



**TRANSPOWER**

Waikoukou  
22 Boulcott Street  
PO Box 1021  
Wellington 6140  
New Zealand  
+64 4 495 7000  
[www.transpower.co.nz](http://www.transpower.co.nz)

25 July 2025

Ministry for the Environment  
Manatū mō te Taiao  
PO Box 10362  
Wellington 614

By Email: [ndprogramme@mfe.govt.nz](mailto:ndprogramme@mfe.govt.nz)

### **Phase 2 National Direction – Submission from Transpower New Zealand Ltd**

Transpower appreciates the Ministry for the Environment's ongoing efforts in developing the Phase 2 National Direction, particularly as it relates to the electricity sector. We acknowledge and welcome the improvements officials have recommended within the proposed National Policy Statement for Electricity Networks (NPS-EN) and the National Environmental Standards for Electricity Network Activities (NES-ENA) documents. These represent positive steps towards a more enabling regulatory framework for electricity transmission, which is crucial for New Zealand's decarbonisation and electrification goals.

While the Phase 2 proposed documents are improved on the current national direction for electricity, they are not a complete solution for accelerating the electrification of New Zealand's economy. Our submissions detail critical areas where tensions between Section 6 (RMA) matters and national direction still exist. These unresolved tensions will continue to perpetuate uncertainty and hinder the pace and scale of electricity transmission development required to meet New Zealand's emission reduction targets. Given the Phase 2 national direction could exist and play a role in resource management decision-making for five years or more as Phase 3 policy is developed, passed into law and then implemented, it is imperative that these conflicts are definitively resolved within the national direction now.

Transpower is committed to enabling New Zealand's energy transition, as highlighted in our "*Te Kanapu*" initiative, which outlines the development of our future grid blueprint to power Aotearoa. Rapid expansion of renewable electricity generation and robust transmission infrastructure are essential to meet increasing demand and achieve our nation's climate change commitments. While we appreciate the progress made, we look forward to continuing our engagement with officials on Phase 3 of the reform programme, which we believe holds the key to truly unlocking the potential for New Zealand's electrification and securing a thriving, sustainable energy future for Aotearoa.

Yours sincerely

Raewyn Moss  
**EGM, Customer & External Affairs**

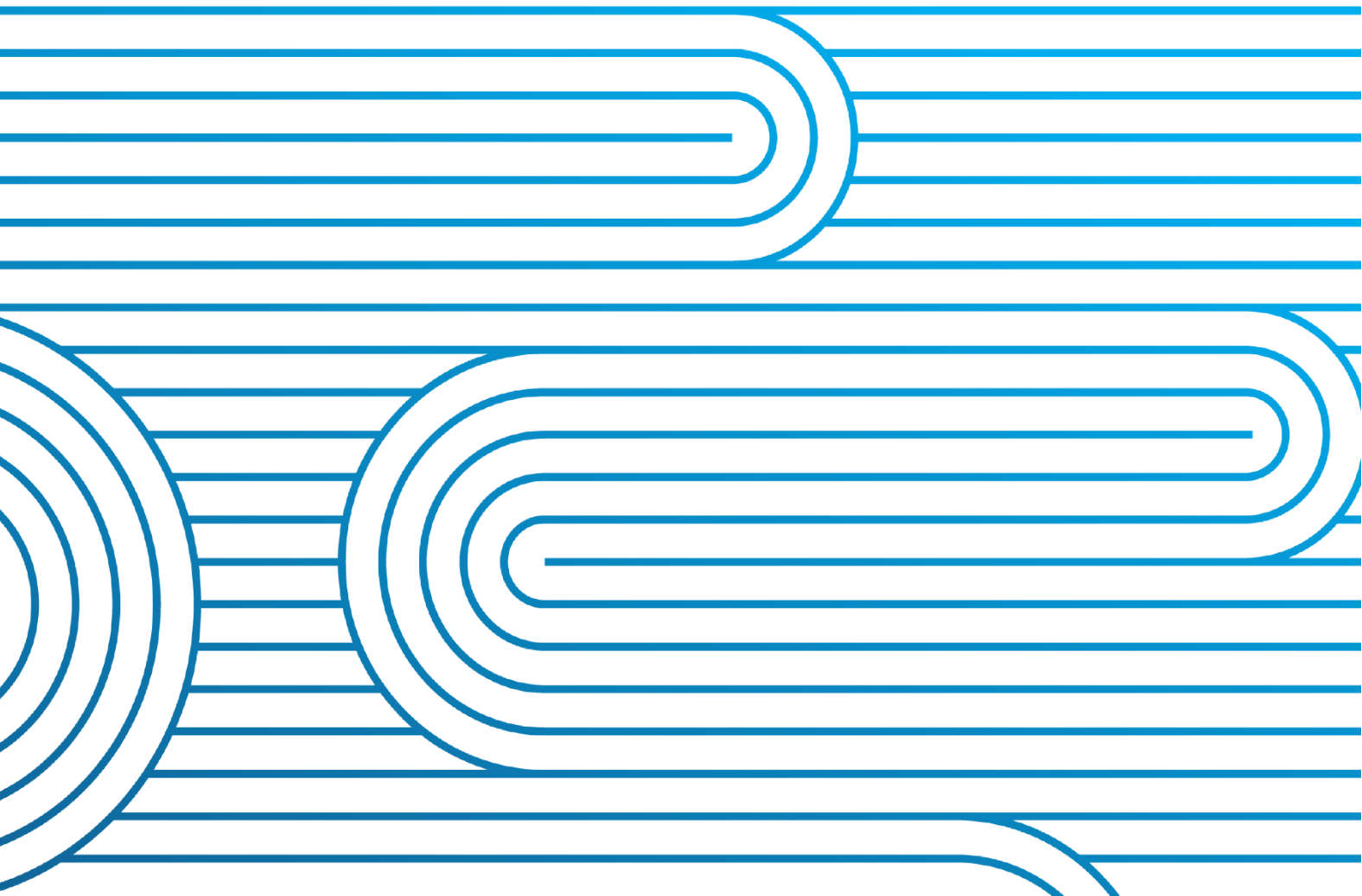
# Submission by Transpower New Zealand Limited

## Amendments to the National Policy Statement on Electricity Transmission

(change title to the National Policy Statement for Electricity  
Networks)

National direction consultation – Package 1: Infrastructure and  
Development

25 July 2025





## **Amendments to the National Policy Statement on Electricity Transmission**

Ministry for the Environment  
By email: [ndprogramme@mfe.govt.nz](mailto:ndprogramme@mfe.govt.nz)

Transpower's address for service is:

Transpower New Zealand Limited  
PO Box 1021  
Wellington 6140

Attention: Daniel Hamilton, Strategic Planning Lead  
Email: [Daniel.hamilton@transpower.co.nz](mailto:Daniel.hamilton@transpower.co.nz)  
Phone: (03) 590 6926





## 1.0 Overview

### Introduction to Transpower New Zealand Limited

Transpower is a State-Owned Enterprise that plans, builds, maintains, owns, and operates New Zealand's high voltage electricity transmission network – the National Grid. As a critical national infrastructure provider Transpower is a heavy user of the Resource Management Act and, as such, welcomes the opportunity to provide submissions on the proposed amendments to the National Policy Statement on Electricity Transmission ('NPS-EN') as set out in the 'National Direction Consultation – Package 1: Infrastructure and Development', which was released for consultation on 29 May 2025.

Transpower is the backbone of New Zealand's energy future. As the owner and operator of the nation's 11,000 km high-voltage electricity transmission network – our National Grid – we are responsible for powering every home, business, and industry from Kaikohe to Tiwai Point. This extensive, interconnected system, supported by nearly 200 substations and a sophisticated telecommunications network, is more than just infrastructure: it's a strategic national asset. Figure 1 is a schematic of the electricity industry in New Zealand, with the National Grid assets being represented as 'Transmission' and 'Substations'.

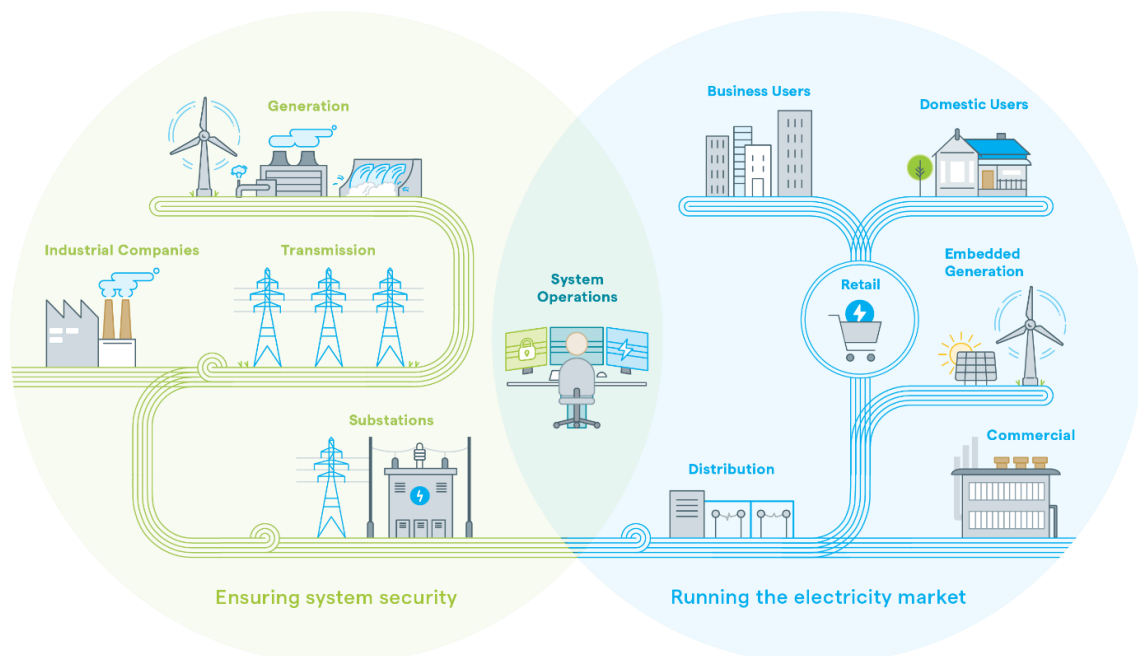


Figure 1 Electricity Industry in New Zealand.

Operating such a vast and linear network presents unique challenges. The Grid must often traverse sensitive environments, connecting fixed points like energy generators to towns and

major industries. While route flexibility can be limited, Transpower is committed to maintaining and developing this vital asset sustainably.

Crucially, the National Grid is at the heart of New Zealand's climate response. Our nation's ambition to achieve climate change objectives, including net-zero greenhouse gas emissions by 2050, hinges on the rapid electrification of the economy, a shift that will see electricity demand more than double by 2050. This transformation demands a resilient and reliable electricity system, making Transpower's role more critical than ever.

To meet this unprecedented demand, we face a significant undertaking: strengthening the National Grid to support massive growth in renewable electricity generation. This includes an estimated 60-70 new Grid connections over the next 15 years, alongside 10-20 major core Grid upgrades by 2035. These are not minor adjustments; they are foundational projects essential for New Zealand's social, economic, and environmental wellbeing for decades to come. The resource management system must become more enabling of rapid electrification if we are to support a secure supply as we electrify and grow Aotearoa.

## **Transpower's views on the National Direction in relation to Electricity Transmission**

In providing this submission Transpower is mindful of the key message in the Consultation Document from the Minister responsible for RMA Reform:

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

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

A key theme throughout this submission is ensuring the proposed changes give effect to this key messaging, and that the resulting framework improves efficiencies and outcomes by supporting fit-for-purpose infrastructure.

Further strength in providing a framework that improves efficiencies and outcomes is provided within Electrify NZ. Electrify NZ promised to be the change that would finally 'cut red tape' to drive a surge of investment in renewable electricity generation and unleash investment in transmission by eliminating consents for upgrades to existing infrastructure and most new infrastructure.

Transpower acknowledges the release of the Phase 2 national direction documents within the broader context of the ongoing Resource Management (RM) system reform. We understand these Phase 2 documents, including the proposed National Policy Statement for Electricity

Networks (NPS-EN) and the amendments to the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (NES-ENA), serve as an interim measure. This is consistent with messaging received from Ministry for the Environment (MfE) officials, indicating that the Phase 2 national direction will be "lifted, sifted and shifted" into the subsequent Phase 3 legislation. We recognise that Phase 3 of the RM reform programme will introduce entirely new legislation to replace the RMA – the Planning Act and the Natural Environment Act – each with its own comprehensive suite of national direction. A key component of the new regime will be to ensure the key message from the Minister (as outlined above) is given effect to and the framework makes it easier to plan and deliver infrastructure and energy projects, as well as protecting the environment. As the framework will be comprised of two separate pieces of legislation, given the linear nature of the National Grid network, a key issue will be ensuring the Grid is appropriately provided for under each piece of legislation and that a 'pathway' for enabling development of the grid is provided through each Act.

Transpower appreciates the consideration given by officials to our earlier feedback on the National Policy Statement on Electricity Transmission 2008 (NPSET) and the National Environmental Standards for Electricity Transmission Activities 2009 (NES-ETA). We are supportive of the inclusion of several key changes we advocated for in those previous submissions. These represent positive steps towards a more enabling regulatory framework for electricity transmission. For instance, Transpower largely supported the objectives of the earlier proposals for strengthening national direction on renewable electricity generation and electricity transmission. We had previously highlighted that changes to both national policy and national environmental standards were required and that one should not be prioritised over the other.

While supportive of the improvements in the NPS-EN and amended NES-ENA, Transpower views these adjustments as a necessary 'holding pattern' rather than the ultimate solution. We also note the fact that many significant and fundamental tensions remain between the various National Direction documents, but that the Phase 2 'Infrastructure and development' discussion document notes, in a number of places, that:

*The Government has now decided to focus on resolving these major tensions between infrastructure and natural environmental values in the replacement of the RMA, rather than through the current proposed changes to national direction.*

The lack of an integrated framework across the multiple national direction instruments is a key issue for Transpower given the national and linear nature of our infrastructure which traverses, or may need to traverse, every type of environment and its associated values.

The long-term vision must be to establish a regulatory environment that truly facilitates the rapid and large-scale infrastructure development essential for New Zealand's decarbonisation goals. The National Grid is fundamentally critical to enabling New Zealand's transition to a net zero carbon economy by 2050. This pivotal role is detailed in our strategic documents, such as *Whakamana i Te Mauri Hiko* (2020) and *Te Kanapu* (2025). These papers demonstrate the scale of new renewable generation and supporting transmission investment required. For example, New Zealand will require a rapid expansion of renewable electricity generation to meet its emission reduction targets, and large-scale generation is futile without transmission. Furthermore, the existing national direction on electricity transmission will not support electrification at the pace



and scale required. Transmission is essential both to transmit new renewable generation and to respond to the increasing demand for electricity as consumers and industry move away from fossil fuel-based energy sources.

New Zealand stands at the precipice of a transformative energy future. Our electricity transmission network is a key backbone of this transition, but its strength is only as great as the regulatory foundation beneath it. Without a truly enabling framework in the Phase 2 National Direction and even more so in the new Phase 3 legislation, we won't just incur delays and costs; New Zealand will fundamentally compromise its ability to seize the zero-carbon opportunity, the economic prosperity that electrification enables, and a resilient future for all New Zealanders.

## 2.0 Submission Overview

Transpower supports the amendment and updating of the NPSET to provide clearer and stronger policy direction and respond to the increasing challenges of enabling electrification, noting a number of the proposed amendments have been informed by earlier work (including the April 2023 proposed NPSET draft and a discussion document, including amendments to NESETA), and consultation with Officials over the past two years.

Transpower is generally supportive of the NPS-EN and in particular the 'benefits' and 'consideration/recognition' policies and the introduction of P10 for the protection of the electricity network. However, while Transpower is supportive of the proposed amendments, a principal concern of Transpower is the lack of reconciliation between the enabling provisions of the NPS-EN and other 'protective' forms of national direction (and Section 6 RMA matters in general) and how this void perpetuates the issue of conflict between development and natural environment values. The silence on this issue within this instrument, and more widely in the other national direction instruments, is likely to continue the ongoing, prolonged and expensive debate over how to reconcile differing outcomes and effects. A substantial amount of cost and effort has been incurred to date with no clear reconciliation. It would appear that there has not been time or capacity to ensure that all of the national direction changes work together or that there is alignment across similar direction. It is requested that urgent consideration is given to providing reconciliation between national instruments. Transpower understands that reconciliation of the major tensions will occur as part of the replacement of the RMA, and therefore the policy 'gap' is an interim issue. While Transpower understands the intent to provide the necessary reconciliation at Phase 3, given the strong messaging from the Minister within the Package 1 Discussion Document that *"New Zealanders need relief from an overly burdensome planning system now"*, and that the Government isn't willing to wait until the new legislation, Transpower requests amendment to the NPS-EN to attempt to reconcile various national direction and Section 6 tensions *now*. The need for more immediate reconciliation of tensions between national direction documents is even more critical given recent comments from officials that the Phase 2 national direction documents could exist in their amended form for up to five years. The main changes Transpower is therefore seeking through this submission relate to the 'enabling' Policy P7, with additional policies proposed. The requested additional policies will provide a more comprehensive and complete policy framework to enable ENA while managing adverse effects on the

environment. It is noted that Transpower has put forward a number of policy options for consideration.

Transpower supports those parts of the proposed NPS-EN that provide greater clarity and certainty, including proposed new definitions and those policies that provide clear direction to decision-makers. In particular the proposed changes of *'shall'* to *'must'* are supported, the use of *'recognise and provide for'* within some of the policies directs greater emphasis, and the use of clear language such as *'enabling'* and *'avoiding'* is supported.

In addition to supporting further engagement with officials on the NPS-EN, Transpower understands that the form of the national direction may change under the Phase 3 legislation and therefore welcomes ongoing discussion with officials as to how the NPS-EN (and the NES-ENA for that matter) will be transposed into the new RM reform Phase 3 legislation.

Throughout the submission Transpower has referred to both the electricity network ('EN') and the electricity transmission network ('ETN'). While the broader reference to EN is used, the commentary and relief requested are from the perspective of the ETN as that is the network for which Transpower has responsibility.

Amendments requested through this submission are provided throughout this submission (shown as blue text), and compiled within Appendix A.

To assist officials in understanding the relief sought in the Transpower submissions on the various national direction instruments, Appendix B provides a summary of the submissions and amendments requested.

## 3.0 Scope and definitions

### Electricity Distribution

One main distinguishing feature of the EN is that it is an interconnected and linear network which transmits electricity across the country. This linear nature means the entire network is of national significance and needs to operate as one highly functioning and integrated system.

Transpower understands the reasoning for increasing the scope of the NPS to include electricity distribution. Given the need for all parts of the electricity system to work together in order to deliver to consumers, in terms of EDB's having policy backing for their works/networks, and given the interconnected nature of the networks, Transpower supports in principle the applicability of the NPS-EN to the Electricity Distribution Network ('EDN').

Despite Transpower's supportive stance on the inclusion of electricity distribution within the NPS, our comments are specific to electricity transmission.

Transpower understands “No existing provisions of the NPSET beyond those included in this proposal are open for public consultation”<sup>1</sup> and therefore the focus of this submission is on proposed provisions. However, Transpower would welcome the opportunity to continue engaging with officials on the future form of the NPS-EN within the RM reform framework.

## Implementation

Transpower notes the consultation document and proposed NPS-EN provisions are silent on the implementation method for inclusion of the updated NPS into plans.

Section 104 of the RMA requires that, when considering a resource consent application, a decision maker must ‘have regard to’ any NPS or NES. Sections 75(3) and 67(3) of the RMA require that a NPS or NES ‘must be given effect to’ in a district or regional plan. Given the more directive requirement that NPS’s must be given effect to by councils (i.e. implemented in their policy statements and plans) Transpower supports clear and directive implementation wording within the NPS.

Transpower’s experience with the existing NPSET is that councils can take many years to give effect to national direction in their plans and policy statements, if they do so at all. Even the presence of an implementation timeframe within the NPS has not provided sufficient direction or incentive for the NPS to be given effect to within plans in a timely manner. Transpower strongly supports an approach whereby ‘readymade’ provisions are required to be directly inserted into plans and policy statements, and would welcome further discussion on this.

Discussion Document Implementation Questions	Transpower Response
<p>84. Does ‘as soon as practicable’ provide enough flexibility for implementing this suite of new national policy statements and amendments?</p>	<p>Transpower requests as much certainty and direction as possible in ensuring plans give effect to the NPS provisions. While ‘as soon as practicable’ may give sufficient flexibility to councils, it does not provide sufficient certainty from Transpower’s perspective that the NPS will be given effect to. This view is informed by Transpower’s experience with the current NPS (NPSET 2008), which required Councils to “notify and process” plan changes within four years after the NPSET was approved (i.e. by 2012). Some Councils have only recently completed those plan change process, and at least one Council is still yet to commence theirs. Furthermore, many Councils have only given effect to the NPSET in <i>part</i>. Transpower supports an approach whereby ‘readymade’ provisions are required to be directly inserted into plans and policy statements.</p>

<sup>1</sup> Package 1: Infrastructure and development – Discussion document, Page 27.

85.	Is providing a maximum time period for plan changes to fully implement national policy statements to be notified sufficient? a. If not, what would be better, and why? b. If yes, what time period would be reasonable (e.g. five years), and why?	As noted above, Transpower's experience to date is that although the NPSET has a four-year timeframe from gazetting in 2008, some councils have still not initiated a plan change or review to sufficiently give effect to the NPSET.
86.	Is it reasonable to require all plan changes to fully implement a national policy statement before or at plan review?	Yes, it is considered reasonable. Given the importance of the NPS-EN and NES-ENA provisions (i.e. that they relate to matters of national significance), it is reasonable for them to be given effect to in a timely manner that is not dependent on a plan review timetable.
87.	Are there other statutory or non-statutory implementation provisions that should be considered?	As outlined above, Transpower's supports an approach whereby 'readymade' provisions are required to be directly inserted into plans and policy statements.

## Definitions/Interpretations

The proposed definitions and Transpower response are as follows, noting that many of the definitions reflect previous consultation.

It is noted that while a definition of reverse sensitivity is provided within the NPS-I<sup>2</sup> (and the NPS-REG), there is no proposed definition in the NPS-EN, although that national direction has policies that refer to reverse sensitivity. Transpower requests consistency across the national direction.

NPS-EN Definitions		Transpower Response
D1.	<b>Act</b> <i>means the Resource Management Act 1991.</i>	Support
D2.	<b>Ancillary electricity network activities (ancillary EN activities)</b> <i>means all supporting and subsidiary activities needed to provide the operation, maintenance and upgrading of the EN, including but not limited to vegetation clearance, tree trimming, earthworks, the construction, maintenance and upgrading of access tracks and accessways, power supply, and telecommunications.</i>	Support

### <sup>2</sup> Reverse sensitivity

*in relation to infrastructure, means the vulnerability of existing infrastructure activity to complaint, burden, or constraint from a new or more intensive activity proposed or located near the existing infrastructure*

D3.	<p><b>Customer Driven Projects</b></p> <p><i>means ETN or EDN activities that a third party other than Transpower New Zealand Limited or an electricity distribution business has requested be carried out, such as new connections to electricity generation or demand, or relocation or undergrounding of assets in order to enable urban or infrastructure development, excluding new connections to electricity generation that are managed under the National Policy Statement for Renewable Electricity Generation (NPS-REG).</i></p>	<p>Transpower has concerns with the definition as drafted in relation to new ETN connection activities to REG. As drafted, REG connections to the point of connection to the ETN network are to be managed under the NPS-REG. The proposed drafting arguably means REG connections which are owned or used by Transpower<sup>3</sup> would be processed under the NPS-REG. Transpower does not support this approach as the NPS-EN is the more appropriate national direction to apply where the connections are owned or used by Transpower. It is noted the definition of REG activities in the NPS-REG excludes Transpower assets. Transpower seeks either deletion of the wording <i>'excluding new connections to electricity generation that are managed under the National Policy Statement for Renewable Electricity Generation (NPS-REG)'</i> or amendment as follows:</p> <p><i>excluding new connections to electricity generation that <u>are not part of the ETN and are instead</u> managed under the National Policy</i></p>
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<sup>3</sup> Various generation connection scenarios. Transpower requests the definition be framed so scenarios 1 – 4 are subject to the NPS-EN and scenario 5 is subject to the NPS-REG.

1. Transpower consents, constructs, owns, operates connection assets.
2. Transpower constructs, owns, operates connection assets. Customer consents. (Current preferred approach).
3. Transpower consents, constructs, owns connection assets. Customer operates line. (Very uncommon).
4. Transpower owns, operates connection assets. Customer consents and constructs. (Might become more common).
5. Customer consents, constructs, owns and operates connection assets.

		<p><i>Statement for Renewable Electricity Generation (NPS-REG).</i></p> <p>The intent is to ensure that REG connections that are owned or used by Transpower (and therefore have the same operational and technical constraints and have specific design requirements) are subject to the NPS-EN. Transpower is open to alternative wording.</p>
D4.	<p><b>Decision-makers</b></p> <p><i>means all those persons making planning decisions under this National Policy Statement.</i></p>	<p>While D16. defines 'Planning decision', the decisions are made under the RMA. Amend as follows:</p> <p><i>means all those persons making planning decisions under <a href="#">the Act</a> <del>this National Policy Statement.</del></i></p>
D5.	<p><b>Electricity distribution network (EDN)</b></p> <p><i>means any part of the electricity network that is controlled by a person or body who is both an electricity distributor and an electricity operator because those terms are defined in section 2 of the Electricity Act 1992; and does not include the electricity transmission network (as defined below).</i></p>	<p>Support on the basis that the electricity transmission network is excluded.</p>
D6.	<p><b>Electricity network (EN)</b></p> <p><i>means the electricity transmission network and the electricity distribution network.</i></p>	<p>Support</p>
D7.	<p><b>Electricity transmission network (ETN)</b></p> <p><i>means all parts of the National Grid of electricity transmission that:</i></p> <p><i>a) comprise the network of transmission lines, and cables (aerial, underground, and submarine, including the high-voltage direct current link), stations, and substations, facilities and works, and all ancillary activities, and other works used to connect grid injection points and grid exit points to convey electricity;</i></p> <p><i>b) is owned or used by Transpower New Zealand Limited; and</i></p> <p><i>c) is commonly known as the National Grid.</i></p>	<p>While Transpower supports the intent of the definition, it seeks amendment to reflect the definition within the NES-ENA, as follows:</p> <p><i><a href="#">means the electricity transmission network that:</a></i></p> <p><i>a) <a href="#">comprises the network of transmission lines, and cables (aerial, underground, undersea, and submarine,</a></i></p>

		<p><u>including the high-voltage direct current link), stations, and substations, facilities and works, and all ancillary activities, and other works used to connect grid injection points and grid exit points to convey electricity in New Zealand;</u></p> <p>b) <u>is owned or used by Transpower New Zealand Limited; and is commonly known as the National Grid.</u></p>
D8.	<p><b>Electricity network activities (EN activities)</b></p> <p><i>means the construction, operation, maintenance, development, upgrade, replacement, decommissioning or removal of electricity network assets and all ancillary activities, unless otherwise specified.</i></p>	Support
D9.	<p><b>Electricity network assets (EN assets)</b></p> <p><i>means the physical components of EN and all ancillary activities, such as access tracks.</i></p>	<p>Support in part. Amend the definition to clarify it also includes ancillary assets.</p> <p><i>means the physical components of EN and all ancillary <u>assets</u> (including associated telecommunications <u>assets</u>) and activities, such as access tracks.</i></p>
D10.	<p><b>Electricity network development activities (EN development activities)</b></p> <p><i>means</i></p> <p><i>a) the construction of new EN assets that is not carried out on or related to EN lines, or cables, or at substation sites, that exist at the time of construction; or</i></p> <p><i>b) customer driven projects.</i></p>	Support.

D11.	<p><b>Electricity network line (EN line)</b></p> <p><i>means EN assets used for, or associated with, the overhead, underground or submarine transmission or distribution of electricity in the EN, and:</i></p> <p><i>a) includes transmission line support structures, telecommunication cables, and telecommunication devices; but</i></p> <p><i>b) does not include an EN substation.</i></p>	<p>Transpower supports the definition but requests amendment as follows:</p> <p>For the avoidance of doubt, refer to assets attached to a bridge or structure; and</p> <p>Refer to the newly requested definition of 'Transmission line or distribution line'.</p> <p>Reasoning for the new definition is provided in the table below. The matters proposed to be deleted in clause a) below are included in the requested definition of Transmission line or distribution line and therefore are not needed.</p> <p>The amendments requested are as follows:</p> <p><i>means EN assets used for, or associated with, the overhead, underground or submarine transmission or distribution of electricity in the EN, <u>including where attached to a bridge or other structure,</u> and:</i></p> <p><i>a) includes transmission <u>lines or distribution lines</u> <del>support structures, telecommunication cables, and telecommunication devices;</del> but</i></p> <p><i>b) does not include an EN substation.</i></p>
D12.	<p><b>Functional need</b></p> <p><i>means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment.</i></p>	Support
D13.	<p><b>Non-routine electricity network activities (non-routine EN activities)</b></p>	Largely support on the basis it provides certainty in the



	<i>means the upgrade, rebuilding or replacement of, or changes to, EN assets, or other EN activities, where the upgrade, rebuilding, replacement or change, or activity is not defined as a routine EN activity.</i>	application of the policies and addresses the current interpretation issue with the varying 'upgrade' terms.
D14.	<b>NZEC 34:2001</b> <i>means the New Zealand Electrical Code of Practice for Electrical Safe Distances (2001)</i>	Support
D15.	<b>Operational need</b> <i>means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints (National Planning Standards definition).</i>	Support
D16.	<b>Planning decision</b> <i>means a decision on any of the following:</i> a) <i>a regional policy statement or proposed regional policy statement;</i> b) <i>a regional plan or proposed regional plan;</i> c) <i>a district plan or proposed district plan;</i> d) <i>a resource consent;</i> e) <i>a designation;</i> f) <i>a heritage order;</i> g) <i>a water conservation order;</i> h) <i>a change to a plan requested under Part 2 of Schedule 1 of the Act.</i>	Support
D17.	<b>Electricity network resilience (EN resilience)</b> <i>means the capacity of infrastructure to absorb a shock, including from natural hazards, recover from the disruption, adapt to changing conditions, including climate change, and retain an appropriate level of service, even if that means delivering an infrastructure service in a new or different way, or at a reduced level of service.</i>	Support, noting the term is also used within the NPS-I and NPS-REG.
D18.	<b>Routine electricity network activities (routine EN activities)</b> <i>means that:</i> a) <i>activities required for, or associated with, the operation or maintenance of existing EN assets or;</i> b) <i>implements the modern equivalent, substitute, or replacement of the existing EN assets that may not be 'like for like'; or</i> c) <i>maintenance and upgrades of existing EN assets necessary to continue to deliver the same or a similar level of service or to improve resilience; or</i>	Largely support on the basis it provides certainty in the application of the policies and addresses the current interpretation issue with the varying 'upgrade' terms. Notwithstanding the support, amendments are requested as follows:

	<p>d) <i>other upgrades of existing EN assets where the upgrade or other change will, once the activity is complete, have no more than minor adverse effects on the environment; or</i></p> <p>e) <i>the removal, decommissioning or dismantling of EN assets; and</i></p> <p>f) <i>all relevant ancillary activities, such as vegetation clearance, tree trimming, and creating, maintaining and improving access tracks and accessways to EN assets; and</i></p> <p>g) <i>includes all activities regulated by the National Environmental Standards for Electricity Network Activities NES-ENA, including replacing structures, reconductoring, earthworks, altering or relocating of structures and undergrounding.</i></p>	<p>Amendment to clause a) to clarify that realignment or addition of up to five support structures is a permitted activity:</p> <p><i>a) activities required for, or associated with, the operation or maintenance of existing EN assets, <a href="#">including addition or realignment of up to five additional transmission line support structures</a> or;</i></p> <p>Amendment to clause d) to clarify the comparison is with the status quo.</p> <p><i>d) other upgrades of existing EN assets where the upgrade or other change will, once the activity is complete, have no more than minor adverse effects on the environment <a href="#">compared to the existing EN assets</a>;</i> <i>or</i></p>
D19.	<p><b><i>Sensitive activities</i></b></p> <p><i>includes residential unit (including visitor accommodation and retirement accommodation), care facilities, childcare facilities, schools, hospitals, custodial or supervised accommodation where residents are detained on site, marae, or place of worship.</i></p>	<p>Support (noting the term is only used within Policy P10 in relation to the ETN) but for clarity, seek inclusion of reference to <a href="#">papakāinga</a>.</p> <p>Transpower supports amendment to the definition as follows:</p> <p><i>includes residential unit (including <a href="#">papakāinga</a>, visitor accommodation and retirement accommodation), care facilities, childcare facilities, schools, hospitals, custodial or supervised accommodation where residents are detained on site, marae, or place of worship.</i></p>

New	<p><b><u>Transmission line or distribution line</u></b></p> <p>a) <u>means the facilities and structures used for, or associated with, the overhead and/or underground transmission or distribution of electricity within the ETN or EDN, including the transition from overhead to underground; and</u></p> <p>b) <u>includes conductors, transmission line and distribution line support structures, telecommunication cables, and telecommunication devices to which paragraph (a) applies; and</u></p> <p>c) <u>for the avoidance of doubt includes buried cables, submarine and undersea cables, cables located over land, within waterbodies (including the coastal marine area), on the bed of lakes and rivers, on the bed and foreshore of the coastal marine area and on bridges and other waterway crossings;</u></p> <p>d) <u>but does not include an electricity substation.</u></p>	<p>As is provided within the NES-ENA, Transpower requests the inclusion of a definition for 'Transmission line or distribution line'. The inclusion of a definition (and reference within D11 'EN line' will provide certainty as to the types of activities included, including cables located on land, the beds of lakes and rivers, and the coastal marine area. This level of specificity is not provided elsewhere in the NPS-EN definitions.</p> <p>A consequential amendment is requested to the definition of EN line (D11) to refer to the definition.</p>
D20.	<p><b><i>Upgrading</i></b></p> <p><i>means improving the capacity, level of service, efficiency, safety, security, resilience, effectiveness or longevity of existing EN assets and includes the replacement, renewal, addition, expansion and intensification of existing infrastructure.</i></p>	<p>The term is used within P2.2).c) and P10.1).b) and P10.2).d).</p> <p>Support subject to the inclusion of alteration, as follows:</p> <p><i>means improving the capacity, level of service, efficiency, safety, security, resilience, effectiveness or longevity of existing EN assets and includes the replacement, renewal, addition, <u>alteration</u>, expansion and intensification of existing infrastructure.</i></p>
D21.	<p><b><i>Well-being</i></b></p> <p><i>means the environmental, economic, social and cultural well-being of people and communities, and includes their health and safety.</i></p>	<p>Neutral. This term has a well understood meaning in the RMA and does not need to be separately defined in the NPS-EN.</p>

## Discussion Document Questions

## Transpower Response

17.	Do you support the inclusion of electricity distribution within the scope of the NPS-EN?	Transpower is supportive of the inclusion of electricity distribution within the NPS-EN, recognising the need for the entire electricity system to be better enabled in order to help NZ reach its electrification goals.
18.	Are there risks that have not been identified?	It is not clear what risks this question relates to.
19.	Do you support the proposed definitions in the NPS-EN?	Largely support. Refer text in previous table.
20.	Are there any changes you recommend to the NPS-EN?	A key theme throughout this submission is greater reconciliation between national direction, including provisions within the NPS-EN that 'cover the field' and address the policy gaps, particularly in relation to Section 6 matters and matters addressed in other national direction.

## 4.0 Part 2: Objectives and Policies

### Objective

#### NPS-EN Objective

- 1) *The EN is developed, operated, maintained, upgraded, and protected in a manner that:*
  - a. *recognises and provides for its national significance;*
  - b. *secures the resilience of the EN, including in relation to the effects of natural hazards and climate change;*
  - c. *provides for the well-being and needs of present and future generations, including by increasing and improving the capacity and delivery of the EN over time;*
  - d. *recognises and provides for the role of the EN in achieving New Zealand's emissions reduction and renewable energy targets, and associated commitments in any relevant plan prepared under the Climate Change Response Act 2002;*
  - e. *manages adverse effects on the environment in a proportionate and cost-effective way; and*
  - f. *protects the EN from the adverse effects of other activities.*

Transpower supports the provision of a new and directive objective that better articulates the outcome sought.

Comments on the specific components of the objective are as follows:

- The **chapeau** to the objective is supported in that it clearly outlines the intent of the NPS-EN and provides more directive language than the objective of the NPSET (which is to ‘recognise and provide for’ the national significance of the network by ‘facilitating’ various outcomes.) The reference to ‘developed, operated, maintained, upgraded, and protected’ provides clarity to the objective in terms of managing both the effects on and of the EN.
- **Clause a.** The reference to ‘national significance’ within the objective is supported as it is this national significance which is the fundamental driver and basis for the NPS.
- **Clause b.** In order to achieve the objective, the EN must be resilient. The activities required to develop, operate, maintain and upgrade the network are generally required to maintain safety, or maintain or replace aging or worn components. These activities may also be required in order to ensure the ETN assets can continue to withstand increasing risks from flooding, coastal inundation, and landslips, and meet current and future resilience expectations. Transpower is best placed to determine the appropriate level of resilience and would be concerned with the imposition of an inappropriate resilience requirement. Amendment is requested to the clause as follows:
 

*b) where appropriate, secures the resilience of the EN, including in relation to the effects of natural hazards and climate change;*
- **Clause c.** In order to provide for the well-being and needs of present and future generations, the NPS-EN must enable the necessary development to improve resilience and enable electrification of the economy. The increase and improvement in capacity is to accommodate both growing demand in a general sense as well as increased demand associated with the electrification of the economy (for example the electrification of transport and process heat) – this is also an important way in which the ETN helps reduce New Zealand’s emissions (i.e. it is not just about new connections to renewables).
- **Clause d.** Recognition of the critical role of the electricity transmission network in supporting reductions in emissions is supported.
- **Clause e.** The requirement to manage adverse effects on the environment in a proportionate and cost-effective way is supported on the basis it gives effect to the other components of the objective. A minor amendment is requested to clarify it is the adverse effects of the EN which are to be managed, as follows: *manages adverse effects of the EN on the environment in a proportionate and cost-effective way; and*
- **Clause f.** Managing the adverse effects (including reverse sensitivity effects and effects that compromise the ETN) of third parties on the transmission network is an important focus of the existing NPSET. Notwithstanding the support, Transpower would support rewording of the clause as follows: *~~protects the EN from the~~ avoids adverse effects of other activities on the EN.* The rewording would remove the use of the word ‘protect’ given it also appears in the policy chapeau.

Discussion Document Questions		Transpower Response
21.	Do you support the proposed objective? Why or why not?	Yes, with confined amendments – refer commentary above.

## Policy: P1 National significance and benefits

### NPS-EN P1 National significance and benefits of the electricity network

- 1) *Decision-makers on EN activities must recognise and provide for the national significance and benefits of the EN to be realised at national, regional and local scale.*
- 2) *Decision-makers must recognise that the benefits of the EN include, but are not limited to:*
  - a) *providing for the well-being of people and communities to meet the needs of present and future generations;*
  - b) *providing services that are essential to support human life and the development, growth, and functioning of districts, regions, New Zealand, and the economy;*
  - c) *providing safe, secure, reliable, and resilient electricity supply that is responsive to demand from homes, communities, and businesses at local, regional, and national levels;*
  - d) *efficient storage and transfer of electricity;*
  - e) *supporting reductions in greenhouse gas emissions and the electrification of the economy, including by:*
    - i. *facilitating new renewable electricity generation;*
    - ii. *increasing network capacity; and*
    - iii. *providing direct connections for industry;*
  - f) *enhancing supply of electricity through the ETN through removing points of congestion.*

*The above list of benefits is not intended to be exhaustive and a particular project or development may have other benefits.*

Transpower is supportive of the strengthening of recognition of the national significance and benefits of the EN. The benefits proposed extend to the benefits of the network itself, communities and beyond, and wider climate change and electrification of the economy goals. While the gazetted NPSET Policy 1 provides reference to benefits, arguably the policy does not sufficiently recognise the benefits or role of the EN in supporting the wellbeing, health and safety of people and communities, now and in the future. Instead, the existing Policy 1 focuses on the technical benefits (such as security of supply, efficient transfer of energy, connections, and enhanced supply) as opposed to the specific benefits to people and communities.

Notwithstanding its support for the policy, Transpower is cognisant that in the absence of clear policy directives to manage the effects (particularly in relation to development and non-routine activities relating to Section 6 RMA matters and matters subject to other NPSs) the recognition and provision for benefits will have limited weight and influence in the decision-making process when it comes up against an 'avoid' or 'protect' policy.

As such, while Transpower is supportive of the strengthening of the benefits policy, the tensions with other NPS and RMA directives is not resolved and NPS-EN P1 in itself will not provide a sufficient pathway or reduce complexity. However, Transpower does support the policy and acknowledges that it forms part of the overall policy package to achieve the NPS-EN objective.

Transpower would support an amendment to clause e) i. to recognise expanded or increased renewable electricity generation, and that the clause refer to the broader issue of climate change mitigation (which includes a reduction in greenhouse gas emissions as appropriate) as follows:

- e) supporting ~~reductions in greenhouse gas emissions~~ climate change mitigation and the electrification of the economy, including by:
  - i. facilitating new, expanded or increased renewable electricity generation;
  - ii. increasing network capacity; and
  - iii. providing direct connections for industry;

Discussion Document Questions		Transpower Response
22.	Will the proposed policy improve the consideration of the benefits of electricity networks in decision-making?	Yes - the proposed policy will improve the consideration of benefits. However, notwithstanding the policy directive to recognise and provide for a wider range of benefits, Transpower is concerned with the lack of reconciliation between the NPS-EN and other national direction and Section 6 matters and how this perpetuates the issue of conflict between development and natural environment values.

## Policy: P2 Operational need or functional need

### NPS-EN P2 Operational need or functional need for EN activities to be in particular locations and environments

- 1) *Planning decisions must recognise and provide for EN activities that have an operational need or functional need to be in particular environments, including in areas with section 6 RMA values, with unavoidable adverse effects on those environments.*
- 2) *Decision-makers shall recognise that the operational or functional need of EN activities may include:*
  - a) *the need for EN assets to convey electricity over long distances and in all locations and environments, including:*
    - i. *within and across urban and rural environments;*
    - ii. *within the coastal environment, including the coastal marine area;*
    - iii. *across jurisdictional boundaries within and across districts and regions; and*
  - b) *the need for the EN to operate effectively and efficiently as an interconnected system across New Zealand;*

- 
- c) *the requirement for regular maintenance and upgrading of the EN due to its age, the need to improve resilience, and the need to increase capacity to meet increasing demand; and*
  - d) *the need for the EN to connect to electricity generation, and to respond to demand, wherever located.*
- 

Transpower supports the policy direction that clearly states the relevant considerations when considering the functional and/or operational needs of the EN. The policy directive is further supported and its application clarified by clause 1) which stipulates that the operational or functional needs are a consideration in EN activities needing to be in a particular environment, and that there may be unavoidable adverse effects on the environment. Transpower supports the reference to Section 6 RMA values but is unclear how the effects on Section 6 values are addressed in subsequent policies, and the subsequent policy directive in terms of how to manage the effects. The relationship to Section 6 RMA values is further confused by the commentary on page 30 of the 'Package 1: Infrastructure and development – Discussion Document' which says:

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

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

It is assumed the (later) policy relating to routine activities is referring to NPS-EN P6. However, it is not clear which NPS-EN policy the former commentary relates to, and whether the policy applies to development and non-routine activities. It appears the policy in question may have been omitted from the NPS-EN.

Transpower therefore supports the policy directive within NPS-EN P2. However, amendment is requested to subsequent policies which provide the policy direction for EN infrastructure which has adverse effects on Section 6 RMA matters and values and areas subject to other NPSs (noting references to matters covered by other national direction is not included within Clause 1 of Policy P2. Suggested new policies are outlined later in this submission.

In relation to Policy P2 a), an amendment is requested to include other Section 6 matters. As presently drafted the list is incomplete. For the avoidance of doubt, reference is sought to other Section 6 values as follows:

2) *Decision-makers shall recognise that the operational or functional need of EN activities may include:*

- a) *the need for EN assets to convey electricity over long distances and in all locations and environments, including:*
  - i. *within and across urban and rural environments;*
  - ii. *within the coastal environment, including the coastal marine area;*
  - iii. *across jurisdictional boundaries within and across districts and regions; ~~and~~*
  - iv. *within areas with historic heritage values, outstanding natural features and landscapes and significant indigenous biodiversity values; and*



A further amendment is requested to clause 2) b) to recognise the different operational needs and requirements, and therefore scale of the EDN and ETN.

- b) *the need for the EN to operate effectively and efficiently as an interconnected system across New Zealand, [acknowledging that the EDN and ETN are separate networks that have differing operational needs and requirements.](#)*

An amendment is requested to introduce a new clause 2) e) to recognise the need for (existing and new) EN to locate in hazard areas. Given the proposed NPS-NH does not apply to infrastructure (accepting it is an interim tool) Transpower would support some interim policy recognition within the NPS-EN, particularly in context of the ‘not limiting’<sup>4</sup> statement within the NPS-NH which means local authorities may still impose natural hazard provisions applying to infrastructure. The National Grid, by its nature, must traverse diverse landscapes, including areas susceptible to natural hazards. While the strategic function of the National Grid necessitates asset placement in such areas, Transpower designs, constructs, and maintains its assets accordingly. Regulatory provisions should acknowledge this inherent need and the robust mitigation measures in place, rather than imposing restrictions that could impede the efficient and effective development and maintenance of critical national infrastructure. The requested new policy is as follows:

- e) *[the need for the EN to locate in areas at risk from natural hazards, recognising that Transpower and the EDN providers are best placed to determine and manage the risk.](#)*

Discussion Document Questions		Transpower Response
23.	Does the proposed policy sufficiently provide for the operational and functional needs for electricity networks to be located in particular environments?	Yes – however, notwithstanding the policy directive to recognise and provide for operational or functional need, confined amendments are requested. Transpower is further concerned with the lack of reconciliation between the NPS-EN and other national direction and Section 6 matters and how this perpetuates the issue of conflict between development and natural environment values. Transpower supports the reference within clause 1 to Section 6 RMA values but is unclear how the effects on Section 6 values are addressed in subsequent policies, and the subsequent policy directive in terms of how to manage the effects.

## Policy: P3 Providing for Māori interests

### NPS-EN P3 Policies relating to Māori rights and interests

<sup>4</sup> “NPS-NH NPS is not limiting: Nothing in this NPS limits local authorities from managing natural hazard risk beyond the application of the NPS. The NPS-NH is limited in scope to specific hazards, however, this does not prevent local authorities from having policy on other natural hazards, activities or the environment.”

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- 1) *Decision-makers (and applicants, as appropriate) must recognise and provide for Māori interests in relation to EN activities, including by:*
    - a) *taking into account the outcomes of any engagement with tangata whenua on a resource consent, notice of requirement, or request for a private plan change, including through the site, route and method selection process;*
    - b) *recognising the opportunities tangata whenua may have in developing and operating their own distribution infrastructure at any scale or in partnership;*
    - c) *avoiding, where practicable, or otherwise mitigating, the adverse effects of EN activities on sites of significance to Māori;*
    - d) *operating in a way that is consistent with iwi participation legislation.*
- 

Transpower is supportive of a specific policy for Māori interests, noting that the absence of policy direction in the gazetted NPSET has led to uncertainty about its application to these values, both in a policy sense and for consenting processes and outcomes.

Transpower already seeks to engage with Mana Whenua as a matter of course and Transpower therefore supports P3 in principle. However, Transpower does note the policy differs from that proposed in the NPS-REG and NPS-I, both of which Transpower understands are based on policies in the current NPS on Urban Development. Specifically, clause c) in the NPS-EN differs from that within the NPS-REG and NPS-I<sup>5</sup>. The reason for the differing approach is not clear.

Notwithstanding the differences in relation to clause c), Transpower is largely supportive of the policy subject to the amendments outlined as follows:

- Chapeau – While the intent of the chapeau is supported, the extent of its application is unclear in that it requires that “*decision makers must recognise and provide Maori interest in relation to EN activities, including by....*”. Transpower would support removal of the word “including”, to clarify the application of the policy directive.
  - 1) *Decision-makers (and applicants, as appropriate) must recognise and provide for Māori interests in relation to EN activities, ~~including~~ by:*
- Clause a) - While Transpower supports the policy in principle it does have some concerns about how the policy would be given effect to. Transpower would support amendment as follows:
  - a) *where appropriate, taking into account the outcomes of any engagement with tangata whenua on a resource consent, notice of requirement, or request for a private plan change, including through the site, route and method selection process;*
- Clause c) – As noted above, clause c) differs from that proposed in other national direction. Transpower is supportive in principle of the clause but requests that ‘remedying’ also be inserted to allow for remediation as an option to address adverse effects.
  - c) *avoiding, where practicable, or otherwise remedying or mitigating, the adverse effects of EN activities on sites of significance to Māori;*

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<sup>5</sup> providing opportunities in appropriate circumstances for tangata whenua involvement in relation to sites of significance to Māori and issues of cultural significance; and

- Clause d) – For consistency Transpower requests amendment to the policy to include reference to “(as defined in Section 58L of the RMA).” consistent with that in the NPS-REG and NPS-EN, and providing clarity to the application of the clause.

d) *operating in a way that is consistent with iwi participation legislation [\(as defined in Section 58L of the RMA\)](#).*

Discussion Document Questions		Transpower Response
26.	Does the proposed policy adequately provide for the consideration of Māori interests in electricity networks?	Yes, and Transpower supports the policy consideration, noting amendments are requested through this submission.

## 5.0 Subpart 2: Policies for enabling EN activities while managing adverse effects on the environment

### Policy: P4 Identifying the location for EN activities and managing adverse effects through the route, site, and method selection process

#### NPS-EN P4 Identifying the location for EN activities and managing adverse effects through the route, site, and method selection process

1) *Decision-makers must:*

- a) *recognise that it is the role of Transpower and the EDN provider to:*
  - i. *determine the purpose, scope, required capacity, and technical solution for a proposed EN activity; and*
  - ii. *consider sites, routes, and methods where appropriate and identify the preferred site, route, and method for EN activities and assets;*
- b) *recognise and provide for the operational need or functional need of EN activities to be in particular environments as directed by policy 2 in this National Policy Statement;*
- c) *have regard to the extent to which any adverse effects have been avoided, remedied or mitigated by the route, site, and method selection;*
- d) *recognise that there will be unavoidable adverse effects on some values regardless of the route, site and method chosen.*

Transpower strongly supports the new proposed policy in the NPS-EN due to its enhanced clarity and enabling nature compared to the existing NPSET Policy 4. The new wording explicitly recognises Transpower's fundamental role and technical expertise in determining the purpose, scope, and optimal solutions for electricity network activities, which was previously implied but not clearly stated. Furthermore, the inclusion of the recognition that "*there will be unavoidable adverse effects on some values regardless of the route, site and method chosen*" introduces a

crucial element of realism that acknowledges the inherent challenges of developing national infrastructure, providing more practical guidance for decision-makers. We note the policy is framed in a general sense with later policies providing more specific policy direction for certain EN activities and within certain environments. The role and impact of P4 will therefore depend on how the subsequent policies are framed.

Notwithstanding the support, an amendment is requested to clause c) so as to not allow the revisiting of options.

- c) *have regard to the extent to which any adverse effects have been avoided, remedied or mitigated by the route, site, and [construction](#) method selection;*

## **Policy: P5 General considerations when considering and managing the environmental effects of EN activities**

### **NPS-EN P5 General considerations when considering and managing the environmental effects of EN activities**

- 1) *When considering the environmental effects of EN activities and measures to avoid, remedy, or mitigate any adverse effects on the environment, decision-makers must also:*
  - a) *consider the constraints imposed on achieving those measures by the technical and operational requirements of the EN;*
  - b) *recognise that EN activities are needed to increase and improve the capacity and delivery of the EN over time;*
  - c) *recognise that changes in amenity from EN activities are unavoidable and necessary to achieve an effective, efficient, safe, secure, reliable, and resilient EN;*
  - d) *adopt relevant international and national standards and recognised best practice standards and methodologies to assess and manage adverse effects; and*
  - e) *consider the financial and timing implications of mitigation measures and any consent conditions to ensure these are proportionate and cost-effective.*

Transpower supports the policy on the basis it amends and strengthens Policy 3 of the gazetted NPSET. The policy is framed in a general sense with later policies providing more specific policy direction for enabling certain EN activities and within certain environments. The role and impact of Policy P5 will therefore depend on how the subsequent policies are framed and the environments they apply to.

Specific to the policy, Transpower supports clause c) recognising that changes in amenity values are unavoidable and necessary. Accepting that amenity is a section 7 RMA matter, as part of the Phase 3 of the RM Reform process, Transpower would support clear recognition that changes in amenity are not of themselves an adverse effect. Such an approach would reflect the intent provided in the (EAG) Blueprint for resource management reform, which states: *“Beyond the regulation required to appropriately protect identified outstanding landscapes and natural*

*features, and areas of high natural character value, we do not see a role for regulation of landscape or visual amenity effects.”<sup>6</sup>*

This policy directive will inform later NPS-EN policies which direct adverse effects to be avoided, remedied or mitigated as far as practicable.

- c) *recognise that changes in amenity from EN activities are unavoidable and necessary to achieve an effective, efficient, safe, secure, reliable, and resilient EN, and are not, of themselves, an adverse effect:*

## Policy: P6 Enabling routine EN activities

### NPS-EN P6 Enabling routine EN activities

- 1) *Decision-makers must enable routine EN activities to occur in all locations and environments, provided adverse effects on the environment are avoided where practicable, remedied where practicable, or mitigated where practicable, acknowledging the existing nature of the assets.*

Policy P6, Policy P7 and Policy P9 are the primary ‘enabling’ policies within the NPS-EN, which are informed by the earlier policies.

Transpower notes that Policy P6 reflects Policy P7 of the NPS-I (noting P7 refers to ‘operation, maintenance and minor upgrade’ and does not acknowledge the existing nature of the assets).

Transpower is supportive of a clear, directive and unqualified ‘enabling’ policy for routine EN activities in all locations and environments.

Routine activities as defined are those activities which are ‘business as usual’, must be carried out in order to secure the ongoing function of the National Grid, and are those in respect of which Transpower has no real choices to make about the way, or the environment, in which they occur. This includes works necessary to maintain safety, or to replace aging or worn components (which is a significant component of the work programme given much of the National Grid was constructed in the 1920s and 1950s). It includes replacing conductors, duplexing (where single electrical conductors are replaced with two conductors in each phase to increase capacity, or reduce corona noise), and associated tower strengthening, foundation works, or earthworks to provide electrical clearances. The common theme is that this is work that *needs* to happen, in the sense that Transpower cannot responsibly choose not to do it, and which relates to work on existing lines, in circumstances where there is limited or no practical means to reduce any adverse effects.

Transpower supports the commentary in the discussion document (relating to the definition of ‘Routine activities’) that:

*“The policy intent is to enable routine ETN activities on existing assets to occur in a timely and efficient way without restriction, while still ensuring Transpower and electricity distribution businesses (EDBs) take appropriate steps to avoid or mitigate adverse*

<sup>6</sup> Blueprint for resource management reform: A better planning and resource management system 2025, Page 34, <https://environment.govt.nz/assets/publications/Final-EAG-Report.pdf>

*environmental effects to the extent practicable. Transpower and EDBs have well-established industry standards and operating procedures for routine operation, maintenance and upgrade activities developed with input from ecologists and other environmental experts.”*

Given the nature of existing assets and the definition of routine activities, Transpower largely supports Policy P6 as drafted, including the fact that it does not contain a requirement to demonstrate operational or functional need to occur in the asset’s location (given the policy relates to existing assets or lines).

Notwithstanding this general support, Transpower queries the new phraseology – “*avoided where practicable, remedied where practicable, or mitigated where practicable*” – because it will not avoid councils developing effects management direction. The intent and purpose of having ‘where practicable’ after each directive (avoided, remedied, mitigated) is not clear. On face value this phraseology still has an implicit sense of hierarchy and could initiate further litigation at the regional and/or district level. While Transpower accepts (and indeed supports) the need to move away from the policy framework that has developed in the last 20 years which seeks a zero sum form of effects management (i.e. requiring all infrastructure seek to avoid, and remedy, and mitigate and offset *every* effect of their proposals), this phraseology will neither avoid lower level policies being developed that seek to embed the effects management hierarchy nor the inefficiencies and costs involved with this process occurring across New Zealand. Transpower would be interested to understand the intent behind the wording sequence, noting that from our perspective the ‘where practicable’ directive is critical and must be retained and applied to the ‘avoid, remedy or mitigate’ requirement. Amended wording is requested.

Amendment is also requested to apply the policy directive to avoid, remedy or mitigate adverse effects where practicable, to significant adverse effects, which would better reflect the existing nature of the assets and the fact that the RMA is not a ‘no effects’ statute.

- 1) *Decision-makers must enable routine EN activities to occur in all locations and environments, provided significant adverse effects on the environment are avoided ~~where practicable~~, remedied ~~where practicable~~, or mitigated, where practicable, acknowledging the existing nature of the assets.*

Transpower notes NPS-EN policy P6 reflects Policy P7 of the NPS-I (noting P7 refers to ‘operation, maintenance and minor upgrade’ and does not acknowledge the existing nature of the assets). Transpower prefers the terminology used within NPS-EN Policy 6 (in so far as it refers to routine activities) as that definition is tailored to transmission activities and reflects the wording in the NES-ENA. Any alternative wording (such as ‘minor upgrade’) within NPS-EN Policy P6 would have significant implications for the National Grid and would require amendment. Transpower supports the acknowledgment in the policy of the existing nature of the assets, as it provides important context for the policy.

## **Policy: P7 EN development and non-routine activities**

### **NPS-EN P7 EN development and non-routine activities**

- 1) *In rural environments, planning and development of the EN should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character, and areas of high recreation value and amenity.*

As outlined in the discussion document, Policy P7 amends the current NPSET Policy 8.

As conveyed in earlier comments in this submission (on Policy P2), the policy directive for EN development and non-routine activities outside areas and values subject to Policy P7 is not clear. The commentary on page 30 of the Package 1: Infrastructure and development – Discussion document states:

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

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

It is assumed the (later) policy relating to routine activities relates to NPS-EN P6. However, it is not clear what NPS-EN policy the former commentary relates to, and whether the policy applies to development and non-routine activities, noting the confined application of Policy P7 and that Policy P6 applies to routine activities with no area or value qualifiers. Transpower notes NPS-I contains a policy<sup>7</sup> to ‘address’ the gap (in relation to values which are not Section 6 RMA matters or subject to a NPS).

Within the context of the above, Transpower has the following concerns with Policy P7 and the ‘enabling’ policy framework within the NPS-EN:

- Notwithstanding Policy P7 does not reference all areas subject to Section 6 RMA values, or other areas/values subject to a NPS, it is also incomplete in that it refers to ‘outstanding natural landscapes’ but has no reference to ‘features’, and there is no reference to ‘outstanding natural character’ (noting that the NPSET was gazetted in 2008, prior to the NZCPS, and reflects the terminology used at that time in terms of ‘high natural character’ being the highest natural character values, with the term ‘outstanding’ introduced in the 2010 NZCPS).
- The reference to ‘areas of high recreation value and amenity’ is ambiguous and in Transpower’s experience hard to identify or qualify. It is not clear if the intent is to capture amenity identified as Significant Amenity Landscapes, and if areas of high recreation values are areas zoned Conservation in plans. Transpower’s experience is that many plan making processes have grappled (unsuccessfully) with how to define and identify such areas, and the terminology is unclear and uncertain and therefore unhelpful. Given the lack of clarity and that ‘areas of high recreation value and amenity’ are not in themselves mapped in plans (unlike outstanding natural landscapes) Transpower has concerns with the ‘seek to avoid’ directive being applied to such areas. Furthermore, Transpower is cognisant of the position on amenity values within the (EAG) Blueprint for

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<sup>7</sup> 1) P8 Managing the effects of new infrastructure and major upgrades on environmental values:

Planning decisions must enable new infrastructure or major upgrades of existing infrastructure, provided that adverse effects on environmental values (not in section 6 or covered by national direction) are avoided where practicable, remedied where practicable, or mitigated where practicable.

resource management reform and that it is unlikely to have a role in the new RM framework:

*“Beyond the regulation required to appropriately protect identified outstanding landscapes and natural features, and areas of high natural character value, we do not see a role for regulation of landscape or visual amenity effects.”<sup>8</sup>*

This approach is further reflected within Clause c) of Policy 5 of the NPS-EN which recognises that *“changes in amenity from EN activities are unavoidable and necessary to achieve an effective, efficient, safe, secure, reliable and resilient EN”*.

- While Transpower accepts the ‘seek to avoid’ policy directive and the policy has been implemented across numerous district and regional plans over the past 12 years in particular, the policy as provided in P7 is lacking in direction as to what you do once you have sought to avoid. For example, is Transpower then required to remedy or mitigate? Should the remedy or mitigate directive be applied where practicable? In order to ensure a comprehensive policy directive, Transpower requests an amended policy framework as outlined below.
- The confined nature of the matters addressed within Policy P7 means there is no policy framework or directive for Section 6 RMA matters (beyond those few addressed in policy P7) or other values/areas subject to an NPS. While the proposed NPS-EN introduces a number of benefits and general consideration policies, for non-routine and development activities there is a lack of directive enabling policies, particularly when compared to the strongly protectionist NPSs relating to the coast and freshwater management. While Transpower understands the intent is these matters (and inherent conflicts) are to be addressed as part of the Phase 3 Reforms, Transpower would support the issue being addressed as soon as possible to provide as much certainty as possible for all users. It is our experience that, in the absence of clear policy direction, the policy void is filled by lower-level plans and policies (particularly for indigenous biodiversity and heritage) and Transpower has had to address these locally derived policies through every individual plan-making process. This process is hugely costly and inefficient, resulting in a wide variety of policy outcomes achieved, depending on the nuances of the particular plan and the particular submissions and appeals process. These flaws in the policy need to be resolved and improved. The policies requested by Transpower would, by default, apply to the Coastal Environment and indigenous biodiversity.

While Transpower has a preferred policy approach, it is cognisant that there are other policy options available. Transpower would support the following policy approach for **Non-routine and Development activities**, to address the issues identified above:

- Outside areas with Section 6 RMA values, subject to a NPS, or sites of significance to Māori – Insert a new ‘avoid, remedy or mitigate where practicable’ policy. This policy would address the current policy ‘gap’ within the NPS-EN in terms of providing a policy for non-routine and development activities outside ‘valued areas’. The distinction is

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<sup>8</sup> Blueprint for resource management reform: A better planning and resource management system 2025, Page 34, <https://environment.govt.nz/assets/publications/Final-EAG-Report.pdf>



important and reflects the values of the areas subject to the respective policy. The requested new policy reflects Policy P8 within the NPS-I.

- Inside areas with Section 6 RMA values, subject to a NPS, or sites of significance to Māori – Amend Policy P7 to apply to all ‘valued areas’, with two different policy options (Option A and Option B) proposed. From a planning perspective the limited section of areas listed in the proposed Policy P7 is not supported and has no logical basis or reasoning, other than being in the gazetted NPS-ET (which is now 17 years old).

It should be noted that identified sites of significance to Māori are excluded from the above policies on the basis such effects are managed under Policy P3. 1)c) (depending on the resulting framework of that policy).

The requested policies are as follows:

### Outside Valued Areas

Insert a new policy as follows:

#### **NPS-EN PX - EN development and non-routine activities outside areas with Section 6 RMA values, subject to a NPS, or sites of significance to Māori**

- 1) Outside areas with Section 6 RMA values, subject to an NPS, or sites of significance to Māori, decision-makers must enable non-routine and development EN activities to occur in all locations and environments, provided significant adverse effects on the environment are avoided, remedied or mitigated, where practicable, acknowledging for non-routine activities the existing nature of the assets.

### Inside Valued Areas

#### Option A

Preferred Option: Amend Policy 7 as follows:

#### **NPS-EN P7 EN development and non-routine activities**

- 1) In rural environments, in areas with Section 6 RMA values or subject to a NPS (excluding identified sites of significance to Māori), decision-makers must enable non-routine and development of EN activities if: ~~with in planning and development of the EN should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character, and areas of high recreation value and amenity.~~
  - a) there is an operational need or functional need; and
  - b) the following is applied to manage adverse effects:
    - i. non routine and development should seek to avoid adverse effects;
    - ii. where adverse effects cannot be avoided, they are remedied where practicable; then
    - iii. where adverse effects cannot be remedied, they are mitigated where practicable; then
    - iv. for areas of significant indigenous vegetation and significant habitat of indigenous fauna, including significant natural areas and taxa, habitats and ecosystems listed in Policy 11(a) of the NZCPS, and natural inland wetlands, where more than minor

residual adverse effects cannot be avoided, remedied, or mitigated, consider biodiversity offsetting; then

- v. if biodiversity offsetting under clause iv) of more than minor adverse effects is not practicable, consider biodiversity compensation.
  - vi. When considering offsetting or compensation or aquatic compensation, have regard to the principles in the National Policy Statement for Indigenous Biodiversity 2023 and the National Policy Statement for Freshwater Management 2020, and the financial and timing implications of those measures.
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Or

## Option B

Amend Policy 7 as follows:

### NPS-EN P7 EN development and non-routine activities

- 1) In rural environments, ~~planning and development of the EN should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character, and areas of high recreation value and amenity.~~ planning decisions must enable non-routine and development activities, provided that adverse effects on Section 6 RMA values or areas subject to an NPS (excluding identified sites of significance to Māori):
    - a) have been avoided, remedied, or mitigated through the route, site, design and method selection; and
    - b) residual adverse effects can be practicably mitigated, or remedied, having regard to:
      - i technical, operational and functional requirements;
      - ii the constraints of ETN activities; and
      - ii the financial and timing implications of mitigation measures and consent conditions are proportionate and cost-effective.
- 

**Option A** retains the ‘seek to avoid’ policy directive. Transpower’s experience is that the ‘seek to avoid’ directive has been effective and provides a high hurdle which means that effects should be avoided where practicable, while acknowledging that this might not always be the case (and to put the onus on Transpower to explain why not, in those instances). The insertion of remedy, mitigate and consider offsetting and compensation is reflective (in terms of being a policy process) with the effects management hierarchies developed in other national policy statements. Option A is Transpower’s preferred option.

**Option B** removes the ‘Seek to avoid’ policy directive and instead imposes an ‘avoid, remedy or mitigate where practicable’ policy directive. The amended policy draws in elements from other policies in the NPS-EN. This option reflects that suggested by Transpower in its submission to the NPS-I.

If the above options are not supported by officials, at the very least Transpower requests Policy P7 be broadened out to also include outstanding natural features, outstanding natural character, historic heritage and significant indigenous biodiversity. There is no valid reason as to why the policy should be confined to existing features listed in Policy 8 of the NPS-ET. Suggested wording is as follows:

*In rural environments, planning and development of the EN should seek to avoid adverse effects on outstanding natural [features and](#) landscapes, areas of high [or outstanding](#) natural character, [historic heritage](#), and areas with significant indigenous biodiversity values, ~~and areas of high recreation value and amenity~~. [and otherwise, where practicable, remedy or mitigate adverse effects.](#)*

## Policy: P8 Reducing existing adverse effects of EN assets when considering upgrades

### NPS-EN P8 Reducing existing adverse effects of EN assets when considering upgrades

- 1) *Decision-makers must consider practicable opportunities and measures to reduce the existing adverse effects of EN assets when considering non-routine EN activities, taking into account the technical and operational requirements of the EN and the financial implications of any measures to reduce adverse effects.*

Transpower supports the policy in principle noting it applies to non-routine activities.

An amendment is requested to the title to reflect the policy wording, which refers to 'non-routine' EN activities, as follows:

**NPS-EN P8 Reducing existing adverse effects of EN assets when considering ~~upgrades~~ [non-routine activities](#)**

While the intent of the policy is supported, Transpower does have concerns the directive nature of the policy could require Transpower to consider options such as undergrounding and retesting of alternatives. Transpower would support reframing of the policy as follows:

- 1) *[Where appropriate](#), ~~Decision-makers must~~ [may](#) consider practicable opportunities and measures to reduce the existing adverse effects of EN assets when considering non-routine EN activities, taking into account the technical and operational requirements of the EN and the financial implications of any measures to reduce adverse effects.*

## Policy: P9 EN activities within urban environments and servicing new development

### NPS-EN P9 EN activities within urban environments and servicing new development

- 1) *Decision-makers on EN activities within urban environments must:*
  - a) *recognise that the EN forms an essential part of well-functioning urban environments that must be provided for;*
  - b) *allow for changes in amenity associated with routine EN activities;*
  - c) *recognise that it is not practicable to avoid all adverse effects of EN activities; and*
  - d) *recognise that the effective and efficient development, operation, maintenance, and upgrade of the EN may be appropriate use and development when protecting historic heritage.*
- 2) *Planning decisions within urban environments must:*
  - a) *ensure that, where development will result in an increase in demand for electricity, sufficient on-site space is provided for EDN assets to meet demand; and*

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- b) recognise that determining whether there is sufficient on-site space for EDN assets to meet demand will require consultation with the EDN provider.*
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Transpower supports the policy in principle, noting it supports the deletion of NPSET Policy 7. Clause 2 is specific to the EDN network and therefore is not directly relevant Transpower.

The intent of clause 1) d) is not clear in relation to historic heritage. While the intent of the clause may be to ensure the protection of historic heritage within urban environments does not undermine the EN, this intent is not reflected in the current wording.

Discussion Document Questions		Transpower Response
27.	Do you support the proposed policy to enable development of electricity networks in areas not protected by section 6 of the RMA, or covered by other national direction?	Transpower supports the intent but as outlined above, notes there is no specific policy for non-routine and development activities not protected by section 6 of the RMA, or covered by other national direction.
28.	Do the proposals cover all the matters that decision-makers should evaluate when considering and managing the effects of electricity network activities?	For the reasons outlined above, Transpower has suggested a number of refinements to the policies, including additional policies to provide a complete package of 'enabling' policies.
29.	Do you support the proposed policy to enable routine works on existing electricity network infrastructure in any location or environment?	Yes – for the reasons outlined above.
30.	What other practical refinements to Policy 8 of the NPS-EN could help avoid adverse effects on outstanding natural landscapes, areas of high natural character, and areas of high recreation value and amenity in rural environments?	It is presumed this relates to NPS-EN Policy P7. For the reasons outlined above, Transpower has suggested a number of refinements to the policy and additional policies to provide a complete package of 'enabling' policies.

## 6.0 Subpart 3: Policies for Protection and Strategic Planning of the Electricity Network

### Policy: P10 Managing the effects of third parties on the electricity network

#### NPS-EN P10 Managing the effects of third parties on the electricity network

- 1) *Decision-makers must avoid the adverse effects of third parties on the EN, including by:*
- a) *avoiding direct and reverse sensitivity effects on the EN to the extent reasonably possible;*
  - and*
-

- 
- b) *ensuring that the effective operation, maintenance, upgrading, and development of the EN is not compromised.*
  - 2) *In order to avoid the adverse effects of third party activities on the EN, local authorities must:*
    - a) *identify EN assets within their district, whether or not these are designated;*
    - b) *engage with the operator of the ETN to implement the buffer corridor provided for in NES-ENA, within which it can be expected that sensitive activities, buildings, earthworks, and other activities that have the potential to compromise the EN, are to be generally avoided; and*
    - c) *engage with the operators of the EDN to identify an appropriate buffer corridor for the EDN, within which buildings, subdivision, and earthwork activities must comply with NZECP34; and*
    - d) *require buildings, structures, earthworks, and activities to avoid adverse effects on the EN, including reverse sensitivity effects, and to be designed and located to maintain safe distances from, and allow sufficient space for access to, and maintenance, construction, development, and upgrading of, EN assets;*
    - e) *manage subdivision to avoid adverse effects on the EN while providing for ongoing and efficient construction, operation, maintenance, development, and upgrade of the EN;*
    - f) *ensure the nature and location of any proposed trees or vegetation to be planted around the EN does not compromise its function and operation.*
- 

Transpower supports the combination of operative NPSET Policies 10 and 11 into a comprehensive policy. The impacts of third-party activities on the ETN were well canvassed in Transpower's 2023 submission on "*Strengthening National Direction on Renewable Energy Generation and Electricity Transmission.*"<sup>9</sup> The commentary remains relevant.

The policy also compliments proposed regulations within the NES-ENA. The policy approach within Policy P10, and NES-ENA R12 and R13 will ensure that these crucial provisions are not relitigated at a local level again, providing much-needed certainty, consistency and efficiency for essential national infrastructure (and similarly those wanting to carry out activities in close proximity to it) – Transpower is strongly supportive of this approach and grateful to see it proposed. Our previous submission highlighted the significant effort and cost involved in implementing National Grid provisions in district plans under the existing framework, with some councils still not having given effect to them, some 17 years after gazettal of the NPSET 2008. Moving the corridor rules into national standards in Phase 3 would prevent such inefficiencies from recurring and is something that Transpower would strongly support.

In particular, Transpower supports the clear framing of P10 such that it addresses both reverse sensitivity and 'direct effects' on the ETN (i.e. activities which compromise ETN assets) as two separate effects. Direct effects can include or relate to 'underbuild' (and associated safety risks), access issues, earthworks, and vegetation.

Clause 2) of the policy outlines how Clause 1) is to be achieved. Specific to the ETN, the National Grid Corridor approach has several important purposes:

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<sup>9</sup> [Strengthening National Direction on Renewable Energy Generation and Electricity Transmission - Submission by Transpower New Zealand.pdf](#), Relevant information on the corridors is provided on page 50 (Section 25), Pages 38-41 of Appendix B, and Case Study 1.

- i. To enable uncompromised access and maintenance;
- ii. To avoid reverse sensitivity effects;
- iii. To provide a consistent approach to managing the potential for adverse effects on the National Grid;
- iv. To reduce risks of damage to structures and their foundations as a result of adjacent structures and land disturbance; and
- v. To avoid safety hazards.

Transpower supports the provisions as they apply to the ETN noting they have been well tested and will allow for an efficient and nationally consistent approach, and will ensure National Grid assets are protected. While Policy P10 does contain qualifiers such as ‘to the extent reasonably possible’ in Clause 1), and ‘are generally to be avoided’ in Clause 2) b), on the basis of the inclusion of the National Grid Corridor approach in the NES-ENA which provides specific activity status, the qualifiers are supported.

In relation to Clause 2) a) and the consultation document question as to whether the direction to identify EDN should be limited to critical assets, while Transpower is able to readily provide all information for mapping in plans, given the extent of the EDN, careful consideration will be needed to ensure the differing EN assets can be distinguished clearly by plan users, and therefore that the appropriate policy direction can be applied.

In response to the question as to whether the ETN buffer corridor should be extended to the high voltage (110 kV) lines not forming part of the National Grid, Transpower has no opposition in principle (noting such assets are likely to be very limited in extent) subject to clear ‘protection’ policies (and rules within the NES-ENA) being applied to the ETN.

Notwithstanding the above support, a minor amendment is recommended to Clause 1)

- 1) *Decision-makers must avoid the adverse effects of third parties activities on the EN, including by:*

## **Policy: P11 Long-term strategic planning for the EN**

### **NPS-EN P11 Long-term strategic planning for the EN**

#### *1) Local authorities must:*

- a) engage with the operators of the EN to facilitate the medium to long-term strategic planning for the construction, operation, maintenance, and upgrade of the EN; and*
- b) recognise that the designation process can facilitate long-term planning for construction, operation, maintenance, and upgrade and development of the EN.*

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Transpower supports Policy P11 which requires councils to facilitate the implementation of medium to long term plans for the development of the EN. The policy will potentially have greater relevance in the near future as there is an increasing need to plan new connections to new renewable generation and to increase the capacity of the grid to accommodate new connections and increasing demand for electricity.

Transpower also understands the policy will have greater relevance and applicability to spatial planning (i.e. future development strategies and potential spatial plans developed under the Phase 3 RM Reform legislation). Transpower therefore requests a new clause specific to strategic planning documents as is proposed in Policy P3 of the NPS-I.

- c) have regard to the extent to which the EN has been identified within a strategic planning document, including future development strategies, while recognising that not all EN assets can be spatially identified in advance.

However, it is noted that while Transpower generally supports better recognition of spatial plans and strategies in making decisions on infrastructure, spatial plans and strategies can be slow to respond to new demands and requirements for infrastructure. Transpower therefore considers that an element to this policy (or a separate policy) should require decision-makers to be responsive to new changes or demands for infrastructure that may not be part of an established strategic or spatial plan.

## Policy: P12 Electric and magnetic fields

### NPS-EN P12 Electric and magnetic fields

- 1) *Local authorities must include provisions in their district plans to manage electric or magnetic fields associated with the EN that are based on recommendations from the World Health Organization monograph Environmental Health Criteria (No 238, Extremely low frequency fields) and International Commission on Non-Ionizing Radiation Protection 'Guidelines for limiting exposure to time-varying electric and magnetic fields (1 Hz to 100 kHz)' (Health Physics 99(6): 818–836; 2010) (ICNIRP Guidelines) or their revisions, or any other applicable New Zealand standards.*

Transpower largely supports the policy managing electric and magnetic fields. However, Transpower has concerns the policy as drafted is only applicable where it is included in district plans. Transpower requests amendment to the policy (as follows) to reflect the wording in the NPS-ET.

- 1) ~~Local authorities must include provisions in their district plans~~ Provisions to manage electric or magnetic fields associated with the EN ~~that are~~ must be based on recommendations from the World Health Organization monograph Environmental Health Criteria (No 238, Extremely low frequency fields) and International Commission on Non-Ionizing Radiation Protection 'Guidelines for limiting exposure to time-varying electric and magnetic fields (1 Hz to 100 kHz)' (Health Physics 99(6): 818–836; 2010) (ICNIRP Guidelines) or their revisions, or any other applicable New Zealand standards.

## Appendix A

Amendments requested through this submission are shown as [blue](#) text.

NPS-EN Definitions	
D1.	<p><b>Act</b></p> <p><i>means the Resource Management Act 1991.</i></p>
D2.	<p><b>Ancillary electricity network activities (ancillary EN activities)</b></p> <p><i>means all supporting and subsidiary activities needed to provide the operation, maintenance and upgrading of the EN, including but not limited to vegetation clearance, tree trimming, earthworks, the construction, maintenance and upgrading of access tracks and accessways, power supply, and telecommunications.</i></p>
D3.	<p><b>Customer Driven Projects</b></p> <p><i>means ETN or EDN activities that a third party other than Transpower New Zealand Limited or an electricity distribution business has requested be carried out, such as new connections to electricity generation or demand, or relocation or undergrounding of assets in order to enable urban or infrastructure development, <del>excluding new connections to electricity generation that are managed under the National Policy Statement for Renewable Electricity Generation (NPS-REG).</del></i></p> <p>or amendment as follows:</p> <p><i>.....excluding new connections to electricity generation that <a href="#">are not part of the ETN and are <u>instead</u></a> managed under the National Policy</i></p>
D4.	<p><b>Decision-makers</b></p> <p><i>means all those persons making planning decisions under <del>the Act</del> <a href="#">this National Policy Statement</a>.</i></p>
D5.	<p><b>Electricity distribution network (EDN)</b></p> <p><i>means any part of the electricity network that is controlled by a person or body who is both an electricity distributor and an electricity operator because those terms are defined in section 2 of the Electricity Act 1992; and does not include the electricity transmission network (as defined below).</i></p>
D6.	<p><b>Electricity network (EN)</b></p> <p><i>means the electricity transmission network and the electricity distribution network.</i></p>
D7.	<p><b>Electricity transmission network (ETN)</b></p> <p><del><i>means all parts of the National Grid of electricity transmission that:</i></del></p> <p><del><i>a) comprise the network of transmission lines, and cables (aerial, underground, and submarine, including the high voltage direct current link), stations, and substations, facilities and works, and all ancillary activities, and other works used to connect grid injection points and grid exit points to convey electricity;</i></del></p> <p><del><i>b) is owned or used by Transpower New Zealand Limited; and</i></del></p>



	<p><del>e) is commonly known as the National Grid.</del></p> <p><u>means the electricity transmission network that:</u></p> <ul style="list-style-type: none"> <li>a) <u>comprises the network of transmission lines, and cables (aerial, underground, undersea, and submarine, including the high-voltage direct current link), stations, and substations, facilities and works, and all ancillary activities, and other works used to connect grid injection points and grid exit points to convey electricity in New Zealand;</u></li> <li>b) <u>is owned or used by Transpower New Zealand Limited; and is commonly known as the National Grid.</u></li> </ul>
D8.	<p><b>Electricity network activities (EN activities)</b></p> <p>means the construction, operation, maintenance, development, upgrade, replacement, decommissioning or removal of electricity network assets and all ancillary activities, unless otherwise specified.</p>
D9.	<p><b>Electricity network assets (EN assets)</b></p> <p>means the physical components of EN and all ancillary <u>assets (including associated telecommunications assets) and</u> activities, such as access tracks.</p>
D10.	<p><b>Electricity network development activities (EN development activities)</b></p> <p>means</p> <ul style="list-style-type: none"> <li>a) the construction of new EN assets that is not carried out on or related to EN lines, or cables, or at substation sites, that exist at the time of construction; or</li> <li>b) customer driven projects.</li> </ul>
D11.	<p><b>Electricity network line (EN line)</b></p> <p>means EN assets used for, or associated with, the overhead, underground or submarine transmission or distribution of electricity in the EN, <u>including where attached to a bridge or other structure</u>, and:</p> <p>and:</p> <ul style="list-style-type: none"> <li>a) includes transmission lines <u>or distribution lines support structures, telecommunication cables, and telecommunication devices;</u> but</li> <li>b) does not include an EN substation.</li> </ul>
D12.	<p><b>Functional need</b></p> <p>means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment.</p>
D13.	<p><b>Non-routine electricity network activities (non-routine EN activities)</b></p> <p>means the upgrade, rebuilding or replacement of, or changes to, EN assets, or other EN activities, where the upgrade, rebuilding, replacement or change, or activity is not defined as a routine EN activity.</p>
D14.	<p><b>NZEC 34:2001</b></p> <p>means the New Zealand Electrical Code of Practice for Electrical Safe Distances (2001)</p>
D15.	<p><b>Operational need</b></p> <p>means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints (National Planning Standards definition).</p>

D16.	<p><b>Planning decision</b></p> <p>means a decision on any of the following:</p> <ul style="list-style-type: none"> <li>a) a regional policy statement or proposed regional policy statement;</li> <li>b) a regional plan or proposed regional plan;</li> <li>c) a district plan or proposed district plan;</li> <li>d) a resource consent;</li> <li>e) a designation;</li> <li>f) a heritage order;</li> <li>g) a water conservation order;</li> <li>h) a change to a plan requested under Part 2 of Schedule 1 of the Act.</li> </ul>
D17.	<p><b>Electricity network resilience (EN resilience)</b></p> <p>means the capacity of infrastructure to absorb a shock, including from natural hazards, recover from the disruption, adapt to changing conditions, including climate change, and retain an appropriate level of service, even if that means delivering an infrastructure service in a new or different way, or at a reduced level of service.</p>
D18.	<p><b>Routine electricity network activities (routine EN activities)</b></p> <p>means that:</p> <ul style="list-style-type: none"> <li>a) activities required for, or associated with, the operation or maintenance of existing EN assets, <a href="#">including addition or realignment of up to five additional transmission line support structures</a> or;</li> <li>b) implements the modern equivalent, substitute, or replacement of the existing EN assets that may not be 'like for like'; or</li> <li>c) maintenance and upgrades of existing EN assets necessary to continue to deliver the same or a similar level of service or to improve resilience; or</li> <li>d) other upgrades of existing EN assets where the upgrade or other change will, once the activity is complete, have no more than minor adverse effects on the environment <a href="#">compared to the existing EN assets</a>; or</li> <li>e) the removal, decommissioning or dismantling of EN assets; and</li> <li>f) all relevant ancillary activities, such as vegetation clearance, tree trimming, and creating, maintaining and improving access tracks and accessways to EN assets; and;</li> <li>g) includes all activities regulated by the National Environmental Standards for Electricity Network Activities NES-ENA, including replacing structures, reconductoring, earthworks, altering or relocating of structures and undergrounding.</li> </ul>
D19.	<p><b>Sensitive activities</b></p> <p>includes residential unit (including <a href="#">papakāinga</a>, visitor accommodation and retirement accommodation), care facilities, childcare facilities, schools, hospitals, custodial or supervised accommodation where residents are detained on site, marae, or place of worship.</p>
New Def	<p><b><a href="#">Transmission line or distribution line</a></b></p> <ul style="list-style-type: none"> <li>a) <a href="#">means the facilities and structures used for, or associated with, the overhead and/or underground transmission or distribution of electricity within the ETN or EDN, including the transition from overhead to underground; and</a></li> </ul>

	<p>b) <u>includes conductors, transmission line and distribution line support structures, telecommunication cables, and telecommunication devices to which paragraph (a) applies; and</u></p> <p>c) <u>for the avoidance of doubt includes buried cables, submarine and undersea cables, cables located over land, within waterbodies (including the coastal marine area), on the bed of lakes and rivers, on the bed and foreshore of the coastal marine area and on bridges and other waterway crossings;</u></p> <p>d) <u>but does not include an electricity substation.</u></p>
D20.	<p><b>Upgrading</b></p> <p>means improving the capacity, level of service, efficiency, safety, security, resilience, effectiveness or longevity of existing EN assets and includes the replacement, renewal, addition, <u>alteration</u>, expansion and intensification of existing infrastructure.</p>
D21.	<p><b>Well-being</b></p> <p>means the environmental, economic, social and cultural well-being of people and communities, and includes their health and safety.</p>

## NPS-EN Objective

- 1) The EN is developed, operated, maintained, upgraded, and protected in a manner that:
  - a. recognises and provides for its national significance;
  - b. where appropriate, secures the resilience of the EN, including in relation to the effects of natural hazards and climate change;
  - c. provides for the well-being and needs of present and future generations, including by increasing and improving the capacity and delivery of the EN over time;
  - d. recognises and provides for the role of the EN in achieving New Zealand's emissions reduction and renewable energy targets, and associated commitments in any relevant plan prepared under the Climate Change Response Act 2002;
  - e. manages adverse effects of the EN on the environment in a proportionate and cost-effective way; and
  - f. ~~protects the EN from the~~ avoids adverse effects of other activities on the EN.

## NPS-EN P1 National significance and benefits of the electricity network

- 1) Decision-makers on EN activities must recognise and provide for the national significance and benefits of the EN to be realised at national, regional and local scale.
- 2) Decision-makers must recognise that the benefits of the EN include, but are not limited to:
  - a) providing for the well-being of people and communities to meet the needs of present and future generations;
  - b) providing services that are essential to support human life and the development, growth, and functioning of districts, regions, New Zealand, and the economy;
  - c) providing safe, secure, reliable, and resilient electricity supply that is responsive to demand from homes, communities, and businesses at local, regional, and national levels;
  - d) efficient storage and transfer of electricity;.

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- e) supporting ~~reductions in greenhouse gas emissions~~ climate change mitigation and the electrification of the economy, including by:
    - i. facilitating new, expanded or increased renewable electricity generation;
    - ii. increasing network capacity; and
    - iii. providing direct connections for industry;
  - f) enhancing supply of electricity through the ETN through removing points of congestion.

The above list of benefits is not intended to be exhaustive and a particular project or development may have other benefits.

### NPS-EN P2 Operational need or functional need for EN activities to be in particular locations and environments

- 1) Planning decisions must recognise and provide for EN activities that have an operational need or functional need to be in particular environments, including in areas with section 6 RMA values, with unavoidable adverse effects on those environments.
- 2) Decision-makers shall recognise that the operational or functional need of EN activities may include:
  - a) the need for EN assets to convey electricity over long distances and in all locations and environments, including:
    - i. within and across urban and rural environments;
    - ii. within the coastal environment, including the coastal marine area;
    - iii. across jurisdictional boundaries within and across districts and regions; and
    - iv. within areas with historic heritage values, outstanding natural features and landscapes and significant indigenous biodiversity values; and
  - b) the need for the EN to operate effectively and efficiently as an interconnected system across New Zealand, acknowledging that the EDN and ETN are separate network that have differing operational needs and requirements;
  - c) the requirement for regular maintenance and upgrading of the EN due to its age, the need to improve resilience, and the need to increase capacity to meet increasing demand; ~~and~~
  - d) the need for the EN to connect to electricity generation, and to respond to demand, wherever located; and
  - e) the need for the EN to locate in areas at risk from natural hazards, recognising that Transpower and the EDN providers are best placed to determine and manage the risk.

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### NPS-EN P3 Policies relating to Māori rights and interests

- 1) Decision-makers (and applicants, as appropriate) must recognise and provide for Māori interests in relation to EN activities, including by:
    - a) where appropriate, taking into account the outcomes of any engagement with tangata whenua on a resource consent, notice of requirement, or request for a private plan change, including through the site, route and method selection process;
    - b) recognising the opportunities tangata whenua may have in developing and operating their own distribution infrastructure at any scale or in partnership;
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- c) *avoiding, where practicable, or otherwise [remedying or](#) mitigating, the adverse effects of EN activities on sites of significance to Māori;*
  - d) *operating in a way that is consistent with iwi participation legislation ([as defined in Section 58L of the RMA](#)).*
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#### **NPS-EN P4 Identifying the location for EN activities and managing adverse effects through the route, site, and method selection process**

- 1) *Decision-makers must:*
    - a) *recognise that it is the role of Transpower and the EDN provider to:*
      - i. *determine the purpose, scope, required capacity, and technical solution for a proposed EN activity; and*
      - ii. *consider sites, routes, and methods where appropriate and identify the preferred site, route, and method for EN activities and assets;*
    - b) *recognise and provide for the operational need or functional need of EN activities to be in particular environments as directed by policy 2 in this National Policy Statement;*
    - c) *have regard to the extent to which any adverse effects have been avoided, remedied or mitigated by the route, site, and [construction](#) method selection;*
    - d) *recognise that there will be unavoidable adverse effects on some values regardless of the route, site and method chosen.*
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#### **NPS-EN P5 General considerations when considering and managing the environmental effects of EN activities**

- 1) *When considering the environmental effects of EN activities and measures to avoid, remedy, or mitigate any adverse effects on the environment, decision-makers must also:*
    - a) *consider the constraints imposed on achieving those measures by the technical and operational requirements of the EN;*
    - b) *recognise that EN activities are needed to increase and improve the capacity and delivery of the EN over time;*
    - c) *recognise that changes in amenity from EN activities are unavoidable and necessary to achieve an effective, efficient, safe, secure, reliable, and resilient EN, [and are not, of themselves, an adverse effect](#);*
    - d) *adopt relevant international and national standards and recognised best practice standards and methodologies to assess and manage adverse effects; and*
    - e) *consider the financial and timing implications of mitigation measures and any consent conditions to ensure these are proportionate and cost-effective.*
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#### **NPS-EN P6 Enabling routine EN activities**

- 1) *Decision-makers must enable routine EN activities to occur in all locations and environments, provided [significant](#) adverse effects on the environment are avoided ~~where practicable~~, remedied ~~where practicable~~, or mitigated, where practicable, acknowledging the existing nature of the assets.*
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## Outside Valued Areas

Insert a new policy as follows:

### **NPS-EN PX - EN development and non-routine activities outside areas with Section 6 RMA values, subject to a NPS, or sites of significance to Māori**

- 1) Outside areas with Section 6 RMA values, subject to an NPS, or sites of significance to Māori, decision-makers must enable non routine and development EN activities to occur in all locations and environments, provided significant adverse effects on the environment are avoided, remedied or mitigated, where practicable, acknowledging for non-routine activities the existing nature of the assets.
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## Inside Valued Areas

### Option A

Preferred Option: Amend Policy 7 as follows:

### **NPS-EN P7 EN development and non-routine activities**

- 2) In rural environments, in areas with Section 6 RMA values or subject to a NPS (excluding identified sites of significance to Māori), decision-makers must enable non -routine and development of EN activities if: with in planning and development of the EN should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character, and areas of high recreation value and amenity.
    - a) there is an operational need or functional need; and
    - b) the following is applied to manage adverse effects:
      - i. non routine and development should seek to avoid adverse effects;
      - ii. where adverse effects cannot be avoided, they are remedied where practicable; then
      - iii. where adverse effects cannot be remedied, they are mitigated where practicable; then
      - iv. for areas of significant indigenous vegetation and significant habitat of indigenous fauna, including significant natural areas and taxa, habitats and ecosystems listed in Policy 11(a) of the NZCPS, and natural inland wetlands, where more than minor residual adverse effects cannot be avoided, remedied, or mitigated, consider biodiversity offsetting; then
      - v. if biodiversity offsetting under clause iv) of more than minor adverse effects is not practicable, consider biodiversity compensation.
      - vi. When considering offsetting or compensation or aquatic compensation, have regard to the principles in the National Policy Statement for Indigenous Biodiversity 2023 and the National Policy Statement for Freshwater Management 2020, and the financial and timing implications of those measures.
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Or

### Option B

Amend Policy 7 as follows:

## NPS-EN P7 EN development and non-routine activities

*In rural environments, ~~planning and development of the EN should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character, and areas of high recreation value and amenity.~~ planning decisions must enable non-routine and development activities, provided that adverse effects on Section 6 RMA values or areas subject to an NPS (excluding identified sites of significance to Māori):*

- a) have been avoided, remedied, or mitigated through the route, site, design and method selection; and*
- b) residual adverse effects can be practicably mitigated, or remedied, having regard to:*
  - i. technical, operational and functional requirements;*
  - ii. the constraints of ETN activities; and*
  - iii. the financial and timing implications of mitigation measures and consent conditions are proportionate and cost-effective.*

## NPS-EN P8 Reducing existing adverse effects of EN assets when considering ~~upgrades~~ non routine activities

- 1) Where appropriate, ~~Decision-makers must~~ may consider practicable opportunities and measures to reduce the existing adverse effects of EN assets when considering non-routine EN activities, taking into account the technical and operational requirements of the EN and the financial implications of any measures to reduce adverse effects.*

## NPS-EN P10 Managing the effects of third parties on the electricity network

- 1) Decision-makers must avoid the adverse effects of third party ~~ies~~ activities on the EN, including by:*
  - a) avoiding direct and reverse sensitivity effects on the EN to the extent reasonably possible; and*
  - b) ensuring that the effective operation, maintenance, upgrading, and development of the EN is not compromised.*
- 2) In order to avoid the adverse effects of third party activities on the EN, local authorities must:*
  - a) identify EN assets within their district, whether or not these are designated;*
  - b) engage with the operator of the ETN to implement the buffer corridor provided for in NES-ENA, within which it can be expected that sensitive activities, buildings, earthworks, and other activities that have the potential to compromise the EN, are to be generally avoided; and*
  - c) engage with the operators of the EDN to identify an appropriate buffer corridor for the EDN, within which buildings, subdivision, and earthwork activities must comply with NZECP34; and*
  - d) require buildings, structures, earthworks, and activities to avoid adverse effects on the EN, including reverse sensitivity effects, and to be designed and located to maintain safe distances from, and allow sufficient space for access to, and maintenance, construction, development, and upgrading of, EN assets;*
  - e) manage subdivision to avoid adverse effects on the EN while providing for ongoing and efficient construction, operation, maintenance, development, and upgrade of the EN;*

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- f) *ensure the nature and location of any proposed trees or vegetation to be planted around the EN does not compromise its function and operation.*
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#### **NPS-EN P11 Long-term strategic planning for the EN**

- 1) *Local authorities must:*
- a) *engage with the operators of the EN to facilitate the medium to long-term strategic planning for the construction, operation, maintenance, and upgrade of the EN; ~~and~~*
  - b) *recognise that the designation process can facilitate long-term planning for construction, operation, maintenance, and upgrade and development of the EN: and.*
  - c) *have regard to the extent to which the EN has been identified within a strategic planning document, including future development strategies, while recognising that not all EN assets can be spatially identified in advance.*
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#### **NPS-EN P12 Electric and magnetic fields**

- 1) *~~Local authorities must include provisions in their district plans~~ Provisions to manage electric or magnetic fields associated with the EN ~~that are~~ must be based on recommendations from the World Health Organization monograph Environmental Health Criteria (No 238, Extremely low frequency fields) and International Commission on Non-Ionizing Radiation Protection 'Guidelines for limiting exposure to time-varying electric and magnetic fields (1 Hz to 100 kHz)' (Health Physics 99(6): 818–836; 2010) (ICNIRP Guidelines) or their revisions, or any other applicable New Zealand standards.*
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## Appendix B

To assist officials in understanding the relief sought in the Transpower submissions on the various national direction instruments, the following provides a general summary of the submissions and amendments requested.

## Package 1 Infrastructure and development

### National Policy Statement for Electricity Networks - NPS-EN

Transpower is generally supportive of the NPS-EN and in particular the 'benefits' and 'consideration/recognition' policies and the introduction of P10 for the protection of the electricity network ('EN'). However, it has concerns with the lack of reconciliation of matters subject to Section 6 of the RMA and other national direction in the interim, until the Phase 3 changes are enacted and the transition to the new system is complete. Transpower supports in principle the inclusion of the electricity distribution network.

The primary points and amendments requested by Transpower are:

- Clear implementation requirements and inclusion of 'readymade' provisions for inclusion in plans.
- Confined refinement to definitions for *Customer driven projects*, *Decision makers*, *EN assets*, *EN line*, *Routine EN activities*, *Sensitive activities*, and *Upgrading*, and inclusion of a definition of *Transmission line or distribution line*).
- Support for the objective, with confined amendment requested to clause b. and e. and rewording of clause f.
- P1 - amendment to clause 2) e) i) to recognise expanded or increased REG, and inclusion of reference to the broader issue of climate change mitigation.
- P2 - amendment to clause 2) b) to recognise the different needs, technical requirements and therefore scale of the EDN and ETN, and a new clause to recognise the need for EN to locate in hazard areas.
- P3 – confirmation as to how clause a) will be given effect to.
- P4 and P5 – support with minor amendments.
- P6 – amendment to apply the policy to significant adverse effects, and amendment to the avoid, remedy or mitigate where practicable policy directive.
- P8 – amendment to the chapeau to replace 'upgrades' with 'non-routine', and insertion of 'where appropriate' at the start of the policy.
- P9 – support.
- P10 – confined amendments to clause 1) to refer to activities.
- P11 – amendment to refer to strategic planning documents.
- P12 – amendment to broaden application ('Electric and magnetic fields' policy).
- Significant amendments are requested to P7 to provide a complete policy framework for non-routine and new development ET activities that would apply to all environments, including matters subject to Section 6 and other national direction.

### National Environmental Standards for Electricity Network Activities - NES-EN

Transpower supports the amendment and updating of the NESETA to respond to the increasing challenges of enabling electrification.

The primary points and amendments requested by Transpower are:

- Refinement and correction to some definitions, including ensuring consistency with the NPS-EN.
- Reframing of Regulation 4 to reflect requested amendments and clarify application of the NES-ENA.
- Refinement of the noise standards within Regulations 6 and 10, and inclusion of a definition for 'Assessment point'.
- Expansion of Regulation 23 to permit signage within the bed of a lake, river, stream or coastal marine area.
- Amendment to Regulations 30-32 relating to Trimming, felling, and removing trees and vegetation.
- Amendment to Regulations 33-35 relating to earthworks, including removing the exclusion of regional earthworks rules within Regulation 4.
- Amendment to Regulation 36 to manage soil disturbance on contaminated land, and removing the application of the NES-CS.
- Inclusion of regional rules for Waterway Crossings, Groundwater take and use, dewatering; Structures and works in the coastal marine area; and Works within the bed of a lake or river.
- Minor amendments (corrections) to the Part 4 Rules for the National Grid Yard and Corridor, and insertion of inclusion of the yard and corridor provisions from the AUP.

#### **National Policy Statement for Infrastructure - NPS-I**

Noting the NPS-I does not apply to the ETN, Transpower generally supports the proposed direction outlined in the NPS-I. Notwithstanding the general support, Transpower prefers the wording within the NPS-EN in so far as the application of any policies to the ETN. As with the NPS-EN, a principal concern of Transpower is the lack of reconciliation between the enabling provisions of the NPS-I and other 'protective' forms of national direction (and Section 6 RMA matters in general).

The primary points and amendments requested by Transpower are:

- Refinement and correction to some definitions, including ensuring consistency with the NPS-EN.
- Amendment to clause f) of the objective to reflect the 'proportionate' approach under the NPS-EN.
- Support for policies, with amendment to policies P1, P3, P6 and P7.
- Significant amendments are requested to P8 to provide clear guidance on the expectations for management of effects, particularly in relation to Section 6 RMA values such as for landscapes, indigenous biodiversity and historic heritage.
- Concerns if P9 and P10 were applied to the ETN.

#### **National Policy Statement for Renewable Electricity Generation - NPS-REG**

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While Transpower's main role is to ensure the reliable supply of electricity to the country, Transpower is also responsible for managing the power system in real time, a role referred to as the 'System Operator'. As part of this role, Transpower operates the electricity market to ensure electricity transmitted through the Grid is delivered whenever and wherever it is needed, 24 hours a day, seven days a week. In this way, we balance electricity demand and supply. To ensure this balance, Transpower is responsible for providing information and forecasting to the industry about security of electricity supply.

Transpower is cognisant that while it has a strong interest in the NPS-REG, its actual application to the ETN is limited. As such Transpower recognises that the electricity generators are best placed to comment on specific wording and concerns with the NPS-REG. At a high level, Transpower is concerned that the intent of the amendments to the NPS-REG will not address the problems articulated in the discussion document. On this basis, Transpower has requested limited amendments to the NPS, with those sought confined to refinement and correction to the definitions of *REG activities* and *REG assets*.

#### **National Environmental Standards for Telecommunication Facilities - NES-TF**

Noting Transpower's confined use and interaction with the NES-TF, in principle Transpower is supportive of the proposed changes to the NES in so far as it applies to the ETN, acknowledging that other users of the NES may have broader concerns. In particular Transpower supports the new state of emergency provisions. Transpower requested clarification as whether the NES-ENA or NES-TF manage Optical Ground Wire ('OPGW'), with specific wording requested to address the issue.

#### **National Environmental Standards for Granny Flats - NES-GF**

Transpower is neutral on the overall objective and the majority of provisions in the NES-GF. However, Transpower requests clarity on the relationship to the NES-ENA. It is requested that the NES-GF is amended by adding reference to Part 4 of the NES-ENA (the corridor provisions).

#### **National Environmental Standards for Papakāinga - NES-P**

Transpower is neutral on the overall objective and the majority of provisions in the NES-P. However, Transpower requests clarity on the relationship to the NES-ENA (noting ET is not included within *PAS3 Applicable rules of the underlying zone*). It is requested that the NES-P is amended by adding reference to Part 4 of the NES-ENA (the corridor provisions).

#### **National Policy Statement for Natural Hazards - NPS-NH**

Transpower supports the NPS-NH not applying to infrastructure. However, despite this exclusion, the NPS-NH states this NPS does not limit local authorities from managing natural hazard risk beyond the application of the NPS. Transpower is concerned this non-limitation could mean local authorities could apply provisions for infrastructure (including the National Grid) despite the specific exclusion in the NPS-NH. Transpower seeks this non-limitation be clarified/confined.

### **Package 2 and 3 - Primary Sector, and Freshwater**

#### **National Policy Statement for Freshwater and National Environmental Standards for Freshwater**

Acknowledging the confined scope of the proposed amendments within Package 2, Transpower has provided general comments on the discussion points for Package 3, including concerns with any delay in the identification of wetlands; that Regulations 46(4)(b), 46(4)(c) and 46(4)(d) of the NES-F not apply in relation to altering, relocation and replacing support structures, transmission line removal, tree trimming and earthworks; and that 'operational need' be included for specified infrastructure (as is proposed for quarries as part of Package 2). Other matters to be addressed relate to how upgrading is managed within the NES, the lack of provision for Specified Infrastructure ancillary activities, the ability for councils to impose more stringent rules, and the offsetting and compensation principles when applied to existing electricity transmission assets.

#### **New Zealand Coastal Policy Statement - NZCPS**

Transpower supports the amendments to Policy 6, and specifically the amendment to recognise that electricity transmission (as a priority activity) may have an operational need to locate in the coastal marine area. Notwithstanding its support and the proposed changes to Policy 6, Transpower is cognisant the NZCPS requires the avoidance of all adverse effects in valued areas, and the avoidance of significant adverse effects in all other areas (referred to as the 'protection policies' within the discussion document). The amendments proposed to the NZCPS and in the NPS-EN neither recognise or reconcile these tensions, or provide a policy pathway for recognised activities when read alongside protective NZCPS policies, despite the recognition of 'operational need' within the NZCPS or how 'enabling' the NPSET/NPS-EN policies are expressed to be. While Transpower understands that reconciliation of the major tensions will occur as part of the replacement of the RMA in Phase 3 of the reform, and therefore the policy 'gap' and tensions are an interim issue, given the significance of the issue and need to enable electricity transmission (and renewable electricity generation) as soon as possible, Transpower would support the policy gap being addressed in the interim to provide certainty. Suggested additional wording to Policy 6 is requested in the Transpower submission.