



AGENDA

Ordinary Council meeting Tuesday, 22 July 2025

I hereby give notice that an Ordinary meeting of Council will be held on:

Date: Tuesday, 22 July 2025

Time: 3pm or at the conclusion of the City
Delivery Committee

Location: Tauranga City Council Chambers
L1, 90 Devonport Road
Tauranga

Please note that this meeting will be livestreamed and the recording will be publicly available on Tauranga City Council's website: www.tauranga.govt.nz.

Marty Grenfell
Chief Executive

Terms of reference – Council

Membership

Chair	Mayor Mahé Drysdale
Deputy Chair	Deputy Mayor Jen Scoular
Members	Cr Hautapu Baker Cr Glen Crowther Cr Rick Curach Cr Steve Morris Cr Marten Rozeboom Cr Kevin Schuler Cr Rod Taylor Cr Hēmi Rolleston
Quorum	<u>Half</u> of the members present, where the number of members (including vacancies) is <u>even</u> ; and a <u>majority</u> of the members present, where the number of members (including vacancies) is <u>odd</u> .
Meeting frequency	Three weekly or as required

Role

- To ensure the effective and efficient governance of the City.
- To enable leadership of the City including advocacy and facilitation on behalf of the community.
- To review and monitor the performance of the Chief Executive.

Scope

- Oversee the work of all committees and subcommittees.
- Exercise all non-delegable and non-delegated functions and powers of the Council.
- The powers Council is legally prohibited from delegating include:
 - Power to make a rate.
 - Power to make a bylaw.
 - Power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan.
 - Power to adopt a long-term plan, annual plan, or annual report
 - Power to appoint a chief executive.
 - Power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the local governance statement.
 - All final decisions required to be made by resolution of the territorial authority/Council pursuant to relevant legislation (for example: the approval of the City Plan or City Plan changes as per section 34A Resource Management Act 1991).
- Council has chosen not to delegate the following:
 - Power to compulsorily acquire land under the Public Works Act 1981.
- Make those decisions which are required by legislation to be made by resolution of the local authority.

- Authorise all expenditure not delegated to officers, Committees or other subordinate decision-making bodies of Council.
- Make appointments of members to the council-controlled organisation Boards of Directors/Trustees and representatives of Council to external organisations.
- Undertake statutory duties in regard to Council-controlled organisations, including reviewing statements of intent, with the exception of the Local Government Funding Agency where such roles are delegated to the City Delivery Committee. (Note that monitoring of all Council-controlled organisations' performance is undertaken by the City Delivery Committee. This also includes Priority One reporting.)
- Consider all matters related to Local Water Done Well.
- Consider any matters referred from any of the Standing or Special Committees, Joint Committees, Chief Executive or General Managers.
- Review and monitor the Chief Executive's performance.
- Develop Long Term Plans and Annual Plans including hearings, deliberations and adoption.

Procedural matters

- Delegation of Council powers to Council's committees and other subordinate decision-making bodies.
- Adoption of Standing Orders.
- Receipt of Joint Committee minutes.
- Approval of Special Orders.
- Employment of Chief Executive.
- Other Delegations of Council's powers, duties and responsibilities.

Regulatory matters

Administration, monitoring and enforcement of all regulatory matters that have not otherwise been delegated or that are referred to Council for determination (by a committee, subordinate decision-making body, Chief Executive or relevant General Manager).

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1 OPENING KARAKIA**2 APOLOGIES****3 DECLARATION OF CONFLICTS OF INTEREST****4 BUSINESS****4.1 Submissions on Phase 2 of the Resource Management Reforms - National Direction****File Number: A18389836****Author: Janine Speedy, Team Leader: City Planning****Authoriser: Christine Jones, General Manager: Strategy, Growth & Governance****PURPOSE OF THE REPORT**

1. The purpose of this report is to seek approval for Tauranga City Council (Council) to make submissions regarding Phase 2 of the Resource Management Reforms – National Direction.

RECOMMENDATIONS

That the Council:

- (a) Receives the report "Submissions on Phase 2 of the Resource Management Reforms - National Direction".
- (b) Endorses the following submissions to central Government on Phase 2 of the Resource Management Reforms - National Direction:
 - (i) Submission on Package 1: Infrastructure and Development (Attachment 1)
 - (ii) Submission on Package 2: Primary Sector (Attachment 2)
 - (iii) Submission on Package 3: Freshwater (Attachment 3)

EXECUTIVE SUMMARY

2. On 29 May 2025, central Government released three packages proposing new and amended national policy statement and national environmental standards as part of Phase 2 of the resource management reforms.
3. Central Government is seeking feedback on the following three packages:
 - (a) Package 1: Infrastructure and development
 - (b) Package 2: Primary sector
 - (c) Package 3: Freshwater
4. Submissions on the three packages close on Sunday 27 July 2025.
5. Staff have prepared draft submissions on each package for consideration, which generally supports the proposed amendments, included as Attachments 1-3. The draft submissions also set out specific points to seek clarity on some matters and proposes amendments to improve efficiency and effectiveness, and ensure that adverse effects are appropriately considered.

6. Package 4: Going for housing growth was released on 29 May 2025. The draft submission for Package 4 will be considered separately.

BACKGROUND

7. The Government is taking a phased approach to reforming the resource management system as follows:

Phase 1	Repeal the Natural and Built Environment Act and Spatial Planning Act	Complete
Phase 2	Introduce and pass the Fast-Track Approvals Bill	Complete
	Introduce and pass the Resource Management (Freshwater and Other Matters) Amendment Bill	Complete
	Introduce and pass the Resource Management (Consenting and Other System Changes) Amendment Bill	Select Committee report released.
	Amended and new national policy statements (NPS) and national environmental standards (NES)	Seeking submissions
Phase 3	Repeal and replace the Resource Management Act based on the enjoyment of private property rights	Underway

8. Proposed amendments and new national policy statements and national environmental standards known as ‘national direction’ were released for consultation on 29 May 2025 as part of Phase 2 of the resource management reforms. Submissions close on Sunday 27 July 2025.
9. Central government is seeking feedback on the following national direction that is of relevance to Council:

(a) Package 1: Infrastructure and development

The proposed changes aim to make it easier to plan and deliver infrastructure by making new national direction instruments and amending existing national direction instruments as follows:

- NPS – Infrastructure (new)
- NPS - Renewable Electricity Generation (amended)
- NPS – Electricity Transmission and NES – Electricity Transmission Activities (amended)
- NPS – Telecommunications Facilities (amended)
- NES – Granny Flats (new)
- NES – Papakāinga (new)
- NPS – Natural Hazards (new)

(b) Package 2: Primary sector

The proposed changes aim to enable growth in the primary sector by making changes to existing national direction instruments as follows:

- New Zealand Coastal Policy Statement (amended)
- NPS – Highly Productive Land (amended)
- NES – Marine Aquaculture (amended)
- NES – Commercial Forestry (amended)
- Stock exclusion regulations (amended)
- Amendments to mining and quarrying (amendments to national direction)

It is recommended that Council only submit on matters that are within the functions of territorial authorities and relevant to the Tauranga context. Subsequently, it is recommended that Council does not submit on the NES – Marine Aquaculture, NES – Commercial Forestry, stock exclusion regulations and amendments to mining and quarrying.

(c) Package 3: Freshwater

The Government is seeking feedback on options to amend freshwater national direction to better reflect the interests of all water users and whether changes should be implemented under the existing Resource Management Act 1991 (RMA) or under the new resource management legislation.

(d) Package 4: Going for housing growth

10. Each package requires a separate submission, therefore the draft submission for packages 1-3 are included as Attachments 1-3.
11. Consultation on Package 4: Going for Housing Growth opened on 18 June 2025 and closes on 17 August 2025. A separate submission on Package 4 will be prepared and considered by the City Future Committee on 12 August 2025.
12. The draft submissions generally support the intent of the new and amended national direction instruments as proposed. Particular areas of support include:
 - (a) A consistent policy framework to support more efficient infrastructure decision-making.
 - (b) A consenting pathway for papakāinga and minor residential units, particularly within district plans that currently do not have any relevant provisions;
 - (c) Nationally consistent framework for identifying 'significant risk from natural hazards'.
 - (d) Amendments to the New Zealand Coastal Policy Statement to enable priority activities and provide for their operational as well as functional needs; and
 - (e) Amendments to the National Policy Statement for Highly Productive Plan to unlock urban development capacity by providing for urban growth on Class 3 soils.
 - (f) Amendments to the NPS and NES for freshwater to rebalance freshwater management objectives and Te Mana o te Wai, simplifying wetland provisions and including mapping requirements for drinking water sources.
 - (g) Suggested approach to implementation across all the national direction instruments. That is, that councils are not required to advance plan changes within a specific timeframe to give effect to the national policy statements and that these changes will happen through Phase 3 of the resource management reform. The national direction should primarily be implemented through the resource consent processes.
13. However, the draft submissions also set out a number of specific submission points that seek to clarify the intent of the national direction or seek minor changes to improve efficiency and effectiveness. Ensuring that the national direction is coherent, navigable and achieves the intended purposes through successful implementation.
14. While the majority of the submission points relate to improving the proposed new and amended national direction instruments, there is a theme of submission points that may be of interest to elected members. A number of submission points for Package 1: infrastructure and development, seek wording amendments to policies and rules to ensure that the adverse effects of development are appropriately considered. There is concern that some of the proposed national policy statement policies favour the benefits of infrastructure over localised adverse effects being adequately considered.

STATUTORY CONTEXT

15. Proposed amendments to and development of new national direction is part of Phase 2 of the resource management reforms. It is proposed that Council make submissions on the

national direction as the proposed amendments will impact and influence RMA processes that Council are responsible for, particularly when considering resource consents.

STRATEGIC ALIGNMENT

16. This contributes to the promotion or achievement of the following strategic community outcome(s):

	Contributes
We are an inclusive city	<input type="checkbox"/>
We value, protect and enhance the environment	<input checked="" type="checkbox"/>
We are a well-planned city	<input checked="" type="checkbox"/>
We can move around our city easily	<input checked="" type="checkbox"/>
We are a city that supports business and education	<input type="checkbox"/>

17. The proposed new and amended national direction proposes to provide a clear pathway to plan and deliver infrastructure and development across the city. The proposed national direction for feedback also considers how we manage natural hazards across the city and the management of freshwater.

FINANCIAL CONSIDERATIONS

18. There are no financial considerations associated with this report.

LEGAL IMPLICATIONS / RISKS

19. There are no legal implications to making submissions on national direction to central Government.

TE AO MĀORI APPROACH

20. An overview was provided to Te Rangapu Mana Whenua o Tauranga Moana on the proposed national direction and to seek comments and feedback. Feedback received in the hui has been reflected in the draft submission for NPS – Papakāinga.

21. Staff also attended a hui with Te Puna Kōkiri and Māori landowners to assist tangata whenua interested in making a submission.

CLIMATE IMPACT

22. Central Government proposed to introduce a new NPS for Natural Hazards. The draft submission supports a new NPS for natural hazards, however seeks that there is an explicit requirement to include climate change and that guidance is provided on the climate change scenarios to be used when modelling natural hazards.

CONSULTATION / ENGAGEMENT

23. In preparation of the draft submissions, staff have undertaken internal engagement with teams involved in resource consents, compliance, natural hazards, papakainga development and infrastructure to seek input and feedback on the proposed National Policy Statements and National Environmental Standards. All feedback has been collated and included in the draft submission.

24. Some external engagement was undertaken with other councils on the national direction to identify submission points, which have also been considered as part of the preparation of the submission.

SIGNIFICANCE

25. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
26. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
 - (a) the current and future social, economic, environmental, or cultural well-being of the district or region
 - (b) any persons who are likely to be particularly affected by, or interested in, the matter.
 - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
27. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the matter is of low significance.




ENGAGEMENT

28. Taking into consideration the above assessment, that the matter is of low significance, officers are of the opinion that no further engagement is required prior to Council making a decision.

NEXT STEPS

29. Following endorsement of the submissions included in Attachments 1-3, they will be lodged with central Government.
30. Staff will report back to Council once the final national direction is released.

ATTACHMENTS

1. **Submission on Package 1 - Infrastructure and development - A18457592** [↓](#) 
2. **Submission on Package 2 - Primary sector - A18457599** [↓](#) 
3. **Submission on Package 3 - Freshwater - A18457603** [↓](#) 



Submission

National Direction Package 1: Infrastructure and Development

July 2025

1. Introduction

- 1.1 Tauranga City Council (TCC) welcomes the opportunity to submit on Package 1: Infrastructure and development.
- 1.2 If there is an opportunity, TCC would like to be heard.
- 1.3 We are available to discuss our submission further with you or provide additional information and evidence that would be of assistance. Enquiries should be directed to:

Andrew Mead, Manager: City Planning & Growth

027 763 5762

andrew.mead@tauranga.govt.nz

- 1.4 TCC consents to the publication of this submission.

2. Overview of TCC's submission on Package 1

- 2.1 TCC supports the general intent of the new and amended instruments proposed as part of Package 1, in particular providing:
 - a. A consistent policy framework to support more efficient infrastructure decision-making;
 - b. A consenting pathway for papakāinga and minor residential units, particularly within district plans that currently do not have any relevant provisions; and
 - c. A nationally consistent framework for identifying 'significant risk from natural hazards'.
- 2.2 However, TCC has a number of specific submission points that seek to clarify the intent of the National Direction or seek minor changes to improve efficiency and effectiveness. Ensuring that the National Direction contained in Package 1 is coherent, navigable and achieves its intended purpose is essential in ensuring its successful implementation. In particular TCC seeks:

- a. Wording amendments to policies and rules to ensure that the adverse effects of development are appropriately considered. There is concern that some of the proposed national policy statement policies favour the benefits of infrastructure over localised adverse effects being adequately considered.
- b. Engagement requirements with local authorities through national environmental standards on the location of infrastructure to ensure that the effects of the local community are well considered.
- c. That the NES for Papakāinga enables local authorities to have plan provisions that provide for the aspirations of tangata whenua on whenua Māori. It is acknowledged that every district is different in whether they provide for papakāinga development, however there are some districts such as Tauranga city that have comprehensive rules for papakāinga that have been developed in partnership with iwi and hapu.
- d. Amendments to the requirement in the NPS for Natural Hazards to assess risk for all natural hazards across all probable scenarios listed in the risk matrix as it lacks practicality and may not reflect the nature or available data for certain hazards.

3. Context and background

Tauranga City Council is a high-growth Council and Faces Challenges with Growth Management.

- 3.1 TCC is a high-growth council and faces challenges with growth management. Tauranga is the fourth smallest territorial authority by land area at 135km² and has experienced sustained levels of high growth driven by strong inward migration and to a lesser extent natural population increase. This strong growth is projected to continue in the future. Infrastructure and development are therefore extremely important to provide for growth across the city.

4. Overview of submission structure

- 4.1 This submission is structured in topics as follows:
 - General comments
 - NPS Infrastructure
 - NPS Renewable Electricity Generation
 - NPS Electricity Transmission
 - NES Electricity Transmission Activities
 - NES Telecommunication Facilities
 - NES Granny Flats (Minor Residential Units)
 - NES Papakāinga
 - NPS Natural hazards
- 4.2 Where this submission proposes amendments, these are shown in **red** text as either a **strike-out** for deleted text or **underlined** for additional text.

5. General

- 5.1 TCC would like to note the difficulty with providing feedback on the National Direction within Package 1 in the absence of detailed wording for some instruments. It would be helpful to see exposure drafts to enable us to fully understand the implications and provide feedback.
- 5.2 TCC supports the suggested approach to implementation across all the National Direction instruments. That is, that councils are not required to advance plan changes within a specific timeframe to give effect to the national policy statements and that these changes will happen through Phase 3 of the Resource Management Reform. The National Direction should primarily be implemented through the resource consent processes.
- 5.3 TCC considers that for efficiency and effectiveness, it is important that duplication with other regulatory systems is removed from National Direction. This is also a key theme that has come from Central Government and is discussed further in the Blueprint for resource management reform – A better planning and resource management system 2025¹. However, in contrast to this approach, the proposed amendments to the National Environmental Standards for Electricity Transmission Activities (NES-ETA) seeks to require compliance with the New Zealand Electricity Code of Practice for Electrical Safe Distances 34:2001 within the NES-ETA.
- 5.4 TCC considers that the current suite of National Direction contains conflict and uncertainty, which has led to frustration and litigation over the years. The Government has said that these changes are intended to improve consistency between pieces of National Direction. However:
 - (a) Not all conflicts between competing pieces of National Direction have been resolved. We expect that current hurdles in the consenting and policy making process will remain where parties are required to reconcile conflicting national policy statements; and
 - (b) Given the broad range of National Direction to be amended or introduced, and that drafting of some of the proposed changes is not available, the risk of unanticipated conflicts as a result of these amendments remains.

¹ Paragraph 113-115, page 31-32, Blueprint for resource management reform – A better planning and resource management system 2025, EAG.

6. Infrastructure

6.1 National Policy Statement for Infrastructure (NPS-I) - Specific comments

	Provision	Position	Discussion/Issue	Relief Sought
6.1.1	D9 Infrastructure supporting activities	Support in part	<p>TCC is concerned that the proposed definition of 'infrastructure supporting activities' is overly broad and lacks clarity. As currently drafted, it is unclear what activities are included or excluded, which creates ambiguity around its interpretation and application.</p> <p>Without refinement, the definition is likely to result in inconsistent and uncertain decision-making, with interpretations subject to debate, delays, and potential legal challenge. This undermines the efficiency and effectiveness of planning processes.</p> <p>TCC recommends that the definition be amended to more clearly articulate the scope of <i>supporting or ancillary activities</i> particularly what is meant by activities 'needed to support infrastructure activities'. For example, the definition could specify that such activities must be functionally or operationally connected to the primary infrastructure activity.</p> <p>This clarification would help ensure consistent interpretation and support more efficient planning decision-making.</p>	<p>Amend the proposed definition to read as follows (or similar wording with the same intent): in relation to infrastructure, means activities <u>operationally or functionally</u> needed to support infrastructure activities that are not undertaken by the infrastructure provider or ancillary activities, and may include quarrying activities.</p>
6.1.2	D10 Maintenance and minor upgrade	Support in part	<p>TCC recommends that the definition for 'Maintenance and minor upgrade' should provide for upgrades within the existing buildings or structures bulk, height and location.</p> <p>Including a new clause (e) relating to the <i>bulk, height, and location of buildings and structures</i> would help clarify the physical parameters within which maintenance and minor upgrade activities can occur. This addition would provide greater certainty for both infrastructure providers and decision-makers by explicitly acknowledging that minor changes to the form or placement of structures may be necessary to maintain or improve infrastructure performance.</p> <p>Such a clause would:</p> <ul style="list-style-type: none"> • Support practical implementation of upgrades that require modest physical adjustments; 	<p>Amend the proposed definition as follows (or similar wording with the same intent):</p> <p><u>(e) Maintenance and upgrades within the existing building or structures bulk, height and location.</u></p>

	Provision	Position	Discussion/Issue	Relief Sought
			<ul style="list-style-type: none"> Reduce ambiguity around what constitutes a "minor" upgrade; Potentially avoid unnecessary consenting processes for minor physical changes with limited environmental effects; Better reflect the realities of infrastructure maintenance and upgrade work. 	
6.1.3	D17 Resilience	Support in part	<p>TCC is concerned that the proposed definition of resilience will unintentionally constrain planning decisions that support adaptation and managed retreat of infrastructure in response to climate change.</p> <p>The current proposed wording requires infrastructure to both adapt to changing conditions <u>and</u> retain 'essentially the same or similar level of service.' This dual requirement could limit the ability to pursue more flexible or transformative responses, such as managed retreat, where service levels may need to change in form, scale, or availability to reflect new realities.</p> <p>The definition appears to imply that even if infrastructure is relocated, redesigned, or fundamentally changed, it must still deliver the same level of service as before. This could restrict the scope for resilience strategies that involve service-level trade-offs, such as reducing infrastructure investment in high-risk areas while enhancing services in safer locations.</p> <p>TCC recommends amending the definition by replacing 'and' with 'or' in the final clause. This change would introduce greater flexibility and allow for a broader interpretation of resilience that includes adaptation, transformation, or relocation of services, not just their retention at the same of similar level of service.</p> <p>Such an amendment would clarify that infrastructure can</p> <ul style="list-style-type: none"> adapt to new conditions, retain the same level of service (even without adaptation), or do both, depending on the context. 	<p>Amend the proposed definition as follows: the capacity of infrastructure to absorb a shock, including from natural hazards; recover from the disruption; adapt to changing conditions, including climate change; and <u>or</u> retain essentially the same or similar level of service as before, even if that means delivering an infrastructure service in a new or different way.</p>

	Provision	Position	Discussion/Issue	Relief Sought
			This would explicitly support resilience strategies that involve service-level changes as valid responses to climate risk, including managed retreat where appropriate.	
6.1.4	D21 Strategic planning document	Support in part	TCC considers that the definition should refer to non-statutory growth plan or strategy developed through a consultation process under the Local Government Act. These planning documents reflect a high level of community engagement and democratic legitimacy, ensuring that infrastructure planning aligns with local needs, values, and priorities. Accordingly, TCC requests an amendment to the definition to recognise this.	Amend the definition as follows: includes: (a) Future development strategies under the NPS-UD; (b) any non-statutory growth plan or strategy <u>that has been consulted on under the Local Government Act 2002 and is adopted by local authority resolution</u> ; and (c) Long-term plans and infrastructure strategies under the Local Government Act 2002.
6.1.5	New definition: Infrastructure Provider	Support in part	The term “infrastructure provider” is used throughout the proposed NPS-I but is currently undefined. Given the wide range of entities that may be involved in planning, delivering, or operating infrastructure, a definition is essential to ensure consistent interpretation. Defining this term will provide clarity for decision-makers and support the effective implementation of the NPS-I.	Amend the NPS to introduce a definition of “Infrastructure provider”.
6.1.6	OB1	Support in part	TCC considers that the proposed objective appropriately captures the broad range of outcomes sought for infrastructure. It effectively encompasses key goals such as supporting community well-being, enabling development, enhancing resilience, ensuring timely and efficient delivery, and protecting infrastructure from incompatible activities. However, while TCC agrees that infrastructure delivering “ <i>value for money to people and communities</i> ” is a valid and important outcome, the proposed NPS-I lacks clarity on how this concept should be interpreted within the context of the Resource Management Act (RMA). It is important that the assessment of “value for money” extends beyond purely financial	Amend the NPS to include a clear explanation or guidance on the interpretation of the term: ‘value for money’.

	Provision	Position	Discussion/Issue	Relief Sought
			<p>considerations to include relevant social, cultural, and environmental factors.</p> <p>Accordingly, TCC requests that the NPS provide a clear explanation or guidance on the interpretation of clause (e) of the objective. This will support consistent understanding and implementation across planning and infrastructure decision-making processes.</p>	
6.1.7	P1 Providing for the benefits of infrastructure	Support in part	<p>TCC supports the proposed policy’s emphasis on planning decisions recognising and providing for the benefits of infrastructure. Policy 1 appropriately identifies a wide range of benefits, including supporting well-being, enabling development, delivering essential services, improving environmental outcomes, contributing to emissions reduction, and enhancing resilience to climate change and natural hazards.</p> <p>However, like proposed OB1, the proposed policy includes terms (i.e. services that are essential to support human life and value for money) which would benefit from a clear explanation or guidance on the intended interpretation. This will help ensure consistent understanding and implementation across planning and infrastructure decision-making processes.</p> <p>In addition, TCC is concerned proposed clause (2) favours the benefits of infrastructure over localised adverse effects being adequately avoided, remedied or mitigated. While TCC supports the policy direction requiring the benefits of infrastructure to be recognised, this should be done while avoiding, mitigating or remedying adverse effects.</p>	<p>Amend the NPS to include a clear explanation or guidance of the following terms:</p> <ul style="list-style-type: none"> • Services that are essential to support human life; and • Value for money. <p>AND</p> <p>Amend clause (2) to read as follows: When making planning decisions about infrastructure, ensure that the widespread, dispersed, and ongoing national, regional, or local benefits of infrastructure are recognised and provided for relative to while avoiding, remedying or mitigating any localised adverse effects on the environment.</p>
6.1.8	P2 Operational need or functional need of infrastructure to be in particular environments	Support in part	<p>TCC recognises that in some instances there is a functional need and / or operational need for infrastructure to be in particular environments. While TCC considers that the proposed policy clearly emphasises that matter, it lacks balance in terms of the need for adverse effects associated with the infrastructure in a particular environment to be adequately avoided, remedied or mitigated. TCC requests that a clause is included within the proposed policy that sets out how operational need or functional need is to be balanced against other values (e.g. cultural; landscape; ecological) of a particular environment.</p>	<p>Amend Policy 2 by introducing a new clause as follows:</p> <p>(f) While avoiding, remedying or mitigating adverse effects on the environment.</p>

	Provision	Position	Discussion/Issue	Relief Sought
6.1.9	P3 Considering spatial planning	Support	TCC supports the requirement for decision-makers to have regard to spatial and strategic infrastructure plans when making planning decisions. These plans provide a coordinated, long-term view of infrastructure and land use needs, helping to ensure that development is efficient, integrated, and aligned with community priorities.	Retain the policy as proposed.
6.1.10	P4 Enabling the efficient and timely operation and delivery of infrastructure activities	Support in part	<p>TCC supports the intent of the proposed policy, which focuses on enabling the efficient, timely, and resilient delivery of infrastructure. The policy appropriately recognises the importance of innovation, cross-boundary coordination, and the effective use of existing infrastructure. TCC also supports the emphasis on continuous improvement in service delivery and environmental outcomes.</p> <p>However, TCC is concerned that clause (1)(f)(i) focuses solely on upgrading the resilience of existing infrastructure and does not provide direction to ensure that new infrastructure is designed and delivered to be resilient from the outset. This is inconsistent with the outcome sought in proposed Objective OB1 (d), which refers to infrastructure being “<i>well-functioning and resilient</i>”. Accordingly, TCC recommends an amendment to align the policy with the objective by requiring new infrastructure to be resilient to the effects of climate change and natural hazards.</p> <p>TCC is concerned that clause (2)(a) unduly limits the ability of decision-makers to influence or decline the proposed location of infrastructure. While it is appropriate for infrastructure providers to identify preferred sites, the policy must preserve councils’ discretion to assess local context, community impacts, and environmental considerations. A more collaborative approach is needed to ensure infrastructure delivery aligns with broader objectives for well-functioning urban environments.</p>	<p>Amend Policy 4 by introducing a new clause as follows:</p> <p><u>(4) Planning decisions must ensure that new infrastructure is designed and delivered to be resilient to the effects of climate change, natural hazards, and other foreseeable disruptions.</u></p> <p>Amend clause (2) (a) as follows:</p> <p>(2) When making planning decisions on infrastructure activities, decision-makers must:</p> <p>(a) recognise it is the role of the infrastructure provider to identify the preferred location for the infrastructure activity; <u>and show how the acceptability of that location addresses the adverse effects and whether adverse effects can be avoided, remedied, or mitigated.</u></p>
6.1.11	P5 Recognising and providing for Māori rights and interests	Support	<p>TCC supports the intent of the proposed policy direction which is that decision-makers (and applicants as appropriate must):</p> <ul style="list-style-type: none"> engage early with iwi / Māori take into account the values and aspirations of iwi / Māori for infrastructure activities at any scale 	Retain the policy as proposed.

	Provision	Position	Discussion/Issue	Relief Sought
			<ul style="list-style-type: none"> provide opportunities for iwi / Māori involvement in decision-making, including in relation to sites of significance to Māori and issues of cultural significance operate in a way that is consistent with iwi participation legislation. 	
6.1.12	P6 Assessing and managing the effects of proposed infrastructure activities on the environment	Support in part	TCC supports the intent of the proposed policy, and particularly the requirement for operational need requirements of infrastructure activities to be considered when assessing and managing adverse effects. However, TCC is concerned that clauses (a), (b) and (e) will be used to justify inadequate management (i.e. avoidance, remediation, mitigation) of adverse effects. Amending these clauses will help ensure that infrastructure needs are balanced with the management of adverse effects.	<p>Amend the Policy 6 as follows:</p> <p>(a) have regard to the extent to which adverse effects have been avoided, remedied, mitigated or minimised (as applicable) through <u>location</u>, route, site, design and construction method selection.</p> <p>(b) consider the technical and operational requirements and constraints of infrastructure activities, <u>while ensuring these do not compromise the effective management of adverse effects;</u></p> <p>(e) consider the financial and timing implications of mitigation measures and consent conditions to ensure these are proportionate and cost-effective, <u>while ensuring that cost-effectiveness does not override the need for the management of adverse effects.</u></p>
6.1.13	P7 Operation, maintenance and minor upgrade of existing infrastructure	Support in part	<p>TCC supports the intent of the proposed policy which seeks to ensure that existing infrastructure can continue to function efficiently, while managing adverse effects. However, TCC is concerned that adverse effects are only managed '<i>where practicable</i>'.</p> <p>This proposed approach introduces uncertainty into the decision-making process and could allow adverse effects to go unaddressed if deemed impractical to manage. To avoid this outcome, TCC requests that the terms '<i>where practicable</i>' are deleted.</p>	<p>Amend Policy 7 as follows:</p> <p>Planning decisions must enable the efficient operation, maintenance and minor upgrade of existing infrastructure in all environments and locations, provided that adverse effects are avoided where practicable, remedied where practicable, mitigated where practicable.</p>

	Provision	Position	Discussion/Issue	Relief Sought
6.1.14	P8 Managing the effects of new infrastructure and major upgrades on environmental values	Support in part	<p>TCC is concerned that:</p> <p>a) The proposed NPS-I and the proposed policy (which explicitly states does not cover Section 6 matters) lacks direction for how adverse effects on matters of national importance under section 6 of the RMA should be managed when giving effect to the NPS-I. Without direction in the NPS-I, section 6 matters will need to be considered and resolved on a case-by-case basis, leading to uncertainty, delays, and inconsistent outcomes.</p> <p>Including clear policy direction on section 6 matters within the NPS-I would support faster, more consistent, and efficient decision-making, while ensuring they receive the appropriate level of protection. This could be achieved by deleting the text which excludes section 6 matters from the policy); and</p> <p>b) The proposed approach for adverse effects to only be avoided, remedied or mitigated, where practicable. This approach introduces uncertainty into the decision-making process and could allow adverse effects to go unaddressed if deemed impractical to manage. To avoid this outcome, TCC requests that the terms 'where practicable' are deleted.</p>	<p>Amend Policy 8 as follows:</p> <p>Planning decisions must enable new infrastructure or major upgrades of existing infrastructure, provided that adverse effects on environmental values (not in section 6 or covered by national direction) are avoided where practicable, remedied where practicable, mitigated where practicable.</p>
6.1.15	P9 Planning for and managing the interface and compatibility of infrastructure with other activities	Support in part	<p>Council supports the intent of the proposed policy which focuses on managing the interface and ensuring infrastructure and other activities are as compatible as practicable. TCC supports the framework provided by proposed sub-section 2 of Policy 9, which includes engagement with infrastructure providers and identifies potential planning methods (e.g. buffers; zoning; design standards) to implement proposed sub-section 1 of Policy 9.</p> <p>However, TCC considers that the effectiveness and implementation of the policy could be improved if the buffers considered appropriate for infrastructure (e.g. regional airports; ports; state highway; transmissions lines; gas lines, railways) were set at a national level. This should address how buffers apply to existing and proposed infrastructure and whether the</p>	<p>Provide national direction on the appropriate buffers for existing and proposed infrastructure.</p>

	Provision	Position	Discussion/Issue	Relief Sought
			approach should be differentiated given the likelihood that applying buffers to existing infrastructure is likely to be more complex particularly where they may extend over existing development. Accordingly, TCC requests that national direction on the appropriate buffers be developed through a collaborative process with local government and other stakeholders.	
6.1.16	P10 Assessing and managing the interface between infrastructure and other activities	Support in part	TCC supports the intent of the proposed policy which identifies that some change in amenity values is necessary and acceptable to support well-functioning urban environments. However, as proposed, the requirement (in Policy 10 sub-clause 1(a)) for listed 'typical effects' to be recognised where practical but not completely avoided introduces uncertainty and could allow adverse effects to go unaddressed if deemed impractical to manage. To avoid this outcome, TCC requests that the term <i>'where practicable but not completely avoided'</i> is deleted.	Amend Policy 10(1)(a) as follows: recognise that noise, vibration, dust and visual effects are all typical effects associated with infrastructure activities that can be managed where practicable but not completely avoided;
6.1.17	Matters for consideration Relevance of NPS-I objectives and policies to decisions on resource consent applications and notices of requirement	Support in part	TCC is concerned that the NPS-I will not be a relevant consideration in the section 104D threshold test for non-complying activities under the RMA. By being confined solely to the objectives and policies of regional or district plans, the threshold test may not reflect the strategic importance, need or benefits of infrastructure. Accordingly, TCC requests that the NPS-I is amended to enable its recognition as a relevant consideration for section 104D assessments.	Amend the NPS to include specific direction that the NPS-I should inform the interpretation of objectives and policies in regional and district plans, especially where infrastructure-related provisions are relevant to non-complying activities.

6.2 National Policy Statement for Renewable Electricity Generation (NPS-REG) - Specific comments

	Provision	Position	Discussion/Issue	Relief Sought
6.2.1	Definitions - General	Support	TCC supports the use of consistent terminology across the resource management system and where relevant to include relevant meanings for defined terms from other existing legislation.	Retain

	Provision	Position	Discussion/Issue	Relief Sought
6.2.2	D3 Community-scale REG (renewable energy generation)	Support in part	TCC supports the inclusion of this new definition, however the definition requires further refinement to ensure there is clarity on what is considered a 'community'. Using the term 'community' is far too broad and could be applied to anything ranging from 2 houses to a town of 100,000 people.	Amend the definition to clarify the scope and scale of 'community-scale' to improve consistent implementation.
6.2.3	D6 Environmental footprint	Support in part	TCC supports the inclusion of the new definition to assist with interpreting proposed policy 4, however including 'environmental' in the title of the definition does not seem appropriate as it gives a different connotation than the footprint of a structure. It infers that the definition captures other effects. Further clarification is also sought on the spatial extent that would apply to an existing REG activity. An example is provided in the reasons that this would include the repowering of a wind farm, however it is unclear would be the spatial extent of that windfarm.	Amend the title of the definition to better reflect what is being defined. AND AMEND to further clarify the spatial extent of the footprint.
6.2.4	D8 Existing renewable electricity generation site (REG site)	Oppose	It is unclear how this new definition will add clarity and why it is required, when there is an existing definition of 'site' in the National Planning Standards. The reasoning is that this definition is used in policies B, P3, P4 and D, however when looking at these proposed policies this definition does not appear to be used, therefore it is unnecessary.	Delete the proposed new definition.
6.2.5	D12 Renewable electricity generation activities (REG activities)	Support	TCC supports the definition where it clearly sets out the electricity networks that are excluded from the definition as the NPS-EN applies to these operators.	Retain definition as proposed.
6.2.6	D13 Renewable electricity generation assets (REG assets)	Support	TCC supports this definition as it clarifies that it includes the connection between generation and the electricity distribution/transmission network.	Retain definition as proposed.
6.2.7	D14 Repowering	Support in part	TCC supports the definition but seeks clarification on whether 'repowering' includes moving a structure or adding additional structures.	Amend definition to clarify whether this includes moving or adding structures.

	Provision	Position	Discussion/Issue	Relief Sought
6.2.8	D15 Resilience of renewable electricity generation assets	Support in part	<p>It is noted that while the word 'resilience' is used in policies A and P4, 'resilience of renewable electricity generation assets' is not. Therefore this definition does not apply to policies A and P4.</p> <p>TCC is concerned that the proposed definition of resilience will unintentionally constrain planning decisions that support adaptation and managed retreat of infrastructure in response to climate change.</p> <p>The current proposed wording requires infrastructure to both adapt to changing conditions <u>and</u> retain "<i>essentially the same or similar level of service.</i>" This dual requirement could limit the ability to pursue more flexible or transformative responses, such as managed retreat, where service levels may need to change in form, scale, or availability to reflect new realities.</p> <p>The definition appears to imply that even if infrastructure is relocated, redesigned, or fundamentally changed, it must still deliver the same level of service as before. This could restrict the scope for resilience strategies that involve service-level trade-offs, such as reducing infrastructure investment in high-risk areas while enhancing services in safer locations.</p> <p>TCC recommends amending the definition by replacing "<i>and</i>" with "<i>or</i>" in the final clause. This change would introduce greater flexibility and allow for a broader interpretation of resilience that includes adaptation, transformation, or relocation of services, not just their retention at the same of similar level of service.</p> <p>Such an amendment would clarify that infrastructure can</p> <ul style="list-style-type: none"> • adapt to new conditions, • retain the same level of service (even without adaptation), • or do both, depending on the context. <p>This would explicitly support resilience strategies that involve service-level changes as valid responses to climate risk, including managed retreat where appropriate.</p>	<p>Reconsider the definition in the context of policies A and P4.</p> <p>AND</p> <p>Amend the proposed definition as follows: the capacity of infrastructure to absorb a shock, including from natural hazards; recover from the disruption; adapt to changing conditions, including climate change; and <u>or</u> retain essentially the same or similar level of service as before, even if that means delivering an infrastructure service in a new or different way.</p>
6.2.9	D16 Reverse sensitivity	Support in part	<p>Reverse sensitivity is relevant for other infrastructure, therefore the definition should be described/identified consistently across</p>	<p>Amend to ensure a consistent definition/description of reverse sensitivity</p>

	Provision	Position	Discussion/Issue	Relief Sought
			national direction instruments to improve efficiency and implementation.	across multiple instruments as this is an issue for other infrastructure national direction.
6.2.10	Policy B Considering cumulative gains and losses of renewable electricity generation capacity	Support in part	Further consideration is required on how the amended policy will be 'weighed up' against other national policy statements such as the National Policy for Urban Development. Avoiding, where practicable, any loss of REG output from a region, district or existing REG assets would also capture small-scale on-site solar/wind production. It is unclear how this policy will be considered where there is an intensification project that meets the requirements of the NPS-UD where there is a small-scale REG that is impacted. An example would be a proposed apartment development enabled in a High Density Residential Zone which shadows the roof of a neighbouring a single storey residential development which has solar panels. Consider whether this needs to be more scale focused.	Amend to resolve any conflicts with NPS-UD/intensification directives.
6.2.11	Policy C1 Operational need or functional need for REG activities to be in particular environments.	Support	Clarifying 'operational need' and 'functional need' will improve implementation.	Retain as proposed.
6.2.12	Policy D Protecting existing REG assets from other activities	Oppose	The proposed amendments to use 'must' provides a strong directive, which is then watered down by using 'to the extent reasonably possible'. The proposed policy appears fraught and results in a lack of clarity in the policy. The policy also includes all REG activities, which is considered to include small-scale REG. This could create a conflict where individual property owners seek to protect their private small-scale REG investment at the expense of community growth objectives.	Retain existing wording of Policy D.
6.2.13	Policy F Small-scale and community-scale REG activities	Support in part	As set out above, the use of 'must' provides a strong directive to recognise and provide small-scale and community-scale REG activities. While this is supported when consenting these	Amend to reconsider the wording of the policy.

	Provision	Position	Discussion/Issue	Relief Sought
			activities, it is unclear how this would be balanced with other development as set out in Policy D.	
6.2.14	P1 Policies related to Māori interests	Support	TCC supports a policy that recognises and provides for Māori interests in relation REG activities.	Retain as proposed.
6.2.15	P2 Enabling REG activities	Support in part	<p>The proposed policy (which explicitly states does not cover Section 6 matters) lacks direction for how adverse effects on matters of national importance under section 6 of the RMA should be managed when giving effect to the NPS-REG.</p> <p>The proposed approach for adverse effects to only be avoided, remedied or mitigated, where practicable. This approach introduces uncertainty into the decision-making process and could allow adverse effects to go unaddressed if deemed impractical to manage. To avoid this outcome, TCC requests that the terms 'where practicable' are deleted.</p>	Amend to remove 'where practicable' and reconsider excluding section 6 matters.
6.2.16	P4 Reconsenting, upgrading and repowering existing REG assets	Support in part	Clause (c) seeks to provide flexibility for changes to consent conditions. It is unclear under what scenario a condition of consent could provide flexibility without also enabling a greater level of uncertainty. Therefore, it is unclear how this clause would work for consent conditions in reality, with councils being clear on the effects that the flexible consent condition may have.	Amend to delete clause (c).
6.2.17	IM1 Giving effect to the NPS-REG in regional policy statements, regional and district plans, and changes to these documents	Support in part	TCC supports that there is no timeframe to prepare a plan change to give effect to the NPS-REG. Given that the Expert Advisory Group Blueprint sets out that there will be national standardised provisions, it seems inappropriate to require a plan change to give effect to this NPS. It is more appropriate for the Resource Management reforms to provide the standardised provisions to implement into their relevant instruments.	Amend to remove any requirements for a plan change to give effect to the NPS-REG.
6.2.18	Implementation measure - Relevance of NPS-REG objectives and policies to decisions on resource consent applications and	Support in part	<p>TCC supports that the NPS-REG will apply to decision making on resource consents. TCC seeks alternative wording however to align with commonly used language under the RMA where resource consents must 'have regard' to the NPS-REG.</p> <p>Similar to TCC's submission points on NPS-Infrastructure, there is concern that the NPS-REG will not be a relevant consideration in the section 104D threshold test for non-complying activities under the RMA. By being confined solely to the objectives and</p>	<p>Amend to 'have regard' rather than 'be relevant'</p> <p>AND</p> <p>Amend the NPS to include specific direction that the NPS-REG should inform the interpretation of objectives and policies in regional and district</p>

	Provision	Position	Discussion/Issue	Relief Sought
	notice of requirements		policies of regional or district plans, the threshold test may not reflect the strategic importance, need or benefits of REG. Accordingly, TCC requests that the NPS-REG is amended to enable its recognition as a relevant consideration for section 104D assessments.	plans, especially where REG provisions are relevant to non-complying activities.

6.3 National Policy Statement on Electricity Transmission (NPS-ET) [National Policy Statement for Electricity Networks (NPS-EN)] - Specific comments

	Provision	Position	Discussion/Issue	Relief Sought
6.3.1	General	Support in part	TCC supports the intent of the proposed amendments to increase the resilience of the electricity network and security of supply as demand increases. TCC seeks that the NPS-EN ensures that the adverse effects of electricity networks are appropriately considered, including in urban areas where projects can have significant effects on large communities.	Amend where necessary the NPS-ET (proposed NPS-EN) to provide greater balance for decision-makers when managing adverse effects.
6.3.2	D3 Customer Driven Projects	Oppose	It is unclear why this definition is required if it is only to apply to another definition and why it matters who wants the project to be undertaken. One reason was to exclude the National Policy Statement – Renewable Energy Generation, however exclusion should be set out in the implementation section of the national policy statement.	Delete definition D3 Customer Driven Projects.
6.3.3	D4 Decision-makers	Support in part	The definition for decision-makers in the NPS-I and NPS-REG reads - 'any person exercising functions or powers under the Act'. The definitions should be the same to provide consistency across all planning instruments.	Amend the definition of 'decision-makers' – means all those persons making planning decisions under this National Policy Statement. <u>any person exercising functions or powers under the Act.</u>
6.3.4	D5 Electricity distribution network (EDN)	Support in part	The definition should not include the words - 'because those terms are defined in section 2 of the Electricity Act 1992'.	Amend the definition to delete the words - because those terms are defined in section 2 of the Electricity Act 1992.

	Provision	Position	Discussion/Issue	Relief Sought
			If the intention is to also define 'electricity distributor' and 'electricity operator', those terms should be included in the NPS, rather than referring to another piece of legislation. Additionally, the proposed definition is too wide-ranging and broad for local authorities to manage. The definition should be amended to clarify the specific aspects of the electricity network that is within scope of the NPS.	AND Amend the definition to refine the aspects of electricity distribution that the NPS-ET applies to.
6.3.5	D7 Electricity transmission network (ETN)	Support in part	Support the inclusion of the definition, however to provide clarity on what is considered ancillary, the 'ancillary EN activities' should be included if this is the intent.	Amend the definition to link with the definition of ancillary EN activities.
6.3.6	D8 Electricity network activities (EN activities)	Support in part	TCC supports definitions that are consistent across national planning instruments. Further consideration should be given to ensuring consistency in terminology with the proposed NES-ENA.	Amend where necessary to ensure consistent terminology and definitions across the NPS-EN and NES-ENA.
6.3.7	D9 Electricity network assets (EN assets)	Support in part	The definition is not very specific in terms of the assets that comprise the electricity network, especially considering that other definitions provide for or reference 'EN assets'.	Amend the definition to clarify aspects of the EN that are assets.
6.3.8	D10 Electricity network development activities (EN development activities)	Support in part	The reasons for this definition state that the intent is to distinguish between routine and non-routine activities, but that is not clear in the definition. The reasons set out which policies that this definition apply to, however these policies do not include the definition. Therefore it is not clear where this definition applies.	Amend the definition to clarify that EN development activities only relates to non-routine activities and new lines or assets AND Review where this definition applies.
6.3.9	D13 Non-routine electricity network activities (non-routine EN activities)	Oppose	TCC acknowledges that the government seeks to distinguish between routine and non-routine EN activities to enable infrastructure upgrades, however, TCC is concerned that the introduction of these definitions will create unnecessary confusion and complexity. The definitions are broad and do not assist in interpreting the regulations or understanding the application of the definitions.	Delete the definition.
6.3.10	D14 NZECP 34:2001	Oppose	TCC considers that for efficiency and effectiveness, it is important that duplication with other regulatory systems is removed from National Direction. This is also a key theme that has come from Central Government and is discussed further in	Delete the definition and amend the proposed NES to remove the responsibility for local authorities to implement the NCECP 34:2001.

	Provision	Position	Discussion/Issue	Relief Sought
			the Blueprint for resource management reform – A better planning and resource management system 2025 ² . However, in contrast to this approach, the proposed amendments include a definition for the NZ Electrical Code of Practice.	
6.3.11	D17 Electricity network resilience (EN resilience)	Oppose	<p>TCC is concerned that the proposed definition of resilience will unintentionally constrain planning decisions that support adaptation and managed retreat of infrastructure in response to climate change.</p> <p>The current proposed wording requires infrastructure to both adapt to changing conditions and retain “<i>essentially the same or similar level of service</i>.” This dual requirement could limit the ability to pursue more flexible or transformative responses, such as managed retreat, where service levels may need to change in form, scale, or availability to reflect new realities.</p> <p>The definition appears to imply that even if infrastructure is relocated, redesigned, or fundamentally changed, it must still deliver the same level of service as before. This could restrict the scope for resilience strategies that involve service-level trade-offs, such as reducing infrastructure investment in high-risk areas while enhancing services in safer locations.</p> <p>TCC recommends amending the definition by replacing “<i>and</i>” with “<i>or</i>” before the words ‘retain and an appropriate level of service’. This will allow for greater flexibility and a broader interpretation of resilience; which includes adaptation, transformation, or relocation of services, not just their retention at the same of similar level of service.</p> <p>Such an amendment would clarify that infrastructure can</p> <ul style="list-style-type: none"> • adapt to new conditions, • retain the same level of service (even without adaptation), • or do both, depending on the context. <p>This would explicitly support resilience strategies that involve service-level changes as valid responses to climate risk, including managed retreat where appropriate. It is noted that</p>	<p>Amend the proposed definition as follows: the capacity of infrastructure to absorb a shock, including from natural hazards; recover from the disruption; adapt to changing conditions, including climate change; and or retain essentially the same or similar level of service as before, even if that means delivering an infrastructure service in a new or different way.</p>

² Paragraph 113-115, page 31-32, Blueprint for resource management reform – A better planning and resource management system 2025, EAG.

	Provision	Position	Discussion/Issue	Relief Sought
			'resilience' is defined in other national policy statement, therefore, TCC seeks consistency, where appropriate, with the wording of these definitions.	
6.3.12	D18 Routine electricity network activities (routine EN activities)	Oppose	TCC acknowledges that the government seeks to distinguish between routine and non-routine EN activities to enable infrastructure upgrades however, TCC is concerned that the introduction of these definitions will create unnecessary confusion and complexity. The definitions are broad and do not assist in interpreting the regulations or understanding the application of the definitions.	Delete the definition.
6.3.13	D19 Sensitive activities	Support in part	TCC supports the intent of the proposed definition but considers that papakāinga, which includes buildings used for residential and educational purposes, should be included in the definition as a sensitive activity.	Amend definition to include papakāinga as a sensitive activity.
6.3.14	D20 Upgrading	Support in part	The proposed definition of upgrading is broad and lacks appropriate parameters. For example the use of 'addition, expansion and intensification' is broad and could include a significant increase in scale and intensity of the activity.	Amend the definition to provide parameters on what is included as an upgrade.
6.3.15	D21 Well-being	Oppose	It is unclear why this definition is used in the NPS.	Delete the definition.
6.3.16	OB1	Support in part	<p>TCC considers that the proposed objective appropriately captures the broad range of outcomes sought for the electricity network. It effectively encompasses key goals such as supporting community well-being, enabling development, enhancing resilience, and recognising its role in emissions reduction.</p> <p>However, it is not the role or purpose of the Resource Management Act 1991 (RMA) to manage effects in a cost-effective way or to consider the financial implications of effects management. It lacks clarity on how the concept should be interpreted within the context of the RMA. It is important that the assessment of 'cost-effective' extends beyond purely financial considerations to include relevant social, cultural, and environmental factors.</p> <p>Accordingly, TCC requests that the NPS provide a clear explanation or guidance on the interpretation of clause (e) of the</p>	Amend Objective 1 to strengthen clause (e).

	Provision	Position	Discussion/Issue	Relief Sought
			objective. This will support consistent understanding and implementation across planning and infrastructure decision-making processes.	
6.3.17	P1 National significance and benefits of the electricity network	Support in part	TCC supports the proposed policy’s emphasis on planning decisions recognising and providing for the benefits of the electricity network. However, TCC is concerned that proposed clause (2) favours the benefits of infrastructure over localised adverse effects being adequately avoided, remedied or mitigated. While TCC supports the policy direction requiring the benefits of the electricity network to be recognised, this should be done while avoiding, mitigating or remedying adverse effects.	Amend P1 to include that decision makers must also recognise the adverse effects.
6.3.18	P2 Operational need or functional need for EN activities to be in particular locations and environments	Support in part	TCC recognises that in some instances there is a functional need and / or operational need for electricity networks to be in particular environments. While TCC considers that the proposed policy clearly emphasises that matter, it lacks balance in terms of the need for adverse effects associated with the electricity network in a particular environment to be adequately avoided, remedied or mitigated. TCC requests that a clause is included within the proposed policy that sets out how operational need or functional need is to be balanced against other values (e.g. cultural, landscape, ecological) of a particular environment. Electricity networks that have a functional or operational need to locate in in section 6 environments are still expected to demonstrate that there is no other suitable location and that adverse effects arising from the need to locate there will be avoided, mitigated or remedied.	Amend P2 to clarify that EN operators and distributors must demonstrate that there is a functional and/or operational need to locate in an environment with section 6 values and that adverse effects are avoided, remedied and mitigated.
6.3.19	P3 Policies relating to Māori rights and interests	Support	TCC supports the intent of the proposed policy direction which is that decision-makers (and applicants as appropriate must): <ul style="list-style-type: none"> • engage early with iwi / Māori • take into account the values and aspirations of iwi / Māori for infrastructure activities at any scale • provide opportunities for iwi / Māori involvement in decision-making, including in relation to sites of significance to Māori and issues of cultural significance • operate in a way that is consistent with iwi participation legislation. 	Retain the policy as proposed.

	Provision	Position	Discussion/Issue	Relief Sought
6.3.20	P4 Identifying the location for EN activities and managing adverse effects through the route, site, and method selection process	Support in part	<p>TCC agrees that it is the role of the national grid operator and EDN provider to determine the purpose, scope, required capacity and technical solution for a proposed electricity network activity. However, TCC considers that Transpower should demonstrate that they have thoroughly considered all options and the effects of those options on people and the environment.</p> <p>The policy is intended to manage conflicts between EN and environmental values, however as proposed the policy, in conjunction with P5 – P10, undermines environmental values by providing for effects management <i>on</i> the EN, while lacking stronger direction on managing effects <i>of</i> the EN on communities and the environment.</p>	<p>Amend P4 to ensure that there is a duty on EN providers and distributors to manage the adverse effects of EN activities on the environment; and to meaningfully engage with local communities throughout the planning and development the EN network.</p>
6.3.21	P5 General considerations when considering and managing the environmental effects of EN activities	Support in part	<p>TCC supports including a policy for the matters decision-makers should consider while managing the environmental effects of EN activities. However, the clauses included in the policy are so broad-ranging that they undermine the assessment of environmental effects, and could result in decisions that are inappropriately tipped in favour of the electricity network activity. The policy lacks balance in weighing up the adverse effects on the environment and of mitigation measures.</p> <p>Not all changes in amenity are inevitable, TCC recommends that clause (1)(c) is amended to qualify that EN activities <i>can result in</i> changes to amenity that are unavoidable but necessary.</p> <p>It is unclear how Clause (d) will be implemented in terms of how to adopt international and national standards and adopt recognised best practise standards and methodologies to assess and manage adverse effects. TCC questions whether this means that EN providers should demonstrate these have been adopted in any resource consent applications made to Council; or whether Council needs to provide guidance on the standards, best practise and methodologies that have been adopted to EN providers. The NPS should clarify how this policy is to be implemented, or could state which standards, best practises and methodologies should be adopted and complied with.</p> <p>In relation to clause (e) it is inappropriate for councils to make decision on an activity’s financial implications of mitigation</p>	<p>Amend P5 (1) as follows: (1) When considering the environmental effects of EN activities and measures to avoid, remedy or mitigate and adverse effects on the environment, decision-makers must should also: (c) recognise that changes in amenity from EN activities can result in changes to amenity that are unavoidable, but are necessary to achieve an effective, efficient, safe, secure, reliable, and resilient EN; (e) consider the financial and timing implications of mitigation measures and any consent conditions to ensure these are proportionate and cost-effective.</p> <p>AND Amend the NPS to provide clarification on how P5 (1)(d) is to be implemented.</p>

	Provision	Position	Discussion/Issue	Relief Sought
			measures. If the applicant cannot feasibly fund effects management they should not be undertaking the activity. Cost-effectiveness and financial implications of mitigation measures are not environmental effect that can be managed by the RMA.	
6.3.22	P6 Enabling routine EN activities	Oppose	<p>TCC opposes enabling routine activities to occur in all environments as some environments are more sensitive than others, for example ONFLs, SNAs, and indigenous flora and fauna habitats. It is unclear whether existing urban communities is included in the term 'all environments'.</p> <p>Routine as defined is also broad and includes 'upgrades' which fails to have any clear parameters. As currently defined this could enable a higher intensity and scale of activity where decision makers must enable it to occur in all locations. Methods and processes should be put in place to ensure that effects on people, animals and the environment are appropriately managed.</p> <p>TCC is also concerned that adverse effects are only managed 'where practicable'. The proposed approach introduces uncertainty into the decision-making process and could allow adverse effects to go unaddressed if deemed impractical to manage. To avoid this outcome, TCC requests that the term 'where practicable' is deleted.</p>	<p>Amend P6 so that routine EN activities are enabled to only occur in sensitive environments such as ONFLs, SNAs, habitats of indigenous flora and fauna, and existing urban communities when adverse effects are avoided, remedied and mitigated.</p> <p>AND</p> <p>Amend P6 to delete 'where practicable'.</p>
6.3.23	P7 EN development and non-routine activities	Support in part	TCC agrees that planning and development of the electricity network should seek to avoid adverse effects on sensitive environments. However, sensitive environments are not limited to rural environments and can and do occur in urban environments. TCC considers that P7 can be improved by removing reference to 'rural environments', 'areas of high recreation value and amenity' and adopt matters outlined in section 6 of the RMA.	Amend P7 to delete the words 'rural environments'; and replace 'areas of high recreational value and amenity' with RMA s6 matters.
6.3.24	P8 Reducing existing adverse effects of EN assets when considering upgrades	Support in part	TCC supports reducing existing adverse effects of electricity network assets when upgrading. However, the policy should be amended so that electricity network operators and distributors must consider practicable opportunities and measures to reduce the existing adverse effects of electricity networks, rather than this duty being on the decision-maker.	<p>Amend P8 so that the duty to reduce adverse effects of electricity network assets is on the electricity network operators and distributors, rather than decision-makers.</p> <p>AND</p>

	Provision	Position	Discussion/Issue	Relief Sought
			TCC also recommends removing consideration of financial implications of measures to reduce adverse effects as this burden should be on the electricity network operator and distributor and is not an environmental effect that is managed by the RMA.	Amend to remove the consideration of financial implications.
6.3.25	P9 EN activities within urban environments and servicing new development	Support in part	<p>TCC supports enabling electricity network activities within urban environments and recognise that some changes in amenity will result from EN activities, however P9 lacks direction and / or guidance to decision-makers on considering the adverse effects of EN activities in urban environments. The policy could be improved by including a new subclause that ensures EN activities within urban environments and servicing new development avoids, manages and mitigates adverse environmental effects and considers relevant section 6 matters.</p> <p>TCC considers that there is an opportunity within P9 to enable the undergrounding of EN assets, particularly in new developments. TCC recommends a new subclause in (2) that encourages new EN activities to be underground where possible.</p> <p>TCC considers that clause (1)(b) is appropriately covered by clause (c) as changes in amenity are an adverse effect that are sometimes unavoidable.</p>	<p>Amend P9 by adding a new subclause in (1) that ensures the adverse effects of EN activities within urban environments and that arise from servicing new development are avoided, remedied and mitigated.</p> <p>AND</p> <p>Delete clause (1)(b).</p> <p>AND</p> <p>Amend P9 by adding a new subclause in (2) that encourages the undergrounding of EN assets in new developments.</p>
6.3.26	P10 Managing the effects of third parties on the electricity network	Support in part	TCC supports a policy that manages reverse sensitivity effects on the electricity network, however as proposed, P10(2) places a large burden of work on councils to map all of the electricity network assets within their district. As proposed the policy appears to include all of the electricity lines, poles, cabinets, access tracks, accessways etc managed by lines companies, including the smaller companies. Additionally, once included in district plans a plan change process would be required to update maps if there were any changes to the EN, such as constructing new, removing or relocating assets. The policy should be amended to clarify which assets should be mapped so that not all parts of the network need to be mapped and that this information is provided by the electricity network provider.	<p>Amend P10, clause (2) to clarify whether identified electricity network assets are required to be mapped, where they are to be mapped and to what level.</p> <p>AND</p> <p>Delete clauses (2)(b), (c) and (d).</p>

	Provision	Position	Discussion/Issue	Relief Sought
			<p>TCC questions whether clauses (2)(b), (c) and (d) are required in the NPS. If councils are required to implement the buffers set out in the proposed NES-ENA, there is no need to engage with ETN to implement the buffer corridors as the buffer corridors are nationally set. If councils are to engage with ETN operators this could result in buffers of varying sizes across the country, defeating the purpose of a national standard. Requiring councils to engage with EDN operators individually in (2)(c) will have similar outcomes to those in (2)(b) whereby inconsistent buffer corridors will be identified. The proposed NES-ENA should set out the EDN buffer corridors to minimise this risk.</p> <p>With regard to clause (2)(d), TCC considers this level of detail to be better placed in the standardised zones implemented through RMA Reform Phase 3. Clause (2)(e) is a more appropriate policy to manage adverse effects of subdivision on EN activities.</p>	
6.3.27	P11 Long-term strategic planning for the EN	Support	TCC supports engagement between operators of electricity networks and councils to identify medium and long term strategic planning. It is considered that this is most efficiently achieved through the regional spatial planning which is proposed to be required through Phase 3 of the Resource Management Reforms.	Retain as proposed.
6.3.28	P12 Electric and magnetic fields	Oppose	There should be no policies which require councils to progress a plan change to amend provisions within a district plan. A key theme that has come from Central Government and is discussed further in the Blueprint for resource management reform – A better planning and resource management system 2025 is that there will be national standardised provisions. Therefore provisions such as these should be set at a national level rather than requiring councils to undertake their own plan change to implement this policy.	Delete P12 in its entirety.

6.4 National Environmental Standards for Electricity Transmission Activities (NESETA) [National Environmental Standards for Electricity Network Activities (NES-ENA)] - Specific comments

	Provision	Position	Discussion/Issue	Relief Sought
6.4.1	What electricity assets will be covered by the NES-ENA?	Support in part	Government is seeking feedback on whether the NES-ENA should apply to the EDN lines over 110kV voltage or a wider range of activities covering both high and low voltage lines and existing and new assets. TCC recognises that for security of electricity supply and safety of people and assets reasons, all EDN lines and assets should be covered by the NES. However, TCC considers that a consenting pathway is still appropriate, particularly for new EDN lines of all voltages in natural areas as defined by this NES, environments with s6 values and in existing urban environments.	Retain the assets that the NES will apply to.
6.4.2	D2 Cabinet	Support in part	The inclusion of 'affixed to the ground' in this definition is unnecessary as 'structure' is a defined term in the National Planning Standards. The definition is not clear on whether the structure is affixed to the ground or the equipment being housed that is affixed to the ground.	Amend the definition D2 Cabinet to remove the phrase 'affixed to the ground'.
6.4.3	D6 Customer driven project	Oppose	It is unclear why this definition is required if it is only to apply to another definition and why it matters who wants the project to be undertaken. One reason was to exclude the National Policy Statement – Renewable Energy Generation, however exclusion should be set out in the implementation section of the national policy statement.	Delete the definition D6 Customer driven project.
6.4.4	D7 Electricity network development activities (EN development activities)	Support in part	The reasons for this definition state that the intent is to distinguish between routine and non-routine activities, but that is not clear in the definition. The definition as proposed is meaningless. The reasons set out which policies that this definition apply to, however these policies do not include the definition. Therefore, it is not clear where this definition applies.	Amend the definition D7 Electricity network development activities (EN development activities) to clarify that EN development activities only relates to non-routine activities and new lines or assets. AND Review where this definition applies.
6.4.5	D9 Earthworks	Support in part	In line with other definitions that have been included or amended for consistency with the national planning standards if the term 'earthworks' is to be defined in this NES, it should be as defined in the National Planning Standards.	Amend the definition D9 Earthworks to align with the definition of 'earthworks' in the National Planning Standards.
6.4.6	D10 Electricity distribution network (EDN)	Support in part	The definition should not include the words 'because those terms are defined in section 2 of the Electricity Act 1992'. If the intention is to also define 'electricity distributor' and 'electricity	Amend the definition D10 Electricity distribution network (EDN) to delete the words 'because

	Provision	Position	Discussion/Issue	Relief Sought
			operator’, those terms should be included in the NPS, rather than referring to another piece of legislation. Additionally, the proposed definition is too wide-ranging and broad for local authorities to manage. The definition should be amended to clarify the specific aspects of the electricity network that is within scope of the NES.	those terms are defined in section 2 of the Electricity Act 1992’. AND Amend the definition to refine the aspects of electricity distribution that the NES-ENA applies to.
6.4.7	D12 Electricity network (EN activities)	Support in part	TCC supports definitions that are consistent across national planning instruments. Further consideration should be given to ensuring consistency in terminology with the proposed NES-ENA	Amend where necessary to ensure consistent terminology and definitions across the NPS-EN and NES-ENA
6.4.8	D13 Electricity transmission network (ETN)	Support in part	Support the inclusion of the definition, however to provide clarity on what is considered ancillary, the ‘ancillary EN activities’ should be included if this is the intent.	Amend the definition D13 Electricity transmission network (ETN) to link with the definition of ancillary EN activities.
6.4.9	D14 Electricity network activities (EN development activities)	Oppose	This definition is already provided for in D7, though that definition is ‘electricity network <u>development</u> activities’.	Delete the definition D14 Electricity network activities (EN development activities).
6.4.10	D15 Electric vehicle charging infrastructure (EVC infrastructure)	Support in part	TCC supports the need for centralised guidance around provision for EV charging infrastructure to streamline consenting and reduce regulatory barriers. TCC has been progressing work to introduce EV charging permitted activity requirements for Commercial and Industrial Zones, as there is a lack of direction for the integration of EV charging, their design, location, and supply with parking at places of employment for personal and fleet vehicles. There is no established guidance on EV charging facility design or supply and a lack of direction results in land uses that will not achieve emissions outcomes established in both strategic and policy direction. TCC considers that the definition could be improved in two ways. Firstly, the definition should clarify the provider of the infrastructure i.e. does this definition include chargers attached to dwellings for private use? Secondly, the definition could be split into two definitions to further clarify what EV charging infrastructure is and what are considered EV charging infrastructure activities. As proposed, the definition combines	Amend the definition D15 Electric vehicle charging infrastructure (EVC infrastructure) to clarify whether the definition applies to EV charging infrastructure installed in a private dwelling. AND Amend to replace with two definitions as follows: EV charging infrastructure means: <u>all buildings and structures associated with the charging of electric vehicles, the sale of electricity for the purpose of charging vehicles, electric vehicle charging car parks and manoeuvring spaces, chargers, cabinetry, batteries, bollards and wheelstops.</u> AND EV charging activities means:

	Provision	Position	Discussion/Issue	Relief Sought
			these two aspects, causing confusion and ultimately resulting in an unclear definition.	<ul style="list-style-type: none"> i. <u>the construction, maintenance, operation upgrade, and replacement of electricity vehicle charging infrastructure; and</u> ii. <u>does not include the retail sales of any other goods or services.</u>
6.4.11	D17 Existing distribution line	Support in part	TCC supports the inclusion of the definition but considers it should include the same wording as the definition for existing transmission line for clarity.	Amend the definition D17 Existing distribution line to include the date of the gazetting of this NES.
6.4.12	D19 Height	Support in part	TCC supports the inclusion of the definition but considers that if the term is defined in this NES, it should align with the National Planning Standards definition.	Amend the definition D19 Height to align with the National Planning Standards definition.
6.4.13	D20 Historic heritage item or setting	Support in part	TCC supports including the definition but consider that it should clarify whether heritage items listed by HNZPT, but are not in a district plan are included in the definition. Additionally, the inclusion of 'setting' in the term is problematic as the setting can be much broader than, and not as defined as, heritage items. Heritage settings are not always mapped in district plans.	Amend the definition D20 Historic heritage item or setting to clarify whether HNZPT listed items are covered by the definition; AND Amend to delete 'or setting'.
6.4.14	D21 Land transport corridor	Support in part	TCC supports the inclusion of this definition. However, the Land Transport Management Act 2003 does not include a definition for 'land transport corridor'. TCC supports the use of definitions that are consistent across national planning instruments. Further consideration should be given to ensuring consistency in terminology across planning instruments.	Amend the definition D21 Land transport corridor where necessary, to ensure consistent terminology across national planning instruments.
6.4.15	D22 LAeq(15min)	Support in part	To improve clarity and accessibility, the full definition from the referenced standard should be adopted, rather than defining the term as a reference to another document. The same approach to the definition for 'land transport corridor' should be adopted.	Amend the definition D22 LAeq(15min) to incorporate the entire definition of LAeq(15 min) from NZS 6801:2008 Acoustics – Measurement of environment sound.
6.4.16	D25 National Grid Subdivision Corridor	Support in part	TCC supports including the definition and seek that the definition clarifies that the definition means a corridor that applies when a subdivision is undertaken, and the areas included in the definition moved to the regulations. This approach would simply the definition and assist with implementation by local authorities, It is unclear why this does not apply to designated assets.	Amend the definition D25 National Grid Subdivision Corridor to clarify that the national grid corridor means a corridor that applies when subdivision is undertaken.

	Provision	Position	Discussion/Issue	Relief Sought
6.4.17	D26 National Grid Yard	Support in part	TCC supports including the definition, but seeks amendments to clearly state that it relates to the area where controls apply to buildings, structures and earthworks. D26 should also apply to designated assets to protect and maintain the security of the national grid and maintain the safety of people and property.	Amend the definition D26 National Grid Yard to clarify that it relates to the area where controls apply to buildings, structures and earthworks; and to apply to designated assets.
6.4.18	D27 Natural area	Support in part	TCC supports the inclusion of the definition, however considers that the definition could be further amended to clarify the terms 'areas of significant indigenous vegetation' and 'significant habitat of indigenous fauna'. These terms create uncertainty and should be amended to a term that is used consistently across other planning instruments e.g. significant natural areas.	Amend the definition D27 Natural area to provide consistency across national planning instruments with regard to significant habitats of indigenous flora and fauna.
6.4.19	D28 Non-routine electricity network activity (non-routine EN activity)	Oppose	TCC acknowledges that the government seeks to distinguish between routine and non-routine EN activities to enable infrastructure upgrades however, TCC is concerned that the introduction of these definitions will create unnecessary confusion and complexity. The definitions are broad and do not assist in interpreting the regulations or understanding the application of the definitions.	Delete the definition D28 Non-routine electricity network activity (non-routine EN activity).
6.4.20	D29 NZECP 34:2001	Oppose	TCC considers that for efficiency and effectiveness, it is important that duplication with other regulatory systems is removed from National Direction. This is also a key theme that has come from Central Government and is discussed further in the Blueprint for resource management reform – A better planning and resource management system 2025 ³ . However, in contrast to this approach, the proposed amendments include a definition for the NZ Electrical Code of Practice.	Delete the definition D29 NZECP 34:2001 AND Amend the proposed NES to remove the responsibility for local authorities to implement the NCECP 34:2001.
6.4.21	D32 Routine electricity network activity (Routine EN activity)	Oppose	TCC acknowledges that the government seeks to distinguish between routine and non-routine EN activities to enable infrastructure upgrades however, TCC is concerned that the introduction of these definitions will create unnecessary confusion and complexity. The definitions are broad and do not assist in interpreting the regulations or understanding the application of the definitions.	Delete the definition D32 Routine electricity network activity (Routine EN activity).

³ Paragraph 113-115, page 31-32, Blueprint for resource management reform – A better planning and resource management system 2025, EAG.

	Provision	Position	Discussion/Issue	Relief Sought
	PART 2: PROPOSED REGULATIONS FOR EXISTING TRANSMISSION LINES			
6.4.22	Regulation 4 Regulations apply only to certain activities relating to existing transmission lines	Support in part	TCC supports clarifying the activities that the NES does and does not apply to and clarifying the roles and responsibilities of regional and city/district councils. However, TCC considers that references to routine and non-routine activities should be deleted as there is no need to distinguish between the activities, and the terms result in increased complexity.	Amend the regulation to remove provision for routine and non-routine activities.
6.4.23	Regulation 6 Permitted activities: overhead conductors Regulation 8 Permitted activities: adding overhead circuits Regulation 10 Permitted activities: increasing voltage or current rating	Support in part	TCC provides for noise during the day and the night in all zones. The noise standards proposed in regulation 6 for residential zones is consistent with daytime noise standards in the Tauranga City Plan (City Plan), however it exceeds the night-time noise standard by 8 dB. TCC considers that electricity network activities should comply with the noise standards in the relevant district plan, rather than introduce new standards to the NES. It is anticipated that national standardised provisions for noise would be introduced through the proposed new resource management system and this is the appropriate time as the noise standards can then be applied comprehensively.	Delete the proposed noise standards from Regulation 6 and 10, And the relevant district plan noise rule apply.
6.4.24	Regulation 12 Controlled activities: undergrounding transmission lines	Support	TCC supports amending Regulation 12 so that undergrounding transmission lines is enabled as a controlled activity. TCC recognises that underground transmission lines contribute to improved amenity of urban environments particularly those that are intensifying. However, if the amendment is made, consequential amendments are required to remove matters of control.	Retain regulation 12 as a controlled activity.
6.4.25	Transmission line support structures: Alteration relocation and replacement Regulation 14 – Permitted activities	Oppose	TCC acknowledges that central Government seeks to enable quick and efficient upgrading of existing electricity networks assets, however TCC opposes the proposed amendments to Regulation 14. TCC considers the amendments to be too permissive and do not enable the impacts on local communities to be considered. TCC is concerned that removing protections for viewshafts will undermine the cultural values that the viewshafts in the City Plan seek to protect. Many viewshafts in Tauranga have been included in the City Plan to provide for and	Amend Regulation 14 to retain existing R14 (3)(b); AND Amend bulk and location standards to be less permissive;

	Provision	Position	Discussion/Issue	Relief Sought
	Regulation 15 – Controlled activities Regulation 16 – Restricted discretionary activities		protect the cultural values of mana whenua. TCC considers that a consenting pathway for viewshaft intrusions should be retained. Additionally, TCC considers that increasing the permitted thresholds for bulk and location of assets are overly permissive, particularly in residential zones, and that it does not take into account incremental changes to bulk and location over time. TCC does not support poles being replaced with towers as a permitted activity.	AND Retain existing R15(7).
6.4.26	Signs Regulation 23 – Permitted activities Regulation 24 - Signs	Oppose	TCC does not support removing regulations that result in signs that can be any size. While TCC acknowledges that the signs are for health and safety purposes, this should not be achieved by removing all controls on the size of sign. TCC considers that there should remain some control on the size.	Retain existing regulations 23 and 24.
6.4.27	Trimming, felling, and removing trees and vegetation Regulation 30 – Permitted activities Regulation 31 – Controlled activities Regulation 32 – Restricted discretionary activities	Oppose	TCC opposes the proposed amendments to regulations 30, 31 and 32. TCC considers that the existing regulations are sufficient to manage trimming, felling and tree and vegetation removal. TCC does not consider that adopting management plans for permitted activities is an appropriate method for managing tree trimming, felling and vegetation clearance. As a permitted activity there is no recourse for local authorities to enforce compliance with the management plan.	Retain the existing regulations 30, 31 and 32 and conditions in the NES-ETA.
PART 3: REGULATIONS FOR ELECTRICITY DISTRIBUTION NETWORK ACTIVITIES				
6.4.28	Application	Support in part	TCC seeks that clarification is provided on the meaning of the terms 'high voltage' and 'low voltage'. Further consideration of the appropriateness of applying the regulations to all low voltage activities should be given as local authorities are ill-equipped to provide for these assets. Consider whether local authorities have jurisdiction, knowledge and resource to be responsible for consenting for a levels of EDN and monitoring enforcement and compliance.	Review the appropriateness of including EDN in the NES and whether the regulations in the NES can be appropriately implemented, monitored and enforced by local authorities.

	Provision	Position	Discussion/Issue	Relief Sought
6.4.29	R8: Additions to existing EDN assets	Support in part	<p>A: Controls on height and width of telecommunications devices should be different for EDN assets compared with ETN as the infrastructure is more visible and directly impacts more people daily. Additionally, the NES should include a restricted discretionary activity pathway for activities that do not comply with the controlled activity conditions for visual and landscape effects. As proposed, there is no avenue for councils to decline a consent with adverse visual and landscape effects.</p> <p>TCC does not see it as necessary to align regulations with the NES-TF in terms of height and width. They are different types of infrastructure and therefore have different operating requirements.</p> <p>B: TCC considers it inappropriate to enforce compliance with this code of practice through the NES and thus conditions of consents. This only provides duplication in the system. TCC considers it beyond the jurisdiction of local authorities to be responsible for implementing NZECP 34:2001. Additionally, 30m is considered overly permissive for new mid-span poles.</p>	<p>Amend proposed R8 Additions to existing EDN assets A to include a restricted discretionary activity pathway for consent for applications that do not comply with the controlled activity condition.</p> <p>AND</p> <p>Amend proposed R8 Additions to existing EDN assets B to remove the responsibility for local authorities to implement the NCECP 34:2001; and to reduce the maximum height of new mid-span poles.</p>
6.4.30	R9: Alteration, relocation and replacement of existing EDN assets		Refer to submission made to Regulations 14, 15 and 16.	
6.4.31	R10: The construction of new EDN assets	Support in part	<p>TCC considers that 30m in height above ground level in all zones is highly permissive.</p> <p>TCC considers that it is inappropriate for new lines to be located in Māori purpose zones and an airport. Māori purpose zones often have sensitive activities such as residential activities and kura and, therefore are inappropriate zones for new lines. Airports are subject to height limits, and therefore enabling such height in these locations is inappropriate.</p> <p>The list of where new lines are not located is narrow and does not include other section 6 matters.</p>	<p>Amend R10 The construction of new EDN assets to reduce the maximum height of new EDN poles in all zones.</p> <p>AND</p> <p>Remove airports and Māori purpose zones from the list where new lines are located.</p> <p>AND</p> <p>Review the list of where new lines are not located.</p>

	Provision	Position	Discussion/Issue	Relief Sought
	PART 4: RULES FOR THE NATIONAL GRID YARD AND CORRIDOR			
6.4.32	R12: National Grid Yard – Buildings and structures	Support in part	TCC supports national standards for national grid yards and corridors to ensure consistency across district plans and jurisdictional boundaries. The proposed regulations should be reviewed so that activities are not required to comply with NZECP 34, for the reasons given above. Additionally, the areas measured either side of the transmission centreline included in the definitions for these terms should be included in the respective regulations.	Amend the proposed NES to remove the responsibility for local authorities to implement the NCECP 34:2001. AND Amend R12 and R13 to include the areas measured either side of the transmission centreline.
6.4.33	R12: National Grid Yard – Earthworks, land disturbance and vertical holes	Support in part		
6.4.34	R13: National Grid Subdivision Corridor	Support in part		
6.4.35	R14: Subdivision of site containing overhead EDN lines (Controlled)	Support	TCC supports national standards for national grid yards and corridors to ensure consistency across district plans and jurisdictional boundaries.	Retain as proposed.
6.4.36	R15: Construction of buildings or structures near overhead EDN lines (Discretionary)	Support		
6.4.37	R16: Installing new EV charging infrastructure is a permitted activity	Support in part	TCC welcomes the amendments to introduce new EV charging infrastructure as a permitted activity. The City Plan does not include any requirements related to EV charging and TCC is progressing work to provide guidance for EV charging. TCC seeks further clarity to what is 'ancillary to primary activity' and whether this should specify what zones this applies to. R16(4)(d) does not appear to recognise the differing roles between light and heavy vehicles and the traffic they generate. Clarification should be given as to what '10 vehicles per hour (averaged across 24 hours) in/excludes and how to quantify light and heavy vehicle movements. The noise provisions included in R16(b) are supported, however	Amend R16(4)(d) to clarify the meaning of '10 vehicles per hour (average across 24 hours)' in terms of light and heavy vehicle movements. AND Review the meaning of 'ancillary to primary activity' and where this may apply.

	Provision	Position	Discussion/Issue	Relief Sought
			<p>TCC notes that the night-time standard is more onerous than the City Plan by 10 units.</p> <p>TCC supports the need for recognition of evolving technologies through a non-compliance with the permitted activity standards. This includes flexibility for other technologies such as induction charging. The role of EV charging needs to be considered in the context of a wider system, which is likely to evolve over time to include different providers, technology, and best practice.</p>	

6.5 National Environmental Standards for Telecommunication Facilities (NES-TF) - Specific comments

	Provision	Position	Discussion/Issue	Relief Sought
6.5.1	General Submission	Support in part	<p>TCC is concerned that the existing instruments do not require engagement with councils regarding the location of a new telecommunication pole or consider the impact on the local community. TCC is aware that providers must provide information on Planned Works programmes to councils under the National Code of Practice for Utility Operators to Transport Corridors 2024 (Code), however, no justification is provided to the community on the reasons for the location of a new pole.</p> <p>TCC recommends that the considerations are broadened either in the Code or the NES to consider the impact of the location of a new pole on the local community</p> <ul style="list-style-type: none"> a. Amending s.2.7.1 of the Code to require meaningful engagement with councils and consider impact on local community in relation to the location of poles; OR b. Amending the NES-TF to introduce a regulation that requires providers to meaningfully engage with councils and consider the impact on local community in relation to the location of poles. 	<p>Amend either:</p> <ul style="list-style-type: none"> a. Section 2.7.1 of the Code to require meaningful engagement with councils and consider impact on local community in relation to the location of poles; <p>OR</p> <ul style="list-style-type: none"> b. the NES-TF to introduce a regulation that requires providers to meaningfully engage with councils and consider the impact of on local community in relation to the location of poles.
6.5.2	Where will NES-TF apply?	Support	Telecommunication facilities are an essential infrastructure and should continue to apply nation-wide.	Retain as proposed.

	Provision	Position	Discussion/Issue	Relief Sought
6.5.3	Ancillary equipment	Support in part	TCC supports the intent of the proposed definition however notes an error in the table.	Amend proposed provision to refer to National Planning Standards 2019 instead of 'the National Policy Statement 2019'.
6.5.4	D1 Area adjoining road reserve	Support	Support subject to wording.	Retain as proposed.
6.5.5	D2 Renewable electricity generation activity	Support	Support subject to wording.	Retain as proposed.
6.5.6	D3 Sensitive activities	Support in part	TCC supports the intent of the proposed definition but considers that papakāinga, which includes buildings used for residential and educational purposes, should be included in the definition as a sensitive activity.	Amend definition to include papakāinga as a sensitive activity. Definition needs to match other NES's / NPS's that use this term.
6.5.7	D4 Temporary telecommunication facility	Support in part	TCC supports the proposed timeframes for temporary telecommunication facilities during emergencies, events, and periods of high demand. However, a six-month period for maintenance is considered excessive. Maintenance and upgrades should be planned and ready for implementation.	Amend clause (b) as follows: (b) during routine maintenance, replacement or upgrading of an existing facility, or an unplanned outage to an existing facility, for a period of up to six three months, where the temporary telecommunication facility is located within 100 m of the existing facility;
6.5.8	Regulation 5(1) and 5(2) – Installing and operating a facility	Support in part	The reasoning provided for amending this regulation is that 'renewable electricity generation activities and self-contained power units as back-up for renewable electricity generators and for temporary telecommunication facilities'. However, the regulation as drafted does not reflect the temporary nature of these activities, instead it allows renewable electricity generation and self-contained power units as of right, with no defined time limit. These activities can be disruptive for neighbours over longer periods of time. Amending the regulation to be temporary will also be consistent with D4 Temporary telecommunication facility.	Amend the regulation to permit these activities as temporary activities for a period of up to three months.
6.5.9	Regulation 7 Measurements	Support	Subject to wording. The proposed amendment will provide clear direction on how to interpret Regulation 7.	Retain as proposed.

	Provision	Position	Discussion/Issue	Relief Sought
	PART 2: CARRYING OUT OF REGULATED ACTIVITIES			
6.5.10	R1 Leniency provisions	Oppose	Timeframes specified in a NES must be measurable and enforceable. Rules and definitions within the NES should not introduce elements of subjectivity, as this can lead to ambiguity and misinterpretation.	Delete R1 Leniency provisions.
	PART 3: REGULATED ACTIVITIES AND STANDARDS Subpart 1 – Cabinets			
6.5.11	Regulation 25 – Noise limits for cabinet not in road reserve	Support	TCC supports this amendment as it will be helpful to have consistency for noise limits and measurements, given there are currently different noise limits and places to measure from in the NES-TF (depending on the location of the cabinet), as well as there being noise limits in district or city plans.	Retain as proposed.
	Subpart 2 – Antennas on poles in the road reserve			
6.5.12	Regulations 27(5) and 29(4) on the pole height rules for new or existing poles in the road reserve	Support	TCC supports Option 1 as it is easier to implement and recognises that while some zone heights are enabling, redevelopment will be a gradual process, with the allowed building heights being achieved over time.	Amend Regulations 27(5) and 29(4) as per Option 1 identified in Attachment 1.5 of the National direction consultation – Package 1: Infrastructure and development.
6.5.13	Regulations 27(6) and 29(5) on the pole width rules for new or existing poles in the road reserve	Support	Support subject to wording.	Retain as proposed.
6.5.14	Regulations 27(7) and 29(2)(b) on the headframe rules for new or existing poles in the road reserve	Support	TCC supports Option 1 as it provides consistency and limits the installation of headframes on poles in the road reserve in areas where there are lower visual amenity impacts such as commercial and industrial zones. The 4.5m wide headframes proposed in Option 2 are too big and should require a resource consent.	Amend Regulations 27(7) and 29(2)(b) as per Option 1 identified in Attachment 1.5 of the National direction consultation – Package 1: Infrastructure and development.
6.5.15	Regulations 32(1)(a) and	Support	Support subject to wording.	Retain as proposed.

5 CLOSING KARAKIA