



PROACTIVE RELEASE COVERSHEET

Minister	Minister Bishop	Portfolio	RMA Reform
Name of package	Phase 2 National Direction	Date to be published	10 September 2026

List of documents that have been proactively released

Date	Title	Author
15 June 2026	Addendum: Minor changes to the Regulatory Impact Statement: National Environmental Standards for Electricity Network Activities (updating and expanding the NES-ETA 2009)	Ministry for the Environment
26 February 2026	Regulatory Impact Statement: National Environmental Standards for Electricity Network Activities (updating and expanding the NES-ETA 2009)	Ministry for the Environment Ministry of Business, Innovation and Employment

Information redacted **NO**

Any information redacted in this document is redacted in accordance with the Ministry for the Environment's policy on proactive release and is labelled with the reason for redaction. This may include information that would be redacted if this information was requested under Official Information Act 1982. Where this is the case, the reasons for withholding information are listed below. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

Summary of reasons for redaction

N/A

Addendum: Minor changes to the Regulatory Impact Statement: National Environmental Standards for Electricity Network Activities (updating and expanding the NES-ETA 2009)

Date: 15 June 2026

The Regulatory Impact Statement (RIS): National Environmental Standards for Electricity Network Activities (updating and expanding the NES-ETA 2009) RIS was prepared to inform decisions on both:

- The Resource Management (National Environmental Standards for Electricity Transmission and Electric Vehicle Charging Infrastructure Activities) Amendment Regulations 2026, gazetted on 9 April 2026, and
- The proposed National Environmental Standards for Electricity Network Activities (*which will supersede the National Environmental Standards for Electricity Transmission and Electric Vehicle Charging Infrastructure Activities*).

Since the RIS for the NES for Electricity Transmission and Electric Vehicle Charging Infrastructure Activities was last considered by Cabinet, on 7 April 2026, technical changes have been made to the proposed NES for Electricity Network Activities, to make sure it is workable and adapted to the existing state of the electricity network, and emerging and new technologies.

As a result, Tables 2-4 in the RIS have been updated, as marked-up below. Blue underlined text shows where next text has been added and red strikethrough shows where text has been deleted.

None of these changes substantively affect any of the impact analysis provided in the RIS.

Updated tables

Below are the updates to Tables 2-4 of the RIS, following the latest changes to the proposal. Note that this document only highlights where changes were made and does not provide the tables in full.

Table 2: Summary of amendments to better enable routine activities on the existing electricity transmission network in all environments (pages 32 and 33 of the FINAL NES-ENA RIS)

Activity	Description of amendments to NES-ETA	Non-compliance	Impact	Reason for update
Installing overhead conductors, circuits, telecommunication cables and devices, earth wires and optical ground wires (ET and ED)	- New permitted modelled conductor noise standard in all zones of 405dB LAeq (15min) for lines operating at or above 220kV, and 45dB in other zones. - Cable and wire diameters will now have a permitted standard of 30mm - Optical ground wires are in now in scope - No cap on number of conductors or wires, or circuit configuration. - No limits relating to the width and height of telecommunication devices.	For noise levels: exceedance of the 45 dB threshold triggers a requirement to apply the best practicable option to minimise noise. For other non-compliances: Controlled activity <i>New matters of control:</i> Visual effects, Ffrequency, intensity, duration and offensiveness of noise generated, effects on services and infrastructure. (capturing the new operational noise standard).	- Minor visual effect. - Improved deployment of cables, wires and devices to meet the operational requirements of the network. Correspondingly, we anticipate an improved level of service. Conductor noise effects are limited because they are intermittent, mostly occurring in wet weather conditions, and reducing over time as conductors age. Noise effects are more noticeable at night, but when people are usually indoors.	Transpower advised that they had significant concerns about the proposed noise limit (40 dB LAeq (15min)) and subsequently provided technical evidence demonstrating that for new conductors, the original limit is not achievable nor practical to monitor. The Minister agreed to a 45 dB LAeq (15min) threshold in all zones, unless the underlying zone is more permissive, with the best practicable option required if the 45 dB LAeq (15min) threshold is exceeded. The intent is that exceeding the 45 dB LAeq (15mins) threshold will not trigger a higher activity status, instead, Transpower could use the best practicable option to minimise noise, which could include adding specialised conductors or other mitigations such as undergrounding.
Increasing the voltage or current rating (ET and ED)	- New modelled conductor noise thresholds for transmission lines operating at or above 220kV. - New EMF thresholds relating to magnetic flux density and current induced in various bodily tissues, sourced from ICNIRP 2010.	Non-complying activity (<i>no change</i>)	No change to the level of protection from exposures to electric and magnetic fields.	This policy change is consequential to adopting the new modelled conductor noise threshold (above).

Table 3: Summary of amendments to better enable electricity distribution infrastructure (pages 39 and 40 of the Final NES-ENA RIS).

Activity	Description of activity	Non-compliance	Impact	Reason for technical update
Mid-span poles	Permitted activity on existing EDN lines subject to the following conditions: The pole is not greater than 25% height increase relative to the height of the adjacent support structures or up to the permitted height for a new support structure (whichever is greater), and the pole is not located within a natural area or a historic heritage place or areas (except where the existing line is located in one of those areas).	Controlled activity. <i>Matters of control:</i> visual and landscape effects, ecological effects, effects on any natural area and historic heritage place or area, proposed methods to mitigate adverse effects, effects on services and infrastructure, effects on health and safety.	Less than minor or minor visual effects Improved use of existing infrastructure and enabling EDN providers to replace or add a new mid-span pole to respond to operational requirements.	Electricity Networks Aotearoa advised that the 25% increase allowance would be unworkable as some poles need to be higher to ensure safe clearance distances and network efficiency. The Minister agreed operators of the EDN can install mid-span poles up to 25% higher than adjacent support structures or the height of new support structures provided in the regulations (whichever is greater).

Table 4: National Grid rules and electrical safety distances for distribution (page 50 of the Final NES-ENA RIS)

Rule framework	Description	Impact	Reason for technical update
Electricity distribution network			
Earthworks, land disturbance and vertical holes on a site containing overhead EDN lines	These works would be permitted in proximity to EDN lines if they are able to comply with NZECP 34:2001. Where NZECP 34:2001 cannot be met, a discretionary activity resource consent is required. EDBs could waiver NZECP34:2001 compliance at their discretion.	Ensures compliance with safe distance requirements from electrical lines, ensuring the safety of those undertaking the activity and the continuous operation of the EDN.	Vector advised that providing a dispensation power for electricity distribution businesses could create legal inconsistencies with NZECP 24:2001 and the potential administrative burden associated with exercising such a power could be high. The Minister agreed to remove the dispensation power for operators of the EDN.

Regulatory Impact Statement: National Environmental Standards for Electricity Network Activities (updating and expanding the NES-ETA 2009)

Decision sought	<i>Final Cabinet decisions to amend the National Environmental Standards for Electricity Transmission Activities 2009 (NES-ETA).</i>
Agency responsible	<i>Ministry for the Environment and the Ministry of Business, Innovation and Employment</i>
Proposing Ministers	<i>Minister Responsible for RMA Reform and Minister for Infrastructure Minister for Energy</i>
Date finalised	<i>26 February 2026</i>

Proposal

This RIS builds from the Interim Regulatory Impact Statement updating and expanding the National Policy Statement for Electricity Transmission (NPS-ET 2008) and the National Environmental Standard for Electricity Transmission activities 2009 (NES-ETA 2009), issued in May 2025.¹ Public consultation on the proposals was carried out between May and July 2025. This version of the Regulatory Impact Statement has been updated to focus on the updates to the NES-ETA 2009, which is to be renamed NES for electricity network activities (NES-ENA), in light of the submissions received and subsequent decisions by Ministers.

This RIS analyses four proposals associated with the enablement and protection of the electricity network in support of the Government's aims to transition to a low-emissions economy and facilitate energy security and resilience. The Government has undertaken public consultation on the four following policy proposals:

- Enabling routine work on the electricity transmission network through permitted activity standards
- Enabling electricity distribution through new activity standards
- Enabling EV charging infrastructure through new permitted activity standards
- Protecting the electricity network from incompatible third-party activities, which include:
 - Establishing a National Grid Yard and Subdivision corridor along the entire span of the National Grid (except Auckland)
 - Establishing new rules for safe distances for electricity distribution.

¹ [Interim Regulatory Impact Statement: National direction for electricity networks \(updating and expanding the NPS-ET 2008 and NES-ETA 2009\).](#)

The NES-ENA is intended to complement the recent National Policy Statement for Electricity Networks 2008 (NPS-EN), which amended and replaced the NPS-ET 2008 to better enable electricity networks and protect them from the adverse effects of nearby development (eg, development in close proximity of power lines). The regulations in the NES-ENA work alongside the enabling policy direction of the NPS-EN.

Summary: Problem definition and options

What is the policy problem?

The overarching problem is that the NES-ETA is not fit for purpose to support the operation, maintenance and upgrades of the EN to meet the forecast increases in generation capacity and electricity demand, including for EV charging infrastructure.

The current resource management system under the Resource Management Act 1991 does not sufficiently enable or protect electricity networks to achieve the Government's objectives for electrification, energy security and economic growth. The NES-ETA provides incomplete and inconsistent national regulation and does not address electricity distribution networks or EV charging infrastructure. As a result, NES-ETA has had limited impact reducing consent costs and delays, particularly for transmission projects located in sensitive environments or which involve significant structural changes.²

Currently, the NES-ETA regulates only electricity transmission lines, leaving the distribution and EV charging networks to be managed by local plans. This has resulted in a fragmented and inconsistent approach to managing the effects of electricity distribution and EV charging infrastructure.

Furthermore, the NES-ETA was developed prior to the introduction of emission reduction plans under the Climate Change Response (Zero Carbon) Amendment Act 2019. Consequently, it does not provide for the projected increase in demand for renewable electricity needed to support electrification and more distributed generation. These issues mean that the NES-ETA is out of date and no longer fit for purpose.

Two root problems have been identified in relation to resource management planning for the electricity network:

1. **Problem 1:** Inconsistent and incomplete national regulation of electricity network and EV charging infrastructure activities has led to increased complexity, cost and delay for development, maintenance and upgrades of infrastructure, impacting electricity network developers and electricity consumers
2. **Problem 2:** Unclear or inconsistent rules for managing the effects of third-party activities on the electricity network has increased risks to electricity infrastructure and costs to electricity network providers for protecting network assets.

This is evidenced by:

- The time and cost of obtaining resource consents for infrastructure projects has substantially increased over the past decade. Small-scale and routine installations face disproportionately high consenting costs³

² Evaluation of the National Policy Statement on Electricity Transmission and National Environmental Standards for Electricity Transmission Activities. Wellington: Ministry for the Environment and Ministry of Business, Innovation and Employment, 2019.

³ Sapere. 2021. [The cost of consenting infrastructure projects in New Zealand: A report for The New Zealand Infrastructure Commission / Te Waihanga.](#)

- Process focused consent requirements have reduced the effectiveness of NES-ETA, particularly in sensitive environments, increasing the regulatory and compliance burden for the routine work necessary to operate and maintain the electricity network⁴
- Fragmented and variable consenting processes for the electricity distribution network and EV charging infrastructure create uncertainty for network operators and lead to duplicated assessments, delays and higher costs to develop, operate and upgrade the necessary infrastructure.⁵

A practical example of the impact of the problem is shown by Transpower's \$14million expenditure to ensure protection of the National Grid corridor on a plan-by-plan basis, in 70% of district plans.⁶ Despite this, building within the corridor is still occurring, often causing operational complications (eg, reduced access to sites) and restricting opportunities for upgrades on existing lines.

What is the policy objective?

The Government's overarching objective for this proposal is to better enable electricity transmission and distribution activities, while managing adverse effects on the environment. Ministers agreed to specific objectives for this package, which can be referred to on pages 20 and 21.

The objective of the proposed amendments to the NES-ETA is to better enable electricity transmission and distribution activities and EV charging infrastructure, while managing adverse effects on the environment. As such, the amendments must comply with Part 2 of the RMA and, specific to NESs, the requirements of s43A of the RMA.⁷

Furthermore, the proposal also seeks to give effect to the new NPS-EN that is now in force.

What policy options have been considered, including any alternatives to regulation?

The scope of options was restricted to amending national direction under the RMA (ie, only regulatory options). Previous consultations on amending NES-ETA were undertaken in 2019⁸ and 2023⁹ and included regulatory and non-regulatory options. See **Appendix A** for further detail on the options previously considered and the feedback received. The previous consultation informed these policy proposals.

Number of options considered

Cabinet agreed in May 2024 that the NES-ETA would be amended as part of the Phase 2 National direction programme [ECO-24-MIN-0065]. Given the problems identified with the current NES and Cabinet's direction, non-regulatory interventions have not been considered in this Regulatory Impact Statement (RIS), instead pursuing a statutory process under the RMA. This confines the

⁴ [Evaluation of the National Policy Statement on Electricity Transmission and National Environmental Standards for Electricity Transmission Activities](#). Wellington: Ministry for the Environment and Ministry of Business, Innovation and Employment, 2019.

⁵ Section 2.3, 5.3, 7.1.2, 7.3.2 of [Energy to Grow - Securing New Zealand's Future Report 2025](#), and RMA [National Direction 2025 submission by Meridian Energy Limited](#).

⁶ [Strengthening National Direction on Renewable Energy Generation and Electricity Transmission - Submission by Transpower New Zealand.pdf](#)

⁷ It is noted that under s43A(3) no activity with significant adverse effects on the environment can be permitted in an NES without a resource consent.

⁸ [Evaluation of the National Policy Statement on Electricity Transmission and National Environmental Standards for Electricity Transmission Activities](#). Wellington: Ministry for the Environment and Ministry of Business, Innovation and Employment, 2019.

⁹ [Strengthening National Direction on Renewable Electricity Generation and Electricity Transmission](#)

scope of this RIS to a consideration of the status quo as the *first option*, with the policy options agreed by Ministers forming the *second option*.

Option One summary – status quo

Option One maintains the existing provisions of the NES-ETA 2009 which provide a nationally consistent set of regulations for transmission but do not cover the distribution network, buffer corridors or EV charging infrastructure. Whilst many of the regulations are still relevant, they are not sufficiently directive or enabling to achieve the intended objectives for the EN, and they do not align with the new NPS-EN.

Option Two summary – preferred option

Option Two includes amendments to the NES-ETA to broaden its scope to include the electricity distribution network and EV charging infrastructure, and renaming the instrument NES-ENA. The amendments enable routine maintenance and upgrade work on the existing electricity network and introduce provisions for new distribution assets and EV charging infrastructure, whilst managing the adverse effects of electricity network activities. New buffer corridor provisions for the electricity transmission network (ETN) and rules for third party activities in proximity of the electricity distribution network (EDN) will provide nationally consistent protection for key electricity network infrastructure.

Four proposals are outlined in this RIS:

	Option Two Proposal	Policy Problem
1	Enabling routine work on the ETN	1
2	Enabling routine and new work on the EDN	1
3	Enabling EV charging infrastructure	1
4	Protecting the electricity network from incompatible third-party activities	2

The aim is to shift the consenting of electricity networks and EV charging infrastructure towards a permitted or controlled activity status, where appropriate, and demonstrated by good industry practices. This is achieved by the use of permitted activity standards, with appropriate thresholds and controls for work in sensitive environments and activities with minor adverse effects (eg, routine maintenance activities), thus removing consenting requirements. Resource consent will still be required for activities which have the potential for more than minor effects, such as large-scale upgrades or the construction of new assets.

Potential impact of Option Two

Option Two is intended to provide greater enablement, consistency and protection of electricity networks and EV charging infrastructure across the planning system than the status quo, particularly for work on existing infrastructure. Amending the NES-ETA is the preferred option as it will provide a consistent rule framework for electricity transmission, distribution and EV charging infrastructure (the latter two currently not having national direction). These amendments will streamline the consenting regime and reduce consenting burdens for activities with proven less than minor effects, which will reduce the time and cost associated with RMA planning and consenting processes for applicants and consenting authorities.

Option Two could however increase the risk of cumulative environmental effects, through its permissive approach for routine and maintenance activities with less than minor effects and its reduced flexibility to allow for local circumstances. However, option two does include controls to manage environmental effects and overall is considered to better provide for EN and EV charging infrastructure, improving the workability of existing provisions and better aligning with the NPS-EN.

What consultation has been undertaken?

In 2024 officials undertook engagement through emails and workshops with targeted stakeholders, including Transpower, Electricity Networks Aotearoa (ENA) representatives, Drive Electric and other resource management organisations (New Zealand Planning Institute, Resource Management Law Association, the Local Government Practitioners Group, Auckland Council and environmental NGOs) to develop our understanding of the problem definition and refine our proposals, in line with the policy development of the NPS-EN happening at the same time.

In May 2025, the Government released a discussion document on the proposals for public consultation (from 29 May to 27 July 2025) as part of the Phase 2 national direction programme¹⁰, which received 164 submissions on the NES-ENA proposal. Webinars discussing the proposals were organised for industry, PSGEs and the public. The key themes resulting from the public consultation¹¹ are broad support for:

- enabling routine activities and upgrades of existing EN infrastructure
- the inclusion of electricity distribution networks and EV charging infrastructure in NES-ENA
- nationally consistent corridor buffer provisions to address implementation issues and protect the EN from the effects of adjacent development.

There were differing views on the proposals to strengthen support for electricity network activities in areas with sensitive environment values, with the electricity sector seeking priority and more permissive regulations for electricity network activities required to operate in areas with significant environmental values, while Councils and environmental NGOs highlighted risks to biodiversity and cultural values and called for stronger safeguards for natural areas and historic heritage under section 6 of the RMA.

Feedback from the iwi/hapū/Māori submissions highlighted concerns regarding the level of protection for wāhi tapu and sensitive environments and engagement with iwi/hapū/Māori in consultation and consenting, while support was for regulations that supported electrification and development for tangata whenua (eg, new electricity distribution and EV charging infrastructure construction regulations).

A summary of engagement that occurred is set out in pages 22 and 23, with further detail provided in the *Proposed amendments to the National Environmental Standards for Electricity Transmission Activities and National Environmental Standards for Telecommunication Facilities Report on submissions and recommendations*.¹¹

Is the preferred option in the Cabinet paper the same as preferred option in the RIS?

Yes

¹⁰ [Package 1: Infrastructure and development – Discussion document | Ministry for the Environment](#) (May 2025).

¹¹ For a more fulsome report on the outcomes of the consultation *Proposed amendments to the National Environmental Standards for Electricity Transmission Activities and National Environmental Standards for Telecommunication Facilities Report on submissions and recommendations*, Ministry for the Environment 2026.

Summary: Minister's preferred option in the Cabinet paper

Costs (Core information)

Outline the key monetised and non-monetised costs, where those costs fall (e.g. what people or organisations, or environments), and the nature of those impacts (e.g. direct or indirect)

Monetised costs

- Direct implementation costs for councils, including:
 - Training and familiarisation with new NES-ENA provisions
 - Additional monitoring and compliance (e.g., management plans for discharges from corrosion blasting)
- Indirect opportunity costs, where resources used for NES implementation could have been allocated elsewhere.

Implementation costs are predicted to be small for individual councils, as NESs do not require plan changes, but may be significant collectively with regard to training and additional monitoring and compliance.

Non-monetised costs

- Loss of environmental, cultural and community values, particularly in areas with sensitive values, cumulative effects of EN infrastructure.
- Potential impacts on iwi/hapū/Māori, given limited early engagement and continued impact of historical decisions to locate EN infrastructure on or near sites of significance.

The main monetised costs (compared to the status quo) relate to implementation costs and opportunity costs. Non-monetised costs are environmental, social and cultural.

The proposed rules would not adversely impact market competition for the electricity sector.

Benefits (Core information)

Outline the key monetised and non-monetised benefits, where those benefits fall (e.g. what people or organisations, or environments), and the nature of those impacts (e.g. direct or indirect)

The proposed amendments provide:

System efficiency and electrification benefits

- Provision for faster delivery of EN maintenance and upgrades, construction of electricity distribution assets and EV charging infrastructure supports electrification and emissions reduction targets
- National consistency and greater clarity over discretion in decisions should speed up decision-making and ensure that effects are appropriately managed
- Support for electrification and Government climate commitments.

Reduced consenting and compliance costs

- Routine maintenance and upgrades will be largely permitted under NES-ENA, lowering costs for Transpower, EDB's, and councils
- Buffer corridor provisions will provide certainty and reduce litigation risk, delivering a more consistent national approach, at a significantly lower cost.

Lower transaction costs

- Fewer consents and clearer standards reduce administrative burden for councils and network providers whilst providing them with clarity over expected outcomes.

Balance of benefits and costs (Core information)

Does the RIS indicate that the benefits of the Minister's preferred option are likely to outweigh the costs?

Overall, the proposals are expected to reduce system-wide costs and reduce consent delays, while maintaining environmental safeguards through permitted activity standards and limited consent discretion. The impacts of the preferred option will vary by project and investment decisions which sit outside the resource management system, making precise cost-benefit quantification difficult. The proposals do not resolve all conflicts with other national direction (e.g., NES-F near wetlands), but they aim to shift RMA decision making toward greater certainty for electricity network activities, where adverse effects can be managed, supporting the step change required to meet rising electricity demand and Government climate commitments.

Implementation

How will the proposal be implemented, who will implement it, and what are the risks?

The proposal will be issued by Gazette Notice and implemented by councils into their district and regional plans, as appropriate, and their decision making on resource consents, monitoring and compliance regimes.

Implementation risks arising from the changes will be managed by issuing non-statutory guidance to support interpretation by system users, including Councils, applicants and landowners.

The NES-ENA will come into effect 28 days after gazettal, with no transitional arrangements required. Officials anticipate that the NES-ENA will be issued by mid-2026.

Limitations and Constraints on Analysis

There have been challenges with gathering evidence and quantifying the impacts

In May 2024 Cabinet took decisions on a proposed work programme to amend a suite of national direction instruments, including NPS-ET and NES-ETA. These decisions included setting the scope for interventions to amendments to national direction instruments. The options considered in this RIS are compatible with those decisions.

Cost benefit analysis

This RIS includes a qualitative cost benefit analysis of the options. This was informed by evidence about current problems provided by the electricity sector, case law, stakeholder and consultation feedback on the options. Officials have been unable to evaluate all the quantifiable impacts associated with these proposals because there is little monitoring undertaken by agencies on the number, nature and costs of consents for electricity network activities.

We have limited external evidence to support the inclusion of distribution activities in this proposal, beyond the Boston Consulting Group report (2022), which assessed the investment required in distribution to support electrification.

Please refer to pages 20 and 21 to see more details on the limitations and constraints of this analysis.

Consultation

The cumulative impact of these proposals alongside the full suite of other changes to national direction included in the same work programme has not been considered. Work to date has focussed on ensuring integration with the National Policy Statement on Electricity Networks (NPS-EN) and National Environmental Standards on Telecommunications Facilities (NES-TF).

Feedback from targeted engagement in 2024 and the public consultation process in 2025 was used to better understand the costs and benefits, and to tackle implementation challenges, associated with the proposals.

Treaty of Waitangi considerations

The statutory public consultation period included targeted engagement with PSGEs and other iwi/hapū/Māori groups who expressed interest in the infrastructure package and the NES-ENA.

Submissions were received from iwi/hapū and other Māori organisations and individuals, raising concerns regarding the protection of wāhi tapu, taonga and other sites and values of significance to Māori, as well as a lack of requirement to engagement with iwi/hapū/Māori in the consenting process. However, the feedback showed support for electrification, which would also benefit Māori.

A Treaty Impact Analysis has been undertaken on the proposals to amend the NPS-ET and NES-ETA. A summary of the key findings is set out below.

Treaty Impact Analysis – Summary

Electricity network projects can have both positive and adverse effects for tangata whenua and for land, water, and other taonga. The NES-ENA proposal does not allow decision-makers on plans and resource consents to avoid any obligation to recognise and provide for, or have particular regard for, the values, objectives, strategies, plans or legal status for specific taonga, Māori rights and interests. The proposed NES-ENA does not amend any decision-making and participation arrangements provided under Treaty settlements. In practice, decision-makers will be required to consider both the provisions of the NES-ENA, NPS-EN, the policies in plans influenced by Treaty settlements and other arrangements and come to a decision which upholds those agreements.

Throughout the NES-ENA permitted activity standards have been proposed only where evidence has shown that any potential effects on section 6 RMA values are not significant. Where adverse effects may be significant, specific pathways are proposed to manage the potential effects on values, including those on historic heritage items or settings.

While the NES-ENA does not propose any changes to existing requirements under the RMA, it is acknowledged that the proposed permitted pathways may limit the involvement of tangata whenua. Most of the works regulated in the NES-ENA relate to existing assets and the Government intends to enable that work by reducing consenting requirements and managing effects through performance standards. It is noted that the NES-ENA proposal is supported by the proposed NPS-EN, with NPS-EN policy on providing for Māori interests. The policy includes direction for early engagement and consideration of EN activities on or near sites of significance to Māori, which will support implementation of the NES-ENA.

APPENDIX 3

I have read the Regulatory Impact Statement and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the preferred option.

Signature



Michael Tucker
Manager – Infrastructure policy
Ministry for the Environment

9 March 2026

Signature



Daniel Brown
Manager – Electrify New Zealand
Ministry for Business, Innovation and
Employment

3 March 2026

Quality Assurance Statement

Reviewing Agency: Ministry for the Environment

QA rating: Partially meets

Panel Comment: A quality assurance panel with members from the Ministry for the Environment has reviewed the Regulatory Impact Statement: National Environmental Standards for Electricity Network Activities (updating and expanding the NES-ETA 2009). The panel considers that it partially meets the Quality Assurance criteria.

The panel acknowledges improvements to the problem definition, objectives, and clarity, but notes the absence of quantified benefits and costs means the analysis relies largely on qualitative and narrative reasoning. While the RIS recognises potential increases in effects and cumulative impacts, technical constraints and earlier policy decisions limit the ability to fully test whether safeguards will be sufficient to all contexts, and some technical details continue to obscure key messages.

Glossary

Ancillary activities – mean all supporting 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.

CPOs – Charging Point Operators (CPOs) install, maintain and operate EV charging infrastructure.

CMA – Coastal Marine Area

EDB – means any Electricity Distribution Business (EDB) that engages in electricity distribution, also commonly referred to as ‘line company’.

EDN – means the electricity distribution network that:

- a. comprises the network of lines, cables, stations, substations, facilities, and works used to distribute electricity in New Zealand and all ancillary activities
- b. is owned or used by an electricity distributor, and
- c. is not owned by Transpower New Zealand Limited.

EMF – Electric and magnetic fields.

EN – means the Electricity Network (EN) that comprises the electricity transmission network and the electricity distribution network.

EN activities means the construction, operation, maintenance, development, upgrade, replacement, decommissioning or removal of EN assets and all ancillary activities, unless otherwise specified.

ENA – Electricity Networks Aotearoa, representative body for the 29 electricity distribution businesses.

EN assets means the physical components of EN and all ancillary activities, such as access tracks.

ETN means the electricity transmission network that:

- a. comprises the network of transmission lines, cables, stations, substations and works used to connect grid injection points and grid exit points used to convey electricity in New Zealand and all ancillary activities
- b. is owned or operated by Transpower New Zealand Limited, and
- c. is commonly known as the National Grid.

EV Charging Infrastructure – utility structures that facilitate recharging of Electric Vehicles (EV).

HVDC – High Voltage Direct Current.

ICNIRP – International Commission on Non-Ionising Radiation Protection.

National Grid – The ET network owned and operated by Transpower New Zealand Limited. See Appendix A for map.

APPENDIX 3

NES – National Environmental Standards are secondary legislation prepared by central government to establish nationally consistent rules or methods in accordance with section 43-44 of the RMA.

NES-ENA – Proposed National Environmental Standards for Electricity Network Activities.

NES-ETA – National Environmental Standards for Electricity Transmission Activities 2009 (NES-ETA).

NES-TF - National Environmental Standards for Telecommunication Facilities 2016 (NES-TF).

NES-F - National Environmental Standards for Freshwater 2020.

NPS – National Policy Statements are prepared by central government in accordance with section 45-55 of the RMA to provide policy on matters of national significance.

NPS-IB – National Policy Statement for Indigenous Biodiversity 2023.

NPS-ET – National Policy Statement for Electricity Transmission 2008.

NPS-EN –National Policy Statement for Electricity Networks 2008 (Amended December 2025).

NPS-REG - National Policy Statement for Renewable Electricity Generation 2011.

NZCPS – New Zealand Coastal Policy Statement 2010.

NZCEP 34 – New Zealand Electrical Code of Practice for Electrical Safe Distances 2001.

ONL – Outstanding Natural Landscape.

PSGE – Post-Settlement Governance Entity.

Reverse Sensitivity – established activities are vulnerable to complaint, burden or constraint if new sensitive activities locate nearby the established activity.

RDA – Restricted discretionary activity.

RMA – Resource Management Act 1991.

Upgrading 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.

WHO – World Health Organisation.

Section 1: Diagnosing the policy problem

What is the context behind the policy problem and how is the status quo expected to develop?

What are the components of the electricity network?

1. The electricity network is comprised of the Electricity Transmission network (ETN) and the Electricity Distribution network (EDN) including towers/poles, lines, cables and substations.
2. In New Zealand, the National Grid, owned and operated by Transpower, is the main transmission network that spans across the North and South Island. Transpower's transmission lines carry electricity (up to 350 kV) traversing over 11,000km, extending over both the North and South Island, supported by 25,000 towers, 15,000km of access tracks and over 170 substations. Crossing the Cook Strait is the critical inter-island High Voltage Direct Current (HVDC) cable running 534 km from Lake Benmore Station on the Waitaki River to Haywards Substation, north of Wellington.¹² A key element of Transpower's operations is the telecommunications network of 300 sites, which help to co-ordinate the operations of the National Grid. See Appendix B for a map of Transpower's lines.
3. There are also 29 Electricity Distribution Businesses (EDB's), a mix of private and public entities that distribute electricity from the National Grid or renewable electricity generation (REG) sites and deliver it to more than 2 million homes and businesses for end consumption. In total, the 29 EDBs maintain around 150,000km of cables and wires across New Zealand. See Appendix B for a map of EDB areas.

The electricity network has some unique characteristics

4. In New Zealand, electricity generation has historically been distant from city centres where electricity demand (load) is greatest. This has resulted in lengthy transmission lines between larger population centres in the North Island, and bulk hydroelectricity generation in the South Island.¹³
5. There are few, if any, environments that the electricity network does not touch, and assets are located in rural areas, urban areas, the conservation estate (eg, national parks, scenic reserves), coastal areas, wetlands, riverine environments and habitats for indigenous fauna and flora.
6. The nature of electricity generation and transmission is changing with new technologies. We anticipate that small and community scale REG (mainly wind and solar) that feeds directly into the distribution network will increase, with benefits for community resilience and reducing excessive demand on the capacity of the National Grid. Part of the problem is that delays in consenting for electricity network activities can result in supply not meeting demand. Demand side management tools¹⁴ will also be useful to adjust the time or amount of energy consumed

¹² Resource Management System Reform: Case Studies. Transpower (Version 1) 1 September 2021.

¹³ Transmission Planning Report 2023 (Transpower New Zealand Limited).

¹⁴ Demand side management tools, such as distributed batteries, hot water cylinders and energy management software tools optimise consumer energy consumption to reduce peak demand, providing additional Grid capacity at peak periods.

to match environmental conditions (eg, rainfall, wind speed and sunshine levels) and electricity supply.¹⁵ Further aspects of demand considerations are discussed below.

Electricity Transmission

7. ET has some unique characteristics that create its own set of challenges and adverse environmental effects, including:
 - a. conveying electricity efficiently over long distances requires many different types of physical structures, such as conductors (electrical lines) operating at high voltages, support structures (lattice towers, steel, wooden or concrete monopoles), substations, ancillary devices (such as telecommunication cables and devices, and earth-wires) and overhead, underground and submarine cables
 - b. it is important to enable the transmission network to operate at high voltages because this is the most efficient way to transport electricity, and reduce energy losses¹⁶
 - c. the electricity network is extensive and linear, crossing many different environments and local authority boundaries
 - d. the environmental effects of the electricity network are localised whereas the benefits often scale nationally, so decision makers are often required to balance the national benefits of EN development against its local effects in RMA decisions.
8. The vast majority of Transpower assets are located on privately owned land; however, most of their overhead infrastructure is unprotected by designations or easements. In most cases Transpower relies on rights to lawfully occupy and, subject to certain processes under the Electricity Act 1992, to access and operate its infrastructure.¹⁷

Electricity networks need to upscale, and soon

Supporting climate change mitigation and economic development requires significant upscaling of electricity networks

9. The Government published the second Emissions Reduction Plan (ERP2) in December 2024, with electrification a key component to delivering a low emissions economy.¹⁸
10. Delivering on the New Zealand Government's climate goals¹⁹ will require whole sectors of the economy to shift to renewable electricity, with a significant increase in renewable generation and corresponding upscaling of the electricity transmission and distribution network to support increases in both consumer demand and generation supply.
11. Total electricity demand is expected to grow between 35.3% and 82% by 2050.²⁰ If current trends continue, modelling indicates that 9.4 GW (95% increase) of new generation capacity

¹⁵ How demand-side flexibility can contribute to security of supply. Electricity Authority, 26 June 2024.

¹⁶ [A Guide to Transpower Keeping Electricity Flowing](#). Transpower 2009.

¹⁷ Roy John Clement Noble, Board of Inquiry East West Link Proposal. 10 May 2017 p.1, para 3.

¹⁸ Our Journey to net zero: New Zealand's second emissions reduction plan 2026 – 2030. Ministry for the Environment: Wellington. December 2024, p. 37.

¹⁹ [Next steps on Electrifying New Zealand | Beehive.govt.nz](#)

²⁰ [Electricity Demand and Generation Scenarios: Results summary. Ministry for Business, Innovation and Employment, July 2024](#). The extent with which the demand projections range from 35.3% and 82% depend on the scenario that was modelled in the EDGS 2024. Total electricity demand peaks in the 'innovation' scenario

will be required by 2050 to meet future demand.²⁰ In the short term, the commercial and industrial transition will drive this growth but towards late 2030s, demand growth will be driven by the uptake of Electric Vehicles (EVs).²¹

12. To achieve these commitments the Government has committed under its Electrify NZ programme to double renewable electricity generation and enable the supporting electricity network by removing consenting barriers and making consenting faster and cheaper for Renewable Electricity Generation (REG) sites and electricity networks (EN).

Increased levels of EN investment are planned

13. Transpower and the EDBs continue to experience a high volume of enquiries²² (generation and demand) to connect to the electricity network and in 2024 gained Commerce Commission approval for an increased level of investment to support electrification and connect renewables.²³
14. To meet electrification demands, Transpower estimated that by 2035 it will require:²⁴
 - a. 60-70 new grid connected generation and grid-scale battery projects²⁵
 - b. 30 connections to accommodate increased electricity demand (load connections), and
 - c. 10 to 15 new transmission interconnections and other network investments needed to enable energy to reach consumers.
15. Much of the National Grid was developed in the 1920's or 1950s to 1960s²⁶ and, due to the age of the assets reaching the end of their life cycle, Transpower has forecast an increased level of maintenance, upgrades and replacements in the next five years to modernise the ETN and maximise operating capacity to meet additional demand.²⁷

Transport electrification depends on the deployment of EV charging infrastructure

16. As of December 2025, New Zealand had 1365 public EV charging points,²⁸ with approximately one charge point for every 90 EVs (battery electric and plug-in hybrid

(72.1 TWh) where current trends continue alongside accelerated technological uptake and learning, in contrast to a reference demand of 62.1 TWh just if current trends continue. pp 1, 8-9.

²¹ EDGS. P.39-40.

A map of connection queries by region is available here:

<https://experience.arcgis.com/experience/97d4604079b545448280423f9269b9ea/page/Dashboard/>

²³ Net Zero Grid Pathways proposal – final decision, 28 February, 2024, Commerce Commission. Retrieved from: [Transpower-Net-Zero-Grid-Pathways-stage-one-Final-decision-and-reasons-paper-28-February-2024.pdf](#)

²⁴ Strengthening National Direction on Renewable Energy Generation and Electricity Transmission: Submission by Transpower New Zealand Limited (1 June 2023).

²⁵ [Transpower Submission on the Resource Management Consenting and other Amendments Bill, 10 February 2025.](#)

²⁶ A history of electricity transmission controls in New Zealand. Ministry for the Environment, October 2007. <https://environment.govt.nz/publications/proposed-national-environmental-standards-for-electricity-transmission-discussion-document/appendix-3-a-history-of-electricity-transmission-controls-in-new-zealand/>

²⁷ [Strengthening National Direction on Renewable Energy Generation and Electricity Transmission - Submission by Transpower New Zealand.pdf](#). Part 21.16, p44.

²⁸ Charge points refer to how many vehicles can be charged simultaneously. A charger may have multiple charge points. Latest data sourced from [Public EV Charger Dashboard](#), EECA.

vehicles) in the fleet. Most comparable countries have ratios of one public charge point to less than 40 EVs.

17. An accelerated rollout of EV charging infrastructure is expected to be an important part of the second emissions reduction plan (ERP2). The ERP2 discussion document²⁹ highlighted the needs of public EV charging for all vehicles, especially heavy vehicles to support emission reduction in the freight sector.
18. The Government committed to deliver a network of 10,000 public electric vehicle (EV) charge points by 2030, which will bring New Zealand closer to current charge point density levels in comparable countries and give New Zealanders the confidence to shift to EVs.
19. While the RMA does not provide for EV charging, some district plans have introduced specific provisions, as public EV charging points rely on DC (direct current) grid connections to connect public charging units to make them operational.
20. Different district or unitary plans have varying rules and consenting requirements for EV charging infrastructure. Most EV charging infrastructure is of small to medium scale and the adverse effects associated with EV charging infrastructure are generally no more than minor.³⁰
21. Regulatory uncertainty is contributing to delays, consenting costs, compliance costs and administrative burden (both for industry and local authorities) to the rollout of EV charging infrastructure.

Key features of the regulatory system currently in place

22. The electricity sector is regulated under several different regimes, including the Public Works Act 1981 (for land access and acquisition for electricity infrastructure), the Electricity Act 1992 (for technical, safety, and operational regulation of electricity works and operators), the Commerce Act 1986 (for economic regulation and competition, especially for monopoly networks such as the transmission network), as well as the RMA 1991. While the broader legislative framework for electricity networks is recognised, this RIS focuses solely on the RMA 1991, with changes to other legislation deemed out of scope.
23. The RMA promotes the sustainable management of natural and physical resources and sets rules and requirements to manage the effects of activities on the environment. The electricity network contributes to the purpose of the RMA by enabling current and future generations to provide for their wellbeing. However, the RMA does not list electricity networks amongst the matters of national importance in section 6. The RMA includes provisions specific to EN infrastructure, including requirements on local authorities to plan for EN infrastructure, designations, consent duration and links to land acquisition powers under the Public Works Act 1981.
24. Decisions made under the RMA are usually the responsibility of local authorities, through regional policy statements, regional and district plans (RMA plans), and resource consents. Plans and decision-making approaches with respect of EN infrastructure varies from council to council. EN providers who are also requiring authorities have a decision-making role in the RM system via the designation process.

²⁹ [New Zealand's second emission reduction plan \(23026-2030\)](#), Ministry for the Environment 2024.

³⁰ Electric Vehicle Charging Infrastructure: Issues and Options for National Direction under the RMA. SLR Consulting New Zealand, November 2024.

The role of national direction

25. National direction under the RMA can be issued by the Government to set out policy, regulations, technical standards, methods or requirements relating to matters under the RMA.
26. The National Policy Statement on Electricity Transmission 2008 (NPS-ET) and National Environmental Standards for Electricity Transmission Activities 2009 (NES-ETA) were developed to enable the development of electricity transmission and provide standard rules for the operation, maintenance and upgrade of ET lines.
27. The Government issued NES-ETA in 2009 to:
 - a. set out a nationally consistent rule framework complementary to the NPS-ET
 - b. enable Transpower to operate, maintain and upgrade their existing electricity lines (operational as of 14 January 2010), in many cases without requiring resource consent.
28. There is no national direction under the RMA for electricity distribution networks and EV charging infrastructure, meaning that at present they rely on piecemeal regulation that differs from council to council.

RM Reform and Electrify NZ work programme

29. In April 2023 the previous Government undertook public consultation on an exposure draft of NPS-ET amendments and sought feedback on high level proposed amendments to NES-ETA to strengthen national direction on REG and ET.³¹ The development of both instruments was suspended when the government changed, and the Electrify NZ work programme was initiated.
30. The Government has committed to delivering Electrify NZ policy.³² Electrify NZ seeks to deliver:
 - a. significantly accelerating decision-making compared to the status quo
 - b. national direction that delivers a more certain outcome than the status quo
 - c. increased likelihood of consents being granted for REG and ET compared to the status quo
 - d. reduced need for consents for transmission infrastructure and most new infrastructure³³
 - e. 10,000 public EV charging points by 2030.
31. The Government is also delivering on resource management related Electrify NZ proposals through the Fast-Track Approvals Act 2024, Resource Management (Consenting and Other System Changes) Amendment Act as well as this Phase 2 National Direction programme. This work programme will contribute to the delivery of Electrify NZ by:

³¹ <https://www.mbie.govt.nz/dmsdocument/26315-proposed-national-policy-statement-for-electricity-transmission>

³² *Electrify NZ* is the National Party's election manifesto document which is focused on driving investment in generation and transmission to double the country's renewable electricity generation by 2050.

³³ Phase 1 included repealing the Natural and Built Environment Act and Spatial Planning Act to revert to the RMA. Phase 3 will establish new resource management legislation.

- a. updating the suite of national direction for energy (including NPS-REG, NPS-ET and NES-ETA), and
 - b. amending the RMA to speed up resource consenting for energy infrastructure.
32. The Fast Track Approvals Act 2024 provides an alternative consenting pathway to facilitate delivery of infrastructure with significant regional or national benefits. Projects using this consenting pathway will be referred straight to expert panels for determination. The Government's intent is to reduce consenting barriers and timeframes and provide greater investment certainty for significant infrastructure projects. It is a complementary enabling framework to the NPS-EN, rather than a substitute.
33. The Government has also introduced the Planning Bill and Natural Environment Bill, which will replace the RMA. Although there is still uncertainty over how it will develop and how it will address EN, it is likely that the amended NES will be in force for only a few years (till approximately 2028), while the transition to the new system takes place.

The status quo will not enable EN and EV charging infrastructure at the pace and scale required

34. The NES-ETA regulates activities required to operate, maintain and upgrade the ETN. A 2019 MBIE and MfE evaluation found it effective in reducing consent processes and managing adverse effects, compared to before the NES-ETA came into effect.³⁴ However, Transpower reports that NES-ETA consent requirements are largely process-focussed, with little variation in outcome. This creates unnecessary costs and delays for essential work on the network.
35. Transpower and electricity distribution businesses (EDBs) have told officials that consenting uncertainty, costs and delays for EN projects have increased over the last decade and further increases are projected as the volume of EN activities expands to meet increased demand and generation. As an example, the Commerce Commission has approved Transpower's increased investment in maintenance and upgrades for 2025-2030, reflecting asset age and the need to increase network capacity to support electrification.³⁵
36. The focus on maintenance and upgrade of existing EN assets requires the NPS-EN and NES-ENA to better enable the expanded work programme. Additional work is also needed to improve network resilience and capacity to meet growing electricity demand, including demand from electrification of transport and industry.
37. The current resource management system processes would slower the pace of electrification and cost more to electricity network providers and EV charging infrastructure developers, hindering investment and development at the pace and scale required to support both new generation and increased consumer demand for electricity as sectors of the economy electrify.
38. While the new planning system proposed by the Government³⁶ is currently being developed, it will not take full effect until 2028-2029, meaning that they won't be able to address the issue electricity network activities experienced at present.

What is the policy problem or opportunity?

³⁴ Evaluation of the National Policy Statement on Electricity Transmission and National Environmental Standards for Electricity Transmission Activities, 2019.

³⁵ Commerce Commission, *Companion-paper-to-final-RCP4-IPP-determination*, 2024.

³⁶ [Resource Management Reforms](#). Ministry for the Environment, 2025.

39. The overarching problem is that the NES-ETA is not fit for purpose to support the operation, maintenance and upgrades of the EN meet the forecast increases in generation capacity and electricity demand, including for EV charging infrastructure.
40. The key issues have been canvassed by numerous reports and inquiries, including Government evaluations⁴⁰, the Climate Change Commission, the Productivity Commission³⁸, Te Waihanga (Infrastructure Commission)³⁷ and the Electricity Authority (see **Appendix C** for more resources). These mainly pertain:
 - New Zealand’s expected growth in electricity demand
 - the need for more electricity transmission infrastructure to meet demand, as well as maintenance and upgrade of existing assets
 - challenges for the electricity distribution sector to provide new connections given the significant increase in demand (for instance, to provide customers connections for industrial process heat, EV charging point connections and new urban development etc)
 - clear gaps in the NES-ETA regulations, meaning it is no longer fit for purpose.
41. Ministry for the Environment (MfE) and Ministry for Business, Innovation and Employment (MBIE) have identified two key root problems with the status quo:

Problem 1: Inconsistent and incomplete national regulation of electricity network and EV charging infrastructure activities leads to increased complexity, cost and delay for development, maintenance and upgrades.

Cost of consenting

42. The Sapere report (July 2021) published that the costs of consenting for small-scale and routine work are vastly disproportionate compared to the total cost of works for large-scale projects. The report said that infrastructure projects costing under \$200,000 spend on average 15.9% of their budget on consenting, compared to 0.7% for projects costing between \$100m and \$1b.³⁷
43. Further, the cost of consenting has increased by 70 percent (as a proportion of the project’s budget) over the past 7 years.³⁸ This data covers all types of infrastructure but is likely to be relevant to transmission. Transpower has provided evidence that current national direction can lead to consenting processes (for existing and new assets) that are complex, lengthy, costly and uncertain.³⁹
44. In 2023, Transpower also told officials that each consent required for routine maintenance can cost more than \$10,000 regardless of the scale of work covered by the consent. Transpower tell us that often, the consent conditions do not result in a change of works.⁴⁰

³⁷ <https://srgexpert.com/wp-content/uploads/2023/07/The-cost-of-consenting-infrastructure-projects-in-New-Zealand-July-2021.pdf> Page 2.

³⁸ New Zealand Productivity Commission (2018) Low-emissions economy: Final report

³⁹ [Strengthening National Direction on Renewable Energy Generation and Electricity Transmission - Submission by Transpower New Zeal.pdf](#)

⁴⁰ [Strengthening National Direction on Renewable Energy Generation and Electricity Transmission - Submission by Transpower New Zeal.pdf](#) page 45.

45. Local government approaches to processing applications can vary substantially across the country; even if the same environment or 'natural area' is being worked in for cross-district works. Some of the consent triggers are set at a threshold that does not reflect the nature of effects, resulting in consents being required for routine and small-scale activities when there is no environmental benefit.⁴¹

Scope and workability problems with NES-ETA

46. Planning instruments need to provide certainty to EN operators that routine maintenance and upgrading of the EN can occur in a cost effective and timely manner. Tools such as NES-ETA provide certainty that essential work required to operate and maintain the National Grid will be undertaken in a timely and efficient manner while managing adverse effects on the environment.
47. However, the NES-ETA is now out of date, it is not comprehensive and does not cover the electricity distribution network, which will be a key development area for electrification of the economy by supporting increases in generation capacity and consumer demand for electricity.
48. In some cases, the NES-ETA creates unnecessary compliance requirements on Transpower when carrying out routine work National Grid maintenance, such as tree trimming or foundation stabilisation. The restricted discretionary activity status currently applicable to these routine activities does not guarantee approval for essential work, as the consenting authority retains limited discretion to decline, and increase costs for network operators.
49. In addition, NES-ETA consent requirements are process-focused with little variation on the outcome or methods for managing and undertaking the works. This has resulted in regulatory burden including:
 - a. inefficiencies due to consent processing delays
 - b. variation in application processing requirements for works in similar environments across the country
 - c. consent requirements that do not reflect the nature of the effects and how they are managed, nor the necessity of the activity (eg, consent requirements electrical hazard signage)
 - d. overly restrictive regulations that do not cater effectively for the modernisation of the EN infrastructure.

EV Charging Infrastructure

50. Without national direction for EV charging infrastructure, district and regional plans have addressed this gap inconsistently. There are no uniform policies or rules based on best practice. As a result, Charging Point Operators (CPOs) face overly restrictive or missing district plan provisions, leading to:
 - a. unnecessary consent requirements, causing delays, higher compliance costs, disproportionate consenting obligations for both providers and local authorities, and increased plan advocacy costs.
 - b. significant variation in rules and consent requirements between districts, creating inefficiencies and additional costs. For example, an EV charging facility may be

⁴¹ Ibid.

permitted in one district but require resource consent in another. This inconsistency can lead providers to alter the design or operation of charging facilities in sub-optimal ways to avoid the consent process, resulting in bespoke designs and higher average costs.⁴²

51. These cumulative costs act as a barrier to the efficient and timely roll-out of EV charging infrastructure nationwide. Most EV Charging facilities are small to medium scale, and their adverse effects are generally minor. This creates an opportunity to establish national standards to manage effects consistently.⁴³

Problem 2: Unclear or inconsistent rules for managing the effects of third-party activities on the electricity network increase risk, cost, and time for protecting network assets.

52. Under Policy 11 of the former NPS-ET, councils were required to manage adverse effects from third parties on the National Grid, although there was no consistent framework to establish a National Grid Corridor along the entire span of the National Grid. This gap has led to significant cost and delays in protecting the National Grid.
53. Currently, about 70% of district plans have implemented the National Grid corridor policy,⁴⁴ while 27% of councils have started processes to give effect to Policy 11. In 2019, councils reported that implementing Policy 11 was challenging and among the most expensive aspects of NPS-ET implementation.⁴⁵ To date, this has cost Transpower approximately \$14M.
54. Transpower noted that delays in implementing the NPS-ET, particularly Policies 10 and 11, have significantly affected its ability to manage and protect the National Grid.
“despite the NPSET being gazetted some 10 years ago under-build and inappropriate development continues to occur under and around National Grid assets” [Transpower, 2019].⁴⁶
55. The recent NPS-EN strengthened policy direction to manage third-party activities in proximity of both the National Grid and the electricity distribution network, although it relies on a regulatory framework being introduced in the NES-ENA to ensure a nationally consistent approach.
56. Without strong rules to establish a ‘buffer zone’ around the National Grid and the electricity distribution network, third parties can undertake activities too close to electricity lines, creating risks for both the network and people or property within the electricity network.
57. Key adverse effects of unregulated third-party activities in proximity of electricity lines include:
 - a. *Direct effects* - compromising structural stability, creating access issues, or affecting line operation.

⁴² Electric Vehicle Charging Infrastructure: Issues and Options for National Direction under the RMA. SLR Consulting New Zealand, November 2024.

⁴³ Ibid.

⁴⁴ Based on analysis of district plans undertaken by Transpower.

⁴⁵ Ministry for the Environment and Ministry for Business, Innovation and Employment, Evaluation of National Policy Statement on Electricity Transmission and National Environmental Standards for Electricity Transmission Activities, April 2019. <https://environment.govt.nz/assets/Publications/Files/evaluation-of-the-npset-and-neseta.pdf>

⁴⁶ Ibid. p.23.

- b. *Reverse sensitivity effects* – exposing the network to complaints, constraints, or burdens from new activities locating near the existing network.
- c. *Health and safety risks* - development near lines and trees can expose people and property to electrical hazards. Residents may also raise concern about the actual or perceived health impacts of Electric and Magnetic Fields (EMF).

Electrical safe distance regulations do not provide full coverage and lack visibility

- 58. The New Zealand Code of Practice for Electrical Safe Distances (NZECP 34:2001) sets minimum safe electrical distance requirements for electricity supply. However, NZECP 34 has limitations. It is not a planning instrument and does not cover the full range of activities requiring setbacks from electricity lines or supporting structures (for example, subdivisions cannot be managed through NZECP 34). It also does not distinguish between ‘sensitive activities’ (eg, residential development) and those posing lower risk to the electricity network (eg, structures, garages etc).
- 59. Anecdotal evidence from the electricity sector suggests underbuild (ie, buildings or structures under electricity lines) in proximity to electricity lines remains a problem. Developers and councils are often unaware of NZECP 34 requirements, resulting in inconsistent compliance nationwide and safety risks where development is too close.

Evidence base, limitations and assumptions

- 60. The primary sources of evidence of the problem are summarised in Appendix C and include case law, government and sector reports and input during engagements on resource management reform and national direction in the last three years. MBIE and MfE also undertook an evaluation of the NES-ETA in 2019⁴⁷, which informed this analysis.
- 61. More recent engagement on the current proposals has included electricity sector representatives, as well as local government practitioners, New Zealand Planning Institute, Resource Management Law Association and the Resource Management Reform Group to provide evidence, and test our understanding of the problem, and options for solutions.
- 62. There is limited quantitative evidence to support the problem definition around barriers in the resource management system affecting EN delivery. This is mainly because the national consent monitoring system has information gaps and does not provide a detailed breakdown of consents by activity for transmission and distribution.
- 63. There is also limited evidence to support the inclusion of distribution activities in this proposal, beyond consultation with local government practitioners, the sector and the Boston Consulting Group report assessment of the investment required in distribution to support electrification⁴⁸.
- 64. In regard to the cost benefit analysis, while these have been assessed in terms of the proposal, it is acknowledged that the volume and extent of change that regional and local councils (and iwi)

⁴⁷ Ministry for the Environment and Ministry for Business, Innovation and Employment, Evaluation of National Policy Statement on Electricity Transmission and National Environmental Standards for Electricity Transmission Activities, April 2019. <https://environment.govt.nz/assets/Publications/Files/evaluation-of-the-npset-and-neseta.pdf>

⁴⁸ The Future is Electric. Boston Consulting Group, 2022. <https://web-assets.bcg.com/b3/79/19665b7f40c8ba52d5b372cf7e6c/the-future-is-electric-full-report-october-2022.pdf>

will have to address - from the numerous changes to ND instrument, and from the RM reform - will lead to cumulative costs that have not been assessed.

Who is affected by the problems?

Who	How
Regulated Groups	
Transpower, EDBs and EV charging developers	Increased costs associated with developing new lines and EV charging infrastructure, and with undertaking work on existing assets in sensitive areas. Includes time and resources required to tailor projects and develop expert reports to multiple councils on the same matter. Uncertainty of project outcome and consent barriers for work on existing assets and necessary to upgrade and modernise the network. Significant cost to ensure national consistency for works on the same asset type. Engaging in numerous planning processes, repeating and restating evidence.
Regulators	
Consent authorities	Being party to ongoing challenges and litigation of planning decisions. Resolving conflict and inconsistencies between national direction instruments. Time consuming and complex consenting processes, even for applications with known effects. Cost of developing, reviewing and monitoring rules on network activities as part of their planning processes, rather than having rules defined at a central level.
Others	
Housing and development sector	Major urban and transport developments require timely new EN and EV charging services, and / or realignment of existing EN.
Industry	Customers of EN and EV charging services, will require upgrade and development of EN to enable electrification of processes e.g. process heat manufacturing
Renewable electricity generators	Require capacity of the network to be available and timely connections to occur. Delivery of REG projects is contingent on getting access to the network. Impacted by regulatory uncertainty to provide connections.
Communities	Engaging in numerous planning processes, repeating and restating evidence Customers of EN and EV charging services
Private property owners	Uncertainties around what EN and EV charging services may or may not be provided Engaging in numerous planning processes, repeating and restating evidence Private property rights may be curtailed by EN services e.g. land under or near transmission lines
Iwi / Māori	Engaging in numerous planning processes, repeating and restating evidence Investment interests in REG may be restricted by access to EN. Access to EV chargers.
Future generations	Individual consent decisions may lead to ad hoc decisions that don't adequately consider cumulative effects or the integrated nature of electricity networks with the economy, community and quality of life. Constrained uptake of EV charging infrastructure due to lack of availability. Delay in decarbonisation of the economy due to reduced availability in electricity network links for REG projects.

What objectives are sought in relation to the policy problems?

65. The Government has committed to amending national direction to unlock development and investment in infrastructure and primary industries while safeguarding the environment.
66. Ministers agreed [MBIE 2324-1977, MfE BRF-4158 refers] to the following objectives for proposed amendments to the NES-ETA are to:
 - a. better enable ET and ED activities to support climate transition and resilience
 - b. make efficient use of and better protect existing generation capacity, networks and infrastructure
 - c. enable new electricity transmission and distribution activities to a higher degree than the status quo
 - d. enable the ongoing protection, operation, maintenance and upgrading of existing transmission and distribution activities
 - e. reduce unnecessary compliance costs for Transpower, distributors and councils
 - f. provide for Māori interests through engagement and protection of sites of significance.
67. Ministers also agreed [MBIE REQ-0006702, MfE BRF-5708 refers] to streamline RMA approvals and introduce permitted activity standards for EV charging infrastructure as part of the Phase 2 national direction consultation. This will support the Government's target to achieve 10,000 public EV charging points by 2030.
68. It is noted that alongside these objectives, these amendments must comply with Part 2 of the RMA and, specific to NESs, the requirements of s43A of the RMA, which include ensuring that no activity with significant adverse on the environment is permitted without requirement for resource consent under s43A(3).
69. Furthermore, the proposal also seeks to give effect to the new NPS-EN that is now in force.

How do the suggested objectives address the problems identified?

70. The objectives address Problem 1 by introducing a comprehensive regulatory framework for electricity network activities in the NES-ENA, which includes regulations for electricity distribution and EV charging infrastructure.
71. The objectives also address Problem 2 by introducing regulations in the NES-ENA to manage third-party activities in proximity of the electricity network, ensuring national consistency.
72. Overall, the objectives inform the amendments by ensuring:
 - a. the wider economic and social benefits of electricity networks and EV charging infrastructure are consistently recognised across planning instruments and in decision-making
 - b. ongoing maintenance and upgrades of the electricity network can be undertaken in a timely manner using a standards-based approach
 - c. the investment in the electricity network is protected through a streamlined and nationally consistent approach to managing the adverse effects of nearby development.

Section 2: Assessing options to address the policy problem

What criteria will be used to compare options to the status quo?

73. Options for change will be assessed against the criteria below. This set of criteria is consistent across the national direction programme and applied with equal weighting.

APPENDIX 3

Criteria	Questions to guide application of criteria
<i>Effectiveness</i>	Does the option achieve the objectives? Does the option provide a solution to the identified problem? Have trade-offs between the objectives been factored into the assessment of the proposal's overall effectiveness?
<i>Efficiency</i>	To what extent does the proposal achieve the intended outcomes/objectives at the least cost to applicants, the regulator and, where appropriate, the courts. Is the regulatory burden (cost) proportionate to the anticipated benefits? Is the option cost-effective?
<i>System alignment</i>	Does the option integrate well with other proposals and the wider statutory framework? What is the impact on existing objectives in current national direction instruments? Does the option reduce complexity and provide clarity for local government to address tensions/conflicts between ND instruments?
<i>Implementation complexity</i>	Is the option clear about what is required for implementation by local government, and can it be easily implemented? Does the option provide enough flexibility to allow local circumstances to be adequately taken into account / addressed at the local level? To what extent does the proposal present implementation risks that are low or within acceptable parameters (e.g. Is the proposal a new or novel solution or is it a tried and tested approach that has been successfully applied elsewhere?). To what extent can the proposal be successfully implemented within reasonable timeframes? Do regulated parties have the flexibility to adopt efficient and innovative approaches to meeting their regulatory obligations? (NB: A regulatory system is flexible if the underlying regulatory approach is principles or performance based). To what extent does the proposal ensure regulated parties have certainty about their legal obligations, and does the regulatory system provides predictability over time? Are legislative requirements clear and able to be applied consistently and fairly by regulators? Do all participants in the regulatory system understand their roles, responsibilities and legal obligations?
<i>Te Tiriti o Waitangi outcomes</i>	Does the option take into account the principles of Te Tiriti o Waitangi and Māori rights and interests? Does the option align with the Treaty Impact Analysis (TIA)?

What scope will options be considered within?

Decisions already taken

74. The Government has made the following decisions, which direct the scope of this work:

APPENDIX 3

- In June 2024, Cabinet agreed to amend the NPS-ET and NES-ETA to deliver its Electrify NZ plan as part of the Phase 2 national direction programme. Other regulatory and non-regulatory interventions are therefore not considered within the scope of this RIS.
- In October 2024, Ministers agreed to [MfE BRF-5317 / MBIE REQ-0003001 and MfE BRF-5841]:
 - a. combine new national policy direction for electricity distribution with transmission in a new NPS-Electricity Networks (NPS-EN)
 - b. amend the NES-ETA to incorporate rules and standards relating to electricity distribution (subject to further testing with stakeholders) and to provide for a wider range of routine activities
 - c. amend the NES-ETA to provide stronger direction to protect the ETN and EDN from the adverse effects of third-party activities, and to enable a wider range of routine work on the electricity network, in all environments
 - d. streamline RMA approvals and introduce permitted activity standards for EV charging infrastructure as part of the Phase 2 national direction consultation.
- In December 2024, Ministers agreed [MBIE REQ-0006702, MfE BRF-5708 refers] to streamline RMA approvals and introduce permitted activity standards for EV charging infrastructure as part of the Phase 2 national direction consultation.
- In March 2025, the Government decided to address major infrastructure development interactions with natural environment features such as outstanding natural landscapes, freshwater and indigenous biodiversity in the new Planning and Environmental System (replacement of the RMA).⁴⁹
- In December 2025, the Minister Responsible for RMA Reform agreed to recommended changes to the NES-ENA following the outcome of public consultation [BRF-6930 refers].

75. On that basis, this RIS focuses on the regulatory impacts of retaining the status quo (as Option 1) or amending the NES-ETA to achieve the Government's objectives for electricity networks and EV charging, rather than other regulatory interventions such as amending the primary legislation, non-statutory guidance etc. More detail on the non-regulatory options previously considered is included in **Appendix A**.

Options not considered

Expanded regional rules

76. The NES-ETA consultation sought feedback on a proposal by Transpower to cover more regional rules for work around water bodies in NES-ETA. Currently, the NES-ETA includes rules for discharges from blasting, applying protective coatings and discharges to water. However, many essential activities needed to maintain and operate the National Grid still trigger regional rules and fall outside the NES-ETA.

77. Officials recommended that the Government forgo introducing regional rules into NES-ENA. Feedback from submitters, notably from Councils and ENGOs, indicated that these rules are inherently complex with respect to their interface with the natural environment. Rules that permit works in natural environments require careful drafting and need to ensure they do not

⁴⁹ Note that the current NPS-IB excludes REG and electricity transmission (ET) but not electricity distribution and that this regulatory gap will remain until the new Planning and Environmental System comes into force. Regional policy statements and local plans continue to manage the effects of REG and ET on biodiversity in the meantime.

permit significant adverse effects, nor cut through well-meaning protections afforded through regional plans.

78. Amending regional rules prior to the development of the new Planning and Environment System was not included within the scope of the national direction package. The feedback from the consultation will be used to inform national direction under the new system.

Non-regulatory options

79. Non-regulatory options, such as guidance, were considered previously and discarded because the core problems stem from regulatory gaps and barriers in existing national direction instruments. The most effective way to streamline planning requirements for the electricity network is through a regulatory approach under the RMA. Non-statutory tools, like strategy documents, would not influence local authority consenting processes and would be ineffective and duplicative. See Appendix A for details on the non-regulatory options previously considered.

Consultation and submission overview

80. The proposed NES-ENA underwent public notification and consultation over eight weeks from 29 May to 27 July 2025.⁵⁰
81. We received 164 submissions on the NES-ENA proposal from a wide and representative range of submitters, which included the electricity network and EV charging sector, Councils, environmental NGOs, professional bodies (eg, NZPI, RMLA), iwi/hapū/Māori organisations and individuals.
82. The majority of submitters broadly supported the intent of the proposed NES-ENA amendments, recognising the role of electricity network activities in supporting electrification and decarbonisation. This included support for the inclusion of electricity distribution and EV charging infrastructure in the NES-ENA.
83. There were differing views on the proposals to strengthen support for electricity network activities in areas with sensitive environment values, with the electricity sector seeking priority and more permissive regulations for electricity network activities required to operate in areas with significant environmental values, while Councils and environmental NGOs highlighted risks to biodiversity and cultural values and called for stronger safeguards for natural areas and historic heritage under section 6 of the RMA.
84. Industry sought permitted activity or controlled activity status for certainty, while councils and ENGOs generally preferred a restricted discretionary or discretionary activity status where significant adverse effects could not be mitigated.
85. There were also mixed views on the use of management plans to support permitted activities, with industry favouring permitted activity standards and councils raising compliance and cost concerns.
86. Submitters generally supported provisions for the National Grid and electricity distribution networks but raised issues around their implementation. Industry supported incorporating the

⁵⁰ [Package 1: Infrastructure and development – Discussion document | Ministry for the Environment](#) May 2025.

New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 (NZECP 34) while councils and landowners raised liability and property rights concerns. Submitters also questioned the role of councils in enforcing compliance with NZECP 34.

87. Most submitters supported enabling electric vehicle (EV) charging infrastructure, but sought clearer standards for traffic safety, noise, bulk and location, particularly in sensitive environments and residential zones.
88. Feedback from the iwi/hapū/Māori submissions received highlighted concerns regarding the protection of wāhi tapu and sensitive environments and engagement with iwi/hapū/Māori in consultation and consenting, while support was for regulations that supported electrification and development for tangata whenua (eg, new electricity distribution and EV charging infrastructure construction regulations).
89. The proposals were amended to reflect the feedback received in submission, with a detailed analysis included in the report on submissions and recommendations.⁵¹

What options are being considered?

90. There are four policy proposals listed in accordance with the problems (Table 1), these being:
- Proposal 1 - Enabling routine work on the electricity transmission network through permitted activity standards
 - Proposal 2 - Enabling electricity distribution through new activity standards
 - Proposal 3 - Enabling EV charging infrastructure through new permitted activity standards
 - Proposal 4 - Protecting the electricity network from incompatible third-party activities, which include
 - Establishing a National Grid Yard and Subdivision corridor along the entire span of the National Grid
 - New rules to establish safety distances for electricity distribution.
91. The scope of this RIS includes consideration of the status quo as the first option and policy options agreed by Minister's as the second option.

⁵¹ [Proposed amendments to the National Environmental Standards for Electricity Transmission Activities and National Environmental Standards for Telecommunication Facilities Report on submissions and recommendations, Ministry for the Environment 2026.](#)

Table 1: Summary – policy proposals for National Environmental Standards for Electricity Network Activities

Problem	Proposal	Overview of Proposal
Problem 1: Inconsistent and incomplete national regulation of electricity network and EV charging infrastructure activities leads to increased complexity, cost and delay for development, maintenance and upgrades	<i>Proposal 1: Enabling routine work on the electricity transmission network through permitted activity standards</i>	- Updated permitted activity standards to enable routine work on the electricity transmission network without the need for a resource consent. - The activities that are permitted when the permitted activity standards are met include: - Installing overhead conductors, circuits, telecommunication cables, earth wires and optical ground wires - Increasing the voltage or current rating - Signs - Relocation, alteration and removal of support structures - Tree trimming and vegetation clearance - Earthworks - Discharges to water. - Undergrounding of the ETN will remain a controlled activity. - Some electricity transmission activities may not be able to meet the permitted activity standards, thereby defaulting to a controlled activity status.
	<i>Proposal 2: Enabling electricity distribution through new activity standards</i>	- The NES-ETA will be amended to include new rules for distribution activities and renamed National Environmental Standards for Electricity Network Activities (NES-ENA). The new rules apply to – <i>existing distribution assets</i> – new permitted activity regulations for certain electricity distribution activities on existing lines when the standards are met, and controlled activity regulations when they are not. Some standards which apply to the ETN will also apply to distribution. <i>new distribution assets</i> – provide permitted activity regulations for the development of new distribution lines and cabinets when standards are met, and restricted discretionary activity regulations when they are not. - The application of existing district plan rules for electricity distribution which are more lenient than the NES will be retained.
	<i>Proposal 3: Enabling EV charging infrastructure through new permitted activity standards</i>	- New permitted activity standards provide a consistent framework to enable EV charging infrastructure in various settings: private homes and workplaces, transport corridors, as standalone facilities, and as ancillary activities. - The application of existing district plan rules for EV charging infrastructure which are more lenient than the NES will be retained.
Problem 2: Unclear or inconsistent rules for managing the effects of third-party activities on the electricity network increase risk, cost, and time for protecting network assets	<i>Proposal 4: Protecting the electricity network from incompatible third-party activities, which include:</i> <i>Establishing a National Grid Yard and Subdivision corridor along the entire span of the National Grid</i> <i>New rules to establish safety distances for electricity distribution.</i>	<i>National Grid rules</i> - NES-ETA amended to include new National Grid Corridor, National Grid Subdivision Corridor and earthworks rules for the National Grid (National Grid rules), while retaining the bespoke Auckland Unitary Plan approach for compromised and uncompromised spans of the network. <i>Safe electrical distances for distribution</i> - New regulations relating to subdivision, earthworks and construction of buildings or structures near electricity distribution lines to ensure these comply with safe distance requirements and to avoid or mitigate direct and reverse sensitivity effects. - New activity statuses that require compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 (NZECP 34).

Addressing problem 1: Inconsistent and incomplete national regulation of electricity network and EV charging infrastructure activities leads to increased complexity, cost and delay for development, maintenance and upgrades

Proposal 1: Enabling more routine work on the electricity transmission network

Objectives	Enabling the ongoing protection, operation, maintenance and upgrade of the electricity network. Reduce unnecessary compliance costs for Transpower, distributors and councils Make efficient use of and better protect existing generation capacity, networks and infrastructure Streamline RMA approvals and introduce permitted activity standards for EV charging infrastructure
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Proposal	Amendments to NES-ETA to enable a wider range of routine maintenance, operation and upgrade activities, in all environments by: ○ adjusting matters of control and providing a more permissive activity status where permitted activity conditions are not complied with ○ removing and amending unnecessary overly prescriptive conditions or ways to manage effects ○ amending the regulations to better enable ancillary activities, such as vegetation clearance and earthworks.
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Options

Option One – Status Quo – rely on existing NES-ETA provisions

92. Under the status quo, the existing regulations would not change. The provisions would not sufficiently enable the ongoing maintenance and upgrades necessary to maximise the existing network infrastructure and support electrification at the pace and scale required. Problem 1 will continue to persist until the new resource management system will be in place, noting there is uncertainty around delivery timeframes for national instruments under the new system.
93. Option 1 is not preferred.

Option Two – Amend NES-ETA to enable more routine work on the electricity network (preferred)

94. This option proposed amending NES-ETA to enable more routine work by:

- a. **Introducing-more permissive activity statuses**, for example using controlled activity status where the permitted activity standards cannot be met, and where adverse effects are well understood and can be effectively managed through consent conditions. Controlled activities must be granted resource consent, and only limited conditions can be attached. This provides EN operators with certainty that routine activities will be approved, allowing them to maintain assets efficiently.
 - b. **refining existing regulations and conditions** – making them more workable (eg to integrate technological advances and industry good practice) and removing duplications or unnecessary requirements, and
 - c. **amending matters of control and discretion** to streamline consent decision making and to focus only on the key environmental effects and infrastructure service requirements.
95. Specific changes to the routine activities include more enabling controls to support upgrades and maintenance:
- a. **Larger upgrades and modernisation**, including the removal of limitations on number and configuration of conductors, increases in the permitted height and width of replacement support structures (eg, from 15% to 25%), and removal of problematic base height and footprint tests (eg, public view shafts requirements for existing structures).
 - b. **Vegetation management**, including tree trimming and felling, with controls restricted to 'natural areas' (includes significant vegetation and habitats) and notable trees which only allow for clearance when required for safety or operational reasons with additional requirements to provide notice to the local authority addressing certain matters to ensure any adverse effects are managed. Outside these areas vegetation clearance will be permitted with no conditions (eg, clearance of weeds and exotic vegetation).
 - c. **Earthworks** around support structures or access tracks as a routine ancillary activity necessary for the maintenance and upgrade of the ETN. Earthworks in natural areas and historic heritage places or areas would be permitted when standards are complied with (ie, earthwork thresholds for existing support structures and access tracks), whereas outside of these areas earthworks will be permitted with no threshold. Consent requirements would be retained where earthworks are undertaken on potentially contaminated land.
 - d. **Discharges from blasting** and applying protective coatings, a critical routine activity for towers and poles to manage corrosion. Transpower currently provides blasting management plans to regional councils as part of some of their global resource consents, and it is proposed to extend this approach to allow Transpower to undertake blasting without resource consent as a permitted activity, provided that they comply with specific management plan requirements, based on their established management practices with regional councils.
96. Please refer to **Table 2** for a summary of amendments to the NES-ETA that relate to routine work on the existing electricity transmission network. Note that some routine activity standards will also apply to distribution, but that discussion will be had in *Proposal 2*.

Option Three (withdrawn): Developing management plans as part of the suite of routine permitted activities

97. The Government consulted on a management plan approach in the permitted activity pathway for earthworks, vegetation management and blasting, either as a general requirement or within a natural area or historic heritage place and area. Management plans are used in other national direction (NES-TF and NES-CF) and could include standard requirements to manage adverse effects (eg, sediment control, reinstating the site). A management plan approach would help avoid the need for resource consent for activities associated with routine maintenance on existing transmission and distribution lines while ensuring that there are processes in place to manage potential adverse effects.
98. Submitters, including industry and Councils, gave mixed feedback on the proposal for management plans in lieu of a resource consent, except for blasting activities. Industry favoured permitted activity standards, as they would be cheaper to implement than management plans, while councils raised concerns over compliance monitoring and cost recovery.
99. Official's view is that the Government should partially-adopt Option 3. Our recommendation is that management plans should not be provided for earthworks and tree trimming and vegetation clearance standards, given both industry and councils raised concerns with these proposals.
100. However, management plans are proposed to be integrated as part of the blasting regulations. Based on the support from industry and current examples of global consents for blasting activities, a management plan for blasting will be robust. It will manage actual or potential effects from discharges while retaining the permitted activity status for discharges from blasting. The proposal for management plans for blasting activities has been incorporated in option 2 as part of the assessment, as blasting is a routine activity undertaken on the EN to manage corrosion.
101. As such, Option 3 was withdrawn, and management plans for blasting activities have been included in Option 2 above.

Option Four (withdrawn): Developing regional rules as part of the suite of routine permitted activities

102. The Government consulted on a range of new regional regulations that would better enable transmission activities and make the NES-ENA function as more of a one-stop-shop. This included regulations for river crossings, groundwater rules, stormwater discharges, structures in the coastal marine area (CMA) and works within the bed of lakes or rivers.
103. We received feedback that these rules are inherently complex with respect to their interface with the natural environment. Rules that permit works in natural environments require careful drafting and need to ensure they do not permit significant adverse effects, nor cut through well-meaning protections afforded through regional plans.
104. Officials recommended the Government to withdraw the proposal for regional rules, as such Option 4 was withdrawn.

Table 2: Summary of amendments to better enable routine activities on the existing electricity transmission network in all environments.

Activity	Description of amendments to NES-ETA	Non-compliance	Impact
Installing overhead conductors, circuits, telecommunication cables and devices, earth wires and optical ground wires (ET and ED)	- New noise standard in residential areas of 40dB LAeq (15min) and 45dB in other zones. - Cable and wire diameters will now have a permitted standard of 30mm - Optical ground wires are in now in scope - No cap on number of conductors or wires, or circuit configuration. - No limits relating to the width and height of telecommunication devices.	Controlled activity <i>New matters of control:</i> Frequency, intensity, duration and offensiveness of noise generated (capturing the new operational noise standard).	- Minor visual effect. - Improved deployment of cables, wires and devices to meet the operational requirements of the network. Correspondingly, we anticipate an improved level of service. - The noise standards align with many district plans and are well within ambient noise levels.
Increasing the voltage or current rating (ET and ED)	- New noise thresholds for nighttime noise. - New EMF thresholds relating to magnetic flux density and current induced in various bodily tissues, sourced from ICNIRP 2010.	Non-complying activity (<i>no change</i>)	No change to the level of protection from exposures to electric and magnetic fields.
Signs (ET and ED)	All restrictions on the deployment of signage are removed.	None	Signs can be deployed efficiently next to transmission lines to protect human health and safety.
Temporary structures and line deviations (ET and ED)	Temporary structures and line deviations must be removed within 12-months.	Controlled activity (<i>no change</i>) <i>No change to matters of control.</i>	Temporary structures and line deviations can be deployed more efficiently to meet operational requirements, especially in unforeseen events.
Relocation, alteration of support structures (ET only)	<i>Height</i> – enable existing heights of structures to increase by 25%. <i>Public view shafts</i> – removing requirement to comply with plan height restrictions for existing structures. <i>Occupied buildings</i> – clarifying the setback is measured from the closest point. <i>Tower footprint</i> – enable towers to increase in footprint by up to 25% greater than the existing length of each side. <i>Tower's envelope for permitted and controlled activities</i> – removed. <i>Replacing pole with tower</i> – removed. <i>Relocating or replacing poles</i> – a pole must not be replaced or removed by more than 10m.	Controlled activity <i>New matters of control:</i> Visual, landscape and ecological effects, effects on services and infrastructure, effects on historic heritage, effects and timing of construction works.	- More flexibility is afforded to Transpower to alter existing transmission lines. There will be visual effects associated with higher transmission line support structures. - There will be visual effects associated with removing the public viewshaft requirements, particularly in places like Auckland with volcanic viewshaft provisions. This will only apply to existing structures. - Easier to use regulations without problematic tower envelope provisions. - Poles can be more easily replaced with taller poles and can be relocated to avoid hazards, risks to people, property and the network. - Poles could inadvertently be relocated into sensitive areas.
Removal (ET only)	No change to standards.	<i>New matters of control:</i> Effects on services and infrastructure, the effects and timing of removal work.	Minimal impact from changes.
Tree trimming and vegetation clearance (ET and ED)	- New requirement that if works are undertaken on land controlled by a regional rule for the purposes of soil conservation or hazard management, the operator must engage with the regional council before undertaking vegetation clearance. - Delete regulation 30(4) (which protected DOC estate).	Controlled activity <i>New matters of control:</i> Effects on any natural area or notable tree, effects on services and infrastructure and erosion and sediment effects.	Improvements to support maintenance of the National Grid by ensuring access to the lines is not precluded by trees or vegetation. This is important to the safety of work crew. Removing inappropriately located trees will reduces risks of felling, and therefore damage to the conductors, its supporting structures and property.
Earthworks (ET and ED)	- No threshold for earthworks outside of natural areas and historic heritage items or settings. - New permitted activity for earthworks in natural areas and historic heritage items or settings with the following thresholds:	Controlled activity <i>New matters of control:</i> Timing and duration of earthworks, instability of land erosion, effects on	- Controlled activity status will allow for local authorities to control for effects on ecology, water, landscape and heritage, and set conditions. - The new standards are more flexible and workable.

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Activity	Description of amendments to NES-ETA	Non-compliance	Impact
	50m³ per existing support structure 100m³ or 1,000m² per existing access track (whichever is greater).	water quality and the coastal marine area, flood risk, services and infrastructure.	- There is a risk of inappropriate earthworks in natural areas and consenting authority is unable to decline. - Risks to create flooding or overland flow path in areas not identified as a hazard overlay.
Discharges to water from blasting (ET and ED)	- Broaden regulations to apply to mechanical preparation of surfaces of support structures and discharges to air associated with diesel-fired compressors. - Limit dry blasting within 10m of a waterbody, CMA, public road and within 20m of an occupied building. - Limit wet blasting within 20m of a waterbody, CMA, public road and an occupied building. - Requirement to prepare an overarching environmental management plan (EMP) and a site-specific management plan (SSMP) when works are undertaken as a permitted activity within the setbacks provided above. - New requirement to notify regional council after works are completed that works were undertaken in accordance with the provided management plans.	Controlled activity requirement when a management plan has not been provided for blasting within waterbodies and the CMA, and the permitted activity setbacks have not been met. <i>New matters of control:</i> Effects on historic heritage place or area, effects on the use of public roads, effects on services and infrastructure.	- Permitted activity conditions are refined to be more workable and certain. - Regional council will have opportunity to inspect/monitor. - Possibilities of water or soil contamination from zinc or other contaminants in the vicinity of the blast area if not appropriately managed. - Blasting management plans could not be refused if the council were not satisfied with them (but the plan would need to meet the requirements set out in the regulations in order for the blasting to be undertaken as a permitted activity).
Discharges to water (ET and ED)	Broaden regulation to permit discharges to land that may enter water.	<i>New matter of control:</i> effects on services and infrastructure.	Possibilities of water or soil contamination from zinc or other contaminants in the vicinity of the blast area if not appropriately managed.
Minor changes (ET and ED)	- Operation of existing transmission line (regulation 5) to include occupation. - Noise and vibration (regulation 37) to require works are 'in accordance with' the 1999 acoustic noise and vibration standards, rather than 'to comply with'. - Undergrounding (regulation 12) new matter of control: effects on services and infrastructure.	N/A	These changes provide clarifications or minor improvements to enhance the effectiveness of NES-ENA.

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How do the options compare to the status quo?

	Option 1 – Status Quo	<i>Option Two – Amend NES-ETA to enable more routine maintenance and upgrade works on the electricity transmission network</i>
Effectiveness	0	+ Routine works could occur in all environments to support the ongoing operation and life of the National Grid without undue regulatory compliance. There is a trade-off in relation to environmental effects. There could be an increase in the extent of contamination in natural environments. This is namely the case for work associated with blasting, discharges and earthworks, although management plan requirements for blasting will manage adverse effects.
Efficiency	0	++ NES rules will provide clear permitted or controlled activities to enable more routine maintenance on existing transmission assets. These regulations will provide certainty that routine maintenance or upgrades will proceed. In terms of cost-effectiveness, the NES-ENA will greatly reduce consenting costs for electricity network owners and operators, however some costs may be incurred by Councils in relation to compliance monitoring and training on the new regulations.
System alignment	0	+ The option most closely aligns with the Government’s objective to enable the ongoing operation and protection of EN in all environments. The activity standards will ensure that potential significant adverse effects are avoided or mitigated. The NES aligns with Part 2 of the RMA, namely section 5 in relation to using physical resources in a way to provide for individual and community well-being, and section 43A relating to the contents of national standards. The NES also implements the new NPS-EN. The NES-ENA is intended to work in accordance with the RMA’s information requirements for assessment of environmental effects (Schedule 4), and alongside existing national direction on the management of activities in sensitive environments, such as the National Policy Statement for Indigenous Biodiversity (distribution and EVCI only), Freshwater Management, Highly Productive Land as well as the National Environmental Standards for Freshwater
Implementation complexity	0	+ NES-ENA must be observed once the regulations take immediate effect, which is 28-days after gazettal. Consenting authorities must observe and enforce an NES (section 44A of the RMA). Councils will be able to implement the regulations as soon as they take effect, with no plan change required (as per Plan Stop). Non-statutory guidance will assist implementation and support the application of the regulations for all system participants.

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		The new regulatory settings in the NES-ENA will result in less consents needed for routine activities and minor upgrades of the electricity transmission network, which will simplify implementation for Transpower and Councils. Regulations for electricity distribution will override existing rules in district plans, mostly reducing the consenting burden for asset owners and operators, and simplify the approach for territorial authorities (especially those who do not currently regulate these activities), although monitoring and enforcement functions will remain.
Te Tiriti o Waitangi outcomes	0	- The NES-ENA does not allow decision-makers on plans and resource consents to avoid any obligation to recognise and provide for Māori rights and interests, nor does it amend decision-making and participation arrangements provided under Treaty settlements. The proposed permitted pathways may limit the involvement of tangata whenua, however the NES-ENA proposal is supported by the proposed NPS-EN, with NPS-EN policy on providing for Māori interests. The policy includes direction for early engagement and consideration of EN activities on or near sites of significance to Māori, which will support implementation of the NES-ENA. Nevertheless, some Māori may be affected by these regulations to the extent that EN infrastructure is located on Māori land or in proximity of wāhi tapu. Where it does, there may be adverse effects relating to the operation and maintenance of the infrastructure, although permitted activity standards have been proposed only where evidence has shown that any potential effects on section 6 RMA values are not significant. Where adverse effects may be significant, specific pathways are proposed to manage the potential effects on values, including those on historic heritage items or settings, although it is acknowledged that some adverse effects may still occur.
Overall assessment	0	+

Legend:

- ++ the Option is much better at achieving the criteria compared to the status quo
- + the Option better achieves the criteria compared to the status quo
- the Option does not adequately achieve the criteria compared to the status quo

Which option is likely to best address the problem, meet the policy objectives, and deliver the highest net benefits?

105. **Option 2** is officials' preferred option as it would provide greater consistency across the planning system, as well as clarity and certainty that in turn could reduce the time and system costs associated with planning and consenting processes for existing electricity transmission infrastructure.

Proposal 2 – Amend NES-ETA to enable electricity distribution network through new activity standards

Objectives	Better enable EDN activities to support climate transition and resilience. Enabling electricity distribution activities to a higher degree than the status quo. Reduce unnecessary compliance costs for electricity distributors and councils.
Proposal 2	Amendments to NES-ETA to enable a wider range of routine maintenance, operation and upgrade activities on the EDN, in all environments. New activity rule for the construction of EDN lines.

Options

Option One – Status Quo – rely on existing regional and district plan provisions

106. There is no NES on electricity distribution networks under the RMA, leaving a gap in the national direction rule framework for the electricity system.
107. Linear infrastructure such as electricity networks are required to cross multiple territorial boundaries with different rules applying for similar activities. This makes delivery of electricity distribution activities under the RMA challenging and does not provide the level of enablement needed to support electrification.
108. Electricity Networks Aotearoa (ENA) is the industry membership body representing the 29 EDBs. In November 2023 they advised the Minister of Energy that the distribution sector is facing significant challenges to providing new connections (for instance, to provide customers connections for industrial process heat, EV charging point connections and new urban development etc). ENA has witnessed a 'step change' in the volume of connection inquiries and demand for significantly greater capacity connections.⁵²
109. Option 1 is not preferred as it does not enable the electricity distribution network.

Option 2: Consistent national environmental standards for electricity distribution, including a standard for the construction of new distribution lines

110. Option Two amends the NES-ETA to include provisions for distribution activities. The intent is to recognise the national significance of the entire electricity distribution network (EDN) to

⁵² Electricity Networks Aotearoa Briefing to Incoming Energy Minister, November 2023. p. 9.

help achieve the proposed NPS-EN objective to increase the capacity and resilience of the entire EN network and maintain a consistent approach between transmission and distribution to enable common and routine activities to be undertaken effectively and efficiently.

111. The proposed NES regulations for EDN activities would allow the following activities on existing distribution assets to be undertaken as permitted activities subject to compliance with conditions controlling size, location etc:
 - Operation of existing EDN assets
 - Temporary structures and line deviations associated with existing EDN assets
 - Additions to existing EDN assets (overhead conductors, earth wires, telecommunication devices, new mid-span poles, underground conductors)
 - Alteration, relocation and replacement of existing EDN support structures and cabinets
 - Undergrounding existing EDN lines and replacing existing underground lines.
112. Ancillary activities which apply to transmission (in Proposal 1) will also apply to the EDN. These activities include the following regulations: signs, blasting, discharges to water, trimming, tree trimming and vegetation clearance, earthworks (both in and outside of potentially contaminated land), and noise and vibration from construction activities. *Please refer to Table 2, pages 31-32.*
113. The proposed NES regulations for EDN activities would also allow the construction of new distribution lines and cabinets to be undertaken as a permitted activity subject to controls on height and underlying zone. New lines in the land transport corridor in a natural area and a historic heritage place or area will be a controlled activity. Underground EDN lines will be a permitted activity in all zones, except for natural areas and historic heritage places or areas.
114. In addition, the NES regulations for distribution activities would require all relevant activities to comply with regulation 10 of NES-ENA and regulation 55 of NES-TF with respect of managing radio frequency, electric and magnetic fields to ensure there are not adverse effects from exposures in public. Where any of the standards are not complied with, resource consent would be required as a non-complying activity. There will be no requirement to comply with WHO (2007) monograph.⁵³
115. A summary of the proposed provisions for the EDN is provided in **Table 3** below.

Discarded options:

116. Several options for the provision of national direction for electricity distribution were considered and discarded:
 - a. Developing a standalone national direction tool for distribution (NES-ED) was considered. It would be modelled on the transmission content in the NES-ETA and

⁵³ World Health Organisation Monograph *Environmental Health Criteria* (No 238, June 2007) has been incorporated by reference into NPS-EN and would not be a suitable standard for NES-ENA because it includes a 'very-low cost measure' recommendation to limit exposure, which renders the permitted activity subject to assessment.

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contain specific provisions for ED. This option was discarded because the consistency in direction between the ET and ED provisions did not warrant a separate NES.

- b. Include sub-transmission distribution assets only within NES-ETA. This option would provide direction for ED infrastructure with a similar function to ET (ie, high voltage 110kV lines). This option would partly meet the objectives but would not provide direction for the lower voltage components of the distribution network which also require a nationally consistent framework to enable activities in support of electrification (for example electrification of transport network and process heat, battery energy storage systems).

Table 3: Summary of amendments to better enable electricity distribution infrastructure

Activity	Description of activity	Non-compliance	Impact
Ancillary EDN activities	The following regulations that apply to electricity transmission also apply to EDN activities: <i>Signs, blasting, discharges to water, trimming, felling and removing trees and vegetation, earthworks (outside potentially contaminated land), earthworks on contaminated land, noise and vibration from construction activities.</i>	Please refer to Table 2.	Please refer to Table 2.
Operation and maintenance of an EDN line or cabinet	Permitted activity to operate an existing EDN line or cabinet and the use of an access track. This regulation also includes maintenance not captured elsewhere in NES-ENA.	N/A	Supports maintenance and operation of EDN assets to ensure routine ED services can be carried out without consents.
Temporary structures and EDN line deviations	Permitted activity for the maintenance and upgrade of an existing line or cabinet with a time window of 12-months.	- Controlled activity <i>Matters of control:</i> duration of any works and the effects and timing of construction works.	Temporary structures and line deviations can be deployed more efficiently to meet operational requirements, especially in unforeseen events.
Additions to existing EDN assets	Additions on existing lines also include maintenance and replacement, and are permitted, subject to the following standards: - Conductors, cables and earth wires and optical ground wires: diameter of 30mm - Telecommunication devices can be 3.5m above height of existing structure and be no wider than 1.3 times the width of the existing support structure - Ancillary equipment permitted with a bulk standard of 2m³ per item.	- Controlled activity <i>Matters of control:</i> visual and landscape effects associated with the additional infrastructure, effects on services and infrastructure.	- Minor visual effects - Improved deployment of cables, wires and devices to meet operational requirements of the network. This will improve the level of service and support operation of existing assets.
Mid-span poles	Permitted activity on existing EDN lines subject to the following conditions: The pole is not greater than 25% height increase relative to the height of the adjacent support structures, and the pole is not located within a natural area or a historic heritage place or areas (except where the existing line is located in one of those areas).	- Controlled activity. <i>Matters of control:</i> visual and landscape effects, ecological effects, effects on any natural area and historic heritage place or area, proposed methods to mitigate adverse effects, effects on services and infrastructure, effects on health and safety.	- Less than minor or minor visual effects - Improved use of existing infrastructure and enabling EDN providers to replace or add a new mid-span pole to respond to operational requirements.
Maintenance of underground lines	Permitted activity to maintain, replace or add additional underground conductors on existing EDN lines. This activity must comply with the radiofrequency and electric and magnetic fields standard below.	Non-complying activity if the fields standard cannot be met.	Effects from disturbances (eg, earthworks, discharges, noise, dust) managed through routine activity standards.
Alteration, relocation and replacement of existing EDN assets	Permitted activity for the alteration, relocation and replacement of existing distribution lines, support structures and cabinets subject to meeting permitted activity standards as proposed.	Controlled activity where permitted activity standards are not met.	- These regulations will enable the continuous operation and upgrade of existing EDN lines, support structures and cabinets - Effects from disturbances (eg, earthworks, discharges, noise, dust) managed through routine activity standards. - Minor visual effects are expected, as this provides for existing EDN lines, support structures and cabinets
Undergrounding of existing EDN lines	- Permitted activity for undergrounding existing EDN lines subject to the following permitted activity standards: - the activity is located within a land transport corridor; or - outside of the land transport corridor, the activity is not located within any new natural area or historic heritage place or area.	Controlled activity where permitted activity standards are not met.	- These regulations will enable the undergrounding of EDN existing lines - Effects from disturbances (eg, earthworks, discharges, noise, dust) managed through routine activity standards.
Construction of new EDN lines	- Permitted activity for the construction, operation and maintenance of new EDN lines outside of natural areas and historic heritage places or areas, subject to permitted height standards based on the underlying zone - Permitted activity for the construction of new underground EDN lines in all zones as a permitted activity, except in natural areas or historic heritage places or areas	Restricted discretionary activity where permitted activity standards are not met.	- Effects from disturbances (eg, earthworks, discharges, noise, dust) managed through district and regional plan rules. - Visual effects managed through underlying district plan rules and matters of control - Enabling new ED infrastructure to be built to respond to operational and service demands, standardising and, in some instances, reducing consenting requirements and associated costs.

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Activity	Description of activity	Non-compliance	Impact
	Controlled activity for the construction of new EDN lines (overhead and underground) in the land transport corridor in natural areas or historic heritage places or areas.		
Managing radiofrequency, electric and magnetic fields generated from EDN infrastructure	- EDN infrastructure generating an electric or magnetic field must comply with regulation 10 of NES-ENA. - EDN infrastructure generating a radiofrequency field must comply with regulation 55 of the NES-TF.	Non-complying activity.	The public will be protected from exposures to radiofrequency fields and electric and magnetic fields in accordance with international guidelines.

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How does the option compare to the status quo?

	Option 1 – <i>Status Quo</i>	Option 2 – Include new activity standards for electricity distribution in the NES-ENA
Effectiveness	0	+ The inclusion of distribution in the NES-ETA will improve consistency and certainty for EDN activities and it will provide a more comprehensive approach for electricity network which will improve the effectiveness of the NES-ENA in regulating these activities. There are trade offs relating to environmental effects due to permitted activity standards allowing low impact activities without a need for consent, although standards have been designed to limit adverse effects.
Efficiency	0	++ The NES-ENA will be more efficient as it will reduce the number of rules for electricity distribution and provide a nationwide framework. It is expected that costs for applicants will reduce significantly, especially given the introduction of permitted activity standards. Consenting authorities will experience some cost savings (no longer have to develop their own district rules), however some costs may be incurred by Councils in relation to compliance monitoring and training on the new regulations.
System alignment	0	+ The proposal closes the gap in national direction for electricity distributions and provides end to end coverage for the electricity system, linking REG to transmission, distribution, and ancillary infrastructure. While the NES-ENA will regulate most activities relating to the EDN, other national direction will still apply were relevant, namely the NPS-IB, NZCPS, NPS-FM, NES-FW and NPS-HPL.
Implementation complexity	0	0 National direction covering distribution infrastructure will be new for the RM system and it will be a new experience for EDBs to implement the provisions of those tools, but councils have extensive experience through consenting and plan making processes. Councils are well versed at national direction implementation and can apply the NES-ENA provisions without undergoing a plan change, although the costs will vary from council to council. Councils will still need to upskill on the NES-ENA for consenting and compliance, in addition to implementing changes to other national direction, with appropriate resourcing required. Non-statutory guidance will assist implementation and support the application of the regulations for all system participants.
Te Tiriti o Waitangi outcomes	0	- Obligations to recognise and provide for, or have particular regard for, the values, objectives, strategies, plans or legal status for specific taonga, Māori rights and interests are not affected by this Option, and the NES-ENA does not amend any decision-making and participation arrangements provided under Treaty settlements. However, the increased use of permitted pathways may limit the

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		involvement of tangata whenua. Māori may be affected by these regulations to the extent that EDN infrastructure is located on Māori land or in proximity of wāhi tapu. Where it does, there may be adverse effects relating to the operation and maintenance of the infrastructure, although permitted activity standards have been proposed only where evidence has shown that any potential effects on section 6 RMA values are not significant. Where adverse effects may be significant, specific pathways are proposed to manage the potential effects on values, including those on historic heritage items or settings, although it is acknowledged that some adverse effects may still occur. However, these regulations may support Māori business development by ensuring secure distribution and supply of electricity and Māori energy wellbeing. Further, greater certainty for EDBs encourage opportunities for Māori businesses to entry into the electricity market as distributors in the future
Overall assessment	0	+

Legend:

- ++ the Option is much better at achieving the criteria compared to the status quo
- + the Option better achieves the criteria compared to the status quo
- the Option does not adequately achieve the criteria compared to the status quo

What option is likely to best address the problem, meet the policy objectives, and deliver the highest net benefits?

117. **Option 2** is the preferred option by officials. This option provides national direction for the entire electricity network, ensuring greater consistency across the planning system, as well as clarity and certainty that could reduce the time and costs associated with planning and consenting processes and reduce the risk of litigation.

Proposal 3 – Developing new permitted activity standards for EV Charging Infrastructure

Objective	Introduce permitted activity standards for EV charging infrastructure to support the Government's target to achieve 10,000 public EV charging points by 2030.
Proposal	Develop permitted activity standards in NES-ENA to enable new EV charging infrastructure.

Options

Option One – Status quo –EV charging infrastructure rules in district plans

118. There is no EV charging rules nor standards in national direction, which has created uncertainty for charge point operators (CPOs) as they encounter varying rules in different jurisdictions.
119. Public EV charging points rely on DC (direct current) grid connections to connect public charging units to make them operational. Different district or unitary plans have varying rules and consenting requirements for EV charging infrastructure. Most EV charging infrastructure is of small to medium scale and the adverse effects associated with EV charging infrastructure are generally no more than minor. The main adverse effects that local authorities typically seek to control relate to bulk and location, and traffic effects.⁵⁴
120. Some CPOs have raised concerns that they lack clarity regarding networks' capacity to accommodate new chargers in specific locations. The Electricity Authority is developing proposals to address barriers for efficient network connections through both pricing changes and streamlining application processes for new connections.⁵⁵
121. Regardless of possible improvements to network connections, Option 1 is not preferred as it does not provide bespoke and standardised provisions for EV charging.

Option Two – Permitted activity status for EV Charging Infrastructure (preferred)

122. This option would include new rules in NES-ENA for new EV Charging Infrastructure as a permitted activity. The table below summarises the charging activity and associate rule in NES-ENA (Table 4).

Table 4: New permitted activity standards for EV charging infrastructure

⁵⁴ Electric Vehicle Charging Infrastructure: Issues and Options for National Direction under the RMA. SLR Consulting New Zealand, November 2024.

⁵⁵ [Network connections](#) | [Our projects](#) | [Electricity Authority](#).

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Activity	New permitted activity standards in NES-ENA	Impact
(1) Private charging at home	Charging not available for public use and complies with relevant zone rules relation to construction and alteration of buildings.	Negligible or less than minor.
(2) Public charging in the land transport corridor	EV charging infrastructure must be located in the land transport corridor.	Minor or less than minor effects.
(3) Public EV chargers that are ancillary to other activity (eg, in a service station or carpark)	EV charging infrastructure must be ancillary to a primary activity (which is not residential) and is subject to – a. Not exceeding 3m in height if located within 1m of any front boundary adjoining a residential zone b. Compliance with noise and earthwork standards c. District plan transport standards apply.	Minor effects. EV chargers are becoming common place and expected in service stations and carparks of shops, supermarkets etc.
(4) EV charging infrastructure associated with vehicle parking space	EVCI associated with existing, permitted or consented vehicle parking space, when located in the land transport corridor or ancillary to a primary activity.	Minor effects. This new standard will EV charging associated with a permitted, consented or existing parking space.
(5) Standalone public charging outside of residential areas, natural areas and historic heritage place or area.	EV charging infrastructure is the primary activity on site and is subject to – a. Not being located in a residential zone, natural area or historic heritage item or setting b. Not exceeding 3m in height if located within 3m of any front boundary adjoining a residential zone c. Compliance with noise and earthwork standards d. Does not generate more than 10 vehicles trips per hour (averaged across 24 hours).	Minor to more than minor effects. Some effects relating to traffic and noise, but this is mitigated by noise and traffic standards.

123. The key benefit of this proposal is that it reduces regulatory barriers to install new EV charging infrastructure, so we anticipate supply of the units will increase, and costs to reduce. Environmental effects can be effectively managed using activity standards for effects such as noise, bulk and location, and traffic.
124. Feedback from public consultation supported the inclusion of EV charging infrastructure in the NES-ENA, recognising similarities and the need for consistency with the nature and scale of other electricity activities, and the role of EV charging infrastructure in lowering transport emissions.

Discarded options

125. Officials considered whether a national policy on EV charging infrastructure that could sit in an NPS could be an appropriate option, but have not advised on this because Ministers were interested in options to develop a permitted activity for public EV charging infrastructure as part of their manifesto, with an NES being the best vehicle for it.
126. Following feedback from public consultation, the NES-ENA was considered the best instrument to contain EV charging infrastructure standards, therefore options to create a bespoke NES have been excluded.

127. Non-regulatory options were not considered because the core problem relates to existing barriers created by the current resource consent requirements and therefore, a regulatory option under the RMA is the most appropriate mechanism to streamline planning requirements for EV charging infrastructure.

How do the options compare to the status quo?

	Option 1 – <i>Status Quo</i>	Option 2 – Establish NES for EV infrastructure as a permitted activity under the RMA
Effectiveness	0	++ This option removes consenting requirements for certain EV charging infrastructure and standardises the approach across the country. There are trade-offs relating to environmental effects due to permitted activity standards, although standards have been designed to limit adverse effects. Option 2 is more effective than the status quo and most likely to meet the Government’s target to roll-out 10,000 public EV charging points.
Efficiency	0	++ Reduce the consenting burden and costs for CPOs and local authorities through permitted activity standards, increasing supply where there aren’t market constraints. Possible monitoring and compliance costs for local authorities, although not expected to be dissimilar to current circumstances (where resource consents are required).
System alignment	0	++ The permitted rule will be consistent with other comparable activities regulated under the RMA for bulk and location, as well as aligning with Part 2 of the RMA. Further, these rules will not result in significant tension with existing national direction. This proposal aligns well and delivers on outcome 3 (Aotearoa’s EV charging system is underpinned by integrated planning and standards across multiple sectors) of the National electric vehicle charging strategy for New Zealand 2023-2035.
Implementation complexity	0	+ National direction covering EV charging infrastructure will be new for the RM system and it will be a new experience for CPOs to implement the provisions of those tools, but councils have extensive experience in national direction. Councils can incorporate the permitted activity rules into their district plans as soon as practicable without undergoing a plan change. However, councils will still need to upskill on the NES-ENA for consenting and compliance, in addition to implementing changes to other national direction, with appropriate resourcing required. CPOs and EV charging infrastructure developers will have a simplified set of rules, effective nationally, to follow rather than different rules for each district. Non-statutory implementation guidance will assist all system users.

Te Tiriti o Waitangi outcomes	0	0 Obligations to recognise and provide for, or have particular regard for, the values, objectives, strategies, plans or legal status for specific taonga, Māori rights and interests are not affected by this Option, and the NES-ENA does not amend any decision-making and participation arrangements provided under Treaty settlements. However, the increased use of permitted pathways may limit the involvement of tangata whenua. Māori may be affected by these regulations to the extent that EV charging infrastructure is located on Māori land or in proximity of wāhi tapu. Where it does, there may be adverse effects relating to the operation and maintenance of the infrastructure, although permitted activity standards have been proposed only where evidence has shown that any potential effects on section 6 RMA values are not significant. EV charging infrastructure will benefit both Māori and non-Māori who own EVs, and future EV owners.
Overall assessment	0	++

Legend:

++ the Option is much better at achieving the criteria compared to the status quo

+ the Option better achieves the criteria compared to the status quo

- the Option does not adequately achieve the criteria compared to the status quo

What option is likely to best address the problem, meet the policy objectives, and deliver the highest net benefits?

128. Option 2 is the preferred option by officials as it would provide national consistency across the planning system, as well as clarity and certainty that in turn could reduce the time and costs associated with planning and consenting processes for EV charging Infrastructure.
129. The key benefit of this proposal is that it reduces regulatory barriers to install new EV charging infrastructure so we anticipate supply of the units will increase, as well as reduced costs. Environmental effects can be effectively managed using activity standards for effects such as noise, bulk and traffic effects.

Problem 2: Protecting the electricity network from the effects of other activities is more time consuming and costly than it needs to be

Proposal 4 – Introduce National Grid corridor rules and rules to protect the EDN

<i>Objectives</i>	Enable the ongoing protection, operation, maintenance and upgrading of existing transmission and distribution activities.
	Make efficient use of and better protect existing generation capacity, networks and infrastructure.
<i>Proposal</i>	Amend NES-ETA to include regulations for a buffer corridor to protect EDN infrastructure from nearby activities.

Options

Option One – Status Quo – rely on provisions in regional and district plan

130. Policy 11 of the NPS-ET 2008 requires councils to consult with Transpower and identify a buffer corridor to manage the adverse effects from third parties on the ETN, including reverse sensitivity and direct effects. To date, around 70% of district plans have implemented the National Grid corridor policy, while a 27% of councils have commenced processes to give effect to Policy 11.⁵⁶ In 2019, Councils reported that implementing NPS-ET policy 11 was challenging and among the most expensive aspects of NPS-ET implementation.⁵⁷ This has also cost Transpower approximately \$14M to date.⁵⁸
131. The National Grid Corridor Yard and Subdivision rules, developed by Transpower in collaboration with key stakeholders such as Federated Farmers and Horticulture New Zealand has been widely accepted as best practice for the past decade, establishing a framework for activities to safely take place in proximity of the National Grid.
132. However, these rules are yet to be implemented by all councils and there is no national direction providing similar protection for the distribution network, including high voltage lines that perform a similar function to the transmission network. Local plans include policies and rules for distribution activities, but these vary across the country.
133. Option 1 is not preferred as it does not provide a standardised approach for protecting the EN from third party activities.

⁵⁶ Based on analysis of district plans undertaken by Transpower.

⁵⁷ Ministry for the Environment and Ministry for Business, Innovation and Employment, Evaluation of National Policy Statement on Electricity Transmission and National Environmental Standards for Electricity Transmission Activities, April 2019.

⁵⁸ [Strengthening National Direction on Renewable Energy Generation and Electricity Transmission - Submission by Transpower New Zealand.pdf](#).

Option Two – Include buffer rules to protect the National Grid and EDN in NES-ENA

134. This option provides directive National Grid Yard rules, National Grid Subdivision Corridor rules and rules to protect EDN from third parties in the NES-ENA. The rules would complement policy in the NPS-EN.
135. The new regulations would apply nationwide to the exception of the Auckland region, retaining the Auckland Unitary Plan Compromised and Uncompromised Spans. This approach provides an exemption for Auckland from the National Grid Yard and Subdivision corridor rules by retaining the bespoke span by span rules which afford greater development leniency around compromised spans. The rules were developed for the Auckland Unitary Plan by Transpower and Auckland Council.
136. The option to amend NES-ETA also includes ensuring compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 (NZECP 34)⁵⁹. The intent of this proposal is to link protection from electrical safety hazards to planning instruments to ensure development appropriately accommodates risks. Compliance with NZECP 34 will be a core requirement of ensuring the EDN is protected and that direct or reverse sensitivity effects are avoided or mitigated.
137. Collectively, these new rules will provide a comprehensive framework for the protection of the EN, requiring decision-makers to protect the EN by restricting development that compromises the function and operation of the EN. This enables the maximising of the previous investment into the EN to occur and essential health and safety matters to be recognised appropriately.
138. **Appendix D** provides diagrams showing set back distances required from transmission infrastructure.
139. The table below summarises the new rule framework that will protect the National Grid and the EDN.

⁵⁹ NZECP34 is a New Zealand Standard which compliance is required under the Electricity Act 1992. This Standard sets minimum safe distances for overhead electric line installations and other works associated with the supply of electricity to end users. They intend to protect people, property and vehicles from harm or damage from electrical hazards.

Table 4: National Grid rules and electrical safety distances for distribution

Rule framework	Description	Impact
Electricity Transmission Network		
<i>National Grid Yard – Buildings and Structures</i>	Some buildings and structures are permitted within the National Grid Yard as permitted where the size, scale and nature do not present a risk to the National Grid. Conditions include compliance with NZECP 34:2001. Some specific activities are non-complying activities where they have been identified to pose a risk to the National Grid and should generally be avoided.	Prevents sensitive activities from locating beneath or near electrical lines. Ensures compliance with safe distance requirements from electrical lines, ensuring the safety of the users/occupiers and the continuous operation of the ETN.
<i>National Grid Yard – Earthworks, land disturbance and vertical holes</i>	These works would be permitted subject to technical earthworks standards developed in the context of the National Grid yard. Compliance with NZECP 34:2001 is a matter with which compliance is required. Earthworks, land disturbance and vertical holes that do not meet the permitted activity conditions would be a non-complying activity. Transpower would have the power to waive non-compliance with NZECP 34:2001 at their discretion.	Ensures compliance with safe distance requirements from electrical lines, ensuring the safety of those undertaking the activity and the continuous operation of the ETN.
<i>National Grid Subdivision Corridor</i>	Subdivisions in the Subdivision Corridor are restricted-discretionary if two conditions are met: - a building platform for a new dwelling or principal building can be accommodated outside of the National Grid Yard - vehicle access to National Grid assets is maintained. Where the conditions are met, matters of discretion have been proposed. Inability to meet the permitted activity standards triggers a non-complying activity status for subdivisions.	Future-proofing development to ensure safe operation of the ETN.
Electricity distribution network		
<i>Subdivision of a site containing overhead EDN lines</i>	Subdivision in a site containing an overhead EDN line would be a controlled activity if the proposed building, structure or building platform complies with NZECP 34:2001. Where the Code of Practice cannot be met, a discretionary activity resource consent is required. Matters of control have been provided for the controlled activity.	Future-proofing development to ensure safe operation of the EDN.
<i>Earthworks, land disturbance and vertical holes on a site containing overhead EDN lines</i>	These works would be permitted in proximity to EDN lines if they are able to comply with NZECP 34:2001. Where NZECP 34:2001 cannot be met, a discretionary activity resource consent is required. EDBs could waiver NZECP34:2001 compliance at their discretion.	Ensures compliance with safe distance requirements from electrical lines, ensuring the safety of those undertaking the activity and the continuous operation of the EDN.

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Rule framework	Description	Impact
<i>Construction of buildings or structures near overhead EDN lines</i>	New buildings or structures in proximity of an EDN line must comply with NZECP 34:2001 to be a permitted activity. Non-compliance with NZECP 34:2001 triggers a discretionary activity resource consent requirement. EDBs could waiver NZECP34:2001 compliance at their discretion.	Prevents sensitive activities from locating beneath or near electrical lines. Ensures compliance with safe distance requirements from electrical lines, ensuring the safety of the users/occupiers and the continuous operation of the EDN.

How do the options compare to the status quo/counterfactual?

	Option 1 – Status Quo	Option 2 – Establish rules for the National Grid corridor rules and to protect the EDN in the NES-ENA
Effectiveness	0	++ Managing third-party effects through rules in the NES-ENA, to prevent sensitive activities from locating beneath or near electrical lines, is the most effective approach compared to the district-by-district approach of the status quo, as the integrity of the electricity network is paramount to its continuous function and operation across the country. While this reduces the flexibility in assessing individual circumstances in localised plans, these can still be considered at the consenting stage.
Efficiency	0	++ The proposed approach is more efficient for Transpower's operations and for electricity distribution operators to ensure that NZECP 34 is being complied with. The regulations will also reduce costs for applicants and consenting authorities (who will no longer have to develop their own district rules).
System alignment	0	+ These protections align well with policies in the NPS-EN and the NPS for Infrastructure. The development of new rules to control for adverse effects from third parties can carry over to new resource management legislation well, but there could be conflict with the Government's desire to premise planning law off private property rights.
Implementation complexity	0	+ The inclusion of National Grid Yard and Subdivision Corridor rules in NES-ENA is less burdensome on councils as these can be directly incorporated into plans, noting that 70% of Councils have already implemented them While NZECP 34 is already an established standard, which would be reinforced by incorporation into NES-ENA. A few Councils have not implemented the standard yet and will need to devote resources to upskilling for its implementation, whereas Transpower and EDBs are already well familiar with NZECP 34. Non-statutory implementation guidance will support interpretation of regulations for all system users.
Te Tiriti o Waitangi outcomes	0	0 These rules will protect marae and other cultural facilities (which has been recognised as sensitive activities) from electrical risks associated with the network. However, this may restrict the rights of Māori to build or undertake activities on their land where there may be an existing electrical line.
Overall assessment	0	++

Legend:

++ the Option is much better at achieving the criteria compared to the status quo

- + the Option better achieves the criteria compared to the status quo
- the Option does not adequately achieve the criteria compared to the status quo

What option is likely to best address the problem, meet the policy objectives, and deliver the highest net benefits?

140. **Option Two** is likely to best address the problem, as it would improve consistency across the planning system, as well as provide clarity and certainty that could in turn reduce the time and costs associated with planning and consenting processes and reduce the risk of litigation.

What are the marginal costs and benefits of the preferred option in the Cabinet paper?

Electricity sector and Charging Point Operators			
Impact	Summary of impacts	Scale of impacts	Evidence certainty
<i>Additional costs</i>	Learning the new policies and rules.	Medium (one-off) - Transpower told officials it spent \$14M so far implementing Policy 11 of NPS-ET alone. - Members of the sector have spent significant FTE on engagement during the development of these proposals.	Medium Figures for sector wide impacts are unattainable, however discussions with stakeholders are indicative of likely scale.
<i>Additional benefits</i>	Directly reduce consenting costs. Improve regulatory certainty and predictability of outcomes. Accelerate the consenting process.	Medium (ongoing) - Research commissioned by Te Waihanga estimated that direct consenting costs for energy infrastructure equal to around 2.6% of the total energy infrastructure spend. We would expect this value to drop with the changes. - Improved regulatory certainty would reduce the risk profiles of investments, making them more profitable. - Less time spent waiting for consents would provide further monetary benefits.	Medium - Te Waihanga estimates provide an indication of scale. - It is difficult to quantify the scale of benefits resulting from increases in regulatory certainty beyond the direction of the impact.
Expected net impact	Positive Net benefit Overall, we expect the changes will have significant long-term benefits for the sector with the benefits gained from a streamlined and efficient consenting process outweighing upfront costs of a new regime.	High benefit (over medium – long term) Upfront costs of learning the policies and rules will eventually be outweighed by the ongoing benefits of a more efficient system.	High These changes are being advocated for by the electricity sector and CPOs. We expect these businesses to prioritise changes that align overall with their financial interests.
Local communities			
Impact	Summary of impacts	Scale of impacts	Evidence certainty
<i>Additional costs</i>	Local communities are more likely to experience losses to local amenity values. These proposals enable ET and ED activities to disregard the adverse effects imposed on amenity, particularly visual amenity, by new infrastructure. This can have implications on recreation, open space and tourism.	Low/Medium - Loss of amenity, visual effects and other environmental effects from EN activities - Potential limitations on development and land use due to corridor rules	Low There are no estimates available on these costs and information in submission was of qualitative nature. These will depend case-by-case on the type of activity and location.
<i>Additional benefits</i>	Better access to EN and more reliable networks to provide electricity to communities Better access to EV charging infrastructure Reduced risk of exposure to electrical hazards from strengthened EN protection	Medium - Benefits from improved services and infrastructure - Reduced consenting costs could translate in less costs being passed on to consumers	Low Improving the consenting of EN activities will benefit electricity users throughout the country
Expected net impact	Undetermined It will be subjective for different individuals as to whether the benefits of lower electricity prices will outweigh the loss of amenity value.	Medium	Low
Electricity consumers (retail & wholesale)			
Impact	Summary of impacts	Scale of impacts	Evidence certainty
<i>Additional costs</i>	While the changes won't increase costs for electricity consumers directly, the ability for network providers to undertake upgrades and develop new infrastructure may result in some costs being passed on to consumers.	Low	Low

<i>Additional benefits</i>	Electricity consumers will benefit for continuous and upgraded services from the electricity network, given it will be cheaper for electricity network operators to undertake maintenance and upgrade of existing assets and develop new distribution assets.	Medium	Medium
Expected net impact	Relative to the status quo we do not expect significant costs to electricity consumers and overall we expect net benefits for consumers.	Medium	Medium
Central Government			
Impact	Summary of impacts	Scale of impacts	Evidence certainty
<i>Additional costs</i>	Transitional costs for central government to develop the national direction instruments and support implementation (ie, preparing non-statutory guidance).	Medium The total costs for national direction process can be as high as ~\$6M (based on NPS-UD), which includes estimates of government staff time.	High This type of change is not novel, previous amendments give a good indication on the scale.
<i>Additional benefits</i>	Ongoing reduction in future emissions abatement to meet ERP targets (Treasury shadow emissions values – central price path).	High Renewable energy plants built 6 months earlier reduces estimated shadow emissions values by \$193 m compared with the demonstration pathway. <i>*Values are PV estimates for the 2023-2035 period. Estimates are based on decreasing the time to build new renewable generation plants compared with the CCC's demonstration path.</i>	Medium Estimates are based on Treasury shadow emissions prices and Climate Change Commissions modelling for its ERP advice
Expected net impact	Positive Net Benefit Overall, we expect this to result in significant benefits for Central Government. The value of the carbon emissions saved relative to the status quo will considerably outweigh the upfront costs of setting up the new regime.	High The benefit of the carbon emissions saved outweigh the upfront costs of setting up the new regime.	High Given the different scale of the expected costs and benefits we have a high degree of certainty the benefits to Central Government will outweigh the costs.
Local Authorities			
Impact	Summary of impacts	Scale of impacts	Evidence certainty
<i>Additional costs</i>	Transactional costs to become familiar with new policy requirements and incorporate them into council plans. NES provisions must be directly inserted into policy statements and plans without a full plan-making process, which can reduce costs for some councils significantly where there is little conflict in their plans. Operational costs may occur for local authority staff to become familiar with new regulation requirements the NES is gazetted (including transitional requirements). Consenting costs to councils are unknown but are typically charged back to the consent applicant (and therefore form part of the project cost). However, councils will incur non-recoverable costs for monitoring and compliance of activities that do not require resource consent.	Medium The estimated cost to implement NPS-UD and the MDRS by territorial authorities was \$5.68M per annum, however, this is considered a significant underrepresentation in some areas. In terms of the NES-ENA, this will update an existing instrument (rather than a new instrument like NPS-UD), so costs are expected to be smaller, however no evidence is available.	Medium - Analysis of implementation costs per annum was undertaken by NZIER on NPS-UD and MDRS (not on NES-ETA)⁶⁰ - No evidence is available on implementation costs of the NES-ETA
<i>Additional benefits</i>	The options aim to make the consenting process quicker and provide more clarity around the consenting process. This is expected to reduce the overall complexity and burden for local government regulators.	Low/Medium Recurring savings from more consistent and streamlined consenting process.	Low Incorporating industry best practice and proportional approaches relative to routine

⁶⁰ [Cost impact of central government reforms](#). A report for Local Government New Zealand. NZIER. 2024. Page 3.

	More consistent plans will also reduce training costs and barriers to staff moving between entities.		activities will reduce the amount of resources needed to consent these activities.
Expected net impact	Positive Net Benefit Initially the upfront transaction costs upskilling and capacity building will be relatively significant however over the long term we expect that more consistent and streamlined consenting process will balance this out.	Medium Overall a streamlined consenting approach will benefit local authorities	Low Evidence on costs and benefits of the NES-ENA is not available and relies on previous estimates and learnings from other national direction.
Iwi/Māori			
Impact	Summary of impacts	Scale of impacts	Evidence certainty
<i>Additional costs</i>	Additional recurring time costs associated with engaging with EN projects. One off cost associated with submitting on changes. Limitations on development opportunities imposed by regulation (eg, buffer corridors).	Low/Medium - Loss of amenity, visual effects, environmental effects on cultural values from EN activities - Potential limitations on development and land use due to corridor rules	Low There are no estimates available on these costs and information in submission was of qualitative nature. These will depend case-by-case on the type of activity and location.
<i>Additional benefits</i>	Better access to EN and more reliable networks to provide electricity to communities Better access to EV charging infrastructure Reduced risk of exposure to electrical hazards from strengthened EN protection Further opportunities for electrification due to enabling provisions	Medium - Benefits from improved services and infrastructure - Reduced consenting costs could translate in less costs being passed on to consumers	Low Improving the consenting of EN activities will benefit electricity users throughout the country
Expected net impact	Positive Net Benefit Overall, we expect the changes will benefit Iwi/Māori from improved services and infrastructure. The enabling framework will support iwi/Māori aspirations for electrification.	Medium	Low
Environment/ biodiversity			
Impact	Summary of impacts	Scale of impacts	Evidence certainty
<i>Additional costs</i>	Some EN projects may seek to locate in significant environments with effects that are likely to be more than minor. Cumulative effects on the environment resulting from multiple EN or EV charging projects being consented. The specific effects would be assessed and managed on a case-by-case basis based on the consent authority's assessment of the policy direction and the remaining adverse effects and benefits of the specific EN or EV charging project for which consent approval is sought.	Medium to High These are enabling regulations and will increase the presence of EN infrastructure in the natural environment. Officials have been unable to quantify this scale.	Medium MfE have undertaken a high-level assessment of environmental effects and engaged with DoC to support analysis.
<i>Additional benefits</i>	Streamlining the consenting process for electricity networks and EV charging infrastructure is expected to support electrification and reduction in carbon emissions over time.	Medium The regulations will enable electrification and support the transition to renewable energy.	Medium Modelling has been undertaken by the Climate Change Commission⁶¹ in respect of emissions reductions from renewable electricity generated over time. Indirect impacts have been extrapolated to apply to transmission.
Expected net impact	Undetermined It is very difficult to distinguish overall environmental impact as the overall costs will be highly dependent on the nature of each specific project and its adverse effects. It also will require trading off different unrelated factors such as impacts on biodiversity compared to reduction in emissions.	High The impacts of the change will have significant costs and benefits on the environment.	Medium Costs and benefits are relatively clear given the assessments taken by MfE, DoC and the Climate Change Commission.⁶³

⁶¹ [Modelling Energy Costs and Prices](#). A technical note supporting Ināia tonu nei. Climate Change Commission.

Section 3: Delivering an option

How will the proposal be implemented?

NES must be observed and enforced

141. The proposed amendments to NES-ETA will take immediate effect from the commencement date, 28-days after gazettal.
142. MfE will communicate these changes to the public, iwi, hapū and Māori, and councils through formal channels such as press releases and speeches, and informal channels such as emails from MfE to key partners and stakeholders. It will support the implementation of the NES by publishing guidance documents on the NES, and may provide additional support based on stakeholder feedback.

NES implementation in relation to plan changes

143. Section 44A of the RMA sets out how plans must recognise NESs, which local authorities must observe and enforce from when they take effect (sections 44A(7) and (8)). Plans must be amended where they conflict with or duplicate the NES (without using the Schedule 1 process), either within a timeframe specified in the NES or as soon as practicable (but the NES prevails until this is done). Plan change processes can sometimes take several years to complete, and there are 76 territorial authorities in New Zealand with independent plans.
144. Incorporating NES-ENA into RMA plans will not be an issue due to the Government's *Plan Stop*. The Resource Management (Consenting and Other System Changes) Amendment Act 2025 paused the ability for local authorities to carry out plan changes using the Schedule 1 process until 31 December 2027. This is because the Government is replacing the RMA with new planning legislation. The law does not affect private plan changes which may still progress, and other exemptions apply. This means NES-ENA will not be incorporated into RMA plans and will only apply to consenting.
145. Where the NES-ENA provides for district plan rules to be more lenient, especially in the case of electricity distribution and EV charging infrastructure, relevant district plan rules will apply.

NES implementation in relation to resource consents

146. NES-ENA will affect decisions relating to whether a resource consent is required for electricity network activities. Most activities under NES-ENA will be permitted and no resource consent will be required.
147. When determining resource consents under section 104 of the RMA, decision makers must have regard to, subject to Part 2 of the RMA, a relevant NES. This will only affect resource consents for restricted discretionary activities or greater. Most of the time however, activities will default to controlled, when the permitted activity standards cannot be met in the NES-ENA.
148. For the purposes of deciding on a resource consent, a consent authority may 'discount' the adverse effects of an activity if NES-ENA has permitted an activity with that effect. This is referred to as the permitted activity baseline test.
149. Territorial authorities are not required to consider the NES-ENA when they are making recommendations on notices of requirement (section 171 RMA).
150. To assist with implementation, MfE will produce non-statutory guidance on the NES-ENA which will support all system users.

151. Overall, resource users will be able to operate within the NES permitted activity rules, and consenting regime, from the NES commencement date. Rules in district and regional plans that address effects other than those the NES addresses will still apply to electricity network activities.

How will the new arrangements be monitored, evaluated, and reviewed?

152. As a resource management tool, the proposed new national direction and amendments will be administered by MfE. MfE is responsible for monitoring and supporting the implementation and reviewing the effectiveness of the changes, and national direction generally, under the RMA.
153. Where consents are issued because of these changes, the RMA requires monitoring of those consents by local authorities. In terms of compliance and enforcement, data on implementation and operational issues, including enforcement, is already collected at a local level by council compliance teams and at a national level by MfE through its national monitoring system for consents.
154. Information on plan changes, consents and compliance and enforcement, is collected through MfE's national monitoring system (NMS). This information should provide useful insights on the implementation of the NES.
155. As one of the objectives of the amendments is to reduce the number and cost of resource consenting, monitoring data from issued consents should provide information on whether the NES-ENA is achieving this. While data on permitted activities will not be collected, state of the environment monitoring carried out by local authorities could inform an evaluation on any potential environmental outcomes.
156. The NES-ENA is intended to be in effect during the transition to the new planning and environmental management system, and any learnings on its effectiveness or improvements will inform the development of national instruments under the new system.

Appendix A – Regulatory and non-regulatory options previously considered

There have been numerous reviews and consultations informing the proposals in this consultation document, including a review of the effectiveness of NPS-REG, NPS-ET and NES-ETA, which highlighted several limitations and issues. In 2019 the Government decided to strengthen existing national direction on REG and transmission. Public consultation on proposals took place in 2019-2020 through MBIE's discussion document *Accelerating Renewable and Energy Efficiency*.

In 2023 MfE and MBIE sought feedback on proposals to strengthen central government direction for consenting renewable electricity generation and electricity transmission. The following regulatory and non-regulatory options were considered to provide national direction and guidance:

- A. Amendments to existing National Policy Statements
- B. Amendments to existing National Environmental Standards
- C. Ministerial call-in powers
- D. Fast-track consenting
- E. Non-statutory planning guidance.

There was strong support to strengthen national direction on renewable electricity generation and transmission infrastructure. Options C, D and E were discounted due to:

- Inability to address limitations within NPS-ET and NPS-REG or provide clear policy direction on the need to significantly increase renewable electricity generation or transmission capacity (options C and D)
- Limited effectiveness as stand-alone option (option E).

The preferred option was a combination of options A and B:

- amend the NPS-ET to provide a more efficient and certain consenting process while also managing adverse effects on the environment
- amend NES-ETA to improve workability and better enable routine upgrading and maintenance of the ETN.

The April 2023 consultation included an exposure draft of a proposed NPS-ET and proposed amendments to NES-ETA⁶² with two options:

- Option 1 with a consenting pathway aligned with relevant existing national direction (eg, NZ Coastal Policy Statement)
- Option 2 with a more enabling, specific consenting pathway that took precedence over the equivalent effects management provisions in other national direction.

Both options sought to provide:

- clear direction to decision-makers on the national significance of the electricity transmission network and
- recognition that meeting emission reduction targets may require unavoidable adverse effects on areas with significant environmental values.

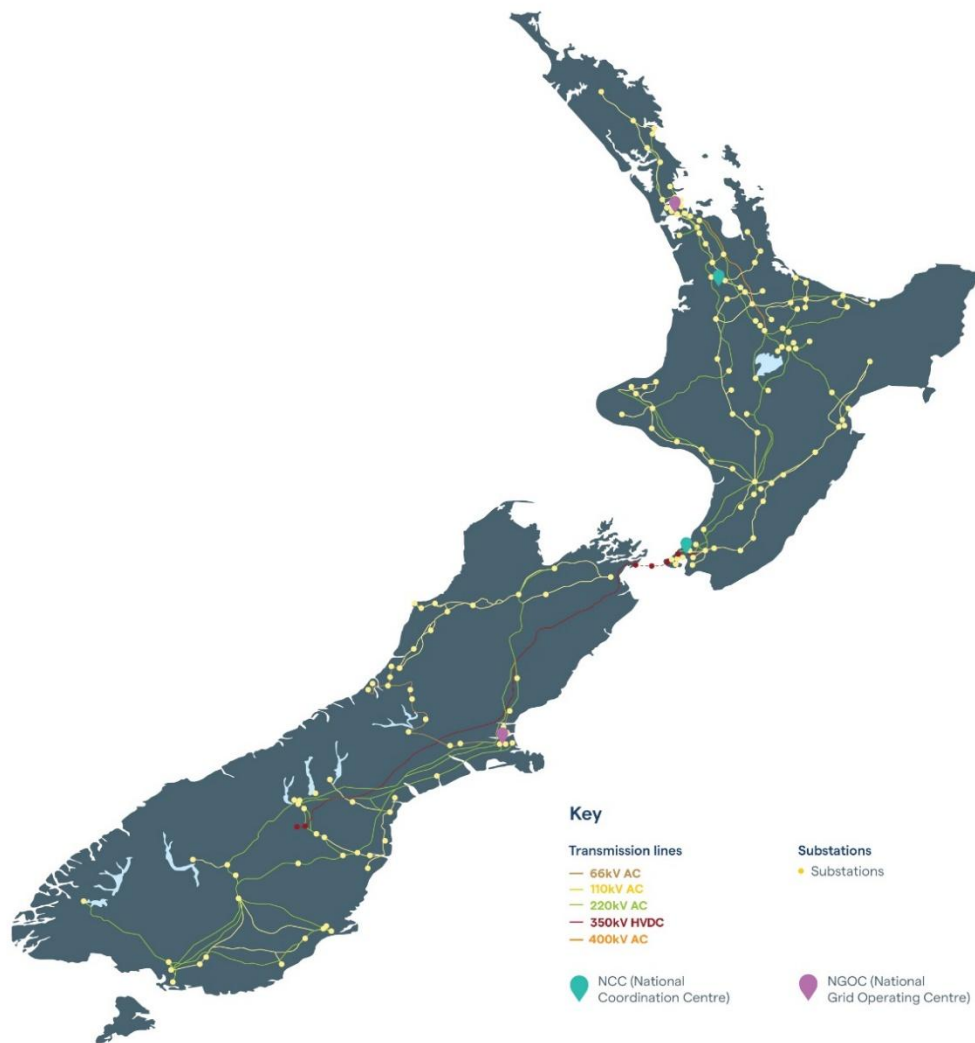
Consultation feedback suggested that the proposals were incomplete and would not meet the objective of providing more enabling and certain policy direction for upscaling electricity networks to meet climate objectives and increased demand, whilst still protecting significant environmental values.

Following the change of government in October 2023 the Electrify NZ work programme was initiated to enable the development of electricity networks by providing more certainty and reduced need for consents. The objectives of this programme were included in the Phase 2 national direction programme.

⁶² <https://www.mbie.govt.nz/dmsdocument/26315-proposed-national-policy-statement-for-electricity-transmission>

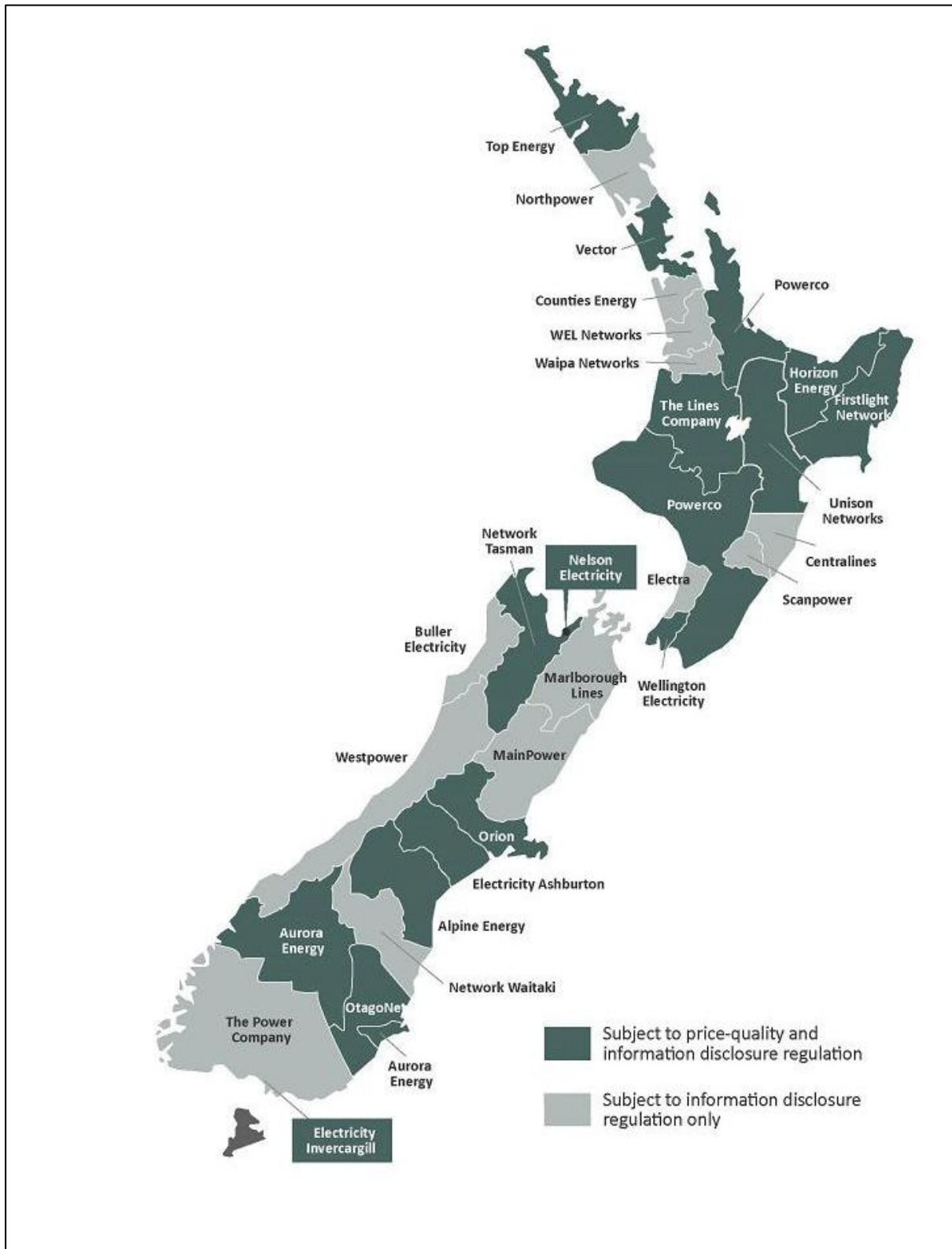
Appendix B - Map of the National Grid in New Zealand

Transpower's transmission network



Source: Transpower

Map of Electricity Distribution Business districts



Source: [Commerce Commission - Electricity distributor map](#)

Appendix C - Evidence of the problem

Source	Evidence of problem
Electricity demand is expected to grow	
1. Electricity Demand and Generation Scenarios: Results summary. Ministry for Business, Innovation and Employment, July 2024.	MBIE forecasts suggest total electricity demand could grow between 35.3 per cent and 82.0 per cent by 2050, reaching 62.1 TWh (terawatt hours) in their reference scenario. By 2050, half of all energy demand will be met by electricity in the scenarios modelled by MBIE.
2. NZ Energy Scenarios TIMES-NZ, Energy Efficiency & Conservation Authority. 2021	Energy Efficiency & Conservation Authority 2021 TIMES-NZ 2.0 modelling suggests strong growth in the demand for electricity, with electrification (the percentage of the country’s energy provided by electricity) reaching between 54 - 59% by 2050.
More transmission infrastructure is needed to meet that demand	
3. Transmission Planning Report. Transpower 2023.	Transpower’s Transmission Planning Report describes proposed investment needs and transmission capability over the next 15 years.
4. Strengthening National Direction on Renewable Energy Generation and Electricity Transmission: Submission by Transpower New Zealand Limited (1 June 2023)	Transpower’s submission explains how the increase in renewable electricity generation requires corresponding growth in transmission infrastructure.
5. New Connection Enquiries . Transpower. [Retrieved 24 February 2025].	Transpower continues to experience a high volume of enquiries to connect to the National Grid.
6. Net Zero Grid Pathways proposal – final decision, 28 February, 2024, Commerce Commission.	Commerce Commission recently gave Transpower approval for an increased level of investment to support electrification and connect renewables.
7. Electricity Networks Aotearoa Briefing to Incoming Energy Minister, November 2023. p. 9	Electricity Networks Aotearoa (ENA) advised the Minister of Energy that the distribution sector is facing significant challenges to providing new connections (for instance, to provide customers connections for industrial process heat, EV charging point connections and new urban development etc). ENA has witnessed a ‘step change’ in the volume of connection inquiries.
8. Te Kanapu Future Grid Blueprint report. Transpower 2025.	Transpower’ proposals for a ‘Grid Blueprint’ to guide transmission infrastructure investment to 2050 and beyond. Demonstrates that electrification of the economy is underway and demand for electricity will continue to increase.
Limitations of the NES-ETA 2009	
9. Ministry for the Environment and Ministry for Business, Innovation and Employment. 2019. Evaluation of the National Policy Statement on Electricity Transmission and National Environmental Standards for Electricity Transmission Activities . Wellington: Ministry for the Environment and Ministry of Business, Innovation and Employment.	This evaluation showed that the NES-ETA was meeting its objectives and that it had a positive impact on facilitating the operation, maintenance and upgrading of the existing transmission network, replaced locally variable rules with a nationally-consistent set of regulations for electricity transmission activities relating to the existing National Grid, reduced the time and cost of resource consent processes. However, the report also identified that the NES-ETA would need to be updated to incorporate changes in technology and to ensure its effectiveness in the context of rising electricity demands. Further, the evaluation concluded that the NES-ETA could better enable current routine maintenance practices with minor environmental effects. Appendix 3 of the report contains an analysis of effectiveness of the NES-ETA for the consenting process, while Appendix 4 contains the NES-ETA issues identified by Transpower, these being: • lack of recognition of benefits of the transmission network and the associated work • lack of provisions for common associated activities (eg, additions of new structures to existing lines or replacing a tower with a pole) • lack of clarity for some definitions and not accounting for technological improvements • overly onerous or arbitrary consenting requirements.

10. Ministry for Business, Innovation and Employment. 2021. National Direction on Renewable Electricity Generation and Transmission – Issues and Options. Wellington: Ministry of Business, Innovation and Employment.

This report identified several issues with the NES-ETA including that:

- It has not kept pace with emerging technology and industry standards.
- The NES-ETA is backwards facing, focused on the operation and maintenance of National Grid activities that became operational after 15 January 2010, rather than the development, operation and maintenance of new National Grid assets and activities.
- There is not an enabling framework for all maintenance activities, and the NES-ETA does not apply in all environments, for example it excludes new support structures (e.g. steel monopoles), certain earthworks and activities in some sensitive areas (e.g. Coastal marine area, lakes and rivers).
- It does not cover third party activities.
- It does not cover high voltage distribution network activities or private grid connections; even though these can have identical environmental effects and national benefits. Some stakeholders, mainly lines companies, have commented that they would like the NES-ETA (and NPS-ET) to cover distribution networks.

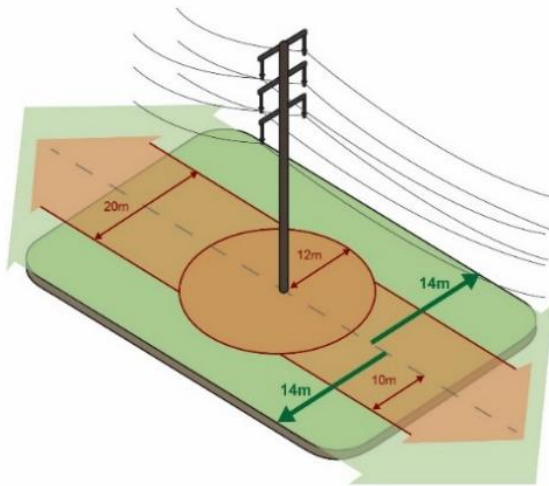
Further, the report identified opportunities for the inclusion of the electricity distribution network in the NES-ENA due to their importance in electrification. Specifically, the report stated that “the benefits of high voltage distribution network lines are only recognised at a local level when considered individually, i.e. only the localised benefits of connecting communities to the electricity network are recognised. However, when considered as part of the wider distribution network, they are important for national energy resilience, connecting remote communities, and form part of a wider network that benefits the national economy. Some large renewable electricity generation is connected directly to local distribution network substations, and this is likely to increase as distributed renewable electricity generation sources become a larger part of the electricity mix”.

Appendix D – National Grid corridor

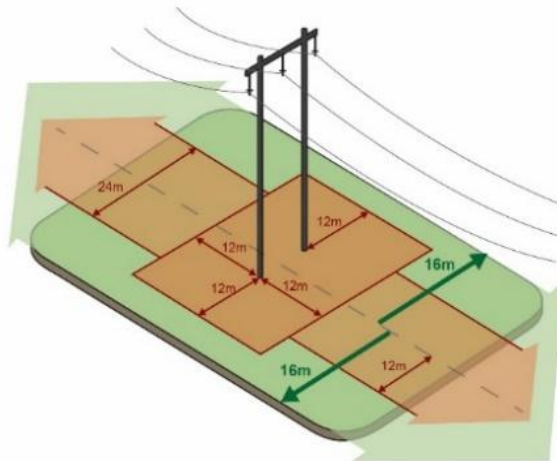
Legend

National Grid Yard	
National Grid Subdivision Corridor	

66kV and 110kV transmission lines on single poles

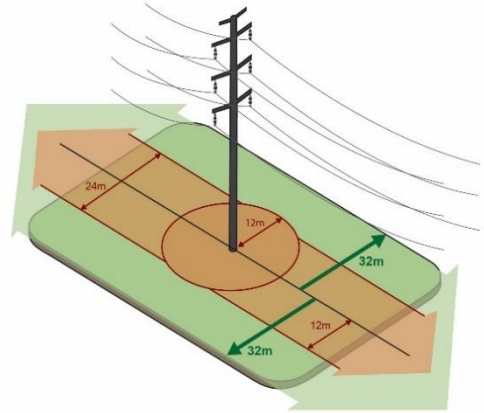
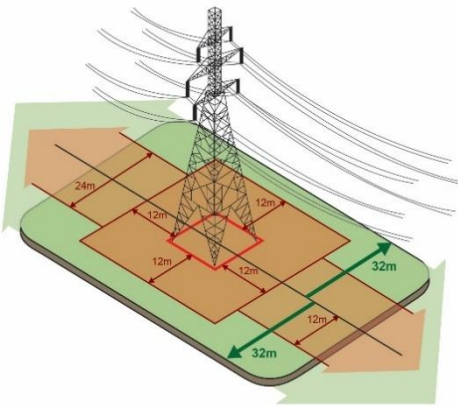


66 kV and 110 kV transmission lines on pi poles

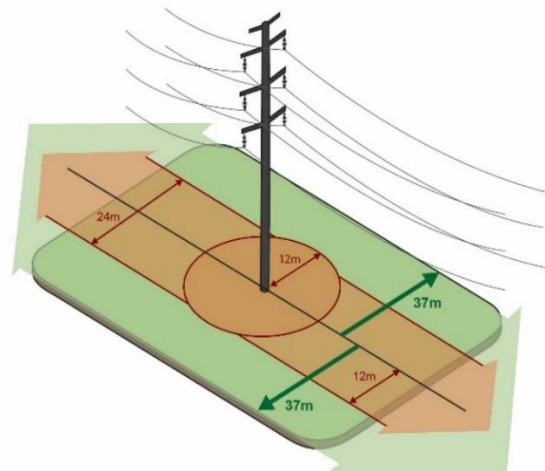
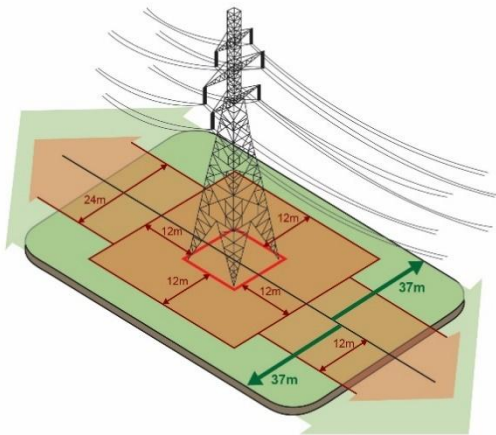


APPENDIX 3

66kV and 110kV transmission lines on steel lattice towers and steel monopoles



220 kV transmission lines on steel lattice towers and steel monopoles



350 kV transmission lines

