SUBMISSION ON

National Environmental Standards for Electricity Network Activities

25 July 2025

To: Ministry for the Environment
Name of Submitter: Horticulture New Zealand
Supported by: Pukekohe Vegetable Growers Association, NZ Apples and Pears, Hawkes Bay Vegetable Growers Association

Contact for Service:
Sarah Cameron
Senior Policy Advisor
Horticulture New Zealand
PO Box 10-232 WELLINGTON
Ph: 021446281
Email: sarah.cameron@hortnz.co.nz

Horticulture™ New Zealand
Ahumāra Kai Aotearoa

OVERVIEW

Submission structure

1. Part 1: HortNZ's Role
2. Part 2: Executive Summary
3. Part 3: Submission

Our submission

Horticulture New Zealand (HortNZ) thanks the Ministry for the Environment (MfE) for the opportunity to submit on the National Environment Standard for Electricity Network Activities and welcomes any opportunity to continue to work with MfE to discuss our submission.

HortNZ wishes to be heard in support of our submission and would be prepared to consider presenting our submission in a joint case with others making a similar submission at any hearing.

The details of HortNZ's submission and decisions we are seeking are set out in our submission below.

PART 1

HortNZ's Role

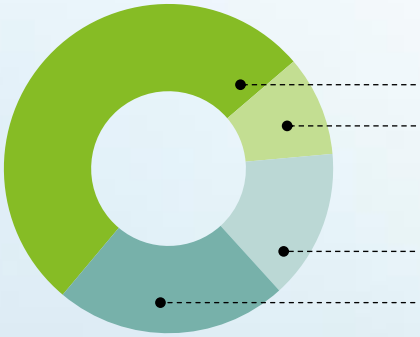
Background to HortNZ

HortNZ represents the interests of approximately 4,500 commercial fruit and vegetable growers in New Zealand who grow around 100 different fruits and vegetables. The horticultural sector provides over 40,000 jobs.
There are approximately 80,000 hectares of land in New Zealand producing fruit and vegetables for domestic consumers and supplying our global trading partners with high quality food.

It is not just the direct economic benefits associated with horticultural production that are important. Horticulture production provides a platform for long term prosperity for communities, supports the growth of knowledge-intensive agri-tech and suppliers along the supply chain, and plays a key role in helping to achieve New Zealand's climate change objectives.

The horticulture sector plays an important role in food security for New Zealanders. Over 80% of vegetables grown are for the domestic market and many varieties of fruits are grown to serve the domestic market.

HortNZ's purpose is to create an enduring environment where growers prosper. This is done through enabling, promoting and advocating for growers in New Zealand.



Export value

Fruit $3.94bn

Vegetables $0.73bn

Domestic spend

Fruit $1.10bn

Vegetables $1.71bn

Industry value $7.48bn

Total exports $4.67bn

Total domestic $2.81bn

Source: Stats NZ and MPI

HortNZ's Resource Management Act 1991 Involvement

On behalf of its grower members HortNZ takes a detailed involvement in resource management planning processes around New Zealand. HortNZ works to raise growers' awareness of the Resource Management Act 1991 (RMA) to ensure effective grower involvement under the Act.

PART 2

Executive Summary

HortNZ recognises the importance of the National Environmental Standards for Electricity Network Activities (NESENA) in safeguarding the safety, reliability, and resilience of New Zealand's national electricity transmission infrastructure. We support the intent of NESENA to provide a consistent and efficient regulatory framework for managing effects associated with the national grid.

HortNZ supports the continued inclusion and formalisation of National Grid Yard provisions for transmission infrastructure, noting that this approach is already embedded in most district plans and is supported by a long-standing Memorandum of Understanding (MoU) between HortNZ and Transpower. These provisions appropriately manage risks associated with high-voltage infrastructure.

However, HortNZ **does not support extending these National Grid Yard provisions to electricity distribution networks**, which are more localised, lower voltage, and deeply embedded within productive rural landscapes. Applying transmission style corridor setbacks to distribution assets would be excessive, reduce land use flexibility and constrain HPL.

HortNZ recommends that electricity distribution activities **continue to be regulated through performance-based technical standards, particularly the New Zealand Electrical Code of Practice 34:2001 (NZECP 34:200[1])**, which provides nationally consistent and proportionate safety standards. This framework allows for site-specific flexibility that better reflects rural land use and supports ongoing primary production.

HortNZ also calls for stronger alignment with the National Policy Statement for Highly Productive Land (NPSHPL). Clauses 3.5 and 3.6 of the NPSHPL require that infrastructure be located on HPL only where it is functionally or operationally necessary and no practicable alternative exists. Any development must also avoid, minimise, or mitigate adverse effects on productive capacity.

Accordingly, HortNZ recommends:

1. **Limiting national grid yard provisions** to transmission infrastructure only. Distribution infrastructure should instead be managed through technical guidance such as NZECP 34:2001 (New Zealand Electrical Code of Practice for Electrical Safe Distances), to better reflect the diversity of rural contexts
2. Aligning policy implementation with the **NPSHPL Clauses 3.5 and 3.6**, which require that HPL be protected and that nationally significant infrastructure be

[1] https://www.worksafe.govt.nz/laws-and-regulations/electrical-and-gas-codes-of-practice/electricity-codes-of-practice/

3. located on HPL only where there is a demonstrated operational or functional need, and no practicable alternative exists
4. Ensure consistency with the NPSHPL, particularly Clauses 3.5 and 3.6.

PART 3

Submission

1. National Environment Standard Amendments to the National Policy Statement on Electricity Transmission 2008

1.1. Support for National Grid Yard Provisions

HortNZ supports the continued inclusion and formalisation of National Grid Yard provisions for transmission infrastructure within the regulatory framework. These provisions play an important role in managing land use around high voltage transmission lines by ensuring safety, protecting the operational integrity of critical national infrastructure, and enabling ongoing access for maintenance and upgrades.

The National Grid Yard provisions reflect a long-standing planning approach that is already embedded in most district plans across New Zealand. Their incorporation into national direction provides consistency and clarity for both landowners and network operators. HortNZ has a MoU with Transpower which sets out agreed expectations around the management of horticultural activities near transmission infrastructure. This partnership recognises the importance of both safeguarding electricity infrastructure and enabling productive land use through practical, risk-based approaches.

We therefore support the retention of the National Grid Yard framework for transmission lines, as it aligns with existing local planning provisions and collaborative industry practice. We emphasise, however, that these provisions **should not be** extended to electricity distribution infrastructure, which requires a more flexible and context-specific approach, such as that provided by NZECP 34:2001.

1.2. Proportionate Management of Electricity Networks: Transmission vs. Distribution

The National Grid Yard provisions were developed specifically for high-voltage transmission assets (eg: 100kV and above) and impose fixed corridor setbacks (typically 12 metres from the centreline) that restrict buildings, earthworks, and other land use activities.

While appropriate for nationally significant transmission lines, such restrictions are excessive and disproportionate when applied to distribution networks, which are lower voltage, more localised and frequently embedded within productive rural environments.

We submit that the interface between electricity distribution lines and surrounding land use is more appropriately managed through NZECP 34:2001, which sets nationally accepted performance-based safety standards for minimum electrical clearances. NZECP 34:2001 provides adequate protection for public safety and infrastructure

integrity while allowing for site specific flexibility that supports the continued use of HPL. Applying National Grid Yard rules to distribution lines would likely constrain primary production activities. We therefore recommend that the national yard provisions be limited to transmission infrastructure only.

1.3. Balancing Electricity Infrastructure and the Protection of Highly Productive Land

Horticulture is a nationally and regionally significant land use that contributes to food security, export earnings, and regional employment. It depends on access to reliable electricity infrastructure, particularly for irrigation, frost protection, refrigeration and packhouse operations. At the same time, horticultural operations require access to HPL which means electricity networks and primary production must be managed in a way that recognises and supports both, given their shared importance to the rural economy.

The implementation of the NESENA must be carefully balanced with other national direction, particularly the NPHPL, to ensure the long-term protection of HPL.

HPL is a finite resource critical to New Zealand's food production and Clause 3.6 of the NPS-HPL recognises this by requiring decision-makers to avoid inappropriate use and development of HPL and ensure that land use changes only occur where operational or functional needs exist and no practical alternatives are available

Clause 3.6

- *The use provides for the functional or operational needs of a regionally or nationally significant infrastructure activity (Clause 3.6(2)(a)), and*

- *the use cannot be reasonably located elsewhere while achieving the same outcome (Clause 3.6(2)(b)).*

In addition, Clause 3.5 requires that adverse effects on the productive capacity of HPL be avoided where practicable, and otherwise minimised or mitigated. HortNZ submits that this directive must apply equally to the implementation of the NESENA.

In practical terms, this means:

- Requiring a robust assessment of functional and operational need before infrastructure is located on HPL
- Avoiding or minimising permanent structures within the most productive areas of rural land
- Ensuring that conditions for permitted activities include safeguards to protect ongoing primary production
- Ensuring that NESENA rules do not unintentionally override regional and district plan provisions designed to protect HPL.

Accordingly, where electricity network infrastructure is proposed on or near HPL, decision-makers must demonstrate that the location is operationally or functionally necessary and that there are no practicable alternatives. Where such infrastructure is essential to rural production or national resilience, its development may be justified – but only where adverse effects on the productive capacity and functionality of the land are avoided where practicable, and otherwise minimised or mitigated.

We therefore recommend that specific policy and rule guidance be included in the NESENA to clarify how it should give effect to the NPSHPL. This includes requiring infrastructure operators to demonstrate how the location, scale, and design of transmission activities have considered the need to retain productive capacity and land use flexibility.

2. Discussion Questions

Q. 1.1	Do you support the proposed scope of activities and changes to the permitted activity conditions for electricity transmission network activities?

HortNZ generally supports the proposed scope of activities and the changes to permitted activity conditions in the NESENA for transmission lines as they provide certainty for essential maintenance and upgrade works.

Q. 1.2	Do you support the proposed matters of control and discretion for all relevant matters to be considered and managed through consent conditions?

HortNZ supports the inclusion of clearly defined matters of control and discretion to ensure that relevant environmental, safety, and land use considerations can be effectively addressed through consent conditions. This approach provides necessary flexibility for councils to respond to site-specific issues and ensures that effects on land-based primary production, particularly on HPL can be appropriately assessed and managed.

However, we recommend that the matters of control and discretion explicitly include:

- Effects on the productive capacity and operational flexibility of rural land uses
- Alignment with the NPS-HPL, particularly Clauses 3.5 and 3.6
- Requirements for early engagement with affected landowners and rural industry stakeholders.

Incorporating these matters would help ensure a balanced approach to managing electricity network activities within rural and productive zones.

Q. 1.3	Would the proposed National Grid Yard and Subdivision Corridor rules be effective in restricting inappropriate development and subdivision underneath electricity lines?

These provisions are consistent with the intent of the existing National Policy Statement on Electricity Transmission (NPSET) and reflect an established planning approach already adopted in most district plans. We agree that formalising these controls at a national level will improve consistency and certainty for both electricity operators and landowners.

However, we consider that these rules should apply only to transmission infrastructure (typically 110kV and above), and not to lower-voltage electricity distribution lines. Applying National Grid Yard-style setbacks to distribution networks would be disproportionate and could unduly restrict the productive use of rural land. Distribution infrastructure is more extensive, lower in scale, and more integrated into

the working landscape, and is already subject to safety and setback requirements under NZECP 34:2001.

We therefore recommend that the application of the National Grid Yard and Subdivision Corridor provisions be limited to transmission assets only.

Q. 1.4	Do you support adding any or all of the five categories of regional activities to the NES-ENA as permitted activities?

HortNZ supports, in principle, the intent to streamline consenting processes for electricity transmission activities by permitting certain low-risk regional activities. However, we do not support the blanket addition of all five proposed categories as permitted activities under the NESENAA without further refinement.

In the context of horticulture, there is a particular risk that these permitted activities could:

- Compromise productive capacity on HPL through drainage or earthworks
- Lead to sedimentation or runoff affecting growing areas or water sources

We therefore recommend a tailored approach where only genuinely low impact regional activities with minimal environmental and land use implications are granted permitted activity status. Any permitted activity must be subject to robust conditions to protect the functionality and integrity of primary production systems and must align with the direction of the NPSHPL.

Q. 1.5	Do you support the proposed permitted activity conditions and the activity classes if these conditions are not met?

HortNZ supports the use of clear permitted activity conditions as a mechanism to enable low risk electricity transmission activities, while ensuring that adverse effects on land use, the environment, and existing rural activities are appropriately managed. However, we submit that the proposed conditions must be more carefully aligned with the practical realities of rural land use and the requirements of the NPSHPL.

We agree that if permitted activity conditions are not met, activities should default to controlled, restricted discretionary, or discretionary activity status depending on the nature and scale of the potential effects. This framework ensures that more complex or higher risk infrastructure works are subject to appropriate scrutiny and tailored conditions through the consent process.

However, we recommend the following refinements:

- **Stronger safeguards for HPL:** Permitted activity thresholds should include conditions to so they do not compromise the long-term productive capacity or availability of HPL
- **Notification triggers or engagement requirements:** Where permitted activities intersect with HPL or land-based primary production systems, there should be a requirement for early notification to affected landowners to minimise operational disruption and allow for coordination.

In summary, while we support the proposed activity class structure, the permitted activity conditions must be more robust and responsive to rural contexts. This will ensure that the NESENAA facilitates essential infrastructure without undermining New Zealand's food production systems or the intent of the NPSHPL.

Q. 1.6	Do you support management plans being used to manage environmental impacts from blasting, vegetation management and earthworks?

HortNZ supports the use of management plans as a flexible and context specific tool to manage environmental effects associated with electricity transmission activities. Management plans can enable site-appropriate mitigation, promote early engagement with affected parties, and provide a mechanism for ongoing monitoring and adaptive management.

However, to be effective, management plans must:

- Be developed in consultation with affected landowners and industry stakeholders, particularly where activities intersect with HPL
- Clearly set out performance standards, monitoring obligations, and procedures for addressing non-compliance
- Be enforceable under resource consent conditions
- Include specific provisions to avoid or minimise disruption to primary production

We therefore support management plans as a tool, provided their preparation, implementation, and review are robust and participatory, and that they do not substitute for clear limits and standards in areas of high land use sensitivity.

Q. 1.7	What is your feedback on the scope and scale of the electricity distribution activities to be covered by the proposed NESENAA?

HortNZ does not support the inclusion of electricity distribution lines within the scope of the proposed NESENAA. Distribution infrastructure differs significantly from the high-voltage transmission assets the current NES framework was designed to manage. Unlike transmission lines, electricity distribution networks are lower voltage, locally embedded, and more variable in form and location, often traversing productive rural land.

The NZECP 34:2001 already provides a nationally consistent and well understood framework for managing the interface between distribution assets and rural land use. This includes specific technical standards for setback distances, conductor clearance, and vegetation management. By contrast, the National Grid Yard provisions are significantly more restrictive, imposing broad setback requirements and corridor overlays intended for large-scale transmission lines (typically 110kV and above). Applying these provisions to local distribution lines would result in disproportionate constraints on rural landowners and undermine productive use of HPL.

Expanding the NESENAA to include distribution lines risks duplicating or overriding the established NZECP framework. Applying a one-size-fits-all regulatory approach to both transmission and distribution would introduce unnecessary compliance complexity and could reduce operational flexibility within rural land use.

Distribution infrastructure should continue to be managed through the NZECP 34:2001 and implemented through local district plan provisions.

We therefore recommend that the NESENAA remain focused on transmission infrastructure only, and that electricity distribution activities be excluded from its scope

to ensure regulation remains targeted, proportionate, and compatible with the practical realities of rural production.

Q. 1.8	Do you support the proposed inclusion of safe distance requirements and compliance with some or all of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001?

HortNZ supports the proposed inclusion of the NZECP 34:2001 within the NESENAA framework. NZECP 34:2001 provides clear, technically sound, and nationally consistent guidance on managing the interface between electrical infrastructure and surrounding land uses, including requirements for safe setbacks, conductor clearance, and vegetation management.

We consider NZECP 34:2001 to be an appropriate and proportionate mechanism for managing electricity distribution infrastructure, particularly in rural environments where distribution lines often intersect with productive land. The Code already accommodates the variable voltage levels and design of distribution systems and provides sufficient direction to protect public safety and network integrity without unduly constraining primary production.

Accordingly, we support the alignment of permitted activity conditions with NZECP 34:2001, provided this is applied in a targeted and infrastructure-appropriate manner, and that distribution infrastructure continues to be regulated through the technical standards already embedded in the Code, rather than through National Grid Yard provisions.

Q. 1.9	Should the NESENAA allow plan rules to be more lenient for electricity distribution activities proposed to be regulated?

HortNZ does not support the inclusion of electricity distribution lines within the scope of the proposed NESENAA unless this is managed via NZECP 34:2001. Distribution infrastructure is fundamentally different in scale, location, and risk profile compared to transmission infrastructure and is already appropriately managed through the NZECP 34:2001.

If distribution activities were to be included despite our position, then we would support provisions that allow local and regional plans to adopt more lenient rules than the NESENAA for distribution lines, where this reflects local context and does not compromise safety.

However, we reiterate that the preferred approach is to manage distribution infrastructure through the NZECP 34:2001 rather than through prescriptive, nationally applied environmental standards. Including distribution in the NESENAA risks creating regulatory overreach and undermines land use flexibility on highly productive land.

Q. 1.10	Should the NESENAA allow plan rules to be more stringent in relation to electricity distribution activities in specific environments?

HortNZ does not support the inclusion of electricity distribution lines within the scope of the NESENAA. Distribution infrastructure is already subject to robust technical guidance under NZECP 34:2001.

Accordingly, we do not support allowing plan rules to be more stringent in relation to electricity distribution activities. Doing so would risk creating unnecessary regulatory complexity and inconsistency across regions, contrary to the purpose of having a national code. Instead, the NZECP should continue to be the primary mechanism for managing safety and interface with land-based activities, including horticulture.

If distribution lines remain in scope, the NESENAA should clearly defer to NZECP 34:2001 and avoid enabling additional layers of local rules that could unduly restrict productive rural land use.

Q. 1.11	Do you support the proposed provisions to make private electric vehicle charging and associated infrastructure a permitted activity at home or at work?

HortNZ supports, in principle, the proposed provisions to make private electric vehicle (EV) charging and associated infrastructure a permitted activity at home or at places of employment. We recognise that enabling EV charging supports the transition to low-emissions transport, aligns with national climate change objectives, and offers practical benefits for both residential and rural workplaces.

However, any permitted activity status should ensure that infrastructure installation does not result in unintended adverse effects on rural land use.

Provisions should include basic safeguards to ensure infrastructure is appropriately located and compatible with other site activities, particularly in rural and production environments.

Q. 1.12	Should the construction, operation and maintenance of electric vehicle charging infrastructure be a permitted activity, if it is located in a land transport corridor?

HortNZ supports the intent to make EV charging infrastructure a permitted activity within land transport corridors, provided that the infrastructure does not generate adverse impacts on adjoining productive land.

Q. 1.13	Should the construction, operation and maintenance of electric vehicle charging infrastructure become a permitted activity, if it is ancillary to the primary activity or outside residential areas?

HortNZ supports the proposed permitted activity status for EV charging infrastructure where it is ancillary to the primary land use or located outside residential zones. This approach is practical and aligns with broader national goals to support emissions reduction and transport decarbonisation.

Q. 1.14	Do you support the proposed provisions for electric vehicle charging for all types of EVs, or are additional requirements needed for heavy vehicles such as large trucks, ferries or aircraft?

HortNZ supports the intent to provide for EV infrastructure across all EV types however, we recommend distinguishing between light EV infrastructure, which is often small-scale and suitable for permitted activity status, and heavy EV infrastructure (e.g. for trucks, ferries, or aircraft), which may involve higher energy demands and more significant land use or environmental effects.

In the horticulture sector, heavy electric vehicles such as refrigerated freight trucks and electric forklifts are becoming more common for produce transport and packhouse operations. Supporting infrastructure (e.g. high-capacity charging stations or battery swap depots) may be necessary, particularly in rural areas.

Therefore, we recommend:

- Permitted activity status be retained for small-scale and ancillary EV charging in rural zones, including for utes, cars, and light commercial vehicles
- Controlled or restricted discretionary activity status be applied to large-scale EV infrastructure associated with heavy vehicles, with matters of control limited to effects on land use functionality, productive capacity (e.g. on HPL), and infrastructure compatibility.

This ensures a practical approach that supports emissions reduction while avoiding unintended impacts on rural production or land use flexibility.

3. Conclusion

HortNZ supports the intent of the proposed NESENA however, the policy must also be implemented in a way that gives effect to the NPSHPL and does not compromise the ongoing viability of primary production.

The widespread and embedded nature of electricity distribution infrastructure presents unique risks to horticulture that are not fully addressed in the draft NESENA.

We therefore submit that:

- National Grid Yard provisions should not be extended to distribution infrastructure, which is better managed through NZECP 34:2001
- The NESENA should include clear requirements to avoid or minimise adverse effects on HPL and ensure that infrastructure is located on such land only where operationally necessary and where no practicable alternative exists
- Decision makers must consider the effects of distribution infrastructure on primary production and ensure balanced protections for both electricity networks and existing rural land uses
- A more collaborative and transparent approach to route and site selection, including meaningful engagement with landowners and rural industries, is essential to avoid land use conflicts and maintain productive capacity.

By adopting a more balanced and proportionate policy approach, the NESENA can enable critical electricity infrastructure while safeguarding New Zealand's food production systems and rural economies for future generations.