

National Policy Statement on Renewable Electricity Generation

1. On 14 April 2011 the Government will issue by notice in the Gazette the National Policy Statement on Renewable Electricity Generation ("NPS"). The NPS comes into effect on 13 May 2011.
2. The NPS has been created to help attain the Government's policy for 90% of energy to be generated by renewable sources by 2025. This reflects the objective of the NPS which is:

"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."
3. The NPS endeavours to achieve this objective by requiring decision-makers to have specific regard to certain matters relating to renewable electricity generation and by requiring regional and territorial planning instruments to include specific objectives, policies, and rules relating to renewable electricity generation.
4. Of note, the NPS requires decision-makers to take into account the following matters: the national significance of renewable electricity generation, whether meeting or exceeding the Government's target requires significant development of renewable electricity generation activities, the need to locate renewable electricity generation activities where renewable resources are available and the location of existing infrastructure in relation to electricity generation activities.
5. Further the NPS provides that when considering any residual environmental effects of renewable electricity generation activities (effects which cannot be avoided, remedied or mitigated) decision makers shall have regard to offsetting measures or environmental compensation which will benefit the local environment and community.
6. Under the NPS regional policy statements, regional plans and district plans are all required to include objectives, policies, and rules which provide for the development and maintenance of new and existing hydro-electrical generation activities, wind generation activities and electricity generation activities that use solar, biomass, tidal wave or ocean resources. Regional policy statements, regional plans and district plans are also required to include methods that provide for the investigation and assessment of potential sites for renewable electricity generation.
7. The combined effect of the matters that decision-makers must have specific regard to under the NPS and the amendment of regional and territorial planning instruments to include specific objectives, policies, and rules relating to renewable electricity generation should provide New Zealand's electricity generators with direction on where to locate renewable electricity generation projects, and create an easier consenting environment to operate within.
8. Following the NPS coming into effect on 13 May 2011 decision-makers on resource consent applications must have regard to the provisions of the NPS. The decision-maker must have regard to the NPS regardless of when the application was lodged.

9. Under section 55 of the Resource Management Act 1991 local authorities must amend regional policy statements, proposed regional policy statements, plans, proposed plans or variations if the national policy directs it so.
10. The NPS requires regional councils to amend their regional policy statements or proposed regional policy statements to give effect to the policies contained in the NPS within 24 months, unless the relevant policies within the NPS have already been provided for.
11. In the case of regional and district plans, proposed plans or variations, local authorities are required to give effect to its provisions by notifying changes within the following timeframes:
 - a. Where the relevant regional policy statement already provides for the policies in the NPS 24 months from 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, within 12 months of the date on which the change or variation becomes operative.

If you have any specific questions about the NPS please contact:



Stephen Christensen

Direct 03 471 5430

Email stephen.christensen@andersonlloyd.co.nz

Mobile 027 448 2325