



Transport and Infrastructure Select Committee
Parliament Buildings
Wellington

13 June 2025

Transpower submission on the Public Works Act (Critical Infrastructure) Amendment Bill

As the owner and operator of nationally significant infrastructure, Transpower New Zealand Limited (**Transpower**) welcomes the opportunity to submit on the Public Works Act (Critical Infrastructure) Amendment Bill (**Bill**).

Transpower supports the overarching policy intent of streamlining the land acquisition process under the Public Works Act 1981 (**PWA**) for certain critical infrastructure projects. However, we consider that the National Grid should also be able to benefit from the streamlined process, in the same way that Roads of National Significance (**RoNs**) could.

Our submission seeks changes to the Bill to include certain nationally significant Transpower projects, and provide more clarity for landowners and critical infrastructure operators.

Transpower wishes to be heard by the Select Committee.

Key comments on the Bill

We seek that the Bill is amended to:

- a allow certain National Grid lines that are akin to RONS to be qualifying critical infrastructure projects under the Bill, despite not being listed in the Fast Track Approvals Act 2024 (**FTAA**). We suggest a threshold for these projects to qualify being greenfield electricity transmission line projects (and any associated substations), with more than \$30M budget. Any decision on a project being included would be subject to an Order in Council process;
- b include Transpower's 'High Voltage Direct Current Cable Replacement and Capacity Project' in Schedule 2A of the Bill, noting it is listed in the FTAA;
- c expand clause 39AAH, so that a designation, or a resource consent, is required to be in place before the Bill process can be applied.

We also note for completeness that Transpower supports the amendments proposed to section 186 of the Resource Management Act (**RMA**) (clause 11 of the Bill). These changes are required to capture critical infrastructure projects of network utilities, not merely those by Central and Local Government.

Transpower also supports the broader PWA reforms, that were announced in February 2025, particularly those that would allow Transpower to acquire land to streamline processes for building energy infrastructure.

Background and context

Transpower will be familiar to Committee members. We are the State-Owned Enterprise who invests in, maintains and operates the electricity transmission network – the National Grid. We have ~\$5 billion of network assets covering the length and breadth of New Zealand. These assets include over 170 substations, approximately 11,000km of transmission lines (overhead, underground and submarine) and one of the country's largest telecommunications networks. We also have over 15,000km of access tracks which are used to access our assets.

National Grid assets, and the ability to operate, maintain, develop and upgrade them is key to the economy – not only due to the key role Transpower plays in enabling electrification, but also its role in enabling economic growth more generally.

Transpower is facing the challenge of delivering an unprecedented amount of infrastructure both now and for the next 30 years. New connections to renewable generators and major industrial users – particularly to enable the electrification of transport and process heat – will also be needed. A modern, flexible and resilient National Grid will need to provide a safe and secure supply of electricity to industrial and residential consumers under a wider-than-ever range of operating conditions.

To illustrate the scale of the challenge, it is estimated that around 60-70 new generation connections to the National Grid will be required in the next 15 years, with this trend continuing through to at least 2050. Each new Grid connection is a significant project. These Grid connections are in addition to major upgrades to the core Grid that will also be required before 2035. We also have a full programme of routine maintenance works that ensures we get the most out of our existing assets.

The electrification of process heat and transport is also expected to reach a turning point by 2030 due to a combination of declining technology costs, international customer requirements, and social expectations on business.

We anticipate that these new projects, and some replacement and upgrade projects, may trigger the need for compulsory acquisition on occasions.

Our projects will therefore all need to be completed at pace to meet New Zealand's economic growth needs and to enable electrification. The standard timeline of 3-7 years for obtaining the necessary statutory approvals and access rights for our projects is challenging given the pace required.

Changes sought to the Bill

Broaden the scope of qualifying projects that can benefit from the Bill

The Bill limits the qualifying critical infrastructure projects to those listed in Schedule 2 of the Fast-track Approvals Act 2024 (**FTAA**) and RoNS identified in the Government Policy Statement on Land Transport 2024 that are not already listed in Schedule 2 of that Act. The list of qualifying projects is fixed, and cannot be expanded without a further amendment Act.

Transpower supports the inclusion of the addition of RoNS in the Bill. However, we consider that certain National Grid projects, that are Transpower's equivalent to the New Zealand Transport Agency's RoNS should also benefit from the streamlined process.

While Transpower projects are not the subject of a Government Policy Statement, we consider that threshold approach to National Grid projects could result in a subset of (rather than all) projects being captured. In this regard, we consider that greenfield electricity transmission lines and associated substations, over a threshold of \$30M should be treated in the same manner. These energy

infrastructure assets, will be critical to security of supply in relevant region/s, and include (but are not limited to) projects such as:

- the new line to Queenstown (between Cromwell/Roxburgh to a new substation near Queenstown);
- new lines through the central North Island;
- new lines and associated substations to supply Western Bay of Plenty;
- new lines between Wairakei and Whakamaru;
- new lines between Bunnythorpe and Woodville;
- new cables between Brownhill and Otahuhu ;
- new cables across Auckland harbour.

Additional critical infrastructure projects could be added to the Bill by:

- Setting a threshold (as we have suggested above); and
- Providing an Order in Council process for inclusion of relevant projects.

Appendix A contains suggested changes to provisions of the Bill (amendments to clause AAB and a new clause AANA).

Include resource consents as a pre-requisite to a s 23 Notice being issued

Clause 39AAH(1AA)(a) of the Bill requires that ‘a designation (as defined in section 166 of the Resource Management Act 1991)’ is in place for a project before a s 23 Notice is issued. This requirement is new. We understand that the bill proposes this prerequisite, to ensure that landowners have “a say” in the project, including its location, more generally. While we understand the need for landowner involvement, we consider there are practical issues with a designation prerequisite.

For some projects, resource consents may be obtained rather than designations. We consider it appropriate that the developer of critical infrastructure is able to seek the most appropriate approval under the Resource Management Act, rather than having to seek a designation.

We seek that the Bill is broadened, to recognise all approvals. We suggest wording in **Appendix A**.

Include Transpower’s High Voltage Direct Current Cable Replacement and Capacity Project in Schedule 2

Transpower has two projects listed in Schedule 2 of the FTAA (‘Central Park Resilience’ and ‘High Voltage Direct Current Cable Replacement and Capacity Project’).

Only Transpower’s Central Park Resilience is listed in Schedule 2 of the Bill. Our High Voltage Direct Current Cable Replacement and Capacity Project has been omitted, despite being critical to the security of electricity supply for the nation. Importantly, our application to be listed in the FTAA indicated that we may need recourse to the PWA. We anticipate that this omission was unintended.

We seek that the High Voltage Direct Current Cable Replacement project is expressly included in Schedule 2A to the Bill. We suggest a project description in **Appendix A**.

Other matters

Our submission does not contain confidential matters.

Transpower's address for service is:

Transpower New Zealand Limited
PO Box 1021
Wellington 6140

Attention: Matt Fanning, Head of Landowner Relations & Property
Email: Matthew.fanning@transpower.co.nz
Ph: 04 590 7016

Appendix A – Specific changes sought to the Bill

We seek the following changes to clauses 39AAB, 39AAH and Schedule 2 of the Bill (additions underlined, deletions shown by strikethrough):

Amend clause 39AAB so that it reads:

critical infrastructure project means a project listed in Schedule 2A or in respect of which an Order in Council under section 39AANA(2) has been made.

Insert a new clause 39AANA:

39AANA Additional Critical Infrastructure Projects

(1) In this section, additional critical infrastructure project means a project for the construction of a new electricity transmission line and associated substations, with a budget over a threshold of \$30M.

(2) The Governor-General may, by Order in Council made on the recommendation of the Minister, declare any additional critical infrastructure project to be a critical infrastructure project for the purposes of this Act and shall set out the project name, project description and approximate geographical location of that additional infrastructure project.

(3) Any Order in Council under section 39AANA(2) may be varied in the same manner as provided in section 39AAN as if references in that section to Schedule 2A were references to an Order in Council under this section.

Expand clause 39AAH, so that resource consents, as well as a designation, can be a pre-requisite to a section 23 notice being given:

(1AA) However, the Minister or local authority must not do anything referred to in **subsection (1)(b) or (c)** unless—

(a) a designation (as defined in section 166 of the Resource Management Act 1991) is in place for the project; ~~and~~or

(b) a resource consent (as defined in section 87 of the Resource Management Act 1991) is in place for the project; and

~~(b)~~ in the Minister's or local authority's opinion, based on the information available to the Minister or local authority at the time the Minister or local authority decides to give and serve notices under **subsection (1)**, the land is required to be taken for the project.

Insert the following in Schedule 2A of the Bill, so that the High Voltage Direct Current Cable Replacement and Capacity Project is listed:

Project name	Project description	Approximate geographical location
High Voltage Direct Current Cable Replacement and Capacity Project	<p>Upgrade the HVDC inter-island transmission link and replace undersea cables connecting the North Island and the South Island, including—</p> <ul style="list-style-type: none"> • replacing, recovering, and disposing of 3 existing HVDC undersea cables, and installing a fourth cable • constructing new or extended cable termination stations at the Oteranga Bay and Ōraumoa / Fighting Bay sites, and relocating existing transmission lines to connect to the termination stations • Ancillary activities, including constructing, modifying or upgrading accessways. 	In the Cook Strait, generally in the area subject to the Cook Strait Cable Protection Zone, Oteranga Bay, Ōraumoa / Fighting Bay and the BEN-HAY A line, and associated assets and accessways