



Ministry for the
Environment
Manatū Mō Te Taiao

NATIONAL POLICY STATEMENT

for Renewable Electricity Generation 2011

Implementation Guide

New Zealand Government

Acknowledgements

Thank you to Clare Barton (Horizons Regional Council), Murray Brass (Clutha District Council), Stephen Colson (Mighty River Power), Deborah Crawford (Pioneer Generation), Blair Dickie (Waikato Regional Council), Rosemary Dixon (Contact Energy), Ben Farrell (New Zealand Wind Energy Association), Andrew Feierabend (Meridian Energy), Matt Hoggard (Kaikoura District Council), Marcus Langman (Environment Canterbury), Mercedes Lentz (Mighty River Power), Andrew Mactier (Selwyn District Council), Steve Markham (Tasman District Council), Laura Marra (TrustPower Limited), Justin Murfitt (Northland Regional Council), David Phizacklea (Bay of Plenty Regional Council), Bridget Robson (Bay of Plenty Regional Council), Mark Stevenson (Ashburton District Council), Jeremy Stevenson-Wright (Genesis Energy), Jonathan Streat (Greater Wellington Regional Council), Cynthia Ward (Palmerston North District Council) and Clare Wooding (Local Government New Zealand) for your contribution to this document.

This document was prepared for the Ministry for the Environment by Boffa Miskell and Morgan Slyfield.

This document may be cited as:

Ministry for the Environment. 2011. *National Policy Statement for Renewable Electricity Generation 2011: Implementation Guide*. Wellington: Ministry for the Environment.

Published in November 2011 by the
Ministry for the Environment
Manatū Mō Te Taiao
PO Box 10362, Wellington 6143, New Zealand

ISBN: 978-0-478-37267-0

Publication number: ME 1079

© Crown copyright New Zealand 2011

This document is available on the Ministry for the Environment's website: www.mfe.govt.nz

Contents

1	Introduction	1
1.1	Purpose	1
1.2	Implementation timeframes	1
1.3	Focus and structure	2
1.4	Key messages	2
1.5	Relationship of NPS REG to other government initiatives and policies	3
1.6	Other associated documents	4
2	Background to the National Policy Statement for Renewable Electricity Generation	5
2.1	Reasons for the NPS REG	5
2.2	Preamble	6
2.3	Relevance to decision-making	6
2.4	RMA terminology	8
2.5	NPS REG terminology	9
3	Analysis of the National Policy Statement for Renewable Electricity Generation	10
3.1	Objective	10
3.2	Recognising the benefits of renewable electricity generation activities	12
3.3	Acknowledging the practical implications of achieving New Zealand's target for electricity generation from renewable resources	14
3.4	Acknowledging the practical constraints associated with the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities	16
3.5	Managing reverse sensitivity effects on renewable electricity generation activities	20
3.6	Incorporating provisions for renewable electricity generation activities into regional policy statements and regional and district plans	22
3.7	Incorporating provisions for small and community-scale renewable electricity generation activities into regional policy statements and regional and district plans	25
3.8	Enabling identification of renewable electricity generation possibilities	27
3.9	Time within which implementation is required	29
4	Examples of regional and district policy responses	31
4.1	Examples of regional policy statement objectives, policies and methods	32
4.2	Examples of regional plan objectives and policies	34
4.3	Examples of district plan objectives, policies and methods	36
5	Monitoring and review requirements	39

1 Introduction

1.1 Purpose

This guide provides local authorities with direction on implementing the National Policy Statement for Renewable Electricity Generation (NPS REG), focusing particularly on regional and district policy and plan making. It will also help resource management decision-makers and relevant stakeholders understand the policy intent of the National Policy Statement (NPS).

The NPS REG applies to renewable electricity generation (REG) activities at any scale, and covers the construction, operation, maintenance and upgrading of new and existing structures associated with renewable electricity generation.¹ This includes small and community-scale renewable generation activities, systems to convey electricity to the distribution network and/or the national grid, and electricity storage technologies associated with renewable electricity storage. It also covers all REG types – hydroelectricity, wind, geothermal, solar, biomass, and marine – along with associated investigation activities, such as wind masts and geothermal test bores.

This guidance should be read in conjunction with the technical guidance on the NPS REG commissioned by the Energy Efficiency and Conservation Authority (EECA).²

1.2 Implementation timeframes

From 13 May 2011, the NPS REG has applied to decision-making on applications for resource consent, heritage orders and notices of requirement, regardless of when they were lodged. From that date, the NPS REG has also been available to help decision-makers determine whether proposed policy statements, plans, changes or variations notified before 13 May 2011 achieve the purpose of the RMA.

By 13 May 2013, regional councils³ are required to notify relevant changes to existing or proposed regional policy statements unless they already give effect to the NPS REG. Where the latter applies, local authority plans must also give effect to the NPS REG by 13 May 2013. However, where a change or variation to the regional policy statement is required, local authorities must give effect to the NPS within 12 months from the date the change or variation becomes operative.

¹ The NPS REG does not apply to the use and development of non-renewable energy, the merits of which still need to be considered on a case-by-case basis.

² This guidance is still under development.

³ References to regional councils in this document should be taken to also include unitary authorities.

1.3 Focus and structure

This guidance recognises the differing circumstances of local authorities around New Zealand, particularly the nature of their existing regional and district policies and plans, and current trends in policy making at regional and city/district levels. Therefore, the guidance has been designed so that local authorities can use and adapt the examples provided in Section 4 to suit the particular structure and format of their planning documents.

The structure of the remaining sections of this guidance is:

- Section 2 provides background information on some key aspects of the NPS REG and its relevance to policies, plans, resource consents, heritage orders, and designations
- Section 3 provides an analysis of how regional councils and territorial authorities should give effect to the NPS REG's objective and 13 policies in their policy statements and plans
- Section 4 provides examples of regional policy statement and regional and district plan provisions to give effect to the NPS REG. These are not definitive, and are intended as a guide for regional councils and territorial authorities.

1.4 Key messages

The NPS REG confirms that:

- renewable electricity generation (REG), regardless of scale, makes a crucial contribution to the well-being of New Zealand, its people and the environment, and any reductions in existing REG will compromise achievement of the Government's renewable electricity target of 90% of electricity from renewable sources by 2025
- the development, operation, maintenance and upgrading of new and existing REG activities throughout New Zealand, and the associated benefits of REG, are matters of national significance.

In light of this, the key messages emerging from this guidance are:

- local authorities are required to adopt a positive and proactive policy response to REG activities in policy statements and plans that applies at national, regional and local levels
- in developing policy and plan provisions, and assessing resource consent applications, heritage orders and notices of requirement, decision-makers are required to recognise and provide for the cumulative national, regional and local benefits of REG activities
- in developing policy and plan provisions, and assessing resource consent applications, heritage orders and notices of requirement, decision-makers are required to have particular regard to the practical implications of achieving New Zealand's renewable electricity target and the constraints associated with developing, operating, maintaining and upgrading new, existing and consented REG activities
- the NPS REG has immediate effect in considering and determining resource consent applications, heritage orders and notices of requirement
- local authorities are encouraged to engage early with electricity generators to understand the issues associated with developing, operating, maintaining and upgrading new and existing REG activities, and in developing regional and district policies to give effect to the NPS REG

- electricity generators are encouraged to work closely with local authorities to ensure relevant information is provided to inform policy development and the resource consent processes.

1.5 Relationship of NPS REG to other government initiatives and policies

Climate change

The NPS REG promotes renewable electricity generation, the mix of which collectively helps reduce New Zealand's greenhouse gas emissions and supports the uptake of low-carbon renewable electricity generation.

New Zealand Energy Strategy 2011–2021 and New Zealand Energy Efficiency and Conservation Strategy 2011–2016

These [strategies](#) outline the Government's renewable electricity generation target of 90% by 2025. The NPS REG supports this target by providing guidance to resource management policy and decision-makers about the national significance and benefits of REG.

National Policy Statement on Electricity Transmission 2008

The [National Policy Statement on Electricity Transmission](#) facilitates the operation, maintenance, upgrading and development of the electricity transmission network and complements the NPS REG.

New Zealand Coastal Policy Statement 2010

The [New Zealand Coastal Policy Statement](#) recognises that the coastal environment contains renewable energy resources of significant value that can provide social, economic and cultural benefits to people and communities. It requires local authorities to take into account the potential of renewable resources to meet the reasonably foreseeable needs of future generations.

National Policy Statement for Freshwater Management 2011

The NPS REG and the [National Policy Statement for Freshwater Management](#) both affect hydroelectricity generation. The former provides direction and guidance on the development, operation, maintenance and upgrading of REG activities and their benefits. The latter provides direction and guidance on the framework required at a regional level to avoid over allocation of fresh water. New hydroelectric development will need to operate within that framework.

The New Zealand Emissions Trading Scheme

The [New Zealand Emissions Trading Scheme](#) (NZ ETS) is a way of meeting our international obligations around climate change. By putting a price on carbon, the NZ ETS makes renewable electricity more competitive than fossil fuel generation. The NZ ETS therefore improves the economics for REG projects, while the NPS REG addresses the resource management issues associated with renewable electricity generation, and the associated policy and consenting processes under the Resource Management Act 1991 (RMA).

1.6 Other associated documents

Technical guidance on REG is currently under development by the Energy Efficiency and Conservation Authority and should be read in conjunction with this guidance for local authorities. The technical guide includes a description of the electricity system and market, information on the Government's 90% renewable electricity target, a description of renewable electricity technologies, and information about practical limitations and constraints. The latter includes locational and technical factors associated with developing, upgrading, operating and maintaining REG activities. A glossary of relevant technical terminology is also included.

2 Background to the National Policy Statement for Renewable Electricity Generation

2.1 Reasons for the NPS REG

Two principal reasons underlay the development of the NPS REG. First, a significant increase in the proportion of electricity generated from renewable resources will be required to achieve the Government's target of 90% of electricity from renewable sources by 2025, and to maintain security of supply.⁴ This was highlighted in the report by the Board of Inquiry established to consider the proposed NPS REG, where it found that installed capacity for renewable generation would need to increase by as much as 77% to supply the projected demand for electricity and achieve the Government's target of 90% renewable energy.

Second, renewable electricity generation (REG) is being unduly impeded by variable provisions in local authority policies and plans and changing attitudes to the environmental effects of development associated with REG activities.⁵

In response, the NPS REG seeks to ensure that:

- the relevant benefits of REG and the national significance of associated activities are more explicitly recognised in policy development and consenting processes delivered under the RMA
- REG activities are recognised and provided for in resource management policies and plans
- a more consistent national approach is applied to REG activities within the resource management planning framework.

The NPS REG does not resolve all the potential resource management policy tensions that can occur between REG activities and other activities or interests. Tensions may still arise, for example, between REG activities and activities that are the subject of other national policy statements, or between REG activities and matters requiring consideration under Part 2 of the RMA. However, in considering and addressing these tensions, decision-makers need to recognise that the benefits of REG are no longer up for debate, and ensure that those activities are explicitly acknowledged in RMA assessments undertaken.

Further background information about the NPS REG and the Government's energy target can be found in the REG Technical Guidance commissioned by EECA.

⁴ Currently, electricity generated from hydroelectric, geothermal and wind resources accounts for approximately 70% of the national total. Ministry of Economic Development (2011) *New Zealand Energy Data File*, Wellington: Ministry of Economic Development p 99.

⁵ [Cabinet Paper, National Policy Statement on Renewable Electricity Generation](#) (2011), p 3.

2.2 Preamble

The preamble to the NPS REG intends to provide context so the NPS can be more easily understood. If the meaning of a provision in the body of the NPS is uncertain, the preamble may be used as a guide to assist interpretation.

The preamble makes it clear that the NPS REG does not apply to freshwater allocation and prioritisation (which are addressed in the National Policy Statement for Freshwater Management 2011). However, the matters dealt with in the NPS REG will often be relevant to decision making on allocation and prioritisation and should be considered in accordance with the RMA itself (including under section 7(j)).

2.3 Relevance to decision-making

The NPS applies to local authorities when:

- processing and considering resource management approvals
- exercising their plan and policy-making functions.

Section 2.3.1 explains the requirements that apply to all resource management approvals relevant to the NPS REG.

Section 2.3.2 summarises the plan- and policy-making functions of local authorities in the context of the NPS REG.⁶

2.3.1 RMA approvals

Local authorities must have regard to any relevant provisions of the NPS REG when processing and/or determining various resource management approvals, including:

- resource consent applications⁷
- heritage orders⁸
- notices of requirement for designations.⁹

The obligation may arise in relation to approvals for REG activities, or in relation to approvals for other activities that potentially affect existing or consented REG activities.

The provisions of the NPS REG that are of particular relevance to RMA approvals are the Objective and Policies A, B, C and D.¹⁰

⁶ Sections 3 and 4 provide further guidance on these functions.

⁷ Refer to section 104(1)(b)(iii) RMA.

⁸ Refer to section 191(1)(d) RMA.

⁹ Refer to section 171(1)(a)(i) RMA.

¹⁰ Policies E, F, G and H are not relevant for this purpose as they do not apply to ‘decision-makers’, but rather provide direction on suitable content for policy statements and plans.

The obligation to “have regard to” relevant provisions of the NPS REG took effect from the date the NPS REG became operative (13 May 2011). The duty applies to all applications¹¹ lodged after that date, as well as any applications that were initiated before that date, which are still being processed or determined by a local authority.

To “have regard to” is a standard that has been defined by resource management case law. Under current case law, this means a local authority must give genuine attention and thought to the relevant matters identified in the NPS, and must decide what weight they are to be given in the particular circumstances. The weight to be given to them is neither predetermined relative to other matters that a local authority is also obliged to “have regard to”, nor does it lessen the obligation of a local authority to apply the provisions of Part 2 of the RMA.

2.3.2 RMA policies and plans

Policy statements and plans must give effect to the provisions of the NPS REG.¹² Consequently, local authorities will need to review planning instruments under their control and, where required, make any necessary amendments (which may take the form of objectives, policies or methods – including rules).¹³ Unlike approvals, the NPS REG provides a transition period for local authorities to prepare and notify the requisite policy or plan changes.¹⁴

The obligation to “give effect to” the NPS allows no discretion to be exercised about whether it is implemented or not: it requires all steps necessary to implement the NPS to be taken. The obligation may need to be balanced against a local authority’s other mandatory obligations, such as giving effect to other national policy statements, or recognising and providing for matters of national importance under section 6 of the RMA.

For decision-making on policy statements and plans, the NPS policies fall into two distinct groups.

- Policies E, F and G provide clear direction on specific matters that are required to be included in policy statements and plans. Local authorities will need to actively evaluate the relevance of these policies to their jurisdictions and ensure that appropriate objectives, policies and methods (including rules) are included in policy statements and relevant plans that substantially address the matters in these policies.
- Policies A, B, C and D are more generic in nature. They apply to decision-makers in a broader sense,¹⁵ which includes local authorities discharging their plan- and policy-making duties. Local authorities will need to actively evaluate whether their relevant policies and plans give effect to Policies A, B, C and D and make any amendments necessary to implement them.

Policy statements and plans may include a stand-alone chapter on energy, or incorporate provisions within a wider infrastructure/network utilities chapter. If planning provisions form part of a wider suite directed more generally towards regionally significant infrastructure or

¹¹ Including notices of requirement.

¹² Refer to section 55(2B) RMA – other references to the duty to ‘give effect to’ an NPS can be found at sections 62, 67 and 75 RMA.

¹³ Refer to section 4 of this guide for examples of regional and district policy responses.

¹⁴ Refer to Policies H1 and H2 of the NPS REG.

¹⁵ Refer to section 2.3.1 RMA.

energy (eg, REG; energy efficiency), care will be needed to ensure that REG activities are specifically provided for. REG activities should also be addressed in other relevant sections of the policy statements and plans (eg, coastal environment, landscape, biodiversity and fresh water) and local authorities should ensure provisions within other sections do not inadvertently impede the intent of the NPS REG.

2.4 RMA terminology

Some phrases used in the NPS REG, or which apply to the NPS REG under the RMA, are common in resource management and have been interpreted by the Courts. Consequently, case law provides some instructive guidance as to their meaning and application.

Give effect to

Relevant plans and policy statements are required to “give effect to” the NPS REG. This means all necessary steps to implement the NPS REG must be taken. This obligation sits alongside the obligations of local authorities to give effect to other national policy statements; and is subject to the overarching obligations of local authorities to promote the sustainable management of natural and physical resources. The NPS REG contains a number of other principles (eg, “recognise and provide for”, “have regard to”), which means that giving effect to the NPS REG will take on a different meaning depending on the relevant NPS provision. For example, if a relevant provision requires a local authority to “have regard to” a specified matter, then giving effect to that provision involves giving effect to the duty to have regard, not giving effect to the specified matter itself.

Recognise and provide for

The Objective and Policy A of the NPS REG identify matters that are to be “recognised” and “provided for” as matters of national significance. To “recognise and provide for” means that actual provision must be made for the matter. The decision-maker can not merely consider and then discard it. This is not as strong a requirement as to “give effect to”.

Have particular regard to/have regard to

Current case law suggests that the duty to “have particular regard” and the duty to “have regard” are not substantially different; the difference is one of emphasis rather than substance. The duty is one of inquiry and cannot be met passively. The local authority must give the identified matter(s) genuine attention and thought, and weigh them carefully in coming to a conclusion. The duty does not predetermine the outcome; the local authority may determine what weight to give to the identified matters – whether substantial or very little – provided that in coming to that conclusion it has actively and carefully considered the identified matters.

2.5 NPS REG terminology

The NPS REG provides definitions of relevant terms and these are repeated below for easy reference. Policy statements and plans should incorporate, where relevant, terminology and associated meanings consistent with these definitions:

Act means the Resource Management Act 1991.

Decision-makers means all persons exercising functions and powers under the Act.

Distribution network means a distributor's lines and associated equipment used for the conveyance of electricity on lines other than lines that are part of the national grid.

Distributor means a business engaged in distribution of electricity.

National grid means the lines and associated equipment used or owned by Transpower to convey electricity.

Renewable electricity generation means generation of electricity from solar, wind, hydro-electricity, geothermal, biomass, tidal, wave, or ocean current energy sources.

Renewable electricity generation activities means the construction, operation and maintenance of structures associated with renewable electricity generation. This includes small and community-scale distributed renewable generation activities and the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity.

Small and community-scale distributed electricity generation means renewable electricity generation for the purpose of using electricity on a particular site, or supplying an immediate community, or connecting into the distribution network.

Note: Further information regarding technical terms can be found in the REG Technical Guidance being developed by the Energy Efficiency and Conservation Authority.

3 Analysis of the National Policy Statement for Renewable Electricity Generation

This section examines the objective and policies in the NPS REG, provides commentary on each and discusses possible regional and district policy responses. In developing these responses, it is recommended that local authorities engage with renewable electricity generators and other interested parties.

3.1 Objective

To recognise the national significance of renewable electricity generation activities by providing for the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities, such that the proportion of New Zealand’s electricity generated from renewable energy sources increases to a level that meets or exceeds the New Zealand Government’s national target for renewable electricity generation.

The Objective acknowledges the significance of renewable electricity generation (REG) activities to New Zealand’s social and economic well-being, and that there needs to be an increase in the level of REG to meet or exceed the Government’s current renewable generation target (ie, 90% of electricity from renewable sources by 2025). It is also to be given effect to in regional policy statements (RPSs) and regional and district plans.¹⁶

In giving effect to the Objective, all those with functions and powers under the RMA need to:

- recognise that the contribution made by REG activities, individually and collectively, to meeting or exceeding the Government’s REG target, is a significant national, regional and local resource management issue
- ensure that provision is made in RMA policies and plans to develop, operate, maintain and upgrade the existing and future REG activities required to harness these resources, including the associated system of electricity conveyance, the distribution network and related structures.

The requirement to “give effect” will necessitate a response in RMA policies and plans that provides for REG activities and their associated benefits as matters of national significance. It also means that decision-makers will need to demonstrate that they have specifically considered this Objective when making decisions on reviews and relevant changes/ variations to RMA policies and plans (eg, as part of the section 32 assessment).

Additionally, from the date that the NPS REG came into effect (13 May 2011), decision-makers are required to “have regard” to this Objective in determining resource consent applications and heritage orders, and in considering notices of requirement (NoRs) for designations for REG activities. The requirement applies regardless of the particular stage that these consenting processes reached before the NPS REG came into force.

Note: Further information regarding technical terms can be found in the REG Technical Guidance being developed by the Energy Efficiency and Conservation Authority.

¹⁶ Refer to sections 62, 67 and 75 RMA.

Regional response	Territorial response
<p>Regional councils must proactively consider the NPS REG when undertaking any review, change or variation of their RPS and relevant regional plans, and ensure that specific provision for REG activities is included in their associated objectives, policies and methods (if relevant) to achieve the renewable electricity target.</p> <p>Such provisions could be included within a stand-alone energy chapter, or form part of a wider suite of chapters relating to regionally significant infrastructure. If the latter, the development, operation, maintenance and upgrading of new, existing and consented REG activities should be specifically provided for.</p> <p>If these provisions form part of a wider suite directed more generally towards regionally significant infrastructure or energy (eg, REG; energy efficiency), care will be needed to ensure that REG activities are specifically provided for.</p>	<p>Territorial authorities must proactively consider the NPS REG when undertaking any review, change or variation of their district plan, and include specific provision for REG activities in the associated objectives, policies, methods and rules (if appropriate) to achieve the renewable electricity target.</p> <p>Such provisions could be included within a stand-alone energy chapter or form part of a wider suite of chapters relating to infrastructure or network utilities. If the latter, the development, operation, maintenance and upgrading of new, existing and consented REG activities should be specifically provided for.</p> <p>If these provisions form part of a wider suite directed more generally towards infrastructure or network utilities, care will be needed to ensure that REG activities are specifically provided for and appropriate weight given.</p>
Example policy response	Example policy response
<p>In Section 4 of this guidance document, examples for objectives, policies and methods are suggested for RPSs, regional plans and district/city plans.</p>	<p>In Section 4 of this guidance document, examples for objectives, policies and methods are suggested for RPSs, regional plans and district/city plans.</p>

3.2 Recognising the benefits of renewable electricity generation activities

Policy A

Decision-makers shall recognise and provide for the national significance of renewable electricity generation activities, including the national, regional and local benefits relevant to renewable electricity generation activities. These benefits include, but are not limited to:

- a) maintaining or increasing electricity generation capacity while avoiding, reducing or displacing greenhouse gas emissions;**
- b) maintaining or increasing security of electricity supply at local, regional and national levels by diversifying the type and/or location of electricity generation;**
- c) using renewable natural resources rather than finite resources;**
- d) the reversibility of the adverse effects on the environment of some renewable electricity generation technologies;**
- e) avoiding reliance on imported fuels for the purposes of generating electricity.**

Policy A directs decision-makers, in considering the content of regional policy statements (RPSs) and regional and district plans, and applications for resource consent, notice of requirements (NoRs) and heritage orders, to recognise and provide for:

- the national significance of renewable electricity generation (REG) activities
- their relevant benefits at national, regional and local levels.

The requirement to “recognise and provide for” is an active directive and imposes an obligation on decision-makers to address the significance of the identified matters. They cannot be interpreted as merely an equal part of a general balancing exercise in managing the environmental effects of activities and resource use. The emphasis on the national significance and associated benefits of renewable electricity generation expressed within the policy requires positive planning provisions and heightened consideration of these matters by decision-makers, including an acknowledgement that the benefits identified should not be the subject of further case-by-case debate. Importantly, “national significance” is not the same as “national importance” under section 6 of the RMA. Recognising and providing for national significance does not alter the hierarchy set out in Part 2 of the Act.

In considering the benefits relevant to REG activities in a region or city/district, decision-makers will need to ensure that they recognise and provide for:

- the established benefits listed in clauses (a)–(e) at local, regional and national levels, regardless of the nature or scale of the REG activity
- these benefits as a minimum, noting that they are not exclusive and that decision-makers will also need to assess and consider any additional benefits identified by an applicant (eg, benefits relating to a particular REG activity or a particular region or city/district).

Decision-makers will also need to demonstrate that they have clearly and deliberately considered these benefits, noting that the level of consideration required may vary depending on the circumstances (eg, development of a new REG activity versus routine operational maintenance). For consent applications, the Policy is a relevant consideration that decision-makers must have regard to and explicitly weigh up, subject to Part 2 considerations, in meeting their obligations under section 104 of the RMA.

Note: Further information regarding technical terms can be found in the REG Technical Guidance being developed by the Energy Efficiency and Conservation Authority.

Regional response	Territorial response
<p>Regional councils must review their RPS and relevant regional plans to ensure the national significance of the national, regional and local benefits of REG activities are explicitly recognised and provided for in their corresponding objectives, policies and methods (including rules in plans where appropriate).</p> <p>In undertaking this review, regional councils should:</p> <ul style="list-style-type: none"> • have a broad appreciation of the nature, extent and location of relevant developed and undeveloped REG resources in their region • ensure the national, regional and local benefits of REG activities associated with these resources are recognised in the provisions contained in their policies and plans. <p>Where different regional plans exist or are proposed for different natural resources (eg, coastal environment, fresh water, geothermal resources), the national significance and benefits of REG activities should be recognised in each plan. Equally, the benefits of REG activities should also be identified within relevant natural resource chapters of the RPS (eg, coastal environment).</p>	<p>Territorial authorities must review their district plan to ensure the national significance of the national, regional and local benefits of REG activities are explicitly recognised and provided for in their corresponding objectives, policies and methods (including rules where appropriate).</p> <p>In undertaking this review, territorial authorities should:</p> <ul style="list-style-type: none"> • have a broad appreciation of the nature, extent and location of relevant developed and undeveloped REG resources in their city/district • ensure the national, regional and local benefits of REG activities associated with these resources are recognised in the provisions contained in their district plans.
Example policy response	Example policy response
<p>In Section 4 of this guidance document, see:</p> <p>Objectives: R1.1, R1.2, RP1.1</p> <p>Policies: R2.1, RP2.1, RP2.2</p> <p>Methods: R3.1, R3.2, R3.3, R3.6</p>	<p>In Section 4 of this guidance document, see:</p> <p>Objectives: D1.1</p> <p>Policies: D2.1, D2.4</p> <p>Methods: R3.2, R3.3, D3.1, D3.4</p>

3.3 Acknowledging the practical implications of achieving New Zealand’s target for electricity generation from renewable resources

Policy B

Decision-makers shall have particular regard to the following matters:

- a) maintenance of the generation output of existing renewable electricity generation activities can require protection of the assets, operational capacity and continued availability of the renewable energy resource; and
- b) even minor reductions in the generation output of existing renewable electricity generation activities can cumulatively have significant adverse effects on national, regional and local renewable electricity generation output; and
- c) meeting or exceeding the New Zealand Government’s national target for the generation of electricity from renewable resources will require the significant development of renewable electricity generation activities.

Policy B reinforces the important contribution that individual renewable electricity generation (REG) activities make in advancing the Government’s renewable electricity target – it recognises that business as usual is unacceptable and that a significant change from the current status quo is required to ensure that existing assets are protected and provision is made for additional REG. The Policy also identifies a number of practical implications associated with developing, upgrading, maintaining and operating REG activities (particularly existing activities) to achieve the Government’s target, and instructs decision-makers to have particular regard to these when considering the content of regional policy statements (RPSs) and regional and district plans, and applications for resource consent, notice of requirements (NoRs) and heritage orders.

The requirement to “have particular regard” is an active directive and imposes an obligation on decision-makers to give genuine attention and thought to the matters identified in (a)–(c). However, the requirement recognises that these matters are not absolutes and instead imposes a duty on decision-makers to take care when making decisions on REG activities.

In implementing this Policy, decision-makers will need to carefully assess the following when considering the development of RPS and plan provisions, and applications for resource consent, NoRs and heritage orders.

- That policy and plan provisions or consent conditions do not result in reductions in generation output from existing REG activities or impose undue constraints on operational capacity and ongoing resource availability (eg, abstraction and discharge rates for hydroelectric schemes)¹⁷ – this is a particularly important consideration where REG activities are being, or are likely to be, re-consented.
- Whether the output from existing REG activities might be compromised by the direct or indirect reallocation of a resource (eg, allocation of groundwater that may impact on surface water availability) or through reverse sensitivity effects.¹⁸

¹⁷ There is an overlap with the National Policy Statement for Freshwater Management regarding freshwater allocation.

¹⁸ Such effects may arise where new sensitive activities are introduced into an existing environment.

- That, given the importance of the Government’s renewable electricity target, policy and plan provisions and consent conditions facilitate the development of new REG activities and the maintenance and enhancement of existing operations, including delivery of increased levels of efficiency (eg, increased wind output rates by replacing existing turbines with more efficient technology).

Note: Further information regarding technical terms can be found in the REG Technical Guidance being developed by the Energy Efficiency and Conservation Authority.

Regional response	Territorial response
<p>Regional councils should ensure that provision is made in their RPS and relevant regional plans to address the matters listed in clauses (a)–(c) by way of specific objectives, policies and methods. This could include providing for the effects of activities on existing REG activities as a discrete matter for consideration within an assessment policy in a relevant plan.</p> <p>When reviewing or changing policy statements and plans, regional councils will also need to ensure the effect of any proposed changes on REG is appropriately considered.</p> <p>In responding to this policy, regional councils should have a general appreciation of:</p> <ul style="list-style-type: none"> • the composition and operational requirements (e.g. windfarm access; dam inlet de-silting) of the region’s existing REG activity assets, including their location and associated operational capacity • threats to existing REG activities and assets (eg, minimum flow levels) • the nature and extent of the current renewable energy potential within their region. This information can be derived from sources such as EECA’s regional renewable energy assessments. <p>This, in turn, will necessitate close working relationships between regional councils and relevant generators.</p>	<p>Territorial authorities should ensure that provision is made in their district plan to address the matters listed in clauses (a)–(c) by way of specific objectives, policies and methods. This could include providing for the effects of activities on existing REG activities as a discrete matter for consideration within assessment policies in relevant sections of the plan (eg, rural zone).</p> <p>When reviewing or changing policy statements and plans, territorial authorities will also need to ensure that the effect of any proposed changes on REG is appropriately considered.</p> <p>In responding to this policy, territorial authorities should have a general appreciation of:</p> <ul style="list-style-type: none"> • the composition of the current REG activity assets within their city/district, including their location and associated operational capacity and requirements • threats to existing REG activities and assets (eg, residential/rural residential development) • the nature and extent of the current local renewable energy potential in the city/ district – this information can be derived from sources such as EECA’s regional renewable energy assessments. <p>This, in turn, will necessitate close working relationships between territorial authorities, regional councils and relevant generators.</p>
Example policy response	Example policy response
<p>In Section 4 of this guidance document, see:</p> <p>Objectives: R1.2, RP1.1</p> <p>Policies: R2.2, R2.3, R2.7</p> <p>Methods: R3.1, R3.2, R3.3, R3.4, R3.5, R3.6</p>	<p>In Section 4 of this guidance document, see:</p> <p>Objectives: D1.1</p> <p>Policies: D2.3, D2.5</p> <p>Methods: D3.1, D3.2, D3.3, D3.5</p>

3.4 Acknowledging the practical constraints associated with the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities

Policy C1

Decision-makers shall have particular regard to the following matters:

- a) the need to locate the renewable electricity generation activity where the renewable energy resource is available;
- b) logistical or technical practicalities associated with developing, upgrading, operating or maintaining the renewable electricity generation activity;
- c) the location of existing structures and infrastructure including, but not limited to, roads, navigation and telecommunication structures and facilities, the distribution network and the national grid in relation to the renewable electricity generation activity, and the need to connect renewable electricity generation activity to the national grid;
- d) designing measures which allow operational requirements to complement and provide for mitigation opportunities; and
- e) adaptive management measures.

Policy C1 identifies a series of practical constraints relating to developing, upgrading, maintaining and operating renewable electricity generation (REG) activities, and instructs decision-makers to have particular regard to these when considering the content of regional policy statements (RPSs) and regional and district plans, and applications for resource consent, notices of requirement (NoRs) and heritage orders.

The requirement to “have particular regard” is an active directive and imposes an obligation on decision-makers to give genuine attention and thought to the matters identified in (a)–(e). However, the requirement recognises that these matters are not absolutes and instead imposes a duty on decision-makers, to take care, and to give particular weight to them when making decisions on REG activities.

The Policy acknowledges that practical constraints associated with REG activities can limit their ability to avoid, remedy or mitigate adverse effects and that this, in turn, can present challenges to new and existing activities being consented unless they are specifically recognised by decision-makers. In implementing this Policy, decision-makers will need to recognise the following when considering the development of RPS and plan provisions, and applications for resource consent, NoRs and heritage orders:

- That REG activities are resource dependent and restricted to a finite number of locations – this, in turn, means that they need to be sited where the resources exist (eg, rivers and lakes with suitable available flow; geothermal systems; areas of high average wind speed, such as elevated ridgelines and hilltops; coastal marine areas with good tidal or wave energy resource).
- That logistical or technical practicalities may exist that constrain the type, location, layout and design of REG activities and the ability to fully manage, and in particular avoid, all the adverse effects associated with their development and/or operation (eg, wind turbines require locations with limited turbulence which are often highly visible; hydroelectric generation may have residual effects on the natural character of the associated water body; pipe networks are required to access geothermal hotspots).

- That existing and future REG activities depend on supporting infrastructure (eg, existing roads or the ability to construct new roads; access to local/national transmission and distribution infrastructure) and that this is an important factor in identifying and selecting preferred locations.
- That the operational requirements of REG activities (eg, ramping rates for hydroelectricity) are fully taken into account in considering complementary mitigation measures (eg, that minimum flow requirements include provision for occasional increased flows to enable recreational uses such as kayaking).
- Whether adaptive management measures should be introduced to identify any previously unknown or unpredictable effects associated with a REG activity (eg, localised differential subsidence on a previously undeveloped geothermal system). These can act as a precautionary means to address uncertainty or risk of serious irreversible effects arising from the use and development of renewable energy resources, and could comprise the following: staged consent (or formal review of consent conditions);¹⁹ extensive monitoring; predetermined reporting and assessment milestones; and development and implementation of alternatives to address reporting and assessment findings.

Note: Further information regarding technical terms can be found in the REG Technical Guidance being developed by the Energy Efficiency and Conservation Authority.

Regional response	Territorial response
<p>Regional councils should ensure that provision is made in their RPS and relevant regional plans to address the matters listed in clauses (a)–(e). This could be by way of specific objectives, policies and methods that recognise and provide for the technical and operational requirements of REG activities, and/or by including them as assessment matters in a relevant plan.</p>	<p>Territorial authorities should ensure that provision is made in their district plan to address the matters listed in clauses (a)–(e). This could be by way of specific objectives, policies and rules that reference the specific technical and operational requirements of REG activities (eg, allowing ongoing operation, maintenance and minor upgrading of existing REG facilities to occur as of right, subject to performance standards). They could also be included as discrete matters for consideration within assessment policies in relevant sections of the plan (eg, rural/coastal zone).</p>

¹⁹ Refer to sections 127 and 128 RMA.

<p>In responding to this Policy, regional councils should:</p> <ul style="list-style-type: none"> liaise with renewable electricity generators to comprehend the practical nature of their operational requirements within the region and any particular constraints associated with specific generating assets (eg, finite nature of locations in the region; minimum flow requirements)²⁰ ensure that the operational and locational requirements associated with REG activities are not unduly constrained by policies and rules relating to likely receiving environments (eg, earthwork controls in hill country areas). 	<p>In responding to this Policy, territorial authorities should:</p> <ul style="list-style-type: none"> liaise with renewable electricity generators to comprehend the practical nature of their operational requirements in the city/district, along with any particular constraints associated with specific generating assets (eg, finite nature of locations in the city/district)²¹ ensure that the operational and locational requirements associated with REG activities are not unduly constrained by policies and rules relating to likely receiving environments (eg, access, routine maintenance).
<p>Example policy response</p>	<p>Example policy response</p>
<p>In Section 4 of this guidance document, see:</p> <p>Objectives: R1.1, R1.2, RP1.1</p> <p>Policies: R2.2, R2.3, R2.4, RP2.6</p> <p>Methods: R3.1, R3.2, R3.6, R3.7</p>	<p>In Section 4 of this guidance document, see:</p> <p>Objectives: D1.1</p> <p>Policies: D2.2, D2.3, D2.5, D2.6, D2.8</p> <p>Methods: R3.6, R3.7, D3.1, D3.2, D3.3</p>

²⁰ However, this needs to be balanced by the fact that there may be commercial sensitivities around the operational requirements of particular REG activities.

²¹ Refer to footnote 20.

Policy C2

When considering any residual environmental effects of renewable electricity generation activities that cannot be avoided, remedied or mitigated, decision-makers shall have regard to offsetting measures or environmental compensation including measures or compensation which benefit the local environment and community affected.

Policy C2 builds on a body of case law regarding the use of measures to offset or compensate for the environmental effects associated with an activity.²² Such case law is still in its infancy in New Zealand and the Courts have yet to make a clear distinction between what constitutes 'offsetting' and what constitutes 'compensation'.

The Policy is only relevant where a renewable electricity generation activity gives rise to a 'residual effect', which is an effect that cannot be avoided, remedied or mitigated.

In addition, it is up to the applicant for a proposed renewable electricity generation (REG) activity to volunteer the offsetting or compensation. While the Policy requires local authorities to have regard to such matters (ie, to give them genuine attention and thought, and to weigh them carefully in coming to a conclusion), such consideration may only be triggered if an applicant first volunteers the offsetting or compensation. An applicant for a REG activity is not obliged to offer offsetting or compensation, even if the proposed REG activity will create residual effects.

The clearest guidance from current case law suggests that offsetting and compensation are not necessarily 'off-site' measures; but rather are measures that avoid, remedy or mitigate an adverse environmental effect that is not an effect of the proposal under consideration. For example, an applicant may offer up measures that involve creating a positive on-site or off-site effect (eg, fencing and restoring a significant bush remnant on an adjacent property; creating a new wildlife habitat in another location) that is either 'in kind' (eg, replacing native vegetation with native vegetation) or 'out of kind' (eg, compensating loss of a wetland by enhancing a kiwi habitat or developing a community facility).

Offsetting or compensation does not reduce the direct impact associated with an REG activity, but can offer positive benefits elsewhere in the environment. Consequently, they are measures that may be factored in alongside all other relevant considerations when evaluating whether a proposal amounts to sustainable management.

Regional response	Territorial response
<p>Regional councils should make provision in their regional policy statement and relevant regional plans to enable offset and environmental compensation measures to be considered.</p> <p>This could be by way of specific objectives, policies and methods that recognise the existence of circumstances where the effects of an REG activity cannot be avoided, remedied or mitigated, and approaches that allow offset measures to be considered (eg, stream ecological valuation).</p>	<p>Territorial authorities should make provision in their district plan to enable offset and environmental compensation measures to be considered.</p> <p>This could be by way of specific objectives, policies and methods that recognise the existence of circumstances where the effects of an REG activity cannot be avoided, remedied or mitigated.</p>

²² Examples include *Transwaste Canterbury Ltd v Canterbury Regional Council* (C29/2004); *Whangamata Māori Committee et al v Waikato Regional Council* (A173/2005); *JF Investments Ltd v Queenstown Lakes District Council* (C48/2006); *Director-General of Conservation v Wairoa District Council* (W081/2007); *Kennedy's Bush Developments Ltd v Christchurch City Council* (CIV-2004-485-1189); and *Man'O War Station Limited v Auckland City Council* [2010] NZEnvC 248.

Example policy response	Example policy response
In Section 4 of this guidance document, see: Objectives: R1.1, R1.2 Policies: RP2.4 Methods: R3.2	In Section 4 of this guidance document, see: Objectives: D1.1, D1.2 Policies: D2.7 Methods: D3.1, D3.2

3.5 Managing reverse sensitivity effects on renewable electricity generation activities

Policy D
<p>Decision-makers shall, to the extent reasonably possible, manage activities to avoid reverse sensitivity effects on consented and on existing renewable electricity generation activities.</p>
<p>Policy D requires decision-makers, to the ‘extent reasonably possible’, to ensure third party activities are managed in a way that avoids reverse sensitivity effects²³ that could impede the operation, maintenance, upgrade and development of existing renewable electricity generation (REG) activities, along with those that have been consented but are yet to be constructed. The Policy recognises that it is not possible for the effects of REG activities to be internalised in all circumstances and that management of adjacent activities may be required to ensure their continued operation.</p> <p>Use of the term ‘to the extent reasonably possible’ reflects that it may not be reasonable or practicable to avoid adverse effects in all circumstances. However, avoidance can reduce the likelihood of third party complaints and the prospect of local authorities being drawn into protracted enforcement action.</p> <p>In implementing this Policy, decision-makers should have an understanding of the following when considering the development of regional policy statement (RPS) and plan provisions, and applications for resource consent, notices of requirement (NoRs) and heritage orders.</p> <ul style="list-style-type: none"> • The location of existing and consented REG activities within their area. • Industry requirements for the operation, maintenance, upgrade and development of REG activities. • Changes in the pattern of existing land and water use that could impinge on these requirements, and the impact these might have on consented and existing REG activities (eg, subdivision and subsequent residential development adjacent to a wind farm; residential development over a geothermal area). • The type of measures that might appropriately be undertaken to address potential reverse sensitivity effects.

²³ Such effects may arise where new sensitive activities are introduced into an existing environment (eg, locating residential development in the vicinity of an existing or consented windfarm).

Regional response	Territorial response
<p>Regional councils should ensure that objectives and policies are included in their RPS to manage the effects of activities that could pose a risk to the operation and development of existing and consented REG activities. This could be addressed through the development of separate provisions relating to these effects, or through provisions developed in response to Policy A and B.</p> <p>Regional councils should also ensure that:</p> <ul style="list-style-type: none"> • where necessary, policies and assessment criteria are included in relevant regional plans that recognise and address potential reverse sensitivity effects (including cross boundary effects) • renewable electricity generators are recognised as potentially affected persons. 	<p>Territorial authorities should ensure that objectives, policies and methods (including rules) are included in their district plan to manage and, where necessary, restrict the effects of other activities identified as posing a risk to the operation and development of existing and consented REG activities.</p> <p>In responding to this Policy, territorial authorities should:</p> <ul style="list-style-type: none"> • identify the nature and location of consented and existing REG activities in the city/district • consider, in consultation with electricity generators, whether there are potential reverse sensitivity issues that might impinge on these REG activities • ensure the location of other activities relative to REG activities do not pose a risk to their operation, maintenance, upgrade and development. This will require regular monitoring to be undertaken to be effective • assess the potential impact of existing and consented REG activities on their current zoning and urban growth policies (ie, location of current and future growth areas relative to REG activities) • where necessary, include policies and assessment criteria in plans that recognise and address potential reverse sensitivity effects (including cross boundary effects) • recognise renewable electricity generators as potentially affected persons.
Example policy response	Example policy response
<p>In Section 4 of this guidance document, see:</p> <p>Objectives: R1.1, R1.2, RP1.1</p> <p>Policies: R2.5, R2.6, R2.7, RP2.2</p> <p>Methods: R3.1, R3.3, R3.4, R3.6</p>	<p>In Section 4 of this guidance document, see:</p> <p>Objectives: D1.1, D1.2</p> <p>Policies: D2.10</p> <p>Methods: R3.3, D3.1, D3.5</p>

3.6 Incorporating provisions for renewable electricity generation activities into regional policy statements and regional and district plans

Policy E1 Solar, biomass, tidal, wave and ocean current resources

Regional policy statements and regional and district plans shall include objectives, policies and methods (including rules within plans) to provide for the development, operation, maintenance, and upgrading of new and existing renewable electricity generation activities using solar, biomass, tidal, wave and ocean current energy resources to the extent applicable to the region or district.

Policy E2 Hydro-electricity resources

Regional policy statements and regional and district plans shall include objectives, policies, and methods (including rules within plans) to provide for the development, operation, maintenance, and upgrading of new and existing hydro-electricity generation activities to the extent applicable to the region or district.

Policy E3 Wind resources

Regional policy statements and regional and district plans shall include objectives, policies, and methods (including rules within plans) to provide for the development, operation, maintenance and upgrading of new and existing wind energy generation activities to the extent applicable to the region or district.

Policy E4 Geothermal resources

Regional policy statements and regional and district plans shall include objectives, policies, and methods (including rules within plans) to provide for the development, operation, maintenance, and upgrading of new and existing electricity generation activities using geothermal resources to the extent applicable to the region or district.

Policies E1–E4 require local authorities to include provisions in their regional policy statements (RPSs) and plans that specifically relate to developing, operating, maintaining and upgrading new, existing and consented renewable electricity generation (REG) activities associated with the relevant renewable resources identified. Although there is a slight difference in the terminology used in these policies (eg, “existing wind energy generation activities” as opposed to “existing electricity generation activities using geothermal resources”), this should have no material bearing on the way in which they are interpreted and implemented.

In formulating these provisions, local authorities are required to consider their application to the “extent applicable to the region or district”. The inclusion of this qualifier recognises that there are some regions or city/districts, or some parts of regions or city/districts, where the development, operation, maintenance and upgrading of activities associated with a specific renewable energy resource will be particularly relevant (eg, wind in the Manawatu and Tararua districts). Conversely, it also recognises that there may be regions or cities/districts where this will be a less relevant consideration (eg, geothermal resources in Southland).

In implementing these Policies, local authorities need to recognise that the nature and extent of REG activities within their region or city/district will change over time due to new REG technologies and further data on REG potential collected by generators. In response, a proactive approach to the development, operation, maintenance and upgrading of new, existing and consented REG activities should be adopted which generally has the following elements:

- understanding the renewable energy resources in their region or city/district
- identifying sensitive receiving environments within their region or city/district where the establishment of REG activities could be provided for subject to a higher threshold (eg, outstanding natural areas; threatened or endangered habitat)
- explicitly and positively providing for REG activities in the balance areas.

In developing objectives, policies and methods, local authorities will need to be guided by Policies A–D and F–G. They will also need to bear in mind that the focus of Policies E1–E4 relates to the development, operation, maintenance and upgrading of structures associated with REG activities, including all resource uses and ancillary activities required for the operation of REG (eg, earthworks associated with construction; roading/tracks associated with the operation of a facility).

In considering the full extent of the use of the renewable resources identified, local authorities will also need to give effect to the New Zealand Coastal Policy Statement 2010 (of relevance to wind, tidal, wave and ocean current resources) and the National Policy Statement for Freshwater Management 2011 (of relevance to allocation of hydroelectricity resources) in exercising their consent and policy-making functions. By contrast, use of geothermal resources is already likely to have been addressed by regional councils through relevant regional plans.

Regional response	Territorial response
<p>Regional councils will need to include objectives, policies and methods (including rules) in their RPS and relevant regional plans that address the matters set out in Policies A–D and E–F. These could either take the form of specific provisions relating to each of the resources identified in Policies E1–E4, or a set of resource neutral provisions that cover these resources more generally (eg, a generic definition of REG resources, along with a corresponding set of generic objectives, policies and methods).</p>	<p>Territorial authorities will need to include objectives, policies and methods (including rules) in their district plan that address the matters set out in Policies A–D and E–F. These could either take the form of specific provisions relating to each of the resources identified in Policies E1–E4, or a set of resource neutral provisions that cover these resources more generally (eg, a generic definition of REG resources, along with a corresponding set of generic objectives, policies and methods).</p>

<p>In responding to this Policy, regional councils should:</p> <ul style="list-style-type: none"> • identify sensitive receiving environments within the region where the establishment of REG activities could be subject to a higher threshold (eg, water bodies of high natural value; outstanding landscapes) • include positive provisions in their RPS and relevant plans that may enable the development, operation, maintenance and upgrading of new and existing REG activities to occur in the balance area • address any relevant cross boundary issues identified. 	<p>In responding to this Policy, territorial authorities should:</p> <ul style="list-style-type: none"> • identify sensitive receiving environments within the city/district where the establishment of REG activities could be subject to a higher threshold (eg, significant areas of indigenous vegetation; high amenity areas) • include positive provisions in their plans that may enable the development, operation, maintenance and upgrading of new and existing REG activities to occur in the balance area • address any relevant cross boundary issues identified.
<p>Example policy response</p>	<p>Example policy response</p>
<p>In Section 4 of this guidance document, see:</p> <p>Objectives: R1.1, R1.2, R2.5, RP1.1</p> <p>Policies: R2.1, R2.2, R2.4, R2.5, R2.6, RP2.1, RP2.2</p> <p>Methods: R3.1, R3.3, R3.4, R3.5</p>	<p>In Section 4 of this guidance document, see:</p> <p>Objectives: D1.1, D1.2</p> <p>Policies: D2.1, D2.2, D2.3, D2.4, D2.6, D2.9</p> <p>Methods: D3.1, D3.2, D3.3, D3.4, D3.5</p>

3.7 Incorporating provisions for small and community-scale renewable electricity generation activities into regional policy statements and regional and district plans

Policy F

As part of giving effect to Policies E1 to E4, regional policy statements and regional and district plans shall include objectives, policies, and methods (including rules within plans) to provide for the development, operation, maintenance and upgrading of small and community-scale distributed renewable electricity generation from any renewable energy source to the extent applicable to the region or district.

Policy F provides for the development of distributed generation – this generally involves the development of smaller scale supply options situated closer to demand, which may or may not be connected to the local distribution network as opposed to the national grid. It recognises that renewable electricity generation (REG) activities at all scales should be accorded national priority, and seeks to ensure that provision is made for REG activities regardless of scale or distribution.

The Policy is effectively a subset of Policies E1–E4. It recognises the collective contribution that small and community-scale REG activities make to an outcome that is nationally significant, and clarifies the relationship between these activities and Policies E1–E4 by requiring local authorities to include enabling provisions in regional policy statements (RPSs) and plans that provide for their development and operation. Although the range of REG activities that come within the definition of small and community-scale distributed electricity generation is very broad,²⁴ the policy emphasis is principally directed towards ensuring that appropriate provision is made in RPSs and plans for distributed electricity generation projects at a range of scales (eg, from a small scale 1.5 kW domestic micro wind turbine, through to a larger scale commercial 5 MW hydro scheme).

The Policy also includes the qualifier “to the extent applicable to the region or district” In response to this, local authorities will need to identify, based on generally available data (eg, [EECA's regional renewable energy assessments](#)) or data that has been specifically collected, the extent to which the resources identified in Policies E1–E4 exist within their region or city/district. Where this data is either partial or currently unavailable, local authorities should ensure, as a safeguard that the policy framework in their policies and plans enables future small and community-scale distributed REG to establish.

Note: Further information regarding technical terms can be found in the REG Technical Guidance being developed by the Energy Efficiency and Conservation Authority.

²⁴ The current definition includes activities ranging from small scale hydroelectric schemes that contribute to meeting the electricity needs of individual households, through to the 12 turbine Mahinerangi windfarm.

Regional response	Territorial response
<p>Regional councils should include objectives, policies and methods (including rules) in their RPS and regional plans that provide for the development, operation, maintenance and upgrading of small and community-scale distributed REG from renewable energy sources identified in Policies E1–E4.</p> <p>In responding to this Policy, regional councils should ensure they have identified the relevant resources identified in Policies E1–E4 in their region. This, in turn, will influence both the need for specific provisions relating to small and community-scale distributed REG activities, and the degree to which they may need to be managed through their policies and plans.²⁵</p> <p>Regional councils should also give consideration to including standards in relevant plans that offer a more permissive approach to the establishment of small and community-scale REG activities (eg, micro-hydroelectric schemes).</p>	<p>Territorial authorities should include objectives, policies and methods (including rules) in their district plan that provide for the development, operation, maintenance and upgrading of small and community-scale distributed REG from renewable energy sources identified in Policies E1–E4.</p> <p>In responding to this Policy, territorial authorities should ensure that they have identified the relevant resources identified in Policies E1–E4 in their city/district. This, in turn, will influence both the need for specific provisions relating to small and community-scale distributed REG activities, and the degree to which they may need to be managed through their plans.²⁶</p> <p>Territorial authorities should also give consideration to including standards in plans that offer a more permissive approach to the establishment of small and community-scale REG activities.</p>
Example policy response	Example policy response
<p>In Section 4 of this guidance document, see:</p> <p>Objectives: R1.1, R1.2, RP1.1</p> <p>Policies: RP2.2, RP2.6</p> <p>Methods: R3.1, R3.2, R3.5, R3.8</p>	<p>In Section 4 of this guidance document, see:</p> <p>Objectives: D1.1, D1.2</p> <p>Policies: D2.6</p> <p>Methods: R3.8, D3.3, D3.5, D3.7</p>

²⁵ For further assistance, refer to the guidance document on [domestic scale distributed generation](#) prepared by EECA.

²⁶ Refer to footnote 25.

3.8 Enabling identification of renewable electricity generation possibilities

Policy G

Regional policy statements and regional and district plans shall include objectives, policies, and methods (including rules within plans) to provide for activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation by existing and prospective generators.

Policy G recognises that the identification of renewable energy resources is a critical part of the feasibility work required to determine the generation potential relating to particular sites and energy sources for renewable electricity generation (REG).

The Policy requires local authorities to include provisions in their regional policy statements (RPSs) and plans that enable existing and prospective generators to investigate, identify and assess the potential associated with the renewable energy resources identified in Policies E1–E4. As the qualifier “to the extent applicable to the region or district” is absent from this Policy, it therefore applies to all regions and city/districts regardless of the existence or otherwise of the renewable energy resources identified in Policies E1–E4.

In implementing Policy G, local authorities will need to have a broad understanding of the nature and scale of the activities associated with investigating, identifying and assessing site and energy resource potential (eg, masts to monitor wind speed and direction to assess the suitability of a possible wind farm site; drilling to sample and prove the key parameters of an inferred geothermal reservoir) and the associated time frames involved. This, in turn, will require close liaison with renewable electricity generators to elicit the required technical information.

The direction in the Policy to “provide for” creates an opportunity for local authorities to set particular parameters around investigative activities (eg, height, duration, location, noise, light). However, in setting any such parameters, the following will need to be carefully considered:

- the rapidly changing nature of the technology associated with investigative activities (eg, the height of meteorological masts)
- the locational context to which they are to be applied (eg, rural as opposed to urban; land based compared to marine environment)
- the time required to undertake investigative works (eg, data collection from wind masts is typically in the order of 2–3 years).

Note: Further information regarding technical terms can be found in the REG Technical Guidance being developed by the Energy Efficiency and Conservation Authority.

Regional response	Territorial response
<p>Regional councils will need to include objectives, policies and methods (including rules) in their regional policy statement and regional plans that provide for activities associated with investigating, identifying and assessing potential sites and energy sources for REG.</p> <p>In responding to this Policy, regional councils should:</p> <ul style="list-style-type: none"> ensure, where practicable, that they have a good working knowledge of the nature of investigative activities that are likely to be undertaken in their region before reviewing, changing or varying any relevant provisions in their RPSs or regional plans, liaise with renewable electricity generators to comprehend the general range of investigative activities likely to be undertaken in the region, the nature and scale of these activities and their associated operational and technical requirements.²⁷ 	<p>Territorial authorities will need to include objectives, policies and methods (including rules) in their district plan that provide for activities associated with investigating, identifying and assessing potential sites and energy sources for REG.</p> <p>In responding to this Policy, territorial authorities should:</p> <ul style="list-style-type: none"> ensure, where practicable, that they have a good working knowledge of the nature of investigative activities that are likely to be undertaken in their city/district before reviewing, changing or varying any relevant provisions in their district plan, liaise with renewable electricity generators to comprehend the general range of investigative activities likely to be undertaken in the city/district, the nature and scale of these activities and their associated operational and technical requirements.²⁸
Example policy response	Example policy response
<p>In Section 4 of this guidance document, see:</p> <p>Objectives: R1.1, R1.2, RP1.1, RP1.2</p> <p>Policies: R2.1, RP2.1, RP2.6, RP2.7</p> <p>Methods: R3.1, R3.2</p>	<p>In Section 4 of this guidance document, see:</p> <p>Objectives: D1.2</p> <p>Policies: D2.1, D2.2, D2.9</p> <p>Methods: D3.1, D3.4</p>

²⁷ However, this needs to be balanced by the fact that there may be commercial sensitivities regarding the nature of investigative activities proposed.

²⁸ Refer to footnote 27.

3.9 Time within which implementation is required

Policy H1

Unless already provided for within the relevant regional policy statement or proposed regional policy statement, regional councils shall give effect to Policies A, B, C, D, E, F and G by notifying using Schedule 1 of the Act, a change or variation (whichever applies) within 24 months of the date on which this national policy statement takes effect.

Policy H2

Unless already provided for within the relevant regional or district plans or proposed plans, plan changes or variations, local authorities shall give effect to Policies A, B, C, D, E, F and G by notifying using Schedule 1 of the Act, a change or variation (whichever applies) within the following timeframes:

- a) where the relevant regional policy statement or proposed regional policy statement already provides for the Policies, 24 months of the date on which this national policy statement takes effect; or
- b) where a change or variation to the regional policy statement or proposed regional policy statement is required by Policy H1, 12 months of the date on which the change or variation becomes operative.

Policies H1 and H2 require regional councils to amend their regional policy statement (RPS) by 13 May 2013 if it currently does not give effect to Policies A–G. Where an amendment to an RPS is required, both regional councils and territorial authorities have 12 months from the date that any change or variation becomes operative to notify relevant changes to their regional and district plans. Where an RPS is deemed to already give effect to Policies A–G, regional councils and territorial authorities have until 13 May 2013 to notify a change or variation to their regional and district plans.

Any changes or variations required will need to be notified and processed in accordance with Schedule 1 of the RMA. Further, the objective and policies in the NPS REG have an immediate effect on consent decision-making, irrespective of the particular stage a consenting process reached before the NPS came into effect (13 May 2011).

Regional response	Territorial response
<p>Regional councils will need to determine whether, or to what extent, their regional policy statement (RPS) and relevant regional plans currently give effect to Policies A–G.²⁹</p> <p>In responding to this Policy, regional councils should:</p> <ul style="list-style-type: none"> promptly assess the current provisions contained in their RPS to determine whether they give effect to Policies A–G and identify any policy gaps formally resolve that the RPS does/does not give effect to the NPS notify territorial authorities of their decision (eg, Chief Executive to Chief Executive; regional forum) inform MfE of their decision. <p>Depending on the outcome of this process, the following procedural steps apply.</p> <ul style="list-style-type: none"> Where the council determines that the RPS and relevant regional plan/s give effect to Policies A–G, no further formal action is required. Where the council determines that the RPS gives effect to these policies but a relevant regional plan (or plans) does not, that a change or variation to the plan is notified by 13 May 2013. Where the council determines that the RPS needs to be amended to give effect to these policies, that it notify a relevant change or variation by 13 May 2013. Where the council determines that the RPS needs to be amended to give effect to these policies, that a subsequent change or variation to its relevant regional plan/s is notified within 12 months of the change or variation to the RPS becoming operative. 	<p>Territorial authorities will need to determine whether, or to what extent, their district plan currently gives effect to Policies A–G.³⁰</p> <p>In responding to this policy, territorial authorities should:</p> <ul style="list-style-type: none"> liaise with the regional council to establish if the current RPS gives effect to the NPS and, if not, when notification of a change/variation is anticipated assess the current provisions contained in their district plans to determine whether they give effect to Policies A–G and identify any policy gaps formally resolve that the plan does/does not give effect to the NPS. <p>Depending on the outcome of this review, the following procedural steps apply.</p> <ul style="list-style-type: none"> Where the territorial authority determines that the district plan gives effect to Policies A–G, no further formal action is required. Where the regional council has resolved that the RPS gives effect to Policies A–G, and the territorial authority determines that the district plan needs to be amended to give effect to these policies, that a change or variation to the district plan is notified by 13 May 2013. Where the regional council determines that the RPS needs to be amended to give effect to these policies, that a subsequent change or variation to the district plan is notified within 12 months of the change or variation to the RPS becoming operative.

²⁹ The [report](#) prepared by Waikato Regional Council that assesses the degree to which the Proposed Waikato RPS gives effect to the NPS REG provides a useful example in this regard.

³⁰ Refer to footnote 29

4 Examples of regional and district policy responses

Regional councils and territorial authorities should review their planning documents to ensure they appropriately reflect the intent of the NPS REG, particularly any current provisions that directly or indirectly (eg, earthworks and structures) relate to renewable electricity generation (REG) activities. Where change is required, this section provides example provisions to help local authorities give effect to the NPS REG in their policy statements and plans.

The examples provided have been developed to reflect the type of issues currently addressed under regional policy statements (RPSs), regional plans (where such plans have direct application to REG, such as earthworks and activities within the coastal marine area) and district plans. In addition, they consider the purpose and principles in Part II of the RMA and the duty to avoid, remedy and mitigate adverse effects.

Note: The examples are provided as guidance only and should be **adapted** to suit local circumstances and conditions. Additional policy and plan provisions may also be required to give effect to the NPS REG, depending on the nature and extent of the renewable energy sources and REG activities that exist within a particular region/city/district. Links to provisions in operative and proposed policies and plans are included to illustrate the approaches that are presently being applied by local authorities to the management of REG activities.

The Ministry for the Environment recognises that provisions in ‘proposed’ policies and plans may be deleted or altered as a result of input from submitters or an appeal to better achieve the purpose of the RMA. Consequently, the references and links to proposed documents will be updated as provisions are refined through the hearings and appeals process.

4.1 Examples of regional policy statement objectives, policies and methods

Regional policy statement objectives

An RPS may contain broader objective(s) relating to an overall energy strategy, such as reducing the consumption of energy and using energy more efficiently. In such cases it is still important to recognise that the Government has a national target for renewable electricity generation, which the broader issues of energy consumption and energy efficiency do not directly address or influence. An RPS may also address energy related matters in a stand-alone energy chapter that contains specific objectives and policies relating to relevant regional energy resources.

In addition, an RPS typically contains individual chapters relating to the management of resources in the region, a number of which have direct relevance to REG activities (eg, water; geothermal). Consequently, provisions relating to relevant REG activities should also be included within these chapters to cover such matters as safeguarding or enhancing natural and cultural values and avoiding, remedying or mitigating the adverse effects associated with REG activities, or be cross referenced to a relevant chapter (eg, an energy chapter).

- **Objective R1.1:** To recognise the national, regional and local benefits derived from maintaining or increasing the level of electricity generated from renewable energy sources by providing for the development, operation, maintenance and upgrading of new, existing and consented REG activities within the region.
- **Objective R1.2:** To recognise the national significance of REG activities within the region and ensure that the contribution made by these activities to New Zealand's electricity supply is not compromised.

Regional policy statement policies

Policies to achieve the objective(s) for energy and/or regionally significant infrastructure should address a number of requirements under the NPS REG, such as acknowledging the practical issues associated with REG activities, their effects and the effects of third parties on REG activities. Such policies should also address the provision of small and community-scale REG activities, as these will be an important contributor to achieving the objectives for the region.

The purpose of these policies is not only to guide decision-making at a regional level (eg, for regional consents and permits), but, just as importantly, to ensure a consistent and coordinated response to the management of REG activities by constituent territorial authorities within the region. In managing the effects of REG activities, a RPS could include the following policies:

- **Policy R2.1:** The regional council and territorial authorities shall recognise the national significance of the local, regional and national benefits of REG and provide for these when developing regional and district plans and considering proposals for new and existing REG activities
- **Policy R2.2:** In managing the effects of new and existing REG activities, particular regard shall be had to practical constraints, such as the location of the resource, existing infrastructure and electricity generation transmission facilities (including the national grid), as well as their technical and operational requirements
- **Policy R2.3:** When considering new and existing resource consent applications to operate or upgrade existing REG activities, the regional council and territorial authorities shall have particular regard to the practical implications of imposing any restrictions on these activities which may limit their ability to maintain output

- **Policy R2.4:** When preparing plans and considering resource consent applications for REG activities, local authorities shall have particular regard to the use of adaptive management measures as a means of avoiding, remedying or mitigating adverse effects
- **Policy R2.5:** When preparing plans and considering resource consent applications for REG activities, local authorities shall identify any cross boundary issues to ensure a consistent and integrated approach to their management is applied.

Policies should also be included in an RPS to cover the relevant renewable energy sources outlined in Policies E1–E4 of the NPS REG that are present in the region (eg, solar, hydroelectric, wind and geothermal).

Policies to address the adverse effects of third parties on renewable electricity generation activities could include:

- **Policy R2.6:** The regional council shall identify and protect existing and consented renewable electricity generation activities by ensuring that use and development does not generate adverse reverse sensitivity effects on REG activities that constrain their development, operation, maintenance or upgrading
- **Policy R2.7:** Territorial authorities within the region shall identify and protect existing and consented renewable electricity generation activities by ensuring that subdivision, use and development does not generate adverse effects on REG activities that constrain their development, operation, maintenance and upgrading, including generating reverse sensitivity effects and/or adverse effects on public safety
- **Policy R2.8:** The regional council and territorial authorities shall notify operators of renewable electricity generation assets of any resource consent applications that may adversely affect assets that they own or manage, or the resources on which their operation relies.

Regional policy statement methods

The following methods are means by which the above policies could be implemented:

- **Method R3.1:** Renewable electricity generators should be consulted when preparing and applying policies relating to renewable electricity generation activities within the region (including policy or plan changes and reviews), and informed about proposed subdivision and development that has the potential to adversely affect existing or consented renewable electricity generation activities
- **Method R3.2:** District and regional plans shall include objectives, policies and rules to recognise and provide for the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities to the extent applicable to the resources present in the region/city/district
- **Method R3.3:** District and regional plans shall include objectives, policies and rules to recognise and provide for existing and consented REG activities within their region/city/district, and to make provision through subdivision and land use rules (as necessary) to ensure that the development, operation, maintenance and upgrading of these activities is not compromised as a result of the adverse effects of incompatible subdivision and land uses. They should also identify generation assets on planning maps
- **Method R3.4:** Owners/operators of REG activities should be notified of resource consent applications that may have adverse effects on the operation, maintenance and upgrading of existing or consented renewable electricity generation assets

- **Method R3.5:** Local authorities should consult with renewable electricity generators about proposed development works, subdivision, land uses, takes, discharges or other activities with the potential to adversely affect existing and consented REG activities
- **Method R3.6:** Local authorities should include the location of large-scale REG activities in their property information systems (including GIS)
- **Method R3.7:** District plans should recognise the presence of existing or consented REG activities in areas of outstanding natural landscapes, water bodies (in, on, under or adjacent to) and areas of high recreation value and amenity
- **Method R3.8:** Local authorities should disseminate relevant information regarding the development and operation of small and community-scale REG in their region/city/district.

Provisions in the following regional policy statements include specific reference to REG activities:

- [Proposed Horizons One Plan – Chapter 3](#)
- [Proposed Wellington Regional Policy Statement](#)
- [Proposed Canterbury Regional Policy Statement – Chapter 16.](#)

4.2 Examples of regional plan objectives and policies

Regional plan objectives

As the resource management issues for each region are different in terms of resource availability and pressures on these resources, examples of regional plan provisions relating to specific resources are not provided. Instead, broad examples have been developed as guidance on how a regional plan could give effect to the policy direction in the NPS REG.

The extent to which these example objectives and policies can be integrated into an existing regional plan will largely depend on the approach and structure of the plan. Instead of an overview section on energy or regionally significant infrastructure, regional plans are commonly structured around a separate plan chapter/section for each resource (eg, water, land, air and coast). In such cases, because REG activities are a matter of national significance, it may be appropriate to include recognition of REG within each of the resource chapters/sections.

- **Objective RP1.1:** To provide for new and existing REG activities in the region, including small and community-scale generation, by:
 - (a) recognising the national significance of these activities
 - (b) recognising the national, regional and local benefits associated with these activities
 - (c) ensuring that the individual and collective generation output of existing and consented REG activities is not reduced
 - (d) recognising the practical constraints associated with the development, operation, maintenance and upgrading of these activities
 - (e) recognising the contribution these activities make towards achieving the national renewable electricity generation target.
- **Objective RP1.2:** To enable new technologies using renewable energy resources to be investigated and established in the region.

Regional plan policies

- **Policy RP2.1:** Identify existing and potential renewable energy sources within the region and appropriate regulatory and non-regulatory methods to manage their investigation, use, development and protection.
- **Policy RP2.2:** Control the use and development of activities to avoid reverse sensitivity effects on the development, operation, maintenance and upgrading of existing or consented REG activities.
- **Policy RP2.3:** Recognise the location, operational and technical constraints of REG activities when considering resource consent applications for their development, operation, maintenance and upgrading.
- **Policy RP2.4:** Where the adverse effects of REG activities cannot be practically avoided, remedied or mitigated, consideration shall be given, in determining a resource consent application and imposing any resource consent conditions, to any offset measures and/or environmental compensation offered by an applicant.
- **Policy RP2.5:** Where particular adverse effects of REG activities are either not fully known or uncertain, consideration shall be given, in determining a resource consent application and imposing any resource consent conditions, to the use of adaptive management measures to avoid, remedy or mitigate any adverse effects.
- **Policy RP2.6:** Provide for the development, operation, maintenance and upgrading of small and community-scale REG activities where the adverse effects on the environment are avoided, remedied or mitigated.
- **Policy RP2.7:** Provide for research and exploratory-scale investigations to be undertaken into REG technologies, methods and sites.

Note: The above policies are broad and renewable energy resource neutral. It is anticipated that each region would have detailed regional plan provisions relating to the specific renewable energy resources that exist in the region, and that these would address each of the policies contained in the NPS REG.

Provisions in the following regional plans include specific reference to REG activities:

- [Southland Regional Water Plan – Waiiau Catchment for the Manapouri Hydro Scheme](#)
- [Waikato Regional Plan – Variation 2 Geothermal](#).

4.3 Examples of district plan objectives, policies and methods

Most 'second generation' district plans contain specific objectives and policies for energy, including REG. Some 'first generation' district plans include broad energy-related provisions, while others have been amended through plan changes to include specific provisions to address renewable energy issues. Some plans cover energy in a broader sense and combine it with infrastructure and/or network utilities. Whether a separate or combined approach is adopted is a matter of style and structure.

Regardless, the suggested responses below focus on providing a targeted response to the directions contained in the NPS REG. Some territorial authorities may seek to provide an integrated approach to managing the effects of all significant infrastructure and network utilities within their city/district and to develop a policy response that addresses REG within a broader set of plan provisions. If such an approach is adopted, it is important to ensure that the provisions clearly recognise and provide for REG activities.

Conversely, territorial authorities may choose to develop a stand-alone energy chapter that contains specific objectives and policies relating to relevant city/district energy resources. If this approach is adopted, it will be essential that the key elements required to respond to the NPS REG are not lost, or its significance relative to other infrastructure is not diminished.

Whichever approach is applied, terms relating to elements of the electricity supply system will need to be carefully differentiated and described.

District plan objectives

Objective D1.1: To provide for new and existing REG activities in the city/district, including small and community-scale generation, by:

- (a) recognising the national significance of these activities
- (b) recognising the national, regional and local benefits associated with these activities
- (c) ensuring that the individual and collective generation output of existing and consented REG activities is not reduced
- (d) recognising the practical constraints associated with the development, operation, maintenance and upgrading of these activities
- (e) recognising the contribution these activities make towards achieving the national renewable electricity generation target.

Objective D1.2: To enable new technologies utilising renewable energy resources to be investigated and established in the city/district.

District plan policies

- **Policy D2.1:** Recognise the potential renewable energy sources that exist in the city/district, with the greatest potential being *the wind resource on the elevated eastern hill country*.

Note: The second part of the above policy, in italics, should be drafted to specifically identify and describe the nature and location of particular renewable energy source(s) within the city/district.

- **Policy D2.2:** Provide for the investigation, establishment, development and upgrading of REG activities while avoiding, remedying or mitigating the adverse effects on the environment.
- **Policy D2.3:** Enable the ongoing operation, maintenance and upgrading of existing REG activities where the adverse effects of these works are of the same or similar scale, intensity and character.
- **Policy D2.4:** Recognise the national, regional and local benefits of REG activities when considering resource consent applications for their development, operation, maintenance and upgrading.
- **Policy D2.5:** Recognise the location, operational and technical constraints of REG activities when considering resource consent applications for their development, operation, maintenance and upgrading.
- **Policy D2.6:** Provide for small and community-scale REG activities where their adverse effects on the environment are not significant.
- **Policy D2.7:** Where the adverse effects of REG activities cannot be practically avoided, remedied or mitigated, consideration shall be given, in determining a resource consent application and imposing any resource consent conditions, to any offset measures and/or environmental compensation offered up by an applicant.
- **Policy D2.8:** Where particular adverse effects of REG activities are not fully known or uncertain, consideration shall be given, in determining a resource consent application and imposing any resource consent conditions, to the use of adaptive management measures to avoid, remedy or mitigate any such effects.
- **Policy D2.9:** Provide for research and exploratory-scale investigations to be undertaken into REG technologies, methods and sites.

Note: The above policies are broad and renewable electricity resource neutral. If a city/district has a dominant or single renewable electricity resource (eg, wind, geothermal or water/hydroelectricity), then the policies and associated assessment matters could be tailored to recognise the context and issues associated with the particular resource (eg, hydroelectricity activities by necessity need to locate in, beside, on and/or under water bodies).

- **Policy D2.10:** Control subdivision and land-use development to avoid reverse sensitivity effects on the operation of existing or consented REG activities.

Note: Where specific activities have been identified that could impede the development, operation, maintenance or upgrading of a REG activity, these should be inserted into the above policy.

District plan methods

The following methods are possible ways to implement the above policies:

- **Method D3.1:** Renewable electricity generators should be consulted when preparing and applying policies relating to REG within their city/district, including any plan changes and district plan reviews, and informed of any proposed subdivision and development that has the potential to adversely affect existing or consented REG activities
- **Method D3.2:** Rules shall be developed to provide for the development, operation, maintenance and upgrading of new, existing and consented REG activities. Performance standards and consent activity status should also reflect the nature of these activities and their effect on the environment
- **Method D3.3:** Rules shall be developed to provide for the development, operation, maintenance and upgrading of small and community-scale REG activities, with performance standards to manage any adverse effects on the environment
- **Method D3.4:** Rules shall be developed to permit research and exploratory-scale investigations for REG activities (eg, masts for wind measurement; drilling for geothermal resources; water level and/or rain gauge monitoring equipment). Performance standards could also be applied to manage any adverse effects on the environment
- **Method D3.5:** Rules shall be developed to control buildings, structures, earthworks and other works that could adversely affect the operation of existing or consented REG activities. These could include imposing buffer/setback distances, or a more stringent activity status to sensitive land uses in the vicinity of REG activities (eg, residential activities)
- **Method D3.6:** Recommend the use of industry codes of practice and standards for assessing resource consent applications. For example, use NZS6808:2010 Wind Farm Noise Standard to assess the noise effects of wind farm proposals
- **Method D3.7:** Dissemination of relevant information regarding the development and operation of small and community-scale REG in their city/district.

Provisions in the following district plans include specific reference to REG activities:

- [Wellington District Plan – Chapters 25 and 26 Renewable Energy](#)
- [Proposed Ashburton District Plan – Chapter 14 Utilities, Energy and Designations](#)
- [Far North District Plan – Chapter 12.9 Renewable Energy and Energy Efficiency.](#)

5 Monitoring and review requirements

The NPS REG is expected to impact on decision-making on the RMA by requiring the benefits and national significance of renewable electricity generation (REG) to be recognised and provided for, and by creating greater national consistency in the approach taken by local authorities. This is expected to contribute to increased investment in electricity generation from renewable energy sources, and thus contribute to meeting the Government's target for electricity generation from renewable energy resources.³¹

Within the NPS REG is an expectation that the Minister for the Environment will monitor and review its implementation and effectiveness in achieving the purpose of the RMA. To enable this to happen, the Ministry for the Environment has developed a monitoring and evaluation plan for establishing systems and processes to collect the necessary information.

Initially, monitoring will focus on how councils are implementing the NPS REG, and identifying any barriers or other implementation issues. A full evaluation is intended to be undertaken within five years that will consider:

- whether implementation timeframes have been met
- how the NPS REG is being “given effect to” in policies and plans
- how the NPS REG is being “had regard to” in decision-making on RMA approvals (including resource consents)
- whether there is more national consistency in RMA planning documents and decision-making.

Alongside consideration of the NPS REG's impact on the RMA planning framework, Government will continue to monitor progress towards the national target for electricity generation from renewable energy resources.

A mix of qualitative and quantitative information will be used for monitoring and evaluation. A large proportion of this information will come from requests to local government, and information will also be sourced from the electricity industry and other interested parties.

To help the Ministry monitor and review the implementation and effectiveness of the NPS REG, councils should be prepared to respond to its requests for information about:

- formal resolutions that their policy statements or plans meet the NPS REG (in accordance with the hierarchy)
- changes/variations to give effect to the NPS REG being notified
- changes/variations to give effect to the NPS REG becoming operative
- administrative information on policy statement and plan changes to give effect to the NPS REG, including the cost to the council and time taken

³¹ Note that there are other factors that contribute to REG investment decisions and also impact on whether or not the Government's target will be achieved. These include capital costs (including exchange rates and the price of steel), electricity consumption, presence of a carbon price, price of fossil fuels, allocation of water for hydroelectric generation, and other commercial decisions (eg, decommissioning ageing fossil fuel plants).

- how the NPS REG has been “had regard to” in consent decisions
- administrative information on consents relating to REG activities, including:
 - type of generation: solar, tidal, wave, ocean current, hydroelectric, wind, geothermal
 - scale of generation: large, or small and community-scale
 - capacity: applied for and consented (and any change in capacity for re-consenting)
 - council decisions made
 - appeal status and decisions
 - who the decision-maker was.

The Ministry has a wider ‘Monitoring and Review’ project under way. Its aim is to establish a national monitoring framework to coordinate and manage the collection and sharing of nationally consistent and comparable information on the implementation and effectiveness of the RMA. While the intention is that monitoring required for the NSP REG will be incorporated into that framework progressively from the later part of 2012, there may be some one-off information requests to local government in the interim.