposed objective and considered that it appropriately captures the broad range of outcomes sought for electricity networks, particularly the critical role they play in decarbonisation and resilience to climate change effects. Many submitters sought to qualify the national significance of the network and include direction to ensure that adverse effects on the environment are avoided, remedied or mitigated.

NZPI and some council submitters suggested that clause (c) ‘well-being’ is elevated to the opening statement and prefaced with ‘social, cultural and economic’ to ensure that it is consistent with Part 2 of the RMA.

Some submitters, including Transpower, suggested that clause (d) be amended to reference the broader term 'climate change mitigation', which includes emissions reduction.

A range of council and ENGO submitters raised concerns over the concept of 'proportionate and cost-effective' in clause 1(e), suggesting that this concept falls outside of the scope of the RMA and it could pose implementation challenges for decision-makers if connected to the objective to manage adverse effects. Many councils said it is unclear whether an assessment of cost-effectiveness would extend beyond purely financial considerations to include social, cultural or environmental matters.

Some submitters, including councils and ENGOs, raised concerns over the relative weighting in the objective, which was seen as prioritising development of electricity networks over adverse effects of EN activities on the environment, particularly RMA section 6 matters. Submitters also raised a lack of reference to Te Tiriti o Waitangi and suggested inclusion of a broader range of Māori values and interests.

A strong theme among iwi/Māori and council submitters was that the objective did not explicitly provide for cultural and Treaty obligations. Some iwi submitters suggested that electricity networks should have strong direction to avoid Māori land and areas of cultural values, including 'whenua, wai and taonga'.

The Resource Management Law Association considered in its submission that the use of the word 'protected' in the objective for EN is inappropriate because 'protect' in the RMA context is typically reserved for RMA section 6 matters.

Many industry submitters sought wording changes to recognise the interconnected nature of the EN and allow for emerging technologies and proactive upgrades to support long-term resilience. Federated Farmers requested that adverse effects on affected landowners are managed through legal easement agreements.

#### **4.3.2.3 Analysis of submissions and proposal**

Officials agree with submitters that Objective clause 1(e) introduces terms and concepts that fall outside the scope of the RMA and therefore recommend the removal of the qualifiers 'proportionate' and 'cost-effective', while adding direction that the EN is delivered in a timely, efficient and ongoing manner while managing adverse effects of the EN on the environment. The RMA definition of the environment is considered here to include effects on people and communities.

In terms of incorporating the principles of the Treaty of Waitangi and Māori values and interests in the objective of the NPS-EN, officials note that proposed Policy 3 of the NPS-EN contains provisions on Māori rights and interests. This policy includes provisions for early engagement and direction for decision-makers when considering EN activities on or near sites of significance to Māori.

Officials recommend that the term 'protect' in Objective 1(f) is replaced with "avoids adverse effects" to achieve the intended protection of the network. Without strong direction to protect these networks, the effects of third-party activities, such as urban development under transmission lines, would undermine the effective and efficient transmission and distribution of electricity, impact sustainable development and well-being of people and communities, and potentially pose further risks to the environment. This aligns with the Government's position, signalling that renewable electricity generation and transmission infrastructure is priority infrastructure essential for the electrification of the economy and to meet climate change mitigation objectives.

Officials note that the interconnected nature of the network is recognised in Policy 2 and the objective refers to ‘increasing and improving the capacity and delivery’ which includes provision for new and emerging technologies. Access to private property for electricity network assets is undertaken under the Public Works Act 1982 or the Electricity Act 1992 and officials do not recommend introducing direction to manage adverse effects using property easements as this would be outside of the scope of the RMA.

In response to the submissions, officials recommend amendments to the objective for electricity networks. The objective should be amended to be framed as an outcome for the electricity network, and to:

- align with Part 2 of the RMA to clarify that the RMA’s purpose also enables the use and development of natural and physical resources in a manner which provides for social, economic and cultural well-being
- change the reference to ‘emissions reduction’ in clause 1(d) with reference to ‘climate change mitigation’, recognising the broader roles the EN can play in climate change mitigation
- delete and replace proposed clause 1(e) with a new clause that the EN is delivered in a timely, efficient and ongoing manner while managing adverse effects of the EN on the environment
- delete and replace proposed clause (1)(f) with a new clause outlining an outcome for EN to avoid adverse effects of other activities on the EN.

#### **4.3.2.4 Recommendations**

The proposal outlines amendments to Objective 1, following feedback from submitters.

Recommendations for this topic are summarised below and outlined in full in the consolidated recommendations table in appendix C.

##### **Key recommendations**

Amend the proposed Objective OB1 to:

- align with Part 2 RMA reference to ‘social, economic and cultural’ well-being of people and communities, now and into the future
- replace reference to ‘emissions reduction’ with ‘climate change mitigation’ in (d)
- delete (e) and replace with a new clause that the EN is delivered in a timely, efficient and ongoing manner while managing adverse effects of the EN on the environment
- delete (f) and replace with a new clause that avoids adverse effects of other activities on the EN ([see recommendation 24](#))

### **4.3.3 Topic 3: National significance and benefits of electricity networks**

#### **4.3.3.1 Proposal**

The proposed NPS-EN requires decision-makers to recognise and provide for the national significance and benefits of the electricity networks, to be realised at national, regional and local levels. Policy 1 in appendix C provides the full list of benefits that decision-makers must

consider. The list of benefits proposed extends to the benefits of the network itself, to communities and beyond, and wider climate change and electrification goals. This gives greater recognition to the critical role electricity networks play than the status quo.

#### **4.3.3.2 Key issues from submissions**

Most submitters supported the proposal to strengthen the recognition of the national significance and benefits of the electricity network.

NZPI suggested simplifying the drafting of Policy 1 by separating out national significance from benefits. It also proposed including new benefits to address spatial and social inequalities in the provision of EN services and to provide direction to address environmental justice issues regarding new EN infrastructure locations in spatial planning.

Some electricity distribution providers supported targeted refinements, particularly around recognising the electricity networks' role as a lifeline utility.

Some councils and most ENGOs raised concerns over Policy 1's favourability for the benefits of electricity infrastructure over local and significant adverse effects, and effects on places with RMA section 6 values (matters of national importance), requesting further clarity in relation to these considerations.

The Environmental Defence Society sought inclusion of provisions acknowledging that EN and supporting activities can have significant adverse effects on the natural environment and direction for decision-makers to other national direction for effects management of RMA section 6 values.

Industry submitters proposed including 'expanded or increased' generation in Policy 1(e)(i) to clarify that the EN supports existing renewable electricity generation repowering and expansion.

Some submitters requested changes to ensure that the benefits of EN are provided for relative to any localised adverse effects. NZPI suggested further guidance supporting 'how' benefits are provided for in decision-making and that standardisation of the assessment of benefits is provided.

#### **4.3.3.3 Analysis of submissions and proposal**

Policy 1 achieves Objective 1 by supporting planning decisions to fully recognise and enable all the benefits (including national benefits) of electricity networks relative to localised adverse effects. Officials do not consider that the policy will elevate the benefits of electricity networks above other considerations provided for in the RMA. The NPS-EN will sit alongside the existing and amended national policy statements as a matter decision-makers must have regard to when determining resource consent applications.

Several submitters sought minor changes in Policy 1 to ensure greater consistency with the purpose of the RMA. Officials agree with these suggestions and recommend Policy 1 is amended by including references to 'social, economic and cultural well-being'.

Officials note that EN activities can have significant adverse effects on the environment and that these are addressed through policies 4 to 12, and there is no requirement to duplicate those considerations here. Officials also note that the Government's intention is for these amendments to national direction to have immediate effect and not require plan changes for implementation. Addressing spatial and social inequalities in network provision is best addressed through spatial planning processes under the replacement resource management legislation.



Officials recommend that Policy 1 is amended to align with the NPS-I policy intent to provide for benefits relative to any localised adverse effects in clause 1(2).

Officials recommend replacing references to ‘reductions in greenhouse gas emissions’ in 1(2)(e) with ‘climate change mitigation’, to recognise the broader role of EN in climate change mitigation.

Finally, officials also recommend amending clause 1(2)(e)(i) to include ‘expanded or increased’, so that it is not limited to new REG only and better aligns with the Government’s REG aspirations.

#### **4.3.3.4 Recommendations**

Recommendations for this topic are summarised below and outlined in full in the consolidated recommendations table in appendix C.

##### **Key recommendations**

Amend Policy 1 to clarify that:

- social, economic and cultural well-being of current and future generations is included in line with Part 2 of the RMA
- benefits are provided for relative to any localised adverse effects
- expanded and increased generation is provided for, together with new generation
- ‘climate change mitigation’ is referred to rather than ‘greenhouse gas emissions’ (see [recommendation 25](#))

### **4.3.4 Topic 4: Operational and functional need**

#### **4.3.4.1 Proposal**

The proposal (Policy 2) strengthens the existing NPS-ET requirement to recognise and provide for electricity network infrastructure which has a functional need or operational need<sup>21</sup> to locate in particular environments, including in areas with RMA section 6 values, and which may have unavoidable adverse effects on those environments. The policy recognises that the nature of the electricity network means that it often needs to traverse a wide range of environments (eg, urban, rural and coastal), and that the system is interconnected across New Zealand. It also recognises the need to maintain and upgrade an ageing network, and that electricity networks need to connect to generation and demand for electricity, wherever they are located.

#### **4.3.4.2 Key issues from submissions**

Submitters were generally supportive of this policy but sought changes to improve clarity and to avoid significant adverse environmental effects. Most industry submitters supported this policy and many in the distribution network sought to clarify that electricity networks will not always have unavoidable adverse effects on the environment. Transpower requested to include

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<sup>21</sup> Operational need and functional need are terms which are defined in the National Planning Standards 2019 and in appendix A.

reference to the different scale of infrastructure and therefore operational requirements of the transmission and distribution networks.

Most councils and ENGOs were concerned that the policy does not provide enough safeguards for the environment, particularly with the greater level of enablement in areas with RMA section 6 values. Councils sought changes to restrict some network activities in section 6 environments, or to ensure general protections for places with section 6 value are retained. Some councils and NZPI requested more direction on how to balance operational and functional needs against other values.

Transpower and some electricity distribution businesses (EDBs) requested more specificity on which environments Policy 2 applies to. Across industry submitters, common requests for express policy recognition include environments within transport corridors, freshwater bodies, private land, and for projects where adverse effects are unavoidable.

Iwi/Māori submitters and ENGOs generally did not support this policy because of its application to sensitive environments. However, some iwi did acknowledge the appropriateness of recognising and providing for the **functional** need of electricity networks in particular environments. Forest & Bird opposed this policy, contending that it predetermined 'needs' and 'requirements', which may not be present in every situation that an EN seeks to expand. In Forest & Bird's view, operational need and functional need are separate concepts and should not be applied uniformly across the natural environment. It also considered the proposed policy to elevate the provision of electricity networks to be equivalent to a matter of national importance under section 6 of the RMA.

NZPI and the Parliamentary Commissioner for the Environment queried whether electricity networks are any more significant than other linear infrastructure and whether it should be treated differently or not. Officials note that the NPS-EN is more enabling than the NPS-I or NPS-REG by allowing operators to locate in an RMA section 6 environment, where they can demonstrate an operational or functional need to do so.

NZPI and Transpower recommended that a further matter is added to Policy 2 to address the risk from natural hazards and the need for EN to potentially locate in areas at risk from natural hazards, noting the exclusion of infrastructure from the National Policy Statement for Natural Hazards (NPS-NH) and that responsibility to manage risk and apply robust mitigation measures lies with asset owners.

#### **4.3.4.3 Analysis of submissions and proposal**

Officials do not consider it necessary for the policy to reiterate the general requirement to avoid, remedy or mitigate adverse effects on the environment, as the NPS-EN does not override this obligation. Furthermore, policies 4 through to 9 within the proposed NPS-EN address the management of adverse effects generated by the EN.

Officials agree with submitters that the language of the policy could be amended to reflect adverse effects **may** occur in areas with RMA section 6 values, recognising that there may be instances where adverse effects can be avoided, particularly for the distribution network.

In relation to elevating the importance of electricity networks, the Government has signalled that renewable electricity networks are priority infrastructure, critical for the functioning of society and electrification of the economy. Officials' view is that electricity networks, particularly the transmission network, have fundamental characteristics which require them to be uniquely

considered by planners. In many cases, providers have little choice over which services to provide connection for, and often, other than through route selection, the ability to manage adverse effects can be restricted.

Officials support the view from Transpower to add a reference to Policy 2 regarding the location of assets in areas subject to risk from natural hazards, particularly in context of the 'not limiting' statement within the NPS-NH, which gives local authorities scope to impose hazard provisions for infrastructure. This recognises that there is a functional requirement for some EN infrastructure to locate in hazard-prone zones (eg, braided riverbeds or the coast).

#### **4.3.4.4 Recommendations**

Recommendations for this topic are summarised below and outlined in full in the consolidated recommendations table in appendix C.

##### **Key recommendations**

Amend Policy 2 to:

- clarify that EN activities may not always have unavoidable adverse effects on the environment
- recognise the different operational needs, requirements and scale of the electricity distribution network and the electricity transmission network
- include reference to EN that has a 'functional need' to locate in areas subject to natural hazard risk ([see recommendation 26](#))

### **4.3.5 Topic 5: Providing for Māori interests**

#### **4.3.5.1 Proposal**

The intent of Policy 3 is to provide national requirements for decision-makers and applicants to engage and involve Māori in EN projects, by supporting early and meaningful engagement with tangata whenua, particularly in the route and site selection process where adverse effects can be best addressed. It also includes recognition of development aspirations of tangata whenua for electricity networks and a directive to 'avoid, where practicable, or otherwise mitigate', the adverse effects of electricity network activities on sites of significance to Māori.

Through this proposed policy, the relevant interests of Māori can be reflected in RMA processes, while supporting efficient and enabling consenting processes.

The wording for this proposed policy is closely aligned with the language used in the National Policy Statement for Urban Development 2020 (NPS-UD). Similar wording is also proposed for the NPS-I and NPS-REG.

#### **4.3.5.2 Key issues from submissions**

Most submitters supported the policy's intent while also seeking amendments on the scope and strength of the wording within the direction. One of the main points raised in the submissions related to whether Policy 3 provides for meaningful engagement with and involvement of tangata whenua in site selection and EN development, suggesting that the policy does not go far enough to provide for Māori rights and interests.

Some iwi submitters requested that the policy provide for decommissioning and subsequent return of whenua Māori, as this recognises past cultural harm caused by legacy electricity network assets located on ancestral lands and on sites of significance to Māori.

Some Māori submitters consider the policy dilutes RMA section 6(e). A strong theme was that electricity assets have historically harmed Māori and their relationship with their whenua and cultural sites, and these submitters are concerned that these tests open their lands to further EN development and/or restriction once infrastructure development has occurred.

Transpower recommended strengthening the directiveness of the policy, qualifying engagement requirements by including 'where appropriate' in clause 3(a) and including remediation in clause 3(c) as an option to address adverse effects, noting that where existing EN assets are located on areas of significance, opportunities to avoid and mitigate adverse effects can be limited. In its view, remedying could provide an alternative option to addressing effects and would be consistent with other national direction.

Professional peak bodies support this policy but perceived it to have a complicated decision-making framework and recommended stronger protections for wāhi tapu and Māori cultural heritage. They also saw it as providing insufficient support for Māori-led development and expressed concern at the absence of any reference to the principles of the Treaty of Waitangi and protection or inclusion of cultural values and mātauranga Māori. These concerns were also reflected in submissions by individuals.

#### **4.3.5.3 Analysis of submissions and proposal**

Policy 3 of the NPS-EN complements the requirement for decision-makers to recognise and provide for RMA section 6(e) and (g) and section 7(a) matters, by providing a means through which Māori relationships with ancestral lands and taonga can be understood, recognised and provided for.

Officials note that the NPS-EN policies do not override district plan controls put in place for sites of significance to Māori or directly impact decision-making procedures under the RMA or Treaty settlement legislation in relation to Māori participation. Further detail on this is provided in section 4.3.10.3 on Treaty settlements.

Officials do not agree with Transpower that remediation should be added to clause 3(c). The proposal as drafted is an inclusive list and does not preclude remediation with the agreement of tangata whenua.

Officials agree with submitters that Policy 3 could be clearer on how decision-makers are to provide for opportunities for tangata whenua to be involved in relation of sites and issues of significance to Māori, and recommend a new clause is added, which could be drafted as a subclause similar to NPS-I.

#### **4.3.5.4 Recommendations**

The recommendation for this topic is summarised below and outlined in full in the consolidated recommendations table in appendix C.

#### Key recommendations

Amend Policy 3 to add a new policy that provides opportunities for tangata whenua involvement where EN activities affect sites of significance to Māori and issues of cultural significance (see recommendation 27)

## 4.3.6 Topic 6: Route and site selection

### 4.3.6.1 Proposal

Policy 4 amends existing policy in the NPS-ET to ensure planning decisions recognise the role of Transpower and EDBs in selecting a preferred route for electricity networks. The proposed policy requires that decision-makers have regard to how much adverse effects can be managed through route, site and method selection and that some effects are unavoidable, as well as recognise and provide for the operational need or functional need of electricity networks to develop in accordance with Policy 2.

### 4.3.6.2 Key issues from submissions

Most submitters supported this policy but sought amendments.

Industry submitters consider themselves best placed to determine the route of an electricity line “based on a wide range of factors that extend beyond local land use considerations, including demand forecasting, system resilience, the need to enable the electrification of industry and transport, and the integration of new and distributed renewable energy sources”.<sup>22</sup> Most organisations supported Transpower’s technical expertise, statutory responsibility, and ability to assess the functional requirements that align with this proposal.

Transpower suggested amending the policy to clarify that the route and ‘construction’ method selection is final, to not allow revisitation of the options. A few industry submitters requested that the policy **not** apply to road transport corridors, even when located in a significant natural area or an outstanding natural landscape.

Many councils and individuals were concerned the wording of the policy inadequately places duties on decision-makers to manage adverse effects and to meaningfully engage with local communities and councils across planning processes, rather than on the infrastructure provider.<sup>23</sup> Few councils support Policy 4(1)(d), and prefer it be removed or softened. Councils contend route selection should appropriately consider RMA section 6 values and that they should retain scope to assess the robustness of the planning processes, rather than accept network utilities’ preferred route as a fait accompli.

Individual and iwi/Māori submitters reiterated that mana whenua and local communities should have a role in route selection, and their participation will assist in avoiding and mitigating adverse effects of electricity networks.

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<sup>22</sup> Powerco submission.

<sup>23</sup> In addition, Federated Farmers requested a provision requiring Transpower and distribution providers to consult landowners potentially directly affected by new transmission or distribution routes. Access to private property for network infrastructure is provided under the Electricity Act 1992 and Public Works Act 1981.

Most ENGOs and peak professional bodies oppose the reconsenting aspect of this policy as it is seen to lock in historical decisions. These groups all prefer deletion of clause 1(a) of Policy 4. Their general concern was that this policy would encourage biodiversity and cultural loss, oust community engagement and undermine strategic planning.

#### **4.3.6.3 Analysis of submissions and proposal**

Officials support the role of Transpower and EDBs in selecting routes, sites and methods using processes that take into consideration a wide range of matters, from environmental effects and geotechnical requirements to demand forecasting. Officials understand Transpower uses its own ACRED<sup>24</sup> methodology, which has been tested in the Environment Court. However, officials agree that decision-makers should retain scope to test the robustness of the route planning process but note that this should not extend to a full revisiting of options and alternative methods. Officials consider that clause 4(1)(c) adequately provides for decision-makers to test the robustness of EN providers' route planning processes, including consideration of local engagement where appropriate. Officials do not support Transpower's proposal to include 'construction' methods only as this change raises the risk of landowners not being heard regarding alternative sites in a hearing.

In response to submissions, officials agree that Policy 4(1)(d) could be amended to recognise that there 'may' be unavoidable adverse effects on some values because of the route, site and method selected by Transpower or the EDB. This reflects the distinction between distribution and transmission infrastructure, with transmission more likely to have residual unavoidable effects due to the technical requirements and scale of the infrastructure.

Officials note that Policy 4 is to be read in conjunction with Policy 5, which covers the management of environmental effects of EN activities, and with Policy 3, which covers engagement with tangata whenua. Accordingly, officials do not consider it necessary to revise Policy 4 in relation to these matters.

#### **4.3.6.4 Recommendations**

Recommendations for this topic are summarised below and outlined in full in the consolidated recommendations table in appendix C.

##### **Key recommendations**

Amend Policy 4 to clarify that:

- EN activities may not always have unavoidable adverse effects on the environment
- EN providers must manage the adverse effects of EN activities on the environment in addition to consideration of effects under Policy 4(c) (see [recommendation 28](#))

<sup>24</sup> ACRED (Area–Corridor–Route–Easement–Designation) is Transpower's staged methodology for identifying suitable sites and routes for new or replacement transmission infrastructure. It uses a progressive filtering approach, applying increasingly detailed technical, environmental, cultural and property assessments at each stage. Key decisions are made using appropriate evaluation techniques, and the process helps demonstrate that alternative options have been properly considered. Once a preferred route or site is identified, necessary approvals (eg, designations, resource consents) can be sought.

## 4.3.7 Topic 7: Managing the adverse effects of electricity networks

### 4.3.7.1 Proposal

Five policies are proposed to provide nationally consistent direction to manage the adverse effects of electricity networks.

**Policy 5** provides general direction for managing environmental effects, ensuring that conditions on resource consents and designations are proportionate and cost-effective. It also recognises that an increase in electricity network activities is required and changes in amenity values are unavoidable.

**Policy 6** enables routine activities in all environments, provided adverse effects are avoided, remedied or mitigated, where practicable.

**Policy 7** amends Policy 8 of the NPS-ET. It applies to new electricity networks and non-routine activities and directs that decision-makers must seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character, and areas of high recreation value and amenity. Reference to sensitive activities has been removed.

**Policy 8** amends Policy 6 of the NPS-ET. It supports decision-makers when considering upgrades to existing assets, providing some degree of certainty to providers when making project selection decisions.

**Policy 12** updates the international guidelines for electric and magnetic fields. The proposal references the 2010 guidelines from the International Commission on Non-Ionizing Radiation Protection (ICNIRP) (currently the 1998 guidelines are referenced in the NPS-ET).

### 4.3.7.2 Key issues from submissions

#### *Policy 5: General considerations for managing adverse effects*

Most submitters supported this policy but sought specific amendments.

Industry submitters consider reference to adopting international standards in Policy 5(1)(d) to be problematic as it introduces uncertainty as to which standards are adopted. In relation to reconsenting, many industry submitters prefer that decision-makers only consider effects that are additional to, or materially different from, the effects which comprise the existing environment. Industry submitters made the point that EN should be enabled to use new or innovative technology and methods to improve service delivery and/or environmental outcomes.

Councils requested stronger direction to ensure environmental and cultural values are protected, including demonstration of options considered and consideration of cumulative effects. Councils were also concerned about references to using international standards without any specificity. Councils and industry submitters agree that not all amenity changes are inevitable and request that this language be softened. Transpower strongly supports clear direction that adverse effects are unavoidable for transmission.

ENGOs and professional peak bodies requested that avoidance of cumulative adverse effects be added to the direction and that the management of effects on terrestrial biodiversity fall

solely under the National Policy Statement for Indigenous Biodiversity 2023 (NPSIB), which they regarded as the most appropriate instrument.

Some Māori groups requested that cultural impact assessments be mandated for EN development.

#### *Policy 6: Enabling routine activities*

Policy 6 received mixed feedback. Industry was strongly supportive of this policy (but sought specific refinements) whereas councils, ENGOs and professional peak bodies were strongly opposed. Individual responses also showed mixed support, although most prioritise environmental values. Councils oppose the policy's application to sensitive environments<sup>25</sup> and the absence of any parameters or bottom-lines. Most councils contend the qualifier 'where practicable' is problematic in practice.

Māori, ENGOs and professional peak bodies seek assurance that the policy does not enable works in places with RMA section 6 values and expressed concern that the qualifier 'where practicable' is contrary to section 5 of the RMA. These groups generally requested 'where practicable' to be deleted. In part, their concern with this policy derives from their view that the definition of 'routine EN activities' is "incredibly broad".

Māori were concerned that decision-makers would have no real ability to decline under 'where practicable'. An iwi submitter requested a practical amendment that would require notice to be given to iwi before works in sensitive environments are undertaken.

A couple of industry submitters, including Federated Farmers, consider the policy should be permissive unless the activity increases the footprint of the existing activity. A few EN providers noted there could be conflicts with other national direction instruments, namely for freshwater and coastal management, and proposed that the NPS-EN prevail over those instruments in the event of a conflict.

#### *Policy 7: Non-routine EN activities*

Submitters conveyed low support for this proposal, which largely retained existing NPS-ET direction. Many submitters sought the introduction of an effects management framework and most submitters, including industry, requested the inclusion of additional RMA section 6 areas to provide greater certainty for the application of Policy 7. Many submitters also requested Policy 7 is extended to address areas not covered by RMA section 6 or other NPSs. A few submitters supported retaining the references in Policy 7 to 'areas of high recreation value and amenity'.

Most industry submitters sought policy recognition for operational need and functional need in accordance with Policy 2. Many EN providers requested that the NPS-EN does not apply to road transport corridors as the presumption for developing network utilities in the road corridor should be permissive. Some submitters, including Transpower, identified a further potential gap for non-routine activities that are outside of 'rural environments' and sought direction and greater levels of enablement in these areas.

Councils had mixed responses. While some supported retaining Policy 7, they requested greater clarity, including whether rural environments include open space zones or areas of recreational value. Many councils requested further alignment with RMA section 6 matters to

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<sup>25</sup> Particularly for outstanding natural landscapes and significant natural areas/indigenous biodiversity.



address existing implementation challenges. A few councils sought direction which extends to historic heritage.

*Policy 8: Reducing existing adverse effects of EN assets when considering upgrades*

Submitters provided mixed support for this policy. Most submitters suggested the policy be changed or reframed.

Transpower prefers that this policy be a discretionary consideration for decision-makers. Some EN providers requested alignment with NPS-ET Policy 6, to ensure undergrounding is not mandated.

Most councils and ENGOs requested that consideration of the financial context of measures used be removed, as this is captured in the qualifier 'where practicable'. A few councils requested that the obligation to reduce existing adverse effects be put on the provider rather than on the decision-maker.

Some Māori submitters were not convinced by the removal of sensitive activities from NPS-ET Policy 8 (as this currently protects marae) and requested that its reference is reinstated.

Various individual submitters made suggestions on Policy 8 to avoid adverse effects on outstanding natural landscapes, areas of high natural character, and areas of high recreation value and amenity in rural environments.

*Policy 12: Electric and magnetic fields*

There was mixed feedback on this policy. A few submitters requested that different international standards be referenced. While councils support updating ICNIRP guidelines to the 2010 publication, they were concerned about the direction to include the provisions in plans and considered that they do not have the expertise to determine compliance with the guidelines. The Ministry for the Environment heard that the Government should wait until the RMA replacement legislation to make such a change.

Transpower supports this policy but requested that it be drafted to ensure it applies generally, beyond district plans alone.

### **4.3.7.3 Analysis of submissions and proposal**

*Policy 5: General considerations for managing adverse effects*

Most of the work carried out on electricity networks relates to existing assets and the Government intends to enable that work by reducing consenting hurdles and managing effects through standards. Policy 5 is intended to work alongside requirements for assessment of environmental effects in Schedule 4 of the RMA, as such officials do not consider it necessary to mandate a cultural impact assessment as cultural effects are required to be assessed by statute.

Officials note that existing case law requires that the 'existing environment' is assessed on a case-by-case basis and a blanket provision that includes infrastructure in a baseline assessment of the environment is not supported on this basis. Officials agree that the term 'cost-effective' is subjective and propose amending it to ensure that mitigation measures and considerations are proportionate to the adverse effects generated by the EN activity.

Officials agree with submitters that EN activities may result in changes to amenity values that are unavoidable and necessary, and recommend minor wording changes in Policy 5(1)(c) to reflect this.

Officials also agree with submitters that there could be implementation issues resulting from lack of specificity on which internationally accepted standards decision-makers should consider. Officials recommend minor wording changes to Policy 5(1)(d) to clarify that the international standards referred to are only those which are recognised in New Zealand.

Officials consider that Policy 5(1)(b) provides sufficient direction to support the use of new or innovative technologies and methods to improve delivery of the EN and environmental outcomes.

#### *Policy 6: Enabling routine activities*

This policy is critical to support the Government's commitment to enable electricity networks, recognising that a range of routine operational, maintenance and upgrade activities are necessary to ensure existing EN assets in all environments can continue to deliver their expected service.

Officials do not propose any changes in relation to Policy 6 and note that the proposed NES-ENA regulations provide a national framework for permissions and consent requirements to control environmental effects, with additional controls for EN activities in sensitive environments. The NES-ENA is intended to work alongside applicable district or regional plans, which could provide the policy coverage in situations and locations not specified in the NES-ENA. Officials also note that notification requirements in plans in relation to works in sensitive environments will still apply.

Officials do not consider it necessary to amend the term 'where practicable'. The wording appropriately acknowledges that routine activities may result in adverse effects on RMA section 6 values, and that some of these effects may be unavoidable. The term has an established meaning in resource management planning, which requires consideration of context-specific factors and the reasonableness of actions, particularly where such matters are not already addressed in local planning instruments.

Other national direction – specifically the National Policy Statement for Freshwater Management and the NPSIB – provide targeted direction on managing adverse effects on aquatic and biodiversity. These instruments may apply differently to transmission and distribution networks, depending on the nature and location of the infrastructure.

The term 'where practicable' is not intended to establish a hierarchy of effects management. While the Government has decided to not pursue an effects management hierarchy in the phase 2 national direction amendments, Policy 6 as proposed seeks to recognise the operational needs of electricity networks. This approach is consistent with the treatment of infrastructure in policies 1 and 2, with the management of adverse effects in sensitive environments addressed through other national direction instruments.

#### *Policy 7: EN development and non-routine EN activities*

The intent of Policy 7 is to set a high threshold for electricity networks to locate in areas with sensitive environments, through the use of the directive 'seek to avoid'. This terminology acknowledges that, in limited circumstances, electricity networks may need to locate in these areas. Such instances must be supported by a demonstrated operational or functional need in

accordance with Policy 2, and adverse effects must be remedied and mitigated in line with the general RMA provisions.

Policy 7 largely retains the direction set out in the existing NPS-ET following the Government's decision to not progress an effects management hierarchy in RMA national direction. Consistent with the approach taken for NPS-I and NPS-REG, officials do not support submitter requests to introduce an effects management hierarchy or to broaden the scope of Policy 7 to include additional RMA section 6 values – such as outstanding natural features or areas with significant indigenous biodiversity. Nor do officials support requests to remove references to areas with 'high recreation value and amenity'.

The requested changes are considered to be substantial changes from the proposals consulted on and would require reconsultation to ensure all affected parties had the opportunity to submit. The issues are more appropriately addressed through phase 3 of resource management reform. This position does not reflect a lack of support for addressing the broader issues raised by submitters but rather acknowledges that substantive changes to the scope and structure of Policy 7 were not part of the consultation. Additionally, providing further direction to remedy or mitigate where avoidance is not possible would duplicate existing RMA provisions and is not considered necessary.

Some submitters, including Transpower, identified a potential gap in the policy framework for non-routine electricity network activities located outside of 'rural environments'. These submitters sought additional direction and greater enablement in these areas.

Officials acknowledge the issue raised and agree that this may represent a gap in the current drafting. However, this gap is expected to be limited in practice. It applies only to non-routine activities outside rural environments and certain RMA section 6 areas, and very few – if any – such activities are anticipated during the transitional period to phase 3 of resource management reform. Where such a gap does arise, local planning provisions will apply. Many local plans already contain specific policies for the 'National Grid', which are expected to provide sufficient guidance in the interim.

Introducing a new policy at this stage is considered unnecessary. While it could theoretically apply to environments not addressed in Policy 7, doing so risks creating inconsistencies with the existing drafting and may introduce implementation complexities – particularly around determining which environments fall outside the scope of 'rural environments'. It is also noted that the existing NPS-ET refers to both rural and urban environments without significant interpretation issues.

This is considered an interim issue, best addressed through the new resource management legislation, where broader system-level changes can be made to ensure consistency and clarity across all environments.

#### *Policy 8: Reducing existing adverse effects of EN assets when considering upgrades*

The intent of Policy 8 is to enable existing adverse effects of EN infrastructure to be reduced during non-routine upgrades (ie, more significant work on existing infrastructure). Officials note that reference to 'non-routine' activities should be included in the title of Policy 8 (given that routine activities are covered by Policy 6). This is a minor drafting change.

Officials agree with submitters that Policy 8 should be amended to apply the duty to consider reducing adverse effects to the EN operator, rather than to the decision-maker. This change reflects existing practice. Officials do not support removing the consideration of the financial context of mitigations to reduce existing adverse effects. The direction to decision-makers

is to 'consider', which reflects that it may not always be appropriate to implement certain options, such as undergrounding or shifting assets, which can have significant or cost-prohibitive impacts.

#### *Policy 12: Electric and magnetic fields*

The intent of Policy 12 is to manage adverse effects of electricity networks on human health in accordance with generally accepted international guidance.

Officials do not recommend any changes to the scope of Policy 12 and recommend minor changes to the proposal to delete the requirement for district plans to include provisions to manage electric magnetic fields, in line with the Government's Plan Stop provisions. Officials do not support submitters' suggestions to use different reference guidelines and recommend retaining reference to the ICNIRP and World Health Organization guidelines.

### **4.3.7.4 Recommendations**

Recommendations for this topic are summarised below and outlined in full in the consolidated recommendations table in appendix C.

#### **Key recommendations**

##### **Policy 5**

Amend Policy 5(1)(c) to clarify that EN activities may result in changes to amenity values that are unavoidable, and that such changes do not inherently constitute adverse effects under the RMA

Amend Policy 5(1)(d) to ensure only international standards that are recognised or used in New Zealand are relevant

Amend Policy 5(1)(e) to ensure mitigation measures and considerations are proportionate to the adverse effects generated by the project or the work and not whether they are 'cost effective' ([see recommendation 29](#))

##### **Policy 6 and Policy 7**

Retain Policy 6 and Policy 7 ([see recommendations 30 and 31](#))

##### **Policy 8**

Amend Policy 8 to ensure that the duty to reduce adverse effects of EN assets is the responsibility of the EN operator rather than the decision-maker ([see recommendation 32](#))

##### **Policy 12**

Amend Policy 12 to delete specific reference to including provisions in district plans ([see recommendation 36](#))

## **4.3.8 Topic 8: Protection and strategic planning of the electricity network**

### **4.3.8.1 Proposal**

Policies 9, 10 and 11 assist decision-makers to recognise and provide for electricity networks in urban environments, protection of the network, and long-term strategic planning.

Policy 9 requires decision-makers to consider the context of the urban environment when making decisions about electricity networks. Under Policy 9, decision-makers would need to ensure sufficient on-site space for distribution assets is provided for at the development site, and developers are required to consult with the electricity distribution provider to determine whether sufficient space has been provided.

Policy 10 provides for the protection of electricity networks from direct and reverse sensitivity effects caused by third parties. It establishes a requirement to buffer the electricity network, given effect to by rules intended to be included in the NES-ENA.

Policy 11 seeks to ensure future development strategies<sup>26</sup> and other spatial planning documents consider the potential for bulk electricity distribution infrastructure, particularly in existing urban areas, are identified for medium to high-intensity development. It would require councils to:

- engage with electricity network operators to promote strategic planning over the medium to long-term
- recognise that the designations process can also support long-term planning.

#### **4.3.8.2 Key issues from submissions**

##### *Policy 9: EN activities servicing urban environments and new developments*

Industry supported this policy but requested amendments to ensure the engagement requirement is flexible. A common relief sought by providers was to insert a new clause, Policy 9(2)(b), which reads as: ‘engage with the EDN operator to determine an appropriate method or means for determining when EDN assets are required to meet that demand’.<sup>27</sup>

Some councils supported this policy. However, others consider that this policy lacks clarity to ensure adverse effects on urban environments are provided for, and does not encourage or direct undergrounding. A few councils expressed concern that a rigid requirement to engage with EDBs may be contrary to the RMA’s section 36A duty to consult on resource consent applications or notices of requirement. Some councils consider that the responsibility to ensure sufficient on-site space for distribution assets should sit with the provider, not the decision-maker.

ENGOS request that Policy 9(1)(c) be removed as it presupposes avoiding adverse effects will not be practicable when this may not always be the case. These groups consider this is a disincentivising policy and will not encourage efforts to underground or improve the effects of legacy development.

A few submitters noted that Policy 9(1)(b) amenity could be removed as it duplicates Policy 5(1)(b).

##### *Policy 10: Managing the effects of third parties on electricity networks*

Submitters generally support the protection of electricity networks; however, they emphasise that the extent of protection should be proportionate to the value of the assets to the

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<sup>26</sup> Local authorities must prepare future development strategies in accordance with the NPS-UD.

<sup>27</sup> One industry submitter, Unison, suggested a threshold be set at three residential units before consultation is triggered.

network. In turn, these submitters (largely councils) consider distribution assets should be provided the same level of protection as transmission assets but only where the assets are similar in significance.

Some submitters expressed concerns about the proposal applying to distribution networks, noting that this could restrict intensification of urban areas.

Many council submitters raised concerns over the inclusion of NZECP 34:2001 standards, citing implementation and compliance concerns, due to lack of expertise to assess compliance with NZECP 34.

Ngāi Tahu suggested that the NPS-EN exclude specified Māori land and/or land owned by an iwi authority or body on behalf of tangata whenua in order to ensure that the policy will not restrict property and development rights.

#### *Policy 11: Long-term strategic planning for electricity networks*

This policy was generally supported by submitters. Many industry submitters seek recognition of asset management plans prepared by electricity network operators, and – alongside many councils – also support the consideration of electricity networks in spatial planning. Individual submitters consider visual amenity, environmental values, Māori values, and cumulative impacts are important matters to consider in long-term infrastructure planning.

### **4.3.8.3 Analysis of submissions and proposal**

#### *Policy 9: EN activities servicing urban environments and new developments*

In relation to allowing for changes to amenity in Policy 9(1)(b), officials agree with submitters' feedback that sometimes amenity changes can be avoided (ie, through undergrounding). Officials recommend simplifying the policy by merging Policy 9(1)(b) with Policy 9(1)(c) and amending the intent to recognise that it **may** not be practicable to avoid all adverse effects of EN, in line with submitter feedback.

Officials agree with submitters that an engagement requirement for land developers during consenting could be inconsistent with section 36A of the RMA and cause consent processing and/or land development delays. Officials recommend that Policy 9(2)(b) be deleted and replaced with direction for councils to engage with EDBs by an appropriate means to determine if sufficient space is allocated within development sites. The threshold at which this occurs may vary according to the capacity of the network and nature of development.

Submitters recognised undergrounding as a commonly adopted method for avoiding adverse effects of EN and while officials agree, there are practical and financial limitations in requiring all EN to be undergrounded. Officials recommend a new provision which encourages undergrounding of EN in urban areas, particularly at new subdivision sites.

#### *Policy 10: Managing the effects of third parties on electricity networks*

Officials recommend that direction to decision-makers should be to manage third parties to avoid adverse effects and a distinction is made between direct and reverse sensitivity effects through the introduction statement and Policy 10(1)(a), allowing for direct effects to be avoided and reverse sensitivity effects to be avoided 'where practicable'. This reflects submitter concerns and clarifies the role of decision-makers.

Officials recommend that Policy 10 is amended to introduce discretion for councils to engage with EN providers to identify EN assets, rather than all EN assets generally. This and Policy 3(1)(b) are the only policies that differentiate between the transmission and distribution networks.

In relation to distribution, officials recommend that Policy 10(2)(c) be removed and replaced with more flexible policy that captures distribution assets with appropriate significance, rather than all distribution assets. Officials consider it more appropriate for the intent to require decision-makers to consider where it may be appropriate to identify distribution assets.

#### *NZECP 34:2001*

Officials agree with submitters and recommend removing Policy 10(2)(c), which will remove the reference to complying with NZECP 34:2001 in the NPS-EN. Their view is that the inclusion of NZ ECP34:2001 in the NPS-EN is unnecessary because NPSs are not binding on resource consents, and this provision is best provided for in the NES-ENA.

#### *Policy 11: Long-term strategic planning for electricity networks*

Officials are recommending minor changes to this policy. The changes seek to include reference to spatial planning to be more consistent with the NPS-I Policy 3. Development of the electricity network is demand-led, in response to new generation and demand from population growth and commercial development. While some projects and corridors can be included in spatial plans, others will continue to arise outside of the spatial planning process. Officials also recommend including reference that not all EN infrastructure can be spatially identified in advance. The title of this policy is proposed to be renamed to include reference to both spatial and strategic planning.

### **4.3.8.4 Recommendations**

Recommendations for this topic are summarised below and outlined in full in the consolidated recommendations table in appendix C.

#### **Key recommendations**

##### **Policy 9**

Amend Policy 9(1)(b) and (c) to recognise that it 'may' not be practicable to avoid all adverse effects, including changes in amenity associated with routine activities

Delete Policy 9(2)(b) and replace with direction for councils to engage with EDN providers on appropriate means to determine if sufficient space is allocated on-site

Amend Policy 9 to include policy to support 'undergrounding' of EN in urban areas, particularly in new subdivision developments, while acknowledging that undergrounding of existing EN lines may be cost prohibitive ([see recommendation 33](#))

##### **Policy 10**

Amend the Policy 10(1) head clause to direct decision-makers to 'manage third parties to avoid adverse effects on the EN'

Amend Policy 10(1)(a) to separate direct and reverse sensitivity effects, with 'direct' effects to be 'avoided' and 'reverse sensitivity' effects to be 'avoided to the extent reasonably practicable' and align Policy 10(2)(d) reference to reverse sensitivities accordingly

Amend Policy 10(2)(a) to identify the electricity transmission network on relevant planning maps, whether designated or not, and engage with the EDN operators to determine where it may be appropriate to identify key EDN assets

Amend Policy 10(2)(c) to delete reference to compliance with NZECP 34: 2001 and direct local authorities to engage with EDN operators to determine where it may be appropriate to identify key EDN assets ([see recommendation 34](#))

#### **Policy 11**

Amend Policy 11 title and policy to include reference to spatial planning, including future development strategies, and note that not all EN infrastructure can be spatially identified in advance ([see recommendation 35](#))

## **4.3.9 Other issues**

### *Distribution*

Many submitters (particularly from local government) wanted the NPS-EN to recognise that not all distribution assets are appropriate in every location, or where they will result in significant adverse effects.

The Government is committed to enabling transmission and distribution infrastructure to electrify the New Zealand economy. It is noted that policies 4 to 9 of the NPS-EN provide for the management of adverse effects, which will apply to distribution networks, and that the NPS-EN will nevertheless need to be read alongside other NPSs, with effects being assessed in accordance with the RMA. The policy intent is that EN avoids environments with RMA section 6 values and only locates where there is an operational and functional need to do so and adverse effects are remedied and mitigated.

### *Relationship to other national direction instruments*

Most submitters sought policy direction from the NPS-EN that would reconcile conflicts with other national direction instruments, particularly the enabling provisions of the NPS-EN and the protective provisions in other national direction. Many noted tensions with the New Zealand Coastal Policy Statement's avoidance policies. Transpower and other industry submitters requested that the NPS-EN provide clear guidance on the expectations for management of effects, particularly in relation to areas with RMA section 6 values.

Some submitters expressed concerns that the NPS-EN fails to sufficiently address natural hazards given that the proposed NPS-NH does not apply to electricity networks (and infrastructure generally). A few individual submitters noted the importance of aligning climate change mitigation and adaptation responses.

Many ENGO submitters consider that the exemption in clause 1.3.3 of the NPSIB is unjustified and that the NPSIB is the appropriate instrument to address the adverse effects of electricity transmission infrastructure and activities on indigenous biodiversity and significant natural areas. In response, the Government has decided not to pursue an effects management hierarchy in phase 2, with the NPS-EN highlighting the national significance of EN while approaches to adverse effects in sensitive environments being provided for in other instruments. As such, officials do not recommend any changes for these matters.



## *Implementation*

The key concern raised by submitters related to the role of councils in determining compliance with NZECP 34:2001 and the updated international guidelines for electric and magnetic fields (ICNIRP 2010).

Officials have recommended reference to NZECP 34:2001 be removed from the NPS-EN and instead that it be retained in the NES-ENA. Some councils have already implemented these standards, and officials believe the direction provided in NES-ENA will assist implementation. In terms of the ICNIRP 2010 guidelines, officials consider it necessary to update the NPS-EN to incorporate the latest standards, to ensure the well-being of people and their health is provided for in electric and magnetic field guidance in the NPS-EN.

### **4.3.9.1 Recommendations**

Recommendations for this topic are summarised below.

#### **Key recommendations**

No changes

## **4.3.10 Other considerations**

### **4.3.10.1 Part 2 RMA**

#### *Context*

Any person exercising powers, duties and functions under the RMA must give effect to Part 2 when making recommendations and decisions on national policy statements (refer to section 46A(3)). Part 2 includes section 5 (purpose), section 6 (matters of national importance), section 7 (other matters) and section 8 (Treaty of Waitangi).

Submission themes that specifically refer to Part 2 matters and officials analysis are outlined below.

#### *Submissions*

The key issues identified through submissions related to Part 2 of the RMA were:

- concerns that the NPS-EN does not adequately give effect to Part 2 of the RMA in relation to protection of the natural environment, including the application of the qualifier 'where practicable' in various enabling policies
- lack of recognition and provision for section 6 matters, particularly in relation to RMA section 6(a), (b), (c) and (e).

#### *Analysis*

The objective and policies in the NPS-EN have direct relevance to section 5(2) of the RMA, as they promote sustainable management in a way that enables people and communities to provide for their social, economic and cultural well-being and for their health and safety over time, including meeting the reasonably foreseeable needs of future generations.

The NPS-EN is consistent with Part 2 of the RMA for the following reasons.

- It further enables the use and development of natural and physical resources to develop, operate, protect, maintain and upgrade electricity networks, while managing effects on the environment by providing directive policies for decision-makers.
- It further enables people and communities to provide for their social, economic and cultural well-being and for their health and safety by contributing to maintaining and improving the services that the electricity networks provide, such as ensuring reliable electricity supply to households and industry.
- It enables development in section 6 environments only where there is a functional or operational need to locate in those environments and adverse effects are remedied and mitigated, where practicable. The NPS-EN maintains protections for environmental values in accordance with the relevant national direction (ie, rivers, lakes and wetlands continue to be managed under the National Policy Statement for Freshwater Management 2020). However, electricity transmission is exempted from being subject to the NPSIB. Section 6 matters without national direction will continue to be protected through the provisions of district and regional plans.

#### 4.3.10.2 Recommendations

Recommendations for this topic are summarised below.

##### Key recommendations

No changes

#### 4.3.10.3 Treaty of Waitangi and Treaty settlement considerations

The Crown has made a number of commitments to iwi and hapū through Treaty settlements. Officials have considered these relevant settlements when preparing the policies in the proposed NPS-EN. When deciding on the recommendations in this report, Ministers will also need to uphold their obligations under different settlement legislation as well the RMA, as highlighted further in this section.

##### *Submissions*

Submissions directly relating to Policy 3 (providing for Māori interests) are discussed above under topic 5. Separate to Policy 3, submissions identified several key themes relating to RMA Treaty matters and Treaty settlements.

- It is expected that the NPS-EN will uphold Treaty settlements and other redress arrangements.
- NPS-EN will protect whenua Māori and cultural sites of significance and taonga in accordance with section 6(e) of the RMA.
- The NPS-EN will not undermine Māori participation or engagement with Māori.
- Mana whenua will have an opportunity to be involved in route selection and consideration of effects management where EN activities impact sites of significance.
- Cultural impact assessments will be carried out prior to EN development.
- Specified Māori land will be excluded from the application of the NPS-EN.

- Māori will have opportunities to develop their own enterprise in relation to electricity distribution infrastructure.

### *Analysis*

Officials engaged with post-settlement governance entities (PSGEs) on the NPS-EN proposal. From prior engagement with PSGEs and from the submissions received in this consultation, officials have identified the following themes:

- engagement obligations relating to the development of national direction (ie, process)
- direct obligations on RMA actors and mechanisms that relate to tangata whenua values and objectives for an identified taonga or the legal status of a taonga (eg, Te Awa Tupua, Whanganui River)
- obligations to actively involve identified Treaty partners in the local plan-making process and/or resource consents, through co-governance, decision-making or consultation.

Officials do not consider this proposal will present a risk to the operation of Treaty settlement commitments. Officials consider that the NPS-EN proposal does not conflict with the intention of the commitments as it does not allow decision-makers on plans and resource consents to avoid any obligation to recognise, provide for or have particular regard for the values, objectives, strategies, plans or legal status for a specific taonga. The proposed NPS-EN does not amend the RMA, nor any decision-making and participation arrangements provided under Treaty settlements.

However, the NPS-EN could affect the influence of some settlements where the enabling policy direction does not specifically prevail over protections established under Treaty settlement arrangements. In practice, decision-makers will be required to consider both the provisions of the NPS-EN and the policies influenced by Treaty settlements and other arrangements and come to a decision which upholds those agreements.

The enabling direction of the NPS-EN could make those decisions harder to balance, especially when decision-makers are required to achieve both strong enabling and protective policy goals. To aid consideration of that balance, Policy 3 provides a backstop to settlement requirements so that decision-makers must recognise whenua values and aspirations specifically related to electricity network proposals. It should be noted that infrastructure proposals are not inherently in conflict with local Māori values and aspirations, and the intent of Policy 3 is geared towards understanding shared benefits and aspirations and providing the appropriate opportunity for Māori to shape effects management at an early stage in route planning and site selection processes, where they impact sites or cultural values of significance to Māori. This is the best opportunity to reduce adverse effects.

Submissions from local government in the Waikato emphasised the legislative status of the Waikato River. Under section 13 of the Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2020, Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River prevails over any inconsistent provision in a national policy statement. This is a statutory requirement across all RMA national direction and does not need to be restated in the NPS-EN.

#### 4.3.10.4 Recommendations

Officials acknowledge the concerns raised in submissions regarding Treaty settlements but do not recommend further changes in addition to those recommended for Policy 3.

##### Key recommendations

No changes

## 5. Part C: Implementation

### 5.1 Context

This part discusses submissions made on general implementation of national direction in packages 1 and 2. It also discusses implementation options available specifically for the proposed National Policy Statement for Infrastructure (NPS-I), National Policy Statement for Renewable Electricity Generation (NPS-REG) and National Policy Statement for Electricity Networks (NPS-EN).

### 5.2 Implementation

#### 5.2.1 Proposal overview

A series of implementation questions was raised in the discussion documents on packages 1 and 2 to gather feedback on implementation timeframes, particularly in relation to national policy statements.

During public consultation on packages 1 and 2, submitters were specifically asked:

- *Does ‘as soon as practicable’ provide enough flexibility for implementing this suite of new national policy statements and amendments?*
- *Is providing a maximum time period for plan changes to fully implement national policy statements to be notified sufficient?*
  - *If not, what would be better, and why?*
  - *If yes, what time period would be reasonable (eg, five years), and why?*
- *Is it reasonable to require all plan changes to fully implement a national policy statement before or at plan review?*
- *Are there other statutory or non-statutory implementation provisions that should be considered?*

Options for implementing NPSs set out in the discussion documents for the proposed NPS-I, NPS-REG and NPS-EN were as follows.

- Rely on the Resource Management Act 1991 (RMA) default provision of ‘as soon as practicable’.
- Do not include direction to local authorities to amend regional policy statements or district plans to give effect to the provisions of the proposed NPS-I, NPS-REG or NPS-EN. 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.

The discussion documents include further details of the implementation questions raised, which were the same in both packages 1 and 2.<sup>28</sup>

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<sup>28</sup> Ministry for the Environment. 2025. [Package 1: Infrastructure and development – Discussion document](#). Wellington: Ministry for the Environment. Ministry for the Environment. 2025. [Package 2: Primary sector – Discussion document](#). Wellington: Ministry for the Environment.

## 5.3 Key issues from submissions

Resource management practitioners from local government, Treaty partners and industry contributed useful feedback, ideas and suggestions to improve the implementation of packages 1 and 2. The key themes raised included:

- implementation timing and system alignment
- flexibility and fairness
- clarity, definitions and guidance
- resourcing and cost sharing
- technical and legal considerations.

An overview of submissions raised in each theme is provided below. No specific analysis is included of these more general implementation issues. However, the submissions provided valuable information that has been taken into account when considering broader implementation of the package 1 and 2 instruments and will be informative for developing the new resource management system.

## 5.4 Overview of submissions

### 5.4.1 Implementation timing and system alignment

Local government and some industry bodies raised concerns about the timing of national direction implementation and how the proposals aligned with resource management reform and new legislation in development. A summary of key themes from those submissions is provided below.

- Implementation should occur with the new system, not before, to avoid confusion and inefficiencies (Whanganui District Council, Waimakariri District Council).
- Implementing now, before further reform, would create more work and the costs would outweigh the benefits (Timaru District Council, Engineering New Zealand).
- It is better to implement through one comprehensive plan review or under the new system, but not both (Tauranga City Council).
- Implementation should align with a council's Long-Term Plan cycle and full plan review process (Waitaki District Council, Kāpiti Coast District Council).
- Without a clear line of sight to the new resource management system, there is a risk that these proposals will result in misalignment, inconsistencies and gaps (Waikato Regional Council, Horizons Regional Council and Bay of Plenty Regional Council, Environment Southland).

Local government submitters also advocated for bespoke, locally workable and flexible timeframes (eg, flexibility to implement the amended and new national direction instruments under the current or new system; flexibility to determine the sequencing of how national direction is implemented; and flexibility to amend Regional Policy Statements and plans, except where section 55 of the RMA applies).

Some local government submitters supported the 'as soon as practicable' approach for implementing NPSs. Some suggested timeframes of 5 to 10 years for full implementation of NPSs.

### **5.4.2 Clarity, definitions and guidance**

Clear themes emerged in submissions from local government, industry bodies, and businesses on what might lead to successful implementation of the various proposed national direction instruments, whether new or being amended. The following points were raised consistently by submitters.

- There is a lack of clarity in definitions and concepts, which will hinder implementation (Environmental Institute of Australia and New Zealand, Meridian Energy Limited, Clarus Limited, Forest & Bird).
- Guidance documents are essential to ensure national consistency and reduce confusion (Queenstown-Lakes District Council, Te Tumu Paeroa – Office of the Māori Trustee, Waitaki District Council).
- Guidance should clarify the hierarchy and relationships between conflicting national direction instruments (Powerco Limited, Bay of Plenty Regional Council).
- Guidance must be comprehensive and technical, especially for NPS instruments (Engineering New Zealand, Porirua City Council).
- Central government guidance is a minimum requirement to support successful implementation (Auckland Council, Kāpiti Coast District Council).

### **5.4.3 Resourcing and cost sharing**

Submissions from local government were consistent in their identification of resourcing and the need for cost-sharing with central government to ensure effective implementation. Within the local government submitter category, smaller territorial authorities raised concerns about disproportionate operational costs. Many local government submitters also raised concerns about implementation costs falling on ratepayers rather than on users only, irrespective of size, location or operational scope.

- Implementation requires resourcing from central government to support councils (Porirua City Council, Timaru District Council).
- Incentives to support implementation were suggested (Auckland Council).
- There should be flexibility for councils to determine the sequencing of how they implement national direction instruments (Auckland Council).
- Costs should be shared between local government and central government (Waikato District Council, Waimate District Council, Meridian Energy Limited).
- Smaller councils face disproportionate costs and need tailored support (Manawatū District Council, Mackenzie District Council).
- Monitoring and enforcement costs should not shift unfairly from users to ratepayers (Horizon Regional Council).

### **5.4.4 Technical and legal considerations**

Local government submitters were consistent in their identification of the following issues.

- Implementation must be consistent with Part 2 of the RMA.
- Current national direction instruments are inconsistent and lack technical robustness.
- There is a risk of legal challenges during implementation, especially if provisions are unclear or instruments conflict with each other – for example, if terms like ‘as soon as practicable’ are too vague to hold up in court.

### 5.4.5 Other matters

Local government, industry bodies and business submitters made it clear in their submissions that implementation would be best enabled by:

- each national direction instrument being directive enough to enable timely implementation
- allowing local government the flexibility to initiate full implementation at the same time as when their plans undergo full plan reviews
- allowing local government enough time to complete any technical assessments, as some national direction instruments will require, prior to implementation
- allowing local government to update plans without recourse to RMA Schedule 1 plan-making processes
- pausing the implementation of these national direction instruments until the new resource management system is in place.

Submissions from local government noted the need for implementation to reflect their communities' need for transparency in decision-making.

## 5.5 Implementation of proposals

### 5.5.1 Implementation methods

Implementation of the proposed NPS-I, NPS-REG and NPS-EN can be through either:

- **statutory implementation** in the form of direction on how and when the proposals, or parts of the proposals, should take effect – for example, particular parts of the national direction that must be considered by decision-makers; when/how required RMA plan amendments are to be progressed; and direction on who will use and implement the national direction, or
- **non-statutory implementation** in the form of guidance, workshops and capacity building to assist understanding and delivery of the proposals.

Section 55 of the RMA outlines the statutory implementation provisions for national policy statements.

### 5.5.2 Statutory implementation of the proposed NPS-I, NPS-REG and NPS-EN

The proposed NPS-I, NPS-REG and NPS-EN will have an immediate effect on resource consent decisions, water conservation orders, and decisions on notice of requirements (for designations) and heritage orders.

The proposed NPS-I, NPS-REG and NPS-EN must be considered for all resource consent applications under section 104 of the RMA and will directly apply to the determination of resource consents for discretionary and non-complying activities under section 104B of the RMA. This means national direction will be a factor in consent decision-making, alongside the assessment of effects, any mitigation measures, other RMA plan provisions and any other matter the decision-maker considers relevant and reasonably necessary to make a decision.



The RMA includes two options for how and when NPS provisions are implemented in RMA documents under section 55(2) and (2D). The option for an NPS to require direct insertion of specific policies into an NPS under section 55(2) was not exercised in the NPS-I, NPS-REG and NPS-EN proposals so it is not available. The other option relates to a local authority-led plan change to implement an NPS 'as soon as practicable' after becoming operative under section 55(2D)(a). This would follow the plan change process set out in Schedule 1 of the RMA and involve public consultation on the proposed plan provisions, and an opportunity for submitters on the plan change to be heard at a public hearing. Decisions on the plan changes would also be subject to appeals at the Environment Court.

The typical plan change process has been impacted by a recent amendment to the RMA to stop council RMA plan-making processes. This amendment limits the ability for local authorities to undertake plan changes using Schedule 1 processes until 31 December 2027. This is discussed further below.

### **5.5.3 RMA Amendment Act 2025, Plan Stop provisions and implications for national direction implementation**

In August 2025, the Government passed an amendment to the RMA that introduced a requirement to stop most plan-making under the RMA, unless it was subject to an exemption. The Plan Stop suspends the requirement to review plans and policy statements and prevents notification of new plan or policy statement changes or variations until the end of 2027, when the new resource management system will be in effect.

The Plan Stop allows automatic exemptions for plan or policy statement changes that relate to natural hazards, meaning that implementation of the proposed NPS-I, NPS-REG and NPS-EN is not subject to the RMA amendment to stop council RMA plan-making processes (Plan Stop).<sup>29</sup>

The Plan Stop also provides an automatic exemption for plan or policy statement changes that implement requirements under new national policy statements, where those policy statements specify that its implementation or parts of its implementation are to occur through a plan-making process before 31 December 2027. This does not apply to the proposed NPS-I, NPS-REG and NPS-EN as the instruments do not include this requirement.

This does not affect private plan changes, which are still able to progress and will need to consider relevant national direction including the proposed NPS-I, NPS-REG and NPS-EN.

## **5.6 Recommendations**

No change is recommended to the proposed NPS-I, NPS-REG and NPS-EN relating to implementation methods.

#### **Key recommendations**

No decisions are required

<sup>29</sup> Ministry for the Environment. 2025. [Plan Stop fact sheet](#). Wellington: Ministry for the Environment.

# Appendix A: Consolidated recommendations

## – New National Policy Statement for Infrastructure

### Recommendations in relation to notified proposed provisions

The following recommendations are made in response to matters raised through submissions and in officials' overall assessment of the proposal.

The proposal section of this table includes the proposed provisions published in: Ministry for the Environment. 2025. *Package 1: Infrastructure and development – Discussion document*. The recommendations section includes recommended changes to the notified proposal and specifies reasons for recommended changes. Reference to 'no change' means a recommendation to amend the proposal as notified, whereas 'change' indicates a recommendation to change the notified proposal.

The exact final wording will be subject to legal drafting conventions, including appropriate alignment with the proposed National Policy Statement for Renewable Electricity Generation (NPS-REG) and proposed National Policy Statement for Electricity Networks (NPS-EN).

The key policy recommendations are to make amendments that:

- retain most of the National Policy Statement for Infrastructure (NPS-I) provisions without change, noting the NPS-I will sit alongside and be considered with other national direction instruments
- include flood management and protection infrastructure within the definition of 'additional infrastructure activities'
- delete the reverse sensitivity definition
- delete the reference to 'value for money' in objective 1 and policy 1 of the NPS-I
- delete the qualifier 'in appropriate circumstances' from the policy references to tangata whenua engagement in relation to Resource Management Act 1991 (RMA) section 6(e) areas (sites of significance to Māori)
- redraft the management of environmental effects provisions on consenting proposals to ensure they do not conflict with RMA section 104
- make amendments across a number of policies and definitions to provide continuity and integration with other national direction instruments (proposals for amendments to the NPS-REG and the NPS-EN).

The remainder of the recommendations are largely refinements and technical changes to make sure the NPS-I is clear.

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR NEW NPS-I			
Application	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>Where would the NPS-I apply?</b>	<p>The proposed National Policy Statement for Infrastructure (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>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 to electricity transmission network and electricity distribution network activities and assets that are managed under the National Policy Statement for Electricity Networks [2025].</i></p>	Scope and definitions	<p><b>No change</b></p> <p>1. Retain the proposed application of the NPS-I to all infrastructure activities (and supporting infrastructure activities) except renewable electricity generation, electricity transmission and distribution.</p>	Most submitters supported the proposed application of the NPS-I and the exclusion of the NPS-REG and NPS-EN from its scope.	<b>Yes   No</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR NEW NPS-I			
Definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendation	Minister's decision
<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>	Scope and definitions	<p><b>Change</b></p> <p>2. Amend the proposal definition of 'additional infrastructure' to include flood control and protection works by a local authority.</p>	A specific reference to flood control and protection works is necessary as it is not captured in the definition of 'stormwater network'.	<b>Yes   No</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR NEW NPS-I			
Definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendation	Minister's decision
	<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>			Many submitters sought to include additional activities in this definition, including for commercial or industrial activities. These are either out of scope as they are addressed in other national direction or are not currently managed in RMA plans as 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>	Scope and definitions	<p><b>Change</b></p> <p>3. Amend the proposal definition of 'buffer' by removing specific references to noise insulation standards.</p>	<p>Minor wording changes to improve the clarity of the proposed definition of buffer referred to in the policy.</p> <p>The reference to 'noise insulation requirements' should be removed as this is only one of the tools used in district plans to manage reverse sensitivity effects.</p>	<b>Yes   No</b>
<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>	Scope and definitions	<p><b>No change</b></p> <p>4. Retain the proposal definition of 'consented infrastructure'.</p>	The intent is to clarify the meaning of this term when referred to in the policies.	<b>Yes   No</b>
<b>D4 Decision-maker</b>	<i>any person making a planning decision under the Act.</i>	Scope and definitions	<p><b>No change</b></p> <p>5. Retain the proposal definition of 'decision-maker'.</p>	<p>Retains a consistent approach to terms and references used across the suite of national direction.</p> <p>This term is used in other national direction (eg, the National Policy Statement on Urban Development 2020).</p>	<b>Yes   No</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR NEW NPS-I			
Definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendation	Minister's decision
<b>D5 Existing infrastructure</b>	<i>infrastructure that is lawfully established and constructed.</i>	Scope and definitions	<b>No change</b> 6. Retain the proposal definition of 'existing infrastructure'.	The term 'lawfully established' is in common usage in the resource management system and is necessary to distinguish consented infrastructure from activities where either they are unconsented or the existing consent has lapsed.	<b>Yes   No</b>
<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>	Scope and definitions	<b>No change</b> 7. Retain the proposal definition of 'functional need'.	This definition is from the National Planning Standards 2019.	<b>Yes   No</b>
<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>	Scope and definitions	<b>No change</b> 8. Retain the proposal definition of 'infrastructure', which includes 'additional infrastructure' as defined in D1.	The intent is for the NPS-I to define 'infrastructure' based on the current RMA definition and the 'additional infrastructure' definition to ensure the scope of the NPS-I includes other types of infrastructure, for example, schools, hospitals and flood works.  For legibility, where used in the NPS-I illustrative wording, the term 'infrastructure' is intended to include 'additional infrastructure'.	<b>Yes   No</b>
<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>	Scope and definitions	<b>No change</b> 9. Retain the proposal definition of 'infrastructure activities'.	The definition supports the interpretation of the NPS-I by making it clear the policies apply to all aspects of infrastructure and development stages.	<b>Yes   No</b>

NOTIFIED PROPOSAL			RECOMMENDATIONS FOR NEW NPS-I		
Definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendation	Minister's decision
<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>	Scope and definitions	<b>Change</b> 10. Amend the proposal definition of 'infrastructure supporting activities' to clarify that its scope is limited to activities that directly support 'infrastructure activities'.	Many submitters expressed concern at the potential breadth of this definition and its implications for the consenting process. To address this, the definition requires rewording to make it clear it is limited to activities that directly support infrastructure activities.	<b>Yes   No</b>
<b>D10 Maintenance and minor upgrade</b>	<i>work undertaken to ensure the effective and efficient operation and performance of existing infrastructure and includes:</i> a) <i>activities associated with the maintenance or repair of existing infrastructure, including all relevant ancillary activities; or</i> b) <i>replacing existing infrastructure with the modern equivalent equipment or asset, which may not be "like for like"; or</i> c) <i>maintenance and upgrades necessary to continue to deliver the same or similar level of infrastructure services or to improve resilience; or</i> d) <i>other upgrades of existing infrastructure where this will have no more than minor adverse effects on the environment after the upgrade is complete.</i>	Scope and definitions	<b>Change</b> 11. Amend the proposal definition of 'maintenance and minor upgrade' to make it clear the definition also covers: a. the replacement or renewal of existing 'infrastructure' b. to ensure the definition applies to all stages of an upgrade and not just after the upgrade is complete.	Minor change to ensure the definition covers all aspects of maintenance and minor upgrades of infrastructure, including where infrastructure needs to be replaced or renewed.  The reference in D10(d) to 'after the upgrade is complete' requires amendment as otherwise it could be interpreted as meaning any level of adverse effect is acceptable during the works, provided it does not continue after the works are complete.	<b>Yes   No</b>
<b>D11 Major upgrade</b>	<i>an upgrade of existing infrastructure that is not a minor upgrade.</i>	Scope and definitions	<b>Change</b> 12. Amend the proposal definition of 'major upgrade' to refer to all other upgrades which are not 'maintenance and minor upgrade'.	Minor change to align the definition with the definition of maintenance and minor upgrade.	<b>Yes   No</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR NEW NPS-I			
Definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendation	Minister's decision
<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>	Scope and definitions	<b>No change</b> 13. Retain the proposal definition of 'operational need'.	This definition is from the National Planning Standards 2019.	<b>Yes   No</b>
<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>	Scope and definitions	<b>Change</b> 14. Amend the proposal definition of 'planned infrastructure' to refer to a 'strategic planning document'.	Minor change to align with recommended changes to the 'strategic planning document' definition in D21.	<b>Yes   No</b>
<b>D14 Planning decision</b>	<i>a decision on any of the following:</i> a) <i>a regional policy statement or proposed regional policy statement;</i> b) <i>a regional plan or proposed regional plan;</i> c) <i>a district plan or proposed district plan;</i> d) <i>a resource consent;</i> e) <i>a designation;</i> f) <i>a heritage order;</i> g) <i>a water conservation order; and</i> h) <i>a change to a plan requested under Part 2 of Schedule 1 of the RMA.</i>	Scope and definitions	<b>Change</b> 15. Amend the proposed 'planning decision' definition to ensure the language refers to both decisions and recommendations for plan making, plan changes, consenting, designations, heritage orders and conservation orders.	Minor change to reflect the different decision-making processes in the RMA. In their role as consent authorities, local authorities make recommendations, not decisions, on notices of requirements issued by a requiring authority.	<b>Yes   No</b>
<b>D15 Provisions</b>	<i>includes objectives, policies and/or rules.</i>	Scope and definitions	<b>Change</b> 16. Amend the proposal definition of 'provisions' to ensure it is consistent with the National Planning Standards 2019.	Minor change to ensure the definition is consistent with the National Planning Standards 2019.  RMA section 58C(2)(b) and (c) relating to the National Planning Standards refers to "objectives, policies, methods and other provisions", which is broader than this definition.	<b>Yes   No</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR NEW NPS-I			
Definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendation	Minister's decision
				The National Planning Standards defines provisions as “all content in a policy statement or plan, including but not limited to background content, issues, objectives, policies, methods, rules, and anticipated environmental results”.	
<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 clean filling 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>	Scope and definitions	<b>No change</b> 17. Retain the proposal definition of ‘quarrying activities’.	This definition is from the National Planning Standards 2019.	<b>Yes   No</b>
<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>	Scope and definitions	<b>Change</b> 18. Amend the proposal definition of ‘resilience’ to ensure it provides for reduced service levels where necessary to support managed retreat.	The definition refers to retaining ‘essentially the same or similar level of service as before, which may not be possible where managed retreat occurs. To address this, the definition requires amendment to clarify that resilience might not mean maintaining the status quo in terms of services.	<b>Yes   No</b>
<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>	Scope and definitions	<b>Change</b> 19. Amend the proposal to delete the definition of ‘reverse sensitivity’.	The proposed definition is unnecessary as reverse sensitivity is only referenced once in the NPS-I policies and is now well-established in case law as well as being defined in several district plans.	<b>Yes   No</b>



NOTIFIED PROPOSAL		RECOMMENDATIONS FOR NEW NPS-I			
Definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendation	Minister's decision
<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>	Scope and definitions	<b>Change</b> 20. Amend the proposal definition of 'sensitive activities' to include a reference to papakāinga.	'Sensitive activities' are the activities that local authorities must identify under  Policy 9, to then manage effects on infrastructure and to manage any health and safety risks generated by infrastructure.  For the avoidance of doubt, the definition should include a reference to papakāinga as this is a specific residential activity and often adjoins marae.	<b>Yes   No</b>
<b>D20 Stormwater network</b>	<i>a stormwater network:</i> <i>a) means the infrastructure and processes that—</i> <i>i. are used to collect, treat, drain, store, reuse, or discharge stormwater in an urban area; and</i> <i>ii. includes—</i> <i>i. an overland flow path;</i> <i>ii. green infrastructure that delivers stormwater services; and</i> <i>iii. watercourses that are part of, or related to, the infrastructure described in paragraph a).</i>	Scope and definitions	<b>No change</b> 21. Retain the proposal definition of 'stormwater network'.	This definition provides 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.  Note: 'Stormwater' has the same meaning as in the National Planning Standards 2019.	<b>Yes   No</b>
<b>D21 Strategic planning document</b>	<i>includes:</i> <i>a) Future development strategies under the NPS-UD;</i> <i>b) any non-statutory growth plan or strategy adopted by local authority resolution; and</i>	Scope and definitions	<b>Change</b> 22. Amend the proposal definition of 'strategic planning document' to include references to the Land Transport Management Act 2003 (LTMA) and the Local Government	In addition to their responsibilities under the Local Government Act 2002 regarding strategic planning, the LTMA requires councils to prepare and approve regional land transport plans every six years.	

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR NEW NPS-I			
Definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendation	Minister's decision
	c) <i>Long-term plans and infrastructure strategies under the Local Government Act 2002 (LGA).</i>		(Water Services) Act 2025 (LGWSA).	Under the LGWSA, councils who are water service providers must also prepare water services delivery plans.	
<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>	Scope and definitions	<b>No change</b> 23. Retain the proposal definition of 'upgrading infrastructure'.	This definition clarifies the meaning of 'upgraded infrastructure' when referred to in the NPS-I policies.	<b>Yes   No</b>

OBJECTIVES AND POLICIES					
NOTIFIED PROPOSAL		RECOMMENDATIONS FOR NEW NPS-I			
Objectives	Proposed provisions	Topic	Recommendation	Reasons for recommendation	Minister's decision
<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> </ul>	Objective	<b>Change</b> 24. Amend the proposal objective (OB1) to align with Part 2 RMA reference to social, economic and cultural well-being and by deleting OB1.	<p>The inclusion of 'social, economic and cultural well-being' is a minor change to ensure the objective aligns with the wording used in Part 2 of the RMA.</p> <p>Many submitters, including infrastructure providers, sought deletion of references to 'providing value for money' in the objective. Submitters were concerned the term was uncertain and could be weaponised against infrastructure proposals in consent hearings.</p>	<b>Yes   No</b>

	g) <i>is protected from the adverse effects of other activities.</i>				
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Subpart 1 – General provisions					
NOTIFIED PROPOSAL			RECOMMENDATIONS FOR NEW NPS-I		
Policies	Proposed provisions	Topic	Recommendation	Reason for recommendation	Minister's decision
<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> <p>1) <i>Planning decisions about infrastructure shall recognise and provide for the benefits of infrastructure, which includes all of the following:</i></p> <ul 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> </ul>	Benefits of infrastructure	<p><b>Change</b></p> <p>25. Amend the proposed policy 1 on providing for the benefits of infrastructure to:</p> <ul style="list-style-type: none"> <li>a. clarify that decision makers do not need to consider all of the listed matters but only those which are relevant to the specific infrastructure proposal</li> <li>b. add reference to the social, cultural and economic well-being of current and future generations</li> <li>c. delete P1(1)(d) and delete P1(3)(b).</li> </ul>	<p>The reference to 'all' in the head clause of Policy 1 should be changed to 'any' (or similar amendment to achieve the policy intent) to enable decision-makers to select benefits as applicable to a specific infrastructure proposal.</p> <p>Proposed amendments to policy 1(1)(a) are to align with Part 2 of the RMA.</p> <p>The deletion of policy 1(1)(d) is a consequential amendment to the removal of objective 1(e).</p> <p>Policy 1(3)(b) should be deleted as it duplicates Policy 1(1).</p>	<b>Yes   No</b>

## Subpart 1 – General provisions

### NOTIFIED PROPOSAL

RECOMMENDATIONS FOR NEW NPS-I					
Policies	Proposed provisions	Topic	Recommendation	Reason for recommendation	Minister's decision
	<p><i>g) reducing the risks from, and improving resilience to, natural hazards and climate change.</i></p> <p><i>2) 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></p> <p><i>3) When making planning decisions about infrastructure, recognise:</i></p> <p><i>a) 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></p> <p><i>b) 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></p> <p><i>c) the independent or interconnected nature of infrastructure networks.</i></p>				
<b>P2 Operational need or functional need of infrastructure to be in particular environments</b>	<p>Introduce a new policy as follows:</p> <p><i>1) 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></p> <p><i>a) provide services to people and communities in a timely, effective, and efficient manner;</i></p> <p><i>b) operate effectively and efficiently as linear and/or interconnected infrastructure networks within and across district and regional boundaries;</i></p>	Operational and functional needs	<p><b>Change</b></p> <p>26. Amend the proposed policy on operational or functional need (P2) to include a reference to 'infrastructure' that has a 'functional need' to locate in areas subject to natural hazard risk including flood protection infrastructure and seawalls.</p>	Policy 2 should also refer to the management of risk from natural hazards and climate change. This recognises there is a functional requirement for protective infrastructure such as stop banks or seawalls to locate in proximity to the hazard.	<b>Yes   No</b>

## Subpart 1 – General provisions

### NOTIFIED PROPOSAL

RECOMMENDATIONS FOR NEW NPS-I					
Policies	Proposed provisions	Topic	Recommendation	Reason for recommendation	Minister's decision
	<ul style="list-style-type: none"> <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> </ul>				
<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>	Considering spatial plans and other strategic plans	<p><b>No change</b></p> <p>27. Retain the proposed policy on considering spatial planning (P3).</p>	Policy 3 provides direction to decision-makers and infrastructure providers for coordinated infrastructure development. Most submitters across all sectors supported Policy 3.	<b>Yes   No</b>
<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> <li>d) <i>enable opportunities to make more effective use of existing infrastructure;</i></li> </ol> </li> </ol>	Efficient and effective delivery of infrastructure	<p><b>Change</b></p> <p>28. Amend the proposed policy to:</p> <ol style="list-style-type: none"> <li>a. remove the requirement for decision-makers to consider relevant standards or methods from P4(2)</li> <li>b. move the policy in P4(3) to a new stand-alone policy.</li> </ol>	<p>The requirement in Policy 4(2)(b) to consider relevant standards or methods is a duplication of Policy 6(1)(d) and should be deleted.</p> <p>The policy direction for infrastructure supporting activities in Policy 4(3) is separated out to improve legibility.</p>	<b>Yes   No</b>

## Subpart 1 – General provisions

### NOTIFIED PROPOSAL

		RECOMMENDATIONS FOR NEW NPS-I			
Policies	Proposed provisions	Topic	Recommendation	Reason for recommendation	Minister's decision
	<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> <ul style="list-style-type: none"> <li>i. <i>improve the resilience of infrastructure to the risks from natural hazards and effects of climate change;</i></li> <li>ii. <i>maintain or improve its level of infrastructure service, including to meet increasing demand; or</i></li> <li>iii. <i>improve environmental outcomes.</i></li> </ul> <p>2) <i>When making planning decisions on infrastructure activities, decision-makers must:</i></p> <ul style="list-style-type: none"> <li>a) <i>recognise it is the role of the infrastructure provider to identify the preferred location for the infrastructure activity;</i></li> <li>b) <i>consider relevant internationally, nationally and regionally accepted standards and methods to manage common infrastructure activities and effects;</i></li> <li>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 LGA, or the infrastructure priorities programme; and</i></li> </ul> <p>3) <i>Planning decisions must recognise and provide for the role of infrastructure supporting activities, including by:</i></p>				

## Subpart 1 – General provisions

### NOTIFIED PROPOSAL

RECOMMENDATIONS FOR NEW NPS-I					
Policies	Proposed provisions	Topic	Recommendation	Reason for recommendation	Minister's decision
	<ul style="list-style-type: none"> <li>a) <i>recognising the importance of infrastructure supporting activities to enable the benefits of infrastructure activities to be realised;</i></li> <li>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></li> <li>c) <i>enabling the timely delivery of infrastructure supporting activities, particularly when these are directly related to the infrastructure activity.</i></li> </ul>				
<b>P5 Recognising and providing for Māori rights and interests</b>	<p>Introduce a new policy as follows:</p> <ul style="list-style-type: none"> <li>1) <i>Decision-makers must recognise and provide for Māori interests in relation to infrastructure activities and infrastructure supporting activities, including by:</i> <ul style="list-style-type: none"> <li>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></li> <li>b) <i>recognising the opportunities tangata whenua may have in developing and operating their own infrastructure at any scale or in partnership;</i></li> <li>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></li> <li>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></li> </ul> </li> </ul>	Providing for Māori interests	<p><b>Change</b></p> <p>29. Amend the proposed policy on recognising and providing for Māori rights and interests (P5) by removing the qualifier 'in appropriate circumstances'.</p>	The qualifier 'in appropriate circumstances in Policy 5(1)(c) is unnecessary when referring to tangata whenua involvement in relation to sites of significance to Māori and issues of cultural significance.	<b>Yes   No</b>

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

### NOTIFIED PROPOSAL

		RECOMMENDATIONS FOR NEW NPS-I			
Policies	Proposed provisions	Topic	Recommendation	Reason for recommendation	Minister's decision
P6 Assessing and managing the effects of proposed infrastructure activities on the environment	Introduce a new policy as follows:	Assessing and managing adverse effects of infrastructure	<b>Change</b>	Minor wording changes are necessary to ensure internal consistency within the NPS-I by deleting the reference to minimising adverse effects in Policy 6(1)(a) as this is not used elsewhere.	Yes   No
	<p>1) <i>When assessing and managing the effects of proposed infrastructure activities on the environment, decision-makers must:</i></p> <ul style="list-style-type: none"> <li>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></li> <li>b) <i>consider the technical and operational requirements and constraints of infrastructure activities;</i></li> <li>c) <i>where considering a proposal involving existing infrastructure only consider any change or increase in environmental effects when the proposal relates to the reconsenting, renewal or upgrade of existing infrastructure;</i></li> <li>d) <i>adopt relevant international, national standards and recognised best practice standards and methodologies to assess and manage adverse effects; and</i></li> <li>e) <i>consider the financial and timing implications of mitigation measures and consent conditions to ensure these are proportionate and cost-effective.</i></li> </ul>		<p>30. Amend the proposed policy on assessing and managing effects of proposed infrastructure (P6) to:</p> <ul style="list-style-type: none"> <li>a. ensure it is aligned with other references in the NPS-I to 'avoid, remedy and mitigate' in relation to adverse effects on the environment by removing the reference to 'minimised' as applicable</li> <li>b. amend the references to international standards in P6 to ensure only international standards that are recognised or used in New Zealand are relevant</li> <li>c. amend P6 (1)(c) to ensure decision-makers retain a discretion to consider all actual and potential effects on the environment</li> <li>d. amend P6 (1)(e) to ensure mitigation measures and considerations are proportionate to the adverse effects generated by the project or work and not whether they are 'cost-effective'.</li> </ul>	<p>The reference to international standards requires amending to ensure it is limited to standards which are recognised or used in New Zealand.</p> <p>Policy 6(1)(c) requires amendment to enable consent authorities to have regard to all actual and potential effects on the environment under section 104 (consideration of applications) when determining a consent application. This will avoid complexity and uncertainty in processing applications. Direction on consideration of renewals, reconsenting and upgrades can be more fully considered in the new legislation.</p> <p>The term 'cost-effective' in Policy 6(1)(e) is subjective and open to interpretation. Deleting it means</p>	



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

### NOTIFIED PROPOSAL

### RECOMMENDATIONS FOR NEW NPS-I

Policies	Proposed provisions	Topic	Recommendation	Reason for recommendation	Minister's decision
				the policy more clearly expresses the policy intent to ensure mitigation measures and considerations are proportionate to the adverse effects generated by the project or work.	
<b>P7 Operation, maintenance and minor upgrade of existing infrastructure</b>	Introduce a new policy as follows: <i>1) 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>	Assessing and managing adverse effects of infrastructure	<b>No change</b> 31. Retain the proposed policy for operation, maintenance and minor upgrade of existing infrastructure(P7).	Policy 7 is intended to manage the effects of existing infrastructure on environmental values.  The policy 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.	<b>Yes   No</b>
<b>P8 Managing the effects of new infrastructure and major upgrades on environmental values</b>	Introduce a new policy as follows: <i>1) 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>	Assessing and managing adverse effects of infrastructure	<b>No change</b> 32. Retain the proposed policy for managing the effects of new infrastructure and major upgrades on environmental values (P8).	Policy 8 is intended to provide greater certainty that new infrastructure and major upgrades with environmental effects – where these are not located areas protected under section 6 of the RMA or by national direction (eg, outstanding natural landscapes or features) – should be enabled.	<b>Yes   No</b>

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

#### NOTIFIED PROPOSAL

#### RECOMMENDATIONS FOR NEW NPS-I

Policies	Proposed provisions	Topic	Recommendation	Reason for recommendation	Minister's decision
<b>P9 Planning for and managing the interface and compatibility of infrastructure with other activities</b>	<p>Introduce a new policy as follows:</p> <ol style="list-style-type: none"> <li>1) <i>Planning decisions must manage the interface between existing, consented and planned infrastructure and other activities to ensure:</i> <ol 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> </ol> </li> <li>2) <i>In order to implement clause 1), local authorities must:</i> <ol style="list-style-type: none"> <li>a) <i>engage with infrastructure providers to:</i> <ol 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> </ol> </li> </ol> </li> </ol>	Interface and compatibility of infrastructure and other activities	<p><b>Change</b></p> <p>33. Amend the proposed policy for planning and managing the interface between infrastructure and other activities to ensure protection measures are in response to new or intensified sensitive activities (P9).</p>	Policy 9 requires amendment to ensure it is focused on new or intensified sensitive activities. This recognises that both new sensitive activities and the intensification of existing sensitive activities have the potential to generate adverse effects on infrastructure.	<b>Yes   No</b>

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

#### NOTIFIED PROPOSAL

#### RECOMMENDATIONS FOR NEW NPS-I

Policies	Proposed provisions	Topic	Recommendation	Reason for recommendation	Minister's decision
	<p><i>b) identify:</i></p> <ul style="list-style-type: none"> <li><i>i. activities that are particularly sensitive to the effects of infrastructure;</i></li> <li><i>ii. activities that are compatible with infrastructure, or potentially compatible with appropriate buffers, design standards or mitigation measures;</i></li> <li><i>iii. infrastructure activities, such as social infrastructure, that are sensitive to the effects of other infrastructure;</i></li> </ul> <p><i>c) apply a range of methods, including, where appropriate:</i></p> <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><i>ii. design standards to manage the effects of infrastructure on other activities;</i></li> <li><i>iii. special purpose zoning and other spatial planning layers; and</i></li> </ul> <p><i>d) 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>				

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

#### NOTIFIED PROPOSAL

RECOMMENDATIONS FOR NEW NPS-I					
Policies	Proposed provisions	Topic	Recommendation	Reason for recommendation	Minister's decision
<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>	Interface and compatibility of infrastructure and other activities	<p><b>Change</b></p> <p>34. Amend the proposed policy for assessing and managing the interface between infrastructure and other activities (P10) by adding a reference to 'intensified sensitive activities'.</p>	Officials support the retention of Policy 10 with a minor amendment to align with recommended changes to Policy 9 discussed above (inclusion of intensified activities).	<b>Yes   No</b>

## 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 (RMA) 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

#### NOTIFIED PROPOSAL

#### RECOMMENDATIONS FOR NEW NPS-I

Implementation measure	Proposed provisions	Topic	Recommendation	Reason for recommendation	Minister's decision
<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-I 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>	Other issues	No decision required.	<p>Implementation of national policy statements is set out in section 55 of the RMA and no specific decision is required.</p> <p>Refer to commentary in Part C of the <i>Report on Submissions and Recommendations</i>.</p>	<b>N/A</b>

Matters to be considered by decision-makers on resource consent applications and notices of requirement					
NOTIFIED PROPOSAL			RECOMMENDATIONS FOR NEW NPS-I		
Matters for consideration	Proposed provisions	Topic	Recommendation	Reason for recommendation	Minister's decision
<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>	Other issues	No decision required.	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.	N/A

NOTIFIED PROPOSAL			RECOMMENDATIONS FOR NEW NPS-I		
Implementation timeframes	Proposed provisions	Topic	Recommendation	Reason for recommendation	Minister's decision
<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.	Other issues	No decision required.	Ensuring timely and effective implementation of the NPS-I is crucial to achieving the Government's goals.	N/A
<b>IT2 Given effect to in regional policy statements and plans</b>	<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>	Other issues	No decision required.	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.	

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR NEW NPS-I			
Implementation timeframes	Proposed provisions	Topic	Recommendation	Reason for recommendation	Minister's decision
				<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>	

## Other recommendations

The following recommendations relate to matters raised through submissions.

RECOMMENDATIONS FOR NEW NPS-I			
Topic	Recommendation	Reasons for recommendation	Minister's decision
Scope and definitions	<p><b>Change</b></p> <p>35. Amend the proposal to include a definition of 'ancillary activity' which: is consistent with the definitions of ancillary activity in the National Planning Standards 2019, NPS-EN and NPS-REG; and includes references to vegetation clearance, tree trimming, earthworks, the construction maintenance and upgrading of access tracks and accessways, power supply and telecommunications.</p>	This definition is required to align the NPS-I with the National Planning Standards 2019, the NPS-EN and the NPS-REG.	<b>Yes   No</b>

# Appendix B: Consolidated recommendations – Amendments to the National Policy Statement for Renewable Electricity Generation 2011

## Recommendations in relation to notified proposed provisions

The following recommendations are made in response to matters raised through submissions and in officials overall assessment of the proposal.

The proposal section of this table includes the proposed provisions published in: Ministry for the Environment. 2025. *Package 1: Infrastructure and development – Discussion document*. The recommendations section includes changes to the notified proposal and specifies reasons for recommended changes. Reference to ‘no change’ means a recommendation to amend the proposal as notified, whereas ‘change’ indicates a recommendation to amend the notified proposal.

The exact final wording will be subject to legal drafting conventions, including appropriate alignment with the proposed National Policy Statement for Infrastructure (NPS-I) and proposed amendments to the National Policy Statement for Electricity Networks (NPS-EN).

Any provision in the existing National Policy Statement for Renewable Electricity Generation 2011 (NPS-REG) not included in the notified proposal or these tables is intended to remain the same.

The key policy recommendations are to make amendments that:

- ensure that electricity storage, such as batteries, is included no matter where storage is located in the electricity network
- reintroduce policies (from the NPS-REG 2011) that allow for adaptive management measures, and offsetting and compensation
- ensure that an assessment of alternative sites is not required to meet the functional or operational need tests for renewable electricity generation (REG) to locate in particular environments
- clarify that existing REG assets may be part of the existing environment to support consenting, while ensuring that all relevant effects can be managed
- clarify that small- and community-scale REG has the same level of enablement as grid-scale REG
- ensure that the definitions and policies are sufficiently comprehensive and precise to capture all relevant aspects of REG and to aid drafting and interpretation.

The rest of the recommendations are largely refinements and technical changes required to ensure the NPS-REG is clear.



NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NPS-REG			
Definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>D1 Act</b>	<i>means the Resource Management Act 1991.</i>	Scope and definitions	<b>No change</b> 1. Retain the proposal definition of 'Act'.	Retains a consistent approach to terms used across the suite of national direction.	<b>Yes   No</b>
<b>D2 Ancillary REG activities</b>	Include a new definition for 'ancillary REG activities' that means: <ul style="list-style-type: none"> <li><i>all supporting and subsidiary activities needed to provide for the investigation, construction, operation, maintenance, upgrading, repowering and decommissioning of REG assets, including but not limited to vegetation clearance, tree trimming, earthworks, the construction, maintenance and upgrading of access tracks and roads, power supply, and telecommunications.</i></li> </ul>	Scope and definitions	<b>Change</b> 2. Amend the proposal definition of 'ancillary renewable electricity generation activities' to ensure culverts and bridges are included.	For the avoidance of doubt, add culverts and bridges to the non-exclusive list of example ancillary REG activities.  The definition is used in other definitions and throughout the NPS-REG.	<b>Yes   No</b>
<b>D3 Community-scale REG</b>	Amend and rename the definition of 'small and community-scale distributed electricity generation' to 'community-scale REG' to: <ul style="list-style-type: none"> <li><i>renewable electricity generation with the primary purpose of supplying electricity to a community.</i></li> </ul>	Scope and definitions	<b>No change</b> 3. Retain the proposal definition for 'community-scale renewable electricity generation'.	The intent of the definition is to be clear that the coverage of the NPS-REG applies equally to community-scale REG and grid-scale REG.	<b>Yes   No</b>
<b>D4 Decision-makers</b>	Amend the definition of 'decision-makers' to: <ul style="list-style-type: none"> <li><i>any person exercising functions or powers under the Act.</i></li> </ul>	Scope and definitions	<b>No change</b> 4. Retain the proposal definition of 'decision-makers'.	Retains a consistent approach to terms used across the suite of national direction.  This term is used in other national direction (eg, the National Policy Statement on Urban Development 2020).	<b>Yes   No</b>
<b>D5 Electricity networks</b>	Introduce a new definition that has the same meaning as in the proposed National Policy Statement for Electricity Networks.	Scope and definitions	<b>No change</b> 5. Retain the proposal definition of 'electricity networks'.	Retains a consistent approach to terms used across the suite of national direction.  This definition is included in the proposed amendments to the National Policy Statement on Electricity Transmission 2008 (proposed to be	<b>Yes   No</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NPS-REG			
Definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
				renamed as the National Policy Statement for Electricity Networks).	
<b>D6 Environmental footprint</b>	<p>Introduce a new definition that:</p> <ul style="list-style-type: none"> <li><i>means the horizontal spatial extent of an existing REG asset and/or activity as defined in any applicable resource consent(s) including all supporting infrastructure and ancillary REG activities.</i></li> </ul>	Scope and definitions	<p><b>Change</b></p> <p>6. Amend the proposal to remove the definition of 'environmental footprint'.</p>	A definition of environmental footprint is not needed as the definition of 'existing renewable electricity generations site' (D8) fulfils the intended purpose.	<b>Yes   No</b>
<b>D7 Existing renewable electricity generation assets (existing REG assets)</b>	<p>Introduce a new definition that:</p> <ul style="list-style-type: none"> <li><i>means REG assets that, at a time a decision is made, are already:</i> <ul style="list-style-type: none"> <li><i>a) lawfully established and constructed; or</i></li> <li><i>b) authorised by an unimplemented resource consent or designation that has not lapsed.</i></li> </ul> </li> </ul>	Scope and definitions	<p><b>Change</b></p> <p>7. Amend the proposal definition of 'existing renewable electricity generation assets' to ensure:</p> <ul style="list-style-type: none"> <li>a. it applies to 'existing REG activities' and 'existing REG assets'</li> <li>b. it also includes any other authorisation (such as designations, fast-track approvals, permitted activities) that may have been given.</li> </ul>	<p>The intent is to ensure all lawfully established 'existing REG assets' and 'existing REG activities' are captured in the one definition.</p> <p>The definition is used in proposed amendments to policies B and D, and proposed policies P3 and P4 mainly on protecting and re consenting, upgrading and repowering 'existing REG assets'.</p>	<b>Yes   No</b>
<b>D8 Existing renewable electricity generation site (existing REG site)</b>	<p>Introduce a new definition that:</p> <ul style="list-style-type: none"> <li><i>means the site or sites as defined in any applicable resource consent(s) used for REG assets to generate, store and convey electricity as applicable, including all supporting infrastructure and ancillary REG activities.</i></li> </ul>	Scope and definitions	<p><b>Change</b></p> <p>8. Amend the proposal definition of 'existing renewable electricity generation site' to ensure it includes any other authorisation (such as designations, fast-track approvals, permitted activities) that may have been given (in addition to resource consents).</p>	<p>The intent is to define the site in which 'existing REG assets' are located and in which 'existing REG activities' take place.</p> <p>The definition is used in proposed Policy 4 on re consenting, upgrading and repowering 'existing REG assets'.</p>	<b>Yes   No</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NPS-REG			
Definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>D9 Functional need</b>	Introduce a new definition that: <ul style="list-style-type: none"> <li>means 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.</li> </ul>	Scope and definitions	<b>No change</b> 9. Retain the proposal definition of 'functional need'.	This definition of 'functional need' is included in the National Planning Standards 2019.	<b>Yes   No</b>
<b>D10 Operational need</b>	Introduce a new definition that: <ul style="list-style-type: none"> <li>means 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.</li> </ul>	Scope and definitions	<b>No change</b> 10. Retain the proposal definition of 'operational need'.	This definition of 'operational need' is included in the National Planning Standards 2019.	<b>Yes   No</b>
<b>D11 Renewable electricity generation (REG)</b>	Amend the definition to: <ul style="list-style-type: none"> <li>means the generation of electricity from renewable energy sources from solar, wind, water, geothermal, biomass, tidal, wave, or ocean current energy sources.</li> </ul>	Scope and definitions	<b>Change</b> 11. Amend the proposal to remove the proposed amendment to the definition of 'renewable electricity generation'.	The intent is to revert back to the existing definition of 'renewable electricity generation' in NPS-REG 2011 which will ensure alignment with the definition of 'specified energy activity' in the Resource Management (Consenting and Other System Changes) Amendment Act 2025.	<b>Yes   No</b>
<b>D12 Renewable electricity generation activities (REG activities)</b>	Amend the definition to: <ul style="list-style-type: none"> <li>means <ul style="list-style-type: none"> <li>a) the investigation, construction, operation, maintenance, upgrade, repowering and decommissioning of REG assets;</li> <li>b) the storage of generated electricity;</li> <li>c) the conveyance of generated electricity to electricity networks or directly to end users; and</li> <li>d) all relevant ancillary REG activities associated with REG assets; but</li> </ul> </li> </ul>	Scope and definitions	<b>Change</b> 12. Amend the proposal definition of 'renewable electricity generation activities' to: <ul style="list-style-type: none"> <li>a. ensure it covers the full range of activities involved in the life cycle of REG assets</li> <li>b. clarify the storage of electricity can be anywhere in the electricity network.</li> </ul>	This definition is used throughout the NPS-REG, so the intent is to: <ul style="list-style-type: none"> <li>cover the full range of activities involved in the life cycle of 'REG assets' in the definition such as monitoring and removal, for the avoidance of doubt</li> <li>clarify the situations where electricity is stored to be anywhere in the electricity network.</li> </ul>	<b>Yes   No</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NPS-REG			
Definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<i>e) does not include electricity network assets owned and operated by Transpower NZ Limited or an electricity distributor.</i>				
<b>D13 Renewable electricity generation assets (REG assets)</b>	<p>Introduce a new definition that:</p> <ul style="list-style-type: none"> <li><i>means the physical components and structures for renewable electricity generation and includes:</i> <ul style="list-style-type: none"> <li><i>a) the supporting infrastructure and assets required to generate and store electricity, such as monitoring equipment, cabling, access tracks and roads; and</i></li> <li><i>b) the infrastructure required to convey generated electricity to electricity networks or directly to end users.</i></li> </ul> </li> </ul>	Scope and definitions	<p><b>Change</b></p> <p>13. Amend the proposal definition of 'renewable electricity generation assets' to ensure it includes:</p> <ul style="list-style-type: none"> <li>a. infrastructure required for 'ancillary REG assets'</li> <li>b. the infrastructure to convey both generated and stored electricity.</li> </ul>	<p>The intent is to ensure all relevant REG assets and the conveyance of stored electricity are captured by the definition for the avoidance of doubt.</p> <p>The definition is used throughout the NPS-REG.</p>	<b>Yes   No</b>
<b>D14 Repowering</b>	<p>Introduce a new definition that:</p> <ul style="list-style-type: none"> <li><i>means in relation to existing REG assets generating electricity from wind or solar sources, the whole or partial replacement of REG assets within an existing REG site to increase generation output and/or extend the operational life of the REG asset.</i></li> </ul>	Scope and definitions	<p><b>Change</b></p> <p>14. Amend the proposal definition of 'repowering' to ensure that increased maximum generation capacity is included.</p>	<p>The intent is to ensure that repowering can increase the maximum generation capacity of wind and solar assets (as well as increase generation output – which varies from day to day, eg, when wind is blowing).</p> <p>The definition is used in proposed Policy 4 on consenting, upgrading and repowering 'existing REG assets'.</p>	<b>Yes   No</b>
<b>D15 Resilience of renewable electricity generation assets</b>	<p>Introduce a new definition that:</p> <ul style="list-style-type: none"> <li><i>means the capacity of REG assets to absorb a shock, including from natural hazards, recover from the disruption, adapt to changing conditions, including climate change, and retain a similar level of</i></li> </ul>	Scope and definitions	<p><b>Change</b></p> <p>15. Amend the proposal definition of 'resilience of renewable electricity generation assets' to recognise that 'a similar level of essential service'</p>	<p>The intent is to ensure that planning decisions on 'existing REG assets' that consider resilience do not constrain the managed retreat of those assets if that is needed. Resilience also plays a role in defining the benefits of the NPS-REG</p>	<b>Yes   No</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NPS-REG			
Definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<i>essential service as before, even if that means delivering an infrastructure service in a new or different way.</i>		may not be possible where managed retreat occurs.	(Policy A) and is one part of the NPS-REG objective to be achieved.  The current proposed definition refers to retaining 'a similar level of essential service as before', which may not be possible where managed retreat occurs.	
<b>D16 Reverse sensitivity</b>	Introduce a new definition that: <ul style="list-style-type: none"> <li><i>means in relation to REG, the vulnerability of existing REG assets to complaint, burden, or constraint from a new or more intensive activity proposed or located near existing REG assets.</i></li> </ul>	Scope and definitions	<b>Change</b> 16. Amend the proposal to remove the proposed inclusion of a definition of 'reverse sensitivity'.	The term is well established through case law and does not require further definition in the NPS-REG. Further definition risks creating uncertainty.	<b>Yes   No</b>
<b>D17 Small-scale renewable electricity generation (small-scale REG)</b>	Amend the definition of 'small and community-scale distributed electricity generation' to 'small-scale REG' that: <ul style="list-style-type: none"> <li><i>means renewable electricity generation where the primary purpose is to provide electricity for on-site use at an individual site or landholder level.</i></li> </ul>	Scope and definitions	<b>Change</b> 17. Amend the proposal definition of 'small-scale renewable electricity generation' to ensure that telecommunication facilities are included in the definition.	The intent of the change to NPS-REG is to align policy with the proposed changes to the National Environmental Standards for Telecommunication Facilities policy to enable renewable backup generation for telecommunication facilities.  The intent of the definition is to be clear that the coverage of the NPS-REG applies equally to small-scale REG and grid-scale REG.	<b>Yes   No</b>
<b>D18 Upgrading</b>	Introduce a new definition that: <ul style="list-style-type: none"> <li><i>means in relation to existing REG activities, increasing the capacity, efficiency, safety, security, resilience or longevity of the existing REG assets.</i></li> </ul>	Scope and definitions	<b>Change</b> 18. Amend the proposal definition of 'upgrading' to ensure that it includes increasing the reliability or flexibility of 'existing REG assets'.	The intent of the additions is to ensure the definition is comprehensive and covers all the possible reasons for undertaking an upgrade.  The definition is used in proposed Policy 4 on consenting, upgrading and repowering 'existing REG assets'.	<b>Yes   No</b>

NOTIFIED PROPOSAL			RECOMMENDATIONS FOR AMENDMENTS TO NPS-REG		
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>Objective</b>	<p>Amend the current NPS-REG 2011 objective to:</p> <p>1) <i>Renewable electricity generated in New Zealand:</i></p> <p>a) <i>increases in a rate and manner necessary to support the achievement of New Zealand's emission reduction and energy targets and associated plans under the Climate Change Response Act 2002;</i></p> <p>b) <i>provides greater resilience to disruptions to electricity supply;</i></p> <p>c) <i>provides for the social, economic and cultural well-being of people and communities, and for their health and safety; while managing the adverse effects of REG activities.</i></p>	Objective	<p><b>Change</b></p> <p>19. Amend the proposal to change the objective to ensure that it achieves the intent of the proposal and provides for:</p> <p>a. the national significance of REG and its national, regional and local benefits</p> <p>b. the maintenance and increase of REG capacity and output, and avoids losses</p> <p>c. security of electricity supply and resilience for all people and communities (part b)</p> <p>d. protection of REG from adverse effects of other activities.</p>	The intent is that the proposed amendments to the objective cover the range of policies proposed under the NPS-REG, the outcomes it seeks to achieve, and is sufficiently specific to avoid doubt. The intent is also to align the level of drafting detail with the detail of the proposed objectives in NPS-I and NPS-EN.	<b>Yes   No</b>

GENERAL POLICIES TO IMPLEMENT THIS NATIONAL POLICY STATEMENT					
Amendments to existing policies					
NOTIFIED PROPOSAL			RECOMMENDATIONS FOR AMENDMENTS TO NPS-REG		
Clauses	Proposed provisions	Topic	Recommendations	Reason for recommendations	Minister's decision
<b>Policy A</b> <b>National significance and benefits of renewable electricity generation</b>	<p>Amend policy A as follows:</p> <p>a) <i>Decision-makers must recognise and provide for the national significance and benefits of REG activities at a national, regional and local scale. The benefits of REG activities, include, but are not limited to:</i></p>	National significance and benefits	<p><b>Change</b></p> <p>20. Amend the proposal to change Policy A to include:</p> <p>a. all benefits in the proposed provision in one list at the same level, and ensure each benefit listed is a distinct topic</p>	<p>The intent is to have both a comprehensive coverage and precise list of benefits for ease of use.</p> <p>Displacing greenhouse gas emissions is in the existing NPS-REG 2011 and is proposed to be retained in the amended NPS-REG.</p>	<b>Yes   No</b>

## GENERAL POLICIES TO IMPLEMENT THIS NATIONAL POLICY STATEMENT

### Amendments to existing policies

#### NOTIFIED PROPOSAL

#### RECOMMENDATIONS FOR AMENDMENTS TO NPS-REG

Clauses	Proposed provisions	Topic	Recommendations	Reason for recommendations	Minister's decision
	<ul style="list-style-type: none"> <li>i. <i>avoiding and reducing greenhouse gas emissions to provide positive effects for people, communities and the environment;</i></li> <li>ii. <i>contributing to the security, resilience and independence of electricity supply at national, regional and local levels through diverse REG sources and locations;</i></li> <li>iii. <i>providing for the social, economic and cultural well-being of people and communities and for their health and safety;</i></li> <li>iv. <i>increasing resilience and long-term stability by using renewable rather than finite sources of energy;</i></li> <li>v. <i>avoiding reliance on imported fossil fuels for the purposes of generating electricity; and</i></li> <li>vi. <i>the temporary and reversible adverse effects of some REG technologies on the environment.</i></li> </ul> <p>b) <i>The additional benefits of REG activities that are:</i></p> <ul style="list-style-type: none"> <li>i. <i>located close to electricity demand and electricity networks, such as reduced electricity losses, economic efficiencies and environmental benefits;</i></li> </ul>		<ul style="list-style-type: none"> <li>b. displacing greenhouse gas emissions (part (a)(i)).</li> <li>c. electricity storage in diverse locations (part (a)(ii)).</li> <li>d. not using domestic and imported fossil fuels (part (a)(v)).</li> </ul>	<p>While the benefits of not using imported fossil fuels were captured, the benefits of not using domestic fossil fuels were not. Given the increasing importance of electricity storage, it is recommended to explicitly include it.</p>	

## GENERAL POLICIES TO IMPLEMENT THIS NATIONAL POLICY STATEMENT

### Amendments to existing policies

#### NOTIFIED PROPOSAL

#### RECOMMENDATIONS FOR AMENDMENTS TO NPS-REG

Clauses	Proposed provisions	Topic	Recommendations	Reason for recommendations	Minister's decision
	<ul style="list-style-type: none"> <li>ii. <i>co-located with other appropriate REG activities and assets and other appropriate infrastructure and activities; and</i></li> <li>iii. <i>located where adverse effects on other activities are minimised.</i></li> </ul>				
<b>Policy B</b> <b>Considering cumulative gains and losses of renewable electricity generation capacity</b>	Amend policy B as follows: 1) <i>Decision-makers on REG activities must recognise and provide for the importance of:</i> <ul style="list-style-type: none"> <li>a) <i>enabling cumulative increases of REG output at any scale and any location, including small-scale and community-scale REG activities; and</i></li> <li>b) <i>avoiding, where practicable, any loss of REG output from a region, district or existing REG assets.</i></li> </ul> 2) <i>When making decisions on policy statements and plans, decision-makers must have regard to a reduction in the potential utilisation of renewable electricity resources from inappropriate subdivision, use and development.</i>	Cumulative gains and losses of REG	<b>Change</b> 21. Amend the proposal to change: <ul style="list-style-type: none"> <li>a. Policy B(1) to include reference to:               <ul style="list-style-type: none"> <li>i. 'REG activities' and 'REG assets'</li> <li>ii. 'REG capacity' and 'REG output'</li> <li>iii. overall or cumulative losses of REG capacity or output</li> </ul> </li> <li>b. Policy B(2) to include all decisions made by decision-makers.</li> </ul>	The intent of the changes is to ensure the policy is sufficiently comprehensive and also clear for decision-makers. Inclusion of the reference to all decisions would require decision-makers to consider the listed matters for decisions on consents and designations as well as on policy statements and plans.	<b>Yes   No</b>
<b>Policy C1</b> <b>Operational need or functional need for REG activities to be in</b>	Amend policy C1 as follows: 1) <i>Decision-makers must recognise and provide for REG activities that have an operational need or functional need to be in particular environments.</i>	Operational and functional need	<b>Change</b> 22. Amend the proposal to change:	The intent is that: <ul style="list-style-type: none"> <li>• the 'functional need' and 'operational need' of both REG assets and REG activities are covered</li> </ul>	<b>Yes   No</b>



## GENERAL POLICIES TO IMPLEMENT THIS NATIONAL POLICY STATEMENT

### Amendments to existing policies

#### NOTIFIED PROPOSAL

#### RECOMMENDATIONS FOR AMENDMENTS TO NPS-REG

Clauses	Proposed provisions	Topic	Recommendations	Reason for recommendations	Minister's decision
particular environments	<p>2) <i>Decision-makers must recognise that the operational need or functional need of REG activities includes the need to:</i></p> <p>a) <i>be located where a renewable resource is located and available at a viable scale and quality to sustain the REG activity;</i></p> <p>b) <i>be accessible to electricity networks and nearby to electricity demand; and</i></p> <p>c) <i>have sufficient and accessible land available to support all associated current and future REG activities at that particular location.</i></p>		<p>a. Policy C1(1) to ensure that it applies to 'REG assets' and 'REG activities'</p> <p>b. Policy C1(2) to include:</p> <p>i. the need to connect to electricity networks (part b)</p> <p>ii. future REG activities limited to those that are reasonably foreseeable (part c)</p> <p>c. the NPS-REG, to make it clear that an assessment of alternative sites is not required in demonstrating that a 'functional need' or 'operational need' exists</p> <p>d. Policy C1, to make it clear that an assessment of alternative sites is not required in demonstrating that a 'functional need' or 'operational need' exists.</p>	<ul style="list-style-type: none"> <li>wording from the existing NPS-REG 2011 on the need to connect to electricity networks is retained</li> <li>decision-makers are not unreasonably held to account for future REG activities they could not foresee</li> <li>clarification is needed that applicants do not need to assess alternative sites as part of demonstrating that an 'operational need' or 'functional need' exists. This does not limit any need to assess alternative sites as part of an environmental assessment under Schedule 4 of the Resource Management Act 1991 (RMA).</li> </ul>	
Policy D Protecting existing REG assets from other activities	<p>Amend policy D as follows:</p> <p><i>Decision-makers must protect existing REG assets from the adverse effects of new activities near those assets, including by avoiding reverse sensitivity effects to the extent reasonably possible.</i></p>	Protecting existing REG assets	<p><b>Change</b></p> <p>23. Amend the proposal to change Policy D to:</p> <p>a. ensure lawful 'REG activities' and 'REG assets' are protected</p> <p>b. make clear that only the effects from other nearby activities that will affect 'REG assets' and 'REG</p>	The intent is to clarify the application of the policy.	<b>Yes   No</b>

## GENERAL POLICIES TO IMPLEMENT THIS NATIONAL POLICY STATEMENT

### Amendments to existing policies

#### NOTIFIED PROPOSAL

#### RECOMMENDATIONS FOR AMENDMENTS TO NPS-REG

Clauses	Proposed provisions	Topic	Recommendations	Reason for recommendations	Minister's decision
			activities' need to be protected from (rather than all effects).		
<b>Policy F</b> <b>Small-scale and community-scale REG activities</b>	Amend policy F as follows: <i>Decision-makers must recognise and provide for small-scale and community-scale REG activities.</i>	Small- and community-scale REG	<b>Change</b> 24. Amend the proposal to change Policy F and other parts of the NPS-REG to clarify that 'small-scale REG' and 'community-scale REG' assets and activities are to have the same level of enablement in the NPS-REG as other REG.	The intent is to clarify the weight given to small-scale REG and community-scale REG assets and activities is the same as grid-scale REG.	<b>Yes   No</b>

## GENERAL POLICIES TO IMPLEMENT THIS NATIONAL POLICY STATEMENT

### New policies

#### NOTIFIED PROPOSAL

#### RECOMMENDATIONS FOR AMENDMENTS TO NPS-REG

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>P1</b> <b>Policies related to Māori interests</b>	Introduce a new policy as follows: 1) <i>Decision-makers on resource consents, notice of requirements and private plan changes must recognise and provide for Māori interests in relation to REG activities, including by:</i> a) <i>taking into account the outcome of any engagement with tangata whenua in the preparation of a resource consent, notice of requirements or private plan change;</i> b) <i>recognising the opportunities tangata whenua may have in developing and</i>	Māori interests	<b>Change</b> 25. Amend the proposal by removing the qualifier 'in appropriate circumstances' (P1(1)(c)).	The intent is to remove uncertainty as to what 'appropriate circumstances' would be.	<b>Yes   No</b>

## GENERAL POLICIES TO IMPLEMENT THIS NATIONAL POLICY STATEMENT

### New policies

#### NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NPS-REG					
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p><i>operating their own REG activities at any scale or in partnership;</i></p> <p><i>c) providing opportunities for tangata whenua involvement in appropriate circumstances, in relation to sites of significance to Māori and issues of cultural significance;</i></p> <p><i>d) operating in a way that is consistent with iwi participation legislation (as defined in section 58L of the RMA).</i></p>				

## POLICIES FOR ENABLING REG ACTIVITIES WHILE MANAGING ADVERSE EFFECTS ON THE ENVIRONMENT

### New policies

#### NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NPS-REG					
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>P2</b>  <b>Enabling REG activities</b>	<p>Introduce a new policy as follows:</p> <p>1) <i>Decision-makers must enable REG activities, provided that adverse effects on environmental values not in section 6 of the RMA or covered by national direction are avoided where practicable, remedied where practicable, or mitigated where practicable.</i></p>	Enabling REG and effects management	<b>Change</b>  26. Amend the proposal to include a new policy for enabling REG activities to: <ol style="list-style-type: none"> <li>separate the policy into two parts – enabling policy and effects management</li> <li>for the enabling part of the policy, retain the use of adaptive management measures from Policy C1(e) of the existing NPS-REG 2011</li> <li>for the effects management part of the policy, retain Policy C2 of existing NPS-REG 2011 on</li> </ol>	<p>The intent of the changes is to retain aspects of the existing NPS-REG 2011 that were not in the proposals consulted on, as submitters said they are useful. These are:</p> <ul style="list-style-type: none"> <li>Policy C1(e) – “Decision-makers shall have particular regard to ... adaptive management measures”</li> <li>Policy C2 – “When considering any residual environmental effects of renewable electricity generation activities that cannot be avoided, remedied or mitigated, decision-</li> </ul>	<b>Yes   No</b>

## POLICIES FOR ENABLING REG ACTIVITIES WHILE MANAGING ADVERSE EFFECTS ON THE ENVIRONMENT

### New policies

#### NOTIFIED PROPOSAL

#### RECOMMENDATIONS FOR AMENDMENTS TO NPS-REG

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			offsetting and compensation measures.	makers shall have regard to offsetting measures or environmental compensation including measures or compensation which benefit the local environment and community affected".	

## POLICIES FOR ENABLING AND PROTECTING EXISTING REG ASSETS

### New policies

#### NOTIFIED PROPOSAL

#### RECOMMENDATIONS FOR AMENDMENTS TO NPS-REG

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>P3</b> <b>Providing for the operation and maintenance of existing REG assets</b>	Introduce a new policy as follows: <i>Decision-makers must enable the operation and maintenance of existing REG assets, including all relevant ancillary activities and infrastructure.</i>	Existing REG assets	<b>Change</b> 27. Amend the proposal to include a new policy for providing for the operation and maintenance of existing 'REG activities' and 'REG assets'.	The intent is to ensure the policy covers REG activities associated with the operation and maintenance of REG assets.	<b>Yes   No</b>
<b>P4</b> <b>Reconsenting, upgrading and repowering existing REG assets</b>	Introduce a new policy as follows: 1) <i>Decision-makers on the reconsenting, upgrading and repowering of existing REG assets must:</i> a) <i>have particular regard to the efficiencies and environmental benefits of increasing REG output within the same or similar environmental footprint;</i>	Existing REG assets	<b>Change</b> 28. Amend the proposed new policy for reconsenting, upgrading and repowering 'existing REG assets' to: a. include 'REG activities' and 'REG assets' b. include 'REG capacity' and 'REG output'	The intent of the changes is to ensure that for reconsenting, upgrading and repowering of existing REG assets, the policy is: <ul style="list-style-type: none"><li>comprehensive to cover REG assets and activities, and REG output</li><li>that decision-makers recognise that existing REG assets are part of the existing environment, but they can still consider managing all relevant</li></ul>	<b>Yes   No</b>

## POLICIES FOR ENABLING AND PROTECTING EXISTING REG ASSETS

### New policies

#### NOTIFIED PROPOSAL

#### RECOMMENDATIONS FOR AMENDMENTS TO NPS-REG

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p><i>b) only consider the extent to which the effects of the proposed REG activity are different in scale, intensity, duration and frequency from the effects of existing REG assets; and</i></p> <p><i>c) seek to provide flexibility for changes in consent conditions to enable the upgrading of existing REG assets to adapt to new technologies to increase REG output and improve resilience.</i></p>		<p>c. change the reference to 'environmental footprint' to 'REG site in part (1)(a)</p> <p>d. remove 'only consider' from part (1)(b) and replace with 'take into account' so that decision-makers can take into account the effects of the proposed REG compared with the existing REG and continue to manage all relevant effects</p> <p>e. remove 'seek to' from part (1)(c)</p> <p>f. direct that 'existing REG assets' be recognised as being part of the existing environment.</p>	<p>effects appropriately, including matters such as the effects of climate change or cumulative effects</p> <ul style="list-style-type: none"> <li>• clear and certain.</li> </ul>	

## IMPLEMENTATION MEASURES

The following proposals outline requirements for local authorities to give effect to the proposals in the NPS-REG. This is not intended to be an exhaustive list and would not limit the general obligation under the act (RMA) 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

## NOTIFIED PROPOSAL

## RECOMMENDATIONS FOR AMENDMENTS TO NPS-REG

Implementation measure	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>IM1 Giving effect to the NPS-REG 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 the resource management reform programme, it is not proposed to require local authorities to change their regional policy statements or plans within a fixed time frame. Instead, the general RMA requirements for planning documents to give effect to national direction will continue to apply and may be triggered in instances where a local authority undertakes a plan change or processes a private plan change request, or for changes to a regional policy statement.</p>	Other issues	No decision required.	<p>Implementation of national policy statements is set out in section 55 of the RMA and no specific decision is required.</p> <p>This provision was provided for information during the proposal notification to signal how it would be implemented.</p> <p>Part C implementation contains more detailed information about proposed implementation.</p>	N/A

Matters to be considered by decision-makers on resource consent applications and notice of requirements

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NPS-REG

Implementation measure	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>Relevance of NPS-REG objectives and policies to decisions on resource consent applications and notice of requirements</b>	<p>When the NPS-REG 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>	Other issues	No decision required.	<p>This provision was provided for information during the proposal notification to signal how it would be implemented.</p> <p>Part C implementation contains more detailed information about proposed implementation.</p>	N/A

Implementation timeframes

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NPS-REG

Timeframe proposed	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>IT1 Resource consent and notice of requirements decision-making</b>	The NPS-REG is proposed to take immediate effect and decision-makers must have regard to its objectives and policies when making decisions on resource consent applications and notice of requirements from day 1.	Other issues	No decision required.	<p>This provision was provided for information during the proposal notification to signal how it would be implemented.</p> <p>Part C implementation contains more detailed information about proposed implementation.</p>	N/A
<b>IT2 Given effect to in plans</b>	When objectives and policies are given effect to in regional policy statements and RMA plans, a Schedule 1 process for plan changes must be used (timeframe TBC in alignment with wider national direction package).	Other issues	No decision required.	<p>This provision was provided for information during the proposal notification to signal how it would be implemented.</p> <p>Part C implementation contains more detailed information about proposed implementation.</p>	N/A

# Appendix C: Consolidated recommendations – Amendments to the National Policy Statement on Electricity Transmission 2008

## Recommendations in relation to notified proposed provisions

The following recommendations are made in response to matters raised through submissions and in officials overall assessment of the proposal.

The proposal section of this table includes the proposed provisions published in: Ministry for the Environment. 2025. *Package 1: Infrastructure and development – Discussion document*. The recommendations section includes changes to the notified proposal and specifies reasons for recommended changes. Reference to ‘no change’ means a recommendation to amend the proposal as notified, whereas ‘change’ indicates a recommendation to change the notified proposal.

The exact final wording will be subject to legal drafting conventions, including appropriate alignment with the proposed National Policy Statement for Infrastructure (NPS-I) and proposed amendments to the National Policy Statement for Renewable Electricity Generation 2011 (NPS-REG).

Any provision in the existing National Policy Statement on Electricity Transmission 2008 (NPS-ET) not included in the notified proposal or these tables is intended to remain the same.

The key policy recommendations are to make amendments that:

- recognise the different operational needs, requirements and scale of the transmission and distribution networks, which restrict the ability of the transmission network to avoid all adverse effects
- provide for electricity network infrastructure that has a ‘functional need’ to locate in areas subject to natural hazard risk
- ensure that mitigation measures are proportionate to the effects generated
- remove reference to ensuring compliance with New Zealand standard ECP 34:2001 and replace with engagement requirements for councils and electricity distribution businesses to ensure that key distribution infrastructure is appropriately identified and sufficient space is allocated in new developments



- clarify protection for the electricity network and make a distinction between third party activities that directly impact the network and other activities that have reverse sensitivities
- ensure that the definitions and policies are sufficiently comprehensive and precise to capture all relevant aspects of electricity networks and to aid drafting and interpretation, including simplifying the works categories into two, 'routine' and 'non-routine'.

The remainder of the recommendations are largely refinements and technical changes to make sure the NPS is clear.

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO THE NPS-ET			
Application	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>Where is it intended to apply?</b>	The proposed National Policy Statement for Electricity Networks (NPS-EN) is proposed to continue to apply to the whole of New Zealand.	Scope and definitions	<b>No change</b> 1. Rename the National Policy Statement on Electricity Transmission to the National Policy Statement for Electricity Networks.	Most submitters supported the proposed application of the NPS-EN and supported the expanded NPS-EN scope to include electricity distribution.	<b>Yes   No</b>
	The scope of the National Policy Statement on Electricity Transmission 2008 (NPS-ET) is proposed to be expanded to include electricity distribution and will be renamed the NPS-EN.		<b>No change</b> 2. Retain the proposed application of the National Policy Statement for Electricity Networks (NPS-EN) to all electricity network activities and ancillary electricity network activities as outlined in the proposal.		<b>Yes   No</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO THE NPS-ET			
Definitions/ interpretation	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>D1 Act</b>	<i>means the Resource Management Act 1991.</i>	Scope and definitions	<b>No change</b> 3. Retain the proposal definition of 'Act'.	Retains a consistent approach to terms and references used across national direction.	<b>Yes   No</b>
<b>D2 Ancillary electricity network activities (ancillary EN activities)</b>	Introduce a definition for 'ancillary EN activities' that: <i>means all supporting and subsidiary activities needed to provide the operation, maintenance and upgrading of the EN, including but not limited to vegetation clearance, tree trimming, earthworks, the construction, maintenance and upgrading of access tracks and accessways, power supply, and telecommunications.</i>	Scope and definitions	<b>No change</b> 4. Retain the proposal definition of 'ancillary electricity network activities' in this proposal.	This definition expands on the National Planning Standards 2019 definition for ancillary activities, providing an inclusive list of likely ancillary EN activities for electricity networks.	<b>Yes   No</b>
<b>D3 Customer Driven Projects</b>	Introduce a definition for 'customer driven projects' that: <i>means ETN or EDN activities that a third party other than Transpower New Zealand Limited or an electricity distribution business has requested be carried out, such as new connections to electricity generation or demand, or relocation or undergrounding of assets in order to enable urban or infrastructure development, excluding new connections to electricity generation that are managed under the National Policy Statement for Renewable Electricity Generation (NPS-REG).</i>	Scope and definitions	<b>Change</b> 5. Remove this definition from the proposal.	This definition is no longer required as the number of works categories has been reduced and these activities will be included in the 'non-routine electricity network activities' definition.	<b>Yes   No</b>

NOTIFIED PROPOSAL Definitions/ interpretation		RECOMMENDATIONS FOR AMENDMENTS TO THE NPS-ET			
Definitions/ interpretation	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>D4 Decision-makers</b>	Amend the definition: <i>means all those persons making planning decisions under this National Policy Statement.</i>	Scope and definitions	<b>Change</b> 6. Amend the proposal definition of 'decision-maker' to mean 'any person exercising functions or powers under the Act'.	Retains a consistent approach to terms and references used across the suite of national direction.  This term is used in other national direction (eg, the National Policy Statement on Urban Development 2020 (NPS-UD)).	<b>Yes   No</b>
<b>D5 Electricity distribution network (EDN)</b>	Introduce a definition that: <i>means any part of the electricity network that is controlled by a person or body who is both an electricity distributor and an electricity operator because those terms are defined in section 2 of the Electricity Act 1992; and does not include the electricity transmission network (as defined below).</i>	Scope and definitions	<b>Change</b> 7. Amend the proposal definition of 'electricity distribution network' to include specific references to the distribution network, consistent with the definition of 'electricity transmission network'.	This definition specifies the distribution network and is consistent with the level of detail in the proposed definition for 'electricity transmission network' (D7).	<b>Yes   No</b>
<b>D6 Electricity network (EN)</b>	Introduce a definition that: <i>means the electricity transmission network and the electricity distribution network.</i>	Scope and definitions	<b>No change</b> 8. Retain the proposal definition of 'electricity network' (EN).	This definition clarifies that the electricity network comprises the transmission and distribution networks.	<b>Yes   No</b>
<b>D7 Electricity transmission network (ETN)</b>	Introduce a definition that: <i>means all parts of the National Grid of electricity transmission that:</i> <i>a) comprise the network of transmission lines, and cables (aerial, underground, and submarine, including the high-voltage direct current link), stations, and substations, facilities and works, and all ancillary activities, and other works used to connect grid injection points and grid exit points to convey electricity;</i>	Scope and definitions	<b>Change</b> 9. Amend the proposal definition of electricity transmission network to modify the head clause to refer to the 'electricity transmission network' only.	A minor change to delete the term 'National Grid' in the chapeau (head clause) because the term 'electricity transmission network' is used in the proposed NPS-EN and proposed National Environmental Standards for Electricity Network Activities (NES-ENA). Reference to the 'National Grid' in clause (c) is retained for clarification.	<b>Yes   No</b>

NOTIFIED PROPOSAL Definitions/ interpretation		RECOMMENDATIONS FOR AMENDMENTS TO THE NPS-ET			
	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<i>b) is owned or used by Transpower New Zealand Limited; and</i> <i>c) is commonly known as the National Grid.</i>				
<b>D8 Electricity network activities (EN activities)</b>	Introduce a definition that: <i>means the construction, operation, maintenance, development, upgrade, replacement, decommissioning or removal of electricity network assets and all ancillary activities, unless otherwise specified.</i>	Scope and definitions	<b>Change</b> 10. Amend the proposal definition of 'electricity network activities' by deleting 'unless otherwise specified'.	Minor amendment to create greater certainty in the definition.	<b>Yes   No</b>
<b>D9 Electricity network assets (EN assets)</b>	Introduce a definition that: <i>means the physical components of EN and all ancillary activities, such as access tracks.</i>	Scope and definitions	<b>No change</b> 11. Retain the proposal definition of 'electricity network assets'.	The intent is for the definition to capture the electricity network and ancillary EN activities (as defined in definition D2 'ancillary EN activities').  Submitters requested greater detail (eg, including associated telecommunications assets). However, these are included within definition of 'ancillary EN activities' (D2).	<b>Yes   No</b>

NOTIFIED PROPOSAL Definitions/ interpretation		RECOMMENDATIONS FOR AMENDMENTS TO THE NPS-ET			
	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>D10 Electricity network development activities (EN development activities)</b>	Introduce a definition that: <i>means</i> a) <i>the construction of new EN assets that is not carried out on or related to EN lines, or cables, or at substation sites, that exist at the time of construction; or</i> b) <i>customer driven projects.</i>	Scope and definitions	<b>Change</b> 12. Remove the definition of 'electricity network development activities' and merge clause (a) into the definition of 'non-routine electricity network activities'.	The proposed definition is no longer required as the relevant part of this definition can be merged with the definition of 'non-routine electricity network activities' and the 'customer driven projects' definition is proposed to be deleted.	<b>Yes   No</b>
<b>D11 Electricity network line (EN line)</b>	Introduce a definition that: <i>means EN assets used for, or associated with, the overhead, underground or submarine transmission or distribution of electricity in the EN and:</i> a) <i>includes transmission line support structures, telecommunication cables, and telecommunication devices; but</i> b) <i>does not include an EN substation.</i>	Scope and definitions	<b>Change</b> 13. Amend the proposal definition of 'electricity network line' to: a. include reference to distribution lines in (a) b. clarify coverage of lines attached to a bridge or other structures.	Minor change to the definition to ensure it covers all aspects of distribution and transmission lines, including where they are attached to other structures.	<b>Yes   No</b>
<b>D12 Functional need</b>	Introduce a definition that: <i>means 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>	Scope and definitions	<b>No change</b> 14. Retain the proposal definition of 'functional need'.	This definition is from the National Planning Standards 2019.	<b>Yes   No</b>
<b>D13 Non-routine electricity network activities (non-routine EN activities)</b>	Introduce a definition that: <i>means the upgrade, rebuilding or replacement of, or changes to, EN assets, or other EN activities, where the upgrade, rebuilding, replacement or change, or activity is not defined as a routine EN activity.</i>	Scope and definitions	<b>Change</b> 15. Amend the proposal definition of 'non-routine electricity network activities' to provide a single definition for the upgrade and development of new EN assets that are not considered 'routine activities' by merging this	This definition is proposed to be amended to capture all work that is not included in the 'routine electricity network activities' definition. This includes major upgrades where there may be significant adverse effects and the construction of new EN assets not carried out on or related to EN lines, or	<b>Yes   No</b>

NOTIFIED PROPOSAL Definitions/ interpretation		RECOMMENDATIONS FOR AMENDMENTS TO THE NPS-ET			
	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			definition with D10 'electricity network development activities', except for removing the reference to 'customer driven projects'.	cables, or substation sites, that exist at the time of construction. The range of works categories has been reduced to 'routine' and 'non-routine' to simplify application and provide more specificity.	
<b>D14 NZECP 34:2001</b>	Introduce a definition that: <i>means the New Zealand Electrical Code of Practice for Electrical Safe Distances (2001)</i>	Scope and definitions	<b>Change</b> 16. Remove the proposal definition of 'NZECP 34:2001'.	The proposed definition is no longer required as the reference to NZECP 34:2001 is proposed to be removed from Policy 10.	<b>Yes   No</b>
<b>D15 Operational need</b>	Introduce a definition that: <i>means 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 (National Planning Standards definition).</i>	Scope and definitions	<b>No change</b> 17. Retain the proposal definition of 'operational need'.	This definition is from the National Planning Standards 2019.	<b>Yes   No</b>
<b>D16 Planning decision</b>	Introduce a definition that: <i>means a decision on any of the following:</i> a) a regional policy statement or proposed regional policy statement; b) a regional plan or proposed regional plan; c) a district plan or proposed district plan; d) a resource consent; e) a designation; f) a heritage order; g) a water conservation order; h) a change to a plan requested under Part 2 of Schedule 1 of the Act.	Scope and definitions	<b>Change</b> 18. Amend the proposal definition of 'planning decision' to ensure the language reflects plan change, consenting and designations by referring to both decisions and recommendations.	Minor change to reflect the different decision-making processes in the Resource Management Act 1991 (RMA). In their role as consent authorities, local authorities make recommendations, not decisions, on notices of requirements issued by a requiring authority.	<b>Yes   No</b>

NOTIFIED PROPOSAL Definitions/ interpretation		RECOMMENDATIONS FOR AMENDMENTS TO THE NPS-ET			
Definitions/ interpretation	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>D17 Electricity network resilience (EN resilience)</b>	Introduce a definition that: <i>means 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 an appropriate level of service, even if that means delivering an infrastructure service in a new or different way, or at a reduced level of service.</i>	Scope and definitions	<b>Change</b> 19. Amend the proposal definition of 'electricity network resilience' to ensure the definition doesn't unintentionally constrain decisions to reduce service levels where this is necessary to support managed retreat.	This definition refers to retaining 'an appropriate level of service', which may not be possible where managed retreat occurs. To address this, the definition requires amendment to clarify that resilience might not mean maintaining the status quo in terms of service and that the EN operator may determine the required level of service, in accordance with legislation for the supply of electricity.	<b>Yes   No</b>
<b>D18 Routine electricity network activities (routine EN activities)</b>	Introduce a definition that: <i>means that:</i> a) activities required for, or associated with, the operation or maintenance of existing EN assets or; b) implements the modern equivalent, substitute, or replacement of the existing EN assets that may not be 'like for like'; or c) maintenance and upgrades of existing EN assets necessary to continue to deliver the same or a similar level of service or to improve resilience; or d) other upgrades of existing EN assets where the upgrade or other change will, once the activity is complete, have no more than minor adverse effects on the environment; or e) the removal, decommissioning or dismantling of EN assets; and	Scope and definitions	<b>Change</b> 20. Amend the proposal definition of routine EN activities to: a. include additional limitations on the resilient activities captured by the definition to ensure it does not include an activity with significant adverse effects b. make the definition more specific by deleting expansive qualifiers such as 'or other change' c. delete consideration of effects and add that upgrades should not result in a change to the nature, scale or intensity of the activity throughout the work, other than that provided for in D18 (b) and (c)	This definition supports the interpretation of policy 6 and the management of adverse effects from EN activities on existing infrastructure through the NES-ENA. Many submitters noted that the inclusion of an assessment of effects ('no more than minor') in a definition created uncertainty and requested greater specificity due to the enabling of routine activities in areas with RMA section 6 values under Policy 6.  Some EN activities to support resilience could have significant adverse effects and do not fall within the range of regular activities essential to operate and maintain the network.  The deletion of 'once the activity is complete' is necessary to improve the legibility of D18(d). Unless deleted, the term could be interpreted as meaning	<b>Yes   No</b>

NOTIFIED PROPOSAL Definitions/ interpretation		RECOMMENDATIONS FOR AMENDMENTS TO THE NPS-ET			
Definitions/ interpretation	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p><i>f) all relevant ancillary activities, such as vegetation clearance, tree trimming, and creating, maintaining and improving access tracks and accessways to EN assets; and</i></p> <p><i>g) includes all activities regulated by the National Environmental Standards for Electricity Network Activities NES-ENA, including replacing structures, reconductoring, earthworks, altering or relocating of structures and undergrounding.</i></p>		<p>d. refer to 'ancillary EN activities' to align with definitionD2</p> <p>e. ensure the definition only captures EN activities that are permitted or controlled activities under the NES-ENA in D18(g).</p>	<p>any level of adverse effect is acceptable during the works, provided it does not continue after the works are complete.</p> <p>The NES-ENA regulates a broad range of activities on existing EN lines. Some of these activities may have significant adverse effects and are not enabled by the regulations (eg, activities which breach electric and magnetic field limits and have a non-complying activity status as regulated by the NES-ENA).</p>	
<b>D19 Sensitive activities</b>	Introduce a definition that: <i>includes residential unit (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>	Scope and definitions	<p><b>Change</b></p> <p>21. Amend the proposal definition of sensitive activities to include a reference to papakāinga.</p>	<p>Local authorities must identify sensitive activities under Policy 10, to then manage effects on the EN and to manage any health and safety risks generated by EN.</p> <p>For the avoidance of doubt, the definition should include a reference to papakāinga as this is a specific residential activity and often adjoins marae.</p>	<b>Yes   No</b>
<b>D20 Upgrading</b>	Introduce a definition that: <i>means improving the capacity, level of service, efficiency, safety, security, resilience, effectiveness or longevity of existing EN assets and includes the replacement, renewal, addition, expansion and intensification of existing infrastructure.</i>	Scope and definitions	<p><b>No change</b></p> <p>22. Retain the proposal definition of upgrading.</p>	<p>This definition clarifies the meaning of 'upgrading' EN infrastructure when referred to in NPS-EN policies and definitions. This definition retains the term 'improving' rather than replacing it with 'increasing' to allow for changes in service performance (eg, more reliability, fewer outages) to be included, rather than solely increasing capacity to meet higher levels of demand.</p>	<b>Yes   No</b>



NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO THE NPS-ET			
Definitions/ interpretation	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>D21 Well-being</b>	Introduce a definition that: <i>means the environmental, economic, social and cultural well-being of people and communities, and includes their health and safety.</i>	Scope and definitions	<b>Change</b> 23. Remove the proposal definition of 'well-being'.	In the proposed NPS-EN policies, well-being is referred to twice (refer OB1 and P2). The term is well established and does not require further definition in the NPS-EN. The RMA consideration of well-being is referred to.	<b>Yes   No</b>

PART 2: OBJECTIVES AND POLICIES					
NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO THE NPS-ET			
Objectives	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>OB1</b>	Amend the objective as follows: 1) The EN is developed, operated, maintained, upgraded, and protected in a manner that: <i>a) recognises and provides for its national significance;</i> <i>b) secures the resilience of the EN, including in relation to the effects of natural hazards and climate change;</i> <i>c) provides for the well-being and needs of present and future generations, including by increasing and improving the capacity and delivery of the EN over time;</i> <i>d) recognises and provides for the role of the EN in achieving New Zealand's emissions reduction and renewable energy targets, and associated commitments in any relevant plan prepared under the Climate Change Response Act 2002;</i>	Objective	<b>Change</b> 24. Amend proposal objective (OB1) to: <i>a. align with the Part 2 RMA reference to social, economic and cultural well-being of people and communities, now and into the future</i> <i>b. replace the reference to 'emissions reduction' with 'climate change mitigation'</i> <i>c. delete OB1(e) and replace with a new clause that the EN is delivered in a timely, efficient and ongoing manner while managing adverse effects of the EN on the environment</i>	The inclusion of 'social, economic and cultural wellbeing' is a minor change to ensure the objective aligns with the wording used in Part 2 of the RMA.  Submitters, including Transpower, requested that the broader term 'climate change mitigation' is used, which includes emissions reduction.  Many submitters, including councils, sought deletion of references to managing adverse effects in a 'proportionate and cost effective' manner. Submitters raised concerns that adverse effects would not be appropriately managed due to financial constraints.  Some submitters, including Transpower, suggested direction to 'protect' the EN could be clarified and strengthened by	<b>Yes   No</b>

## PART 2: OBJECTIVES AND POLICIES

### NOTIFIED PROPOSAL

		RECOMMENDATIONS FOR AMENDMENTS TO THE NPS-ET			
Objectives	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p><i>e) manages adverse effects on the environment in a proportionate and cost-effective way; and</i></p> <p><i>f) protects the EN from the adverse effects of other activities.</i></p>		d. delete OB1 (f) and replace it with a new clause that avoids adverse effects of other activities on the EN.	using the term 'avoids adverse effects'. A few submitters noted that the term 'protect' is typically reserved for RMA section 6 values.	

### NOTIFIED PROPOSAL

		RECOMMENDATIONS FOR AMENDMENTS TO THE NPS-ET			
Policies	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>P1 National significance and benefits of the electricity network</b>	<p>Amend policy 1 as follows:</p> <p>1) <i>Decision-makers on EN activities must recognise and provide for the national significance and benefits of the EN to be realised at national, regional and local scale.</i></p> <p>2) <i>Decision-makers must recognise that the benefits of the EN include, but are not limited to:</i></p> <p><i>a) providing for the well-being of people and communities to meet the needs of present and future generations;</i></p> <p><i>b) providing services that are essential to support human life and the development, growth, and functioning of districts, regions, New Zealand, and the economy;</i></p> <p><i>c) providing safe, secure, reliable, and resilient electricity supply that is responsive to demand from homes, communities, and businesses at local, regional, and national levels;</i></p>	National significance and benefits of infrastructure	<p><b>Change</b></p> <p>25. Amend the proposed policy on providing for the national significance and benefits of electricity networks (P1) to:</p> <p>a. add reference to the social, economic and cultural well-being of current and future generations</p> <p>b. add the policy intent to provide for benefits relative to any localised adverse effects</p> <p>c. replace reference to 'greenhouse gas emissions' with 'climate change mitigation'</p> <p>d. add 'expanded or increased' generation in P1 (2)(e)(i).</p>	<p>Proposed amendments to policy 1(2)(a) are to align with Part 2 of the RMA. The benefits proposed extend to the benefits of the network itself, communities and beyond, and to wider goals for climate change and electrification of the economy, recognising the critical role that EN plays.</p> <p>The inclusion of 'climate change mitigation' instead of 'reductions in greenhouse gas emissions' is a consequential amendment of the same change in the proposed objective.</p> <p>The addition of 'expanded or increased' ensures that upgrades and increases in capacity from existing generators are included, in addition to new generation.</p>	<b>Yes   No</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO THE NPS-ET			
Policies	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>d) <i>efficient storage and transfer of electricity;</i></p> <p>e) <i>supporting reductions in greenhouse gas emissions and the electrification of the economy, including by:</i></p> <p>i. <i>facilitating new renewable electricity generation;</i></p> <p>ii. <i>increasing network capacity; and</i></p> <p>iii. <i>providing direct connections for industry;</i></p> <p>f) <i>enhancing supply of electricity through the ETN through removing points of congestion.</i></p> <p><i>The above list of benefits is not intended to be exhaustive and a particular project or development may have other benefits.</i></p>				
<b>P2 Operational need or functional need for EN activities to be in particular locations and environments</b>	<p>Includes a new policy 2 as follows:</p> <p>1) <i>Planning decisions must recognise and provide for EN activities that have an operational need or functional need to be in particular environments, including in areas with section 6 RMA values, with unavoidable adverse effects on those environments.</i></p> <p>2) <i>Decision-makers shall recognise that the operational or functional need of EN activities may include:</i></p> <p>a) <i>the need for EN assets to convey electricity over long distances and in all locations and environments, including:</i></p> <p>i. <i>within and across urban and rural environments;</i></p>	Operational and functional needs	<p><b>Change</b></p> <p>26. Amend the proposed policy on operational or functional need (P2) to:</p> <p>a. clarify the intent that EN activities may not always have unavoidable adverse effects on the environment</p> <p>b. recognise the different operational needs and technical requirements and scale of the electricity distribution network (EDN) and electricity transmission network (ETN)</p>	<p>Policy 2 should clarify that EN activities may not always have unavoidable adverse effects on environments, although this is a possibility, particularly for transmission (due to the scale and size of the assets). Accordingly, the policy should also refer to the different requirements of the ETN and EDN.</p> <p>Policy 2 should refer to the management of risk from natural hazards and climate change, recognising that there may be a functional requirement for EN infrastructure to locate or continue to operate and upgrade in proximity to the hazard (eg, in the coastal environment).</p>	<b>Yes   No</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO THE NPS-ET			
Policies	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<ul style="list-style-type: none"> <li>ii. <i>within the coastal environment, including the coastal marine area;</i></li> <li>iii. <i>across jurisdictional boundaries within and across districts and regions; and</i></li> <li>b) <i>the need for the EN to operate effectively and efficiently as an interconnected system across New Zealand;</i></li> <li>c) <i>the requirement for regular maintenance and upgrading of the EN due to its age, the need to improve resilience, and the need to increase capacity to meet increasing demand; and</i></li> <li>d) <i>the need for the EN to connect to electricity generation, and to respond to demand, wherever located.</i></li> </ul>		<ul style="list-style-type: none"> <li>e. include a reference to EN that has a 'functional need' to locate in areas subject to natural hazard risk and recognise that Transpower and the EDN providers are best placed to determine and manage risk to EN assets.</li> </ul>		
<b>P3 Policies relating to Māori rights and interests</b>	<p>Include a new policy 3 as follows:</p> <ul style="list-style-type: none"> <li>1) <i>Decision-makers (and applicants, as appropriate) must recognise and provide for Māori interests in relation to EN activities, including by:</i> <ul style="list-style-type: none"> <li>a) <i>taking into account the outcomes of any engagement with tangata whenua on a resource consent, notice of requirement, or request for a private plan change, including through the site, route and method selection process;</i></li> <li>b) <i>recognising the opportunities tangata whenua may have in developing and operating their own distribution infrastructure at any scale or in partnership;</i></li> </ul> </li> </ul>	Providing for Māori interests	<p><b>Change</b></p> <p>27. Amend the proposed policy on Māori interests (P3) to add a new clause that provides for tangata whenua involvement in EN activities that affect sites of significance to Māori and issues of cultural significance.</p>	Most submitters supported the inclusion of policy to address Māori interests and engagement. Policy 3 requires amendment to ensure that tangata whenua have the opportunity to be involved where EN activities impact sites of significance and issues of cultural significance. This amendment supports the direction of 'avoiding, where practicable, or otherwise mitigating' adverse effects by ensuring that opportunities for engagement occur prior to works being undertaken.	<b>Yes   No</b>

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO THE NPS-ET			
Policies	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>c) <i>avoiding, where practicable, or otherwise mitigating, the adverse effects of EN activities on sites of significance to Māori;</i></p> <p>d) <i>operating in a way that is consistent with iwi participation legislation.</i></p>				

SUBPART 2: POLICIES FOR ENABLING ELECTRICITY NETWORK ACTIVITIES WHILE MANAGING ADVERSE EFFECTS ON THE ENVIRONMENT					
NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO THE NPS-ET			
Clauses	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>P4 Identifying the location for EN activities and managing adverse effects through the route, site, and method selection process</b>	<p>Amend policy 4 as follows:</p> <p>1) <i>Decision-makers must:</i></p> <p>a) <i>recognise that it is the role of Transpower and the EDN provider to:</i></p> <p>i. <i>determine the purpose, scope, required capacity, and technical solution for a proposed EN activity; and</i></p> <p>ii. <i>consider sites, routes, and methods where appropriate and identify the preferred site, route, and method for EN activities and assets;</i></p> <p>b) <i>recognise and provide for the operational need or functional need of EN activities to be in particular environments as directed by policy 2 in this National Policy Statement;</i></p> <p>c) <i>have regard to the extent to which any adverse effects have been avoided, remedied or mitigated by the route, site, and method selection;</i></p>		<p><b>Change</b></p> <p>28. Amend the proposed policy on reducing adverse effects through the route, site and method selection process (P4) to make it clear that EN activities may not always have unavoidable adverse effects on the environment and that EN providers must manage the adverse effects of EN activities on the environment in addition to consideration of effects.</p>	Policy 4(1)(d) should clarify that EN activities may not always have unavoidable adverse effects on the environment. This provides a requirement to reduce adverse effects.	<b>Yes   No</b>

## SUBPART 2: POLICIES FOR ENABLING ELECTRICITY NETWORK ACTIVITIES WHILE MANAGING ADVERSE EFFECTS ON THE ENVIRONMENT

### NOTIFIED PROPOSAL

### RECOMMENDATIONS FOR AMENDMENTS TO THE NPS-ET

Clauses	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<i>d) recognise that there will be unavoidable adverse effects on some values regardless of the route, site, and method chosen.</i>				
<b>P5 General considerations when considering and managing the environmental effects of EN activities</b>	<p>Include a new policy 5 as follows:</p> <p>1) <i>When considering the environmental effects of EN activities and measures to avoid, remedy, or mitigate any adverse effects on the environment, decision-makers must also:</i></p> <p>a) <i>consider the constraints imposed on achieving those measures by the technical and operational requirements of the EN;</i></p> <p>b) <i>recognise that EN activities are needed to increase and improve the capacity and delivery of the EN over time;</i></p> <p>c) <i>recognise that changes in amenity from EN activities are unavoidable and necessary to achieve an effective, efficient, safe, secure, reliable, and resilient EN;</i></p> <p>d) <i>adopt relevant international and 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 any consent conditions to ensure these are proportionate and cost-effective.</i></p>		<p><b>Change</b></p> <p>29. Amend the proposed policy on general considerations to manage adverse effects (P5 (1)) to:</p> <p>a. clarify that EN activities may result in changes to amenity values that are unavoidable and that such changes do not inherently constitute adverse effects under the RMA</p> <p>b. amend the references to international standards to ensure only international standards that are recognised or used in New Zealand are relevant</p> <p>c. ensure mitigation measures and considerations are proportionate to the adverse effects generated by the project or work and not whether they are 'cost-effective'.</p>	<p>Policy 5 (1)(c) amendments clarify that changes in amenity can be expected from some EN upgrades and that these changes are not always considered to be an adverse effect. This approach is consistent with other direction, for example, NPS-UD and the proposed NPS-I.</p> <p>The reference to international standards in Policy 5 (1)(d) requires amending to ensure that it is limited to standards which are recognised or used in New Zealand.</p> <p>The term 'cost-effective' in Policy 5 (1)(e) is subjective and open to interpretation. Deleting it means the policy more clearly expresses the intent to ensure that mitigation measures and considerations are proportionate to the adverse effects generated by the project or work.</p>	<b>Yes   No</b>

## SUBPART 2: POLICIES FOR ENABLING ELECTRICITY NETWORK ACTIVITIES WHILE MANAGING ADVERSE EFFECTS ON THE ENVIRONMENT

### NOTIFIED PROPOSAL

### RECOMMENDATIONS FOR AMENDMENTS TO THE NPS-ET

Clauses	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>P6 Enabling routine EN activities</b>	<p>Include a new policy 6 as follows:</p> <p>1) <i>Decision-makers must enable routine EN activities to occur in all locations and environments, provided adverse effects on the environment are avoided where practicable, remedied where practicable, or mitigated where practicable, acknowledging the existing nature of the assets.</i></p>		<p><b>No change</b></p> <p>30. Retain the proposed policy for enabling routine EN activities (P6).</p>	<p>Policy 6 is intended to provide greater certainty that routine maintenance and upgrades of existing infrastructure, in any environment, can continue, subject to the management of adverse effects on the environment through the NES-ENA regulations.</p> <p>Submitters expressed mixed support for this proposal. Many councils, non-government organisations and iwi/Māori were concerned that enabling maintenance and upgrades in sensitive environments would lead to adverse effects, particularly cumulative effects, on important environmental values. Other submitters, including industry, supported the approach to maximise use of existing infrastructure and provide certainty that essential maintenance and upgrade work can occur. Officials note that the proposed NES-ENA regulations include provisions for the management of adverse effects in sensitive environments and that interactions with domain-based national direction remain (eg, National Environmental Standards for Freshwater for work near wetlands).</p>	<b>Yes   No</b>

## SUBPART 2: POLICIES FOR ENABLING ELECTRICITY NETWORK ACTIVITIES WHILE MANAGING ADVERSE EFFECTS ON THE ENVIRONMENT

### NOTIFIED PROPOSAL

### RECOMMENDATIONS FOR AMENDMENTS TO THE NPS-ET

Clauses	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>P7 EN development and non-routine activities</b>	<p>Include a new policy 7 as follows:</p> <p>1) <i>In rural environments, planning and development of the EN should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character, and areas of high recreation value and amenity.</i></p>	Non-routine activities	<p><b>No change</b></p> <p>31. Retain the proposed policy for non-routine EN activities (P7) and clarify that it only applies to 'non-routine activities', in accordance with the proposed changes to the works category definitions.</p>	<p>Policy 7 retains the existing NPS-ET direction for new EN development and upgrades with significant adverse effects. This maintains policy consistency until the replacement RMA legislation is in place.</p> <p>Amend the title and policy to reference 'non-routine' activities only. This is a consequential amendment following the deletion of the 'EN development' works category and definition.</p>	<b>Yes   No</b>
<b>P8 Reducing existing adverse effects of EN assets when considering upgrades</b>	<p>Include a new policy 8 as follows:</p> <p>1) <i>Decision-makers must consider practicable opportunities and measures to reduce the existing adverse effects of EN assets when considering non-routine EN activities, taking into account the technical and operational requirements of the EN and the financial implications of any measures to reduce adverse effects.</i></p>	Reducing existing effects during non-routine activities	<p><b>Change</b></p> <p>32. Amend the proposed policy for reducing adverse effects of existing EN infrastructure (P8) to ensure that the duty to reduce adverse effects of EN assets is the responsibility of the EN operator rather than the decision-maker.</p>	<p>Minor amendments to clarify the policy title and acknowledge that responsibility to consider opportunities to reduce adverse effects of existing EN infrastructure during major upgrades rests with the asset owners.</p> <p>Amend title to reference 'non-routine' activities instead of 'upgrades'.</p>	<b>Yes   No</b>
<b>P9 EN activities within urban environments and servicing new development</b>	<p>Include a new policy 9 as follows:</p> <p>1) <i>Decision-makers on EN activities within urban environments must:</i></p> <p>a) <i>recognise that the EN forms an essential part of well-functioning urban environments that must be provided for;</i></p> <p>b) <i>allow for changes in amenity associated with routine EN activities;</i></p>	EN activities in urban areas	<p><b>Change</b></p> <p>33. Amend the proposed policy on EN activities in urban environments (P9) to:</p> <p>a. merge P9 (1)(b) and (c) and recognise that it 'may' not be practicable to avoid all adverse effects including changes in</p>	<p>Provide for nuanced direction on 'practicably' avoiding adverse effects by including 'may not be' instead of 'it is not' practicable. The consultation wording presupposes that avoiding adverse effects will not be practicable and this could discourage more innovative solutions to EN activities.</p>	<b>Yes   No</b>



## SUBPART 2: POLICIES FOR ENABLING ELECTRICITY NETWORK ACTIVITIES WHILE MANAGING ADVERSE EFFECTS ON THE ENVIRONMENT

### NOTIFIED PROPOSAL

### RECOMMENDATIONS FOR AMENDMENTS TO THE NPS-ET

Clauses	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>c) <i>recognise that it is not practicable to avoid all adverse effects of EN activities; and</i></p> <p>d) <i>recognise that the effective and efficient development, operation, maintenance, and upgrade of the EN may be appropriate use and development when protecting historic heritage.</i></p> <p>2) <i>Planning decisions within urban environments must:</i></p> <p>a) <i>ensure that, where development will result in an increase in demand for electricity, sufficient on-site space is provided for EDN assets to meet demand; and</i></p> <p>b) <i>recognise that determining whether there is sufficient on-site space for EDN assets to meet demand will require consultation with the EDN provider.</i></p>		<p>amenity associated with routine activities</p> <p>b. delete P9 (2)(b) and replace with direction for councils to engage with EDN providers on appropriate means to determine if sufficient space is allocated on-site</p> <p>c. add new policy to support undergrounding of EN in urban areas, particularly in new subdivision developments, and recognise financial and technical constraints for undergrounding of existing EN lines.</p>	<p>Adding policy direction for undergrounding of EN lines in new subdivisions supports existing practice but requires differentiation for existing lines to recognise the financial and technical constraints, particularly for transmission lines.</p>	

### SUBPART 3: POLICIES FOR PROTECTION AND STRATEGIC PLANNING OF THE ELECTRICITY NETWORK

#### NOTIFIED PROPOSAL

#### RECOMMENDATIONS FOR AMENDMENTS TO THE NPS-ET

Clauses	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>P10 Managing the effects of third parties on the electricity network</b>	<p>Include a new policy 10 as follows:</p> <ol style="list-style-type: none"> <li>1) <i>Decision-makers must avoid the adverse effects of third parties on the EN, including by:</i> <ol style="list-style-type: none"> <li>a) <i>avoiding direct and reverse sensitivity effects on the EN to the extent reasonably possible; and</i></li> <li>b) <i>ensuring that the effective operation, maintenance, upgrading, and development of the EN is not compromised.</i></li> </ol> </li> <li>2) <i>In order to avoid the adverse effects of third parties on the EN, local authorities must:</i> <ol style="list-style-type: none"> <li>a) <i>identify EN assets within their district, whether or not these are designated;</i></li> <li>b) <i>engage with the operator of the ETN to implement the buffer corridor provided for in NES-ENA, within which it can be expected that sensitive activities, buildings, earthworks, and other activities that have the potential to compromise the EN, are to be generally avoided; and</i></li> <li>c) <i>engage with the operators of the EDN to identify an appropriate buffer corridor for the EDN, within which buildings, subdivision, and earthwork activities must comply with NZECP34; and</i></li> <li>d) <i>require buildings, structures, earthworks, and activities to avoid adverse effects on the EN, including reverse sensitivity effects, and to be designed and located to maintain safe distances from, and allow sufficient space for</i></li> </ol> </li> </ol>	Managing third-part effects on the EN	<p><b>Change</b></p> <p>34. Amend the proposed policy on third party effects on the electricity network (P10) to direct:</p> <ol style="list-style-type: none"> <li>a. decision-makers to manage third parties to avoid adverse effects on the EN and separate direct and reverse sensitivity effects, providing for 'direct' effects to be 'avoided' and 'reverse sensitivity' effects to be 'avoided to the extent reasonably practicable' and align 2(d) accordingly</li> <li>b. local authorities to identify the ETN on relevant planning maps, whether designated or not</li> <li>c. local authorities to engage with EDN operators to determine where it may be appropriate to identify key EDN assets; and delete reference to compliance with NZECP 34.</li> </ol>	<p>The policy intent is to provide stronger direction to control development near the EN to protect human health and safety and ensure the safe and efficient ongoing operation of the network. A distinction is made between activities that generate 'direct effects' on the EN, which are to be avoided, and activities that may have 'reverse sensitivities', which are to be 'avoided, where practicable'. This distinction recognises the role of councils in managing adjacent development and land-use planning.</p> <p>Direction is provided for councils to engage with EN operators to identify appropriate EN assets. These are intended to be nationally or regionally significant assets and substations, and the voltage threshold may vary by district (eg, some 11 kV lines to remote rural areas are regionally significant).</p> <p>There are issues with the visibility and implementation of NZECP 34:2001, an electrical safety standard. Many submitters, including councils and electricity distribution businesses, noted that directing compliance with NZECP 34 may cause implementation issues leading to consenting delays, so P10 (2)(c) has been amended to require</p>	<b>Yes   No</b>

### SUBPART 3: POLICIES FOR PROTECTION AND STRATEGIC PLANNING OF THE ELECTRICITY NETWORK

#### NOTIFIED PROPOSAL

#### RECOMMENDATIONS FOR AMENDMENTS TO THE NPS-ET

Clauses	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p><i>access to, and maintenance, construction, development, and upgrading of, EN assets;</i></p> <p><i>e) manage subdivision to avoid adverse effects on the EN while providing for ongoing and efficient construction, operation, maintenance, development, and upgrade of the EN;</i></p> <p><i>f) ensure the nature and location of any proposed trees or vegetation to be planted around the EN does not compromise its function and operation.</i></p>			engagement to meet the requirements of NZECP:34.	
<b>P11 Long-term strategic planning for the EN</b>	<p>Include a new policy 11 as follows:</p> <p>1) <i>Local authorities must:</i></p> <p>a) <i>engage with the operators of the EN to facilitate the medium to long-term strategic planning for the construction, operation, maintenance, and upgrade of the EN; and</i></p> <p>b) <i>recognise that the designation process can facilitate long-term planning for construction, operation, maintenance, and upgrade and development of the EN.</i></p>	Long-term planning	<p><b>Change</b></p> <p>35. Amend the proposed policy on long-term strategic planning of the EN (P11) to include reference to spatial planning, including future development strategies, and note that not all EN infrastructure can be spatially identified in advance.</p>	Most submitters support the identification of key EN infrastructure in spatial plans and including consideration of the EN in spatial planning processes. The demand-led nature of the EN development means that some projects may arise outside of the spatial plan process timeframes.	<b>Yes   No</b>

### SUBPART 3: POLICIES FOR PROTECTION AND STRATEGIC PLANNING OF THE ELECTRICITY NETWORK

#### NOTIFIED PROPOSAL

#### RECOMMENDATIONS FOR AMENDMENTS TO THE NPS-ET

Clauses	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<b>P12 Electric and magnetic fields</b>	<p>Include a new policy 12 as follows:</p> <p>1) <i>Local authorities must include provisions in their district plans to manage electric or magnetic fields associated with the EN that are based on recommendations from the World Health Organization monograph Environmental Health Criteria (No 238, Extremely low frequency fields) and International Commission on Non-Ionizing Radiation Protection 'Guidelines for limiting exposure to time-varying electric and magnetic fields (1 Hz to 100 kHz)' (Health Physics 99(6): 818–836; 2010) (ICNIRP Guidelines) or their revisions, or any other applicable New Zealand standards.</i></p>	Electric and magnetic fields	<p><b>Change</b></p> <p>36. Amend the proposed policy on electric and magnetic fields (P12) to delete the requirement to include provisions in district plans and retain the rest of the proposal.</p>	<p>Policy 12 updates the existing NPS-ET references to international guidelines. Council submitters were concerned that the requirement to include provisions in plans would not be able to be fulfilled given the Government direction to halt plan changes ahead of replacement RMA legislation. Minor wording amendments can be made to align with the existing NPS-ET Policy 9 direction on provisions. The remainder of the policy is proposed to be retained.</p>	<b>Yes   No</b>