



TCF Feedback on Testing the Approach to National Policy Direction

15 October 2026

Introduction

1. Thank you for the opportunity to provide feedback on the discussion document [*Testing the Approach to National Policy Direction*](#).
2. This submission is made on behalf of the New Zealand Telecommunications Forum (TCF), the industry association for the telecommunications sector. Our members include network operators, retail service providers, and the companies that own and operate cell towers.
3. The telecommunications sector relies on the planning system to be able to build, maintain, upgrade and replace the critical infrastructure needed to run its networks. We support the development of national direction as a way to ensure greater consistency in planning rules across the country. Limiting regional variation reduces costs and speeds up infrastructure deployment, improving telecommunications services for New Zealanders.
4. National standards for telecommunications have very recently been updated in the National Environmental Standards for Telecommunications Facilities (NESTF), following a significant policy process. It is essential that the national direction developed under the Planning Act and Natural Environment Act carries these standards into the new planning system without weakening or diminishing their effect. We expect that, where relevant, the NESTF standards will be translated into a comprehensive national infrastructure standard, rather than standard plan content.
5. The directives in the National Policy Direction (NPD) are critical to framing the next layers of the new planning system. A well designed NPD will provide greater certainty for infrastructure providers and decision-makers, reducing the potential for inconsistent interpretation and litigation.
6. We welcome the opportunity presented by the new planning system to provide a clearer, more consistent and more enabling framework for infrastructure, including telecommunications.

7. Our submission comments on:

- a. **The NPD structure.** We support the attempt to create a comprehensive Infrastructure theme, but more work is needed to create a genuine “one-stop-shop” for infrastructure within the theme.
- b. Whether the NPD achieves the objective of **resolving conflicts between the goals** in the Planning Act and the Natural Environment Act. Our view is that it does not.
- c. **The infrastructure theme.** Our view is that the policy instructions in the illustrative directives would not (without amendment) adequately achieve the outcome to “enable infrastructure to be provided to meet and respond to current and future demand”. To address this we recommend:
 - i. changes to INFR- directives 1.2, 1.3 and 1.5
 - ii. new and amended definitions
 - iii. clarifying how infrastructure is dealt with in **spatial planning**
 - iv. some changes to the treatment of **infrastructure and natural hazards** in both the infrastructure and public values directives.
- d. **Crossing cutting themes.** We comment on the directives concerning private property rights, economic growth and reverse sensitivity.

NPD Structure

8. The use of themes provides a useful structure for the NPD. However, as currently drafted the NPD does not provide a clear or consistent picture of how infrastructure is to be provided for across the various themes.
9. The one-stop-shop approach (taken in the comprehensive infrastructure chapters of the Wellington District Plan and Auckland Unitary Plan) would provide greater certainty for infrastructure delivery, including how infrastructure is expected to be managed in sensitive areas such as outstanding natural features and landscapes and natural hazards.
10. We therefore request that the NPD be redrafted to provide a clearer and more integrated framework and chapter for infrastructure.

The NPD does not yet resolve conflicts between the goals

11. The NPD does not yet meet its intended purpose of resolving conflicts between the goals in the Planning Act and the Natural Environment Act. There are tensions between the various themes, creating uncertainty as to when infrastructure is intended to be enabled and when it may be constrained by competing directives within the Public Values theme.
12. This is especially problematic for situations where, in order to deliver essential services to New Zealanders, infrastructure such as telecommunications needs to be located in or traverse areas of significant biodiversity, outstanding natural features and natural

landscapes, high natural character in the coastal environment, and significant historic heritage.

13. The uncertainty arises from:

- a. conflicting directives
- b. gaps in the NPD on how effects will be managed and on environmental limits
- c. the use of undefined concepts such as routine infrastructure activity and significant environmental value.

14. While we realise that some of the certainty we are seeking will come later, in national standards, because the NPD is at the top of the funnel we need to be sure it will provide what we need lower down. We suggest some fixes for this in our comments on the infrastructure theme.

The infrastructure theme

15. We support the inclusion of an infrastructure theme in the NPD. The draft provides a useful framework for enabling infrastructure and includes directives that give effect to the infrastructure objective. However, several amendments are necessary to ensure the chapter effectively enables infrastructure development and delivers the outcomes sought by the NPD.

16. We propose:

- a. Minor changes throughout the draft directives, to better reflect the routine activities needed to enable infrastructure
- b. An amendment to INFR-Directive 1.2(b) to clarify that an assessment of alternative sites or methods is not required to demonstrate that functional need or operational need exists
- c. An amendment to INFR-Directive 1.3 regarding which activities are allowed for existing infrastructure inside and outside the operational envelope
- d. Changes to INFF-Directive 1.5 to provide greater clarity on how conflicts will be managed
- e. Clarifying how spatial plans take account of linear infrastructure
- f. Some changes to the treatment of infrastructure and natural hazards
- g. Some additional and amended definitions.

Suggested amendments to reflect routine activities

17. While the drafters have anticipated many of the activities needed to enable infrastructure (such as operation, maintenance, upgrade and repowering) some important activities have not been included.

18. We recommend the following activities be expressly included throughout the infrastructure directives, to avoid interpretation issues. Alternatively, they could be incorporated within a new definition of “routine infrastructure activity”, as proposed later in this submission. The activities are:

- a. Replacement
- b. Removal
- c. Decommissioning.

Suggested amendments to INFR 1.3 re existing infrastructure and the operational envelope

19. Telecommunications equipment is regularly replaced, reconfigured, added, removed and upgraded to meet changing service requirements. Where these activities occur within the existing operational envelope they should be enabled without unnecessary restriction. In some cases it is necessary to do works that extend beyond the operational envelope - in these cases it is reasonable to expect adverse effects to be managed.

20. We propose the following amendments to INFR-directive 1.3 to clarify expectations inside and outside the operational envelope.

***INFR-Directive 1.3:** To enable existing infrastructure to efficiently and effectively maintain, increase or improve services delivered to people and communities, land use plans and natural environment plans must ~~enable~~:*

enable routine infrastructure activities; and ~~operation, maintenance, upgrade and repowering activities and all ancillary activities to be undertaken without unnecessary restriction within its operational envelope [see interpretation section]~~

provide for upgrading and relocation activities other than routine infrastructure activities ~~outside its operational envelope~~ that increase safety, increase resilience, utilise new technology or reduce environmental effects; and

manage adverse effects beyond the operational envelope.

21. To support this we have also proposed a new definition for routine infrastructure activities, discussed in the definitions section of this submission.

Suggested amendment to INFR 1.5 to better manage conflicts

22. One of the gaps in the illustrative NPD is on how to manage conflicts between infrastructure and significant natural environment values and significant historic heritage. Rather than providing guidance, INFR Directive-1.5 defers this issue to future national standards that have not yet been developed. We consider it important that the NPD provides a clearer policy signal on the outcomes those standards should seek to achieve and the principles that should apply when balancing competing objectives.

23. We recommend that INFR-Directive 1.5 be rewritten as follows:

INFR-Directive 1.5: To manage conflicts between infrastructure and significant environmental values and significant historic heritage, land use plans and natural environment plans must *enable infrastructure where:*

- a. The infrastructure has a functional need or operational need for the proposed location or resource use; and*
- b. Significant environmental values are avoided to the extent practicable; and*
- c. Any more than minor residual adverse effects that are not sufficiently significant as to be out of proportion to the national regional or local benefits of the infrastructure.*

In determining whether to enable the infrastructure in land use and natural environment plans under [the first para above], decision makers must have particular regard to:

- a. The national, regional, or local significance of the significant environmental value(s); and*
- b. The scale and significance of the adverse effects of the infrastructure on the significant environmental value(s); and*
- c. The national, regional, or local benefits of the infrastructure proportionate to the significance of the adverse effects; and*
- d. The potential for offsetting or compensation of adverse effects.*

Spatial planning and infrastructure

24. While we support regional spatial planning, some critical infrastructure, such as telecommunications towers and underground cable networks, is too small, extensive, or widespread to be practically represented on a spatial plan. Instead, these networks should be recognised within spatial planning documentation through supporting narrative that identifies their strategic importance to the region.

25. We recommend that INFR-Directive 1.1 is amended and expanded as follows:

INFR-Directive 1.1: *Spatial plans must:*

- a. Identify the strategic infrastructure priorities that will support and shape future growth in the region.*
- b. Recognise that not all infrastructure can be identified or mapped in advance. Where this is the case, its strategic importance should be recognised through narrative in the spatial plan documentation.*
- c. Consider future infrastructure needs early to support the efficient design, provision, and development of essential infrastructure networks.*

- d. *Ensure planning is coordinated across regions, including neighbouring spatial plans, so that development occurs in a logical sequence and infrastructure can be delivered efficiently.*
- e. *Be developed with the involvement of infrastructure providers to ensure infrastructure impacts and requirements are well understood.*

Infrastructure definitions

26. To provide greater clarity, and avoid the risk of regional variation, we recommend some new and amended definitions for:

- a. Routine infrastructure activities (new)
- b. Significant environmental value (new)
- c. Operational envelope (amended).

Routine infrastructure activities

27. The following definition of **routine infrastructure activities** is proposed:

Routine infrastructure activities mean:

- 1. *activities required for, or associated with, the operation of existing infrastructure; or*
- 2. *activities that replace an existing infrastructure asset with a modern equivalent or substitute, which may not be 'like for like'; or*
- 3. *maintenance, repair and upgrading of existing infrastructure necessary to continue to deliver the same or a similar level of service; or*
- 4. *upgrading of existing infrastructure necessary to improve resilience, where any increase in the nature, scale or intensity of environmental effects will be minor; or*
- 5. *the removal, decommissioning or dismantling of infrastructure assets; or*
- 6. *all activities identified as a permitted or controlled activity in any national environmental standards for infrastructure or similar standards; and*
- 7. *ancillary infrastructure activities associated with (a)–(f).*

Operational envelope

28. The discussion document has a definition of operational envelope. We propose the definition be amended as follows:

Operational and functional envelope means and includes within the area of a designation or consent and including a road the horizontal and vertical space occupied by or required to protect the physical infrastructure along with the surrounding area necessary to undertake routine ~~infrastructure operation and maintenance~~ activities, ancillary infrastructure activities and associated access, including previously disturbed areas.

Significant environmental values

29. The NPD does not currently have a definition of significant environmental values. The concept is central to many of the directives in the NPD and plays an important role in determining how infrastructure and environmental outcomes are to be balanced. Without a definition, there is a risk that significant environmental values will be identified and interpreted differently across plans and regions, leading to inconsistent outcomes and uncertainty for both decision makers and infrastructure providers.

30. We propose that significant environmental values means:

- a. the life-supporting capacity of air, water, soil, and ecosystems; or*
- b. significant indigenous biodiversity; or*
- c. the identified values and characteristics of:*
 - i. areas of high natural character within the coastal environment, wetlands, and lakes and rivers and their margins; or*
 - ii. outstanding natural features and landscapes; or*
 - iii. significant historic heritage.*

Natural hazards and infrastructure

31. The NPD goes some way to recognising that infrastructure networks may need to locate in and traverse areas of natural hazard risk, in order to provide essential services. However, it falls short of providing a workable framework for the continued development and operation of infrastructure in these locations. There are limitations in three areas:

- a. The work that infrastructure providers do to manage natural hazard risk through asset management, design and investment. INFR-Directive 3.1 needs to clarify that this resilience work is done by infrastructure providers (who have the necessary expertise).

INFR-Directive 3.1: *To recognise that infrastructure resilience is achieved **by the infrastructure provider** through asset management, design, and investment planning, land use plans must not restrict infrastructure because of the effects of natural hazard risk ~~to the infrastructure.~~*

- b. The ability of infrastructure providers to protect their infrastructure in these locations. We recommend a new INFR-Directive 3.2, to:

[New] Enable and prioritise the protection of essential infrastructure in areas subject to risk from natural hazards.

- c. To make it more explicit that infrastructure networks may need to locate and traverse areas of natural hazard risk. To achieve this we propose changes to SW-Directive 2.1, and INFR-Directive 1.2.

- i. In SW 2.1, remove the direction for infrastructure to avoid natural hazard risks. This is not practical or operationally appropriate for linear infrastructure such as telecommunications. The removal of infrastructure from this paragraph would be consistent with the carve out for infrastructure in the National Policy Statement for Natural Hazards 2025.

SW-Directive 2.1: *To safeguard against natural hazard risks and improve resilience, regional spatial plans must:*

a) direct housing growth, ~~infrastructure~~, and investment towards areas where natural hazard risks can be avoided or mitigated

- ii. In INFR 1.2, redraft (b) to include specific reference to natural hazards as part of operational and functional need.

(b) recognise that infrastructure has a functional need or an operational need to locate, operate and traverse natural hazards and particular environments and that an assessment of alternative sites or methods is not required to demonstrate that functional need or operational need exists.

The cross cutting directives

Private property rights

32. It is unclear how the private property rights directive (CC-Directive 1) will be interpreted and weighted when considered alongside other objectives, including the operational and functional need for infrastructure to be located in particular places.
33. The directive states that restrictions on private property rights should only be imposed where necessary to ensure others are not “unreasonably affected”, but provides little guidance on how that threshold should be applied in practice. This creates uncertainty for infrastructure providers and is likely to result in disputes and litigation over time.
34. We recommend that the directive be amended to expressly recognise that restrictions on private property rights may be necessary to provide for the functional and operational needs of infrastructure.

Reverse sensitivity

35. We support the directive on reverse sensitivity.

Economic growth

36. Infrastructure such as telecommunications is critical for economic growth, but is currently absent in the draft economic growth directive (CC-Directive 2). We recommend the addition of a new sub para (d): *enabling infrastructure to be provided.*
37. If you have any questions about our submission please contact kim.connolly-stone@tcf.org.nz.