

## Discussion document

Have your say on proposed  
changes to national direction

# Infrastructure and development





Ministry for the  
**Environment**  
Manatū Mō Te Taiao



**MINISTRY OF BUSINESS,  
INNOVATION & EMPLOYMENT**  
HĪKINA WHAKATUTUKI



**Te Puni Kōkiri**  
MINISTRY OF MĀORI DEVELOPMENT

## Disclaimer

The information in this publication is, according to the Ministry for the Environment's best efforts, accurate at the time of publication. The Ministry will make every reasonable effort to keep it current and accurate. However, users of this publication are advised that:

- the information does not alter the laws of New Zealand, other official guidelines, or requirements
- it does not constitute legal advice, and users should take specific advice from qualified professionals before taking any action based on information in this publication
- the Ministry does not accept any responsibility or liability whatsoever whether in contract, tort, equity, or otherwise for any action taken as a result of reading, or reliance placed on this publication because of having read any part, or all, of the information in this publication or for any error, or inadequacy, deficiency, flaw in, or omission from the information in this publication
- all references to websites, organisations or people not within the Ministry are for convenience only and should not be taken as endorsement of those websites or information contained in those websites nor of organisations or people referred to.

This document may be cited as: Ministry for the Environment. 2025. *Package 1: Infrastructure and development – Discussion document*. Wellington: Ministry for the Environment.

Published in May 2025 by the  
Ministry for the Environment  
Manatū mō te Taiao  
PO Box 10362, Wellington 6143, New Zealand  
[environment.govt.nz](https://environment.govt.nz)

ISBN: 978-1-991140-86-9  
Publication number: ME 1895

© Crown copyright New Zealand 2025

# Contents

Message from the Minister Responsible for RMA Reform	6
<b>Section 1: Introduction</b>	<b>7</b>
What are we proposing?	7
Why are we changing national direction?	9
Role and content of this discussion document	9
<b>Section 2: Infrastructure</b>	<b>11</b>
Part 2.1: National Policy Statement for Infrastructure	11
Context	11
What problems does the proposal aim to address?	11
What is the proposal?	12
What does the proposal mean for you?	17
Consistency with the purpose of the RMA	18
Treaty considerations	18
Implementation	19
Part 2.2: National Policy Statement for Renewable Electricity Generation	20
Context	20
What problems does the proposal aim to address?	20
What is the proposal?	21
What does the proposal mean for you?	24
Consistency with the purpose of the RMA	24
Treaty considerations	25
Implementation	25
Part 2.3: National Policy Statement on Electricity Transmission	26
Context	26
What problems does the proposal aim to address?	26
What is the proposal?	27
What does the proposal mean for you?	31
Consistency with the purpose of the RMA	32
Treaty considerations	33
Implementation	33
Part 2.4: National Environmental Standards for Electricity Transmission Activities	34
Context	34
What problems does the proposal aim to address?	34
What is the proposal?	34

Public EV charging infrastructure	39
What does the proposal mean for you?	41
Consistency with the purpose of the RMA	42
Treaty considerations	42
Implementation	42
<b>Part 2.5: National Environmental Standards for Telecommunication Facilities</b>	<b>43</b>
Context	43
What problems does the proposal aim to address?	44
What is the proposal?	45
What does the proposal mean for you?	49
Consistency with the purpose of the RMA	50
Treaty considerations	50
Implementation	51
<b>Section 3: Development</b>	<b>52</b>
<b>Part 3.1: National Environmental Standards for Granny Flats (Minor Residential Units)</b>	<b>52</b>
Context	52
What problems does the proposal aim to address?	53
What is the proposal?	54
What does this proposal mean for you?	56
Consistency with the purpose of the RMA	57
Treaty considerations	58
Implementation	59
<b>Part 3.2: National Environmental Standards for Papakāinga</b>	<b>60</b>
Context	60
What problems does the proposal aim to address?	60
What is the proposal?	60
What does the proposal mean for you?	62
Consistency with the purpose of the RMA	63
Treaty considerations	64
Implementation	64
<b>Part 3.3: National Policy Statement for Natural Hazards</b>	<b>65</b>
Context	65
What problems does the proposal aim to address?	65
What is the proposal?	66
What does the proposal mean for you?	71
Consistency with the purpose of the RMA	71
Treaty considerations	72
Implementation	72

<b>Section 4: Implementation of infrastructure and development instruments</b>	<b>73</b>
Types of implementation	73
Statutory implementation	73
Additional implementation options	74
How are national policy statements to be used?	74
Leniency and stringency under national environmental standards	75
Implementation questions	75
<b>Section 5: Have your say</b>	<b>76</b>
Publishing and releasing submissions	76
<b>Section 6: Attachments – proposed provisions</b>	<b>78</b>

## Tables

Table 1:	National direction instruments proposed for development or amendment	8
Table 2:	Overview of anticipated impacts of the proposed NPS-I	17
Table 3:	Overview of anticipated impacts of the proposed amendments to the NPS-REG	24
Table 4:	Overview of anticipated impacts of the proposed amendments to NPS-EN	32
Table 5:	Overview of anticipated impacts of the proposed NES-ENA	41
Table 6:	Options for proposed amendments to permitted activity standards	46
Table 7:	Overview of anticipated impacts of proposed amendments to the NES-TF	49
Table 8:	Overview of anticipated impacts of the proposed NES-GF	56
Table 9:	Overview of anticipated impacts of the proposed NES-P	63
Table 10:	Overview of anticipated impacts of the proposed NPS-NH	71

## Figures

Figure 1:	Definitions of risk based on standardised definitions of likelihood and consequence	69
-----------	---	----



# Message from the Minister Responsible for RMA Reform



The Resource Management Act 1991 (RMA) is a direct cause of New Zealand's infrastructure deficit. It drives up costs, slows projects down, and has become a complicated nightmare for developers, councils and applicants alike.

Addressing this deficit is a critical part of this Government's plan to boost growth and improve productivity in New Zealand.

Turning our economy around requires changing the culture of 'no' that has existed in New Zealand's planning system for decades. Whether its new roads connecting our growing cities, new windfarms to electrify the country, or new telecommunications sites to deliver faster internet speeds to our cell phones, the RMA has obstructed growth instead of enabling it.

As a Government, we have been laying the groundwork to create the highly performing infrastructure sector New Zealand needs. We want to fundamentally shift the way we plan, select, fund and finance, build, and look after our infrastructure.

Next year we'll replace the RMA with new legislation premised on property rights. Our new system will provide a framework that makes it easier to plan and deliver infrastructure and energy projects, as well as protecting the environment.

But we aren't willing to wait until then. New Zealanders need relief from an overly burdensome planning system now. This is why we are proposing targeted changes to a suite of National Direction this year to realise immediate economic gains.

The infrastructure and development proposals in this discussion document are one of four packages of changes to National Direction being consulted on. It is the largest change to National Direction in New Zealand's history.

These National Direction changes have been designed to minimise the implementation burden for local government and have been developed with the new system in mind, with these changes expected to carry over and transition into it when the time comes.

I encourage you to provide your thoughts on these proposals through a submission.

A handwritten signature in blue ink, appearing to read 'Chris Bishop'.

Hon Chris Bishop  
Minister Responsible for RMA Reform

# Section 1: Introduction

## What are we proposing?

The Government is proposing new and amended national direction<sup>1</sup> to improve operation of the resource management system under the Resource Management Act 1991 (RMA). Updated national direction is needed to set national-level resource management policy and rules which inform regional and local plans, policy statements and resource consent decisions.

The national direction programme proposes:

- targeted amendments to 12 existing national direction instruments and introduction of four new national direction instruments, through a combined statutory consultation process
- consultation on options to amend two existing national direction instruments on freshwater
- consultation on national housing and urban policy (currently part of national direction under the RMA) to inform development of the new resource management system.

For efficiency and integration across related topics, the programme is grouped into four 'packages'.

**Package 1: Infrastructure and development** and **Package 2: Primary sector** comprise new instruments and amendments to existing national direction instruments. These packages are open for public consultation and submissions as part of the statutory process to prepare and amend national direction under section 46A (1) and (2) of the RMA.

**Package 3: Freshwater** is open for feedback on options to amend existing national direction instruments for freshwater. Submissions are invited on freshwater proposals, which include some broad options. Further consultation will be undertaken through an exposure draft.

**Package 4: Going for Housing Growth** includes a discussion document for consultation and submissions on key aspects of the Going for Housing Growth Pillar 1 policy proposals, and an indicative assessment of implementation options for different components in the new resource management system. Further consultation will be held as the detailed design of the new system progresses.<sup>2</sup>

---

<sup>1</sup> National direction comprises national policy statements, national environmental standards, national planning standards and regulations made under [section 360](#) of the RMA.

<sup>2</sup> See Ministry of Housing and Urban Development. [Going for Housing Growth programme](#). Retrieved 28 April 2025.

**Table 1: National direction instruments proposed for development or amendment<sup>3</sup>**

### **Package 1: Infrastructure and development**

- New National Policy Statement for Infrastructure
- Amendments to National Policy Statement for Renewable Electricity Generation 2011
- Amendments to National Policy Statement on Electricity Transmission 2008 (proposed to be renamed National Policy Statement for Electricity Networks)
- 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 (Minor Residential Units)
- New National Environmental Standards for Papakāinga
- New National Policy Statement for Natural Hazards

### **Package 2: Primary sector**

- Amendments to Resource Management (National Environmental Standards for Marine Aquaculture) Regulations 2020
- Amendments to Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017
- Amendments to New Zealand Coastal Policy Statement 2010
- Amendments to National Policy Statement for Highly Productive Land 2022
- Amendments to Resource Management (Stock Exclusion) Regulations 2020
- Amendments to mining and quarrying provisions in:
  - National Policy Statement for Indigenous Biodiversity 2023
  - National Policy Statement for Highly Productive Land 2022
  - National Policy Statement for Freshwater Management 2020
  - Resource Management (National Environmental Standards for Freshwater) Regulations 2020

### **Package 3: Freshwater**

- Amendments to National Policy Statement for Freshwater Management 2020
- Amendments to Resource Management (National Environmental Standards for Freshwater) Regulations 2020

### **Package 4: Going for Housing Growth**

This package focuses on:

- obtaining public feedback on key aspects of the Going for Housing Growth Pillar 1 policy proposals
- providing an indicative assessment about implementing different components in the new resource management system.

---

<sup>3</sup> The packages do not propose amendments to other regulations made under [section 360](#) of the RMA, or to the following national direction instruments:

- National Policy Statement for Greenhouse Gas Emissions from Industrial Process Heat
- National Environmental Standards for Greenhouse Gas Emissions from Industrial Process Heat
- National Environmental Standards for Air Quality
- National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health
- National Environmental Standards for Sources of Human Drinking Water
- National Environmental Standards for Storing Tyres Outdoors.



# Why are we changing national direction?

The proposals in the national direction programme are intended to contribute to the overarching goals of the Government's resource management reform programme, namely:

- unlocking development capacity for housing and business growth
- enabling delivery of high-quality infrastructure for the future, including doubling renewable energy
- enabling primary sector growth and development, including aquaculture, forestry, pastoral, horticulture and mining.

## Proposals in infrastructure and development package

The proposals in this package have been chosen to better enable infrastructure and development where they are needed and can be developed safely, while appropriately managing effects on people and the environment. The proposals are intended to:

- improve efficiencies and outcomes by supporting fit-for-purpose infrastructure, coordinated with development that meets the longer-term needs of people, communities and our environment
- enable opportunities and choice for housing to support a range of people and circumstances, including young people and seniors, and to support Māori living on ancestral land in papakāinga
- support development in areas with a reduced risk to people, communities and property from natural hazards.

The proposals include new and amended rules to clarify which activities would be permitted as of right, and which would need a consent in district<sup>4</sup>, or regional plans. The proposals also provide more targeted national policy direction to support resource consent and plan-making processes, with a focus on better enabling infrastructure and development.

The proposals complement other government initiatives such as the [Fast-track Approvals Act 2024](#) and other targeted amendments to the RMA.<sup>5</sup>

## Role and content of this discussion document

Through this discussion document, the Government invites submissions on the proposals. Submissions will inform advice the Government considers before making final decisions or drafting any national direction instruments.

This discussion document explains the suite of national direction proposed in the infrastructure and development package and includes material on the proposals to create or amend national policy statements and national environmental standards under section 46A(1) and (2) of the RMA. Proposed new provisions for national direction are provided in [section 6](#) of this document and form part of the proposals for the infrastructure and development package.

---

<sup>4</sup> References to district plans in this document also include the district plan components of combined plans, including unitary plans, prepared under [section 80](#) of the RMA.

<sup>5</sup> [Resource Management \(Consenting and Other System Changes\) Amendment Bill](#).

[Section 2](#) of this document outlines the scope and content of each new or amended national direction instrument relating to infrastructure. [Section 3](#) provides the same outline for the development part of the package. These sections include an overview of the potential impacts of each proposal on various parties, describing how the proposal is intended to be implemented and how it incorporates Treaty of Waitangi and Treaty settlement considerations.

[Section 4](#) outlines tools available to implement the national direction proposals in the infrastructure and development package.

[Section 5](#) explains how you can make a submission.

[Section 6](#) contains proposed provisions for each new or amended instrument in the infrastructure and development package. The attachments provide details about the scope and indicative content proposed for each instrument.

Further information on the proposed changes to national direction, including Interim Regulatory Impact Statements, can be found on the [Changes to resource management web page](#) on the Ministry for the Environment's website.

# Section 2: Infrastructure

## Part 2.1: National Policy Statement for Infrastructure

### Context

Aotearoa New Zealand needs to invest in more infrastructure to grow the economy, support new housing development, increase energy efficiency, improve resilience and achieve better environmental outcomes.<sup>6</sup> We need to develop our infrastructure more efficiently. Although we spend a lot on infrastructure, it is insufficient in quality and quantity. For the last few decades, central and local government has spent approximately 5.5 per cent of GDP on infrastructure. This is about the same as other high-income countries, but New Zealand is among the bottom 10 per cent of such countries in delivering infrastructure.<sup>7</sup> This 'efficiency gap' means some community infrastructure needs remain unmet, and we are not sufficiently maintaining some existing infrastructure.

The current resource management system contributes to this infrastructure shortfall and efficiency gap. The system has neither sufficiently protected the natural environment nor sufficiently enabled development and infrastructure to meet people's needs.<sup>8</sup>

### What problems does the proposal aim to address?

The current resource management system and national direction does not sufficiently recognise the benefits of infrastructure, or the role of infrastructure services in supporting the wellbeing, health and safety of people and communities, now and in the future. This means New Zealand's infrastructure expenditure is inefficient, and community needs for infrastructure services are unmet.

The existing resource management plans and other documents that guide decision-making often underplay the benefits of infrastructure, relative to its local adverse environmental effects. In addition, decision-making on infrastructure across the country is inconsistent.

---

<sup>6</sup> New Zealand Infrastructure Commission. 2021. *New Zealand's infrastructure challenge: Quantifying the gap and path to close it*. Wellington: New Zealand Infrastructure Commission | Te Waihangā.

<sup>7</sup> New Zealand Infrastructure Commission. 2021. *Investment gap or efficiency gap? Benchmarking New Zealand's investment in infrastructure*. Wellington: New Zealand Infrastructure Commission | Te Waihangā.

<sup>8</sup> Ministry for the Environment. 2023. *Briefing for Incoming Ministers – Environment, Climate Change and RMA Reform*. Wellington: Ministry for the Environment.

Long-term planning for infrastructure is limited and not well coordinated with land-use planning. Current infrastructure consenting processes and conditions are increasingly costly, with disproportionate requirements for assessing the environmental effects of proposals. This adds considerable costs and delays to infrastructure projects.

Management of the interface between infrastructure and other types of development is inconsistent, which creates uncertainty and increases costs and litigation for infrastructure providers. Consent decisions may constrain hours of operation or prevent the development of infrastructure, in response to sensitive activities located nearby.

Further uncertainties and costs result from inconsistent treatment of infrastructure across local authority boundaries, and between different national direction instruments. This is a particular issue for national or linear infrastructure, which must traverse several locations and could impact on a range of environmental values.

The problems are compounded because the resource management system for infrastructure lacks specific national direction. The existing national direction does not include all forms of infrastructure provided by central and local government or by other providers, or environmental resilience infrastructure. No national-level policy direction exists for transport, ports, water, wastewater and stormwater, health, education, defence or corrections infrastructure. This has resulted in a fragmented, ad hoc approach that is not aligned with how infrastructure is planned, developed or operated.

Recent years have seen a shift in the understanding of infrastructure, away from being discrete physical assets that are defined and categorised into separate sectors (eg, transport, energy or water). Instead, infrastructure is now recognised as a complex network of interconnected elements with a public-good purpose – for example, a hospital cannot function without electricity, water or a transport network.

Nationally consistent policy direction is required, to provide more certainty and better enable infrastructure development.

## What is the proposal?

The proposal is for a new National Policy Statement for Infrastructure (NPS-I) to address the problems identified above and better enable and protect infrastructure, by providing:

- consistent definitions to support the proposed policies
- an objective setting out a range of infrastructure outcomes expected from the resource management system
- general policies to better enable and protect infrastructure, while managing its effects on various environments, and recognising and providing for Māori rights and interests
- policies on managing the interface between infrastructure and other activities
- policies to enable infrastructure while managing its effects on the environment.

More detail on the proposed provisions is included in [attachment 1.1](#) of this document.

## Scope and definitions

The proposed NPS-I covers a broad range of infrastructure as defined by the RMA, including:

- energy (except renewable electricity generation, and electricity transmission and distribution covered by other national policy statements)
- three waters (eg, wastewater, stormwater and drinking water)
- transport networks and assets.

It also covers social infrastructure (hospitals, emergency services, educational, defence and corrections facilities), parks, district or regional resource recovery or waste disposal facilities, and 'green' infrastructure that delivers flood management services.<sup>9</sup>

The proposed NPS-I is intended to apply to all RMA decisions affecting the operation, maintenance, renewal and upgrade of existing infrastructure, and to development of new infrastructure. This includes decisions on infrastructure itself, as well as activities that interface with, and are affected by, infrastructure (eg, wastewater treatment plants).

To assist interpretation, the proposed NPS-I includes a set of definitions for infrastructure and related activities, with the definition of infrastructure being broader than the RMA definition.

The NPS-I also proposes to define 'infrastructure-supporting activities' not undertaken by the infrastructure provider, including quarrying activities (as defined in the National Planning Standards).<sup>10</sup> [Attachment 1.1](#) of this document contains a full list of proposed definitions.

Questions	
1.	Is the scope of the proposed NPS-I adequate?
2.	Do you agree with the definition of 'infrastructure', 'infrastructure activities' and 'infrastructure supporting activities' in the NPS-I?

## Objective

The proposed objective for the NPS-I is to identify infrastructure outcomes that planning decisions would contribute to. Outcomes include that infrastructure:

- (a) supports the wellbeing of people and communities and their health and safety
- (b) provides national, regional or local benefits
- (c) supports the development and change of urban and rural environments to meet the diverse and changing needs of present and future generations
- (d) is well functioning and resilient
- (e) provides value for money to people and communities
- (f) is delivered in a timely, efficient and ongoing manner while managing adverse effects on the environment
- (g) is protected from the adverse effects of other activities.

---

<sup>9</sup> For example, infrastructure forming part of overland flow paths, watercourses and streams, with infrastructure activities including regeneration and restoration.

<sup>10</sup> Ministry for the Environment. 2019. [National Planning Standards](#). Wellington: Ministry for the Environment. p 62.

#### Question

- |    |   |
|----|---|
| 3. | Does the proposed objective reflect the outcomes sought for infrastructure? |
|----|---|

## Benefits of infrastructure

The proposed NPS-I requires decision-makers to recognise and provide for the benefits of infrastructure. The proposed provisions detailed in [attachment 1.1](#) of this document show the full list of benefits decision-makers must consider, which cover:

- the wellbeing of future generations
- well-functioning urban and rural environments, including sufficient development capacity
- supporting development and growth
- protecting the natural environment
- mitigating effects of climate change
- resilience to natural hazards.

#### Question

- |    |  |
|----|--|
| 4. | Does the proposed policy adequately reflect the benefits that infrastructure provides? |
|----|--|

## Operational and functional needs

The NPS-I proposes to require decision-makers to recognise and provide for the functional need<sup>11</sup> or operational need<sup>12</sup> of infrastructure to locate in particular environments. The particular infrastructure-related needs are specified in the proposed provisions detailed in [attachment 1.1](#) of this document.

The operational need part of the policy is intended to recognise the technical and financial constraints for infrastructure providers in managing adverse effects of infrastructure on the environment. A corresponding policy proposal is intended to:

- recognise the operational or functional need of ‘infrastructure-supporting activities’ (including quarrying) to locate in particular places
- enable timely delivery of infrastructure activities.

#### Question

- |    |   |
|----|---|
| 5. | Does the proposed policy sufficiently provide for the operational and functional needs for infrastructure to be located in particular environments? |
|----|---|

---

<sup>11</sup> Defined as “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”. Ministry for the Environment. 2019. *National Planning Standards*. Wellington: Ministry for the Environment. p 58.

<sup>12</sup> Defined as “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”. Ministry for the Environment. 2019. *National Planning Standards*. Wellington: Ministry for the Environment. p 62.



## Considering spatial planning and other strategic plans

The proposed policy is to require decision-makers to have regard to spatial plans – including future development strategies<sup>13</sup> and other strategic plans for infrastructure – in protecting and enabling new infrastructure required to meet changing community needs.

### Question

- |    |   |
|----|---|
| 6. | Do you support the proposed requirement for decision-makers to have regard to spatial plans and strategic plans for infrastructure? |
|----|---|

## Efficient and timely delivery of infrastructure

The proposed NPS-I includes requirements for addressing the long timeframes and costs of consenting infrastructure projects. It requires efficient and timely processes for consenting and re-consenting infrastructure, including using information gathered for investment processes and nationally recognised standards in assessing and managing effects. These requirements aim to avoid duplication of assessments and information requirements, as well as avoiding the re-litigation of options in different regulatory processes.

The proposal aims to enable more effective use of existing infrastructure, including maintenance, upgrades and re-consenting. It provides flexibility to use new technology to improve infrastructure services, environmental outcomes or resilience to natural hazards and climate change.

The proposed NPS-I also provides direction on supporting infrastructure activities such as quarrying, given their importance for the timely delivery of infrastructure projects.

### Question

- |    |   |
|----|---|
| 7. | Would the proposed policy help improve the efficient and timely delivery of infrastructure? |
|----|---|

## Providing for Māori interests

A policy in the proposed NPS-I sets national requirements for:

- engaging with Māori
- considering Māori values and aspirations
- involving Māori in infrastructure projects, including those affecting sites of significance to Māori.

The proposed policy is based on existing policies in the National Policy Statement on Urban Development (NPS-UD). The intent is to apply a consistent approach across the proposed

NPS-I, proposed amendments to the National Policy Statement for Renewable Electricity Generation (NPS-REG) and the National Policy Statement on Electricity Transmission (NPSET) (to be renamed the National Policy Statement for Electricity Networks (NPS-EN)). Nothing in these policies is intended to override any Treaty settlement requirement or other relevant arrangement.

---

<sup>13</sup> Required under the [National Policy Statement on Urban Development 2020](#).

The policy proposes that decision-makers must recognise and provide for Māori interests in relation to infrastructure, including by:

- (a) 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
- (b) recognising the opportunities tangata whenua may have in developing and operating their own infrastructure at any scale or in partnership
- (c) providing opportunities in appropriate circumstances for tangata whenua involvement in relation to sites of significance to Māori and issues of cultural significance
- (d) operating in a way that is consistent with iwi participation legislation.<sup>14</sup>

#### Question

8. Does the proposed policy adequately provide for the consideration of Māori interests in infrastructure?

## Assessing and managing adverse effects of infrastructure

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

The first is intended to address the costly and time-consuming provisions and processes for infrastructure providers. The proposal provides guidance for decision-makers, specifying that they should consider:

- the extent to which effects have been managed through route or site selection and design
- the technical operational requirements of infrastructure
- only the change or increase in effects for re-consenting or infrastructure upgrades
- adopting best practice standards
- ensuring that measures and consent conditions are proportionate and cost effective.

The second proposed policy enables the creation of new infrastructure and upgrades to existing infrastructure with adverse effects on environmental values not included in section 6 of the RMA or covered by national direction, so long as these effects are avoided, remedied or mitigated where practicable.

Previous policy work had developed a draft 'effects management hierarchy' to address adverse effects on values in section 6 of the RMA and other national direction. The Government has now decided to focus on resolving these major tensions between infrastructure and natural environmental values in the replacement of the RMA, rather than through the current proposed changes to national direction.

A further proposed policy is to enable the efficient operation, maintenance and minor upgrade of existing infrastructure, provided that adverse effects are avoided, remedied or mitigated where practicable.

---

<sup>14</sup> Iwi participation legislation is defined in [section 58L](#) of the RMA to mean any legislation, including legislation listed in [Schedule 3](#) of the Treaty of Waitangi Act 1975, that provides a role for iwi or hapū in processes under the RMA. Note that item (d) does not exclude participation provided under the Marine and Coastal Area (Takutai Moana) Act 2011 or under Mana Whakahono ā Rohe.

Question	
9.	Do the proposed policies sufficiently provide nationally consistent direction on assessing and managing the adverse effects of infrastructure?

## Interface and compatibility of infrastructure and other activities

The proposed policies aim to manage the tensions between providing long-term certainty for infrastructure services and providing for compatible housing and other development. They aim to protect existing and consented infrastructure from the effects of nearby development, including from reverse sensitivity (impacts of new activities on existing activities). The policies provide details on what local authorities must do, including:

- engaging with infrastructure providers
- identifying activities that are compatible with or sensitive to infrastructure
- adopting a range of methods to manage interfaces with sensitive uses.

A further proposed policy provides direction on managing the interface between infrastructure and other activities. For example, it recognises that:

- some typical effects cannot be completely avoided (eg, dust, vibration, noise)
- amenity changes are necessary to achieve well-functioning environments
- new activities are primarily responsible for managing adverse effects.

Question	
10.	Do the proposed policies sufficiently provide for the interface between infrastructure and other activities including sensitive activities?

## What does the proposal mean for you?

Table 2 outlines anticipated impacts of the proposed NPS-I on various parties, with more detailed information available in the [Interim Regulatory Impact Statement: National Policy Statement for Infrastructure](#) available on the Ministry for the Environment's website.

**Table 2: Overview of anticipated impacts of the proposed NPS-I**

Party	Anticipated impacts
<b>Local authorities</b>	<p>Clearer and more consistent direction for planning and consenting processes.</p> <p>Some transactional costs incurred to train staff to become familiar with new requirements and incorporate them into regional policy statements and regional, district or unitary plans when practicable.</p>
<b>People and communities</b>	<p>Benefits from improved or maintained infrastructure services, including reduced costs of services.</p> <p>Possible loss of amenity and property rights due to greater infrastructure protections including from impacts of other activities.</p>

Party	Anticipated impacts
<b>Applicants</b>	<p>Greater likelihood that infrastructure projects can be consented and likely reduced costs in consenting processes, dependent on projects and locations.</p> <p>Increased protection of existing infrastructure, reducing costs.</p> <p>Operational costs incurred for applicants to become familiar with the new requirements. Potential increased costs of participating in plan review processes.</p>
<b>Māori groups</b>	<p>Similar benefits for Māori and non-Māori from improved or maintained infrastructure services, including reduced costs of services (eg, lower consenting costs).</p> <p>Reduced costs possible through a consistent approach to engaging Māori and recognising their interests, and through early engagement (may reduce costs later in processes, including appeal costs).</p>

## Consistency with the purpose of the RMA

The Minister Responsible for RMA Reform considers the proposals to be consistent with the purpose of the RMA because they:

- enable 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
- support people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety, by contributing to maintaining and improving the services that infrastructure provides
- further enable development, while protecting natural environmental values in accordance with relevant national direction (ie, river/lakes/wetlands continue to be managed under the National Policy Statement for Freshwater Management (NPS-FM)). The provisions of district and regional plans will continue to protect values under section 6 of the RMA that do not have national direction.

## Treaty considerations

Infrastructure activities can have both positive and adverse effects for tangata whenua and for land, water and other taonga. Although the proposals may have impacts on taonga, decision-makers will be required to consider the national significance and benefits of infrastructure alongside other national direction (eg, the New Zealand Coastal Policy Statement (NZCPS) and the NPS-FM), regional policy statements, and regional and district plans. This helps decision-makers to effectively weigh up the effects of infrastructure activities when considering a consent application.

The proposals provide for recognition of Māori values, aspirations and engagement.<sup>15</sup> The proposals will not directly impact the decision-making process requirements under the RMA, Treaty settlements or other legislative arrangements, including the Marine and Coastal Area (Takutai Moana) Act 2011 and the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019.

<sup>15</sup> As required by [section 8](#) of the RMA.

Treaty settlement agreements and related legislation continue to apply. Some Treaty settlements place obligations on councils, including involving iwi/Māori in plan development and decision-making and inclusion of policies in plans. The proposals do not present a risk to the operation of these Treaty settlement commitments.

Consultation will be necessary to test whether iwi, hapū and other Māori groups have concerns about the proposal or any perceived impacts on sites of significance to Māori, marae, Māori land, land returned under Treaty settlements, or other matters of significance to Māori groups.

## Implementation

General material on implementation supporting the proposed NPS-I, including the statutory requirements, is provided in [section 4](#) of this document. Specific implementation provisions proposed for this national policy statement are as follows:

- the provisions in the NPS-I would affect decisions on policy statements and plans, notice of requirements, and decisions by consent authorities. The recent *Gibbston Vines*<sup>16</sup> case has shown that each part of the instrument should be clear about what decisions are being made and by whom
- no provisions in the proposed NPS-I provide further direction on implementation beyond what is provided by the RMA (as described in [section 4](#) of this document).

---

<sup>16</sup> *Gibbston Vines Limited v Queenstown Lakes District Council* [2023] NZEnvC 265.

# Part 2.2: National Policy Statement for Renewable Electricity Generation

## Context

The [National Policy Statement for Renewable Electricity Generation](#) (NPS-REG) came into effect in 2011. It provides an objective and policies to enable the sustainable management of renewable electricity generation (REG). The NPS-REG has particular regard to two matters of national significance:

- the need to develop, operate, maintain and upgrade REG activities throughout New Zealand
- the benefits of REG.

In April 2023, a proposed NPS-REG and discussion document were released for public consultation.<sup>17</sup> Submissions were received, but the instruments were not finalised before the 2023 General Election, and the NPS-REG proposed in 2023 has now been withdrawn.<sup>18</sup> This proposal has been informed by this earlier work.

The proposed changes to the NPS-REG will help achieve the Government's Electrify NZ programme, which aims to double REG in New Zealand. This is an important part of achieving electricity security and our climate goals as electrifying the energy and transport sectors could deliver almost a third of the emissions reductions New Zealand needs to reach net zero by 2050.<sup>19</sup>

## What problems does the proposal aim to address?

The current resource management system does not enable and protect REG to the extent needed to achieve New Zealand's electrification, electricity security, and emissions reduction targets.

The current NPS-REG is no longer fit for purpose, resulting in the following problems.

- Decision-makers do not fully or consistently recognise the significance and benefits of REG in RMA decision-making processes.
- Strong, enabling REG policy guidance is lacking across New Zealand.

---

<sup>17</sup> Ministry for the Environment. 2023. [Proposed National Policy Statement for Renewable Energy Generation](#). Wellington: Ministry for the Environment. Ministry of Business, Innovation & Employment. [Consenting improvements for renewable electricity generation and transmission](#). Retrieved 28 April 2025.

<sup>18</sup> Under [section 51A](#) of the RMA.

<sup>19</sup> Boston Consulting Group. 2022. [The Future is Electric. A Decarbonisation Roadmap for New Zealand's Electricity Sector](#). p 14.



- There is insufficient direction on how to address key issues around consenting decisions for REG projects (such as how to resolve competing national and local interests).
- Uncertainty has increased, as have consenting costs and the complexity of resource consent conditions. These factors can reduce the efficiency of existing REG and make projects difficult to consent.
- The costs and processes associated with resource consent acquisition can discourage investment in smaller-scale projects that tend to have fewer significant adverse effects.

Drafting conventions for national policy statements have also changed, favouring strongly directive language as national policy statements take priority in decision-making.

## What is the proposal?

The key proposed changes to the NPS-REG include:

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

More detail on the proposed provisions is included in [attachment 1.2](#) of this document. No existing provisions of the NPS-REG beyond those included in this proposal are open for public consultation.

## Scope and definitions

The scope of the NPS-REG 2011 is not proposed to change. The word ‘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 proposed to assist interpretation of the new and amended policies. An example is separating out definitions of ‘small-scale REG’ from ‘community-scale REG’, as they have different meanings. Further details on proposed changes to definitions are available in [attachment 1.2](#) of this document.

## Objective

The proposed amendments to the objective respond to New Zealand’s targets for reducing emissions becoming law. The proposed amended objective highlights the critical role and benefits REG provides, stating the aims that REG generated in New Zealand:

- (a) increases in a rate and manner necessary to support the achievement of New Zealand’s emissions reduction and energy targets and associated plans under the Climate Change Response Act 2002
- (b) provides greater resilience to disruptions to electricity supply
- (c) provides for the social, economic and cultural wellbeing of people and communities, and for their health and safety, while managing the adverse effects of REG activities.

#### Question

11. Do you support the proposed amendments to the objective of the NPS-REG?

## National significance and benefits

Policy A of the existing NPS-REG is proposed to be strengthened by:

- ensuring decision-makers give greater consideration and weighting to the national significance and benefits of REG projects
- increasing the list of REG benefits to include:
  - the benefits of maintaining and upgrading existing assets
  - locating REG close to demand and electricity networks.

#### Question

12. Are the additional benefits of renewable electricity generation helpful considerations for decision-makers? Why or why not?

## Cumulative gains and losses of REG

Policy B of the NPS-REG is proposed to be amended to strengthen the weight to be given to considering cumulative gains and losses of REG capacity.

## Operational and functional need for REG

Policy C1 of NPS-REG is proposed to be amended to require consideration of the operational need or functional need for REG activities to be in particular environments. The proposed policy applies the definitions of functional need<sup>20</sup> or operational need<sup>21</sup> in the National Planning Standards.

#### Question

13. Does the proposed policy sufficiently provide for the operational and functional need of renewable electricity generation to be located in particular environments?

## Existing REG

Two new policies are proposed to get the most out of our existing REG assets. The first proposed policy ensures decision-makers enable the continued operation and maintenance of existing REG assets. The second proposed policy provides direction to decision-makers when existing REG assets are to be re-consented, upgraded or re-powered,<sup>22</sup> to:

<sup>20</sup> Defined as “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”. Ministry for the Environment. 2019. *National Planning Standards*. Wellington: Ministry for the Environment. p 58.

<sup>21</sup> Defined as “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”. Ministry for the Environment. 2019. *National Planning Standards*. Wellington: Ministry for the Environment. p 62.

<sup>22</sup> Re-powering refers to the whole or partial replacement of wind and solar REG assets within an existing REG site.

- have particular regard to the efficiencies and environmental benefits of increasing REG output within the same or similar environmental footprint
- consider only additional or different effects to those from the existing REG assets
- provide flexibility in consent conditions to allow upgrades to adapt to new technologies and improve resilience.

Amendments are proposed to Policy D of the existing NPS-REG, to strengthen the requirement for decision-makers to protect existing REG assets from reverse sensitivity effects. This policy will require decision-makers to consider reverse sensitivity effects on REG activities when considering applications for new nearby activities that may be incompatible with REG activities.

#### Question

- |     |   |
|-----|---|
| 14. | Do the proposed new and amended policies adequately provide for existing renewable electricity generation to continue to operate? |
|-----|---|

## Providing for Māori interests

The current NPS-REG does not provide any direction for Māori interests in REG, creating uncertainty for Māori. A proposed policy requires decision-makers to recognise and provide for Māori interests in relation to REG, including by:

- 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
- recognising the opportunities tangata whenua may have in developing and operating their own REG at any scale or in partnership
- providing opportunities in appropriate circumstances for tangata whenua involvement in relation to sites of significance to Māori and issues of cultural significance
- operating in a way that is consistent with iwi participation legislation.<sup>23</sup>

The proposed policy is based on the existing NPS-UD provisions, and a consistent approach is being taken across the proposed NPS-I, NPS-REG and NPS-EN instruments. Nothing in these policies is intended to override any Treaty settlement requirement or other relevant arrangement.

#### Question

- |     |  |
|-----|--|
| 15. | Do the proposed policy changes sufficiently provide for Māori interests in renewable electricity generation? |
|-----|--|

## Managing adverse effects

A proposed policy enables REG with adverse effects on environmental values not included in section 6 of the RMA or covered by national direction, so long as these effects are avoided, remedied or mitigated where practicable.

<sup>23</sup> Iwi participation legislation is defined in [section 58L](#) of the RMA to mean any legislation, including legislation listed in [Schedule 3](#) of the Treaty of Waitangi Act 1975, that provides a role for iwi or hapū in processes under the RMA. This would include participation provided under the Marine and Coastal Area Act 2011 or under Mana Whakahono ā Rohe.

Previous policy work had developed a draft 'effects management hierarchy' to address adverse effects on values in section 6 of the RMA and other national direction. The Government has now decided to focus on resolving these major tensions between infrastructure and natural environmental values in the replacement of the RMA, rather than through the current proposed changes to national direction.

#### Question

- |     |   |
|-----|---|
| 16. | Do you support the proposed policy to enable renewable electricity generation development in areas not protected by section 6 of the RMA, or covered by other national direction? |
|-----|---|

## What does the proposal mean for you?

Table 3 outlines the anticipated impacts of the NPS-REG proposal on various parties, with more detail available in the [Interim Regulatory Impact Statement: NPS Renewable Electricity Generation](#) on the Ministry for the Environment's website.

**Table 3: Overview of anticipated impacts of the proposed amendments to the NPS-REG**

Party	Anticipated impacts
<b>Local authorities</b>	<p>Clearer and more consistent direction for planning and consenting processes.</p> <p>Some transactional costs incurred to train staff to become familiar with the new requirements and incorporate them into regional policy statements and regional and district plans when practicable.</p>
<b>People and communities</b>	<p>Benefits from improved or maintained electricity supply, while meeting increased demand, including reduced costs and greater reliability. If emissions costs rise in the future, REG will be cheaper for consumers compared to fossil fuel electricity generation.</p> <p>Possible loss of amenity and property rights due to greater REG protection from impacts of other activities.</p>
<b>Applicants</b>	<p>Greater likelihood that REG projects can be consented and likely reduced costs in consenting processes, dependent on projects and locations.</p> <p>Increased protection of existing REG infrastructure, reducing costs.</p> <p>Operational costs incurred by applicants to become familiar with the new requirements. Potential increased costs of participating in plan review processes.</p>
<b>Māori groups</b>	<p>Similar benefits for Māori and non-Māori from improved or maintained electricity supply, including more reliability and reduced costs of services.</p> <p>Improved potential for Māori to be involved in their own REG projects.</p> <p>Reduced costs possible through a consistent approach to engaging Māori and recognising their interests, and through early engagement (may reduce costs later in processes, including appeals costs).</p>

## Consistency with the purpose of the RMA

The Minister Responsible for RMA Reform considers the proposals to be consistent with the purpose of the RMA because they:

- enable the use and development of natural and physical resources to develop, operate, protect, maintain and upgrade renewable electricity generation while managing effects on the environment by providing clear and directive objectives and policies to decision-makers

- support people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety, by contributing to maintaining and increasing REG capacity to improve electricity security and meet emissions reduction targets
- enable development, while protecting natural environmental values in accordance with relevant national direction (ie, river/lakes/wetlands continue to be managed under the NPS-FM). Section 6 matters without national direction will continue to be protected through the provisions of district and regional plans.

## Treaty considerations

REG projects can have both positive and adverse effects for tangata whenua and for land, water and other taonga. Although the proposals may have impacts on taonga, decision-makers will be required to consider REG benefits and other provisions alongside other relevant national direction (eg, the NZCPS and NPS-FM), regional policy statements, and regional and district plans. This helps decision-makers to effectively weigh up both positive and adverse effects of REG activities when considering a consent application.

The proposals improve on the 2011 NPS-REG, which does not include any policies that provide for Māori values, aspirations and engagement.<sup>24</sup> The proposals are also more enabling of iwi-led REG activities, which has been a consistent request from Māori seeking greater electricity options and self-sufficiency. The proposals will not directly impact the decision-making process requirements under the RMA, Treaty settlements or other legislative arrangements, including the Marine and Coastal Area (Takutai Moana) Act 2011 and the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019.

Treaty settlement agreements and related legislation continue to apply. Some Treaty settlements place obligations on councils, including involving iwi/Māori in plan development and decision-making and inclusion of policies in plans. The proposals do not present a risk to the operation of these Treaty settlement commitments.

Consultation will be necessary to test whether iwi, hapū and other Māori groups have concerns about the proposal or any perceived impacts on sites of significance to Māori, marae, Māori land, land returned under Treaty settlements, or other matters of significance to Māori groups.

## Implementation

General material on implementation supporting this proposal, including the statutory requirements, is provided in [section 4](#) of this document. Specific implementation provisions for this NPS are as follows:

- the provisions in the NPS-REG would affect decisions on policy statements and plans, notice of requirements, and decisions by consent authorities. The recent *Gibbston Vines*<sup>25</sup> case has shown that each part of the instrument should be clear about what decisions are being made and by whom
- no provisions in the proposed NPS-I provide further direction on implementation beyond what is provided by the RMA (as described in [section 4](#) of this document).

<sup>24</sup> As required by [section 8](#) of the RMA.

<sup>25</sup> *Gibbston Vines Limited v Queenstown Lakes District Council* [2023] NZEnvC 265.

# Part 2.3: National Policy Statement on Electricity Transmission

## Context

Electricity networks – which include infrastructure for both electricity transmission and distribution networks – needs to be developed, operated, maintained, upgraded and protected to ensure continuity of electricity supply and network resilience. Electricity networks are planned for and managed under the RMA.<sup>26</sup> Often, multiple resource consents must be obtained under the RMA to carry out works on electricity networks, despite the existence of national direction in the form of the:

- [National Policy Statement on Electricity Transmission 2008 \(NPSET\)](#)
- [National Environmental Standards for Electricity Transmission Activities 2009 \(NESETA\)](#).

Electrifying the energy and transport sectors could deliver almost a third of the emissions reductions New Zealand needs to reach net zero by 2050.<sup>27</sup> The Supercharging EV<sup>28</sup> programme proposes a ‘no consents’ regime to develop and operate electric vehicle (EV) charging stations.

In April 2023, a proposed NPSET draft and a discussion document,<sup>29</sup> including amendments to NESETA, were released for public consultation. Submissions were received but the instruments were not finalised before the 2023 General Election, and the NPSET proposed in 2023 has now been withdrawn.<sup>30</sup> The proposal has been informed by this earlier work.

## What problems does the proposal aim to address?

Transitioning away from using fossil fuels and towards more REG will require a significant increase in the number of REG sites and a proportionate increase in the capacity of the electricity network.

---

<sup>26</sup> In addition to regulation under the Electricity Act 1992, Commerce Act 1986 and Public Works Act 1981.

<sup>27</sup> Boston Consulting Group. 2022. *The Future is Electric. A Decarbonisation Roadmap for New Zealand's Electricity Sector*. p 14.

<sup>28</sup> The programme focuses on enabling the roll-out of charging infrastructure to support New Zealanders to shift to electric vehicles.

<sup>29</sup> Ministry for the Environment. 2023. [Proposed National Policy Statement on Electricity Transmission](#). Wellington: Ministry for the Environment. Ministry of Business, Innovation & Employment. [Consenting improvements for renewable electricity generation and transmission](#). Retrieved 28 April 2025.

<sup>30</sup> Under [section 51A](#) of the RMA.



The following resource management problems have been identified for electricity networks.

- The national significance and benefits of electricity networks are not sufficiently recognised in resource management decisions.
- Inconsistent policies, processes and rules add unnecessary complexity, cost and delay.
- Decision-makers lack guidance to balance competing interests and environmental values.
- Protecting electricity networks from the effects of other activities is time-consuming and more costly than it needs to be.

## What is the proposal?

Proposed amendments to the NPSET will expand its scope to include electricity distribution. To reflect this broader application, the instrument would be renamed the National Policy Statement for Electricity Networks (NPS-EN).

The proposed NPS-EN will include:

- an amended objective to recognise and provide for the national significance and benefits of the electricity network
- a new objective and associated policies to recognise and provide for the electricity distribution network
- amended and new policies to support route selection and manage environmental effects
- a new policy to recognise and provide for tangata whenua interests
- policy amendments to provide greater protection of electricity networks
- updated references to the electric and magnetic fields international guidelines (from the currently referenced 1998 guidelines to the 2010 guidelines)
- alignment of the policy directions of the NPS-EN and the proposed National Environmental Standards for Electricity Network Activities (NES-ENA).

More detail on the proposed provisions is included in [attachment 1.3](#) of this document. No existing provisions of the NPSET beyond those included in this proposal are open for public consultation.

## Scope and definitions

Increasing the scope of the national policy statement is intended to better enable electrification and recognise the importance of electricity distribution to electricity networks. The different scales and types of electricity distribution infrastructure will require specific approaches.

Several new definitions are proposed to ensure the new and amended policies are sufficiently precise and can deliver on the proposed NPS-EN objectives. For example, 'routine activities' and 'non-routine activities' will be redefined to distinguish regular activities that are part of the lifecycle of electricity networks. The effects of routine activities are typically less than those resulting from non-routine activities.

Questions	
17.	Do you support the inclusion of electricity distribution within the scope of the NPS-EN?
18.	Are there risks that have not been identified?
19.	Do you support the proposed definitions in the NPS-EN?
20.	Are there any changes you recommend to the NPS-EN?

## Objective

Proposed amendments to the NPSET objective recognise national emissions reduction targets and the need to ensure energy resilience and security. The proposed objective is that electricity networks are developed, operated, maintained, upgraded and protected in a manner that:

- (a) recognises and provides for its national significance
- (b) secures the resilience of electricity networks, including in relation to the effects of natural hazards and climate change
- (c) provides for the wellbeing and needs of present and future generations, including by increasing and improving the capacity and delivery of electricity networks over time
- (d) recognises and provides for the role of electricity networks 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
- (e) manages adverse effects on the environment in a proportionate and cost-effective way
- (f) protects electricity networks from the adverse effects of other activities.

Question	
21.	Do you support the proposed objective? Why or why not?

## National significance and benefits of electricity networks

The proposal is to strengthen Policy 1 of the existing NPSET so that decision-makers on electricity networks proposals must recognise and provide for the national significance and benefits of electricity networks to be realised at national, regional and local levels. The proposed policy will also list additional benefits, such as emissions reduction and energy security, as well as recognise the contribution of electricity networks to modern life and the functioning of the community and economy.

Question	
22.	Will the proposed policy improve the consideration of the benefits of electricity networks in decision-making?

## Recognising operational and functional need of electricity networks

The proposal is to strengthen the requirement in the NPSET for decision-makers to recognise and provide for electricity networks which have a functional or operational need to be in particular environments, including in areas with section 6 RMA values, and with unavoidable adverse effects on those environments.

The definitions of functional need<sup>31</sup> or operational need<sup>32</sup> will be the same as the definitions in the National Planning Standards.

This proposed policy recognises that the electricity network 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 REG needs to connect directly to the electricity network.

#### Question

- |     |   |
|-----|---|
| 23. | Does the proposed policy sufficiently provide for the operational and functional needs for electricity networks to be located in particular environments? |
|-----|---|

## Route and site selection

A new policy is proposed to ensure resource management decisions recognise the role of Transpower and electricity distribution businesses in selecting a preferred route for electricity networks. The proposed policy requires that decision-makers have regard to how much adverse effects have been managed through route selection and that some effects are unavoidable.

The route and site selection process should also consider the operational or functional need of electricity networks development.

#### Questions

- |     |   |
|-----|---|
| 24. | Do you support Transpower and electricity distribution businesses selecting the preferred route or sites for development of electricity networks? |
| 25. | Are there any other route or site selection considerations that have not been identified?   |

## Providing for Māori interests

The NPSET published in 2008 contains no Māori policy, creating uncertainty on how Māori interests may be considered in decision-making on electricity networks.

The proposal to provide for Māori interests is based on current policy in the NPS-UD. The intent is to apply a consistent approach across the proposed NPS-I and proposed amendments to the NPS-REG and NPS-EN. Nothing in these proposals is intended to override any Treaty settlement requirement or other relevant arrangement.

It is proposed that decision-makers must recognise and provide for Māori interests in relation to electricity networks, including by:

- (a) taking into account the outcome of any engagement with tangata whenua on a resource consent, notice of requirements or request for a private plan change, including through the site, route and method selection process

---

<sup>31</sup> Defined as “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”. Ministry for the Environment. 2019. *National Planning Standards*. Wellington: Ministry for the Environment. p 58.

<sup>32</sup> Defined as “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”. Ministry for the Environment. 2019. *National Planning Standards*. Wellington: Ministry for the Environment. p 62.

- (b) recognising the opportunities tangata whenua may have in developing and operating their own distribution infrastructure at any scale or in partnership
- (c) avoiding where practicable, or otherwise mitigating, the adverse effects of electricity networks' activities on sites of significance to Māori
- (d) operating in a way that is consistent with iwi participation legislation.<sup>33</sup>

Question	
26.	Does the proposed policy adequately provide for the consideration of Māori interests in electricity networks?

## Managing adverse effects

Existing policy to manage environmental effects currently in the NPSET (Policy 8) will be retained with some amendments, and some new policies are proposed.

Although route and site selection policies can manage some effects, other effects will be unavoidable. A proposed new policy will support effects management decisions for electricity network development. The policy directs decision-makers to consider:

- constraints imposed by the technical and/or operational requirements of electricity networks
- the need to increase network capacity
- that changes in amenity are unavoidable
- adopting international or national standards or best practice to manage effects
- financial or timing implications from measures or conditions to manage effects (and to ensure these are proportionate and cost effective).

A proposed new policy enables infrastructure for electricity networks with adverse effects on environmental values not in section 6 of the RMA or covered by national direction, so long as these effects are avoided, remedied or mitigated, where practicable.

Another new proposed policy directs routine activities associated with electricity networks to be enabled in all environments, provided adverse effects are avoided, remedied or mitigated, where practicable.

Policy 8 in the NPSET manages effects on areas with significant environmental values. The current drafting proposes removing the reference to 'sensitive activities' and retaining the remainder of the policy. Previous policy work had developed a draft 'effects management hierarchy' to address adverse effects on values in section 6 of the RMA and other national direction. The Government has now decided to focus on resolving these major tensions between infrastructure and natural environmental values in the replacement of the RMA, rather than through the current proposed changes to national direction.

<sup>33</sup> Iwi participation legislation is defined in [section 58L](#) of the RMA to mean any legislation, including legislation listed in [Schedule 3](#) of the Treaty of Waitangi Act 1975, that provides a role for iwi or hapū in processes under the RMA. Note that item (d) does not exclude participation provided under the Marine and Coastal Area Act 2011 or under Mana Whakahono ā Rohe.

Questions	
27.	Do you support the proposed policy to enable development of electricity networks in areas not protected by section 6 of the RMA, or covered by other national direction?
28.	Do the proposals cover all the matters that decision-makers should evaluate when considering and managing the effects of electricity network activities?
29.	Do you support the proposed policy to enable routine works on existing electricity network infrastructure in any location or environment?
30.	What other practical refinements to Policy 8 of the NPS-EN could help avoid adverse effects on outstanding natural landscapes, areas of high natural character, and areas of high recreation value and amenity in rural environments?

## Protection and strategic planning of the electricity network

A new proposed policy requires decision-makers to consider the urban environment in relation to electricity network decisions, to:

- recognise the role of electricity networks as part of a well-functioning urban environment
- enable changes in amenity
- recognise that sometimes adverse effects are unavoidable
- recognise that electricity network development may be appropriate in the context of protecting historic heritage.

To fulfil this policy, decision-makers would need to ensure the plan-making process considers on-site space for distribution assets at the development site. The proposed policy requires developers to consult with the electricity distribution provider to determine whether sufficient space has been provided.

Amendments are proposed for Policies 12, 13 and 14 of the NPSET, to ensure spatial planning documents (ie, future development strategies) consider electricity networks, particularly in urban areas over the long term. The proposed changes 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.

Questions	
31.	Do you support the proposed policy to enable sufficient on-site space for distribution assets?
32.	Should developers be required to consult with electricity distribution providers before a resource consent for land development is granted? If not, what type or scale of works would merit such consultation?

## What does the proposal mean for you?

Table 4 outlines the anticipated impacts of the NPS-EN proposal on various parties, with more detail available in the [Interim Regulatory Impact Statement: National direction for electricity networks \(updating NPSET 2008 and NES-ETA 2009\)](#) on the Ministry for the Environment's website.

**Table 4: Overview of anticipated impacts of the proposed amendments to NPS-EN**

Party	Anticipated impacts
<b>Local authorities</b>	<p>Clearer and more consistent direction for planning and consenting processes.</p> <p>Some transactional costs incurred to train staff to become familiar with the new requirements and incorporate them into regional policy statements and regional and district plans when that is practicable.</p>
<b>People and communities</b>	<p>Benefits from improved or maintained electricity supply while meeting increased demand, including reduced costs and greater reliability.</p> <p>Possible loss of amenity and property rights due to greater protections to electricity networks from impacts of other activities.</p>
<b>Applicants</b>	<p>Greater likelihood that electricity transmission and distribution projects can be consented and likely reduced costs in consenting processes, dependent on projects and locations.</p> <p>Increased protection of existing transmission and distribution infrastructure, reducing costs.</p> <p>Operational costs incurred for applicants to become familiar with the new requirements. Potential increased costs of participating in plan review processes.</p>
<b>Māori groups</b>	<p>Similar benefits for Māori and non-Māori from improved or maintained electricity supply, including reliability and costs of services.</p> <p>Reduced costs possible through a consistent approach to engaging Māori and recognising their interests, and through early engagement (may reduce costs later in processes, including appeal costs).</p> <p>Māori land owners and communities may benefit from enablement of the distribution network to directly connect to REG sites, including those on Māori land.</p>

## Consistency with the purpose of the RMA

The Minister Responsible for RMA Reform considers the proposals to be consistent with the purpose of the RMA, because they:

- enable the use and development of natural and physical resources to develop, operate, protect, maintain and upgrade electricity transmission and distribution networks (collectively referred to as the electricity network) while managing effects on the environment by providing clear and directive objectives and policies to decision-makers
- support people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety, by contributing to maintaining and increasing electricity networks capacity which will improve electricity security and meet emissions reduction targets
- strengthen New Zealand's ability to meet the electricity needs of future generations by improving the capacity of electricity networks, by:
  - enabling upgrading and new development
  - protecting electricity networks from direct and reverse sensitivity effects from third parties.



## Treaty considerations

Changes to electricity networks can have both positive and adverse effects for tangata whenua and for land, water and other taonga. Although the proposals may have impacts on taonga, decision-makers will be required to consider the national significance and benefits of electricity networks alongside other national direction (eg, the NZCPS and NPS-FM), regional policy statements, and regional and district plans. This helps decision-makers to effectively weigh up the effects of proposed changes to electricity networks when considering a consent application.

The proposals improve on the existing NPSET, which does not include any policies that provide for Māori values, aspirations and engagement.<sup>34</sup> The proposals will not directly impact the decision-making process requirements under the RMA, Treaty settlements or other legislative arrangements, including the Marine and Coastal Area (Takutai Moana) Act 2011 and the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019.

Treaty settlement agreements and related legislation continue to apply. Some Treaty settlements place obligations on councils, including involving iwi/Māori in plan development and decision-making and inclusion of policies in plans. The proposals do not present a risk to the operation of these Treaty settlement commitments.

Consultation is necessary to test whether iwi, hapū and other Māori groups have concerns about the proposal or any perceived impacts on sites of significance to Māori, marae, Māori land, land returned under Treaty settlements, or other matters of significance to Māori groups.

## Implementation

General material on implementation supporting this proposal, including the statutory requirements, is provided in [section 4](#) of this document. Specific implementation provisions for this national policy statement are as follows:

- the proposed NPS-EN will affect decisions on the contents of policy statements and plans, notice of requirements, and decisions by consent authorities. The recent *Gibbston Vines*<sup>35</sup> case has shown that each part of the instrument should be clear about what decisions are being made and by whom
- no provisions in the proposed NPS-EN provide further direction on implementation beyond what is provided by the RMA (as described in [section 4](#) of this document).

---

<sup>34</sup> As required by [section 8](#) of the RMA.

<sup>35</sup> *Gibbston Vines Limited v Queenstown Lakes District Council* [2023] NZEnvC 265.

# Part 2.4: National Environmental Standards for Electricity Transmission Activities

## Context

The [National Environmental Standards for Electricity Transmission Activities](#) (NESETA) came into effect in 2009. The NESETA enabled Transpower to undertake activities for the operation, maintenance and upgrade of electricity transmission network lines existing at 14 January 2010. The NESETA was intended to complement the enabling policies of the NPSET 2008.

No existing national direction covers electricity distribution or EV charging infrastructure.

## What problems does the proposal aim to address?

The NESETA does not enable and protect electricity networks enough to achieve the Government's objectives for electrification, energy security and economic growth. Proposed amendments to the NESETA aim to address the following problems.

- Inconsistent policies, processes and rules add unnecessary complexity, cost and delay to the operation, maintenance and upgrade of the electricity transmission network.
- Protecting the electricity transmission network from the effects of other activities is time-consuming and unnecessarily costly.
- Current national direction does not cover the electricity distribution network and inconsistencies in district plan provisions relating to this infrastructure.
- In some cases, the NPSET terms and policies are inconsistent with the NESETA rules.

Without national direction for EV charging infrastructure, district plan provisions are being prepared inconsistently across the country. Variation in plan rules creates additional costs and greater inefficiencies, such as higher average output costs for manufacturers. Unnecessary consent requirements for EV charging infrastructure cause time delays and excessive compliance costs, and some requirements necessitate bespoke designs. These factors are likely to impede efficient and timely roll-out of EV charging infrastructure.

## What is the proposal?

The proposal is to amend the NESETA, to provide more enabling standards and extend its application to include electricity distribution and EV charging infrastructure. The proposed amendments are intended to:

- enable more routine work on the electricity transmission network in all environments
- introduce new rules to protect the electricity transmission network based on the National Grid Corridor provisions

- introduce new provisions for the electricity distribution network (ie, protection and routine works for the existing network, and construction of new distribution network assets)
- introduce new permitted activity standards for EV charging infrastructure.

More detail on the proposed provisions is included in [attachment 1.4](#) of this document. No existing provisions of the NESETA beyond those included in this proposal are open for public consultation.

## Scope and definitions

The proposal is to rename the NESETA to the National Environmental Standards for Electricity Network Activities (NES-ENA), to recognise and provide for the electricity distribution network as well as EV charging infrastructure.

The current NESETA only applies to the operation, maintenance and upgrading of existing electricity transmission lines.<sup>36</sup> The proposed NES-ENA will include regional and district plan rules to support the construction and development of new electricity distribution lines. The proposed NES-ENA would not apply to transmission lines developed after 2010 (including any future lines), as these are likely to be covered by designations under the RMA, which already provide an enabling framework.

Definitions across the proposed NPS-EN and proposed NES-ENA will be aligned to support effective implementation. Key new definitions include 'routine electricity network activities' and 'ancillary electricity network activities', as well as a proposed definition for EV charging infrastructure (discussed in the [Public EV charging infrastructure](#) section below).

## Enabling routine work on the electricity transmission network

The proposed NES-ENA would be more permissive than the existing NESETA for some routine electricity transmission activities (such as relocation, replacements and ancillary activities like vegetation clearance and earthworks). This will increase the permitted activity thresholds for certain activities (eg, a higher threshold to increase the height of support structures from 15 per cent to 25 per cent).

Some electricity transmission activities (eg, adding overhead conductors) may not be able to meet the permitted activity standards. The proposed NES-ENA would amend the status of these activities from a 'restricted discretionary activity' to a 'controlled activity', which would:

- provide electricity network operators with more certainty
- recognise routine activities essential for the electricity network
- focus on how activities should be undertaken instead of whether they should be undertaken.

---

<sup>36</sup> Electricity transmission lines operational, or able to be operated, as at 14 January 2010.

The proposal is to make matters of control more consistent for controlled activities.<sup>37</sup> This is to align the new and amended definitions and ensure all relevant matters can be considered.

The general changes proposed to permitted and controlled activities are:

- applying consistent references to a 'natural area' and a 'historic heritage place or area'
- adding new matters of control relating to technical requirements, operational need and functional need of electricity network activities
- considering the benefits of the electricity network.

The electricity sector has raised concerns that some of the general matters of control in the NESETA are too broad or vague. However, the Government considers it appropriate to retain the ability to consider and manage visual, landscape and ecological effects, even when these do not relate to values protected under section 6 of the RMA.

Questions	
33.	What activity status is appropriate for electricity transmission network activities when these: a. do not comply with permitted activity standards? b. are located within a natural area or a historic heritage place or area?
34.	Do you support the proposed scope of activities and changes to the permitted activity conditions for electricity transmission network activities?
35.	Do you support the proposed matters of control and discretion for all relevant matters to be considered and managed through consent conditions?

## Rules for the National Grid Yard and Subdivision Corridor

The proposed NES-ENA introduces rules for the National Grid Yard and Subdivision Corridor, based on the existing provisions developed over a number of years by Transpower with stakeholders, such as Federated Farmers, and generally accepted as best practice.

The proposal establishes a 'National Grid Yard' and 'National Grid Subdivision Corridor' to prevent inappropriate buildings and structures, land disturbance and subdivision by third parties from taking place near or underneath transmission lines and support structures. The proposed rules permit certain activities within the National Grid Yard if they do not present a risk to the transmission network.

With agreement from Auckland Council, the Government proposes to recognise and provide for the Auckland Compromised and Uncompromised Spans, retaining the existing setbacks and rules within the Auckland Unitary Plan.

Question	
36.	Would the proposed National Grid Yard and Subdivision Corridor rules be effective in restricting inappropriate development and subdivision underneath electricity lines?

---

<sup>37</sup> Resource consents for controlled activities must be granted by consent authorities and consent authorities have limited discretion to impose conditions.

## Potential new regional regulations and management plan requirements

The NESETA regulates some activities on existing transmission lines relating to regional council functions (ie, managing water, soils and the coastal marine area). Many transmission activities are necessary to facilitate the ongoing operation and efficiency of the network and cannot be avoided in these environments. Five regional activities Transpower routinely undertakes, which are not currently within the scope of the NESETA, are:

- river crossings
- groundwater takes and use, dewatering
- stormwater discharges
- structures in the coastal marine area
- works in the bed of a lake or river.

The proposal is to ensure a nationally consistent approach by creating new permitted activity rules for the above categories in the NES-ENA. A permitted activity would be subject to conditions which, if not met, would require a consent for a restricted discretionary or controlled activity.

The Government also seeks feedback on a proposal for the NES-ENA to require management plans to be submitted to regional councils as part of a permitted activity. The management plans could cover routine ancillary activities such as vegetation management and earthworks, in addition to the proposed management plan approach for discharges from blasting.

Further detail on these proposals is included in [attachment 1.4](#) of this document.

Questions	
37.	Do you support adding any or all of the five categories of regional activities to the NES-ENA as permitted activities?
38.	Do you support the proposed permitted activity conditions and the activity classes if these conditions are not met?
39.	Do you support management plans being used to manage environmental impacts from blasting, vegetation management and earthworks?

## New provisions for the electricity distribution network

The proposal is to provide nationally consistent regulations to enable electricity distribution activities that:

- align with proposed policy in the NPS-EN to enable routine activities in all environments
- recognise the necessity of routine activities for the safe, efficient and effective development, operation, maintenance and upgrading of the electricity distribution network
- provide greater certainty to electricity distribution businesses that routine maintenance, operation and upgrade activities will be enabled.

Changes are proposed in the following areas:

- **existing distribution assets** – add new permitted activity regulations for certain electricity distribution activities on existing lines when the standards are met, and controlled activity regulations when they are not
- **new distribution assets** – provide permitted activity regulations for the development of new distribution lines and cabinets when standards are met, and restricted discretionary activity regulations when they are not
- **new rules** – provide regulations relating to subdivision and construction of buildings or structures near electricity distribution lines to ensure these comply with safe distance requirements.

Some amendments to the matters of control for controlled activities are discussed above, in the [Enabling routine work on the electricity transmission network](#) section. These amendments would also apply to the electricity distribution network.

The proposed rules for buildings, structures and subdivisions proposed near electricity distribution lines will require compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 (NZECP 34).<sup>38</sup>

Questions	
40.	What is an appropriate activity status for electricity distribution activities when the permitted activity conditions are not met, and should this be different for existing versus new assets?
41.	What is your feedback on the scope and scale of the electricity distribution activities to be covered by the proposed NES-ENA?
42.	Do you support the proposed inclusion of safe distance requirements and compliance with some or all of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001?
43.	Is the proposed NES-ENA the best vehicle to drive compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distance 34:2001? If not, what other mechanisms would be better?

## Allowing plan rules to be more stringent or lenient

The NESETA does not currently allow district or regional plan rules to be more stringent or lenient than the instrument itself.

The proposed NES-ENA allows district plan rules to be more lenient, but not more stringent, in relation to electricity distribution activities (and EV charging infrastructure) regulated by the NES-ENA. District plans would need to incorporate more lenient provisions using plan-making processes under Schedule 1 of the RMA. Leniency will help preserve existing rules that have been developed in collaboration with transmission and distribution providers, which are more enabling than the proposed NES-ENA.<sup>39</sup>

Questions	
44.	Should the NES-ENA allow plan rules to be more lenient for electricity distribution activities proposed to be regulated?
45.	Should the NES-ENA allow plan rules to be more stringent in relation to electricity distribution activities in specific environments? (eg, when located in a 'natural area').

---

<sup>38</sup> Worksafe. [Electrical Codes of Practice](#). Retrieved 28 April 2025.

<sup>39</sup> [Schedule 1](#) of the RMA provides for the preparation, change and review of policy statements and plans.

# Public EV charging infrastructure

## What problems does the proposal aim to address?

The current resource management system does not support the Government's target of 'supercharging EV infrastructure' by enabling the installation of 10,000 public EV charging points by 2030.

Although some councils have included specific EV charging provisions in their district plans, most have not, and there is no consistency in how plans consider EV charging infrastructure.

## What changes are proposed?

New permitted activity rules are proposed for district or unitary plans. These proposed rules cover the construction, maintenance and operation of EV charging infrastructure under specified circumstances and in specified locations, including:

- private charging at home or at work
- public charging in land transport corridors
- public charging as an ancillary activity
- public charging at standalone facilities.

## Definitions

The proposed definition of 'EV charging infrastructure' is the construction and operation of any buildings and structures, parking spaces, chargers and associated equipment used for the purposes of, and associated with, charging EVs.

## Providing national direction for EV charging infrastructure

The proposal is to include EV charging infrastructure standards in the NES-ENA, because it is the most appropriate national direction instrument that could include such rules, and because the rules can take effect immediately.

## Private charging at home or at work

Private facilities for charging EVs at home or at work typically have no or negligible adverse effects on the environment. The proposal makes private EV charging and the associated infrastructure a permitted activity. However, private EV charging infrastructure needs to comply with relevant zone rules for the construction of buildings and structures to maintain existing amenity controls (eg, setback to boundaries, height limits).

Questions	
46.	Do you support the proposed provisions to make private electric vehicle charging and associated infrastructure a permitted activity at home or at work?
47.	Have private or at work electric vehicle users been required to obtain a resource consent for the installation, maintenance and use of electric vehicle charging infrastructure?



## Public charging in land transport corridors

Land transport corridors<sup>40</sup> are a convenient location for EV charging infrastructure. Activities in land transport corridors also require the approval of road- or rail-controlling authorities.

The design of charging infrastructure in land transport corridors can vary widely, but the effects could be reasonably managed solely by the road- or rail-controlling authorities. This proposal is consistent with other activities in land transport corridors (eg, telecommunication facilities and lighting).

The proposed rule is for the construction, operation and maintenance of EV charging infrastructure to be a permitted activity, without any constraints on scale or other variables, if it is located in a land transport corridor.

### Question

- |     |  |
|-----|--|
| 48. | Should the construction, operation and maintenance of electric vehicle charging infrastructure be a permitted activity, if it is located in a land transport corridor? |
|-----|--|

## Ancillary EV charging

EV charging infrastructure is often ancillary to a primary activity (ie, at service stations and supermarket car parks) available for public use. The additional environmental effects of ancillary EV charging infrastructure are generally minor compared to the scale of the primary activity.

The proposal is to make ancillary EV charging a permitted activity, subject to compliance with limits on height and noise, and with earthworks standards.

A resource consent would be required, with a restricted discretionary activity status, for ancillary EV charging that cannot meet the permitted activity standards. This constrains the decision-making scope of the consent authority to matters of discretion.

### Question

- |     |  |
|-----|--|
| 49. | Should the construction, operation and maintenance of electric vehicle charging infrastructure become a permitted activity, if it is ancillary to the primary activity or outside residential areas? |
|-----|--|

## Standalone EV charging infrastructure facilities

Charging infrastructure can also be designed as a standalone facility so that EV charging is the primary use of the site. Standalone public EV charging infrastructure can be large scale and have a high traffic volume, compared with private, transport corridor or ancillary charging infrastructure. Standalone charging facilities can operate like a self-service petrol station, with relatively limited effects.

The proposal is to make standalone EV charging infrastructure facilities a permitted activity outside residential zones, 'natural areas', and places with historic heritage value – subject to compliance with limits on height and noise, and with earthworks standards.

---

<sup>40</sup> The land transport corridor includes the road or rail carriageway, and footpaths, berms or grassed areas on either side of the carriageway.

A resource consent would be required, for a restricted discretionary activity, for proposed standalone EV charging infrastructure:

- in residential areas and residential zones
- in 'natural areas' and places with historic heritage value
- that is part of a project that does not comply with the permitted activity standards.

#### Question

50. Do you support the proposed provisions for electric vehicle charging for all types of EVs, or are additional requirements needed for heavy vehicles such as large trucks, ferries or aircraft?

## What does the proposal mean for you?

Table 5 outlines the anticipated impacts of the NES-ENA proposal on various parties, with more detail available in the *Interim Regulatory Impact Statement: National Direction for electricity networks (updating NPSET 2008 and NES-ETA 2009)* on the Ministry for the Environment's website.

**Table 5: Overview of anticipated impacts of the proposed NES-ENA**

Party	Anticipated impacts
<b>Local authorities</b>	<p>Clearer and more consistent rules and standards to support operation, maintenance and upgrading of electricity network assets and EV charging infrastructure.</p> <p>Some transactional costs incurred to train staff to become familiar with the new rules and replace any conflicting existing plan rules as soon as practicable.</p>
<b>People and communities</b>	<p>Benefits from improved or maintained electricity supply while meeting increased demand, including reduced costs and greater reliability. Improved access to EV charging facilities.</p> <p>Possible local effects from maintenance, removal and/or relocating and upgrading of electricity network activities (eg, possible visual, vegetation, water quality and soil contamination impacts).</p> <p>National Grid Yard, Subdivision Corridor and distribution network protection rules may restrict what land owners can do on their land, but will also provide safety.</p>
<b>Applicants</b>	<p>Greater certainty that electricity network projects can go ahead or that a resource consent will be obtained. This would reduce costs for Transpower and electricity distribution businesses.</p> <p>Better protection of the electricity network, reducing costs.</p> <p>Operational costs incurred to allow applicants time to become familiar with the new requirements.</p>
<b>Māori groups</b>	<p>Similar benefits for Māori and non-Māori from improved or maintained electricity supply, including reliability and decreased costs of services. Improved access to EV charging facilities.</p> <p>National Grid Yard, Subdivision Corridor and distribution network protection rules may restrict what land owners can do on their land, but will also provide safety protection.</p>

## Consistency with the purpose of the RMA

The Minister Responsible for RMA Reform considers the proposals to be consistent with the purpose of the RMA because they:

- enable the use and development of natural and physical resources to develop, operate, protect, maintain and upgrade electricity transmission and distribution networks and EV charging facilities, while managing effects on the environment by providing clear and nationally consistent rules
- support people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety, by:
  - contributing to maintaining and increasing electricity transmission and distribution, and EV charging capacity, to improve electricity security and meet emissions reduction targets
  - providing additional protections for the National Grid
  - managing adverse effects of electricity network activities on the environment, by setting permitted activity conditions and defaulting activities to controlled status where conditions are not met, with matters of control retained to manage environmental effects.

## Treaty considerations

The NES-ENA proposals are designed to enable electricity network activities to meet increasing electricity demand, and to deliver affordable and reliable electricity through a secure supply. The Crown can protect Māori interests and support Māori development (ie, Māori enterprise) by ensuring Māori have access to affordable and reliable electricity.

Some adverse environmental impacts are associated with the permitted activity rules, but none are predicted to cause significant effects on the environment. The NES-ENA does not permit the construction of new transmission lines. Effects from necessary maintenance and upgrades of network are often unavoidable. This could impact Māori land, taonga or cultural sites near electricity networks. The permitted activity standards seek to avoid or mitigate environmental effects, and, where they cannot be met, the electricity network operator must obtain a resource consent.

Where electricity transmission lines are located on Māori land, the National Grid Corridor rules will restrict what Māori can do on their land.

We have not identified any significant impacts of the proposals on Treaty settlements or related arrangements.

Consultation will be necessary to test whether iwi, hapū and other Māori groups have concerns about the proposal or any perceived impacts on sites of significance to Māori, marae, Māori land, land returned under Treaty settlements or other matters of significance to Māori groups.

## Implementation

With the exception of stringency and leniency provisions, nothing in the proposal provides further direction on implementation other than existing direction in the RMA, which is described in [section 4](#) of this document.

# Part 2.5: National Environmental Standards for Telecommunication Facilities

## Context

Telecommunication networks are critical national infrastructure. They are essential for conducting business, operating other critical national infrastructure, and for delivering key services such as education, health, finance and government.

The [Resource Management \(National Environmental Standards for Telecommunication Facilities\) Regulations 2016 \(NES-TF\)](#) enable telecommunication providers<sup>41</sup> to install and operate a range of low-impact telecommunication facilities without a resource consent, provided they comply with relevant standards. The NES-TF first came into effect in 2008 and was most recently updated in 2016. The types of telecommunication facilities permitted by the NES-TF include installation and operation of antennas, cabinets, poles and customer connection lines (ie, fibre and copper cables).

District plan rules set other resource consent requirements for telecommunication facilities that fall outside the scope of the NES-TF. Where a district plan classifies a telecommunication activity as a permitted or controlled activity, but it is not permitted under NES-TF, the activity defaults to a controlled activity. A local authority can determine what type of consent is required, whether consultation is necessary, and can impose conditions on resource consents. For telecommunication facilities regulated by NES-TF (eg, poles in the road reserve), where a district plan classifies its construction as a permitted or controlled activity, but it is not permitted under the NES-TF, the activity defaults to a controlled activity.

District or regional plan rules guide the requirement for resource consents for:

- natural and/or special environments (such as biodiversity areas, notable trees and outstanding landscapes) covered by Subpart 5 of the NES-TF
- earthworks covered by Subpart 6 of the NES-TF.

---

<sup>41</sup> The term 'telecommunication provider' refers to a facility operator subject to the NES-TF. This includes a network operator (as defined in [section 5](#) of the Telecommunications Act 2001), the Crown or a Crown agent.

# What problems does the proposal aim to address?

## The NES-TF has not kept pace with changes in the built environment

Towns and cities in New Zealand are continuing to intensify to accommodate housing growth, leading to taller, more compact buildings.

Greater numbers of residential buildings exceed the height of telecommunication poles, which increases the likelihood of black spots and connectivity disruptions. To work around the NES-TF, providers must either build more, smaller poles to maintain coverage, pursue lease arrangements to place antennas on buildings, or obtain resource consents for telecommunications facilities that do not meet activity standards. The telecommunication sector has told the Government this situation is becoming uneconomic, expressing a need for changes to the permitted heights of telecommunication poles.

## The NES-TF is not keeping pace with changes in technology

Telecommunication infrastructure is advancing rapidly. Households and businesses want more modern telecommunication technology, with increasing expectations for network performance in terms of capacity, coverage, reliability and speed. However, several substantive ongoing network upgrades are not enabled by the NES-TF as follows.

- The roll-out of 5G mobile technology requires a larger, permitted, notional envelope for antennas, and larger cabinets, than those currently permitted by the NES-TF.
- The activity standards for cabinets do not provide enough space for new equipment, including back-up batteries for network resilience.
- No standards in the NES-TF support the construction and operation of renewable electricity generators. (These are often used for off-grid energy solutions in remote locations, or as back-up for network resilience.)
- Customer connection lines (ie, fibre broadband) to heritage buildings must be installed in accordance with historic heritage district plan rules. These rules vary between districts and are subject to different levels of restriction, which is costly and can be a barrier to fibre broadband access.

## The status quo is resulting in uncertainty and high costs for telecommunication providers

The current rules in the NES-TF are too restrictive and do not cover a range of low impact telecommunication facilities. Telecommunication providers have had to obtain resource consents to roll out or upgrade many low-impact telecommunication facilities on a site-by-site basis. This is resulting in significant costs and delays for rolling out or upgrading necessary telecommunication services. These inefficiencies may mean that telecommunication providers forgo or delay important investment in upgrading or expanding telecommunication networks.

### Question

- |     |  |
|-----|--|
| 51. | Do the proposed provisions sufficiently enable the roll-out or upgrade of telecommunication facilities to meet the connectivity needs of New Zealanders? |
|-----|--|

# What is the proposal?

The proposal is to amend the NES-TF by:

- updating the existing permitted activity standards relating to poles, headframes, cabinets and antennas
- expanding the scope of existing permitted activity standards (ie, permitting new poles in more zones and removing restrictions in the road reserve)
- enabling renewable electricity generators for telecommunication facilities
- enabling temporary telecommunication facilities
- enabling customer connection lines to heritage buildings
- making other minor technical updates to ensure the NES-TF is fit for purpose.

Subpart 5 of NES-TF, which states that rules in district and regional plans apply in certain environmentally significant areas, will largely be retained.

More detail on the proposed provisions is included in [attachment 1.5](#) of this document. No existing provisions of the NES-TF beyond those included in this proposal are open for public consultation.

## Scope and definitions

The amendments will expand the application of the NES-TF to recognise new activities and zones provided in the National Planning Standards.<sup>42</sup> The proposed NES-TF includes new definitions for ‘renewable energy generator’, which will align with changes proposed to the NPS-REG, and for ‘temporary telecommunication facility’.

## Updating permitted activity standards for pole heights, cabinets and antennas

The proposal is to amend the permitted activity standards for poles, cabinets and antennas and feedback on options for specific changes as summarised in table 6. Further detail on these proposed provisions is included in [attachment 1.5](#) of this document.

---

<sup>42</sup> Ministry for the Environment. 2019. [National Planning Standards](#). Wellington: Ministry for the Environment.

**Table 6: Options for proposed amendments to permitted activity standards**

Regulated activity	Proposed amendments
<p><b>Maximum pole heights</b></p> <p>The NES-TF links maximum pole heights to the height of existing pole infrastructure, (ie, the height of a cell tower is tied to the height of a streetlight pole, electricity pole or existing mobile tower in the area).</p>	<p><b>Option 1 (<i>preferred</i>)</b></p> <p>Specify the following height caps by zone:</p> <ul style="list-style-type: none"> <li>• 20 m in residential road reserve (see figure in <a href="#">attachment 1.5.1</a>), local centre and neighbourhood centre zones</li> <li>• 25 m in commercial, industrial and mixed-use zones, and in the road reserve for open space and special purpose zones (see figures 2 and 3 in <a href="#">attachment 1.5.1</a>)</li> <li>• 35 m in a rural zone (see figure 5 in <a href="#">attachment 1.5.1</a>).</li> </ul> <hr/> <p><b>Option 2</b></p> <p>Permit caps to be the higher of either those proposed in Option 1, or building zone height plus 5 m for poles in:</p> <ul style="list-style-type: none"> <li>• commercial zones (capped at 30 m)</li> <li>• industrial zones (no cap)</li> <li>• road reserves in residential zones (no cap).</li> </ul> <hr/> <p><b>Note:</b> Both options permit a further 5 m where two or more facility operators co-locate antennas on poles (excluding residential zones).</p>
<p><b>Limits on headframes on poles in the road reserve</b></p> <p>The NES-TF currently prevents the installation of headframes on new or existing poles in the road reserve.</p>	<p><b>Option 1 (<i>preferred</i>)</b></p> <p>Permit the installation of 1.6 m-wide headframes (excluding antennas) on poles in the road reserve in commercial, industrial, mixed-use and rural zones.</p> <hr/> <p><b>Option 2</b></p> <p>Permit the installation of:</p> <ul style="list-style-type: none"> <li>• 4.5 m-wide headframes on poles in the road reserve in commercial (excluding local centre or neighbourhood), industrial and rural zones (see figure 3 in <a href="#">attachment 1.5.1</a>)</li> <li>• 1.6 m wide headframes (excluding antennas) on poles in the road reserve in residential, local centre, neighbourhood centre and mixed-use zones where a pole is at least 15 m in height and this is to support co-location of multiple facility operators (see figure 4 in <a href="#">attachment 1.5.1</a>).</li> </ul> <hr/> <p><b>Note:</b> Both options retain existing provisions that enable existing headframes to be replaced up to existing width. There are also proposed changes to limits on headframes for poles outside of the road reserve in Regulation 33(6) of proposed provisions in <a href="#">attachment 1.5</a>)</p>
<p><b>Cabinets in the road reserve</b></p>	<ul style="list-style-type: none"> <li>• Increase permitted cabinet height in a residential zone to 2 m (from 1.8 m) and the footprint to 2 m<sup>2</sup> (from 1.4 m<sup>2</sup>).</li> <li>• Increase the permitted footprint of a group of cabinets to 3 m<sup>2</sup> (from 2 m<sup>2</sup>).</li> <li>• Decrease cabinet spacing to 10 m (from 30 m) and remove the minimum distance requirement where two or more facility operators are co-located.</li> </ul>
<p><b>Antennas</b></p>	<ul style="list-style-type: none"> <li>• Increase the permitted notional envelope of new panel antennas on poles (without a headframe) in the road reserve to 5 m (from 3.5 m) in length and 1.2 m (from 0.7 m) in diameter. For panel antennas on poles outside of the road reserve, increase to 1 m (from 0.7 m) in width.</li> <li>• Increase the permitted diameter for dish antennas on poles in the road reserve or outside the road reserve in a residential zone to 0.6 m (from 0.38 m). Increase the maximum diameter for dish antennas outside of the road reserve and not in a residential, local centre, neighbourhood or open space zone, to 2 m (from 1.2 m).</li> <li>• Amend definition of 'small cell unit', increasing its size from 0.11 m<sup>3</sup> to 0.33 m<sup>3</sup>.</li> </ul>



Regulated activity	Proposed amendments
Antennas on buildings	<b>Option 1 (<i>preferred</i>)</b> <ul style="list-style-type: none"> <li>Amend the height limit rules in the NES-TF to specify that limits for antennas on buildings in all zones only apply from the highest point of the building (not from the point an antenna is attached to a building).</li> <li>Increase height limit for antennas on buildings not in a residential zone to 10 m (from 5 m).</li> </ul>
	<b>Option 2</b> <ul style="list-style-type: none"> <li>Specify the maximum permitted height for the top of an antenna on a building is the building zone height plus 5 m.</li> <li>Reduce the height minimum to attach antennas to a building in a residential zone to 11 m (from 15 m) to enable antennas to be attached to three-storey buildings.</li> </ul>

## Expanding the limits on the location of new or replacement poles

The NES-TF has several limits on the location of new or replacement poles both in and outside the road reserve. In the road reserve, a replacement pole must be within 5 metres of the original pole it is replacing, and new poles must be within 100 metres of an existing pole. Outside the road reserve, a replacement pole must be within 5 metres of the original pole it is replacing, and new poles are only permitted in rural zones, with a 50-metre setback from any building used for residential or educational purposes.

Telecommunication providers have told the Government these rules are too restrictive and advised that they still rely heavily on district plan rules to deploy new and replacement infrastructure.

Several changes are proposed to the NES-TF to permit new poles in more areas. The proposal allows placement of new poles to be based on network design requirements and commercial feasibility, and not to be constrained by the location of existing infrastructure. The proposed amendments would:

- remove limitations on the location of new or replacement poles in the road reserve, so that new poles can be erected anywhere in the road reserve
- amend the 50-metre setback rule for new poles in a rural zone so they must be 50 metres from any building used for sensitive activities on a neighbouring property (this applies to poles both in the road reserve and outside of the road reserve)
- permit the installation of new poles outside the road reserve in commercial, industrial, local centre, mixed-use and neighbourhood centre zones. New poles in mixed-use, local centre and neighbourhood centre zones will include a height-in-relation-to-boundary setback of 4 metres and a 60-degree recession plane. In all other zones (ie, open space, residential and special purpose zones), replacement poles can be built 10 metres from the original pole.

New poles in these areas would still be subject to district or regional plan rules if they are in an environmentally significant area listed in Subpart 5 of the NES-TF, and may still require a resource consent.

## **Enabling renewable electricity generators for telecommunication facilities**

The NES-TF proposes to fill the gap in national standards for renewable electricity generators that power telecommunication facilities. The proposed changes include:

- permitting renewable and non-renewable electricity generators for an off-grid site as a back-up in rural zones
- activity performance standards requiring a generator or facility to be located a minimum of 50 metres away from buildings on adjacent properties used for sensitive activities
- proposed new standards for solar panels requiring the panel footprint to be less than 100 square metres
- a maximum permitted height of 25 metres for wind turbines.

## **Enabling customer connection lines to heritage buildings**

The proposal would make installation of a customer connection line (such as fibre optic broadband cables) to a heritage building or structure a permitted activity. To avoid damage to heritage buildings, permitted activity standards would require installers to make use of existing entry points, and ensure that a connection line would not be attached to a primary feature of the front façade of a heritage building or structure.

Non-compliance with permitted activity standards would mean the installations would be either a controlled activity or a restricted discretionary activity – the latter being the preferred option. Under either option, the activity status would limit consideration of resource consents to effects on historic heritage values and any other reasonable alternative installation solution.

## **Enabling temporary telecommunication facilities**

No standards in the existing NES-TF relate to temporary telecommunication facilities. These are important in emergency events and were critical during Cyclone Gabrielle in 2023. A new permitted activity is proposed for a temporary telecommunication facility for coverage or additional capacity.

The proposal is to amend the NES-TF to include time limits for temporary telecommunication facilities of:

- up to six months for emergencies and maintenance
- up to three months for events or short periods during high demand (ie, holiday periods at a campsite).

This change would also permit the installation and operation of temporary telecommunication facilities in natural and/or special environments protected under the NES-TF<sup>43</sup> in emergencies, if the protected areas are not damaged or altered. The maximum height of a temporary telecommunication facility is proposed to be 25 metres, with a maximum footprint of no more than 15 square metres (see figure 7 in [attachment 1.5.1](#)).

---

<sup>43</sup> For details of these areas, see [Subpart 5](#) of the NES-TF.

## Allowing plan rules to be more lenient

The proposed changes allow district plan rules to be more lenient than the standards in the NES-TF for temporary telecommunication facilities. This means district councils can use Schedule 1 plan-making processes<sup>44</sup> to incorporate longer timeframes for temporary telecommunication facilities than those outlined above.

Questions	
52.	Which option for proposed amendments to permitted activity standards for telecommunication facilities do you support?
53.	Do the proposed provisions appropriately manage any adverse effects (such as environmental, visual or cultural effects)?
54.	Do the proposed provisions place adequate limits on the size of telecommunication facilities in different zones?
55.	Should a more permissive approach be taken to enabling telecommunication facilities to be inside rather than outside the road reserve?
56.	Do you support the installation and operation of fewer larger telecommunication facilities to support co-location of multiple facility operators?

## What does the proposal mean for you?

Table 7 outlines the anticipated impacts of the NES-TF proposal on various parties, with more detail available in the *Interim Regulatory Impact Statement: Amendments to the National Environmental Standards for Telecommunication Facilities 2016* on the Ministry for the Environment's website.

**Table 7: Overview of anticipated impacts of proposed amendments to the NES-TF**

Party	Anticipated impacts
<b>Local authorities</b>	<p>Clearer and more consistent rules to reduce consenting volumes without the need for a plan change.</p> <p>Some transactional costs incurred to train staff to become familiar with new requirements.</p>
<b>People and communities</b>	<p>The proposed amendments would support faster and more cost-effective new or upgraded telecommunication facilities (eg, 5G services, battery upgrades), which would improve the performance and resilience of the telecommunication network that New Zealanders rely on.</p> <p>Reduced compliance costs could result in these costs not being passed onto consumers through price increases.</p> <p>Possible changes to local amenity values for communities due to the visual impact of larger telecommunication facilities permitted in more locations.</p>
<b>Applicants</b>	<p>A more streamlined process through NES-TF for new or upgraded telecommunication facilities is expected to significantly reduce ongoing consenting and planning costs for telecommunication providers.</p> <p>Some costs to providers to review and engage on NES-TF changes (including in consultation), and to learn the new policies and rules.</p>

<sup>44</sup> [Schedule 1](#) of the RMA provides for the preparation, change and review of policy statements and plans.

Party	Anticipated impacts
Māori groups	<p>Similar connectivity benefits for Māori and non-Māori.</p> <p>A wider range of activities permitted, so temporary telecommunication infrastructure may be installed in areas that have cultural significance to Māori. This includes new standards permitting installation of customer connection lines (ie, fibre) to heritage buildings, including marae, and installation of temporary telecommunication facilities in an emergency. Existing site protections under a district plan would still apply outside a state of emergency.</p> <p>Including new permitted activities in the NES-TF removes the ability for councils to notify consents to engage with iwi/hapū. However, facilities proposed to be permitted are low impact, substantially retain any district plan protections for sites of cultural significance/wāhi tapu or archaeological sites, and include measures to avoid or mitigate adverse effects.</p>

## Consistency with the purpose of the RMA

The Minister Responsible for RMA Reform considers the proposals to be consistent with the purpose of the RMA because they:

- provide consistent rules to develop, operate, protect and upgrade telecommunication networks which is critical national infrastructure that supports the social, economic and cultural wellbeing of people and communities, and is crucial for public health and safety as it enables people to contact emergency services.
- support meeting the telecommunication needs of present and future generations by enabling newer technologies to be installed as permitted activities (where standards to manage environmental effects are met) which will improve coverage to rural areas and speed and connectivity nationwide.

## Treaty considerations

The proposed changes to the NES-TF are designed to enable telecommunication facilities to meet increasing demand, and to deliver affordable and reliable mobile and internet coverage and connectivity. The Crown can protect Māori interests and support Māori development (ie, Māori enterprise) by ensuring Māori have access to affordable and reliable telecommunications.

Although substantial changes are proposed to the NES-TF, it will retain existing settings for Māori engagement when rolling out or upgrading telecommunication infrastructure in areas of cultural significance to Māori. For this reason, the amended NES-TF will continue to be Treaty compliant.

We have not identified any significant impacts of the proposals on Treaty settlements or related arrangements.

Consultation will be necessary to test whether iwi, hapū and other Māori groups have concerns about the proposal, or any perceived impacts on sites of significance to Māori, marae, Māori land, land returned under Treaty settlements or other matters of significance to Māori groups.

# Implementation

General material on implementation supporting this proposal, including the statutory requirements, is provided in [section 4](#) of this document.

Specific to the proposed changes to the NES-TF, following consultation and final decisions from the Government on changes, the updated NES-TF would take effect 28 days after it is gazetted.

# Section 3: Development

## Part 3.1: National Environmental Standards for Granny Flats (Minor Residential Units)

### Context

The Government has committed to amend the Building Act 2004 and the resource consent system to make it easier to build granny flats<sup>45</sup> or other small structures up to 60 square metres, requiring only an engineer's report.

The Government invited submissions on changing the rules around building granny flats from 17 June to 12 August 2024 through a discussion document.<sup>46</sup> Almost 2,000 submissions<sup>47</sup> were received on the discussion document, which proposed the following actions:

- develop new national environmental standards under the RMA to enable a 'minor residential unit' up to 60 square metres to be built without the need for a resource consent, subject to specified permitted activity standards
- add a new schedule to the Building Act 2004 to provide a building consent exemption for granny flats up to 60 square metres, subject to a set of conditions, and make associated changes to the Local Government Act 2002 (referred to collectively as 'the building consent exemption changes').

The Government has decided to proceed with preparing National Environmental Standards for Granny Flats (Minor Residential Units) (NES-GF) under the RMA. The proposal has been updated based on feedback received through the 2024 discussion document, and to align with changes to the proposals under the Building Act 2004.

This updated proposed NES-GF differs from the proposal outlined in the 2024 discussion document in that it proposes a maximum internal floor area of 70 square metres (increased from 60 square metres) for granny flats that are permitted activities. It also proposes changes to several permitted activity standards. More detail on the proposed provisions is included in [attachment 1.6](#) of this document.

---

<sup>45</sup> Granny flats are known as 'minor residential units' in the resource management system.

<sup>46</sup> Ministry of Business, Innovation & Employment and Ministry for the Environment. 2024. [Making it easier to build granny flats. Discussion document](#). Wellington: Ministry of Business, Innovation & Employment.

<sup>47</sup> Ministry of Business, Innovation & Employment and Ministry for the Environment. 2024. [Making it easier to build granny flats. Summary of submissions](#). Wellington: Ministry of Business, Innovation & Employment.

Submissions are invited on the updated proposed NES-GF. These will be considered alongside submissions received on the 2024 discussion document, in preparing a report on this new national direction instrument.<sup>48</sup>

This consultation only relates to the NES-GF proposal.<sup>49</sup> The Government has already made final policy decisions on the building consent exemption changes, which is following a separate process.<sup>50</sup>

## What problems does the proposal aim to address?

### Housing affordability is a key issue in New Zealand

New Zealand has some of the least affordable housing in the world,<sup>51</sup> and home ownership dropped from 74 per cent in the 1990s to 65 per cent in 2018.<sup>52</sup> High housing costs have a greater impact on retirees on fixed incomes, Māori, Pacific people, and people with disabilities.

### There is increasing demand and a lack of supply of small houses

Poor alignment between household size and number of bedrooms in existing dwellings suggests an undersupply of one- to two-bedroom homes for smaller households. The 2018 Census recorded that just under twenty per cent of houses in New Zealand had two bedrooms, and six per cent had one bedroom – but over half the recorded households had one or two people.<sup>53</sup> Demand in the future is likely to increase, due to demographic changes such as:<sup>54</sup>

- more single parent families
- people having fewer children
- an ageing population.

Data collected in December 2024 show 49 per cent of applications in the public housing register require one bedroom.<sup>55</sup>

---

<sup>48</sup> Provided to the Minister under [section 46A\(1\)–\(3\)](#) of the RMA.

<sup>49</sup> For further information, see Ministry of Business, Innovation & Employment. [Making it easier to build granny flats \(2024\)](#). Retrieved 28 April 2025.

<sup>50</sup> Hon Chris Bishop, Hon Chris Penk, Hon Shane Jones. 5 April 2024. [Super-sized granny flats coming to backyards](#) Retrieved 14 May 2025.

<sup>51</sup> OECD. 2020. *How's Life? 2020: Measuring Well-being*. Paris: OECD Publishing. Table 1.1, p 23.

<sup>52</sup> Stats NZ. 2020. [Housing in Aotearoa](#). Wellington: Stats NZ.

<sup>53</sup> Stats NZ. 2018. Census data.

<sup>54</sup> Stats NZ. 2018. Census data.

<sup>55</sup> Ministry of Social Development. December 2024. [Monthly Housing Report](#). Factsheet. Wellington: Ministry of Social Development. p 2.



# Regulatory barriers increase the time and cost to build new houses

Housing has become more difficult and expensive to build in New Zealand. The cost of building a house has increased around 41 per cent since 2019.<sup>56</sup> Regulatory compliance costs for consenting and building are part of what drives housing costs. If a small house requires a resource consent, this costs around \$1,500.<sup>57</sup> This may be small in proportion to the overall financial cost of building a minor residential dwelling, but the average time taken to process land-use consents has steadily increased. Resource consent processing time in 2022/23 was more than double the regulated 20 days.<sup>58</sup> Removing the time and cost barriers to consents would likely lead to more construction of this type of housing, helping to address the current unmet demand.

## Inconsistent approach to regulating granny flats

Some district plans currently enable granny flats, but there is inconsistency in how enabling these provisions are across the country. Not all councils enable granny flats, some councils only enable granny flats in either residential or rural zones, and the relevant standards vary.

## What is the proposal?

A new NES-GF is proposed to support the development of granny flats (minor residential units) in identified areas. More detail on the proposed provisions is included in [attachment 1.6](#) of this document.

The proposed NES-GF is intended to enable one small, detached, self-contained, single-storey house (minor residential unit) per site for residential use as a permitted activity (ie, no resource consent required). The proposed NES-GF uses the definition for ‘minor residential unit’ in the National Planning Standards.<sup>59</sup> The proposal is for the NES-GF to apply in residential, rural, mixed-use and Māori-purpose zones, where specified permitted activity standards are met.

Question	
57.	Are the proposed provisions in the NES-GF the best way to make it easier to build granny flats (minor residential units) in the resource management system?

<sup>56</sup> The 41.3% represents the cumulative increase since the fourth quarter of 2019. This mostly occurred in 2021 and 2022.

<sup>57</sup> National monitoring system 2021/22 consent data for minor residential units. Ministry for the Environment. [National monitoring system](#). Retrieved 28 April 2025.

<sup>58</sup> Ministry for the Environment. 2024. *Patterns in Resource Management Act Implementation – National Monitoring System data from 2014/15 to 2022/23*. Figure 10, p 15.

<sup>59</sup> Defined as “a self-contained residential unit that is ancillary to the principal residential unit, and is held in common ownership with the principal residential unit on the same site”. Ministry for the Environment. 2019. *National Planning Standards*. Wellington: Ministry for the Environment. p 60.

## Specified permitted activities will enable granny flats in particular areas

The proposed permitted activity standards for granny flats are:

- a maximum 70-square metre internal floor area
- one minor residential unit per site in common ownership with the principal residential unit on the same site
- 50 per cent maximum building coverage in residential zones, mixed-use zones and Māori purpose zones (with no maximum coverage in rural zones)
- minimum front and side boundary setbacks of 2 metres in residential zones
- minimum front boundary setbacks of 10 metres, and side and rear boundaries of 5 metres, in rural zones
- 2-metre setbacks from the principal residential unit.

### Question

- |     |   |
|-----|---|
| 58. | Do you support the proposed permitted activity standards for minor residential units? |
|-----|---|

## Leniency of rules

Some district plans already have rules relating to minor residential units that are more enabling than the standards proposed in the NES-GF. In addition, councils that have implemented the medium-density residential standards may have more lenient rules and standards – for example, relating to setbacks. The proposal is that district plan standards can be more lenient than those in the NES-GF.<sup>60</sup> This would ensure the proposed NES-GF does not restrict the level of development already enabled in some areas by district and unitary plans.

Although district plans may have more lenient standards for minor residential units, a building consent may still be required if relevant conditions under the Building Act 2004 are not met.

### Questions

- |     |  |
|-----|--|
| 59. | Do you support district plans being able to have more lenient standards for minor residential units?             |
| 60. | Should the proposed NES-GF align, where appropriate, with the complementary building consent exemption proposal? |

## Limiting matters district plan rules can address when considering granny flats

The proposed NES-GF includes a list of matters relating to minor residential units that local authorities cannot set rules for in district or unitary plans. This list details standards to ensure the uptake of granny flats is not unduly limited, namely:

- individual outdoor space
- glazing, privacy or sunlight access
- parking and access.

---

<sup>60</sup> As provided in [section 43B\(3\)](#) of the RMA.

Question	
61.	Do you support the proposed list of matters that local authorities may not regulate in relation to minor residential units? Should any additional matters be included?

The proposal is that existing district plan rules apply where a development does not meet one or more of the specified permitted activity standards in the NES-GF (ie, where a granny flat is no longer a permitted activity under the NES-GF).

Question	
62.	Do you support existing district plan rules applying when one or more of the proposed permitted activity standards are not met?

## Defined and limited scope of application for the NES-GF

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

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

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

Question	
63.	Do you support the list of matters that are out of scope of the proposed NES-GF? Should any additional matters be included?

## What does this proposal mean for you?

Table 8 outlines the anticipated impacts of the NES-GF proposal on various parties, with more detail available in the [Interim Regulatory Impact Statement: National Environmental Standards for minor residential units \(granny flats\)](#) on the Ministry for the Environment's website.

**Table 8: Overview of anticipated impacts of the proposed NES-GF**

Party	Anticipated impacts
<b>Local authorities</b>	Replaced or introduced district plan rules permitting granny flats (minor residential units) that meet the permitted activity standards in the NES-GF, without the need for a Schedule 1 plan change. <sup>61</sup>
<b>Applicants</b>	Applicants enabled to build a minor residential unit without a resource consent if it meets certain permitted activity standards, reducing costs and time for development.

<sup>61</sup> [Schedule 1](#) of the RMA provides for the preparation, change and review of policy statements and plans.

Party	Anticipated impacts
People and communities	Neighbours and other parties unable to object to any proposals for any minor residential unit development that meets certain permitted activity standards. This may not be a significant change to the status quo, depending how district plan rules provide for third-party objections and submissions.
Māori groups	<p>Māori groups enabled to build a minor residential unit without a resource consent if it meets certain permitted activity standards and is held in common ownership with the principal dwelling on the site.</p> <p>Māori groups, and other parties, unable to object to proposals for any minor residential unit development that meets permitted activity standards. May not be a significant change to the status quo, depending how district plan rules provide for third-party objections and submissions.</p> <p>May go some way to addressing the regulatory and consenting challenges for developing on Māori land, and for papakāinga and kaumātua housing, where the circumstances of this proposal apply.</p> <p>A separate NES for papakāinga is proposed to provide a more targeted policy response to support Māori housing outcomes and address the broader challenges to building on and development of Māori land.</p>

## Consistency with the purpose of the RMA

The Minister Responsible for RMA Reform considers the proposals to be consistent with the purpose of the RMA because they:

- ensure the use, development and protection of natural and physical resources as the following matters are out of scope of the proposed NES-GF and would continue to be managed by existing provisions in district and regional plans:
  - subdivision
  - earthworks
  - matters of national importance under section 6 of the RMA (eg, management of risks from natural hazards)
  - specific use of the minor residential unit (other than for residential activities)
  - regional plan rules
  - papakāinga
  - setbacks from transmission lines, railway lines and the National Grid Yard

(note: a resource consent may still be required for these matters, to ensure effects are appropriately managed)
- provide for the social, economic and cultural wellbeing of people and communities, and their health and safety, by:
  - increasing housing supply and housing choice (The proposed NES-GF will remove resource consent requirements for minor residential units and provide consistent permitted activity standards and allow local authorities to provide for more enabling standards to support housing supply and housing choice.)
  - providing clarity where existing RMA plan provisions apply
  - supporting intergenerational living and ageing in place

- ensure development has no more than minor adverse effects on the environment, where permitted activity standards are met. This would ensure effects would be similar to what could occur resulting from a permitted single dwelling on the site.

## Treaty considerations

Māori who want to develop housing face issues of cost and time to consent small, simple houses. The proposed NES-GF may help address the regulatory and consenting challenges for developing on Māori land,<sup>62</sup> and for papakāinga<sup>63</sup> and kaumātua housing,<sup>64</sup> where this NES applies. This proposal therefore has the potential in these circumstances to:

- make it easier for Māori land trusts, whānau and other Māori groups to build affordable housing at a reduced cost, and support intergenerational living
- increase housing stock likely to be taken up by Māori renters.

This proposal is not designed to address the broader challenges related to building papakāinga and other Māori housing (including on Māori land). This means the application of this policy to these matters has some limitations. For example, the proposals may not always fit with the characteristics of collectively owned Māori land (eg, where the minor residential unit may not necessarily be held in common ownership with the principal unit). For this reason, a targeted national environmental standard is proposed to enable papakāinga (discussed below in [Part 3.2: National Environmental Standards for Papakāinga](#)).

The overall impact of the proposed NES-GF on Treaty settlements is likely 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.

Some impact may result because the proposed NES-GF can override district plan rules and mechanisms that notify PSGEs through resource consent processes. However, minor residential units are unlikely to have any significant impact, because:

- granny flats are unlikely to be built on areas of cultural or historical significance, since they require an existing primary dwelling to be exempt from resource consent processes.

Section 6 of the RMA is out of scope of the proposed NES-GF, and will continue to be regulated by councils.

Consultation is necessary to test whether iwi, hapū and other Māori groups have concerns about the proposal or any perceived impacts on sites of significance to Māori, marae, Māori land, land returned under Treaty settlements or other matters of significance to Māori groups.

---

<sup>62</sup> Includes Māori customary land and Māori freehold land (as defined by Te Ture Whenua Māori Act 1993).

<sup>63</sup> Can be described as communal settlements on ancestral Māori land.

<sup>64</sup> Housing specifically provided for kaumātua (elders).

# Implementation

General material on implementation supporting the proposed NES-GF, including the statutory requirements, is provided in [section 4](#) of this document. Specific implementation provisions proposed for these national environmental standards are:

- the NES-GF proposes that district plans can include more lenient permitted activity standards
- home owners wishing to build a granny flat on their property will need to check the NES-GF or the relevant district plan (if relying on more lenient rules) to see whether a proposed granny flat:
  - will meet the standards in the NES-GF
  - will meet more enabling standards in the district plan, or
  - requires them to apply for a resource consent.

# Part 3.2: National Environmental Standards for Papakāinga

## Context

In recent years, many whānau Māori have become interested in returning to live on ancestral land in papakāinga. ‘Papakāinga’ can be defined in many ways but is usually understood to refer to a communal settlement on ancestral land.

Planning rules do not always reflect the needs of Māori land owners who want to develop multiple dwellings and perhaps some non-residential activities on communal land. This is especially true in rural zones where plans often permit only one home per lot. Specific planning provisions are needed to enable papakāinga and provide opportunities to live on ancestral land.

## What problems does the proposal aim to address?

Provision for the development of papakāinga in district plans is variable, if it exists at all. This restricts the ability of many whānau, trusts and incorporations to develop papakāinga on their land, and misses opportunities to:

- increase the supply of affordable housing
- enable the development of whenua Māori
- support positive social and economic outcomes.

The relationship between Māori and their culture and traditions that involve ancestral lands, water, sites, wāhi tapu and other taonga is a matter of national importance under section 6 of the RMA. The inconsistent provision for papakāinga in district and unitary plans is preventing Māori land owners from using their land to house their whānau, exercise autonomy over their whenua and build wealth.

## What is the proposal?

The proposal is for new National Environmental Standards for Papakāinga (NES-P). An overview of this proposal is outlined below, and more detailed proposed provisions are available in [attachment 1.7](#) of this document.

## Permitted papakāinga development

The proposed NES-P is intended to enable papakāinga by providing a nationally consistent planning framework. The proposal permits a limited scale of papakāinga development (up to 10 homes) on certain types of land in rural zones, residential zones and Māori-purpose zones. The proposed NES-P includes some rules to protect the environment and health and safety of residents, so a consent required under a regional plan might still be required.

The permitted activity status would apply on categories including, but not limited to:

- Māori freehold land
- Māori customary land
- Māori reservations and reserves
- former land that was compulsorily converted under the Māori Affairs Amendment Act 1967
- returned land taken for public works.

Broadly speaking, these are land categories where the owners have an ancestral connection to the land, and where the land has remained in the ownership of the original owners and their descendants.

Certain non-residential activities ancillary to the residential activities of the papakāinga are proposed to be permitted, including:

- commercial activities (of up to 100 square metres) and conservation activities
- visitor accommodation for up to eight guests (this limit would not apply to manuhiri staying on a marae, as no change to marae activities is proposed)
- educational and health facilities
- sports and recreation activities
- marae, urupā and māra kai.

#### Questions

64.	Do you support the proposal to permit papakāinga (subject to various conditions) on the types of land described above?
65.	What additional non-residential activities to support papakāinga should be enabled through the NES-P?

## Proposed permitted activity standards

Papakāinga enabled by the proposed NES-P will be a permitted activity, subject to the following permitted activity standards:

- building coverage to be a maximum of 50 per cent of the site
- in residential zones, minimum setback of 1.5 metres from front boundaries and 1 metre from all other boundaries
- in rural zones, minimum front and side setbacks of 3 metres
- in Māori-purpose zones, minimum front and side setbacks will be the same as the underlying zone.

The proposal is for certain rules and standards in the underlying zone to continue to apply, to maintain protection for the natural environment and for the health and safety of people and communities. Existing rules and standards in district, regional and unitary plans not affected by this proposal include setbacks from waterways and rail corridors, building height, earthworks, permeable surfaces, lighting, noise, accessways, wastewater, water supply, natural hazards, relocatable buildings and green infrastructure.



Questions	
66.	What additional permitted activity standards for papakāinga should be included?
67.	Which, if any, rules from the underlying zone should apply to papakāinga developments?

## Proposed restricted discretionary activities

The proposal is for a resource consent process for a restricted discretionary activity to apply to other, smaller-scale papakāinga that do not meet all the permitted activity standards, have between 11 and 30 residential units or that are proposed to be located on Treaty settlement land.

Questions	
68.	Should local authorities have restricted discretion over papakāinga on Treaty settlement land (ie, should local authorities only be able to make decisions based on the matters specified in the proposed rule)?
69.	What alternative approaches might help ensure that rules to enable papakāinga on general land are not misused (for private/commercial use or sale)?
70.	Should the NES-P specify that the land containing papakāinga on general land cannot be subdivided in future?

## Larger papakāinga developments

The proposal is that a resource consent process for a discretionary activity will apply to larger-scale papakāinga developments of more than 30 residential units.

Where the papakāinga development is on Treaty settlement land, the proposed NES-P requires applicants to demonstrate that the land will remain in Māori ownership in the long term. This is due to fewer restrictions applying to subsequent subdivision and sale of this land for housing, compared with the other land categories described above.

## Leniency of rules

The proposal is that district plan rules for papakāinga can be more lenient than the NES-P.<sup>65</sup> This would give local authorities the flexibility to work with mana whenua to develop bespoke papakāinga provisions if they wish, or to retain existing rules that are more enabling than the NES-P.

## What does the proposal mean for you?

Table 9 outlines the anticipated impacts of the NES-P proposal on various parties, with more detail available in the [Interim Regulatory Impact Statement: Enabling papakāinga in Resource Management](#) on the Ministry for the Environment's website.

<sup>65</sup> As provided in [section 43B\(3\)](#) of the RMA.

**Table 9: Overview of anticipated impacts of the proposed NES-P**

Party	Anticipated impacts
<b>Local authorities</b>	<p>For local authorities with more restrictive district plan rules for papakāinga than the proposed NES-P, consents would no longer be required for papakāinga that meet activity conditions and performance standards, leading to cost and time savings.</p> <p>Where existing district plan rules for papakāinga are more lenient than the NES-P, those district rules continue to apply and consent requirements would be unchanged.</p> <p>For local authorities without enabling rules for papakāinga, it may reduce the need for resource consents for smaller-scale papakāinga where rules in the underlying zone do not permit papakāinga. This may lead to cost and time savings in plan-making and consent processing.</p>
<b>Māori groups/applicants</b>	<p>Māori land owners enabled to develop papakāinga of up to 10 homes on certain types of Māori land, together with ancillary non-residential activities, without a resource consent (subject to certain conditions and performance standards).</p> <p>Enabled to develop, as restricted discretionary or discretionary activity:</p> <ul style="list-style-type: none"> <li>larger-scale papakāinga or those that do not meet all the performance standards</li> <li>developments on Treaty settlement land.</li> </ul> <p>These activities to be subject to a consent process, with limited council discretion to ensure consenting decisions align with the purpose of the NES-P: to enable papakāinga while protecting the environment.</p> <p>Reduced cost and time for development.</p> <p>Development enabled on sites where papakāinga may previously have been non-complying.</p>
<b>People and communities</b>	<p>Papakāinga housing enabled on certain types of Māori land and Treaty settlement land, including on sites where this may not have previously been allowed.</p> <p>No notification required for papakāinga of up to 10 homes that comply with the relevant performance standards. Limited notification required for developments of between 10 and 30 homes.</p>

## Consistency with the purpose of the RMA

The Minister Responsible for RMA Reform considers the proposals to be consistent with the purpose of the RMA because they:

- support people and communities to provide for their social, economic and cultural wellbeing by providing consistent rules enabling Māori land owners to use their land to develop and live in papakāinga communities
- provide consistent rules for papakāinga development that support the health and safety of Māori land owners while maintaining protection of land and the natural environment.

## Treaty considerations

By reducing or removing consent processes, the proposed NES-P would facilitate the development of housing on Māori land. This would support Māori land owners to exercise mana or authority over their land and kāinga (consistent with Article 2 of the Treaty of Waitangi / Te Tiriti o Waitangi) and contribute to addressing inequities in housing outcomes (consistent with Article 3).

We do not consider any Crown commitments to iwi in Treaty settlements will be directly affected by the proposed NES-P.

The proposed NES-P will have immediate enabling effect nationally. However, achieving this immediacy and certainty involves a trade-off, in that the new NES-P would:

- override more stringent or restrictive existing local papakāinga provisions (which may have been developed in consultation with tangata whenua)
- limit the scope of future district plan provisions (as only district plan rules that are more lenient or enabling than the NES-P would be allowed)
- reduce the likelihood that iwi will be informed about small papakāinga developments.

We have undertaken targeted engagement on this trade-off, receiving mixed feedback. Some whenua owners said they would prefer certainty and noted that, in practice, iwi and hapū have limited influence on district plan rules. Other iwi indicated that the ability to influence the rules in their tribal area is very important.

Consultation will be necessary to test whether iwi, hapū and other Māori groups have concerns about the proposal or any perceived impacts on sites of significance to Māori, marae, Māori land, land returned under Treaty settlements or other matters of significance to Māori groups.

## Implementation

With the exception of leniency provisions, nothing in the proposal provides further direction on implementation other than existing direction in the RMA, which is described in [section 4](#) of this document.

The proposed NES-P enables existing district plans to retain rules that are more lenient (or to include new such rules through a Schedule 1 plan-making process).<sup>66</sup> If a local authority decides to change its plans to be more lenient than the NES-P, Schedule 1 of the RMA requires councils to consult tangata whenua as part of any such plan-change process.

---

<sup>66</sup> [Schedule 1](#) of the RMA provides for the preparation, change and review of policy statements and plans.

# Part 3.3: National Policy Statement for Natural Hazards

## Context

New Zealand is located on the boundary of the Pacific and Australian tectonic plates and has numerous fault lines, as well as volcanic and geothermal activity. It has a small landmass, a large coastline and experiences strong winds. These features mean that New Zealand is exposed to a wide range of natural hazards including earthquakes, volcanoes, erosion, landslides, floods, tsunami and extreme weather events. Climate change is increasing the severity and frequency of some natural hazards, including flooding, heatwaves, drought, wildfire, sea-level rise and coastal inundation.

The resource management system, governed by the RMA, determines where and how new development occurs. This makes the RMA the key tool for ensuring either that development is directed away from areas where natural hazard risk is unacceptable or that risk is mitigated to acceptable levels. The RMA currently requires that the management of significant risks from natural hazards is recognised and provided for, as a matter of national importance.<sup>67</sup>

Although the RMA requires local authorities to manage significant risk from natural hazards when making plans and assessing resource consent applications, it does not provide a process to follow. No national direction on natural hazard risk exists, apart from some non-statutory guidance documents and some natural hazard provisions in the New Zealand Coastal Policy Statement (NZCPS) relating to the coastal environment and coastal marine area.

## What problems does the proposal aim to address?

The resource management system is not being used effectively to manage natural hazard risk, as established through numerous national reviews and investigations, as well as through feedback from insurers, councils and practitioners. New Zealand communities – including the places people live, their property and supporting infrastructure – have been developed in areas at risk from natural hazards, without appropriate measures being taken to reduce that risk.

Many natural hazard risks, such as flooding, are expected to be exacerbated by climate change, and some communities already face these increasing risks. The RMA is not designed to support climate adaptation for existing homes and other structures, but it can be used to ensure that anything built from now on is resilient.

Resilient new development will limit the future costs (in terms of loss of life, social and economic disruption and property damage) of natural hazard events. This was demonstrated during the severe weather events across New Zealand in 2023, in which development in areas exposed to natural hazard risk resulted in severe damage to life, property and wellbeing, accompanied by high recovery costs.

---

<sup>67</sup> Under [section 6\(h\)](#) of the RMA.

New Zealand is a growing country. Inappropriately risk-averse approaches to natural hazards may prevent much-needed new development even though it could be designed or located so as to withstand natural hazards. Targeted feedback from developers has revealed concerns that some local authorities have been too risk averse, inappropriately restricting development to avoid risk from natural hazards.

Part of the problem is that the RMA does not provide guidance on the requirement for local authorities to consider natural hazard risk when developing plans or when making resource consent decisions. Further, the RMA does not define the term 'significant risk'.

Consequently, local authorities have developed their own approaches to identifying, assessing and managing natural hazard risk, leading to variability in natural hazard provisions in their RMA planning documents. Such inefficiency and inconsistency also means that, in some areas, land-use or other use decisions may allow risky development or prevent appropriate development. The result is uncertainty for communities and developers about what to expect for natural hazard risk management in different areas.

Implementing effective planning provisions and making consent decisions that respond to or address natural hazard risk can create legal and practical challenges, including:

- obstacles to gathering and applying hazard and risk information
- funding constraints
- the risk of legal challenge from property owners or developers when local authorities try to introduce or implement natural hazard-related provisions.

## What is the proposal?

To address the challenges outlined above, the Government proposes a new National Policy Statement for Natural Hazards (NPS-NH). The proposed NPS-NH is a first step towards more comprehensive national direction for natural hazards in the future.

The proposed NPS-NH directs local authorities to take a risk-based approach to new development – that is, assessing a specific development for risk from a specific natural hazard. The risk associated with some development (such as childcare facilities or aged care facilities) would be greater than with others (such as an unoccupied storage facility). Although the proposed NPS-NH does not tell local authorities how to respond to a specific level of risk, it does tell them to proportionately manage natural hazard risk. This means high-risk activities should be limited, and low-risk activities should be enabled.

The proposed NPS-NH also requires that, in deciding resource consent applications, consent authorities must consider risk-reduction measures (such as raising floor levels, installing retaining walls or using landscape features such as swales to divert flood waters). Getting the right kind of development in the right place maximises development, while reducing disaster losses from inappropriate new development in the long term.

Many local authorities have limited consideration of natural hazard risk in their planning documents. Although some local authorities already use a risk-based approach, there is no clear national direction on how this should be done. Providing this direction will support the resource management system to improve the ability of local authorities to manage natural hazard risk.

The key elements of the proposed NPS-NH are that local authorities must:

- take a risk-based approach to natural hazard risk, including the introduction of a risk matrix that will define significant risk
- take a proportionate approach to natural hazard risk
- use best available information in assessing natural hazard risk.

The proposed requirement to use the best available information recognises the dynamic nature of natural hazard data and information, leading local authorities to make progress in natural hazard management.

More detail on the proposed provisions for the NPS-NH is included in [attachment 1.8](#) of this document. Guidance will be provided to support the implementation of the NPS-NH.

For coastal environments, new policy introduced would sit alongside the NZCPS, with the NZCPS prevailing where there is any conflict between policies.

The proposed NPS-NH is intended to complement the forthcoming national adaptation framework, which aims to establish an enduring, long-term approach to climate change adaptation in New Zealand. The proposal aims to improve the management of natural hazard risk. It will support decision-makers to avoid inappropriate use and subdivision in risky locations, thereby limiting the increase of people and property exposed to hazards and so limiting costs to New Zealand.

The proposed NPS-NH will have immediate influence on resource consent decision-making and plan changes, including private plan changes. No date is given as to when local authorities must comprehensively give effect to this new instrument in their existing district or regional plans. This deliberate omission is so local authorities do not feel obliged to make plan changes ahead of reforms to replace the RMA at the end of 2025.

## **Scope of the proposed NPS-NH and definitions**

The proposed NPS-NH applies to new subdivision, new use and new development in all environments and zones, including coastal environments. 'New development' is proposed to include either development of new buildings or structures on land that does not already have buildings or structures on it, or the extension or replacement of existing buildings and structures.

The proposed NPS-NH applies only to seven hazards: flooding, landslips, coastal erosion, coastal inundation, active faults, liquefaction and tsunamis. However, the proposal does not intend to limit the management of other natural hazards through land-use and other use planning. It does not prevent local authorities from having policy on other natural hazards, activities or the environment.

The proposal is that the NPS-NH will not apply to infrastructure, as defined in the RMA, and 'primary production', as defined in the National Planning Standards.<sup>68</sup> The proposed NPS-NH is a foundational tool that will be built on, so management of the risk of natural hazards to infrastructure and primary production activities is not a priority. Application of the national direction to a wider scope of activities can be revisited in future policy work.

Questions	
71.	Should the proposed NPS-NH apply to the seven hazards identified and allow local authorities to manage other natural hazard risks?
72.	Should the NPS-NH apply to all new subdivision, land use and development, and not to infrastructure and primary production?

## Objective

The objective for the proposed NPS-NH focuses on the outcome anticipated for natural hazard risk management. To avoid, mitigate and reduce risks arising from natural hazards on subdivision, land use and development, local authorities should apply:

- a risk-based approach to managing natural hazard risks
- land-use and other use controls that are proportionate to the level of natural hazard risk.

Question	
73.	Would the proposed NPS-NH improve natural hazard risk management in New Zealand?

## Risk-based approach

The proposed NPS-NH seeks to improve the location and design of new development by directing local authorities to take a risk-based approach to assessing and managing natural hazard risk in the resource management system.

The proposal introduces a requirement that when assessing natural hazard risk (for the purposes of land-use planning) local authorities must consider:

- the likelihood of a natural hazard event occurring
- the consequences of a natural hazard event for the activity being assessed
- existing and proposed mitigation measures
- residual risk
- potential impacts of climate change on natural hazards at least 100 years into the future.

Questions	
74.	Do you support the proposed policy to direct minimum components that a risk assessment must consider but allow local authorities to take a more comprehensive risk assessment process if they so wish?
75.	How would the proposed provisions impact decision-making?

<sup>68</sup> The definition of 'primary production' includes any aquaculture, pastoral, horticultural, mining, quarrying or forestry activities, and any initial processing of commodities resulting from these activities. Ministry for the Environment. 2019. *National Planning Standards*. Wellington: Ministry for the Environment. p 62.

The proposal provides a definition of ‘significant risk from natural hazards’ for the purposes of the NPS-NH:

Significant risk from natural hazards is defined as ‘medium’, ‘high’ and ‘very high’ risk using the proposed risk matrix, when considering consequences to property and potential for injury or fatalities.

This definition specifies the level of natural hazard risk at which consent authorities would require proposals for new subdivision, land use or development to include mitigation. Otherwise, consent authorities could consider refusing a consent due to risks from natural hazards. In practice, this means that when a proposed development is deemed to be a ‘significant risk’, the development should be avoided or the risk should be reduced (even when the mitigations required to achieve this are minor). The choice between avoiding and reducing risk will depend on both the level of risk associated with the specific proposed activity, and the local authority’s proportionate management approach.

To define significant risk, the proposed NPS-NH also introduces a nationally consistent language of natural hazard risk by using the terms ‘low’, ‘medium’, ‘high’ and ‘very high’. These levels of natural hazard risk do not have to be directly applied to decisions, but they reflect the different levels of risk within ‘significant risk’ and support consistency in decisions being made proportionate to the level of risk.

**Figure 1: Definitions of risk based on standardised definitions of likelihood and consequence**

		Likelihood level						
		Almost certain	Very likely	Likely	Possible	Unlikely	Rare	Very rare
ARI (years)		up to 10	10–20	20–50	50–100	100–500	500–5,000	> 5,000
AEP		10% or more	10% to 5%	5% to 2%	2% to 1%	1% to 0.2%	0.2% to 0.02%	< 0.02%
Consequence level	Catastrophic	Very high	Very high	Very high	High	Medium	Medium	Medium
	Major	Very high	Very high	High	High	Medium	Medium	Medium
	Moderate	High	High	High	Medium	Medium	Low	Low
	Minor	Medium	Medium	Medium	Medium	Low	Low	Low
	Negligible	Low	Low	Low	Low	Low	Low	Low

Note: ARI = Average recurrence interval; AEP = Annual exceedance probability.

Source: Ministry for the Environment:2025

The proposed NPS-NH introduces a matrix that identifies levels of natural hazard risk, using combinations of defined likelihood and consequences (as shown in figure 1 above) to help with defining ‘significant risk from natural hazards’. A benefit of this matrix is that it provides a nationally consistent language that local authorities can use.



Questions	
76.	Do you support the placement of very high, high, medium and low on the matrix?
77.	Do you support the definition of significant risk from natural hazards being defined as very high, high, medium risk, as depicted in the matrix?

## Proportionate management

The approach of the proposed NPS-NH is to respond proportionately to natural hazard risk. This means that stronger constraints on development are appropriate when risk is higher, and conversely, development should be enabled where risk is lower. A proportionate approach would ensure that any limitation placed on new development is justified and maximises use of land. The proposed NPS-NH does not set out how to respond to specific classifications of risk, but more detailed non-statutory guidance can be provided to support decision-makers.

The proposed NPS-NH does not include a more directive approach to local authorities on classifying and responding to risk, because the expected implementation of the proposed NPS-NH in the short term will be through resource consents. Increasing process requirements for resource consents is not appropriate, because New Zealand needs to grow. A more standardised approach that allows managing natural hazard risk through planning documents, rather than on a consent-by-consent basis, could be considered as part of any future resource management system reforms.

Questions	
78.	Should the risks of natural hazards to new subdivision, land use and development be managed proportionately to the level of natural hazard risk?
79.	How will the proposed proportionate management approach make a difference in terms of existing practice?

## Use the best available information

Information about hazards is constantly improving. The proposed NPS-NH directs local government to make planning decisions using the best available information. This proposed policy encourages local authorities to take all practicable steps to improve information, and to consider the validity of data for intended planning decisions. Local authorities will also be directed to continue with risk assessments where information is unclear or uncertain.

Questions	
80.	Should the proposed NPS-NH direct local authorities to use the best available information in planning and resource consent decision-making?
81.	What challenges, if any, would this approach generate?

# What does the proposal mean for you?

Table 10 outlines the anticipated impacts of the NPS-NH proposal on various parties, with more detail available in the [Interim Regulatory Impact Statement: National Policy Statement on Natural Hazards](#) on the Ministry for the Environment's website.

**Table 10: Overview of anticipated impacts of the proposed NPS-NH**

Party	Anticipated impacts
<b>Local authorities</b>	Local authorities may be impacted by one-off and ongoing costs (possible costs of resourcing and building staff capacity to implement the risk-based approach).
<b>People and communities</b>	People and communities will be safer and more resilient in natural hazard events, with new development only in areas where natural hazard risks are being managed (They may experience less disruption and reduced recovery costs). Costs of investment in community-wide mitigation efforts may also be reduced.
<b>Applicants</b>	<p>Additional one-off costs may arise in preparing a resource consent application. Costs will depend on whether district or regional plan rules are risk-based, and on the natural hazard risk itself.</p> <p>Some applicants may incur costs for risk mitigation. Cost of mitigation may be prohibitive to some development proceeding.</p> <p>Reduced losses from future natural hazard events. Benefit from investing in development that is less vulnerable to the effects of natural hazards.</p>
<b>Māori groups and applicants</b>	<p>Māori communities face heightened risks to natural hazards due to their geographical locations, the industries they work in, and current socioeconomic circumstances.<sup>69</sup></p> <p>Similar benefits for Māori and non-Māori in terms of long-term risk reduction (eg, reduced losses from natural hazard events to new development).</p> <p>Similar costs in preparing applications for resource consent for Māori and non-Māori seeking to develop their land or property. Owners of whenua Māori are possibly more likely to face restrictive developmental controls, due to the disproportionate impact of natural hazard risk and climate change on Māori land.</p>

## Consistency with the purpose of the RMA

The Minister Responsible for RMA Reform considers the proposals to be consistent with the purpose of the RMA because they:

- support the sustainable use, development and protection of the natural and built environment while managing significant risk from natural hazards through clear and nationally consistent policy
- support people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety, by consistent assessment and management of natural hazard risk which is proportionate to these risks when making resource management decisions for new development.

<sup>69</sup> Analysis by Te Puni Kōkiri has found that Māori households face similar exposure to climate hazards as the overall population, but are projected to face greater risks due to a higher proportion of Māori households being at risk from poverty, health disparities, justice and protection concerns and adaptability issues. Te Puni Kōkiri. [Understanding climate hazards for hāpori Māori](#). Retrieved 28 April 2025.

## Treaty considerations

The proposals will not directly impact the decision-making process requirements under the RMA, Treaty settlements or other legislative arrangements including the Marine and Coastal Area (Takutai Moana) Act 2011 and the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019.<sup>70</sup>

Treaty settlements and legislation will continue to apply. Some Treaty settlements place obligations on councils, including involving iwi/Māori in plan development and decision-making and inclusion of policies in plans. The proposals do not present a risk to the operation of these Treaty settlement commitments.

Engagement with Māori on the previous proposal for national direction for natural hazards indicated that many Māori supported efforts to keep people and property safe. However, feedback included concerns that national direction would further narrow the already limited opportunities to develop whenua Māori. Strong support was expressed for including policy to clarify that mātauranga Māori is a valuable and valid source of information.

Consultation will be necessary to test whether iwi, hapū and other Māori groups have concerns about the proposal or any perceived impacts on sites of significance to Māori, marae, Māori land, land returned under Treaty settlements or other matters of significance to Māori groups.

## Implementation

The proposed NPS-NH is a foundational tool that will be built on in the future to align with amendments to the RMA. The instrument will have an immediate effect on resource consent decisions and will influence plan changes (including private plan changes). There will be no short-term requirement for comprehensive plan changes to give effect to the proposed NPS-NH in existing district or regional plans. Therefore, the proposal does not include a date by which local authorities must give effect to the NPS-NH. This approach is intended to minimise the implementation burden on councils.

The proposed NPS-NH will be supported by non-statutory guidance to support implementation. The guidance will give further detail on implementing the proportionate response policies.

### Question

82.	What additional support or guidance is needed to implement the proposed NPS-NH?
-----	---

The NZCPS has provisions for natural hazards in relation to the coastal environment and coastal marine area. Where there are inconsistencies with the proposed NPS-NH, the NZCPS provisions will prevail.

### Question

83.	Should the NZCPS prevail over the proposed NPS-NH?
-----	--

---

<sup>70</sup> In line with the requirement in [section 8](#) of the RMA to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

# Section 4: Implementation of infrastructure and development instruments

## Types of implementation

Implementation of instruments in the infrastructure and development package can comprise two forms:

1. **Non-statutory implementation** aids understanding and delivery of the proposals through guidance, workshops or other means. Implementation plans to help deliver any subsequent national direction will be developed after we have considered any recommendations or requests received in submissions.
2. **Statutory implementation** is part of the proposals.<sup>71</sup> Alongside the RMA requirements, statutory implementation provides more detailed direction on:
  - how and when decision-makers must consider the proposals
  - how and when required RMA plan amendments are to be progressed
  - who is to use and implement the national direction.

## Statutory implementation

Where specific statutory implementation provisions are proposed, they are included in the proposed provisions. The following general provisions apply.

### National environmental standards implementation

National environmental standards have immediate effect, and plan changes can be made to amend inconsistencies with the national environmental standards without using the Schedule 1 process.<sup>72</sup> The RMA generally requires this to be undertaken as soon as practicable after national environmental standards come into effect.

### National policy statements implementation

National policy statements have immediate effect, and consent authorities must have regard to national policy statements when considering an application for a resource consent.<sup>73</sup>

Some plan or policy statement changes will be required to implement new national policy statements. If a national policy statement directs that a local authority must amend a plan or policy statement in the manner described in section 55(2) of the RMA, the plan changes must be

---

<sup>71</sup> The standard provisions for statutory implementation are found in [section 44A](#) and [section 55](#) of the RMA.

<sup>72</sup> [Schedule 1](#) of the RMA provides for the preparation, change and review of policy statements and plans.

<sup>73</sup> Under [section 104\(1\)\(b\)\(iii\)](#) of the RMA.

made without using the Schedule 1 process.<sup>74</sup> However, for any subsequent changes necessary to ensure a plan or policy statement gives effect to a provision in a national policy statement, a Schedule 1 process is required as soon as practicable after the national policy statement comes into effect (or based on a timeframe or event specified in the national policy statement).

## Additional implementation options

The RMA has no provision for flexibility in the statutory implementation of national environmental standards other than including stringency and leniency provisions in individual standards.

The RMA does provide options<sup>75</sup> for how and when national policy statement provisions are implemented into council planning documents.<sup>76</sup> None of the national policy statement proposals include provisions for specific objectives and policies to be directly inserted into RMA documents. Rather, each individual national policy statement proposal directs that plan changes to implement the national policy statement are undertaken “as soon as practicable”.<sup>77</sup>

The proposed options for national policy statements are to:

- rely on the RMA default provision of “as soon as practicable”
- provide an implementation timeframe of five years from gazettal for making amendments to regional and district plans and policy statements
- require all plan changes to fully implement each national policy statement before or at plan review, in addition to any specific implementation provisions in each proposal.

Note that national environmental standards and national policy statements can apply to any specified district or region of any local authority, or to any specified part of New Zealand.<sup>78</sup> This provision has not been proposed for any of the proposals.

## How are national policy statements to be used?

The RMA stipulates that decision-makers on resource management matters must:

- “have regard to” provisions in national policy statements when making decisions on resource consents and water conservation orders
- “have particular regard” to provisions in a national policy statement when making decisions on notice of requirements and heritage orders
- prepare and amend their regional policy statement and regional and district plans in accordance with provisions in a national policy statement.

Once plan changes have been undertaken to give effect to a national policy statement, plan provisions can usually be relied on to appropriately reflect the national policy statement.

---

<sup>74</sup> [Schedule 1](#) of the RMA provides for the preparation, change and review of policy statements and plans.

<sup>75</sup> Under [section 55\(2\) and \(2D\)](#) of the RMA.

<sup>76</sup> Under section 55(1) in subsection (2) and (2A) a document means a regional policy statement, a proposed regional policy statement, a proposed plan, a plan or a variation.

<sup>77</sup> As required by [section 55\(2D\)\(a\)](#) of the RMA. Using the provisions for implementation timeframes under [section 55\(2D\)\(b\) and \(c\)](#) of the RMA.

<sup>78</sup> Under [section 43\(4\)](#) and [section 45A](#) of the RMA.

# Leniency and stringency under national environmental standards

A national environmental standard can identify whether associated plan provisions can be more lenient or stringent than the provisions in the national environmental standard. The individual proposals in this discussion document specify whether they include any leniency or stringency options.

## Implementation questions

Questions	
84.	Does 'as soon as practicable' provide enough flexibility for implementing this suite of new national policy statements and amendments?
85.	Is providing a maximum time period for plan changes to fully implement national policy statements to be notified sufficient? a. If not, what would be better, and why? b. If yes, what time period would be reasonable (eg, five years), and why?
86.	Is it reasonable to require all plan changes to fully implement a national policy statement before or at plan review?
87.	Are there other statutory or non-statutory implementation provisions that should be considered?

# Section 5: Have your say

Consultation for this package closes at 11:59 pm on 27 July 2025.

The Government welcomes your feedback on this discussion document. The questions posed are a guide only, and all comments are welcome. You do not have to answer any or all of the questions.

To ensure your point of view is clearly understood, you should explain your rationale and provide supporting evidence, where appropriate.

You can provide a submission through [Citizen Space](#), our consultation hub, by either filling out the feedback form or by uploading your own written submission.

We would prefer you use the online system for making your submission. However, if you need to, mail your written submission to:

National direction consultation, Ministry for the Environment, PO Box 10362, Wellington 6143.

Please include your:

- name or name of the organisation you represent
- postal address
- telephone number
- email address.

If you have any questions, please email [ndprogramme@mfe.govt.nz](mailto:ndprogramme@mfe.govt.nz).

## Publishing and releasing submissions

All or part of any written comments (including names of submitters), may be published on the Ministry for the Environment's website, [environment.govt.nz](http://environment.govt.nz). Unless you clearly specify otherwise in your submission, the Ministry will consider that you have consented to online posting of both your submission and your name.

Contents of submissions may be released to the public under the Official Information Act 1982 following requests to the Ministry for the Environment (including via email). Please advise if you have any objection to the release of any information contained in a submission and, in particular, which part(s) you consider should be withheld, together with the reason(s) for withholding the information. We will take into account all such objections when responding to requests for copies of, and information on, submissions to this document under the Official Information Act.

The Privacy Act 2020 applies certain principles about the collection, use and disclosure of information about individuals by various agencies, including by the Ministry for the Environment. It governs access by individuals to information about themselves held by agencies.

Any personal information you supply to the Ministry in the course of making a submission will be used by the Ministry only in relation to the matters covered by this document. Please

clearly indicate in your submission if you do not wish your name to be included in any summary of submissions that the Ministry may publish.



# Section 6: Attachments – proposed provisions

Attachment 1.1: Proposed provisions – New National Policy Statement for Infrastructure

Attachment 1.2: Proposed provisions – Amendments to the National Policy Statement for Renewable Electricity Generation 2011

Attachment 1.3: Proposed provisions – Amendments to the National Policy Statement on Electricity Transmission 2008

Attachment 1.4: Proposed provisions – Amendments to the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009

Attachment 1.4.1: National Grid Yard and National Grid Corridor for proposed NES-EN

Attachment 1.5: Proposed provisions – Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016

Attachment 1.5.1 Pictures related to proposed amendment to the National Environmental Standards for Telecommunication Facilities

Attachment 1.6: Proposed provisions – New National Environmental Standards for Granny Flats (Minor Residential Units)

Attachment 1.7: Proposed provisions – New National Environmental Standards for Papakāinga

Attachment 1.8: Proposed provisions – New National Policy Statement for Natural Hazards