

Proposed National Policy Statement on Electricity Transmission [2023]

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Authority

This National Policy Statement is issued by the Minister for the Environment under section 54 of the Resource Management Act 1991.

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New Zealand Government

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Part 1: Preliminary provisions

1.1 Title

- (1) This is the National Policy Statement on Electricity Transmission [date].

1.2 Commencement

- (1) This National Policy Statement comes into force on [to come –the date should be specified and be at least 28 days after the NPS is gazetted].

1.3 Definitions

- (1) In this National Policy Statement:

Act means the Resource Management Act 1991

areas with significant environment values means any or all of the following:

- (a) areas with natural character in the coastal environment:
- (b) outstanding natural features and landscapes, both within and outside the coastal environment:
- (c) areas with historic heritage, including sites of significance to Māori and wahi tapu:
- (d) significant natural areas

commencement date means the date on which this National Policy Statement comes into force, as identified in clause 1.2.

decision-maker means any person exercising functions or powers under the Act

effects management hierarchy means the effects management hierarchy described in clause 3.8

electricity transmission network means the electricity transmission network that:

- (e) 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
- (f) is owned by Transpower New Zealand Limited; and
- (g) is commonly known as the National Grid

ETN activities means any activity required for the operation, maintenance, upgrade, or development of ETN assets

ETN assets means the physical components of the electricity transmission network, along with all access roads and tracks required to operate and maintain those assets

ETN development activities means

- (a) the construction of new ETN assets; or
- (b) the upgrade of, or changes to, ETN assets where the upgrade is not a minor ETN activity and:
 - (i) will or may have more than minor adverse effects on the environment.

minor ETN activities means:

- (a) activities required for or associated with the operation or maintenance of ETN assets; or the upgrade of, or changes to, ETN assets where the upgrade or other change:
 - (i) will have no more than minor adverse effects on the environment over time; and
 - (ii) results in the assets occupying a physical space, in any direction, that is the same as, or is not significantly greater than, the existing ETN assets; and
- (b) includes activities such as vegetation clearance, tree trimming, maintaining and improving access roads and tracks, and replacing structures with like-for like structures

planning decision means a decision on any of the following:

- (a) a resource consent or designation:
- (b) a regional policy statement or proposed regional policy statement:
- (c) a regional plan or proposed regional plan:
- (d) a district plan or proposed district plan.

significant natural area means an area identified in a regional policy statement or plan or through a resource consent process as an area of significant indigenous vegetation or significant habitat of indigenous fauna, following an assessment by a suitably qualified ecologist using ecological significance criteria.

- (2) Terms defined in the Act and used in this National Policy Statement have the meanings in the Act, unless otherwise specified.
- (3) Terms defined in the National Planning Standard issued under section 58E of the Act and used in this National Policy Statement have the meanings in that Standard, unless otherwise specified.

1.4 Relationship with the New Zealand Coastal Policy Statement 2010

- (1) The New Zealand Coastal Policy Statement 2010 prevails over the provisions of this National Policy Statement if there is conflict between them.

1.5 Application of section 55(2A) of Act

- (1) The change to regional plans required by the following clauses are amendments referred to in section 55(2) of the Act (which, because of section 55(2A), means that the changes must be made without using a process in Schedule 1 of the Act):
 - (a) 3.2 (Consideration of national significance and benefits of electricity transmission network):
 - (b) 3.3 (Consideration of operational and functional needs of ETN assets):
 - (c) 3.4 (Recognising and providing for Māori interests in relation to ETN activities)
 - (d) 3.8 (Areas with significant environment values):
 - (e) 3.9 (Areas that are not areas with significant environment values).

Part 2: Objective and policies

2.1 Objectives

The Objective of this National Policy Statement is that the electricity transmission network is developed, operated, maintained, and upgraded in an effective, efficient, and safe manner, while managing adverse effects on the environment.

2.2 Policies

The Policies for electricity transmission are as follows:

Policy 1: The benefits of the electricity transmission network are realised at a national, regional, and local level.

Policy 2: Planning decisions:

- (a) recognise and provide for the national significance of the electricity transmission network; and
- (b) enable ETN activities to occur in a timely and efficient way; and
- (c) recognise and provide for the operational and functional needs of the electricity transmission network.

Policy 3: Minor ETN activities are enabled.

Policy 4: Māori interests in relation to ETN activities are recognised and provided for, including through early engagement and protection of sites of significance.

Policy 5: It is recognised that ETN activities may need to take place in areas with significant environment values and, where adverse effects remain after applying the effects management hierarchy, ETN activities are enabled if the national significance and benefits of the ETN activities outweigh those remaining adverse effects.

Policy 6: In areas that are not areas with significant environment values, ETN activities are enabled provided any adverse effects on the values of those areas, including on local amenity values, are avoided, remedied, or mitigated to the extent practicable.

Policy 7: Reverse sensitivity effects on ETN activities are avoided or mitigated where practicable.

Policy 8: Local authorities facilitate the implementation of medium to long-term plans for the development of the electricity transmission network.

Part 3: Implementation

3.1 Outline of Part

- (1) This Part sets out a non-exhaustive list of things that must be done to give effect to the objective and policies of this National Policy Statement, but nothing in this Part limits the general obligation under the Act to give effect to that objective and those policies.
- (2) In this Part:
 - (a) subpart 1 sets out matters that decision-makers must consider whenever they make planning decisions relating to the electricity transmission network; and
 - (b) subpart 2 sets out how the environmental effects of ETN activities are to be managed.

Subpart 1 - Approaches to implementing this National Policy Statement

3.2 Consideration of national significance and benefits of electricity transmission network

- (1) Every regional council must include the following policy (or words to the same effect) in its regional policy statement and regional plan, and every territorial authority must include it in its district plan:
 - “(1) When making decisions about ETN activities, recognise and provide for:
 - (a) the national significance of the electricity transmission network; and
 - (b) the need for the electricity transmission network to be developed, operated, maintained, and upgraded, in an efficient and timely manner; and
 - (c) the benefits of the electricity transmission network, which include all the following:
 - (i) supporting reductions in greenhouse gas emissions and the accelerated electrification of the economy;
 - (ii) facilitating the development of new renewable electricity generation;
 - (iii) providing secure supply of electricity to communities, homes, and businesses
 - (iv) providing for the economic, social and cultural well-being of people and communities.”

3.3 Consideration of operational and functional needs of electricity transmission network

- (1) Every regional council must include the following policy (or words to the same effect) in its regional policy statement and regional plan, and every territorial authority must include it in its district plan:

“(1) When considering the operational and functional needs of ETN assets to be in particular location, recognise and provide for:

- (a) the need for ETN assets to transport electricity over long distances, including:
 - (i) within and across urban, rural, and coastal environments; and
 - (ii) within valued and sensitive environments; and
 - (iii) across jurisdictional boundaries within and across regions; and
- (b) the need for the electricity transmission network to operate as an interconnected linear system across New Zealand; and
- (c) the requirement for regular maintenance and upgrading of the electricity transmission network.”

3.4 Recognising and providing for Māori interests in relation to ETN activities

- (1) Every regional council must include the following policy (or words to the same effect) in its regional policy statement and regional plan, and every territorial authority must include it in its district plan:

“(1) When making decisions about ETN activities, recognise and provide for Māori interests, including through:

- (c) early engagement with tangata whenua in a way that is meaningful and, as far as practicable, in accordance with tikanga Māori; and
- (d) ensuring that ETN activities on or near sites of significance to tangata whenua (including wahi tapu) are undertaken in a way that provides for the significance of the sites.”

3.5 Considerations for ETN development activities

- (1) When considering the environmental effects of ETN activities, decision-makers must consider the extent to which any adverse effects have been avoided, minimised, or remedied by the route, site, and method selection.

3.6 Facilitating planned development of electricity transmission network

- (1) Regional councils must include objectives, policies, and methods to facilitate long-term planning for investment in ETN assets and the integration of the electricity transmission network with other land uses.

- (2) Decision-makers must recognise that the designation process can facilitate long-term planning for the operation, maintenance, upgrade, and development of the electricity transmission network.

Subpart 2 – Managing effects on the environment

3.7 Minor ETN activities

- (1) Decision-makers must enable minor ETN activities to occur without restriction, except that persons undertaking minor ETN activities must avoid or mitigate adverse effects on the environment where practicable.

3.8 Areas with significant environment values

- (1) Every regional council must include the following policy (or words to the same effect) in its regional policy statement and regional plan, and every territorial authority must include it in its district plan:

“(1) Allow ETN activities in areas with significant environmental values only if:

- (a) there is an operational or functional need for the ETN assets to be located in that area ; and
- (b) the ETN activities are nationally or regionally significant; and
- (c) the effects management hierarchy is applied.

“(2) The effects management hierarchy is as follows:

- (a) adverse effects are avoided where practicable; then
- (b) where adverse effects cannot be avoided, they are minimised where practicable; then
- (c) where adverse effects cannot be minimised, they are remedied where practicable; then
- (d) where more than minor residual adverse effects cannot be avoided, minimised, or remedied, offsetting is provided where practicable then
- (e) if offsetting of more than minor adverse effects is not practicable, compensation is provided; then
- (f) Option 2A (*same rule for all*) if compensation is not appropriate to address any residual adverse effects:
 - (i) the ETN activities must be avoided if the residual adverse effects are significant; but
 - (ii) if the residual adverse effects are not significant, the ETN activities must be enabled if the national significance and benefits of the ETN activities outweigh the residual adverse effects.
- (f) Option 2B (*special rule for significant natural areas*) if compensation is not appropriate to address any residual adverse effects:

- (i) in the case of ETN activities with adverse effects on a significant natural area:

(A) the ETN activities must be avoided if the residual adverse effects are significant; but

(B) if the residual adverse effects are not significant, the ETN activities must be enabled if the national significance and benefits of the ETN activities outweigh the residual adverse effects; and

(ii) in all other areas with significant environment values, the ETN activities must be enabled if the national significance and benefits of the ETN activities outweigh the residual adverse effects.”

“(3) When considering offsetting and compensation, have regard to any relevant principles relating to offsetting and compensation set out in any other National Policy Statement or, if there are no relevant principles in a National Policy Statement, any other relevant nationally or internationally recognised principles.”

3.9 Areas that are not areas with significant environment values

(1) Every regional council must include the following policy (or words to the same effect) in its regional policy statement and regional plan, and every territorial authority must include it in its district plan:

“(1) In relation to areas that are not areas with significant environment values, enable ETN development activities provided the adverse effects of the ETN development activities on the values of the area, including any local amenity values, are avoided, remedied, or mitigated to the extent practicable.

“(2) When considering changes in local amenity values from ETN development activities, recognise that changes in amenity values are not, of themselves, an adverse effect, and that:

(a) changes that may detract from local amenity values appreciated by some people may result in amenity values appreciated by other people; and

(b) the changes are likely to have wider benefits to the wellbeing of people and communities, including future generations.”

3.10 Avoiding reverse sensitivity effects

(1) In order to assist avoiding reverse sensitivity effects on the electricity transmission network:

(a) territorial authorities must identify any ETN assets in their district, whether they are designated or not; and

(b) local authorities must identify in regional and district plans appropriate buffer corridors around ETN assets.

(2) The purpose of buffer corridors is to identify areas in which sensitive activities that might have reverse sensitivity effects on ETN assets or activities (such as residential housing, schools, and hospitals) are generally not provided for in plans, and resource consents are not granted for them.

3.11 Electric and magnetic fields

- (1) Provisions in regional or district plans that deal with electric or magnetic fields associated with the electricity transmission network must be based on International Commission on Non-ionising Radiation Protection Guidelines for limiting exposure to time varying electric magnetic fields (1Hz – 100Hz), (Health Physics 99(6):818-836; 2010) (ICNIRP Guidelines) or any other applicable New Zealand standards.

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Part 4: Timing

4.1 Time by which National Policy Statement to be implemented

- (1) This National Policy Statement applies from the commencement date.
- (2) Provisions required by this National Policy Statement to be inserted into regional policy statements, regional plans, and district plans must be inserted within six months of gazettal.
- (3) All other changes to regional policy statements and regional or district plans that are required to give effect to this National Policy Statement need not be made until the next review of the policy statement or plan.

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