

National Environmental Standards for Electricity Transmission Activities and National Environmental Standards for Telecommunication Facilities



Disclaimer

The information in this publication is, according to the Ministry for the Environment's best efforts, accurate at the time of publication. The Ministry will make every reasonable effort to keep it current and accurate. However, users of this publication are advised that:

- the information does not alter the laws of New Zealand, other official guidelines, or requirements
- it does not constitute legal advice, and users should take specific advice from qualified professionals before taking any action based on information in this publication
- the Ministry does not accept any responsibility or liability whatsoever whether in contract, tort, equity, or otherwise for any action taken as a result of reading, or reliance placed on this publication because of having read any part, or all, of the information in this publication or for any error, or inadequacy, deficiency, flaw in, or omission from the information in this publication
- all references to websites, organisations or people not within the Ministry are for convenience only and should not be taken as endorsement of those websites or information contained in those websites nor of organisations or people referred to.

This document may be cited as: Ministry for the Environment. 2026. *National Environmental Standards for Electricity Transmission Activities and National Environmental Standards for Telecommunication Facilities: Report on Recommendations and Decisions*. Wellington: Ministry for the Environment.

Published in May 2026 by the
Ministry for the Environment
Manatū mō te Taiao
PO Box 10362, Wellington 6143, New Zealand
environment.govt.nz

ISBN: 978-1-991404-43-5
Publication number: ME 1970

© Crown copyright New Zealand 2026

Contents

Introduction	4
Summary of recommendations and Minister’s decisions	5
Part 1: Recommendations and decisions tables	8
Part 2: Section 46A RMA report and recommendations	134

Introduction

This report summarises submissions received, outlines officials' recommendations in response to those submissions, and presents the Minister Responsible for RMA Reform's (the Minister's)¹ final decisions on the following national direction proposals:

- proposed amendments to the National Environmental Standards for Electricity Transmission Activities (NES-ETA)
- proposed amendments to the National Environmental Standards for Telecommunication Facilities (NES-TF).²

The proposed National Environmental Standards for Electricity Transmission Activities will be renamed as the National Environmental Standards for Electricity Network Activities (NES-ENA). This report will refer to 'NES-ENA' unless referring specifically to the NES-ETA.

The proposals formed part of one of three packages notified in May 2025:³ Package 1: Infrastructure and development (package 1).⁴ A report summarising submissions on the proposals and outlining officials' recommendations was prepared for the Minister in December 2025 in accordance with section 46A of the Resource Management Act 1991 (RMA). The Minister subsequently made some changes to the notified proposals and intends to recommend the NES-ENA and NES-TF to the Governor-General mid-2026, before the instruments are gazetted and come into effect shortly thereafter⁵.

The Minister is required to publicly notify any report prepared under section 46A (see sections 44(1)(b) and 52(3)(b) of the RMA). This report fulfils this legal requirement.

This report is structured in two parts.

- **Part 1** sets out officials' final recommendations and the Minister's final decisions on the proposals.
- **Part 2** provides the original supporting analysis and recommendations that informed those decisions, as prepared under section 46A of the RMA for the Minister in December 2025.

¹ The Prime Minister agreed that portfolio responsibility for statutory decisions on the listed national direction rests with the Minister Responsible for RMA Reform, rather than the Minister for the Environment as stated in the Resource Management Act 1991 (RMA). The Minister Responsible for RMA Reform can exercise these powers in accordance with section 7 of the Constitution Act 1986.

² While there is no legal requirement to provide the summary of the Minister's final decisions for national environmental standards, a process similar to that used for national policy statements (see section 52(3)(c) of the RMA) has been followed. This approach helps to ensure that submitters can see how decisions were made and understand what changes have occurred.

³ Statutory consultation on the proposals in package 1 (infrastructure and development) and package 2 (primary sector), and non-statutory consultation on package 3 (freshwater) ran from 29 May 2025 to 27 July 2025. Non-statutory consultation on package 4 (Going for Housing Growth) ran from 18 June to 17 August.

⁴ Ministry for the Environment. 2025. *Package 1: Infrastructure and development – Discussion document*. Wellington: Ministry for the Environment.

⁵ A subset of amendments to the NES-ENA on Electric Vehicle Charging were made on 7 April 2026, gazetted on 9 April, and will come into force on 7 May 2026. Their title is Resource Management (National Environmental Standards for Electricity Transmission and Electric Vehicle Charging Infrastructure Activities) Amendment Regulations 2026.

Summary of recommendations and Minister's decisions

Officials recommended a number of changes to the notified NES-ENA and NES-TF proposals, drawing on submitter feedback and further analysis of the proposals.

The Minister considered these recommendations and made final decisions on each national direction instrument. In some areas, this resulted in changes to the notified proposals.

Part 1 of this report includes the full set of recommendations provided to the Minister along with the final decisions made by the Minister. Recommendations and supporting rationale in part 1 have been updated from what was originally provided to the Minister in December 2025 to reflect subsequent ministerial advice and to correct minor and technical errors and enhance clarity. The original recommendations and accompanying rationale provided to the Minister are preserved in part 2 of this report, with minor and technical amendments made to address inaccuracies and improve clarity.

The final text of the instruments may vary from officials' recommendations as a result of legal drafting conventions.

A summary of officials' final recommendations and the Minister's final decisions is provided below for each instrument.

National Environmental Standards for Electricity Network Activities

Officials recommended the following:

- retain the proposal to broaden the application of the NES-ENA to include electricity distribution networks and electric vehicle (EV) charging infrastructure
- amend the proposed definitions to improve clarity and alignment with the National Policy Statement for Electricity Networks (NPS-EN) (previously National Policy Statement for Electricity Transmission 2008) to reduce interpretation issues
- amend the proposed permitted activity standards for routine maintenance and upgrade activities on the electricity network to include appropriate thresholds and matters of control for sensitive environments, including new permitted activity standards for earthworks in natural areas and historic heritage places or areas
- withdraw the proposed regional rules and management plans for vegetation and earthworks, while retaining a management plan approach to support permitted discharges from blasting activities
- amend the proposed rules for the electricity distribution network to provide for existing and new assets, with appropriate controls in sensitive environments, including revised height standards with zone-based limits for new lines and a new controlled activity for new lines in the land transport corridor in natural areas and historic heritage places or areas

- amend the proposed regulations for the National Grid Yard and Subdivision Corridor for the electricity transmission network to clarify the application to a limited number of lines operating at a lower voltage, but exclude the Auckland region from their application
- improve the workability of the proposed reverse sensitivity rules for the electricity distribution network, including a new rule for earthworks near lines, reflecting best safety practices by codifying compliance with New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001)
- retain the proposal that district and regional plan rules can be more lenient, but not more stringent, than the NES-ENA for electricity distribution and EV charging, to maintain local flexibility while ensuring national consistency
- amend the proposed permitted bulk and location standards for EV charging infrastructure and clarify the relationship with traffic standards.

The Minister agreed to the recommendations.

National Environmental Standards for Telecommunication Facilities

Officials recommended the following:

- retain most of the notified NES-TF proposal without change
- amend the technical size standards for cabinets, antennas, antennas on buildings and telecommunication lines for greater enablement and to reflect technological changes
- proceed with Option 1 of the notified proposal to establish national pole height standards, with pole height caps ranging between 20 metres, 25 metres and 35 metres, depending on the zone, and additional height in specified zones to promote co-location
- proceed with Option 1 of the notified proposal to provide for new poles outside the road reserve in local centre, neighbourhood centre, mixed-use, commercial, large format retail and industrial zones, aligning the size standards for poles in the road reserve (above)
- provide for headframes size standards for poles in and outside of the road reserve (adapted from Option 2 of the notified proposal) to support co-location. This adopts a three-tier approach for headframes, with maximum widths of 1.6, 2.5 and 4.5 metres, commensurate with the sensitivity and built form characteristics of the zone a pole is in or adjoining
- amend the 50-metre rural setback to extend its application to rural poles in the road reserve and improve its workability and enable relocation, size increases and headframe replacement for existing poles within this setback
- apply a new residential boundary setback to more zones to protect residential amenity from poles located outside the road reserve in adjoining zones
- provide for battery storage in cabinets when it is powering rural facilities connected to small-scale renewable electricity generation (solar and wind) and on-board temporary facilities
- provide for a new restricted discretionary activity regulation and matters of discretion for small-scale renewable electricity generation (solar and wind) and battery storage when the permitted activity standards are not complied with, rather than deferring to district plans

- allow customer connections to heritage buildings to be installed and operated on the front façade or on a primary heritage features only if the line is enclosed within existing conduit, and on archaeological sites with buildings
- proceed with a restricted discretionary activity standard for non-compliance with the permitted activity standards for customer connections (ie, fibre optic broadband) to heritage buildings (Option 1 of the notified proposal).

The Minister agreed to the recommendations.

Part 1: Recommendations and decisions tables

Consolidated recommendations and decisions – Amendments to the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009

Recommendations and decisions in relation to notified proposed provisions

The following recommendations were made in response to matters raised through submissions and officials' overall assessment of the proposal.

The proposal section of this table includes the proposed provisions published in: Ministry for the Environment. 2025. *Package 1: Infrastructure and development – Discussion document*. The recommendations section includes recommended changes to the notified proposal and specifies reasons for recommended changes. Reference to 'no change' means a recommendation to retain the proposal as notified whereas 'change' indicates a recommendation to change the notified proposal.

Additional advice on the proposed NES-ENA was provided after the Minister considered the Section 46A RMA report and recommendations (see Part 2 of this report). That advice resulted in changes to recommendation 131, along with updates to reasoning.

The final text of the instrument may vary from officials' recommendations as a result of legal drafting conventions.

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Application	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Where will the NES-ENA apply?	<p>The NESETA is proposed to be amended and to apply to both existing electricity transmission infrastructure and electricity distribution assets (new and existing) and include new regulations relating to electric vehicle charging infrastructure (EVCI) and be a new set of regulations called the NES-ENA.</p> <p>The NES-ENA is proposed to apply nationwide except for the National Grid Yard rules, which are not proposed to apply within the Auckland region.</p>	Scope and definitions	<p>No change</p> <ol style="list-style-type: none"> 1. Rename the National Environmental Standards for Electricity Transmission Activities to the National Environmental Standards for Electricity Network Activities (NES-ENA) 2. Retain the proposal to amend the application of the NES-ENA to: <ol style="list-style-type: none"> a. all electricity network infrastructure and ancillary activities, and electric vehicle charging infrastructure (EVCI) b. exclude the application of the National Grid Yard rules for the Auckland region. 	<p>Most submitters supported the proposed application of the NES-ENA and supported the expanded NES-ENA scope to include electricity distribution and EV charging infrastructure.</p> <p>Officials do not recommend changing the proposed approach for the National Grid Yard rules for Auckland. While Transpower supported incorporating the Auckland Unitary Plan (AUP) provisions in the NES-ENA, this would not effectively change the status quo (as the overlay is currently operative), and the potential benefits do not outweigh the risk of not having engaged with affected parties on this approach.</p>	<p>Agreed with recommendation</p> <p>Agreed with recommendation</p>
What electricity assets will be covered by the NES-ENA?	<p>The application of the NES-ENA is proposed to be to activities relating to existing electricity transmission lines that were operational on 14 January 2010 (the same as the NESETA) and activities relating to specified electricity distribution assets (new and existing). It will also apply to certain types of EV charging infrastructure.</p> <p>The proposal is seeking feedback on whether the proposed NES-ENA should apply to either:</p> <ul style="list-style-type: none"> • electricity distribution network (EDN) lines over 110 kV voltage (existing and new). This would give a similar level of enablement and 	Scope and definitions	<p>Change</p> <ol style="list-style-type: none"> 3. Apply the NES-ENA to: <ol style="list-style-type: none"> a. all electricity distribution assets and activities, except as otherwise specified in the regulation b. electricity transmission infrastructure as operational on 14 January 2010 c. electricity distribution and EV charging infrastructure from the gazettal date of the NES-ENA 	<p>Submitters supported applying the NES-ENA regulations to all electricity distribution assets and activities, except as otherwise specified in regulations. While it is recognised that substations are essential components of the electricity distribution network, substations are not expressly regulated under the NES-ENA.</p> <p>The commencement date for NES-ENA will be the date of gazettal. This means that it will apply to the electricity distribution network from gazettal, while</p>	Agreed with recommendation

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Application	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>protection for all lines over 110 kV, regardless of ownership; or</p> <ul style="list-style-type: none"> a wider range of EDN activities covering both high and low voltage lines and existing and new assets, as detailed further in Part 3 of this proposal. 		<p>d. new resource consent applications that are lodged on or after the commencement date of the NES-ENA in relation to the electricity transmission or distribution network.</p>	<p>the application to existing electricity transmission lines as at 14 January 2010 will be retained and is specified in proposed D16. This approach addresses Transpower's concerns and avoids extending coverage to designated assets.</p> <p>Officials recommend the NES-ENA applies from the commencement date, so it applies to resource consents under active consideration.</p>	

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
D1 Ancillary electricity network activities (ancillary EN activities)	<p>Introduce a new definition for 'ancillary EN activities' that:</p> <p><i>means all supporting and subsidiary activities needed to provide the operation, maintenance, and upgrading of the EN, including but not limited to vegetation clearance, tree trimming, earthworks, the construction, maintenance and upgrading of access tracks and accessways, power supply, and telecommunications.</i></p>	Scope and definitions	<p>No change</p> <p>4. Retain the proposal definition of 'ancillary electricity network activities'.</p>	<p>This definition expands on the National Planning Standards 2019 definition for ancillary activities, providing an inclusive list of likely ancillary EN activities for electricity networks.</p>	Agreed with recommendation

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
D2 Cabinet	Introduce a new definition that means: a) <i>a structure that houses equipment affixed to the ground that is necessary to operate part of the electricity distribution network, including any casing; but</i> b) <i>does not include electricity substation facilities or buildings.</i>	Scope and definitions	Change 5. Amend the proposal definition of 'cabinet' to clarify that unenclosed substations are excluded from the definition.	This clarification is necessary to ensure that the regulations are not applied to unenclosed substations. Bulk standards have been proposed according to equipment housed in ground-mounted cabinets, similar to the approach in the NES-TF. While cabinets could still contain substation components (eg, transformers or switching gear), unenclosed substations would continue to rely on rules in district plans or as provided under other legislation (eg, Building Act 2004).	Agreed with recommendation
D3 Circuit	Retain and amend the definition that: <i>means conductors on a transmission line or distribution line that together form a single electrical connection between 2 or more system nodes.</i>	Scope and definitions	No change 6. Retain the proposal definition of 'circuit'.	The definition was generally supported in submissions.	Agreed with recommendation
D4 Compromised span	Introduce a new definition that: <i>means, for the purpose of these regulations, a span identified in the Auckland Unitary Plan as being compromised.</i>	Scope and definitions	Change 7. Remove the proposal definition of 'compromised span'.	This definition is no longer required in the regulations, as it is necessary only if the AUP provisions are included in the NES-ENA.	Agreed with recommendation
D5 Conductor	Amend the definition that means: a) <i>wire or cable used for carrying electric current along a transmission line or distribution line; and</i> b) <i>includes any hardware and insulation associated with the wire or cable.</i>	Scope and definitions	No change 8. Retain the proposal definition of 'conductor'.	This definition was generally supported in submissions.	Agreed with recommendation

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
D6 Customer driven project	Introduce a new definition for 'customer driven projects' that means: <i>ETN or EDN activities that a third party other than Transpower New Zealand Limited or an electricity distribution business has requested be carried out, such as new connections to electricity generation or demand, or relocation or undergrounding of assets in order to enable urban or infrastructure development, excluding new connections to electricity generation that are managed under the National Policy Statement for Renewable Electricity Generation.</i>	Scope and definitions	Change 9. Amend the proposal to remove the definition of 'customer driven project'.	Officials recommend removing this definition as it is not necessary for the interpretation of the regulations. Direct customer connections from the electricity generation facility to the EN that are owned and operated by the EN are covered by the NES-ENA. However, connections that are operated by the EN but owned by the renewable energy generation (REG) companies are captured by the National Policy Statement for Renewable Electricity Generation 2011 (NPS-REG).	Agreed with recommendation
D7 Electricity network development activities (EN development activities)	Introduce a new definition that means: a) <i>the construction of new EN assets that is not carried out on or related to EN lines, or cables, or at substation sites, that exist at the time of construction; or</i> b) <i>customer driven projects.</i>	Scope and definitions	Change 10. Amend the proposal to remove the definition of 'electricity network development activities'.	Officials recommend removing this definition as the term 'EN development activities' is not used in the regulations.	Agreed with recommendation
D8 Dry abrasive blasting	Introduce a definition that: <i>means abrasive blasting using materials to which no water has been added.</i>	Scope and definitions	No change 11. Retain the proposal definition of 'dry abrasive blasting' as defined in the national planning standards.	These definitions are needed to assist in interpreting the proposed rules. The definitions in the National Planning Standards 2019 are proposed to be used as they are intended to improve national consistency of the planning system.	Agreed with recommendation
D9 Earthworks	Introduce a new definition that: <i>means the alteration or disturbance of land, including by moving, removing, placing, blading, cutting, contouring, fillings or excavation of earth (or any matter constituting the land including soil,</i>	Scope and definitions	No change 12. Retain the proposal definition of 'earthworks' as defined in the national planning standards.		Agreed with recommendation

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<i>clay, sand and rock); but excludes gardening, cultivation, and disturbance of land for the installation of fence posts.</i>				
D10 Electricity distribution network (EDN)	Introduce a new definition that: <i>means any part of the electricity network that is controlled by a person or body who is both an electricity distributor and an electricity operator as those terms are defined in section 2 of the Electricity Act 1992; and does not include the electricity transmission network (as defined below).</i>	Scope and definitions	Change 13. Amend the proposal definition of 'electricity distribution network' to include specific references to the distribution network consistent with the definition of 'electricity transmission network' and align with the proposed NPS-EN definition.	Clarifying the definition of 'electricity distribution network' will assist with interpretation of the regulations and provide greater clarity and certainty for electricity distribution businesses (EDBs). Officials recommend aligning this definition with the corresponding definition in the proposed NPS-EN.	Agreed with recommendation
D11 Electricity network (EN)	Introduce a definition that: <i>means the electricity transmission network and the electricity distribution network.</i>	Scope and definitions	No change 14. Amend the proposal definition of 'electricity network to' refer to the 'existing electricity transmission network' and align with the proposed NPS-EN definition.	The scope of the NES-ENA is to provide a regulatory framework for the distribution and transmission network. While some submitters sought the inclusion of grid-scale batteries, inclusion in the NES-ENA is considered out of scope and policy has been provided in proposed amendments to the NPS-REG.	Agreed with recommendation
D12 Electricity network activities (EN activities)	Introduce a definition that: <i>means the construction, operation, maintenance, development, upgrade, replacement, decommissioning or removal of electricity network assets and all ancillary activities, unless otherwise specified.</i>	Scope and definitions	No change 15. Retain the proposal definition of 'electricity network activities' and align with the proposed NPS-EN definition.	This definition has the same meaning as in the proposed NPS-EN.	Agreed with recommendation

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
D13 Electricity transmission network (ETN)	<p>Introduce a definition that:</p> <p><i>means all parts of the National Grid of electricity transmission that:</i></p> <p>a) <i>comprises the network of transmission lines, and cables (aerial, underground, and submarine, including the high-voltage direct current link), stations, and substations, facilities and works, and all ancillary activities, and other works used to connect grid injection points and grid exit points to convey electricity in Aotearoa New Zealand;</i></p> <p>b) <i>is owned or used by Transpower New Zealand Limited; and</i></p> <p>c) <i>is commonly known as the National Grid.</i></p>	Scope and definitions	<p>Change</p> <p>16. Amend the proposal definition of 'electricity transmission network' to remove reference to the National Grid and replace it with reference to the 'electricity transmission network' only and align with the proposed NPS-EN definition.</p>	A minor change to replace reference to the term 'National Grid' is recommended because the term 'electricity transmission network' is used in both the proposed NES-ENA and proposed NPS-EN and an amendment would align definitions in both instruments. Reference to the 'National Grid' in clause (c) is retained for clarification.	Agreed with recommendation
D14 Electricity network activities (EN development activities)	<p>Introduce a definition that means:</p> <p>a) <i>the construction of new EN assets that is not carried out on or related to EN lines, or cables, or at substation sites, that exist at the time of construction; or</i></p> <p>b) <i>customer driven projects.</i></p>	Scope and definitions	<p>Change</p> <p>17. Amend the proposal to remove the definition of 'electricity network activities' from the proposal.</p>	The term is not intended to be used in this regulation, and the definition is not required.	Agreed with recommendation
D15 Electric vehicle charging infrastructure (EVCI)	<p>Introduce a definition that:</p> <p><i>means the construction, maintenance, operation, upgrade, and replacement of electricity vehicle charging infrastructure:</i></p> <p>a) <i>including all buildings and structures associated with the charging of electric vehicles, the sale of electricity for the purpose of charging</i></p>	Scope and definitions	<p>Change</p> <p>18. Amend the proposal definition of 'EV charging infrastructure' to exclude lighting and signage.</p>	The change clarifies that lighting and signage associated with EV charging infrastructure are not included in the definition, meaning that district plan rules will continue to provide for these matters.	Agreed with recommendation

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p><i>vehicles, electric vehicle charging car parks and manoeuvring spaces, chargers, cabinetry, batteries, bollards, and wheelstops;</i></p> <p><i>b) it does not include the retail sales of any other goods or services.</i></p>				
D16 Existing transmission line	<p>Retain and amend a definition that means:</p> <p><i>a) a transmission line that was operational, or was able to be operated, at 14 January 2010 (being the commencement of the original regulations); and</i></p> <p><i>b) includes a transmission line described in paragraph (a) that is altered or relocated in accordance with these regulations; and</i></p> <p><i>c) includes a transmission line that, in accordance with these regulations, replaces a transmission line described in paragraph (a).</i></p>	Scope and definitions	<p>No change</p> <p>19. Retain the proposal definition of 'existing transmission line'.</p>	The definition of 'existing transmission line' is necessary to ensure that the proposed NES-ENA continues to appropriately apply to existing Transpower assets as at 14 January 2010.	Agreed with recommendation
D17 Existing distribution line	<p>Introduce definition that means:</p> <p><i>a) a distribution line that was operational, or was able to be operated, at the commencement of the regulations relating to distribution lines; and</i></p> <p><i>b) includes a distribution line described in paragraph (a) that is altered or relocated in accordance with these regulations; and</i></p> <p><i>c) includes a distribution line that, in accordance with these regulations, replaces a distribution line described in paragraph (a).</i></p>	Scope and definitions	<p>No change</p> <p>20. Retain the proposal definition of 'existing distribution line'.</p>	The definition of 'existing distribution line' will support users to differentiate between existing and new electricity distribution lines. Existing distribution lines are those lines that were operational on the date of the commencement of the proposed NES-ENA.	Agreed with recommendation

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
D18 Guy wire	Introduce a definition that: <i>means a cable or wire designed to add stability to a structure, including any associated pole or anchor block.</i>	Scope and definitions	No change 21. Retain the proposal definition of 'guy wire'.	The proposed definition was generally supported.	Agreed with recommendation
D19 Height	Amend the definition of height that: <i>means the vertical distance between a specified reference point and the highest part of any feature, structure, or building above that point.</i>	Scope and definitions	Change 22. Amend the proposal definition of 'height' with the intent of clarifying the following reference points: a. the height of the structure measured vertically from the ground level at the centre of the structure to the highest point of the structure includes conductors but excluding telecommunication devices, earth peaks, lightning rods and insulators' for regulations 14, 15, 21, 22, R8A, R8B, R9, R10A and R10B b. 'ground level' for regulations 25, R12 and R16.	While the proposed definition aligns with the National Planning Standards 2019, it lacks specificity and has potential interpretation issues. Officials recommend amending the definition to clarify the specified reference point for each type of structure addressed in the regulations to improve the workability of relevant regulations that include standards relative to height. The NES-ETA reference point has been adjusted to exclude insulators, which are captured in the proposed NES-ENA under D31 Pole. This approach provides certainty and flexibility for differences in 'reference points' depending on the regulations and relative structure involving height standards.	Agreed with recommendation

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
D20 Historic heritage item or setting	Amend the definition for historic heritage that: <i>means any historic heritage site, building or area protected by a rule in a plan because of its historic heritage value, including sites of significance to Māori.</i>	Scope and definitions	Change 23. Amend the proposal definition of 'historic heritage item or setting' to: a. Rename the definition 'historic heritage place or area' b. Include historic heritage items in the definition.	This minor change provides consistent statutory language on historic heritage, which will assist with interpretation. The definition retains the reliance on provisions in local plans. Compliance with the Heritage New Zealand Pouhere Taonga Act 2014 archaeological provisions is still required. Consistent referencing to D20 throughout the NES-ENA will be addressed in drafting.	Agreed with recommendation
D21 Land transport corridor	Introduce a definition of land transport corridor that: <i>means land within the legal boundary of any road, motorway, or railway land.</i>	Scope and definitions	No change 24. Retain the proposal definition of 'land transport corridor'.	The definition is consistent with the wording used in most district plans. Where there is a potential gap in coverage because roads are shown on subdivision plans but have not yet been vested as legal road, it is expected that councils will take a pragmatic approach in considering the application of the proposed NES-ENA regulations.	Agreed with recommendation
D22 LAeq(15min)	Introduce a definition that: <i>has the same meaning as in NZS 6801:2008 Acoustics – Measurement of environmental sound.</i>	Scope and definitions	No change 25. Retain the proposal definition of 'LAeq(15min)' as defined in the national planning standards.	The definition is needed to assist in interpreting the proposed rules. The definition in the National Planning Standards 2019 is proposed to be used to improve national consistency of the planning system.	Agreed with recommendation
D23 Mechanical preparation of surface	Introduce a definition that: <i>means removing impurities or corrosion of part of the surface using hand-held tools with an abrasive surface.</i>	Scope and definitions	No change 26. Retain the proposal definition of 'mechanical preparation of surface'.	The proposed definition was supported by submitters.	Agreed with recommendation

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
D24 Modelled conductor noise levels	<p>Introduce a definition that:</p> <p><i>means calculated noise levels based on the transmission line and conductor configuration, taking into account new wet conductor characteristics, ignoring the presence of any buildings, and without any adjustments for special audible characteristics (which has the same meaning as in NZS 6802:2008 Acoustics – Environmental noise (NZS 6802).</i></p>	Scope and definitions	<p>No change</p> <p>27. Retain the proposal definition of 'modelled conductor noise levels'.</p>	This definition was supported by submitters. It will work alongside regulations carried over from proposed NES-TF amendments to clarify how noise is to be measured.	Agreed with recommendation
D25 National Grid Subdivision Corridor	<p>Introduce a new definition that:</p> <p><i>means the area measured either side of the centreline of above ground National Grid transmission lines as follows (and illustrated in the darker green below):</i></p> <ul style="list-style-type: none"> • 14 metres for 66 kV and 110 kV transmission lines on single poles • 16 metres for 66 kV and 110 kV transmission lines on pi poles • 32 metres for 66 kV and 110 kV transmission lines on towers (including tubular steel monopoles towers where these replace steel lattice towers) • 37 metres for 220 kV transmission lines • 39 metres for 350 kV transmission lines. <p><i>The National Grid Subdivision Corridor does not apply to designated assets.</i></p>	Scope and definitions	<p>Change</p> <p>28. Amend the proposal definition for 'national grid subdivision corridor' to achieve the intent of including limited additional lines which operate at a lower voltage as follows:</p> <p>a. 16 metres for 66kV and 110 kV transmission lines on pi poles and the Benmore-Bog Roy A, Te Hikowhenua-Deviation A and South Makara-Oteranga Bay A transmission lines.</p>	Adding these lines to the proposal provides for a more comprehensive policy approach. Officials understand that these additional lines constitute earth electrode transmission lines supporting the operation of 350-kilovolt lines (including the HVDC link on the Cook Strait), and as such are an important component of the electricity transmission network, warranting a similar level of protection from effects from subdivision as proposed for other transmission lines.	Agreed with recommendation

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<i>See attachment 1.4.1 for a diagram of the National Grid Subdivision Corridor.</i>				
D26 National Grid Yard	<p>Introduce a new definition that means:</p> <ul style="list-style-type: none"> the area located 10 metres either side of the centreline of an overhead 110 kV National Grid transmission line on single poles the area located 10 metres either side of the centreline of an overhead 66 kV National Grid transmission line on single poles, pi poles or towers the area located 12 metres either side of the centreline of any overhead 110 kV, 220 kV, or 350 kV National Grid transmission line on pi poles or towers (including tubular steel monopoles towers where these replace steel lattice towers) the area located 12 metres in any direction from the outer visible edge of a National Grid support structure. <p><i>The National Grid Yard does not apply to designated assets.</i></p> <p><i>See attachment 1.4.1 for a diagram of the National Grid Yard.</i></p>	Scope and definitions	<p>Change</p> <p>29. Amend the definition to achieve the intent of including limited additional lines which operate at a lower voltage as follows:</p> <ol style="list-style-type: none"> the area located 10 metres either side of the centreline of an overhead 110 kV National Grid transmission line on single poles and the South Makara-Oteranga Bay A line the area located 12 metres either side of the centreline of any overhead 110 kV, 220 kV, or 350 kV National Grid transmission line on pi poles or towers (including steel monopoles where these replace steel lattice towers), and the Benmore-Bog Roy A, Te Hikowhenua-Deviation A and South Makara-Oteranga Bay A transmission lines. 	As outlined above in D25, this recommended change includes limited transmission lines operating at low voltage that would otherwise be excluded in the proposal. Officials understand that these additional lines constitute earth electrode transmission lines supporting the operation of 350-kilovolt lines (including the HVDC link on the Cook Strait) and are an important component of the electricity transmission network and warrant a similar level of protection from effects from third parties as proposed for other transmission lines.	Agreed with recommendation

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
D27 Natural area	Amend the existing definition of natural area that: <i>means an area that is protected by a rule because it is an outstanding natural feature or landscape, an area of significant indigenous vegetation, or a significant habitat of indigenous fauna.</i>	Scope and definitions	No change 30. Retain the proposal definition of 'natural area'.	The definition applies to natural areas with section 6 RMA values that are protected by a rule in a plan. While electricity network providers submitted to include a requirement for natural areas to be identified and mapped, this is not considered appropriate as it could lead to conflicts with section 6 of the RMA and would be contrary to section 43A(3).	Agreed with recommendation
D28 Non-routine electricity network activity (non-routine EN activity)	Introduce a definition that: <i>means the upgrade, rebuilding or replacement of, or changes to, EN assets, or other EN activities, where the upgrade, rebuilding, replacement or change, or activity is not defined as a routine EN activity.</i>	Scope and definitions	Change 31. Amend the proposal to remove the definition of 'non-routine electricity network' from the proposal.	The definition is not used in any of the proposed regulations and risks creating confusion in interpretation. The development of new EDN lines or cabinets is addressed in the proposed R10 of the NES-ENA.	Agreed with recommendation
D29 NZECP 34:2001	Introduce a definition that: <i>means the New Zealand Electrical Code of Practice for Electrical Safe Distances (2001).</i>	Scope and definitions	No change 32. Retain the proposal definition of 'NZECP 34:2001'.	This term will support regulations relating to electrical safety distances.	Agreed with recommendation
D30 Operation	Amend the definition to: <i>means the use of a transmission line or distribution line to convey electricity.</i>	Scope and definitions	No change 33. Retain the proposal definition of 'operation'.	The definition is needed to interpret the regulations.	Agreed with recommendation
D31 Pole	Amend the definition that means: <i>a) a structure that supports conductors as part of a transmission line or distribution line and that—</i>	Scope and definitions	No change 34. Retain the proposal definition of 'pole'.	The definition of 'pole' is required for policies that relate to altering existing pole heights, and constructing new poles and transformer boxes.	Agreed with recommendation

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<ul style="list-style-type: none"> i. <i>has no more than three vertical supports, not including a pole that forms part of a guy wire</i> ii. <i>is not a steel lattice structure.</i> b) <i>includes the hardware associated with the structure (such as insulators, cross-arms, and guy wires) and the structure's foundations</i> c) <i>can be made of wood, reinforced concrete, steel, or other material.</i> 				
D32 Routine electricity network activity (Routine EN activity)	<p>Introduce a definition that:</p> <ul style="list-style-type: none"> a) <i>means activities required for, or associated with, the operation or maintenance of existing EN assets</i> b) <i>implements the modern equivalent, substitute, or replacement of the existing EN assets, which may not be 'like for like'</i> c) <i>maintenance and upgrades of existing EN assets necessary to continue to deliver the same or similar level of service or to improve resilience</i> d) <i>other upgrades of existing EN assets where the upgrade or other change will, once the activity is complete, have no more than minor adverse effects on the environment</i> e) <i>the removal, decommissioning, or dismantling of EN assets</i> f) <i>all relevant ancillary activities, such as vegetation clearance, tree trimming, and</i> 	Scope and definitions	<p>Change</p> <p>35. Amend the proposal to remove the definition of 'routine electricity network activity'.</p>	This definition is not necessary in the NES-ENA as it is not referred to in regulations. Most activities regulated in the NES-ENA are already considered routine activities in the NPS-EN by way of clause (f) of the respective definition.	Agreed with recommendation

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p><i>creating, maintaining, and improving access tracks and accessways to EN assets</i></p> <p><i>g) includes all activities regulated by the NES-ENA, including replacing structures, reconductoring, earthworks, altering or relocating of structures, undergrounding.</i></p>				
D33 Sensitive activities	<p>Introduce a definition that:</p> <p><i>includes residential unit (including visitor accommodation and retirement accommodation), care facilities, childcare facilities, schools, hospitals, custodial or supervised accommodation where residents are detained on site, marae, or place of worship.</i></p>	Scope and definitions	<p>Change</p> <p>36. Amend the proposal definition of 'sensitive activities' to include a reference to 'papakāinga' and align with the proposed NPS-EN definition.</p>	This change is consistent with the proposed National Policy Statement for Infrastructure (NPS-I) and the proposed NPS-EN. Feedback received in submissions recommended including papakāinga in the list of sensitive activities, and this is considered an appropriate inclusion as it often adjoins marae.	Agreed with recommendation
D34 Telecommunication device	<p>Retain and amend a definition that:</p> <p><i>means telecommunication device—</i></p> <p><i>a) means a device (for example, an antenna) that—</i></p> <p><i>(i) facilitates the operation of a transmission line or distribution line</i></p> <p><i>(ii) receives or transmits telecommunication signals</i></p> <p><i>b) includes any hardware associated with the device; but</i></p> <p><i>c) does not include a telecommunication cable.</i></p>	Scope and definitions	<p>No change</p> <p>37. Retain the proposal definition of 'telecommunication device'.</p>	The proposed definition reflects the expanded scope of the NES-ENA to include electricity distribution.	Agreed with recommendation

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
D35 Temporary line deviation	Introduce a definition that: <i>means the construction and use of a temporary section of transmission line or distribution line.</i>	Scope and definitions	No change 38. Retain the proposal definition of 'temporary line deviation'.	The proposed definition was supported in submissions.	Agreed with recommendation
D36 Termination structure	Retain and amend the definition that: <i>means a tower, or pole, and/or gantry used for the transition between an overhead and an underground transmission line or distribution line.</i>	Scope and definitions	No change 39. Retain the proposal definition of 'termination structure'.	The proposed definition was supported in submissions.	Agreed with recommendation
D37 Tower	Introduce a definition that means: a) <i>a steel lattice structure that supports conductors as part of a transmission line or distribution line</i> b) <i>includes the hardware associated with the structure (such as insulators, cross-arms, and guy wires) and the structure's foundations.</i>	Scope and definitions	No change 40. Retain the proposal definition of 'tower'.	The definition reflects the expanded scope of the NES-ENA to include electricity distribution.	Agreed with recommendation
D38 Transmission line or distribution line	Amend the definition of transmission line as follows: a) <i>means the facilities and structures used for, or associated with, the overhead and/or underground transmission or distribution of electricity within the ETN or EDN, including the transition from overhead to underground</i> b) <i>includes conductors, transmission line and distribution line support structures, telecommunication cables, and telecommunication devices to which paragraph (a) applies</i>	Scope and definitions	Change 41. Amend the proposal definition of 'transmission line or distribution line' to specify that it includes 'ancillary equipment on supporting structures' unless specified otherwise.	The amendment is necessary to ensure all parts of existing transmission lines and distribution lines are included in the definition.	Agreed with recommendation

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>c) <i>for the avoidance of doubt includes cables located over land, within waterbodies (including the coastal marine area), on the bed of lakes and rivers, on the bed and foreshore of the coastal marine area and on bridges and other waterway crossings; but</i></p> <p>d) <i>does not include an electricity substation.</i></p>				
D39 Transmission line or distribution line support structure	Retain and amend a definition that: <i>means a tower or pole.</i>	Scope and definitions	<p>Change</p> <p>42. Amend the proposal definition of 'transmission line or distribution line support structure' to:</p> <ul style="list-style-type: none"> a. remove reference to 'transmission line or distribution line' b. include termination structures and ancillary equipment, unless specified otherwise in regulation. 	The amendment clarifies that support structures include termination structures and ancillary equipment, unless the context of the regulation specifies that such equipment is not included.	Agreed with recommendation
D40 Undergrounding	Retain and amend a definition that: <ul style="list-style-type: none"> a) <i>means replacing overhead transmission lines or distribution lines with underground transmission lines or distribution lines</i> b) <i>includes altering, relocating, or replacing a tower or pole at 1 or both ends of the underground transmission lines or distribution lines so that the tower or pole becomes a termination structure.</i> 	Scope and definitions	<p>No change</p> <p>43. Retain the proposal definition of 'undergrounding' as proposed.</p>	This term is needed to interpret the regulations and it was generally supported.	Agreed with recommendation

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
D41 Wet abrasive blasting	Introduce a definition that: <i>means abrasive blasting using material to which water has been added, and includes air assisted wet abrasive blasting.</i>	Scope and definitions	No change 44. Retain the proposal definition of 'wet abrasive blasting'.	This term is needed to interpret the regulations and it was generally supported in submissions.	Agreed with recommendation
Delete definitions	Delete the following existing definitions in the NESETA: <ul style="list-style-type: none"> • base height • base position • base footprint • base width • envelope for controlled activities • envelope for permitted activities • National Grid • overland flow path • upgrading. 	Scope and definitions	No change 45. Retain the proposal to remove the following definitions from the NES-ENA: <ol style="list-style-type: none"> a. base height b. base position c. base footprint d. base width e. envelope for controlled activities f. envelope for permitted activities g. National Grid h. overland flow path i. upgrading. 	The proposal to remove these definitions was generally supported by submitters and will avoid interpretation issues in the NES-ENA.	Agreed with recommendation

PART 2: PROPOSED REGULATIONS FOR EXISTING TRANSMISSION LINES

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulation 4 – Regulations apply only to certain activities in relation to existing transmission lines	<p>Replace this regulation with a new regulation that clarifies:</p> <ul style="list-style-type: none"> the range of ETN and EDN activities regulated under the NES-ENA, including routine activities, non-routine activities, work on existing new lines, activities on land and within the coastal marine area the roles and responsibilities of regional councils and territorial authorities for implementing certain regulations (similar to the approach taken in the National Environmental Standards for Commercial Forestry 2017) certain ETN and EDN activities the regulations do not apply to (eg substations, refuelling, storage of hazardous substances). 	<p>Scope and definitions,</p> <p>New provisions for the electricity distribution network</p>	<p>Change</p> <p>46. Amend the proposal so Regulation 4 of the NES-ETA applies only to ETN and EDN activities in relation to existing transmission lines by:</p> <ol style="list-style-type: none"> removing reference to routine and non-routine activities amending the proposal to clarify that regulations do not apply to unenclosed substation facilities or buildings within unenclosed substations. 	<p>These amendments reflect changes to the definitions in the proposed NES-ENA and discussed in the table above.</p> <p>Substations are not provided for comprehensively under the NES-ENA, as they can consist of a variety of infrastructure housed in cabinets or buildings, although some aspects of substations are covered by the definition of 'cabinet' (D2). This amendment reflects changes to D2.</p>	Agreed with recommendation

Operation of transmission lines or use of access track

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulation 5 – Operation of transmission line or use of access track	<p>Amend regulation 5 of the NESETA to add a new clause 3 as follows:</p> <p>3) <i>The occupation of land for an existing transmission line is a permitted activity.</i></p>	<p>Enabling routine work on the electricity network</p>	<p>No change</p> <p>47. Retain the proposal to amend regulation 5 of NES-ETA to add a new clause providing for the occupation of land for an existing transmission line as a permitted activity.</p>	<p>The amendment clarifies that the occupation of land for an existing transmission line is a permitted activity.</p>	Agreed with recommendation

Overhead conductors, earth-wires, overhead telecommunication cables, and adding overhead circuits

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reason for recommendations	Minister's decision
<p>Regulation 6 – Overhead conductors, earth-wires, overhead telecommunication cables, and adding overhead circuits</p> <p>Regulation 8 – Permitted activities: adding overhead circuits</p>	<p>The proposed changes are to:</p> <ul style="list-style-type: none"> delete regulation 8 and amend the scope of regulation 6 so that the addition of overhead conductors and overhead circuits is regulated together in amended regulation 6. Remove the condition in regulation 6(4) that there may be no more than two conductors (duplex configuration). Include a new condition in regulation 6 that operational noise from transmission lines operating at or above 220 kV shall not exceed the following noise limits: <ul style="list-style-type: none"> 48 dB LAeq (15min) in residential zones; or 45 dB LAeq (15min) in all other zones. 	Enabling routine work on the electricity network	<p>Change</p> <p>48. Amend the proposal so that the permitted noise limit for transmission lines operating at or above 220kV in residential areas is 40dB LAeq (15min).</p>	This amendment aligns the proposed night-time noise threshold with that used by councils in district plans. Officials agree with submitters and recommend the limit in residential areas be set to 40 decibels LAeq (15min).	Agreed with recommendation
<p>Regulation 7 – Permitted activities: earth-wires and overhead telecommunication cables</p> <p>Regulation 9 – Restricted discretionary activities</p>	<p>The proposed changes are to:</p> <ul style="list-style-type: none"> remove the conditions limiting the number of wires and cables on existing transmission lines in regulation 7(4) increase the permitted diameter limit on new wires or cables from 25 mm to 28 mm in regulation 7(5) change the activity status in regulation 9 when conditions are not complied with from a restricted discretionary to a controlled activity 	Enabling routine work on the electricity network	<p>Change</p> <p>49. Amend the proposal to change Regulations 7 and 9 of the NES-ETA to achieve the following intent:</p> <ol style="list-style-type: none"> increase the permitted diameter limit on new wires or cables from 25 mm to 30 mm in regulation 7(5) and 7(6) change the activity status of activities which do not comply with permitted activity 	<p>Amendments to the proposed regulation are recommended to:</p> <ul style="list-style-type: none"> align with the cable diameter with that provided for in the existing NES-TF (30 millimetres, regulation 42) include optical ground wires (OPGW), as these are comparable to earth-wires (which are permitted) and are necessary ancillary equipment that provides grounding as well as telecommunication services. Adverse effects associated with OPGW are 	Agreed with recommendation

Overhead conductors, earth-wires, overhead telecommunication cables, and adding overhead circuits

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reason for recommendations	Minister's decision
	<ul style="list-style-type: none"> • change matters of discretion to matters of control and expand matters of control in regulation 9 to include the following considerations: <ul style="list-style-type: none"> – frequency, intensity, duration and offensiveness of noise generated (to capture the new operational noise standards) – the operational and functional need of ETN activities and technical requirements of ETN activities – benefits to and of the ETN. 		<p>conditions to a controlled activity</p> <ul style="list-style-type: none"> c. change matters of discretion to matters of control and expand matters of control in regulation 9 to include the following considerations: <ul style="list-style-type: none"> i. frequency, intensity, duration and offensiveness of noise generated (to capture the new operational noise standards) ii. effects on services and infrastructure. d. apply the permitted activity regulations for earth wires to include Optical Ground Wires (OPGW). 	<p>typically less than minor. Restrictions on the number of OPGW that can be deployed were not considered appropriate, as providers are only going to deploy the number of OPGW that are operationally necessary.</p> <p>Changes proposed to matters of control align with the approach taken across the regulations in the proposed NES-ENA.</p>	

Increasing voltage or current rating, underground conductors, and undergrounding transmission lines

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reason for recommendations	Minister's decision
Regulation 10 – Permitted activities: increasing voltage or current rating	<p>The proposed changes are to:</p> <ul style="list-style-type: none"> increase the magnetic flux density reference threshold from 100 microteslas to 200 microteslas in regulation 10(2), to be consistent with the proposed NPS-EN alter the modelling methodology of electric field strength in regulation 10(6) to be based on <i>conservative</i> climatic conditions, rather than using specified conditions include new operational noise conditions in regulation 10 for transmission lines operating at or above 200 kV to not exceed the following noise limits: <ul style="list-style-type: none"> 48 dB LAeq (15min) in residential zones 45 dB LAeq (15min) in all other zones. 	Enabling routine work on the electricity network	<p>Change</p> <p>50. Amend the proposal to:</p> <ol style="list-style-type: none"> include new operational noise conditions for transmission lines operating at or above 200kV to not exceed the noise limits outlined in the recommended changes to Regulation 6. Include new thresholds relating to electric and magnetic field exposure that achieve the following intent: <p><i>Not exceed the basic restrict level of 0.02 V/m in central nervous system tissues of the head and 0.4 V/m in all tissues of the head and body.</i></p> 	The recommended changes would align regulation 10 with the changes recommended in regulation 6 (noise levels). A new threshold, as suggested by Transpower, is recommended to reflect the updated measurements in International Commission on Non-Ionizing Radiation Protection (ICNIRP) 2010 guidelines (currently incorporated by reference into NPS-EN). Current density is now expressed in terms of volts per metre (V/m), rather than milliamperes per square metre (mA/m ²) (in NES-ETA). The recommendation aligns with advice received from the Ministry of Health.	Agreed with recommendation
Regulation 11 – Permitted activities: underground conductors	No changes are proposed.	Enabling routine work on the electricity network	N/A	N/A	N/A

Increasing voltage or current rating, underground conductors, and undergrounding transmission lines

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reason for recommendations	Minister's decision
Regulation 12 – Controlled activities: undergrounding transmission lines	<p>The only proposed changes relate to the matters of control including:</p> <ul style="list-style-type: none"> adding additional matters of control relating to (i) the operational need and functional need of ETN activities, (ii) technical requirements of ETN activities, and (iii) benefits to and of the ETN updating the reference to historic heritage area to refer to historic heritage item or setting. <p>We are also seeking feedback on options to better enable the undergrounding of existing transmission lines by:</p> <ul style="list-style-type: none"> allowing for this to occur as a permitted activity, which is a common approach for the undergrounding of distribution lines in district plans and is proposed below for EDN in Part 3 narrowing the matters of control to remove general references to visual and landscape effects (given that undergrounding of lines does not typically result in any adverse visual or landscape effects). 	Enabling routine work on the electricity network	<p>Change</p> <p>51. Amend the proposed matters of control for undergrounding transmission lines to:</p> <ol style="list-style-type: none"> replace the proposed additional matters of control with a single matter to provide for 'effects on services and infrastructure' provide an updated reference to heritage as defined in D20. 	<p>Officials recommend retaining the regulations for undergrounding as proposed other than modifying some of the matters of control. Some degree of controls on undergrounding of transmission lines could be necessary to manage effects on natural areas and historic heritage which may be significant.</p> <p>Matters of control relating to operational and functional need, benefits to and of the ETN and technical requirements of the ETN are recommended to be removed and a new matter of control inserted into this regulation, 'effects on services and infrastructure', to align with other controlled activities is recommended.</p>	Agreed with recommendation
Regulation 13 – Non-complying activities	No changes are proposed.	Enabling routine work on the electricity network	N/A	N/A	N/A

Transmission line support structures: Alteration, relocation and replacement

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<p>Regulation 14 – Permitted activities</p> <p>Regulation 15 – Controlled activities</p> <p>Regulation 16 – Restricted discretionary activities</p>	<p>The main changes proposed to these regulations are as follows.</p> <ul style="list-style-type: none"> • Height – increasing the permitted threshold for increasing the height of existing structures in regulation 14(3)(a) from 15% to 25%. • Public view shafts – removing the requirement in regulation 14(3)(b) for additional height of existing structures to comply with any plan rules relating to public view shafts (the requirement to comply with height restrictions near airports would be retained for safety reasons). • Occupied buildings – retaining the requirement in regulation 14(4) for support structures to be set back from occupied buildings while clarifying that the setback distance is to be measured at the closest point (not horizontally). • Tower footprint – amending regulation 14(5) to enable an increase in tower footprint to be up to 25% greater in length than the existing length of each side. • Tower's envelope for permitted and controlled activities – removing the condition in regulation 14(6) relating to the 'envelope for permitted activity' and 'envelope for controlled activities' for the tower base width. 	<p>Enabling routine work on the electricity network</p>	<p>No Change</p> <p>52. Retain the proposals for height, public view shafts, occupied buildings, tower footprint, replacing pole with tower and relocating or replacing poles.</p> <p>53. Retain the proposal for non-compliance with the permitted activity conditions be a controlled activity.</p> <p>54. Retain the proposal to delete regulation 16 of NES-ETA.</p> <p>Change</p> <p>55. Amend the proposal to remove the condition relating to the 'envelopes' to also remove clause 15(1)(c) of NES-ETA.</p> <p>56. Amend the proposed matters of control in regulation 15(4) to include:</p> <ol style="list-style-type: none"> visual, landscape and ecological effects [existing reg 15(4)(a)]; effects on services and infrastructure [existing reg 15(4)(d)]; 	<p>The proposal will support the use, maintenance and upgrade of transmission infrastructure. In line with the approach taken in other regulations above, officials recommend removing matters of control relating to operational and functional need, benefits to and of the ETN and technical requirements of the ETN and inserting a new matter of control on 'effects on services and infrastructure' to align with other controlled activities. This is considered a more appropriate matter of control for decision-makers to consider.</p>	<p>Agreed with recommendation</p> <p>Agreed with recommendation</p> <p>Agreed with recommendation</p> <p>Agreed with recommendation</p> <p>Agreed with recommendation</p>

Transmission line support structures: Alteration, relocation and replacement

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<ul style="list-style-type: none"> • Replacing pole with tower – removing the condition in regulation 14(7) that a pole cannot be replaced with a tower. • Relocating or replacing poles – amending the condition in regulation 14(8) so that a pole must not be replaced or removed more than 10 m (rather than 5 m) from the existing pole. <p>It is proposed that the activity status for non-compliance with the permitted activity conditions be a controlled activity, rather than a cascade of controlled and restricted discretionary activity (ie, regulation 16 is to be deleted).</p> <p>Amendments to the matters of control in regulation 15(4) are also proposed to:</p> <ul style="list-style-type: none"> • add additional matters of control relating to the technical requirements of ETN activities, operational need and functional need of ETN activities, and benefits to and of the ETN • update the reference to historic heritage area to refer to a historic heritage area or place • add an additional matter relating to effects on any sensitive activities. 		<ul style="list-style-type: none"> c. the effects on a historic heritage area or place [amended reg 15(4)(b)]; and d. the effects and timing of construction works [existing reg 15(4)(c)]. 		

Temporary structures and temporary line deviation					
NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulation 17 – Permitted activities Regulation 18 – Controlled activities	Amend the regulations to be more concise and enabling by: <ul style="list-style-type: none"> including all temporary structures (including as part of a temporary deviation) within one permitted activity regulation (regulation 17) revising the existing conditions in regulation 17(3) and 17(4) to enable temporary structures to be in place for 12 months rather than setting specific timeframes for the erection and removal of these structures (20 days to 60 days). 	Enabling routine work on the electricity network	No change 57. Retain the proposal to amend regulation 17 to retain all temporary structures within one permitted activity regulation. 58. Retain the proposal to revise existing conditions in regulation 17(3) and 17(4) to enable temporary structures to remain in place for 12 months.	The proposal to enable temporary structures and deviations to be in place for 12 months is considered a reasonable period and is consistent with a similar rule for temporary activities proposed in amendments to NES-TF. Having one regulation for all temporary structures will improve workability. Regulation 18 was referred to in the proposal for context and was not proposed to be amended.	Agreed with recommendation Agreed with recommendation

Transmission lines: Removal					
NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulation 19 – Permitted activities Regulation 20 – Controlled activities	Retain the permitted activity conditions but amend the matters of control in regulation 20(2) to: <ul style="list-style-type: none"> delete matters of control relating to earthworks and vegetation clearance include reference to removal works include new matters relating to the operational and functional needs of ETN activities, and benefits to and of the ETN. 	Enabling routine work on the electricity network	Change 59. Retain the proposal to amend the matters of control for removing existing transmission assets in regulation 20(2) to: <ol style="list-style-type: none"> delete matters of control relating to earthworks and vegetation clearance 	Officials recommend that the proposal to amend regulations for removing existing transmission assets largely be retained unchanged, except for some changes to the matters of control. These relate to the operational and functional need of the ETN, benefits of the ETN and technical requirements of ETN activities, which officials recommend removing (refer to the part B report for an explanation). This approach is consistent with other controlled activities in the proposal.	Agreed with recommendation

Transmission lines: Removal

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<ul style="list-style-type: none"> b. include reference to 'removal works' instead of 'construction works' c. include a new matter of control to provide for the effects on services and infrastructure. 	Officials recommend including an additional matter of control for 'effects on services and infrastructure'. This will help align matters of control across the controlled activity classes in the proposed NES-ENA and afford councils with the discretion to control effects on electricity services and nearby infrastructure.	

Telecommunication devices

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<p>Regulation 21 – Permitted activities</p> <p>Regulation 22 – Restricted discretionary activities</p>	<p>Amend regulation 21(1) to permit installing or modifying a telecommunications device on an existing transmission line support structure and remove the conditions in regulation 21(3) and 21(4) relating to the width and height of the device.</p> <p>Delete regulation 22 because a restricted discretionary rule is not needed if there are no permitted activity conditions to comply with for telecommunication devices.</p>	Enabling routine work on the electricity network	<p>No change</p> <p>60. Retain the proposal to amend regulation 21(1) to permit installing or modifying a telecommunications device on an existing transmission line support structure and remove conditions in regulation 21(3) and 21(4) relating to the width and height of the device.</p> <p>61. Retain the proposal to remove regulation 22 which provides for restricted discretionary activities for telecommunication devices on transmission line support structures.</p>	<p>Telecommunication devices are critical communications infrastructure necessary to support Transpower's operational requirements (eg, coordinating operations and services across regions).</p> <p>Officials do not consider it necessary to restrict the installation of existing transmission towers as these are ancillary and will only be deployed as is operationally necessary.</p>	<p>Agreed with recommendation</p> <p>Agreed with recommendation</p>

Signs		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulation 23 – Permitted activities Regulation 24 – Signs	The proposed changes are to: <ul style="list-style-type: none"> simplify regulation 23 and regulation 24 by combining them and providing for signs on or next to a transmission line support structure as a permitted activity and removing the controls on size of the sign in regulation 23(2) and 23(3) expand regulation 23 to permit signage within the bed of a lake, river, stream or coastal marine area and associated occupation without any conditions delete the restricted discretionary activity rule for signage where the permitted activity standards are not complied with (regulation 25) because there would be no permitted activity conditions. 	Enabling routine work on the electricity network	No change 62. Retain the proposals to amend regulations 23, 24 and 25 for signs by: <ol style="list-style-type: none"> permitting signs on or next to a transmission line support structure and within the bed of a lake, river, stream or coastal marine area and associated occupation removing the permitted activity standards for the size of the sign removing the restricted discretionary activity rule for signs. 	Officials consider signs to be necessary for public health and safety and therefore do not consider bulk and location standards to be necessary. Industry best practice will sufficiently guide how signs are deployed.	Agreed with recommendation

Transmission line support structures: Discharges from blasting and applying protective coatings		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulation 25 – Permitted activities Permitted 26 – Controlled activities	Amend the regulations as follows. Regulation 25 (permitted activities) <ul style="list-style-type: none"> Broadening of the regulation to: <ul style="list-style-type: none"> cover the mechanical preparation of support structure surfaces 	Enabling routine work on the electricity network Potential new regional	No change 63. Retain the proposal to amend regulation 25 to broaden the regulation to cover the mechanical preparation of support structure surfaces.	Officials agree with submissions that these regulations could clarify application to the EDN, as proposed in the application of the regulations for distribution, especially given that some EDBs manage ex National Grid assets which require the same maintenance as ETN assets.	Agreed with recommendation

Transmission line support structures: Discharges from blasting and applying protective coatings

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Permitted 27 – Restricted discretionary activities	<ul style="list-style-type: none"> – the discharge to air from the use of diesel-fired compressors associated with the blasting of a transmission line (however, only if the regional rules further down the document are not incorporated). • Amendments to the wet abrasive blasting conditions in regulation 25(3) and regulation 25(4): <ul style="list-style-type: none"> – clarification that these regulations will only apply to wet abrasive blasting – changes to the permitted activity conditions so wet abrasive blasting must not be within 20 m of a water body, the coastal marine area (CMA), a public road, or an occupied building unless in accordance with submitted management plans (see new condition below). • Amendment to the dry abrasive blasting conditions in regulation 25(7). • Increase in permitted height above ground level where dry abrasive blasting can be undertaken (up to 2 m, from 1 m previously permitted). • New conditions that dry abrasive blasting must not be undertaken within 10 m of a water body, the CMA, and a public road, and 20 m of an occupied building, unless in accordance with submitted management plans (see new condition below). • A new condition requiring an 'overarching environmental management plan (EMP)', as well 	regulations and management plan requirements	<p>64. Retain the proposal to amend regulation 25(3) and 25(4) to:</p> <ul style="list-style-type: none"> a. clarify that these regulations will only apply to wet abrasive blasting b. changes to the permitted activity conditions so wet abrasive blasting must not be within 20 m of a water body, the coastal marine area (CMA), a public road, or an occupied building unless in accordance with submitted management plans c. Amend dry abrasive blasting conditions in regulation 25(7) to: <ul style="list-style-type: none"> i. increase the permitted height above ground level where dry abrasive blasting can be undertaken to 2m ii. include new conditions that dry abrasive blasting must not be undertaken within 10 m of a water body, the CMA, and a public road, and 20 m of an occupied building, unless in accordance with submitted management plans. 		Agreed with recommendation

Transmission line support structures: Discharges from blasting and applying protective coatings

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>as a 'site-specific management plan (SSMP)' when works are undertaken as a permitted activity within the above setbacks from water bodies, wetlands, the CMA, public roads and occupied buildings. The overarching EMP could be applied nationally and submitted to each regional council. The overarching EMP and SSMP must be provided to the regional council at least 10 days before work is due to commence.</p> <p>The proposal is that the overarching EMP must include:</p> <ul style="list-style-type: none"> a) activities covered by the EMP b) effects to be managed associated with these activities c) specific controls to ensure compliance with the permitted activity standards d) mitigation measures and when to deploy these e) procedures covering incident management, complaints, spill management and management of compressors f) notification protocols (eg to roading authorities, landowners and the public) g) opportunities for technologies that will allow for continuous environmental improvement h) review of the EMP and a process for providing to and updating regional councils i) blasting information sheets and any other relevant information. <p>The proposal is that the SSMP must include:</p>		<ul style="list-style-type: none"> d. retain the proposal for management plans for blasting activities e. retain the proposal contents of EMP and SSMP. <p>65. Retain the proposal to remove regulation 27.</p> <p>Change</p> <p>66. Amend the proposal to change Regulation 25 to:</p> <ul style="list-style-type: none"> a. include a new permitted activity condition requiring an 'overarching environmental management plan (EMP)', as well as a 'site-specific management plan (SSMP)' when works are undertaken as a permitted activity within the above setbacks from water bodies, wetlands, the CMA, public roads and occupied buildings; and b. include a new requirement to notify regional councils after works are completed that works were undertaken in accordance with the provided management plans. 	<p><i>Regulation 27</i></p> <p>The removal of regulation 27 enables blasting to proceed as a permitted or controlled activity, removing consenting burdens for routine blasting activities.</p> <p><i>Regulation 25</i></p> <p>Based on the feedback received, officials recommend retaining the proposal for requiring management plans as a permitted activity condition. These will provide a robust framework for the management of potential effects from discharges while retaining a permitted activity status for compliant routine activities.</p> <p>To address concerns raised in submissions, officials propose to include a requirement to notify the regional council when works have been completed to confirm they were undertaken in accordance with the management plans provided. This would support the permitted activity framework and provide councils with reassurance that the practices outlined in the management plans were followed. This approach is similar to that applied in other national environmental standards (eg, National Environmental Standards for Commercial</p>	<p>Agreed with recommendation</p> <p>Agreed with recommendation</p>

Transmission line support structures: Discharges from blasting and applying protective coatings

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>a) the tower name and location (including address and coordinates)</p> <p>b) identification of the proximity of the tower to water bodies (including natural inland wetlands), CMA (can note any significance and special features of the water bodies), public roads and occupied buildings – show on map</p> <p>c) identification if the structure has previously been painted with lead, and, if so, details on the method and mitigation</p> <p>d) proposed methodology (eg mechanical preparation, wet blasting, dry blasting)</p> <p>e) timing and duration of work</p> <p>f) mitigation measures proposed from mitigation toolbox (including reasons for not deploying mitigation if it is not practicable to do so), and include covering of the ground, houses, stormwater catchpits and so on</p> <p>g) proposed monitoring, for example, wind speed and placement of whiteboard markers for drift towards water bodies</p> <p>h) how waste (including solvent rags) and debris will be managed and disposed of</p> <p>i) notification, for example, could be notifying road authority and households within a certain radius of the structure</p> <p>j) location of plant and machinery, containment area of paints and spill kits available</p> <p>k) complaints management and recording procedure</p>		<p>67. Amend the proposal for Regulation 26 to:</p> <p>a. remove regulation 26(1)(a) to expand the controlled activity status to apply to blasting carried out on structures located within water bodies and the CMA (when a management plan has not been provided under regulation 25)</p> <p>b. amend regulation 26(1)(b) so that it only applies when setbacks are not complied with and a management plan has not been prepared and submitted to the regional council</p> <p>c. remove condition 26(1)(c)(i) to align with permitted setbacks from waterbodies or CMA</p> <p>d. amend the matters of control in regulation 26(3) to:</p> <p>i. retain the status quo for 26(3)(a) – ie, revert to reference to ‘the effects on water quality and ecologically-sensitive receiving environment’</p> <p>ii. include new matters of control on the effects on</p>	<p>Forestry and National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS)).</p> <p><i>Regulation 26 (controlled activities) – matters of control</i></p> <p>Changes to regulation 26 are recommended to align with the changes to permitted activity standards in regulation 25. Introducing references to ‘natural area’ and ‘historic heritage place or area’ in regulation 26 would broaden the assessment compared with the status quo, contrary to the Government’s intent to enable routine activities. In the context of a blasting regulation that manages discharges, officials consider reference to ‘ecologically-sensitive receiving environment’ to be more appropriate, as adverse effects need to be managed in areas of ecological value, regardless of whether or not they are natural areas. Provisions in local plans to manage effects on historic heritage will apply as relevant.</p> <p>Officials recommend removing matters of control relating to operational and functional need, benefits to and of the ETN and inserting a new matter of control into this regulation, ‘effects on services and</p>	<p>Agreed with recommendation</p>

Transmission line support structures: Discharges from blasting and applying protective coatings

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>l) roles and responsibilities and quality assurance for environmental controls.</p> <p>Regulation 26 (controlled activities)</p> <ul style="list-style-type: none"> • Deletion of regulation 26(1)(a), expanding the controlled activity status to apply to blasting carried out on structures located within water bodies and the CMA (when a management plan has not been provided under regulation 25). • Amending regulation 26(1)(b) so that this regulation applies only when a permitted activity setback in regulations 25(4) and 25(7) cannot be complied with and a management plan has not been prepared and submitted to the regional council. • Amendments to the matters of control in regulation 26(3), including: <ul style="list-style-type: none"> – replacing 'ecological sensitive receiving environments' with 'natural areas' and 'historic heritage place or area' – new matters of control, including effects on the use of public roads, the functional and operational need of ET activities, and benefits of the ETN. <p>Regulation 27 (restricted discretionary activities)</p> <p>The proposal is to delete regulation 27 so that blasting activities are either managed through permitted activity conditions or a controlled activity consent process when these conditions are not complied with (regulation 25 and regulation 26).</p>		<p>the use of public roads and the effects on services and infrastructure.</p>	<p>infrastructure', to align with other controlled activities.</p>	

Discharges to water NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Clause	Proposed provisions	Topic	Recommendations	Reason for recommendations	Minister's decision
<p>Regulation 28 – Permitted activities</p> <p>Regulation 29 – Controlled activities</p>	<p>The proposal is a minor amendment to regulation 28 and regulation 29 so that they also regulate the discharge of contaminants onto land where this may enter water. The proposal would also amend the matters of control in regulation 29(2) to refer to the functional and operational need of ETN activities, the technical requirements of ETN activities, and the benefits of the ETN.</p>	<p>Enabling routine work on the electricity network</p>	<p>Change</p> <p>68. Amend the proposed matters of control in regulation 29(2) to refer to the effects on services and infrastructure.</p>	<p>In line with the approach taken in other regulations above, officials recommend matters of control relating to operational and functional need, benefits to and of the ETN and technical requirements of the ETN be removed and a new matter of control be inserted into this regulation, 'effects on services and infrastructure', to align with other controlled activities. This is considered a more appropriate matter of control for decision-makers to consider.</p>	<p>Agreed with recommendation</p>

Trimming, felling, and removing trees and vegetation NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<p>Regulations 30 – Permitted activities</p> <p>Regulation 31 – Controlled activities</p> <p>Restricted 32 – Restricted discretionary activities</p>	<p>The proposal is to replace regulations 30 to 32 with a new approach that only controls vegetation clearance and tree trimming when this affects the following:</p> <ul style="list-style-type: none"> natural areas (which include areas of significant indigenous vegetation and significant habitats of indigenous fauna) notable trees identified in district plans with a plan rule that restricts their trimming, felling, or clearance and removal. <p>For these higher value and sensitive vegetation and areas, vegetation clearance or tree trimming would</p>	<p>Enabling routine work on the electricity network</p> <p>Potential new regional regulations and management plan requirements</p>	<p>Change</p> <p><i>Management plans</i></p> <p>69. Amend the proposal to remove the proposed requirement for management plans for tree trimming and vegetation clearance.</p> <p><i>Permitted Activity Standards</i></p>	<p>Vegetation clearance is part of the day-to-day operation of the electricity network. This includes the trimming, felling and removal of trees and vegetation. The proposed amendments are considered to balance the enabling routine activities within the bounds of ensuring adverse effects are not significant.</p> <p>There was insufficient support for a management plan approach in submissions, although officials recommend changes to</p>	<p>Agreed with recommendation</p>

Trimming, felling, and removing trees and vegetation

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>only be permitted when it is required for specific operational or safety reasons as follows:</p> <ul style="list-style-type: none"> • to comply with the Electricity (Hazards from Trees) Regulations 2003; or • to provide for the operation, maintenance or repair of existing access tracks; or • to prevent damage, or the threat of damage, to the ETN and: <ul style="list-style-type: none"> – it is carried out by an ecologist, arborist or other suitably qualified professional – written notice is provided to the relevant local authority 5 working days before the clearance or trimming occurs, or as soon as practicable where it relates to imminent safety concerns. This written notice must include a description of the vegetation and tree affected, the measures that will be taken to mitigate adverse effects and limit clearance and trimming to what is necessary to address the threat of damage, and the timing and duration of the works. <p>Outside natural areas and notable trees, vegetation clearance would be permitted with no conditions (eg trimming and clearing grass, pest weeds, exotic vegetation).</p> <p>Remove the existing conditions in regulation 30(3) and 30(4) that require that vegetation clearance:</p>		<p>70. Amend the proposal to retain regulations 30(5) and 30(6) of the NES-ETA.</p> <p>71. Amend the proposal to remove regulation 30(4) of the NES-ETA.</p> <p>72. Amend the proposal to change regulation 30(3) of the NES-ETA so that if works are undertaken on land controlled by a regional rule for the purposes of soil conservation or avoiding or mitigating natural hazards, there is a requirement to engage with the regional council before undertaking vegetation clearance to highlight any soil conservation risk or natural hazards that may pose as significant risks.</p> <p><i>Matters of control</i></p> <p>73. Amend the proposal to change matters of control in regulation 31(2) to add new matters of control on:</p> <ol style="list-style-type: none"> a. the effects on services and infrastructure b. erosion and sediment effects. 	<p>permitted activity conditions and matters of control in response to submissions.</p> <p>Amendments to permitted activity conditions will introduce a requirement to engage with regional councils in areas of soil conservation risk and natural hazards.</p> <p>Amendments to matters of control align with the approach taken in existing regulations and Transpower's proposal to introduce a new matter of control for erosion and sediment effects.</p>	<p>Agreed with recommendation</p> <p>Agreed with recommendation</p> <p>Agreed with recommendation</p> <p>Agreed with recommendation</p>

Trimming, felling, and removing trees and vegetation

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<ul style="list-style-type: none"> • is not undertaken on land controlled by a regional rule for the purposes of soil conservation or avoiding or mitigating natural hazards • is not undertaken on land administered by the Department of Conservation. <p>However, it is proposed that the conditions in regulation 30(3) and 30(4) are retained.</p> <p>As with other NESETA regulations, it is proposed that the activity status for non-compliance with the permitted activity standards is a controlled activity, rather than a restricted discretionary activity. It is also proposed that the matters of control in regulation 31(2) are amended to:</p> <ul style="list-style-type: none"> • add additional matters of control relating to the operational need and functional need of ETN activities, technical requirements of ETN activities, and benefits to and of the ETN • add the additional matter of control relating to effects on any natural area or notable tree. <p>Alternative option – management plan requirements</p> <p>Feedback is also being sought on whether management plan requirements can be implemented through the NES-ENA more broadly, including for vegetation clearance. This could involve a permitted activity condition that requires a management plan to be prepared and provided to the local authority when vegetation clearance relates to a natural area or</p>				

Trimming, felling, and removing trees and vegetation		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>notable tree. The requirements in the management plan could include:</p> <ul style="list-style-type: none"> • a requirement for it to be prepared by an ecologist, arborist or other suitably qualified expert • a description of the ecological or other values (notable trees) present and potential risks to those values from the proposed clearance or trimming • mitigation measures that must be implemented to avoid or mitigate adverse effects on identified ecological or other values (notable trees) • protocols to manage adverse effects on any indigenous fauna present in the areas that clearance will occur • a description of timing and duration of works • any proposed measures to replant, manage debris or reinstate the area following completion of the clearance. 				

Earthworks		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulation 33 – Permitted activities	Amend the regulations for earthworks to be a permitted activity in regulation 33 (except for contaminated land) by:	Enabling routine work on the electricity network	Change	Officials understand the concerns expressed by industry on the proposal being more restrictive than the status quo. Officials propose to retain the proposal to	

Earthworks		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
NOTIFIED PROPOSAL					
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<p>Regulation 34 – Controlled activities</p> <p>Regulation 35 – Restricted discretionary activities: historic heritage areas</p>	<ul style="list-style-type: none"> replacing the area thresholds for earthworks undertaken within a natural area in regulation 33(2) with a requirement for earthworks to not be located within a natural area or historic heritage area or place otherwise a controlled activity consent would be required amending existing regulation 33(3) to require sediment control measures to be implemented when the earthworks are located within 50 m of water bodies and the coastal marine area replacing the requirement in regulation 33(5)(c) for earthworks to not create or contribute to drainage problems or flooding of overland flow paths with a requirement to not increase flood risk in identified flood hazard areas. <p>Where any of the permitted activity conditions are not complied with, a controlled activity resource consent would be required that is consistent with existing regulation 34 but a change for regulation 35 that relates to historic heritage areas. Amendments to the matters of control in regulation 34(2) are proposed to:</p> <ul style="list-style-type: none"> add matters of control relating to the timing and duration of earthworks and any effects on water quality or the coastal marine area amend the existing matter of control in regulation 34(2)(e) to refer to effects on any historic heritage place or area 	Potential new regional regulations and management plan requirements	<p>74. Amend the proposal to remove the proposed management plans for earthworks.</p> <p>75. Retain the proposal to have no thresholds for earthworks <u>outside</u> of natural areas and historic heritage places or areas.</p> <p>76. Amend the proposal to introduce a new permitted activity for earthworks in natural areas and historic heritage places or areas subject to compliance with the following permitted activity standards:</p> <ol style="list-style-type: none"> 50m³ per existing support structure 100m³ or 1000m² per existing access track (whichever is greatest). <p>77. Retain regulations 33(3) to 33(9) of the NES-ETA, to apply in all environments.</p> <p><i>Matters of control</i></p> <p>78. Amend the proposal to retain condition 34(2)(f) relating to drainage, flooding and overland flow paths.</p>	<p>have no thresholds outside of natural areas and historic heritage places or areas and have permitted activity threshold for earthworks in natural areas, with thresholds extended to the existing EDN.</p> <p>Officials recommend retaining regulation 33(8) to carry over the status quo for works in historic heritage places or areas.</p> <p>To address concerns raised in relation to sediment and erosion control, officials recommend retaining all current permitted activity standards in regulations 33(3) to (9).</p> <p>Changes to matters of control reflect feedback received in submissions and align with the approach taken in other regulations.</p>	<p>Agreed with recommendation</p> <p>Agreed with recommendation</p> <p>Agreed with recommendation</p> <p>Agreed with recommendation</p> <p>Agreed with recommendation</p> <p>Agreed with recommendation</p>

Earthworks					
NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<ul style="list-style-type: none"> add a matter of control relating to effects on instability, erosion and flood risk to replace the existing matter of control in regulation 34(2)(f) relating to drainage, flooding and overland flow paths add matters of control relating to the operational need and functional need of ETN activities, technical requirements of ETN activities, and benefits to and of the ETN add a matter of control relating to effects on any natural area. <p>Alternative option – management plan requirements</p> <p>Feedback is also being sought on whether management plan requirements can be implemented through the NES-ENA more broadly, including for earthworks. This could involve a permitted activity condition that requires a management plan to be prepared and provided to the local authority when earthworks will occur in a natural area or a historic heritage place or area, or a notable tree. The requirements in the management plan could include:</p> <ul style="list-style-type: none"> a description of the ecological or historic heritage values presents risk and potential risk to those values from the proposed earthworks mitigation measures that must be implemented throughout the duration of the earthworks to 		<p>79. Amend the proposal to introduce new matters of control relating to the timing and duration of earthworks, instability of land, erosion, effects on water quality and the coastal marine area, flood risk, natural areas and restoration of the land.</p> <p>80. Amend the proposal to change the existing matters of control in regulation 34(2)(e) of the NES-ETA to refer to effects on historic heritage places or areas.</p> <p>81. Amend the proposal to add a new matter of control relating to effects on services and infrastructure.</p>		<p>Agreed with recommendation</p> <p>Agreed with recommendation</p> <p>Agreed with recommendation</p>

Earthworks					
NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>avoid or mitigate adverse effects on identified ecological or other values (notable trees)</p> <ul style="list-style-type: none"> • measures that will be undertaken to manage sediment runoff, to avoid debris entering water bodies and the coastal marine area, to avoid land instability, erosion or increase in flood risk and so on • a description of the timing and duration of earthworks • measures to reinstate and stabilise the site following the completion of the earthworks • a requirement for the level of detail in the management plan to correspond to the scale and significance of the potential adverse effects of the earthworks. 				
Regulation 36 – Earthworks on potentially contaminated land	No changes proposed.	Enabling routine work on the electricity network	No change	Officials understand industry's preference for a permitted activity framework for earthworks on potentially contaminated land in the NES-ENA or for the management of contaminated soils for electricity transmission and distribution under the NES-CS. Neither option is in scope for this consultation.	N/A

Earthworks					
NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<p>Regulation 37 – Permitted activities</p> <p>Regulation 38 – Controlled activities</p>	<p>Amend regulation 37(2) conditions for permitted activities to require that:</p> <ol style="list-style-type: none"> 1) the noise from the construction activity must be in accordance with (instead of comply with) New Zealand Standard NZS 6803:1999 Acoustics—Construction Noise. 2) the vibrations from the construction activity must be in accordance with (instead of comply with) the peak particle velocity limits in table 1 of German Standard DIN 4150–3:1999 Structural Vibration—Effects of Vibration on Structures. <p>Amendments are also proposed to the matters of control in regulation 38(2) to:</p> <ol style="list-style-type: none"> a) replace 'sensitive land uses' with 'sensitive activities' b) add additional matters of control relating to the functional and operational need of ETN activities, technical requirements of ETN activities, and the benefits of the ETN. 	Enabling routine work on the electricity network	<p>Change</p> <p>82. Amend the proposal to change the matters of control in regulation 38(2) of the NES-ETA to:</p> <ol style="list-style-type: none"> a. replace 'sensitive land uses' with 'sensitive activities'; and b. add a new matter of control to provide for effects on services and infrastructure. 	<p>In alignment with the approach taken in other regulations (eg, earthworks, vegetation management), officials recommend removing matters of control relating to the functional and operational need of the EN and the benefits of the EN, as it would not be appropriate for councils to apply controls on these matters. Instead, a matter of control to provide for effects on services and infrastructure is proposed, consistent with the approach taken in existing regulations 12 and 15.</p>	Agreed with recommendation

Other transmission activities					
NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulation 39 – Other transmission activities	No changes proposed.		No change	No changes were proposed to regulation 39.	N/A

POTENTIAL NEW REGIONAL REGULATIONS

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regional rules	<p>We are <u>seeking feedback</u> on a range of new regional regulations that would better enable transmission activities and make the NES-ENA function as more of a one-stop-shop (ie, these are not proposals at this stage). The additional regional regulations we are seeking feedback on for potential inclusion in the NES-ENA are as follows.</p> <ul style="list-style-type: none"> • R1: River crossings – a new permitted activity rule for the construction, use, maintenance, upgrade and removal of river crossings for an existing transmission line subject to conditions relating to flows, discharges, cleaning and fuelling, use of machinery, fish passage, and erosion. A controlled activity consent would be required when the permitted activity conditions are not met. • R2: Groundwater take and use, dewatering – a new permitted activity rule to take and use water for the purposes of dewatering when undertaking routine ETN activities. This would include permitted activity conditions relating to duration, location, ground subsidence, flooding, discharges, discharge of TSS near sensitive receiving environments, compliance with the Australian and New Zealand Environment and Conservation Council guidelines (ANZECC guidelines) and drinking water source protection areas. A controlled activity consent would be required when the permitted activity conditions are not met. 		<p>Change</p> <p>83. Amend the proposal to remove regional rules from the proposed NES-ENA.</p>	<p>Feedback on the proposed regional regulations was mixed, and officials recommend the Government postpone the development of regional rules until the new system has been confirmed. Once the new system is supported by legislation, officials will look to how regional rules can be developed to apply to a range of network utilities. Officials have collected submission feedback and will use it to inform their future advice.</p> <p>Rules that permit works in natural environments require careful drafting and need to ensure they do not permit significant adverse effects or cut through well-meaning protections afforded through regional plans.</p>	<p>Agreed with recommendation</p>

POTENTIAL NEW REGIONAL REGULATIONS

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<ul style="list-style-type: none"> • R3: Stormwater discharges – a new permitted activity rule for discharges of stormwater subject to conditions relating to natural inland wetlands, Hazardous Activities and Industries List (HAIL) sites, erosion, flooding, discharge of TSS near sensitive receiving environments, compliance with ANZECC guidelines, and drinking water source protection areas. A controlled activity consent would be required when the permitted activity conditions are not met. • R4: Structures in the coastal marine area (CMA) – a new permitted activity rule for structures in the CMA subject to conditions relating to increasing the size of the structure, not being located in port, navigation or protected areas, discharges, cleaning and refuelling, and use of machinery. A controlled activity consent would be required when the permitted activity conditions are not met. • R5: Works within the bed of a lake or river – a new permitted activity rule enabling works to be undertaken within the beds of lakes and rivers subject to conditions relating to access to lawfully established structures, fish passage, not be located in natural areas or historic heritage areas, and the works being undertaken in accordance with a plan submitted to the relevant regional council hydrologic engineer. A restricted discretionary activity consent is proposed when the permitted activity conditions are not met. 				

PART 3: REGULATIONS FOR ELECTRICITY DISTRIBUTION NETWORK ACTIVITIES

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Application	The regulations apply to 'high voltage' and 'low voltage' EDN activities.	New provisions for the electricity distribution network	Change 84. Amend the proposal to clarify that the regulations apply to all EDN activities and assets, except as otherwise specified in regulations.	There is overall support to include the electricity distribution network in the NES-ENA. Distribution activities can vary in voltage, with low-voltage activities (eg, below 110 kilovolts) constituting the majority of the EDN in some locations. While some sought clarification as to the application of the regulation to 'high-' and 'low-' voltage assets, the clarification is not needed for the interpretation of the regulations as they will be subject to the same activity-based approach in the NES-ENA. As such, officials recommend that EDN rules apply to all EDN activities and assets, except as otherwise specified in regulations. While the term 'EDN asset' is not defined, each regulation clarifies the EDN activities and/or components it applies to. For instance, substations are not expressly regulated under the NES-ENA.	Agreed with recommendation
Ancillary EDN activities	The following regulations proposed in Part 2 for 'ancillary activities' are proposed to apply to EDN activities: <ul style="list-style-type: none"> • regulation 23 and regulation 24: Signs • regulation 25 and regulation 26: Blasting and applying protective coatings • regulation 28: Discharges to water 	New provisions for the electricity distribution network	No change 85. Retain the proposal to extend the application of regulations for 'ancillary activities' to apply to EDN activities.	No change is proposed. General support came from submissions.	Agreed with recommendation

PART 3: REGULATIONS FOR ELECTRICITY DISTRIBUTION NETWORK ACTIVITIES

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<ul style="list-style-type: none"> regulation 30: Trimming, felling, and removing trees and vegetation regulations 33, 34 and 35: Earthworks (outside potentially contaminated land) regulation 36: Earthworks on contaminated land regulation 37 and regulation 38: Noise and vibration from construction activities. 				
<p>6: Operation of existing EDN assets – permitted activities</p>	<p>Introduce new permitted activity rules for the following:</p> <ul style="list-style-type: none"> the operation of an existing EDN line or cabinet the use of an access track to an existing EDN line or cabinet occupation of land for existing EDN lines and cabinets. 	<p>New provisions for the electricity distribution network</p>	<p>Change</p> <p>86. Amend the proposal to include the maintenance of an EDN line or cabinet as a permitted activity unless the maintenance activity is covered by other regulations in the NES-ENA.</p>	<p>The inclusion of maintenance as a permitted activity responds to feedback on inconsistent coverage of maintenance in the regulations. While officials propose to include the maintenance of EDN lines or cabinets as a permitted activity, this is only for those maintenance activities that are not specifically regulated in the NES-ENA (eg, earthworks, vegetation clearance, blasting).</p> <p>As the term 'EDN asset' is undefined, drafting will reflect the application of the regulation (ie, existing EDN lines, cabinets and access tracks).</p> <p>Officials note the regulation permits use of an existing access track, regardless of its location, under the RMA. However, determining access rights over private land falls outside of the scope of the RMA.</p>	<p>Agreed with recommendation</p>

PART 3: REGULATIONS FOR ELECTRICITY DISTRIBUTION NETWORK ACTIVITIES

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
R7: Temporary structures and line deviations associated with existing EDN assets	<p>Introduce new permitted activity rules for the maintenance or upgrade of an existing EDN line or cabinet subject to a permitted activity condition that the structures are installed and removed within one calendar year (12 months).</p> <p>A controlled activity is proposed for temporary structures and deviations that cannot comply with the permitted activity condition (ie where the structure is in place for more than 12 months), with the matters of control limited to the duration of any works and the effects and timing of construction works.</p>	New provisions for the electricity distribution network	<p>No change</p> <p>87. Retain the proposal to introduce a new permitted activity rule for a temporary structure and line deviations for the maintenance and upgrade of an existing EDN line or cabinet subject to a permitted activity condition that the structures are installed and removed within one calendar year (12 months).</p> <p>88. Retain the proposal for a controlled activity for temporary structures that do not comply with permitted standards.</p> <p>89. Retain the proposal for the matters of control to be limited to the duration of any works and the effects and timing of construction works.</p>	<p>The proposal introduces a 12-month timeframe for temporary structures and deviations that are necessary for the maintenance or upgrade of an existing EDN line or cabinet as a permitted activity, which becomes a controlled activity beyond this timeframe. This approach aligns with that in the proposed amendments to the NES-TF, designed to support short-term infrastructure maintenance and upgrades without requiring resource consent.</p> <p>As the term 'EDN asset' is undefined, drafting will reflect the application of the regulation (ie, temporary structures and line deviations).</p>	<p>Agreed with recommendation</p> <p>Agreed with recommendation</p> <p>Agreed with recommendation</p>
R8: Additions to existing EDN assets	<p>A: Introduce new regulations that would enable the following additions to existing EDN lines and support structures to be undertaken as permitted activities subject to the following conditions:</p> <ul style="list-style-type: none"> conductors with a diameter no greater than existing conductor or 50 mm 	New provisions for the electricity distribution network	<p>Change</p> <p>90. Amend the proposal to include the following as permitted activities:</p> <ol style="list-style-type: none"> additions of optical ground wires (OPGW), earth-wires and telecommunication 	<p>Having considered the need to align with the NES-TF, officials recommend some changes in relation to the inclusion of OPGW and the permitted diameter of earth-wires, telecommunication cables and OPGW.</p> <p>Based on the mixed feedback received on bulk standards, officials recommend a middle-ground relief to change the</p>	<p>Agreed with recommendation</p>

PART 3: REGULATIONS FOR ELECTRICITY DISTRIBUTION NETWORK ACTIVITIES

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<ul style="list-style-type: none"> • earth-wires and telecommunication cables with a diameter no greater than existing or 28 mm • telecommunication devices on EDN support structure with a width of no greater than 1.8 m and height no greater than 2.5 m above the height of the EDN support structure (ie, pole or tower). <p>Where the permitted activity standards are not complied with, the activity would be a controlled activity with the matters of control limited to the visual and landscape effects associated with the additional infrastructure, and the technical requirements, operational need and functional need of EDN activities, and the benefits of the EDN.</p>		<p>cables on support structures and lines</p> <p>b. replacement of conductors, circuits, earth-wires, overhead telecommunication cables and optical ground wires</p> <p>c. maintenance of EDN lines and support structures</p> <p>d. additions of ancillary equipment on support structures.</p> <p>91. Amend the proposal to include the following permitted activity standards for ancillary equipment on support structures:</p> <p>a. 30mm maximum permitted diameter of earth wires, telecommunication cables and OPGW</p> <p>b. maximum height of 3.5m above the height of the existing support structure for telecommunication devices on EDN support structures</p> <p>c. maximum width of 1.3 times the width of the existing</p>	<p>permitted (width and height) thresholds for telecommunication devices on EDN support structures.</p> <p>In terms of the activities that are covered by regulation R8A, officials agree with industry submitters' proposal to include 'replacement' and 'maintenance' as permitted activities, as this better aligns with the overall policy intent of the NES-ENA to enable routine activities for distribution. This approach is consistent with the regulations for electricity transmission and proposed regulation R9.</p> <p>Officials propose to include a new permitted activity standard for 'ancillary equipment on support structures', responding to concerns raised by industry submitters.</p> <p>Amendments to matters of control are consistent with other provisions (refer to the part B report for reasoning).</p> <p>As the term 'EDN asset' is undefined, drafting will reflect the application of the regulation (ie, additions to EDN lines and support structures).</p>	<p>Agreed with recommendation</p>

PART 3: REGULATIONS FOR ELECTRICITY DISTRIBUTION NETWORK ACTIVITIES

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<p>support structure for telecommunication devices on EDN support structures</p> <p>d. maximum of 2m³ per item and meeting the noise standing for ground mounted cabinets in R9A for 'ancillary equipment on support structures'.</p> <p>92. Introduce a controlled activity where permitted activity standards for ancillary equipment on support structures are not met.</p> <p>93. Amend the proposal to limit the matters of control for controlled activities for ancillary equipment on support structures to:</p> <p>a. the visual and landscape effects associated with the additional infrastructure, and</p> <p>b. the effects on services and infrastructure.</p>		<p>Agreed with recommendation</p> <p>Agreed with recommendation</p>
	<p>B: Introduce new regulations that would enable the installation of mid-span poles on existing EDN lines. The regulations would provide for these poles as a permitted activity subject to compliance with the following conditions:</p>	<p>New provisions for the electricity distribution network</p>	<p>No change</p> <p>94. Introduce a new permitted activity regulation for the installation of mid-span poles on existing EDN</p>	<p>This amendment addresses significant council opposition to 30 metre maximum pole height, better aligns with ETN regulation 14 and is considered a more proportionate approach that takes the relative height of the existing EDN line into</p>	<p>Agreed with recommendation</p>

PART 3: REGULATIONS FOR ELECTRICITY DISTRIBUTION NETWORK ACTIVITIES

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<p>97. Amend the proposal to limit the matters of control for a controlled activity for the installation of mid-span poles on existing EDN lines to include:</p> <ul style="list-style-type: none"> a. visual and landscape effects b. ecological effects c. effects on any natural area and historic heritage place or area d. proposed methods to mitigate adverse effects e. effects on services and infrastructure f. effects on health and safety. 		<p>Agreed with recommendation</p>
	<p>C: Introduce new regulations to enable the maintenance of underground conductors, replacement of underground conductors, and additional underground conductors on existing EDN lines as a permitted activity without conditions (except the radio frequency fields and electric and magnetic fields standards outlined below). This is consistent with the regulations in the NESETA (regulation 11), which are proposed to be retained in the NES-ENA.</p>	<p>New provisions for the electricity distribution network</p>	<p>No change</p> <p>98. Retain the proposal to for a new regulation for a permitted activity for the maintenance of underground conductors, replacement of underground conductors, and additional underground conductors on existing EDN lines subject to the standards for radio frequency fields and electric and magnetic fields in R11.</p>	<p>Retaining the proposal was widely supported in submissions.</p>	<p>Agreed with recommendation</p>

PART 3: REGULATIONS FOR ELECTRICITY DISTRIBUTION NETWORK ACTIVITIES

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
R9: Alteration, relocation and replacement of existing EDN assets	<p>A: Introduce a new regulation that would enable the alteration, relocation and replacement of existing ED lines, support structures and cabinets to be undertaken as a permitted activity subject to conditions on the size and location of those assets.</p> <p>The proposed permitted activity standards are as follows.</p> <ul style="list-style-type: none"> the EDN asset must be located: <ul style="list-style-type: none"> within a land transport corridor; or outside a natural area or historic heritage place or area (ie, except where the existing ED line is located within one of these areas). the altered, relocated or replaced EDN assets must not increase the height or width of the existing EDN asset by more than 25% the replaced or relocated EDN asset must be within 10 m of the existing location poles must not be replaced with towers restoration and stabilisation of land must be undertaken when existing EDN assets are relocated Cabinets must comply with the corresponding permitted noise standards in regulation 24 of the NES-TF if located within road reserve, and otherwise with the noise standards of the underlying zone. 	New provisions for the electricity distribution network	<p>No change</p> <p>99. Retain the proposal for a new regulation for a permitted activity for the alteration, relocation and replacement of existing distribution lines, support structures and cabinets subject to meeting permitted activity standards as proposed except where specified in recommendation 101.</p> <p>100. Retain the proposal for a controlled activity where the permitted activity standards for the alteration, relocation and replacement of existing ED lines, support structures and cabinets are not met.</p> <p>Change</p> <p>101. Amend the proposal for a new regulation for a permitted activity for the alteration, relocation and replacement of existing ED lines, support structures and cabinets to:</p> <ol style="list-style-type: none"> clarify that the place of noise measurement for cabinets outside of a road reserve is 	<p>Officials recommend changes to noise provisions to ensure consistency with regulations 24 and 25 of the NES-TF.</p> <p>Officials also recommend clarifying that the exceptions to permitted activity conditions relate only to any replaced or relocated support structure or cabinet within 10 metres of its existing position, which is aligned with other approaches to replacement in the NES-ENA.</p> <p>Recommended amendments to matters of control are consistent with other provisions (please refer to regulation 7 for reasoning).</p> <p>As the term 'EDN asset' is undefined, drafting will reflect the application of the regulation to existing distribution lines, support structures and cabinets.</p>	<p>Agreed with recommendation</p> <p>Agreed with recommendation</p> <p>Agreed with recommendation</p>

PART 3: REGULATIONS FOR ELECTRICITY DISTRIBUTION NETWORK ACTIVITIES

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>Proposed exceptions to these permitted activity conditions being complied with are for specific operational and safety reasons including:</p> <ul style="list-style-type: none"> • where relocation is required at the instruction of the relevant road controlling authority and/or for the purposes of road safety • where the relocation is required to accommodate a third party activity on the adjacent site and the structure remains adjacent to the original site frontage. <p>Where the permitted activity standards are not complied with, a resource consent would be required for a controlled activity. The proposed matters of control would be visual and landscape effects, ecological effects, effects on any natural area or historic heritage place or area, proposed methods to mitigate adverse effects, technical requirements of EDN activities, functional and operational need of EDN activities, and benefits to and of the EDN.</p>		<p>the same as for Regulations 24 and 25 of NES-TF</p> <p>b. clarify that the exceptions to permitted activity conditions relate only to the permitted standard to replace or relocate a support structure or cabinet within 10 m of its existing position.</p> <p>102. Amend the proposal to limit the matters of control for the alteration, relocation and replacement of ED lines, support structures and cabinets to:</p> <ul style="list-style-type: none"> a. visual and landscape effects b. ecological effects c. effects on any natural area or historic heritage place or area d. proposed methods to mitigate adverse effects e. effects on services and infrastructure. 		<p>Agreed with recommendation</p>
	<p>B: Introduce a new regulation to enable the undergrounding of existing EDN lines and replacement of existing underground lines as a permitted activity where these are located:</p> <ul style="list-style-type: none"> • within a land transport corridor 	<p>New provisions for the electricity distribution network</p>	<p>No change</p> <p>103. Introduce a new rule for a permitted activity for undergrounding existing EDN lines</p>	<p>Officials recommend minor changes to regulation R9B to address duplication with other regulations:</p>	<p>Agreed with recommendation</p>

PART 3: REGULATIONS FOR ELECTRICITY DISTRIBUTION NETWORK ACTIVITIES

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<ul style="list-style-type: none"> within all other zones provided that any relocated ED line or cabinet is not located within any <u>new</u> natural area or historic heritage place or area (ie, this would not apply where the existing ED line is located within one of these areas) where these conditions are not complied with, a resource consent would be required for a controlled activity. The matters of control would be aligned with the corresponding regulation for undergrounding ETN lines (regulation 12) being the location of termination structures and the route of underground cables in relation to effects on any natural area, historic heritage place or area, visual effects, extent of earthworks, effects and timing of construction, technical requirements, functional and operational need of the EDN and benefits to and of the EDN. 		<p>subject to the following permitted activity standards:</p> <ol style="list-style-type: none"> the activity is located within a land transport corridor outside of the land transport corridor, the activity is not located within any new natural area or historic heritage place or area. <p>104. Retain the proposal to require a consent for a controlled activity when undergrounding of existing EDN lines that do not meet the permitted activity standards.</p> <p>Change</p> <p>105. Amend the proposal to remove from the application of the proposed rule the replacement of existing underground lines and references to relocated ED lines or cabinets.</p> <p>106. Amend the matters of control for activities not meeting permitted activity standards as follows:</p> <ol style="list-style-type: none"> location of termination structures 	<ul style="list-style-type: none"> the 'replacement of existing underground lines' is already addressed under regulation R8C the relocation of ED line or cabinet is already provided for under regulation R9A. <p>Recommended amendments to matters of control are consistent with other provisions (please refer to regulation 7 for reasoning).</p>	<p>Agreed with recommendation</p> <p>Agreed with recommendation</p> <p>Agreed with recommendation</p>

PART 3: REGULATIONS FOR ELECTRICITY DISTRIBUTION NETWORK ACTIVITIES

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<ul style="list-style-type: none"> b. the route of underground cables in relation to effects on any natural area, historic heritage place or area, visual effects c. extent of earthworks, effects and timing of construction, technical requirements d. effects on services and infrastructure. 		
<p>R10: The construction of new EDN assets</p>	<p>A: Introduce a new regulation to enable the development of new EDN lines as a permitted activity subject to conditions controlling the height and location of the lines.</p> <p>The proposed permitted activities are that:</p> <ul style="list-style-type: none"> • new lines are located: <ul style="list-style-type: none"> – within a land transport corridor; or – within a rural or industrial zone (based on the categories of zones in the National Planning Standards 2019); or – within one of the following special purpose zones: airport, correction, hospital, Māori purpose, port, stadiums, or tertiary education (based on the categories of zones in the National Planning Standards 2019). 	<p>New provisions for the electricity distribution network</p>	<p>Change</p> <p>107. Amend the proposal for a new regulation for a permitted activity for the construction of new EDN lines and the 'operation and maintenance' of EDN lines.</p> <p>108. Amend the proposal to introduce new permitted activity standards for overhead structures (poles and towers) as follows:</p> <ul style="list-style-type: none"> a. in the land transport corridor within or adjacent to: <ul style="list-style-type: none"> i. residential zones and Māori purpose zones: 15 metres maximum height 	<p>For regulation R10A, officials note the significant opposition to the 30-metre permitted height proposal for poles and propose a relief that provides for the height of all EDN support structures (ie, both towers and poles) based on a zone approach. The zone approach allows for consideration of submission points on the exclusion of certain zones.</p> <p>Extension of the application to all support structures reflects the approach taken in recently updated plans to not differentiate between support structures. It is noted that towers are not a common EDN line support structure, as most lines use poles; therefore the expected impact of this change is considered to be lower.</p>	<p>Agreed with recommendation</p> <p>Agreed with recommendation</p>

PART 3: REGULATIONS FOR ELECTRICITY DISTRIBUTION NETWORK ACTIVITIES

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<ul style="list-style-type: none"> • the new lines are not located within a natural area or a historic heritage place or area (except where located within a land transport corridor) • new poles do not exceed 30 m in height above ground level • new towers do not exceed 15 m in height above ground level. <p>Where new lines do not comply with these conditions, resource consent would be required for a restricted discretionary activity. The matters of discretion would be consistent with other regulations outlined above, being visual and landscape effects, ecological effects, effects on any natural area or historic heritage place or area, proposed methods to mitigate adverse effects, technical requirements, functional and operational need of the EDN, benefits to and of the EDN, and effects on health and safety.</p>		<ul style="list-style-type: none"> ii. rural and industrial zones: 25 metres maximum height b. All other zones: 20 metres maximum height c. within specified zones (outside of the land transport corridor): <ul style="list-style-type: none"> i. Rural and industrial zones: 25 metres maximum height ii. Special Purpose Zones: airport, correctional, hospital, port, stadium, and tertiary education: 20 metres maximum height. <p>109. Amend the proposal for a new regulation for a permitted activity for the construction of new underground EDN lines in all zones as a permitted activity, except in natural areas or historic heritage places or areas.</p> <p>110. Amend the proposal to introduce a new permitted activity standard of 2m³ for the ancillary equipment installed on support structures and compliance with the noise standard for cabinets in R9A.</p>	<p>Given concerns raised in submission as to the effects on RMA section 6 values relating to historic heritage and sensitive areas, officials propose a controlled activity pathway for new overhead EDN lines in historic heritage places or settings and a restricted discretionary activity pathway in natural areas. The permitted activity framework will be retained for undergrounding of EDN lines within the land transport corridor both in natural areas and within or adjacent to historic heritage places or areas, as existing legislation and bylaws will continue to apply as well as proposed controls in other regulations.</p> <p>Officials also recommend further changes to the regulation to align with the overall policy intent to enable routine activities necessary for the functioning of the electricity transmission and distribution network. This is to include the operation and maintenance of EDN lines and clarify that regulation R10 applies to the construction of new underground and overhead EDN lines, to better reflect the needs of the EDN.</p> <p>To provide more broadly for assets necessary to the EDN and similar to the recommendation for regulation R8A,</p>	<p>Agreed with recommendation</p> <p>Agreed with recommendation</p>

PART 3: REGULATIONS FOR ELECTRICITY DISTRIBUTION NETWORK ACTIVITIES

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<p>111. Amend the proposal to introduce a new regulation for the construction of new EDN lines (overhead and underground) in the land transport corridor in natural areas or historic heritage places or areas as a controlled activity, with matters of control limited to:</p> <ul style="list-style-type: none"> a. effects on any natural area and historic heritage places or areas b. proposed methods to mitigate adverse effects c. effects on services and infrastructure. 	<p>officials recommend including a new permitted standard of 2 cubic metres for the ancillary equipment installed on support structures and compliance with the noise standard for cabinets in regulation R9A(12).</p> <p>As the term 'EDN asset' is undefined, drafting will reflect the application of the regulation to the construction, operation and maintenance of EDN lines.</p>	<p>Agreed with recommendation</p>
			<p>112. Amend the proposal to introduce a new regulation for a restricted discretionary activity for the construction of EDN lines when permitted activity standards are not met, with discretion restricted to:</p> <ul style="list-style-type: none"> a. visual and landscape effects b. ecological effects c. effects on any natural area or historic heritage place or area 		<p>Agreed with recommendation</p>

PART 3: REGULATIONS FOR ELECTRICITY DISTRIBUTION NETWORK ACTIVITIES

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<ul style="list-style-type: none"> d. proposed methods to mitigate adverse effects e. effects on services and infrastructure f. effects on health and safety. 		
	<p>B: Introduce a new regulation to enable new cabinets associated with the EDN to be installed and operated as a permitted activity provided that:</p> <ul style="list-style-type: none"> • the cabinet is located within a land transport corridor; and <ul style="list-style-type: none"> – the cabinet(s) are no larger than 1.8 m tall and 6 m² in area – the cabinets comply with the noise limits in regulation 24 of the NES-TF (noise limits for cabinets in road reserve); or • the cabinet complies with rules for buildings and structures within the underlying zone • the cabinets are not located within a natural area or a historic heritage place or area. <p>Cabinets that do not comply with the permitted activity standards would require a resource consent for a restricted discretionary activity. The matters of discretion would be limited to visual and landscape effects, ecological effects, effects on any natural area or historic heritage place or area, proposed methods to mitigate adverse effects, functional and operational need of the EDN, benefits to and of the EDN, and effects on health and safety.</p>	New provisions for the electricity distribution network	<p>Change</p> <p>113. Amend the proposal to introduce a new regulation for a permitted activity for the 'operation and maintenance' of new cabinets.</p>	Officials recommend a minor change to the proposal to include the maintenance of new cabinets as well as their installation and operation, providing a more comprehensive approach to cabinets based on feedback received from the sector.	Agreed with recommendation

PART 4: RULES FOR THE NATIONAL GRID YARD AND SUBDIVISION CORRIDOR

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
R12: National Grid Yard – Buildings and structures	<p>Introduce a new regulation to provide for certain buildings and structures within the National Grid Yard as permitted activities where these are a size, nature and scale that do not present a risk to the National Grid and these comply with permitted activity conditions (including NZECP 34:2001). The new regulation would also make specific activities non-complying activities within the National Grid Yard where these present a risk to the National Grid and should generally be avoided.</p> <p>The following activities are proposed to be permitted activities within the National Grid Yard:</p> <ul style="list-style-type: none"> alterations and additions to an existing building or structure for a sensitive activity that does not involve an increase in the building height or footprint accessory buildings for sensitive activities located more than 12 m from a National Grid support structure, and that are no more than 2.5 m in height and no more than 10 m² in area network utilities, as defined in section 166 of the RMA, and electricity generation that connects to the National Grid fences located at least 5 m from a National Grid pole support structure and at least 6 m from a National Grid tower ancillary stockyards and platforms, including those associated with milking sheds (relates to rural activities) located more than 12 m from a National Grid support structure 	Regulations for the National Grid Yard and Subdivision Corridor	<p>No change</p> <p>116. Retain the proposal to introduce a new regulation to provide for the listed activities within the National Grid Yard as a permitted activity where these comply with the proposed permitted activity standards.</p> <p>117. Retain the proposal to introduce a regulation providing for non-complying activities within the National Grid Yard.</p>	Officials consider only minimal drafting changes are required to the proposal for regulations R12 and R13. These rules have largely been adopted by approximately 70% of councils nationwide. Transpower's suggestions were more relevant to the drafting of the regulations rather than their intent, although officials support its clarifications and improvements, which will be considered in the drafting.	<p>Agreed with recommendation</p> <p>Agreed with recommendation</p>

PART 4: RULES FOR THE NATIONAL GRID YARD AND SUBDIVISION CORRIDOR

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<ul style="list-style-type: none"> • uninhabited farm and horticultural buildings and structures located more than 12 m from a National Grid support structure and alterations to these buildings and structures • artificial crop protection structures or crop support structures not exceeding 2.5 m in height and located at least 8 m from a National Grid transmission line pole that: <ul style="list-style-type: none"> – are removable or temporary to allow a clear working space of 12 m from the pole for maintenance; and – allow all-weather access to the pole and a sufficient area for maintenance equipment, including a crane; or – meet the requirements of clause 2.4.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001). <p>The above activities must also comply with the following permitted activity standards:</p> <ul style="list-style-type: none"> • all buildings and structures must comply with the safe distance standards in NZECP 34:2001 • all buildings and structures must not permanently physically impede vehicle access to a National Grid support structure. <p>The proposed rule would also make the following activities non-complying activities within the National Grid Yard:</p> <ul style="list-style-type: none"> • establishing sensitive activities in an existing building or a new building 				

PART 4: RULES FOR THE NATIONAL GRID YARD AND SUBDIVISION CORRIDOR

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>3) are no deeper than 300 mm depth within 2.2 m of the outer visible edge of a National Grid pole</p> <p>4) are no deeper than 750 mm depth between 2.2 m and 5 m of the outer visible edge of a National Grid pole support structure; except that vertical holes not exceeding 500 mm in diameter beyond 1.5 m from the outer visible edge of the pole support structure or stay wire are exempt</p> <p>5) do not compromise the stability of a National Grid transmission line tower or pole</p> <p>6) do not result in a reduction in the ground to conductor clearance distances as required in table 4 of NZECP 34:2001</p> <p>7) do not permanently physically impede access to a National Grid support structure.</p> <p>The following activities are proposed to be exempt from clauses 1 to 4 above:</p> <p>a) earthworks and land disturbance undertaken for the repair or resealing of a road, footpath, driveway or farm track</p> <p>b) earthworks, land disturbance and vertical holes that are subject to a dispensation from Transpower under NZECP 34:2001.</p> <p>Earthworks, land disturbance and vertical holes that do not meet the permitted activity standards above are proposed to be a non-complying activity.</p>		<p>the National Grid Yard as a non-complying activity when permitted activity standards are not met.</p> <p>Change</p> <p>120. Amend the proposal to specify that Transpower is the authority who may waive themselves as an affected party by providing special dispensation in the form of a written notice tendered to the contravening third party, which allows for non-compliance with NZECP 34:2001.</p> <p>121. Amend the proposal to specify that exempted earthworks, land disturbances and vertical holes as outlined in a) and b) of the proposal are also exempt from complying with standard 7) of the proposal (ie 'do not permanently physically impede access to a National Grid support structure').</p>	<p>operators undertaking earthworks that do not impede access to the National Grid.</p>	<p>Agreed with recommendation</p> <p>Agreed with recommendation</p>

PART 4: RULES FOR THE NATIONAL GRID YARD AND SUBDIVISION CORRIDOR

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>effects on, and from, the National Grid and on public safety and property are appropriately avoided, remedied or mitigated, for example, through the location of roads and reserves under the transmission lines</p> <ul style="list-style-type: none"> the nature and location of any proposed vegetation to be planted the outcome of any consultation with, and technical advice from, Transpower. 				

Electricity distribution lines and adverse effects from third parties

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
R14: Subdivision of site containing overhead EDN lines (Controlled)	<p>Introduce a new rule for subdivision of a site containing an existing overhead EDN line that would provide for this activity as a controlled activity if any proposed building, structure or building platform complies with the minimum safe distance requirements for poles and towers in NZECP 34:2001, otherwise resource consent would be required as a discretionary activity.</p> <p>If the condition above is complied with, the proposed matters of control are:</p> <ul style="list-style-type: none"> the extent to which the subdivision allows for earthworks, buildings, and structures to comply with the safe distance requirements provided in NZECP 34:2001 	New provisions for the electricity distribution network	<p>Change</p> <p>124. Amend the proposal to introduce a new permitted activity for minor boundary adjustments on sites containing EDN lines.</p> <p>125. Amend the proposal so that subdivision creating new allotment(s) on a site containing an EDN line is a controlled activity when any proposed building, structure or building platform complies with the minimum safe distance requirements for poles and towers</p>	<p>The purpose of this rule is to ensure that land-use change arising from subdivision can be managed to ensure that the EDN isn't compromised, by introducing an approach similar to that for electricity transmission proposed in regulation R13.</p> <p>The changes proposed will ensure a more comprehensive approach to subdivision, aligning with Policy 11 of the NPS-EN and ensuring compliance with safe distance requirements provided in NZECP 34:2001, therefore</p>	<p>Agreed with recommendation</p> <p>Agreed with recommendation</p>

Electricity distribution lines and adverse effects from third parties

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<ul style="list-style-type: none"> • provision for the ongoing efficient operation, maintenance, and minor upgrading of EDN line infrastructure, including for continued reasonable access for maintenance, inspections, and minor upgrading • the location of site access and any proposed building platform, and the design and use of any future building as it relates to EDN line infrastructure • measures necessary to avoid or sufficiently minimise the adverse effects, including health and safety risks, of the overhead EDN lines on future owners and occupiers of the sites that result from the subdivision. 		<p>in NZECP 34:2001, subject to the following matters of control:</p> <ol style="list-style-type: none"> a. the extent to which the subdivision allows for the anticipated future land use earthworks, buildings, and structures to comply with the safe distance requirements provided in NZECP 34:2001, including the location of building platforms and site access. b. the provision for the ongoing efficient operation, maintenance, and minor upgrading of EDN line infrastructure, including for continued reasonable access for maintenance, inspections, and minor upgrading c. the outcome of consultation with the owner and operator of the EDN line d. the measures necessary to avoid or sufficiently minimise the adverse effects, including health and safety risks, of the overhead EDN lines on future owners and occupiers of the sites that result from the subdivision. 	<p>ensuring that future land uses would not compromise the EDN.</p> <p>The proposal for resource consent as a discretionary activity is retained in the case of non-compliance.</p> <p>Bespoke rules for relevant land-use components, such as earthworks and construction, are proposed below.</p>	

Electricity distribution lines and adverse effects from third parties

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			126. Retain the proposal for subdivision creating new allotment(s) on a site containing an EDN line as a discretionary activity when compliance with safe distance requirements provided in NZECP 34:2001 is not achieved.		Agreed with recommendation
<p>R15: Construction of buildings or structures near overhead EDN lines (Discretionary)</p>	<p>Introduce a new rule to manage buildings and structures within 30 m of EDN lines to ensure these comply with NZECP 34:2001. The rule would provide for the construction of a new building or structure, or alterations or extensions to an existing building or structure within 30 m of the centre line of an overhead EDN line as a permitted activity, provided the construction or alteration complies with the safe distance requirements for poles and towers in NZECP 34:2001.</p>	<p>New provisions for the electricity distribution network</p>	<p>Change 127. Amend the proposal to:</p> <ul style="list-style-type: none"> a. introduce a new rule for a permitted activity for the construction of a new building or structure or alterations or extensions to an existing building or structure near an overhead EDN line subject to compliance with safe distance requirements for poles and towers in NZECP 34:2001 b. specify that the relevant electricity distribution provider is the authority who may waive themselves as an affected party by providing special dispensation in the form of a written notice tendered to the contravening party, which allows for non-compliance with NZECP 34:2001 	<p>Officials recommend removing the distance requirement from the rule as minimum safe distances for buildings and structures from conductors are outlined in NZECP 34:2001.</p> <p>Officials recommend a discretionary activity status for the construction of buildings or structures that do not meet the permitted activity conditions above. This aligns with the approach in regulation R14 and gives consenting authorities the ability to decline a consent should third-party effects impact the safe operation, maintenance and upgrade of the EDN. However, officials recommend there be the option of applying for a dispensation from the relevant EDB under NZECP 34:2001 to avoid the need to obtain a discretionary activity resource consent for the works.</p>	Agreed with recommendation

Electricity distribution lines and adverse effects from third parties

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			c. require a resource consent as a discretionary activity for the construction of a new building or structure or alterations or extensions to an existing building or structure near an overhead EDN line that do not meet safe distance requirements for poles and towers in NZECP 34:2001.		

Electric vehicle charging standard

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
R16: Installing new EV charging infrastructure is a permitted activity	Introduce a new regulation for EV charging infrastructure. This would provide for any of the following types of EV charging infrastructure as permitted activities. Private use <ul style="list-style-type: none"> EV infrastructure that is not available for public use and complies with the relevant zone rules relating to the construction of buildings and structures, and alterations and additions to existing buildings and structures. Land transport corridor <ul style="list-style-type: none"> EV infrastructure located in the land transport corridor. 	EV charging infrastructure	Change 128. Amend the proposal to introduce a new permitted activity for the following EV charging infrastructure: <ul style="list-style-type: none"> a. EV infrastructure not available for public use and subject to the following standard: <ul style="list-style-type: none"> i. it complies with the zone rules relating to construction of buildings and structures and alterations and additions to 	Amendments are recommended to clarify the proposal and improve its workability, such as clarifying the relationship of regulation R16 with district plan standards, excluding EVCI for residential use and clarifying the regulation in relation to vehicle parking spaces associated with EVCI. Officials propose changes to the matters of discretion by further particularising the matters to be considered, which will increase clarity of application; and	Agreed with recommendation

Electric vehicle charging standard

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<p>Ancillary to primary activity</p> <ul style="list-style-type: none"> • EV infrastructure that is ancillary to the primary activity on site and complies with the following conditions: <ul style="list-style-type: none"> – it does not exceed 3 m in height if located within 1 m of any front boundary or 1 m of any boundary adjoining a residential zone – it complies with the noise and earthworks standards (see below). <p>Stand-alone EV charging facility</p> <ul style="list-style-type: none"> • EV infrastructure that is the primary activity on site and complies with the following conditions: <ul style="list-style-type: none"> – it is not located in a residential zone, natural area, or historic heritage item or setting – does not exceed 3 m in height if located within 1 m of any front boundary or 1 m of any boundary adjoining a residential zone – complies with the noise and earthworks standards (see below) – does not generate more than 10 vehicles per hour (averaged across 24 hours). <p>The proposed noise standards are as follows.</p> <p>a) Residential zone</p> <ul style="list-style-type: none"> i. Noise must not exceed the following limits measured at the boundary of another site: 		<p>existing buildings and structures.</p> <ul style="list-style-type: none"> b. EV infrastructure located in the land transport corridor. c. EV infrastructure ancillary to the primary activity (excluding residential uses) on the site subject to the following standards: <ul style="list-style-type: none"> i. it does not exceed 3 m in height if located within 1 m of any front boundary or 3 m of any boundary adjoining a residential zone; and ii. it complies with the noise and earthworks standards (see below). d. Stand-alone EV charging infrastructure that is the primary activity (excluding residential uses) on the site subject to the following standards: <ul style="list-style-type: none"> i. the site is not located in a residential zone, natural area, or historic heritage place or area; 	<p>improve consistency with the terms used in the Planning Bill 2025.</p> <p>Officials also recommend changes to bulk and location standards to address concerns raised in submissions.</p>	

Electric vehicle charging standard

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<ul style="list-style-type: none"> ○ 7 am to 10 pm: 50 dB LAeq (15min) ○ 10 pm to 7 am: <ul style="list-style-type: none"> – 40 dB LAeq (15min) – 65 dB LAFmax. <p>b) Non-residential zone</p> <ul style="list-style-type: none"> i. Noise must not exceed the following limits measured at the boundary of any site zoned residential: <ul style="list-style-type: none"> • 7 am to 10 pm: 55 dB LAeq (15min) • 10 pm to 7 am: <ul style="list-style-type: none"> – 45 dB LAeq (15min) – 65 dB LAFmax. ii. Noise must not exceed the following limits measured at the boundary of any site that is not zoned residential: <ul style="list-style-type: none"> • Any time: 60 dB LAeq (15min) • 10 pm to 7 am: 65 dB LAFmax. <p>The proposed earthworks standards are that earthworks must:</p> <ul style="list-style-type: none"> a) not result in a permanent cut height of more than 1.5 m or fill depth of more than 1.5 m b) be carried out with controls to minimise the mobilisation of silt or sediment beyond the boundary of the site where the earthworks occur 		<ul style="list-style-type: none"> ii. does not exceed 3 metres in height if located within 1 metre of any front boundary or 3 metres of any boundary adjoining a residential zone iii. complies with the noise and earthworks standards outlined in the notified proposal iv. does not generate more than 10 vehicles per hour (averaged across 24 hours). e. EVCI associated with existing, permitted or consented vehicle parking space, when located in the land transport corridor or ancillary to a primary activity. <p>129. Retain permitted activity noise standards and permitted activity earthwork standards for EV charging infrastructure as proposed.</p> <p>130. Amend the proposal to clarify that District Plan transport standards (excluding vehicle movements) apply to EV charging infrastructure for public use when a new car park is created.</p>		<p>Agreed with recommendation</p> <p>Agreed with recommendation</p>

Electric vehicle charging standard

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<p>c) not result in any instability of land at or beyond the boundary of the site where the earthworks occur</p> <p>d) be reinstated to stabilise the site from further erosion within 1 month after the earthworks are complete.</p> <p>Where permitted activity conditions are not complied with, the proposal is that resource consent would be required for a restricted discretionary activity, with the matters of discretion restricted to:</p> <ul style="list-style-type: none"> • the effects on the safe and efficient operation of transport networks • the effects of the operation of the activity, including noise • the effects on the amenity and character of adjacent properties and environment • the design and appearance of buildings and structures • the extent to which a non-compliance is due to evolving technology • the measures to avoid, mitigate or remedy any adverse environmental effects. 		<p>131. Amend the proposal for matters of discretion to:</p> <ol style="list-style-type: none"> a. remove consideration of the effects on the amenity and character of adjacent properties and the environment b. add 'proposed' to 'the measures to avoid, mitigate or remedy any adverse environmental effects'. 		<p>Agreed with recommendation</p>

Other recommendations and decisions

Recommendations and decisions in relation to matters raised through submissions.

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Topic	Recommendation	Reasons for recommendation	Minister's decision
Scope and definitions	<p>Change</p> <p>132. Amend the proposal to include the following definitions:</p> <ul style="list-style-type: none"> a. <i>Tower footprint</i> from the NES-ETA (renamed from 'base footprint') b. <i>Temporary structure</i> from the NES-ETA (amended to include EDN and line deviations) c. <i>Upgrading</i> (as defined in the NPS-EN). 	<p><i>Tower footprint</i>: This amendment supports the interpretation of regulations R14–R16. 'Footprint' is also used in regulation R12 in relation to third-party buildings (and this definition is not appropriate for such activities). To make this distinction clear, it is recommended that the term for this definition is renamed as 'tower footprint'.</p> <p><i>Temporary structure</i>: The term is defined in the NES-ETA. As the NES-ENA applies to the distribution network (regulation R7), the definition requires amending to suit the broadened scope of the NES-ENA, including temporary line deviations.</p> <p><i>Upgrading</i>: This term will assist with interpretation of the regulations and officials recommend it aligns with the definition in the NPS-EN.</p>	Agreed with recommendation
Scope and definitions	<p>133. Amend the proposal to include a new definition of 'electricity network asset' that 'means the physical components of the EN and all ancillary activities' and aligns with the NPS-EN.</p>	<p>Industry submitters requested the definition to assist in the interpretation of the regulations.</p> <p>The intent is for the definition to capture the electricity network and ancillary EN activities (as defined in definition D1 'ancillary EN activities').</p>	Agreed with recommendation
Scope and definitions	<p>134. Amend the proposal to include a new definition of 'ancillary equipment on support structures' with the intent of including transformer boxes, fuses/circuit breakers, switchgear, voltage regulators, insulators, isolators, junction boxes, lightning arrestors/surge protectors and associated equipment mounted on support structures.</p>	<p>This definition is necessary for the interpretation of rules relating to electricity distribution (regulations R8 and R10).</p>	Agreed with recommendation

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Topic	Recommendation	Reasons for recommendation	Minister's decision
Allowing plan rules to be more stringent or lenient	<p>135. Amend the proposal to clarify that regional or district plan rules can be more lenient but not more stringent than the NES-ENA (in accordance with s43B RMA) with regard to electricity distribution and EV charging infrastructure, except for the following regulations:</p> <ul style="list-style-type: none"> a. reverse sensitivity rules for distribution (Part 4 – R14, R14A, R15) b. EMF and RF rule (R11). 	<p>The notified proposal⁶ sought to allow district or regional plans to be more lenient but not more stringent for electricity distribution activities (and EV charging infrastructure).</p> <p>The recommended changes clarify the application of the NES-ENA and its relationship with regional and district plan rules with respect to electricity distribution and EV charging infrastructure. Exclusions are recommended where rules implement national or international standards of compliance for electrical safe distances, electric and magnetic field emissions and radio frequency fields.</p>	Agreed with recommendation
New provisions for the electricity distribution network	<p>136. Amend the proposal to:</p> <ul style="list-style-type: none"> a. add a new regulation (R14A) for third-party earthworks, land disturbance and vertical holes on a site containing overhead EDN lines as a permitted activity, subject to compliance with NZECP 34:2001 b. include specification that EDBs are the authorities who may waive themselves as an affected party by providing special dispensation in the form of a written notice tendered to the contravening third party, which allows for non-compliance with NZECP 34:2001 c. include a new regulation for third-party earthworks, land disturbance and vertical holes on a site containing overhead EDN lines as a discretionary activity when compliance with NZECP 34:2001 is not met. 	<p>Officials recommend including a rule (R14A Earthworks, land disturbance and vertical holes on a site containing overhead EDN lines) to manage potential effects by third parties on the EDN from earthworks, land disturbance or vertical holes on sites containing overhead EDN lines.</p> <p>This provides a more comprehensive approach to the management of adverse effects from third parties on the EDN, similar to those proposed for the ETN (regulations R12 and R13). It aligns with the approach taken in regulations R14 and R15, responds to feedback received from industry submitters and aligns with the direction in Policy 10 of the NPS-EN.</p>	Agreed with recommendation
Attachment 1.4.1 National Grid Yard and National Grid Subdivision Corridor	<p>137. Retain the proposed attachment 1.4.1 relating to the National Grid Yard and National Grid Subdivision Corridor.</p>	<p>No changes are necessary as the setbacks proposed in regulations R12 and R13 are recommended to be retained. While officials concede that the colours in the legend in appendix 1.4.1 do not match the diagrams, this will be resolved in the drafting process.</p>	Agreed with recommendation


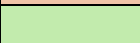
⁶ The proposal was included in the discussion document and not the proposed provisions table as the NES-ETA did not allow district or regional rules to be more stringent or lenient than the instrument itself.



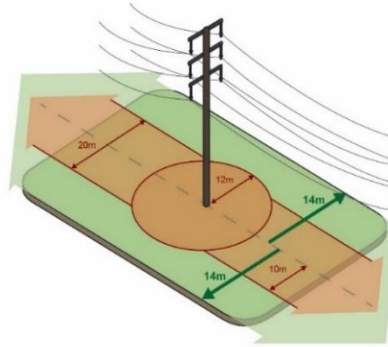
Attachment 1.4.1: National Grid Yard and National Grid Subdivision Corridor

Proposed Amendment to the Resource Management (National Environmental Standards for Electricity Network Activities) Regulations 2009

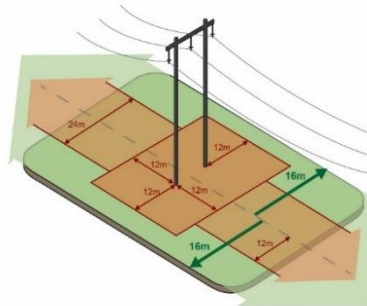
Legend:

National Grid Yard	
National Grid Subdivision Corridor	

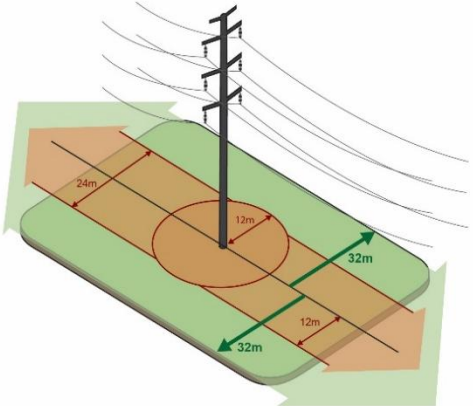
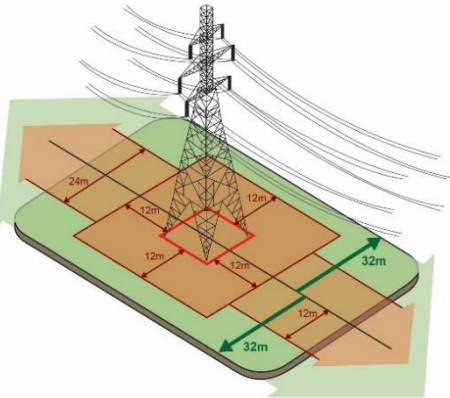
66-kilovolt and 110-kilovolt transmission lines on single poles



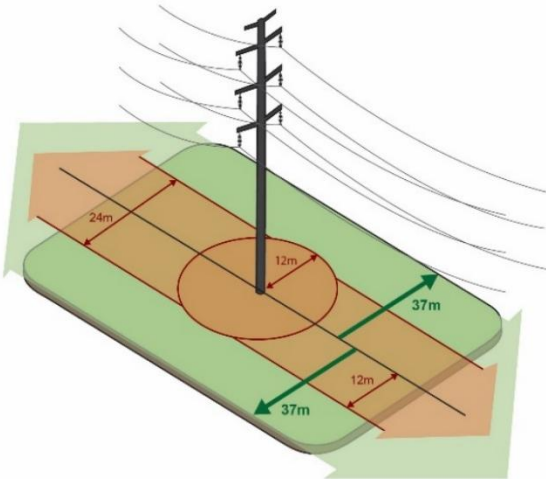
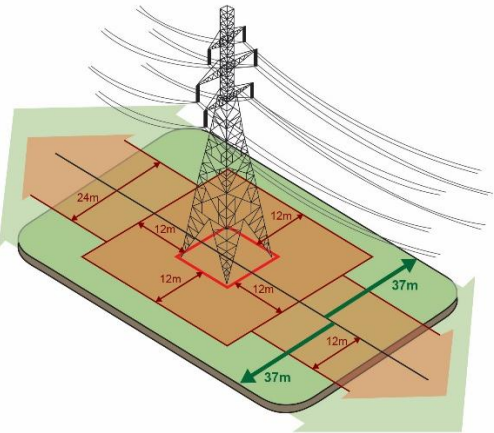
66-kilovolt and 110-kilovolt transmission lines on pi poles



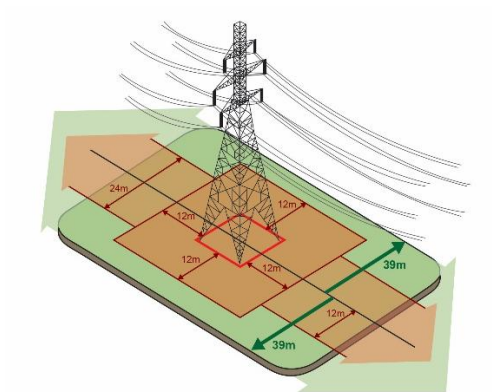
66-kilovolt and 110-kilovolt transmission lines on steel lattice towers



220-kilovolt transmission lines on steel lattice towers and tubular steel monopoles



350-kilovolt transmission lines



Source: Transpower, February 2025



Consolidated recommendations and decisions – Amendments to the National Environmental Standards for Telecommunication Facilities 2016

Recommendations and decisions in relation to notified proposed provisions

The following recommendations were made in response to matters raised through submissions and in officials' overall assessment of the proposal.

The proposal section of this table includes the proposed provisions published in: Ministry for the Environment. 2025. *Package 1: Infrastructure and development – Discussion document*. The recommendations section includes recommended changes to the notified proposal and specifies reasons for recommended changes. Reference to 'no change' means a recommendation to retain the instrument as notified, whereas 'change' indicates a recommendation to change the notified proposal. The 'other recommendations' table includes some recommended consequential changes.

Additional advice was provided after the Minister considered the Section 46A RMA report and recommendations. That advice resulted in:

- alterations to recommendations 19, 20, 21, 24, 27, 28, 30, 39, 40, 48 and 50, along with updates to officials' reasoning
- new recommendations 39A, 75, 76 and 77.

Any provision in the NES-TF not included in the notified proposal or this table is intended to remain the same.

The final text of the instrument may vary from officials' recommendations as a result of legal drafting conventions.

PART 1: PRELIMINARY MATTERS

Section 4 Interpretation (definitions)

NOTIFIED PROPOSAL

Proposed amended definitions

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Proposed amended definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Ancillary equipment	Amend the definition to include 'accessory buildings (as defined in the National Policy Statement 2019), fencing, guy wires and associated anchor structures, and security devices/cameras' within scope of the definition of ancillary equipment.	1. Scope and definitions	<p>Change</p> <ol style="list-style-type: none"> 1. Amend the proposal to change the definition of 'ancillary equipment' to: <ol style="list-style-type: none"> a. remove accessory buildings and fencing b. retain guy wires and associated anchor structures, and security devices and cameras c. include remote radio heads and units, GPS antenna, cable trays and covers. 	<p>Officials consider district plan rules should continue to apply in relation to accessory buildings and fencing, as there were no proposed size or location limits for these activities. This will mean district plan rules can apply appropriate controls.</p> <p>The inclusion of guy wires and associated anchor structures, along with security devices and cameras, is necessary as part of installing and operating telecommunication facilities. Officials had intended to refer to the National Planning Standards 2019 in relation to the definition of accessory buildings, although it was mislabelled in the notified proposal in error. Officials no longer recommend including this definition in the proposal.</p>	Agreed with recommendation
Facility	A facility in the NES-TF currently means an antenna, cabinet, telecommunication line, or small cell unit. The proposed amended definition will refer to a 'telecommunication facility' and will include a pole and ancillary equipment.	1. Scope and definitions	<p>No change</p> <ol style="list-style-type: none"> 2. Retain the proposal to include a pole and ancillary equipment as part of a 'telecommunication facility'. 	<p>Officials consider it necessary to clarify the inclusion of a pole and ancillary equipment as part of installing and operating a facility. This definition was generally supported in submissions.</p> <p>While most industry submissions recommended including 'access tracks' in the definition, officials consider there is not a clear problem with existing district plan rules for access tracks. Officials do not recommend adding 'access tracks'.</p>	Agreed with recommendation

PART 1: PRELIMINARY MATTERS
Section 4 Interpretation (definitions)

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Proposed amended definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Flange	The projecting part at the base of the pole to strengthen and secure it to the ground (see figure 8 in Attachment 1.5.1).	1. Scope and definitions	Change 3. Amend the proposed definition of 'flange' so that it relates to any projecting part attached to a pole to strengthen and secure it, not just the base of the pole.	Flanges are used to strengthen and secure different sections of a pole together along the pole shaft, not just at the base of the pole. The amended definition is recommended to better reflect the design of telecommunication poles and responds to submissions from most telecommunication businesses.	Agreed with recommendation
Headframe	Currently, a headframe means a structure attached to a pole that enables more than one antenna to be attached, and results in a notional envelope ⁷ of the pole being larger than 0.7 m in diameter. The proposed amended definition will increase this minimum notional envelope to 1.2 m.	1. Scope and definitions	No change 4. Retain the proposal to increase the minimum notional envelope of a headframe to 1.2 m.	This definition aligns with the proposed increase in the permitted diameter for the notional envelope for a pole in the road reserve without a headframe.	Agreed with recommendation
RFG (radiofrequency generation) facility	Currently, an RFG facility is defined as an antenna or a small cell unit, if it generates radiofrequency fields or will do so when it is in operation; or a cabinet, if the equipment in the cabinet generates radiofrequency fields, or will do so when the equipment is in operation. The proposed amended definition is 'a facility that generates radiofrequency fields or will do so when it is in operation'.	1. Scope and definitions	No change 5. Retain the proposal to amend the definition of 'radiofrequency generation facility' (RFG facility) so that it applies to any facility which generates radiofrequency fields.	This definition will ensure all components of a telecommunication facility that generates radio frequency fields are in scope of regulation 55 of the NES-TF.	Agreed with recommendation

⁷ 'Notional envelope', for a pole, means the smallest notional cylindrical shape into which all non-dish antennas attached to the pole (including any shroud but not including any mount or ancillary equipment) would fit.

PART 1: PRELIMINARY MATTERS

Section 4 Interpretation (definitions)

NOTIFIED PROPOSAL

Proposed amended definitions

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Proposed amended definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Small cell unit	Amend the definition by increasing the volume of a small cell unit from 0.11 m ³ to 0.33 m ³ .	1. Scope and definitions	No change 6. Retain the proposal to amend the definition of 'small cell unit' to increase the volume to 0.33 m ³ .	This size increase from the current NES-TF limit of 0.11 cubic metres will align with changes to small cell unit technology and support the rollout of 5G. It was generally supported in submissions.	Agreed with recommendation

Section 4 Interpretation (new definitions)

NOTIFIED PROPOSAL

Proposed definitions

Proposed provisions

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Proposed definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
D1 Area adjoining road reserve	Add a new definition to refer to the area on each side of a road and up to the legal boundary of the adjoining land.	1. Scope and definitions	Change 7. Amend the proposal to clarify that the new definition of 'area adjoining road reserve' refers to the zone on each side of a road from the centre line and up to the legal boundary of the adjoining land.	This recommendation clarifies that where a road divides two zones, each side of the road from the centre line adopts each zone's respective rules (eg, in relation to pole height caps by zone). This would apply a similar rule already in place for cabinets in the road reserve adjoining a residential zone in regulations 20(4) and 20(8) but to telecommunication poles (including headframes) in the road reserve. Officials consider this definition will reduce ambiguity for councils and promote greater standardisation. The defined term will become 'zone adjoining the road reserve'.	Agreed with recommendation

Section 4 Interpretation (new definitions)

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Proposed definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
D2 Renewable electricity generation activity	Add a new definition for structures and equipment associated with renewable electricity generation from solar and wind energy sources for telecommunication facilities (freestanding or surface-mounted on a building). This includes any cables or ancillary equipment connecting to the facility. This new definition will accompany changes to regulation 5 to include self-contained power units as part of installing and operating a facility subject to complying with new regulated activity standards.	1. Scope and definitions	<p>Change</p> <p>8. Amend the proposal to:</p> <ul style="list-style-type: none"> a. remove the proposed definition of 'renewable electricity generation activity' b. replace it with the definition of 'small-scale renewable electricity generation' used in the proposed amendments to the National Policy Statement for Renewable Electricity Generation 2011 (NPS-REG). 	<p>Small-scale REG is defined in the proposed recommendations to amend the NPS-REG (consolidated recommendations – recommendation 17) and refers to telecommunication facilities. This cross-reference ensures alignment between the proposed amendments to the two instruments.</p> <p>The new definition would support proposed <i>New Regulated Activity 2: Renewable electricity generators</i> and was otherwise generally supported in submissions. Officials recommend consequential changes to the proposed <i>New Regulated Activity 2</i> to ensure NPS-REG enabling policies apply.</p>	Agreed with recommendation
D3 Sensitive activities	Add a new definition for sensitive activities that includes residential buildings (including visitor accommodation and retirement accommodation), care facilities, childcare facilities, schools, hospitals, custodial or supervised accommodation where residents are detained on site, marae, or a place of worship.	1. Scope and definitions	<p>Change</p> <p>9. Amend the proposal to remove the definition of 'sensitive activities'.</p>	<p>This definition is no longer recommended because the proposed NPS-I applies a principles-based definition of sensitive activities that would make its application to the NES-TF more complex. Officials recommend retaining the original NES-TF wording in regulation 35(2)(d), with the inclusion of marae, papakāinga and places of worship, for the purposes of the 50-metre rural setback.</p>	Agreed with recommendation

Section 4 Interpretation (new definitions)

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Proposed definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
D4 Temporary telecommunication facility	<p>Add a new definition for a temporary telecommunication facility that provides network coverage or capacity for the following specified timeframes and circumstances:</p> <ul style="list-style-type: none"> a) during or post emergency event for up to six months from the point a local, regional, or national state of emergency is declared 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 months, where the temporary telecommunication facility is located within 100 m of the existing facility c) for an event, or during high-capacity demand holiday periods, for up to three months. 	1. Scope and definitions	<p>Change</p> <p>10. Amend the proposed definition of 'temporary telecommunication facility' as follows and otherwise retain as proposed:</p> <ul style="list-style-type: none"> a. extend the permitted timeframe for the circumstances described in (a) (emergencies) and (b) (maintenance) to 12 months b. remove the requirement that a 'temporary telecommunication facility' in the circumstance described in (b) (maintenance) must be located within 100 m of the existing facility under maintenance. 	<p>Officials recommend extending the timeframes for operating a temporary telecommunication facility in emergencies and for maintenance. This provides more flexibility to facility operators and supports telecommunications resilience in the event of power outages, repairs or other maintenance. This responds to submission points raised by most telecommunication businesses that six months is often insufficient and aligns with the proposed NES-ENA on temporary line deviations.</p> <p>Most submissions from telecommunication businesses said that the proposed controls to limit the location of a temporary telecommunication facility for maintenance may not be workable in all situations. Officials agree with these submission points and support flexibility for facility operators because temporary telecommunication facilities support network resilience.</p> <p>Officials recommend retaining the three-month time period for events and holiday periods as they consider this timeframe is sufficient for this purpose.</p>	Agreed with recommendation

AMENDMENTS PROPOSED TO REGULATIONS

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<p>Regulation 5(1) and 5(2) – Installing and operating a facility</p>	<p>Amend regulation 5(1)(b) to include installation and operations of structures and equipment for renewable electricity generation activities. Amend regulation 5(2)(a) to clarify that a facility can include a self-contained power unit.</p> <p>Clarify that installing and operating a facility includes ‘upgrading, expanding, replacing, removing and decommissioning’ a telecommunication facility.</p>	<p>1. Scope and definitions</p>	<p>Change</p> <p>11. Amend the proposal to retain regulation 5 of the NES-TF with an amendment to:</p> <ul style="list-style-type: none"> a. clarify that the use of a ‘self-contained power unit’ is in scope of the NES-TF only for the purposes of regulation 5B, proposed in recommendation 72 b. remove ‘expanding’ from ‘installing and operating a facility’ and otherwise retain as proposed. 	<p>Originally, officials intended for renewable electricity generation, under the definition of a self-contained power unit, to be in the scope of the NES-TF through changes to regulation 5. However, they now recommend a new regulation is inserted for this (see recommendation 72). This will make it clear in regulation 5 of the NES-TF that a self-contained power unit is not enabled for any facility, but only some facilities where this is expressly provided.</p> <p>Officials also recommend removing ‘expanding’ from the meaning of ‘installing and operating a facility’. This ensures the wording in regulation 5 aligns with the terminology used in the proposed NPS-I where possible.</p>	<p>Agreed with recommendation</p>
<p>Regulation 6 – Meaning of baseline pole and baseline date</p>	<p>Amend regulations 6(1) to (4) to remove references to ‘pole A’, which relates to replacing existing poles in the road reserve.</p>	<p>1. Scope and definitions</p>	<p>Change</p> <p>12. Amend the proposal to retain the reference to ‘Pole A’ in regulations 6(1) to (4) of the NES-TF for the purpose of replacing existing poles in the road reserve.</p>	<p>This change is recommended as a consequence of other recommended changes to apply distinct rules relating to relocation, pole height, pole width and headframes to replacement poles subject to the 50-metre rural setback (see recommendations 21, 28, 31 and 36).</p>	<p>Agreed with recommendation</p>

AMENDMENTS PROPOSED TO REGULATIONS

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulation 7 – Measurements	Amend clause 7(2) to clarify how the width of a pole is to be measured for the purpose of ensuring compliance with the NES-TF. This proposed change will clarify that the flange (new definition above) and any ancillary equipment are not part of the measurement for the width of a pole.	1. Scope and definitions	Change 13. Amend the proposal to clarify that the measurement of the width of a pole excludes any flange on a pole.	This change is recommended to align with proposed changes to the definition of 'flange' in recommendation 3. This will exclude any flange on a pole from the measurement of the width of a pole (not just the one at the base). This supports greater national consistency on the interpretation of pole width limits and was supported by submissions from many telecommunication businesses.	Agreed with recommendation

PART 2: CARRYING OUT OF REGULATED ACTIVITIES

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Proposed regulation	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
R1 Leniency provisions	Insert new leniency provisions specifying that the definition of a temporary telecommunication facility can permit their operation for longer than the proposed timeframes in the new NES-TF definition.	5. Enabling temporary telecommunication facilities	Change 14. Amend the proposal to remove the proposed leniency provision that would permit temporary telecommunication facilities for longer time periods in district plans.	Officials recommend removing this proposal, as recommendation 10 proposes to increase the permitted timeframes for temporary telecommunication facilities in emergencies and for maintenance to 12 months. This aligns with the maximum duration specified in many district plans and so the proposal to provide leniency is no longer considered necessary.	Agreed with recommendation

PART 3: REGULATED ACTIVITIES AND STANDARDS

Subpart 1 – Cabinets

Amendments to existing provisions

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<p>Regulations 20(3)(a) and 20(3)(b) – Cabinet not servicing antenna on building</p>	<p>Amend the height and dimension conditions for cabinets not servicing antenna on buildings as follows:</p> <p>d) <i>in a road reserve adjacent to a residential zone</i>: increasing the cabinet height from 1.8 m to 2.0 m and the footprint from 1.4 m² to 2.0 m²;</p> <p>e) <i>in a road reserve adjacent to any other zone</i>: increasing the cabinet footprint from 2.0 m² to 3.0 m².</p>	<p>2. Rules on telecommunication antennas, cabinets, and poles</p>	<p>Change</p> <p>15. Amend the proposal to:</p> <ul style="list-style-type: none"> a. refer to cabinets in a road reserve as ‘adjoining’ a residential or other zone, rather than ‘adjacent to’ b. decrease the permitted height standard for a cabinet in the road reserve adjoining a residential zone to 1.8 m c. increase the permitted footprint area standard for a cabinet in the road reserve adjoining a residential zone to 2.25 m² and otherwise retain the proposed 3.0m² footprint area standard for a cabinet in the road reserve adjoining any other zone. 	<p>The proposal used phrasing ‘in a road reserve <i>adjacent to</i>’ a zone, which invertedly amended the existing words ‘<i>that is in, or adjoins</i>’. This recommendation clarifies the intent is only to amend the cabinet dimensions, not how they apply to cabinets in the road reserve.</p> <p>Officials support the suggestion from a few council submissions for cabinet heights to align with residential fence height standards, typically a maximum height of 1.8 metres in many district plans. This will mitigate adverse visual or shading effects from cabinets protruding above fences. The recommended increase in cabinet footprint area to 2.25 square metres will provide for facility operators’ technical requirements, including the installation of additional back-up batteries and equipment to support new technologies (eg, the deployment of 5G mobile services).</p>	<p>Agreed with recommendation</p>
<p>Regulation 21(3)(a)(ii) – Cabinet servicing antenna on building</p>	<p>Amend the footprint dimension conditions for cabinets servicing buildings by increasing from 2.0 m² to 3.0 m².</p>	<p>2. Rules on telecommunication antennas, cabinets, and poles</p>	<p>No change</p> <p>16. Retain the proposal to increase the standard for the footprint area of a cabinet servicing a building to 3.0 m².</p>	<p>The proposed increase in the footprint area of cabinets servicing antenna on buildings will support the installation of additional back-up batteries and equipment to support new technologies (eg, the deployment of 5G mobile services). Most submitters that commented on this proposal supported it.</p>	<p>Agreed with recommendation</p>

PART 3: REGULATED ACTIVITIES AND STANDARDS

Subpart 1 – Cabinets

Amendments to existing provisions

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<p>Regulation 22(1)(b)(ii)</p> <p>Footprint rules for groups of cabinets in road reserves</p>	<p>Amend the dimension conditions for groups of cabinets in road reserves by increasing the footprint of a group of cabinets from 2.0 m² to 3.0 m².</p> <p>Amend the dimension for groups of cabinets in the road reserve for co-location to 6.0 m² where the group of cabinets support two facility operators, and 9.0 m² for three or more facility operators.</p>	<p>2. Rules on telecommunication antennas, cabinets, and poles</p>	<p>Change</p> <p>17. Amend the proposal to clarify that it introduces a new regulation on the footprint area for a group of cabinets in the road reserve for co-location, including a group of cabinets adjoining a residential zone, and otherwise retain as proposed.</p>	<p>This recommendation clarifies that the footprint area for a group of cabinets for the purposes of co-locating multiple facility operators is a new regulation.</p> <p>The notified proposal was not clear whether the size increase for a group of cabinets for co-location would apply to a group of cabinets in the road reserve adjoining a residential zone. Officials consider co-location rules for cabinets should apply in all zones and this was supported in submissions from most telecommunication businesses.</p> <p>The proposed increases in the footprint for a group of cabinets will support co-location of equipment and network optimisation. Often poles co-locating antennas of multiple facility operators have more than one cabinet, one for each facility operator. These changes will support co-location of cabinets for poles, which may reduce the proliferation of new poles.</p>	<p>Agreed with recommendation</p>
<p>Regulations 22(1)(a)(i) and 22(1) (b)(i) – Group rules for cabinets in road reserves</p>	<p>Reduce the minimum distance that separates groups of cabinets from 30 m to 10 m.</p> <p>If the cabinets are to support more than one facility operator on a single facility, then no separation between the groups of cabinets for each facility operator is required.</p>	<p>2. Rules on telecommunication antennas, cabinets, and poles</p>	<p>No change</p> <p>18. Retain the proposal to reduce the minimum separation distance for a group of cabinets in the road reserve to 10 m with no minimum separation distance for co-location.</p>	<p>Officials consider this notified proposal will support facility operators to co-locate equipment. It will also support network optimisation as the current rule can result in cabinets being spaced too far apart, resulting in signal and power loss (known as attenuation).</p>	<p>Agreed with recommendation</p>

PART 3: REGULATED ACTIVITIES AND STANDARDS

Subpart 1 – Cabinets

Amendments to existing provisions

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<p>Regulation 25 – Noise limits for cabinet not in road reserve</p>	<p>Amend the point of measurement for the noise of a cabinet not in the road reserve (currently set in district plans) so that it is consistent with the point of measurement that applies to cabinets in the road reserve under regulation 24.</p>	<p>2. Rules on telecommunication antennas, cabinets and poles</p>	<p>Change</p> <p>19. Amend the proposal as follows;</p> <ul style="list-style-type: none"> a. district plan noise levels are to continue to apply at the place where the cabinet outside the road reserve is located; b. align where the noise of a cabinet outside the road reserve is measured with the requirements for cabinets in the road reserve in regulation 24(6) – (7) so that; <ul style="list-style-type: none"> i. If a building containing a habitable room is within 4 metres of where the cabinet is located, the noise must be measured at a point that is <ul style="list-style-type: none"> • 1 metre from the side of a building, or • on the vertical plane on the side of the building ii. In any other case, the noise must be measured at a point that is: <ul style="list-style-type: none"> • at least 3 metres from the cabinet; and 	<p>This recommendation clarifies and standardises how noise from cabinets is to be measured, which will support greater efficiency.</p> <p>The approach aligns the methodology for how and where noise from cabinets in and outside the road reserve is measured.</p> <p>It also clarifies that district plan noise limits are still intended to apply to cabinets outside the road reserve. The limits applied may vary across districts.</p> <p>Some council submitters expressed concern about potential noise effects. However, officials consider any changes to noise levels would be minor.</p>	<p>Agreed with recommendation</p>

PART 3: REGULATED ACTIVITIES AND STANDARDS

Subpart 1 – Cabinets

Amendments to existing provisions

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<ul style="list-style-type: none"> • within the boundaries of land adjoining the site where the cabinet is located. c. align how noise of cabinets outside the road reserve is to be measured with regulation 24(5), applying so that the measurement of noise from a cabinet must be: <ul style="list-style-type: none"> i. made in accordance with NZS 6801:2008 Acoustics – Measurement of Environmental Sound to a free field incident sound level; and ii. assessed in accordance with NZS 6801:2008 Acoustics – Measurement of Environmental Sound. 		

Subpart 2 – Antennas on poles in the road reserve

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF			
Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulations 26(1)(b), 27(2)(a), 28(1)(a) and 29(6) on new or existing poles in the road reserve	Amend the regulated activity and standard to remove the current limitations on the location of new or replacement poles in the road reserve. This will enable the installation of poles with antennas anywhere in the road reserve (noting areas identified in district plans with special, natural or heritage significance as per Subpart 5 of the NES-TF would remain subject to district plan rules).	3. Expanding where new or replacement telecommunication poles are permitted	<p>Change</p> <p>20. Amend the proposal to change the regulations for new poles in the road reserve by:</p> <ul style="list-style-type: none"> a. removing the '100-metre rule', that specifies new poles in the road reserve must be within 100 m of an existing pole, from regulation 28(1)(a)(i)(B) b. removing the 5 m relocation limit for existing poles in regulation 27(2)(a)(ii), except for existing poles within the 50-metre setback (see recommendation 21 below); and c. removing regulation 29(6) which requires new antennas to be within 100 metres of a neighbouring pole. 	<p>These recommendations clarify the intent to remove the 100-metre rule for new poles in the road reserve and to remove the relocation limits for existing poles in the road reserve (except for poles within the 50-metre rural setback).</p> <p>Removing the 100-metre rule for new poles and relocation limits for existing poles will better enable facility operators to design and build new poles in the road reserve to meet service needs. It will also better enable installation of new poles for housing developments where there are no existing poles.</p>	Agreed with recommendation
			<p>Change</p> <p>21. Amend the proposal to retain the existing relocation rules in regulation 27(2)(a) of the NES-TF to specify that an existing pole in the road reserve (referred to as pole A in the regulations) cannot be relocated more than 5 m away from pole A's location on date</p>	<p>This recommendation is a consequential amendment from applying the 50-metre rural setback to new poles in the road reserve adjoining a rural zone. The notified proposal did not include provisions on relocating existing poles within the 50-metre setback. This proposed amendment retains flexibility for existing poles to enable 5 metres for relocation.</p>	Agreed with recommendation

Subpart 2 – Antennas on poles in the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			A, where the 'zone adjoining the road reserve' of the existing pole is within the 50 metre rural setback.	The recommendation clarifies that the baseline pole location is pole A's location on date A. This should be read in conjunction with regulation 6 of the NES-TF (meaning of baseline pole and baseline date).	
<p>Regulations 27(5) and 29(4) on the pole height rules for new or existing poles in the road reserve</p>	<p>Amend the permitted standard for the maximum permitted height for poles adjoining the road reserve so that they are more permissive. There are two options under consideration to achieve this.</p> <p>Option 1 [Government's preferred option]:</p> <p>f) Residential, local centre, neighbourhood centre zones – 20 m.</p> <p>g) <i>Rural zone</i> – 35 m, increased from 25 m. For new poles, apply the 50 m setback from buildings used for sensitive activities on a neighbouring property (as applied for new poles outside of the road reserve in a rural zone).</p> <p>h) <i>All other zones</i> – 25 m. For clarity, this includes coastal settlement, commercial, mixed-use, industrial, metropolitan, open space and special purpose zones, but noting areas identified in district plans with special, natural or heritage significance as per Subpart 5 of the NES-TF would remain subject to district plan rules.</p>	<p>2. Rules on telecommunication antennas, cabinets and poles</p>	<p>Change</p> <p>22. Proceed with Option 1 to establish fixed pole height caps for new and existing poles in the road reserve, except where this is modified in recommendations 23 to 28.</p> <p>Change</p> <p>23. Amend the proposal to specify that the maximum pole heights for new and existing poles in the road reserve are based on the zone rules of the 'zone adjoining the road reserve' of the pole (not the rules that apply to the road reserve).</p>	<p>Officials consider it is necessary to decouple pole height requirements currently set in the NES-TF from the height of existing poles. Option 1 (fixed height caps) is recommended as it provides operational flexibility for facility operators to build poles to the height needed to provide adequate reach over buildings, vegetation and other coverage obstacles. Option 1 will better mitigate the risk of adverse visual effects, is easier to administer and provides certainty for councils, industry and communities. Option 1 was preferred by most submitters that chose an option, including councils, iwi and hapū.</p> <p>This recommendation clarifies that the pole height rules relate to poles in the road reserve (the proposal had said 'poles adjoining the road reserve'). It also applies the definition change in recommendation 7 ('zone adjoining the road reserve') and clarifies how the height standard will work when poles are in the road reserve.</p>	<p>Agreed with recommendation</p> <p>Agreed with recommendation</p>

Subpart 2 – Antennas on poles in the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>Option 2:</p> <p>Permit caps to be the higher of either of those proposed above in Option 1, or building zone height plus 5 m for poles in commercial zones (capped at 30 m), industrial zones and residential zones.</p> <p>For both options, a further 5 m height is afforded where two or more facility operators are co-located on the same pole (excluding residential zones).</p>		<p>Change</p> <p>24. Amend the proposal to change regulation 27(5) and 29(4) to specify:</p> <ul style="list-style-type: none"> a. that the maximum permitted pole height for new and existing poles in the road reserve includes the height of the pole and all antennas, except where an existing pole is subject to the 50 metre rural setback. 	<p>The proposed maximum permitted pole heights were intended to apply to the height of a pole and all antennas, but this was not clearly specified. This aligns with the approach to specify the maximum permitted pole height in regulation 35(2)(a) for new poles outside the road reserve in a rural zone. This provides greater clarity on how the pole height caps apply to ensure consistent interpretation across councils, reducing ambiguity. This rule only applies where a pole is subject to a maximum total height cap in metres (ie, 20 or 25 metres), not where the maximum height is tied to the height of an existing pole (in which case, antennas are excluded).</p>	<p>Agreed with recommendation</p>
			<p>Change</p> <p>25. Amend the proposal to specify that where the 'zone adjoining the road reserve' for a new or existing pole is a settlement zone, the height of the pole and all antennas in the road reserve is not more than 20 m.</p>	<p>The notified proposal included settlement zone in 'all other zones', which would permit poles in the road reserve adjoining the settlement zone of up to 25 metres in height (or 30 metres in height when the pole co-locates multiple facility operators). Some submissions from councils did not support poles of this size in this zone, given the higher visual amenity effects. Officials propose to apply the same height standard for poles in the road reserve of settlement zones as</p>	<p>Agreed with recommendation</p>

Subpart 2 – Antennas on poles in the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
				residential zones, as this is more commensurate with the zone's character. Note that this will not permit an additional 5 metres of height for co-location. As per recommendation 66, officials have recommended that the definition of 'residential zone' include 'settlement zone'.	
			<p>Change</p> <p>26. Amend the proposal to clarify that where the 'zone adjoining the road reserve' for a new or existing pole is a 'city centre zone', 'large format retail zone', or 'town centre zone' the height of the pole and all antennas in the road reserve does not exceed 25 m for a single facility operator and 30 m if the pole enables co-location of multiple facility operators.</p>	<p>This recommendation clarifies that city centre, large format retail, and town centre zones are captured in the height standard for 'all other zones'. The proposal did not stipulate that these zones were included in 'all other zones'. The intent was to apply pole height caps to all poles in the road reserve so that the height of new poles no longer relied on the height of existing poles in the road reserve.</p>	<p>Agreed with recommendation</p>
			<p>Change</p> <p>27. Amend regulation 27 to apply the 50 metre rural setback used in regulation 35(2)(d) to new poles in the road reserve adjoining a rural zone only, and include marae, papakāinga and places of worship as buildings subject to the setback.</p>	<p>This recommendation clarifies that the 50-metre rural setback is intended to apply to new poles only.</p> <p>Specific rules relating to existing poles within the 50-metre rural setback are covered in recommendation 28.</p> <p>Submissions from some councils, iwi and hapū supported the inclusion of marae and places of worship in the 50-metre</p>	<p>Agreed with recommendation</p>

Subpart 2 – Antennas on poles in the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
				rural setback and recommended adding papakāinga. Officials consider applying the setback rule to these activities will help to mitigate adverse visual or cultural effects from large-scale facilities, such as masts in rural settings.	
			<p>Change</p> <p>28. Amend the proposal for an existing pole in the road reserve adjoining a rural zone within the 50 metre rural setback to specify that the maximum permitted pole height is the greater of:</p> <ul style="list-style-type: none"> a. the height of the baseline pole on the baseline date⁸ (excluding antennas), plus 5 m; or b. the height of the baseline pole and all antennas on the baseline date 	<p>This recommendation is a consequential amendment from applying the 50-metre rural setback to new poles in the road reserve adjoining a rural zone. The notified proposal did not include provisions on height increases for existing poles in the road reserve within the 50-metre rural setback. This proposed amendment provides flexibility for existing poles in the 50-metre rural setback to be replaced and be allowed to increase in height to support new antennas.</p> <p>Currently, regulation 27(5) of the NES-TF permits existing poles in the road reserve to increase in height up to either 3.5 metres from the replaced pole, or the height of the pole plus all antennas (whichever is higher). Officials recommend increasing the 3.5-metre permitted height increase to 5 metres to</p>	<p>Agreed with recommendation</p>

⁸ See regulation 6 of the NES-TF. The regulation directs that for an existing pole in the road reserve erected before 1 January 2017, the baseline date is 1 January 2017; if the pole was erected after 1 January 2017 for a purpose other than installing an antenna (eg, a standard utility pole), the baseline date is the date the pole was erected. If the pole was erected after 1 January 2017 specifically to install antennas, the baseline date is determined by when work began to install the first antenna on that pole.

Subpart 2 – Antennas on poles in the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
				align with the proposal to increase the permitted notional envelope for antennas in recommendation 32. This provides flexibility on height increases for existing poles within the 50-metre rural setback (already permitted or consented) to be replaced or upgraded.	
<p>Regulations 27(6) and 29(5) on the pole width rules for new or existing poles in the road reserve</p>	<p>Amend the permitted standard for the maximum pole width at the base to 0.9 m if the road reserve is adjoining a residential zone, or otherwise 1.5 m for all other zones.</p>	<p>2. Rules on telecommunication antennas, cabinets and poles</p>	<p>Change</p> <p>29. Amend the proposal to clarify that the maximum pole widths for new and existing poles in the road reserve are based on the 'zone adjoining the road reserve' of the pole.</p>	<p>This recommendation applies the definition of 'zone adjoining the road reserve' and clarifies how the pole width standard will work when poles are in the road reserve. This is because it is not always clear which zone applies when a road divides two zones. It is also a consequence of the changes expressed in recommendation 7.</p>	<p>Agreed with recommendation</p>
			<p>Change</p> <p>30. Amend the proposal to:</p> <ul style="list-style-type: none"> a. increase the maximum permitted width of new or existing poles in the road reserve, where the 'zone adjoining the road reserve' of the pole is a rural zone, from 1.5 m to 1.7 m, except where an existing pole is within the 50 metre rural setback (see recommendation 31) 	<p>Officials consider the change to increase the maximum permitted width for poles in the road reserve adjoining a rural zone to 1.7 metres is necessary to structurally support poles up to 40 metres in height. Submissions from the telecommunication businesses also recommended this change. The remaining submissions on this topic proposed pole widths align with the increase in pole height to meet engineering design specifications and load requirements for poles and headframes.</p>	<p>Agreed with recommendation</p>

Subpart 2 – Antennas on poles in the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<ul style="list-style-type: none"> b. retaining the 0.9 m maximum permitted width for new or existing poles in the road reserve, where the 'zone adjoining the road reserve' of the existing pole is a residential zone, and 1.5 m for all other zones except for rural c. specify that the maximum permitted width of an existing pole in the road reserve can be the greater of: <ul style="list-style-type: none"> i. the proposed pole width caps by adjoining zone as per (a) and (b) above; or ii. the width of the baseline pole on the baseline date. 	<p>The notified proposal was also not clear on whether an existing pole that exceeds the proposed width caps could be replaced up to the width of the existing pole. Officials propose to clarify the greater of the caps or the existing width applies to the pole width rules. This enables replacement of a like-for-like pole and improves the workability of the proposed pole width rules.</p>	
			<p>Change</p> <p>31. Amend the proposal to retain the pole width rules in regulation 27(6) of the NES-TF for an existing pole in the road reserve adjoining a rural zone within the 50 metre rural setback so that the width of the final pole does not exceed the</p>	<p>This is recommended as a consequential amendment to applying the 50-metre rural setback to new poles in the road reserve adjoining a rural zone. The notified proposal did not include provisions on width increases for existing poles within the 50-metre rural setback. This proposed amendment retains flexibility for existing poles in the 50-metre rural setback to be replaced</p>	<p>Agreed with recommendation</p>

Subpart 2 – Antennas on poles in the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			width of the baseline pole on the baseline date multiplied by: a. if 1 or more antennas were attached to the baseline pole on the baseline date, 1.3; or b. otherwise, 2.	and be allowed to increase in width to support new antennas (already enabled by regulation 27(6) of the NES-TF). Retaining this flexibility makes it easier for existing infrastructure within the 50-metre rural setback (already permitted or consented) to be replaced or upgraded.	
Regulations 27(3) and 29(3) on the antenna size rules for non-dish antenna⁹ on new or existing poles in the road reserve	Amend the permitted standard for the notional envelope of non-dish antenna per facility operator for poles without a headframe to be no larger than 5.0 m in length (increased from 3.5 m) and 1.2 m in diameter (increased from 0.7 m). Where the existing notional envelope of non-dish antennas on a pole is larger than these measurements, this will be the permitted maximum notional envelope.	2. Rules on telecommunication antennas, cabinets and poles	No change 32. Retain the proposal to increase the notional envelope for non-dish antenna for new and existing poles in the road reserve without headframes to a maximum length of 5 m and a diameter of 1.2 m per facility operator.	Officials consider increasing the notional envelope for non-dish antenna is necessary to support deployment of modern technologies (eg, 5G) and to enable antennas to tilt on poles without headframes to maximise coverage.	Agreed with recommendation
			Change 33. Amend the proposal on the antenna size rules to specify that if a new pole in the road reserve has a headframe for co-location, the width of the non-dish antenna must not exceed more than 0.7 m.	The notified proposal did not specify if the non-dish (ie, panel) antennas on headframes for co-location on new poles in the road reserve were subject to any antenna size rules. Officials recommend retaining the antenna size rules that already apply to existing poles in the road reserve with a headframe in regulation 27(3)(a) of the NES-TF. This would better mitigate adverse visual effects and ensure consistent non-dish antenna size rules apply to both new and existing poles in the road reserve.	Agreed with recommendation

⁹ Non-dish antenna include panel antenna and aerial antenna.

Subpart 2 – Antennas on poles in the road reserve

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF			
Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulations 27(3) and 29(3) on the antenna size rules for dish antenna for new or existing poles in the road reserve	Amend the permitted standard for the maximum diameter of a new or replacement dish antenna from 0.38 m to 0.6 m. Where the existing dish antennas on a pole are larger than these measurements, the existing diameter of dish antenna will be the maximum permitted diameter. The protrusion distance for new and replacement dish antenna would also increase from 0.6 m to 0.8 m. Where the existing dish antenna's protrusion distance on a pole exceeds this, the existing dish antenna's protrusion distance will be the maximum permitted.	2. Rules on telecommunication antennas, cabinets, and poles	No change 34. Retain the proposal to update dish antenna dimensions and protrusion distances in regulations 27(4) and 29(3)(b) for new or existing poles in the road reserve.	Officials consider increasing the size and protrusion distance for dish antenna is necessary to align with the need for larger dish antennas to increase the distance over which a signal can be sent (eg, via digital microwave radio). This also supports rural connectivity and resilience in the telecommunications network.	Agreed with recommendation
Regulations 27(7) and 29(2)(b) on the headframe rules for new or existing poles in the road reserve	Amend the regulated activity and permitted standards for installation of a headframe on new or existing poles in the road reserve so that these rules are more permissive. There are two options under consideration to achieve this. Option 1 [Government's preferred option]: Permit the installation of 1.6 m headframes (excluding antennas) on poles in the road reserve in commercial, industrial, mixed-use and rural zones where a pole is supporting co-location of multiple facility operators. See figure 4 in Attachment 1.5.1 for an example of the proposed smaller 1.6m wide headframe.	2. Rules on telecommunication antennas, cabinets and poles	Change 35. Amend the proposal to proceed with Option 2 on headframe rules for new or existing poles in the road reserve to facilitate co-location of antennas for multiple facility operators with a size framework as follows: a. permit a maximum 1.6 m wide headframe, where the 'zone adjoining the road reserve' of the pole is a residential or open space zone and apply a 15 m minimum pole height requirement in these zones	Officials recommend progressing a more enabling approach for installing headframes on telecommunication poles in the road reserve to facilitate co-location based on the framework proposed in Option 2. This approach includes a three-tier headframe size framework that captures all zones adjoining a road reserve, enabling 1.6-metre-wide headframes in more sensitive zones (ie, residential), 2.5-metre-wide in less sensitive zones (ie, town centre) and 4.5-metre-wide in other zones where the visual effects of headframes are anticipated or minor (ie, industrial).	Agreed with recommendation

Subpart 2 – Antennas on poles in the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>Option 2: Permit the installation of 4.5 m wide headframes on poles in the road reserve in commercial (excluding local centre or neighbourhood), industrial and rural zones (See figure 3 in Attachment 1.5.1 for an example of a 4.5 m headframe).</p> <p>Permit 1.6 m headframes (excluding antennas) on poles in the road reserve in residential, local centre, neighbourhood centre and mixed-use zones where a pole is at least 15 m in height and this is to support co-location of multiple facility operators.</p> <p>Under both options, the NES-TF will continue to permit replacement of existing headframes on poles in the road reserve up to their existing width, if they exceed this specified width.</p>		<ul style="list-style-type: none"> b. permit a maximum 2.5 m wide headframe, where the 'zone adjoining the road reserve' of the pole is a neighbourhood centre, local centre, mixed-use, town centre, metropolitan centre, city centre or special purpose zone and apply the 15 minimum pole height requirement in these zones c. permit a maximum 4.5 m wide headframe, where the 'zone adjoining the road reserve' of the pole is a commercial, industrial, large format retail, or rural zone, except where an existing pole is within the 50 metre rural setback (see recommendation 36). 	<p>Please refer to attachment C for the headframe size standards.</p> <p>Officials consider the proposed headframe sizes are commensurate with zoning characteristics and service needs. The introduction of the 2.5-metre-wide headframe is to provide for co-location of multiple facility operators on a headframe and align with the suggested changes in submissions from most telecommunication businesses.</p> <p>The recommended headframe sizes promote co-location and are intended to reduce proliferation of multiple poles, when a pole with a headframe could achieve comparable service. Without adequate headframe size rules in some zones, facility operators are likely to install more poles in line with the permitted activity standards in the NES-TF, rather than seek a resource consent.</p> <p>Officials consider the 15-metre minimum pole height requirement will help to reduce visual effects of headframes from the ground level (one's line of sight), mitigating streetscape effects in sensitive and moderately sensitive zones. Officials consider the visual effects of these proposed changes would be minor. This is because the 50-metre rural setback will still apply in a rural zone (with existing headframes on poles within the</p>	

Subpart 2 – Antennas on poles in the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
				<p>setback only permitted to be replaced up to the width of the replaced headframe) and subpart 5 areas will remain subject to district plan rules.</p> <p>This recommendation also applies the definition of 'zone adjoining the road reserve' and clarifies how the headframe width standard will work when poles are in the road reserve (see recommendation 7).</p> <p>Note that officials had intended to refer to amending regulation 29(2)(a) to permit headframes on new poles in the road reserve (not regulation 29(2)(b)).</p>	
			<p>Change</p> <p>36. Amend the proposal to retain the existing headframe rules in regulation 27(7) of the NES-TF for an existing pole in the road reserve where the 'zone adjoining the road reserve' is a rural zone and the existing pole is within the 50 metre rural setback, so that a headframe is only permitted if one already exists and its width does not exceed that of the replaced headframe.</p>	<p>This recommendation is a consequential amendment from applying the 50-metre rural setback to new poles in the road reserve adjoining a rural zone. The notified proposal did not include provisions on headframes for existing poles within the 50-metre rural setback. This proposed amendment retains flexibility for existing poles in the 50-metre rural setback to be replaced, or for replacement headframes to be installed on these poles (already enabled in regulation 27(7) of the NES-TF). Retaining this flexibility makes it easier for existing infrastructure within the 50-metre rural setback (already permitted or consented) to be replaced or upgraded.</p>	<p>Agreed with recommendation</p>

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF			
Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulation 31(4) on the antenna size rules for dish antenna on existing poles not in the road reserve and in residential zones	<p>Amend the permitted standard for the maximum diameter of a new or replacement dish antenna from 0.38 m to 0.6 m. Where the existing dish antennas on a pole are larger than these measurements, the existing diameter of dish antenna will be the maximum permitted diameter.</p> <p>The dish antenna protrusion distance would also increase from 0.6 m to 0.8 m. Where the existing dish antennas protrusion distance on a pole exceeds this, the existing dish antennas protrusion distance will be the maximum permitted.</p>	2. Rules on telecommunication antennas, cabinets and poles	<p>No change</p> <p>37. Retain the proposed dimensions and protrusion distances for dish antenna on existing poles not in the road reserve and in residential zones.</p>	Officials consider these size increases are necessary to align with the need for larger dish antenna to increase the distance over which a signal can be sent (eg, via digital microwave radio). This also supports rural connectivity and telecommunications network resilience.	Agreed with recommendation
Regulations 32(1)(a) and 33(2)(a) on new or existing poles outside of the road reserve and not in a residential zone	<p>Amend the regulated activity and standard to enable the installation of new poles with antennas outside of the road reserve in commercial, industrial, local centre, mixed-use and neighbourhood centre zones.</p> <p>New poles in local centre, mixed-use and neighbourhood centre zones will include a height-in-relation-to-boundary setback of 4 m and 60° recession plane.</p> <p>In all other zones covered by this regulation (ie special purpose and open space zones), the distance that a replacement pole can be built from the original pole will increase from 5 m to 10 m.</p>	3. Expanding where new or replacement telecommunication poles are permitted	<p>Change</p> <p>38. Amend regulations 32 and 33 of the NES-TF to clarify that the regulations now also apply to:</p> <ol style="list-style-type: none"> new and existing poles with antennas in commercial, industrial, large format retail, local centre, mixed-use and neighbourhood centre zones existing poles in all other zones, except a residential zone. 	This recommended change clarifies that the intent of the notified proposal was to change regulations 32 and 33, which currently only relate to existing poles, to now permit new poles with antennas outside of the road reserve in specified zones. This would amend regulation 32 to specify that the installation and operation of an antenna by a facility operator on a new pole is a regulated activity where the new pole is not in a road reserve and is in a commercial, industrial, large format retail, local centre, mixed-use or neighbourhood centre zone.	Agreed with recommendation

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
				<p>Officials recommend clarifying that 'large format retail zone' is also captured by this change, with new poles permitted in this zone. This is generally considered a type of commercial zone, and so the effects of permitting new poles in this zone will be similar to those in a commercial zone (and will adopt the same rules). This also responds to submissions from some councils recommending more specific references to the zone framework in the National Planning Standards 2019.</p>	
			<p>Change</p> <p>39. Amend the height-in-relation-to-boundary setback rule for new poles with antennas outside the road reserve in a local centre, mixed-use, neighbourhood centre, commercial, industrial and large format retail zones so that facility operators must comply with a setback of 4 metres and 60° recession plane, applying from site boundaries of a residential zone (excluding road boundaries)</p> <p>39A. Amend the proposal so that relocation or replacement of an existing pole with antennas outside the road reserve and not in a rural zone, subject to the</p>	<p>Officials consider it appropriate to apply this setback rule to boundaries adjoining a property zoned residential. The setback will protect residential properties from poles outside of the road reserve in commercial, industrial, large format retail, mixed-use, local centre and neighbourhood centre zones (which will be permitted upon the amendments taking effect). This setback will also apply to existing poles if they are relocated.</p> <p>Officials consider it unnecessary to apply this setback rule to the boundary of a road, given there is no setback for poles in the road reserve (except for the 50-metre rural setback).</p>	<p>Agreed with recommendation</p> <p>Agreed with recommendation</p>

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<p>50 metre rural setback, is permitted if it meets the following standards:</p> <ul style="list-style-type: none"> a. the pole is replaced like-for-like and is in the same location as the baseline pole (pole D) on the baseline date (date D); or b. if the existing pole within the residential boundary setback is located within a commercial, industrial, large format retail, local centre, mixed-use and neighbourhood centre zone; it is relocated so that it is no longer within the residential boundary setback; or c. if it is an existing pole in a city centre, metropolitan, open space, special purpose, or town centre zone within the residential boundary setback, and the pole can be relocated by up to 10 metres if the final pole is not located within the residential boundary setback. 	<p>Officials refer to this setback as the 'residential boundary setback'.</p>	
			<p>Change</p> <p>40. Amend the proposal to:</p> <ul style="list-style-type: none"> a. amend the existing relocation rules in regulation 33(2)(a) of the NES-TF for an existing pole 	<p>Officials recommend 40(a)(i) to retain flexibility for existing poles outside the road reserve in a rural zone within the 50-metre rural setback to relocate up to 5 metres away from the pole's</p>	<p>Agreed with recommendation</p>

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<p>with an antenna outside the road reserve and not in a residential zone (referred to as pole D) so that:</p> <ul style="list-style-type: none"> i. where the existing pole outside the road reserve (pole D) is in a rural zone and within the 50 metre rural setback the pole cannot be moved or replaced more than 5 m away from pole D's location on date D; ii. where the existing pole outside the road reserve (pole D) is in a commercial, industrial, neighbourhood centre, large format retail, local centre and mixed-use zone, the final pole location must comply with the residential boundary setback if it is moved to a new location iii. where the existing pole outside the road reserve (pole D) is located in a city centre, metropolitan, open space, special 	<p>original location. This makes it easier for existing infrastructure within the 50-metre rural setback (already permitted or consented) to be replaced or upgraded.</p> <p>Officials recommend 40(a)(ii) to clarify that there is no relocation limit for existing poles in a rural zone not within the 50-metre rural setback, as regulations 34 and 35 already permit new poles outside the road reserve in a rural zone. No relocation distance limits are recommended for existing poles in commercial, industrial, neighbourhood centre, large format retail, local centre and mixed-use zones, as new poles are permitted in these zones. However, as per recommendation 39, poles in local centre, mixed-use and neighbourhood centre zones will be subject to the residential boundary setback.</p> <p>Officials recommend 40(a)(iii) in retaining the proposal for existing poles in all other zones (where new poles are not permitted) to be able to relocate up to 10 metres from the replaced pole's original location (increased from 5 metres). This provides facility operators with greater</p>	

Subpart 2 – Antennas on poles outside of the road reserve					
NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF			
Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			purpose, or town centre zones, the final pole location can be relocated up to 10 m from the replaced pole's original location (pole D on date D) so long as this is not within the residential boundary setback.	flexibility when locating a replaced pole and avoids triggering resource consent requirements if relocating a pole between 5 and 10 metres away.	
Regulations 33(3)(a) and 35(2)(e) on the antenna size rules for panel antenna for new or existing poles outside of the road reserve and not in a residential zone	Amend the permitted standard for the maximum width of panel antenna from 0.7 m to 1.0 m. Where the existing panel antenna on a pole is larger than these measurements, the width of existing panel antenna will be the permitted maximum width.	2. Rules on telecommunication antennas, cabinets, and poles	Change 41. Amend the proposal to increase the maximum width of non-dish antenna to 1.0 m by clarifying that it applies to: a. existing poles outside the road reserve not in a residential zone b. new poles outside the road reserve in commercial, industrial, neighbourhood centre, large format retail, local centre, mixed-use and rural zones.	This recommendation clarifies which poles the increase in the width of non-dish antenna applies to. Officials consider these increases to non-dish antennas on poles outside the road reserve are necessary to support deployment of modern technologies (eg, 5G).	Agreed with recommendation
Regulations 33(3)(a) and 35(2)(f) on the antenna size rules for dish antenna for new or existing poles outside of the road	Amend the permitted diameter of dish antenna from 1.2 m to 2.0 m (excluding residential, local centre, neighbourhood centre and open space zones, which will remain at 1.2 m). Where the existing dish antenna on a pole are larger than these measurements, the existing diameter of dish	2. Rules on telecommunication antennas, cabinets and poles	Change 42. Amend the proposal to: a. increase the maximum permitted diameter of dish antenna on new and existing poles outside the road reserve in commercial, industrial,	This recommendation clarifies the maximum permitted diameter of dish antennas for new and existing poles outside the road reserve in specified zones. The notified proposal increased the maximum diameter of dish antenna to	Agreed with recommendation

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<p>reserve and not in a residential zone</p>	<p>antenna will be the maximum permitted diameter (for all zones).</p>		<p>large format retail and rural zones, and existing poles outside the road reserve in special purpose zones, to be the larger of either:</p> <ul style="list-style-type: none"> i. 2.0 m; or ii. the existing diameter of dish antenna on an existing pole. <p>b. retain the maximum diameter of dish antenna in regulation 33(3)(b) of the NES-TF for new and existing poles outside the road reserve in any other zone not covered by (a), and excluding residential zones, to be the larger of either:</p> <ul style="list-style-type: none"> i. 1.2 m; or ii. the existing diameter of dish antenna on an existing pole. 	<p>2.0 metres on existing poles outside the road reserve in city centre, metropolitan and town centre zones. Officials recommend retaining the existing 1.2-metre dish antenna diameter in the NES-TF for these zones to reduce visual and amenity effects.</p> <p>Otherwise, officials consider these proposed increases are necessary to align with the need for larger dish antennas to increase the distance over which a signal can be sent (eg, via digital microwave radio). This also supports rural connectivity and telecommunications network resilience.</p>	
<p>Regulations 33(4) and 33(5) on the pole width rules for new or existing poles outside of the road reserve and not in a residential zone</p>	<p>Amend the permitted standard for the maximum width of a pole to 6 m for replacement of existing poles in rural zones and 1.5 m for new or replacement poles in other zones covered by this regulation (or the width of the existing pole if greater). The new 1.5 m maximum will also apply to new poles in commercial, industrial, local centre, mixed-use and neighbourhood centre zones.</p>	<p>2. Rules on telecommunication antennas, cabinets and poles</p>	<p>Change</p> <p>43. Amend the proposal to clarify the following proposed maximum pole widths:</p> <ul style="list-style-type: none"> a. permit 1.5 m for new and existing poles in commercial, industrial, large format retail, local centre, mixed-use and neighbourhood centre zones, 	<p>This recommended change clarifies the maximum pole widths for new and existing poles outside the road reserve in specified zones.</p> <p>Please refer to attachment C for the pole size standards outside the road reserve.</p> <p>The proposed pole widths are recommended to align with the</p>	<p>Agreed with recommendation</p>

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<p>or the width of the existing pole if greater than 1.5 m</p> <p>b. permit 1.5 m for existing poles outside the road in other zones, excluding residential and rural zones, or the width of the existing pole if greater than 1.5 m</p> <p>c. permit 6 m for an existing pole outside the road reserve in a rural zone, or the width of the existing pole if greater than 6 m, except where an existing pole outside the road reserve is in a rural zone and is within the 50 metre rural setback (see recommendation 44).</p>	<p>increase in pole height to meet engineering design specifications and load requirements for poles. The pole widths also support facility operators to co-locate equipment on poles with an increased load from additional antennas.</p>	
			<p>Change</p> <p>44. Amend the proposal to specify that where an existing pole outside the road reserve is in a rural zone and within the 50 metre rural setback, retain the existing pole width rules in regulation 33(5) in the NES-TF so that the maximum permitted pole width is the greater of the width of the baseline pole on the baseline date multiplied by either:</p>	<p>Officials recommend retaining flexibility for existing poles outside of the road reserve in a rural zone within the 50-metre rural setback to increase their width compared with the original pole width. This makes it easier for existing infrastructure within the 50-metre rural setback (already permitted or consented) to be replaced or upgraded.</p>	<p>Agreed with recommendation</p>

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF			
Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<ul style="list-style-type: none"> a. if 1 or more antennas were attached to the baseline pole on the baseline date, 1.3; or b. otherwise, 2. 		
<p>Regulation 33(6) on the headframe width rules for new or existing poles outside of the road reserve and not in a residential zone</p>	<p>Extend the permitted standard for installation of a headframe of up to 6 m wide to apply to <i>new</i> poles outside of the road reserve in commercial (excluding local centre or neighbourhood centre zones), industrial, or on existing poles in rural zones. This aligns with existing rules for poles not in the road reserve and not in a residential zone under regulation 33(6).</p> <p>Add a new permitted standard for installation of a headframe no greater than 1.6 m wide (excluding antennas) on a new pole in local centre, mixed-use and neighbourhood centre zones outside of the road reserve, where the pole is a minimum of 15 m in height and is supporting co-location of multiple facility operators.</p>	<p>2. Rules on telecommunication antennas, cabinets and poles</p>	<p>Change</p> <p>45. Amend the proposed headframe rules on new or existing poles outside the road reserve as follows:</p> <ul style="list-style-type: none"> a. permit a maximum 2.5 m wide headframe in neighbourhood centre, local centre and mixed-use zones for co-location, with a 15 m minimum pole height b. permit a maximum 4.5 m wide headframe in commercial, large format retail and industrial zones with no co-location reference c. permit a maximum 6 m wide headframe in a rural zone with no co-location reference, except where an existing pole outside the road reserve in a rural zone is within the 50 rural metre setback (see recommendation 46) 	<p>Officials recommend aligning the permitted size of headframes on new poles outside the road reserve in the specified zones with the sizes in recommendation 35 for poles in the road reserve (except for a rural zone where a 6-metre headframe is retained). This will provide greater certainty and consistency on headframe rules. It will also mean that the headframe rules for new and existing poles in the specified zones are aligned.</p> <p>Please refer to attachment C for the pole size framework.</p> <p>The increase to 2.5-metre-wide headframes from 1.6-metre-wide headframes in the specified zone would better provide for co-location, enabling more antennas of multiple facility operators to be installed on a headframe. The proposed headframe sizes are also aligned with the suggested changes in most submissions from telecommunication businesses.</p>	<p>Agreed with recommendation</p>

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<p>d. clarify that if a headframe on an existing pole is larger than the maximum headframe sizes in (a) to (c) above, then the maximum headframe width is the width of the replaced headframe.</p>	<p>The recommended headframe sizes would support co-location and reduce the proliferation of multiple poles, when a pole with a headframe could achieve comparable service. Without adequate headframe size rules in some zones, facility operators are likely to install more poles in line with the permitted activity standards in the NES-TF, rather than seek a resource consent.</p> <p>Officials consider the visual effects of these proposed changes will be low. This is because the 50-metre rural setback still applies (with existing headframes on poles within the setback only permitted to be replaced up to the width of the replaced headframe) and subpart 5 areas will remain subject to district plan rules.</p>	
			<p>Change</p> <p>46. Amend the proposal to specify that where an existing pole outside the road reserve is in a rural zone and within the 50 metre rural setback and has a headframe, the maximum headframe width is the same as the replaced headframe.</p>	<p>Officials recommend retaining flexibility to replace headframes for existing poles outside of the road reserve in a rural zone within the 50-metre rural setback. This makes it easier for existing infrastructure within the 50-metre setback (already permitted or consented) to be replaced or upgraded.</p>	<p>Agreed with recommendation</p>

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<p>Regulation 33(7) on the pole height rules for new or existing poles not in road reserve and in commercial, industrial, rural or mixed-use zones</p> <p>Note this excludes residential zones.</p>	<p>Amend the permitted standard for the maximum permitted height for poles outside of the road reserve so that they are more permissive. There are two options under consideration to achieve this.</p> <p>Option 1 [Government's preferred option]:</p> <p>a) <i>Local centre or neighbourhood centre zone</i> – 20 m with a height-in-relation-to-boundary setback of 4 m and 60° recession plane</p> <p>b) <i>Mixed-use zone</i> – 25 m with a height-in-relation-to-boundary setback of 4 m and 60° recession plane</p> <p>c) <i>Industrial and commercial zones</i> – 25 m</p> <p>d) <i>Any other zone (excluding rural)</i> – permit existing poles outside of the road reserve to increase by 5 m from baseline pole height (increased from 3.5 m).</p> <p>Option 2:</p> <p>Permit caps to be the higher of either those proposed above in Option 1, or building zone height plus 5 m for poles in commercial zones (capped at 30 m) and industrial zones (no cap).</p> <p>For both options, a further 5 m height is afforded where two or more facility</p>	<p>2. Rules on telecommunication antennas, cabinets and poles</p>	<p>Change</p> <p>47. Proceed with Option 1 and amend the proposal on pole heights for new and existing poles outside the road reserve in select zones, specifying fixed pole height caps by zone, with the modifications outlined in recommendations 48 to 50.</p>	<p>Officials recommend the Government progress Option 1 (fixed height caps) to provide operational flexibility for facility operators to build poles to the height needed to provide adequate reach over buildings, vegetation or other coverage obstacles. Option 1 will better mitigate the risk of adverse visual effects, is easier to administer and provides certainty for councils and communities. Option 1 was supported by most submitters that chose an option, including councils, iwi and hapū. Please refer to attachment C for the pole size standards outside the road reserve. These pole heights are also aligned with those proposed for poles in the road reserve (refer to recommendation 22).</p>	<p>Agreed with recommendation</p>
			<p>Change</p> <p>48. Amend the proposal to specify:</p> <p>a. that the maximum permitted pole height for a new and existing pole with antennas outside the road reserve includes the height of the pole and all antennas, except where an existing pole with antennas is subject to the 50 metre rural setback.</p>	<p>The proposed maximum pole heights were intended to apply to the height of a pole and all antennas, but this was not clearly specified. This amendment aligns with the approach to specifying the maximum pole height in regulation 35(2)(a) for new poles outside the road reserve in a rural zone. This provides greater clarity on how the pole height caps apply to ensure consistent interpretation across councils, reducing ambiguity.</p>	<p>Agreed with recommendation</p>

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	operators are co-located on the same pole (excluding residential zones).		<p>Change</p> <p>49. Amend the proposal to specify:</p> <ul style="list-style-type: none"> a. for new and existing poles outside the road reserve in commercial, industrial, large format retail, and mixed-use zones, the height of the pole and all antennas must not exceed 25 m for a single facility operator and 30 m if the pole enables co-location of multiple facility operators b. for new and existing poles outside the road reserve in local centre and neighbourhood centre zones, the height of the pole and all antennas must not exceed 20 m for a single facility operator and 25 m if the pole enables co-location of multiple facility operators c. for existing poles outside the road reserve in a rural zone, the height of the pole and all antennas must not exceed 35 m for a single facility operator and 40 m if the pole enables co-location of multiple facility operators, 	<p>This recommendation clarifies the maximum pole heights for new and existing poles outside the road reserve in specified zones. Most of the heights are retained as notified. The two main changes are applying pole height standards to new and existing poles in a large format retail zone and removing the reference to the 'residential boundary setback'.</p> <p>Officials consider 'large format retail zone' to be a type of commercial zone, and so the permitted pole heights for new and existing poles in this zone should be aligned with the commercial zone. This change also responds to submissions from some councils recommending more specific references to the zone names in the National Planning Standards 2019.</p> <p>The proposed 'residential boundary setback' for new and existing poles outside of the road reserve in specified zones is removed, as it is already captured in proposed changes to regulation 33(2) (see recommendation 39).</p>	<p>Agreed with recommendation</p>

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<p>except where an existing pole outside the road reserve in a rural zone is within the 50 rural metre setback (see recommendation 50)</p> <p>d. for existing poles outside the road reserve in any other zone not captured by (a) to (c) above, the pole height rules in regulation 33(7)(b) are retained and the permitted height increase in regulation 33(8) increases to 5 m in all situations</p> <p>e. remove the reference to the height-in-relation-to boundary (the 'residential boundary setback').</p>		
			<p>Change</p> <p>50. Amend the proposal for an existing pole outside the road reserve in a rural zone where the existing pole is within the 50 metre rural setback, so that the maximum permitted pole height is the greater of:</p> <p>a. the height of the baseline pole (excluding antennas) on the baseline date plus 5 metres; or</p>	<p>Officials recommend retaining flexibility for existing rural poles subject to the 50-metre rural setback, allowing an increase in height compared with the original pole. Officials have proposed the permitted height increase is aligned with poles in the road reserve within the 50-metre rural setback (see recommendation 28).</p>	<p>Agreed with recommendation</p>

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF			
Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<p>b. the height of the baseline pole and all antennas on the baseline date</p>	<p>This will provide additional height for larger panel antennas, and flexibility for existing infrastructure within the 50-metre setback (already permitted or consented) to be replaced or upgraded.</p>	
<p>Regulation 35(2)(a) on the pole height rules for new or existing poles not in road reserve and in rural zone</p>	<p>Apply pole height rules for existing poles outside of road reserve in a rural zone to regulation 35 (previously applied to regulation 33). Amend the permitted standard for the maximum height for new or replacement poles outside of the road reserve in a rural zone from 25 m to 35 m (see figure 5 in attachment 1.5.1 for an example). A further 5 m height is afforded where two or more facility operators are co-located on the same pole.</p>	<p>2. Rules on telecommunication antennas, cabinets and poles</p>	<p>No change</p> <p>51. Retain the proposal for the maximum height of a new pole and all antennas outside the road reserve in a rural zone to be 35 m for a single facility operator and 40 m if the pole enables co-location of multiple facility operators.</p>	<p>Officials recommend allowing for 35-metre telecommunication poles (ie, masts, towers) in rural areas (and up to 40 metres for co-location) as this is necessary to address coverage obstacles resulting from topography including shelter belts and other trees. Most telecommunication businesses supported the proposed changes. A few submissions from councils, iwi and hapū did not support the proposed pole height increase, while some councils and individuals noted the importance of enabling facility operators to build to the height needed to provide coverage in rural areas.</p>	<p>Agreed with recommendation</p>
<p>Regulation 35(2)(d) on the minimum setback from buildings for new poles not in the road</p>	<p>Amend the 50 m setback from buildings so it only applies to buildings on a neighbouring property, not buildings within the property boundary where the pole is being installed. Note a new definition is also proposed for 'sensitive activities' that would apply to this</p>	<p>3. Expanding where new or replacement telecommunication poles are permitted</p>	<p>Change</p> <p>52. Amend the proposal to change the application of the 50 metre rural setback, and otherwise retain as proposed, to:</p>	<p>Officials recommend removing the term 'sensitive activities' (see recommendation 9) and retaining the application of the 50-metre rural setback to 'any building used for residential or educational purposes'.</p>	<p>Agreed with recommendation</p>

Subpart 2 – Antennas on poles outside of the road reserve					
NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF			
Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
reserve and in a rural zone	requirement and clarify which buildings this setback applies to.		<ul style="list-style-type: none"> a. retain the original wording in regulation 35(2)(d) of the NES-TF, '<i>buildings used for residential or educational purposes</i>' b. include marae, papakāinga and places of worship c. clarify that the changes in (a) and (b) also apply to the 50 metre rural setback, relevant to existing poles outside the road reserve in a rural zone. 	<p>Submissions from some councils, iwi and hapū supported the inclusion of marae and places of worship in the 50-metre rural setback rule and recommended adding papakāinga. Officials consider applying the setback to these buildings helps to mitigate adverse visual or cultural effects from large facilities in rural settings.</p> <p>The setback continues to apply to buildings on the neighbouring property only, as notified in the proposed provisions.</p>	

Subpart 2 – Antennas on buildings					
NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF			
Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulation 37(3)(a) on the size rules for panel antenna	Amend the permitted standard to change the 1.5 m ² area limit for a group of panel antennas on buildings in all but residential zones to a 1.0 m limit on the width of individual panel antenna. For buildings in residential zones, increase from 1.5 m ² to 3 m ² area limit for panel antenna.	2. Rules on telecommunication antennas, cabinets and poles	<p>Change</p> <p>53. Amend the proposed antenna size rules as follows:</p> <ul style="list-style-type: none"> a. if the antenna is a panel antenna on a building in a residential zone, the existing area limit of 1.5 m² for each panel in regulation 37(3)(a) is retained 	Some submissions from councils did not support increasing the area of a panel antenna on a residential building from 1.5 square metres to 3 square metres, noting the potential adverse visual effects. Officials consider that a 1.5-square-metre area limit is sufficient to meet panel size specifications for a majority of panel antennas on buildings in a residential zone.	Agreed with recommendation

Subpart 2 – Antennas on buildings

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<p>b. if the antenna is a panel antenna not on a building in a residential zone, the area limit for each panel antenna is removed and is replaced with a 1.0 m width limit for each panel.</p>	<p>Note that the proposed provisions indicated that the antenna size rules applied to a 'group of panel antennas'. The term 'group of panel antennas' is not defined and extending an area limit to a group of panel antennas would unreasonably restrict the ability of telecommunication providers to install antennas on buildings. Submissions from most telecommunication businesses proposed retaining the size limit 'per panel antenna' as it currently applies.</p>	
<p>Regulation 37(3)(b) on the size rules for dish antenna</p>	<p>Amend the permitted standard for the maximum permitted diameter of dish antenna from 1.2 m to 2.0 m on all buildings, excluding those in a residential zone (which remain at 1.2 m).</p>	<p>2. Rules on telecommunication antennas, cabinets and poles</p>	<p>No change</p> <p>54. Retain the proposal to increase the maximum diameter of dish antennas on buildings to:</p> <ul style="list-style-type: none"> a. 2.0 m in all zones (except for a residential zone) b. 1.2 metres in a residential zone. 	<p>Officials consider these increases are necessary to align with the need for larger dish antennas to increase the distance over which a signal can be sent (eg, via digital microwave radio). This also supports rural connectivity and telecommunications network resilience.</p>	<p>Agreed with recommendation</p>
<p>Regulation 37(4)(a) on the attachment rules for the top of the antenna</p>	<p>Amend the permitted standard on the height limit for antenna on buildings in a residential zone so that these rules are more permissive and enable poles on buildings with antennas to be higher. There are two options under consideration to achieve this.</p>	<p>2. Rules on telecommunication antennas, cabinets and poles</p>	<p>Change</p> <p>55. Proceed with Option 1 and amend the proposal on the attachment rules for antenna on buildings not in a residential zone, and otherwise retain as proposed, to permit an increase in the maximum height of antennas from 5 to 10 m above</p>	<p>Officials consider this change to Option 1 is necessary to prevent visual effects of permitting antennas that protrude up to 10 metres above the height of buildings in smaller rural town centres, where they may only permit 8- to 12-metre high buildings. This change addresses concerns from some council submissions.</p>	<p>Agreed with recommendation</p>

Subpart 2 – Antennas on buildings					
NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF			
Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>Option 1 [Government's preferred option]: Amend the height limit rules in the NES-TF to specify that antenna height on buildings in all zones only applies from the highest point of the building (not from the point an antenna is attached to a building). Increase the height limit for antenna on buildings not in a residential zone from 5 m to 10 m above the highest point of a building.</p> <p>Option 2: Amend the maximum permitted height for the top of an antenna on a building to be the building zone height plus 5 m. Reduce the height minimum to attach antenna to a building in a residential zone to 11 m (from 15 m), to enable antenna to be attached to three-storey buildings.</p>		the highest point of a building where the maximum permitted building zone height is 15 m or more.	<p>The proposal will enable antennas to be located higher on buildings to improve coverage or to allow them to exceed the height of surrounding buildings that may obstruct coverage.</p> <p>The proposal to specify the point of measurement for determining the maximum height of antennas on buildings (which is from the highest point of the building) is retained.</p>	

Subpart 4 – Telecommunication lines					
NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF			
Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulations 39 and 40 on customer connection lines to heritage buildings	<p>Amend clauses 39 and 40 to include a new regulated permitted activity for the installation and operation of customer connection lines (such as fibre) to a heritage building or structure. This would exclude wāhi tapu without buildings and archaeological sites.</p> <p>Proposed activity standards include:</p>	5. Enabling customer connection lines to heritage buildings	<p>Change</p> <p>56. Amend the proposal to proceed with Option 1 to provide for a restricted discretionary activity status when the permitted activity standards for customer connection lines to heritage building in (a) to (c) are not met,</p>	<p>Officials recommend continuing to progress new permitted activity standards for customer connection lines to heritage buildings. This will better enable the installation of fibre to households and businesses in heritage buildings.</p> <p>Officials consider the controlled activity status (as proposed in Option 2) is not</p>	Agreed with recommendation

Subpart 4 – Telecommunication lines

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>a) compliance with regulation 39 and 40 of the NES-TF regarding customer connection lines, including limits on the diameter of any lines and conduit, and that the line must be supported by existing structures</p> <p>b) to make use of existing entry points for customer connection lines to a heritage building (noting that an additional aerial customer connection line attached to an existing line on the same route is permitted)</p> <p>c) a customer connection line and any conduit must not be attached to a primary feature or front façade of an identified heritage building or structure.</p> <p>Where the permitted activity standards cannot be met, the activity will either default to a restricted discretionary activity (Option 1 [Government's preferred option]) or controlled activity (Option 2). Matters of discretion for both options would be limited to effects on historic heritage values and any other reasonable alternative installation solution.</p>		<p>retaining the proposed matters of discretion.</p> <p>Change</p> <p>57. Amend the proposal so that the proposed provisions apply to an archaeological site as well as a heritage building or structure for the purposes of a new permitted activity rule for installing and operating a customer connection line, subject to the standards outlined in (a) to (c) of the proposal.</p>	<p>sufficient to manage adverse effects on heritage buildings. Officials recommend proceeding with Option 1 as the discretion to decline a resource consent (as a restricted discretionary activity) is considered necessary. Option 1 was also supported by most submitters that chose an option, including iwi, hapū and councils.</p> <p>The notified proposal was not intended to enable the installation of a customer connection line across archaeological sites without buildings; nor was it intended to exclude buildings that are identified as archaeological. Officials note that under the Heritage New Zealand Pouhere Taonga Act 2014, archaeological sites can be either built or non-built places, meaning that pre-1900 buildings are archaeological sites. The intention was to permit a customer connection line to any heritage building where it complies with the permitted activity standards.</p> <p>Where a facility operator wishes to modify a building or structure built prior to 1900 or encounters accidental discovery, permission in the form of an archaeological authority from Heritage New Zealand must be obtained under the Heritage New Zealand Pouhere Taonga Act 2014.</p>	<p>Agreed with recommendation</p>

Subpart 4 – Telecommunication lines

NOTIFIED PROPOSAL

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<p>Change</p> <p>58. Amend the proposal to permit the installation and operation of a customer connection line on a primary feature or the front façade of an identified heritage building or structure subject to the following standards:</p> <ul style="list-style-type: none"> a. it is enclosed within an existing conduit, lawfully permitted or consented to be fixed onto the front façade or a primary heritage feature b. it uses existing attachment points and fixings. 	<p>This recommendation provides some additional flexibility for facility operators to install or replace customer connection lines to heritage buildings using existing conduit, which officials consider would have minor or de minimis effects. The use of existing conduit could include the use of an existing pipe or a prior utility connection with which a new fibre line is fed through. This recommendation partially responds to feedback from some telecommunication businesses that using existing customer connection points would not have any additional effect.</p>	<p>Agreed with recommendation</p>
<p>Regulation 42(2)(c) on location of the replacement structure for aerial telecommunication line along same route as existing telecommunication or power line</p>	<p>Amend the permitted standard for the location of replacement support structures for telecommunication lines (eg fibre) to be a maximum of 10 m from the existing location (increased from current 3 m maximum).</p>	<p>2. Rules on telecommunication antennas, cabinets and poles</p>	<p>No change</p> <p>59. Retain the proposed amendments requiring the location of replacement support structures for telecommunication lines to be within a maximum of 10 m from the existing location.</p>	<p>This amendment provides fixed line operators with greater flexibility when locating a replaced pole. This also aligns with proposed distribution rule (regulation R9) of the proposed NES-ENA.</p>	<p>Agreed with recommendation</p>

Subpart 4 – Telecommunication lines

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF			
Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulation 42(3)(a) on the height of the replacement structure for aerial telecommunication line along same route as existing telecommunication or power line	Amend the permitted standard for the replacement support structure for telecommunication lines (eg fibre) so the height can increase by up to 3 m (currently limited to an increase of 1 m).	2. Rules on telecommunication antennas, cabinets and poles	No change 60. Retain the proposed amendments to increase the height of replacement support structures for telecommunication lines by up to 3 m above the height of an existing support structure.	This would provide fixed line operators with flexibility to replace poles to match manufacturer standards.	Agreed with recommendation

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF			
Proposed regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendation	Minister's decision
New Regulated Activity 1: Temporary telecommunication facilities	<p>Introduce a new regulated permitted activity for a temporary telecommunication facility for coverage or additional capacity. Refer to the new definition proposed above for <i>Temporary telecommunication facility</i>, including the specified timeframes and circumstances for their use.</p> <p>The proposed standard for the activity is:</p> <p>a) that there shall be only one temporary telecommunication facility per site in the event it is to provide coverage for an existing facility for maintenance (not applicable in emergencies)</p>	5. Enabling temporary telecommunication facilities	Change 61. Amend the proposal to permit temporary telecommunication facilities, retaining the proposed standards, except for the following amendments: a. remove the limit of one temporary facility per site for maintenance b. increase the maximum footprint of the facility to 20 m ² c. add a requirement for a facility operator to provide written or electronic notice to	<p>Officials support temporary telecommunication facilities for resilience purposes.</p> <p>Officials consider there is a need to provide operational flexibility for operators to deploy and locate multiple temporary telecommunication facilities during maintenance, and telecommunication businesses contended that a limit may not be workable in all situations (eg, multiple temporary facilities may be needed to substitute an existing facility under maintenance because it co-locates multiple facility operators).</p>	Agreed with recommendation

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF			
Proposed regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendation	Minister's decision
	<p>b) all temporary facilities shall cease within the specified timeframes</p> <p>c) the temporary facility must be removed from the site when the operation ceases</p> <p>d) temporary telecommunication facilities are permitted in areas identified in district plans with special, natural or heritage significance, as per Subpart 5 of NES-TF, in emergencies only (as defined in the circumstances described in (a) above in definition) but only when they can be installed without damaging or altering the protected areas</p> <p>e) if the temporary facility is an RFG facility, then regulation 55 (on radiofrequency fields) must be complied with</p> <p>f) as soon as practicable and no later than 3 months after completion of the works, the site must be reinstated and restored to its previous condition prior to the works</p> <p>g) the maximum height of a temporary telecommunication facility is 25 m and has a maximum footprint of no greater than 15 m².</p>		<p>the relevant regional council and territorial authority on the number, location and anticipated end date, of a temporary telecommunication facility operating within a subpart 5 area, if the facility operates at the site for longer than 30 working days.</p>	<p>Officials consider the larger footprint is necessary to support larger temporary telecommunication facilities, such as a mobile exchange on wheels, which can also accommodate solar panels or batteries.</p> <p>Officials recommend introducing a notice requirement to support council compliance as well as monitoring and record-keeping under section 35 of the RMA. Notice must be provided to the council if the facility has been operating in a subpart 5 area for longer than 30 working days, consistent with the timeframes in section 330A of the RMA. Officials consider this requirement is necessary given the sensitivity and intrinsic value associated with subpart 5 areas. This also responds to suggestions in submissions from some councils, iwi and hapū to add a written notice requirement.</p> <p>The remaining proposed standards for temporary telecommunication facilities (b–f) are fit for purpose and should be retained.</p>	

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF			
Proposed regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendation	Minister's decision
<p>New Regulated Activity 2: Renewable electricity generators</p>	<p>Introduce a new regulated permitted activity for installation and operation of renewable electricity generators in rural zones outside of the road reserve. This would also permit installation and operation of a non-renewable electricity generator for an off-grid site as back-up where a renewable energy source is not available.</p> <p>Proposed standards for solar panels (see figure 6 in Attachment 1.5.1) would specify:</p> <ul style="list-style-type: none"> a) the distance from the top of the array or structure to the ground does not exceed 5 m b) the footprint of the overall size of solar arrays (excluding any gaps between panels) for all facility operators does not exceed 100 m² c) ground-mounted solar panels (excluding wiring and ancillary equipment) must be a minimum of 50 m from buildings used for sensitive activities on a neighbouring property d) note solar arrays are excluded from reflectivity, glare and colour requirements under district plans. <p>Proposed standards for wind turbines would specify:</p> <ul style="list-style-type: none"> a) a maximum height of 25 m 	<p>4. Enabling renewable electricity generators for telecommunication facilities</p>	<p>Change</p> <p>62. Proceed with the proposal to permit renewable electricity generation to power a telecommunication facility outside the road reserve in a rural zone, retaining the proposed solar and wind standards except for the following amendments:</p> <ul style="list-style-type: none"> a. remove the installation and operation of a non-renewable electricity generator for an off-grid site as a back-up where a renewable energy source is not available b. allow a limit of two wind turbines per facility c. specify that the 25 m height standard for wind turbines applies to the height of the total structure (including the rotor) d. apply the 50 metre rural setback proposed for ground-mounted solar panels and wind turbines to buildings used for residential or educational purposes, marae, papakāinga and places of worship. 	<p>Officials support small-scale solar and wind electricity generation for the purposes of powering telecommunication facilities in rural and remote areas.</p> <p>Officials consider that district plan provisions would be better suited to address non-renewable (petrol or diesel) generators as most of the time, these will be deployed on a temporary and case-by-case basis, and the problem definition does not currently support permitting non-renewable generation. Officials consider solar, wind and battery enablement to be a key measure to bolster facility resilience and to support rural connectivity.</p> <p>Recommendations 62(b) and (c) were suggested by a few councils in submissions. Officials agree that two is an appropriate number of wind turbines when they are permitted as high as 25 metres. Officials also understand these standards will meet facility operators' energy needs while mitigating adverse visual effects on surrounding properties. This recommendation ensures wind turbine development remains consistent with rural character and proportionate to the scale of the principal facility.</p>	<p>Agreed with recommendation</p>

NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF			
Proposed regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendation	Minister's decision
	<p>b) the turbine and the structure it is connected to (excluding wiring and ancillary equipment) must be set back at a minimum of 50 m from buildings used for sensitive activities on a neighbouring property</p> <p>c) noise standards for wind farm noise in the New Zealand Standard 6808:2010 Acoustics – Wind farm noise) incorporated by reference.</p>			Recommendation 62(d) will align the application of the 50-metre rural setback for renewable electricity generators and poles in rural zones.	

Subpart 5 – Application of district and regional rules					
NOTIFIED PROPOSAL		RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO THE NES-TF			
Proposed regulations	Proposal	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulation 46 Historic heritage values: Customer connection lines to heritage buildings	Amend regulation 46 to exempt customer connection lines for heritage buildings from needing to comply with district plan rules.	5. Enabling customer connection lines to heritage buildings	No change 63. Retain the proposal to exempt regulation 46 of the NES-TF from applying for the purposes of customer connection lines to heritage buildings when the permitted activity standards are met.	This recommendation is a consequence of the proposal to amend regulations 39 and 40 to permit customer connection lines to heritage buildings (see recommendations 56 to 58). It will mean telecommunications infrastructure development affecting historic heritage will continue to revert to district plan rules except for customer connection lines.	Agreed with recommendation

Other recommendations and decisions

Recommendations and decisions in relation to matters raised through submissions

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR TELECOMMUNICATION FACILITIES			
Scope and definitions	Recommendation	Reasons for recommendation	Minister's decision
D5: Co-location	<p>Change</p> <p>64. Amend the proposal to include a definition for 'co-location': where a pole, headframe, cabinet or a group of cabinets, is designed to carry two or more facility operators in one location.</p>	<p>Officials recommend introducing a new definition of 'co-location' into the NES-TF as it would improve the workability of the proposals relating to co-location of multiple facilities. This definition was proposed in most submissions from telecommunication businesses. It would enable facility operators to design and build poles, headframes or cabinets in line with specified permitted activity standards that reference co-location, so long as the facility is designed to co-locate multiple operators.</p>	Agreed with recommendation
D6: Self-contained power unit	<p>Change</p> <p>65. Amend the definition of 'self-contained power unit' in the NES-TF to include storage of power.</p>	<p>The intent of the proposal was to enable battery storage where appropriate, for resilience purposes. The amendment will clarify that a self-contained power unit is one that not only 'generates' electricity but stores it as well. This definition will only apply to two new activity standards: renewable electricity generation and temporary telecommunication facilities.</p>	Agreed with recommendation
D7: Residential zone	<p>Change</p> <p>66. Amend the definition of 'residential zone' in the NES-TF to include the following zones applied in district plans and provided for in the National Planning Standards 2019 and primarily used for residential activities:</p> <ol style="list-style-type: none"> large lot residential zone low density residential zone settlement zone Māori purpose zone general residential zone medium density residential zone high density residential zone. 	<p>The definition of 'residential zone' in the NES-TF was issued before the National Planning Standards 2019 were developed. It relies largely on district plan interpretations when the National Planning Standards provide a zone framework and descriptions. The recommendation clarifies which zones under the National Planning Standards are captured by the meaning of residential zone, which is applied throughout the NES-TF proposal. This also responds to feedback in some submissions from councils that recommended making it clearer how the zones in the NES-TF relate to the National Planning Standards' zone framework.</p> <p>Officials consider that Māori purpose zones (eg, papakāinga) have a similar level of sensitivity to residential zones and have cultural significance. Officials have recommended a change to specify that Māori purpose zones are subject to the same rules on pole height, width, antennas and headframes as residential zones for the purposes of the NES-TF.</p>	Agreed with recommendation

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR TELECOMMUNICATION FACILITIES

Scope and definitions	Recommendation	Reasons for recommendation	Minister's decision
		This also responds to submissions from iwi and Māori that sought less enablement in Māori purpose zones.	
D8: Rural zone	<p>Change</p> <p>67. Amend the definition of 'rural zone' in the NES-TF to include the following zones applied in district plans and provided for in the National Planning Standards 2019 and primarily used for rural activities and primary production:</p> <ul style="list-style-type: none"> a. general rural zone b. rural production zone c. rural lifestyle zone. 	The definition of 'rural zone' in the NES-TF was issued before the National Planning Standards 2019 were developed. It relies largely on district plan interpretations when the National Planning Standards provide a zone framework and descriptions. The recommendation clarifies which zones under the National Planning Standards are captured by the meaning of 'rural zone', which is applied throughout the NES-TF proposal. This also responds to feedback in some submissions from councils that recommended making it clearer how the zones in the NES-TF relate to the National Planning Standards' zone framework.	Agreed with recommendation
D9: Industrial zone	<p>Change</p> <p>68. Insert a new definition of 'industrial zone' into the NES-TF which includes the following zones applied in district plans and provided for in the National Planning Standards 2019 and primarily used for industrial and manufacturing activities:</p> <ul style="list-style-type: none"> a. light industrial zone b. general industrial zone c. heavy industrial zone. 	There is no definition of 'industrial zone' in the NES-TF while there are three different types of industrial zones provided for in the National Planning Standards 2019. The definition will clarify which zones under the National Planning Standards are captured by the meaning of 'industrial zone', which is a term used in the NES-TF proposal. This also responds to feedback in submissions from some councils that recommended making it clearer how the zones in the NES-TF relate to the National Planning Standards.	Agreed with recommendation
D10: Open Space Zone	<p>Change</p> <p>69. Insert a new definition of 'open space zone' into the NES-TF which includes the following zones applied in district plans and provided for in the National Planning Standards 2019 primarily for open space and recreational activities:</p> <ul style="list-style-type: none"> a. open space zone b. natural open space zone c. sport and active recreation zone. 	There is no definition of 'open space zone' in the NES-TF while there are three different types of open space zones provided for in the National Planning Standards 2019. The definition will clarify which zones under the National Planning Standards are captured by the meaning of 'open space zone', which is a term used in the NES-TF proposal. This also responds to feedback in some submissions from councils that recommended making it clearer how the zones in the NES-TF relate to the National Planning Standards.	Agreed with recommendation

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR TELECOMMUNICATION FACILITIES

Scope and definitions	Recommendation	Reasons for recommendation	Minister's decision
D11: Special Purpose Zone	<p>Change</p> <p>70. Insert a new definition of 'special purpose zone' into the NES-TF which includes the following zones applied in district plans and provided for in the National Planning Standards 2019 primarily for special purpose activities:</p> <ul style="list-style-type: none"> a. airport zone b. corrections zone c. future urban zone d. hospital zone e. port zone f. stadium zone g. tertiary education zone. 	<p>There is no definition of 'special purpose zone' in the NES-TF while there are eight different types of special purpose zones provided for in the National Planning Standards 2019. The definition will clarify which zones under the National Planning Standards 2019 are captured by the meaning of special purpose zone, which is a term used in the NES-TF proposal. This also responds to feedback in submissions from some councils that recommended making it clearer how the zones in the NES-TF relate to the National Planning Standards.</p> <p>In recommendation 66, officials defined 'residential zone' to include Māori purpose zones, despite this zone being recognised as a type of special purpose zone. This is because Māori purpose zones are more akin to residential activities and the NES-TF proposal is less enabling for residential activities to encourage development elsewhere.</p>	Agreed with recommendation

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR TELECOMMUNICATION FACILITIES

Regulation	Recommendation	Reasons for recommendation	Minister's decision
Regulation 5A – Operating a temporary telecommunication facility	<p>Change</p> <p>71. Amend the proposal to introduce a new regulation which outlines:</p> <ul style="list-style-type: none"> a. the intent to provide for the operation of a temporary telecommunications facility within the scope of the NES-TF, and includes the following ancillary activities: <ul style="list-style-type: none"> i. installing and operating ancillary equipment ii. carrying out repairs and maintenance on a facility iii. the use of a self-contained power unit; and b. the operation of a temporary telecommunication facility does not include carrying out earthworks in accordance with subpart 6 of the NES-TF. 	<p>This recommendation does not change the intent of the proposal; instead, it clarifies that the scope of the NES-TF has changed in response to the inclusion of new regulated activities. It also specifies that ancillary equipment is enabled to support a temporary telecommunication facility. This regulation outlines to the user how the NES-TF is designed and intended to operate, and how a temporary telecommunication facility is distinct from a permanent one. The new regulation operates in a similar way to regulation 5, 'installing and operating a facility', but relates to operating a temporary telecommunication facility.</p> <p>Officials do not consider it necessary or appropriate to enable the use of the earthworks standard under subpart 6 of the NES-TF for the purposes of operating a temporary telecommunication facility. This is consistent with the original intent that these facilities would not damage the site they access or, if they do, that they would restore it to its prior condition.</p>	Agreed with recommendation

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR TELECOMMUNICATION FACILITIES

Regulation	Recommendation	Reasons for recommendation	Minister's decision
<p>Regulation 5B – Installing and operating a self-contained power unit</p>	<p>Change</p> <p>72. Amend the proposal to introduce a new regulation which outlines:</p> <ul style="list-style-type: none"> a. the intent to provide for the installation and operation of a self-contained power unit within the scope of the NES-TF for the purposes of: <ul style="list-style-type: none"> i. small-scale renewable electricity generation (solar panels or wind turbines) powering a facility in the rural zone and outside the road reserve in accordance with the solar and wind standards; or ii. small-scale renewable electricity generation powering a temporary telecommunication facility; or iii. it is battery storage supporting (i) and (ii); and b. includes the following ancillary activities: <ul style="list-style-type: none"> i. installing and operating ancillary equipment ii. carrying out repairs and maintenance on the self-contained power unit iii. carrying out earthworks in accordance with subpart 6 of the NES-TF for the purposes of installing or maintaining solar panels or wind turbines. c. installing and operating a self-contained power unit does not include electricity generation that is not 'small-scale REG' (ie non-renewable). 	<p>This amendment is recommended as it would retain the intent of the proposal to enable renewable electricity generators but clarifies the circumstances when a self-contained power unit is expressly enabled under the NES-TF. The new regulation operates in a similar way to regulation 5, 'installing and operating a facility', but relates to self-contained power units.</p> <p>This provision will also enable ancillary equipment to support the installation and operation of a self-contained power unit. The scope will exclude the installation and operation of a non-renewable electricity generator from the meaning of 'self-contained power unit' because there are no standards to support its inclusion.</p> <p>Battery storage will be captured and enabled as this is a necessary component of a renewable electricity generator system and a temporary telecommunication facility. Including battery storage was also recommended in submissions from most telecommunication businesses.</p>	<p>Agreed with recommendation</p>
<p>Regulation 7 – Measurements</p>	<p>Change</p> <p>73. Amend regulation 7(3) on measuring headframes to exclude any antenna attached to it.</p>	<p>Antennas and headframes have different size standards in the NES-TF to apply proportionate controls on their visual effects. Officials recommend it is appropriate to clarify that antennas are excluded from the measurement of headframes because they are managed through separate regulations. Including antennas in the width of a headframe could result in minor infringements of the permitted activity standard and unnecessary resource consents, as antennas are upgraded over the life of a headframe and so may change in size or may be tilted. Submissions from many telecommunication businesses also supported this change.</p>	<p>Agreed with recommendation</p>

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR TELECOMMUNICATION FACILITIES

Regulation	Recommendation	Reasons for recommendation	Minister's decision
	<p>Change</p> <p>74. Amend Regulation 7 of the NES-TF to clarify that the 50 metre rural setback is to be measured –</p> <ul style="list-style-type: none"> a. from the closest point of a facility (excluding any guy wires or cabinets) or self-contained power unit as part of the proposed New Regulated Activity 2 Renewable electricity generators activity (excluding battery storage) b. to the exterior wall of a relevant building (excluding staircases, decks or patios) on a property. 	<p>Officials agree with submissions from telecommunication businesses that the NES-TF should specify which part of a building the 50-metre rural setback for poles and renewable electricity generators in rural zones applies to, to improve clarity of the regulation.</p>	<p>Agreed with recommendation</p>

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR TELECOMMUNICATION FACILITIES

Topic	Recommendation	Reasons for recommendation	Minister's decision
<p>Permitting battery storage for rural facilities already connected to small-scale REG</p>	<p>75. Amend the definition of 'cabinet' to include reference to a cabinet also being used to store batteries.</p>	<p>When operators are installing batteries in a rural zone to power a facility already connected to small-scale renewable electricity generation, officials recommend that batteries need to be housed within cabinets in accordance with regulation 20 (rules on cabinets). An amendment to the definition of 'cabinet' is also required to reflect this operational need.</p>	<p>Agreed with recommendation</p>
	<p>76. Provide that battery storage for the purposes of powering a rural facility connected to small-scale renewable electricity generation is a permitted activity when it is housed within cabinets outside the road reserve in accordance with regulation 20 of the NES-TF.</p>		<p>Agreed with recommendation</p>
<p>Non-compliance with permitted activity standards for small-scale renewable electricity generation</p>	<p>77. Amend the proposal to include;</p> <ul style="list-style-type: none"> a. a new regulation for a restricted discretionary activity for small-scale renewable electricity generation and battery storage that does not comply with the permitted activity standards in recommendation 62; and b. provide for the following matters of discretion: <ul style="list-style-type: none"> i. the effects on the safe and efficient operation of telecommunication or other infrastructure networks; ii. the effects of the operation of the activity, including noise; iii. the effects on the amenity and character of adjacent properties and the environment; 	<p>Officials consider that non-compliance with permitted activity standards for new small-scale renewable electricity generation standards in recommendation 62 should be a restricted discretionary activity rather than deferring to district plans.</p> <p>Following Plan Stop, it is likely that many plans will not have plan rules on this topic and councils would not be able to amend their plans accordingly to provide plan provisions for circumstances when industry does not comply with the NES-TF.</p>	<p>Agreed with recommendation</p>

RECOMMENDATIONS AND DECISIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR TELECOMMUNICATION FACILITIES

Topic	Recommendation	Reasons for recommendation	Minister's decision
	<ul style="list-style-type: none"> iv. the design, appearance or scale of the renewable electricity generation or battery storage asset; v. the extent to which a non-compliance is due to evolving technology; and vi. the measures to avoid, mitigate or remedy any adverse environmental effects. 		



Part 2: Section 46A RMA report and recommendations

Minor and technical corrections, including formatting and style adjustments, have been made to the Section 46A RMA report and the recommendations originally provided to the Minister Responsible for RMA Reform in December 2025. Additionally, minor and technical revisions have been made to enhance clarity.



Te Kāwanatanga o Aotearoa
New Zealand Government

Proposed amendments to the National Environmental Standards for Electricity Transmission Activities and National Environmental Standards for Telecommunication Facilities

**Report on submissions and
recommendations**

Contents

Executive summary	137
Purpose	137
Background	137
Officials' recommendations	138
Introduction	139
1. Part A: Overview	140
1.1 Proposals	140
1.2 Overview of consultation and submissions process	141
1.3 Officials' recommendations	141
1.4 Decision-making	142
1.5 Limitations and constraints	142
2. Part B: National Environmental Standards for Electricity Transmission Activities 2009	143
2.1 Proposal overview	144
2.2 Summary of submissions	144
2.3 Analysis of proposal and submissions	145
3. Part B: Amendments to the National Environmental Standards for Telecommunication Facilities 2016	186
3.1 Proposal overview	187
3.2 Summary of submissions	187
3.3 Analysis of proposal and submissions	189
4. Part C: Implementation	217
4.1 Context	218
4.2 Implementation	218
4.3 Key issues from submissions	219
4.4 Overview of submissions	219
4.5 Implementation of proposals	221
4.6 Recommendations	223

Executive summary

Purpose

The proposed amendments to the National Environmental Standards for Electricity Transmission Activities (NES-ETA) – which are intended to be renamed National Environmental Standards for Electricity Network Activities (NES-ENA) and will be referred to as such hereafter – and the proposed amendments to the National Environmental Standards for Telecommunication Facilities (NES-TF) are designed to deliver a nationally consistent planning framework for critical infrastructure.

Specifically, the proposed NES-ENA aims to enable and protect the operation, maintenance, upgrade and development of electricity transmission and distribution networks, as well as electric vehicle (EV) charging infrastructure.

Amendments to the NES-TF seek to facilitate the efficient roll-out and upgrading of telecommunication facilities, by updating the activity standards to reflect modern technology and changes in urban environments, and to provide new regulations to enable new activities such as renewable electricity generation to power facilities and temporary telecommunications facilities.

Together, these proposals address regulatory barriers, reduce costs and delays, and support the reliable delivery of electricity and telecommunication services to communities across New Zealand.

Background

The proposed NES-ENA and amendments to the NES-TF are part of a broader programme to improve national direction under the resource management system. They form part of one of four packages: Package 1: Infrastructure and development (package 1).

The proposals contribute towards the Government's wider resource management reform programme. They are complemented by the Fast-track Approvals Act 2024, targeted amendments to the Resource Management Act 1991 (RMA)¹⁰ and the development of a new resource management system.

Statutory consultation on package 1 ran from 29 May 2025 to 27 July 2025.¹¹

¹⁰ [Resource Management \(Freshwater and Other Matters\) Amendment Act 2024](#) and [Resource Management \(Consenting and Other System Changes\) Amendment Act 2025](#).

¹¹ Statutory consultation on package 2 (primary sector), and non-statutory consultation on package 3 (freshwater), also ran from 29 May 2025 to 27 July 2025. Non-statutory consultation on package 4 (Going for Housing Growth) ran from 18 June to 17 August 2025.

Officials' recommendations

This report outlines the key matters raised through statutory consultation on the proposed NES-ENA and amendments to the NES-TF and includes officials' recommended amendments to the notified proposals. The recommendations are informed by submissions and further analysis of the proposals. They are intended to support the effective implementation of the proposed national direction and help achieve their intended outcomes.

Consolidated recommendations are provided in the following attachments:

- **Attachment A: Consolidated recommendations** – Amendments to the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009
- **Attachment B: Consolidated recommendations** – Amendments to the National Environmental Standards for-Telecommunication Facilities 2016.

Introduction

This report provides recommendations to the Minister Responsible for RMA Reform (the Minister) on the proposed National Environmental Standards for Electricity Network Activities (NES-ENA) and amendments to the National Environmental Standards for Telecommunication Facilities (NES-TF), notified on 29 May 2025, in accordance with section 46A(1)(a) of the Resource Management Act 1991 (RMA).

This report is in three parts.

- **Part A** provides an overview of the proposals and the consultation and submissions process.
- **Part B** provides a summary of key issues raised by submitters; sets out officials' analysis of the submissions and subject matter of the proposals; and outlines officials' key recommendations to amend the notified proposals.
- **Part C** provides a summary of submissions made on general implementation of national direction in Package 1: Infrastructure and development (package 1) and Package 2: Primary sector (package 2). It also discusses specific implementation options available for the proposed NES-ENA and amendments to the NES-TF.

1. Part A: Overview

1.1 Proposals

1.1.1 **Proposed National Environmental Standards for Electricity Transmission Activities (proposed to be renamed National Environmental Standards for Electricity Network Activities) and National Environmental Standards for Telecommunication Facilities**

The proposals to create the NES-ENA and amend the NES-TF were outlined in the *Package 1: Infrastructure and development – Discussion document*,¹² along with the attached proposed provisions.¹³ The proposed NES-ENA and amendments to the NES-TF were notified under section 46A(a)(1) of the RMA.

1.1.2 **Proposed national direction in *Package 1: Infrastructure and development – Discussion document***

Other proposals to create or amend national direction in *Package 1: Infrastructure and development – Discussion document* were:

- the new National Policy Statement for Infrastructure
- amendments to the National Policy Statement for Renewable Electricity Generation 2011
- amendments to the National Policy Statement on Electricity Transmission 2008 (proposed to be renamed National Policy Statement for Electricity Networks)
- the new National Environmental Standards for Detached Minor Residential Units
- the new National Environmental Standards for Papakāinga
- the new National Policy Statement for Natural Hazards.

Reports and recommendations to the Minister on the above proposed instruments have been prepared separately as part of the Government's wider programme of resource management reform.

¹² Ministry for the Environment. 2025. *Package 1: Infrastructure and development – Discussion document*. Wellington: Ministry for the Environment.

¹³ [Attachment 1.5: Proposed provisions – Amendments to the Resource Management \(National Environmental Standards for Telecommunication Facilities\) Regulations 2016.](#)

1.1.3 Other proposed national direction

The proposed infrastructure and development package is complemented by additional proposals in *Package 2: Primary sector – Discussion document*¹⁴ and *Package 3: Freshwater – Discussion document*,¹⁵ which have been considered separately and will collectively support wider resource management reform.

1.2 Overview of consultation and submissions process

The Ministry for the Environment (MfE) publicly consulted on the proposed NES-ENA and amendments to the NES-TF alongside other proposed new and amended infrastructure and development, primary sector and freshwater national direction from 29 May 2025 to 27 July 2025, in accordance with section 46A of the RMA.

MfE sent pre-notification letters on 5 May 2025 to all post-settlement governance entities (PSGEs) and other Māori groups with which MfE holds arrangements related to the RMA. These letters provided detailed information on the intended national direction proposals for infrastructure and development, the primary sector and freshwater. An invitation was extended to all groups to discuss the proposals.

MfE also conducted public engagement on the national direction proposals. This involved hosting four webinars, and seven themed forums with an opportunity for discussion. PSGEs were also invited to attend two online hui.

A total of 726 submitters provided feedback on packages 1 and 2. Of these submitters, 164 provided feedback on the proposed NES-ENA and 185 provided feedback on the proposed changes to the NES-TF.

1.2.1 Collating, processing and analysing submissions

Officials collated submissions received through CitizenSpace – MfE’s consultation platform¹⁶ – and the consultation email inbox and worked with an external provider to process and analyse submissions across three different software platforms: Croissant, Excel and NVivo. Officials and the external provider analysed submissions to identify overall themes and key comments.

1.3 Officials’ recommendations

This report outlines key issues raised in submissions from statutory consultation on the proposed NES-ENA and amendments to the NES-TF. It also outlines officials’ recommendations on the proposed national direction in response to those submissions, in accordance with section 46A(1)(c) of the RMA.

¹⁴ Ministry for the Environment. 2025. *Package 2: Primary sector – Discussion document*. Wellington: Ministry for the Environment.

¹⁵ Ministry for the Environment. 2025. *Package 3: Freshwater – Discussion document*. Wellington: Ministry for the Environment.

¹⁶ Submitters could provide feedback on the CitizenSpace platform via a survey and/or by uploading a file.

Officials considered Part 2 of the RMA¹⁷ and relevant Treaty of Waitangi (Treaty) settlements when preparing the report and recommendations.

The recommendations address both substantive and technical matters, supporting the implementation and intent of the proposed NES-ENA and amendments to the NES-TF. Minor changes may not be fully analysed in the main body of the report, but are captured in the consolidated recommendations provided in attachment A and attachment B.

The consolidated recommendations provide a clear and direct connection to the notified proposed NES-ENA and amendments to the NES-TF, helping to inform and support the decision-making process.

1.4 Decision-making

The Minister must consider the report and recommendations before making changes to the NES-ENA and NES-TF proposal.

The report will be publicly released around the time the Minister makes recommendations to the Governor-General on the NES-ENA and NES-TF.¹⁸

1.5 Limitations and constraints

1.5.1 Collating, processing and analysing submissions

The large number of proposed instruments across packages 1 to 3, combined with multiple submission channels, introduced complexity for quantitative analysis. Submissions often addressed multiple instruments and included numerous submission points. Additionally, submitters could identify with more than one submitter type (eg, business, individual, industry).

A high proportion of submitters opted to submit a file rather than, or in addition to, completing the survey. This significantly increased the complexity of analysing these submissions.

1.5.2 Level of detail

This report is not intended to provide a detailed summary of all issues raised through submissions. Feedback from submitters has been summarised by topic – aligning with the topics outlined in the *Package 1: Infrastructure and development – Discussion document* for the proposed NES-ENA and amendments to the NES-TF where possible. Officials have made generalisations for brevity.

¹⁷ As required by section 46A(3) of the RMA.

¹⁸ The report and recommendations for national environmental standards are required to be publicly notified before the Governor-General is recommended to make the national environmental standards (see [section 44\(1\)\(b\) of the RMA](#)).

2. Part B: National Environmental Standards for Electricity Transmission Activities 2009

**(to be renamed National
Environmental Standards for
Electricity Network Activities)**

2.1 Proposal overview

The proposal is to amend the National Environmental Standards for Electricity Transmission Activities 2009 (to be renamed the National Environmental Standards for Electricity Network Activities) in order to provide for more enabling standards and to extend their application to electricity distribution and EV charging infrastructure. These changes will address inconsistent district plan provisions and the complexity of the consenting process, with the aim of reducing costs and delays for work on electricity networks and EV charging infrastructure.

The proposed amendments are intended to:

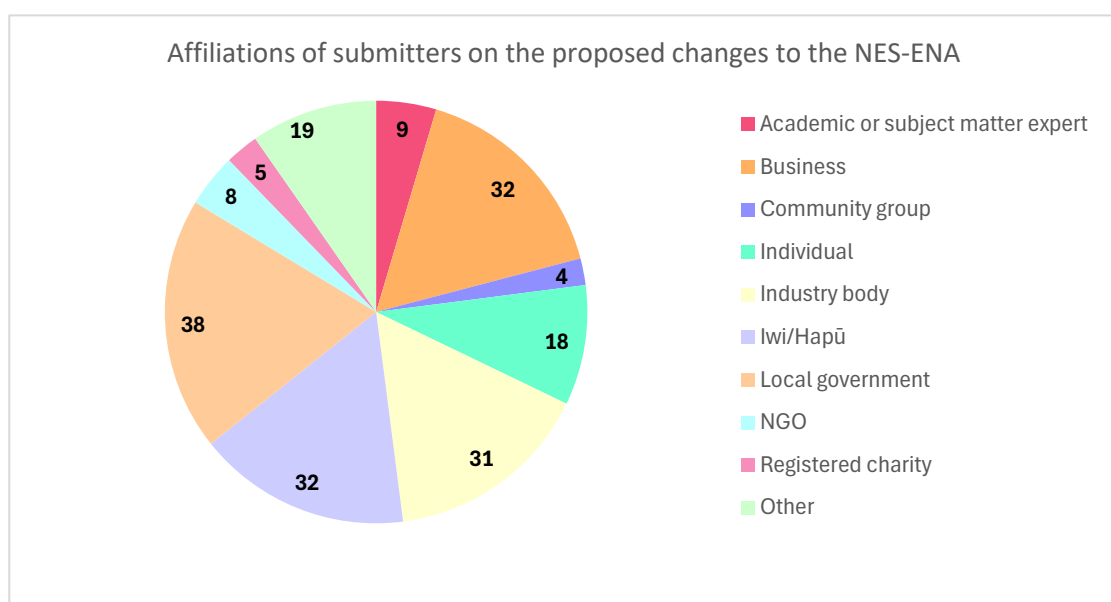
- enable more routine work on the electricity transmission network in all environments
- introduce new rules to protect the electricity transmission network based on the National Grid Subdivision Corridor provisions
- introduce new provisions for the electricity distribution network (ie, protection and routine work for the existing network, and construction of new distribution network assets)
- introduce new permitted activity standards for EV charging infrastructure.

The NES-ENA will complement the proposed changes to the National Policy Statement for Electricity Transmission (proposed to be renamed the National Policy Statement for Electricity Networks (NPS-EN)). The NPS-EN applies to the electricity transmission network and the electricity distribution network. The NES-ENA and NPS-EN will apply to all RMA decisions that relate to the protection, operation, maintenance and upgrade of electricity networks, as well as the construction of new electricity networks.

2.2 Summary of submissions

2.2.1 Overview of submissions

Out of the total 726 submissions received on packages 1 and 2, 164 submissions included feedback on the NES-ENA proposal.



Note: The sum of all groups shown in the graph does not correspond to the total number of submitters on this instrument as submitters could select multiple affiliation options.

2.2.2 Key submission topics

Key topics from submissions on this instrument include:

- scope (inclusion of electricity distribution) and definitions
- the extent to which routine activities on the electricity network are enabled
- rules for the National Grid Yard and Subdivision Corridor
- potential new regional regulations and the use of management plans for routine activities
- new rules for the electricity distribution network
- new rules for public EV charging infrastructure.

These topics are discussed in further detail below.

2.3 Analysis of proposal and submissions

2.3.1 Topic 1: Scope and definitions

2.3.1.1 Proposal

The current National Environmental Standards for Electricity Transmission Activities (NES-ETA) only applies to the operation, maintenance and upgrading of existing electricity transmission lines developed before January 2010. The proposal is to rename the NES-ETA as the National Environmental Standards for Electricity Network Activities (NES-ENA) and include regulations for electricity distribution networks and EV charging infrastructure through permissive regulations.

Overall, the proposal provides a more enabling rule framework for routine activities on existing electricity lines and is expanded to also permit the construction of new distribution lines and EV charging stations.

2.3.1.2 Key issues from submissions

NES-ENA scope

Many submitters were generally supportive of the proposal scope. The following were their key points.

- Most submitters, including councils and industry, supported the application of the NES-ENA to electricity distribution, reflecting the role these networks play in electrification and decarbonisation in a timely and cost-effective manner.
- Transpower, Electricity Networks Aotearoa (ENA) and electricity distribution businesses¹⁹ (EDBs) (hereafter referred to collectively as 'industry submitters', unless any of them raised unique submission points) strongly supported the proposed scope.
- Pacific Power Resources sought the inclusion of grid-scale battery storage in the NES-ENA scope, contending that it is supporting and subsidiary to the electricity network.

¹⁹ Electricity distribution businesses include: Scanpower Limited, WEL Networks Limited, Counties Energy Limited, Orion New Zealand Limited, Vector Limited, MainPower New Zealand Limited, PowerCo, Westpower, Unison Networks Limited, Northpower Limited.

- ENA and EDBs supported the inclusion of all distribution assets and activities, both high and low voltage and both new and existing lines. Porirua City Council suggested a 110-kilovolt threshold for regulating above-ground lines, consistent with its district plan, although it wasn't opposed to the inclusion of low-voltage lines.
- Some submitters, including councils and environmental non-governmental organisations (ENGOs), raised concerns over the potential effects of the proposal on matters of national importance under section 6 of the RMA, particularly from broadening the scope of the instrument to include electricity distribution. The Royal Forest and Bird Protection Society of New Zealand Inc (Forest & Bird) contended that the proposed standards inadequately safeguard biodiversity, remove important safeguards or expand the scope of existing inadequate standards. Tauranga City Council suggested inclusion of a consenting pathway for new electricity distribution network (EDN) lines of all voltages in natural areas, in environments recognised and provided for under section 6 of the RMA, and in existing urban environments.
- Many submitters, including councils and industry, supported the inclusion of provisions for EV charging infrastructure in the NES-ENA, although Horizons Regional Council raised concerns over the possibility of regulations creating confusion in an already permissive regime.
- In terms of commencement, ENA sought for the NES-ENA regulations to apply to all resource consents relating to electricity distribution, even those that are being processed before the regulations come into force.
- Transpower sought that the NES-ENA continue to apply to transmission assets currently regulated under NES-ETA, to maintain the current commencement date for transmission assets as at 14 January 2010 and avoid any potential inclusion of designated assets.

NES-ENA definitions

Many submitters sought specific changes or new definitions in the proposal, especially the following.

- **D10 'Electricity distribution network'**. ENA and EDBs sought amendments to clarify the full range of assets that form part of the distribution network, including emerging technologies. Transpower sought the exclusion of the transmission network from the definition. A few councils submitted that the definition is too wide-ranging and broad for local authorities to manage and supported amendments to clarify which specific aspects of the distribution network are in scope of the NES.
- **D19 'Height'**. Some industry submitters raised concerns that the definition lacks specificity which could lead to interpretation issues (eg, it is unclear whether the foundation is part of the height of the equipment).
- **D20 'Historic heritage item or setting'** and **D27 'Natural area'**. Industry sought a requirement for natural areas and historic heritage to be identified and mapped for the NES-ENA provisions to apply. A few councils sought the inclusion of criteria to enable assessment of natural areas in D27, while others sought clarification over whether listed heritage items are intended to be included under D20. Submitters also sought the consistent application of these definitions in regulations.
- **Works category definitions (D6, D7, D14, D28, D32)**. Many submitters sought specific additions or changes to definitions relating to works categories and raised interpretation concerns. ENA and EDBs sought the inclusion of 'upgrade' as part of routine activities and clarification over which activities are considered routine and which are not. Transpower

sought the inclusion of works to alter or realign up to five spans as a routine activity and opposed the definition of ‘customer driven project’, seeking that the proposed definition does not apply to regulations for the transmission network.

- **D25 ‘National Grid Subdivision Corridor’ and D26 ‘National Grid Yard’.** Transpower sought the addition of a limited number of lines operating at a low voltage in the definition.

2.3.1.3 Analysis of submissions and proposal

NES-ENA scope

The intent of the proposed NES-ENA is to provide national direction for the whole electricity network, addressing a policy gap for the distribution network and EV charging infrastructure and ensuring nationally consistent rules for these activities. Officials do not recommend changing the scope of the proposed NES-ENA as the entire electricity network is critical for electrification. The regulations have been designed to address the different nature and scale of transmission, distribution and EV charging infrastructure with respect to potential effects on the receiving environment.

Officials acknowledge the role grid-scale battery storage (BESS) plays in supporting the electricity network, but do not recommend its inclusion. There is insufficient evidence regarding whether there is a barrier to consenting BESS that the NES-ENA can directly address. As such, it is considered out of scope of this proposal.

In terms of commencement of the regulations, officials agree with Transpower that the NES-ENA should ensure coverage of existing regulated transmission assets but not designated assets. It is recommended that for electricity distribution, the regulations apply from the commencement date of the proposed NES-ENA, as there is insufficient evidence supporting extended application of the regulations.

NES-ENA definitions

‘Electricity distribution network’ (D10)

In response to suggestions from submitters, officials recommend amending the definition of ‘electricity distribution network’ to clarify the components included in the distribution network to a similar level of detail as the electricity transmission network (ETN) definition. This will support consistency with the proposed NPS-EN and clarify interpretation.

‘Height’ (D19)

While the proposed definition of ‘height’ aligns with the National Planning Standards 2019, officials acknowledge concerns over the lack of specificity and potential interpretation issues. Officials recommend amending the definition to clarify the specified reference point for each type of structure addressed in regulation. Reference points will be:

- the height of the structure measured vertically from the ground level at the centre of the structure to the highest point of the structure – including conductors but excluding telecommunication devices, earth peaks, lightning rods and insulators (adjusted from the existing NES-ETA reference point to exclude insulators that are captured in the NES-ENA under ‘D31 Pole’)
- ground level.

Definitions of 'historic heritage item or setting' (D20) and 'natural area' (D27)

Officials do not support limiting the NES-ENA to only those natural areas and historic heritage items or settings that have been mapped and identified in plans, as this is inconsistent with section 6 of the RMA (protection of matters of national importance). The application of section 6 is not limited to mapped plan content only. As such, officials recommend retaining the definitions as notified, which relies on provisions in local plans. However, officials recommend minor amendments to the definition of 'historic heritage item or setting', specifically renaming it as 'historic heritage place or area'. This minor change provides consistent statutory language on historic heritage, which will assist with interpretation.

Work categories definitions (D6, D7, D14, D28, D32)

Officials recommend withdrawing definitions relating to work categories from NES-ENA. While these were included to align with the proposed NPS-EN, officials agree with submitters that their inclusion in NES-ENA could cause interpretation issues, as they are not applied in the regulations.

'National Grid Subdivision Corridor' (D25) and 'National Grid Yard' (D26)

Officials agree that Transpower's requested amendment to add lines operating at low voltage to these definitions would ensure a comprehensive policy approach for corridors and setbacks from transmission lines across the country. This change would clarify the scope of the proposal, as under the notified proposal there is ambiguity over whether these lines would be treated as 350-kilovolt lines (as designed) or as 0-kilovolt lines (as operated). The latter interpretation would unintentionally exclude them from the National Grid Subdivision Corridor and National Grid Yard.

Officials understand that these additional lines constitute earth electrode transmission lines supporting the operation of 350-kilovolt lines (including the HVDC link on the Cook Strait) and are an important component of the electricity transmission network, warranting a similar level of protection from effects of subdivision and third-party effects as proposed for other transmission lines. The amendment suggested by Transpower would see a smaller setback being applied to these lines than if they were treated as 350-kilovolt lines, therefore presenting a less stringent relief that acknowledges their operational rating.

Other matters

Officials recommend adding definitions for two new terms: 'electricity network asset' and 'ancillary equipment on support structures'. These definitions will clarify the physical components of the electricity transmission and distribution network included in the regulations. This responds to industry concerns around interpretation of the regulations and what components are included.

Amendments to the definition D15 'Electric vehicle charging infrastructure' are proposed to clarify that lighting and signage are not proposed to be in scope of the NES-ENA and will remain provided for in district plans.

Officials recommend retaining D30 'NZECP 34:2001' as the term is necessary for interpreting the National Grid Subdivision Corridor and reverse sensitivity rules for electricity distribution.

To assist interpretation, officials recommend retaining the NES-ETA definitions of:

- ‘base footprint’ (renaming it ‘tower footprint’)
- ‘temporary structure’, with amendments to reflect the broadened scope of the regulation to include temporary line deviations
- ‘upgrading’, in alignment with the proposed NPS-EN.

All other definitions

Officials recommend the remainder of the proposed NES-ENA definitions are retained unchanged or with minor changes. An overview of all NES-ENA definitions is available in attachment A.

2.3.1.4 Recommendations

Recommendations for this topic are summarised below and the complete list (including ‘no change’ recommendations) is outlined in full in the consolidated recommendations table in attachment A.

Key recommendations

Amend the proposal to clarify that the scope of the proposed NES-ENA includes the whole electricity network, electricity distribution network and EV charging infrastructure (see recommendation 3).

Amend definitions of various terms proposed to be included in the NES-ENA (see recommendations 4–41).

Insert new definitions for ‘tower footprint’, ‘temporary structure’, ‘upgrading’, ‘electricity network asset’ and ‘ancillary equipment on support structures’ (recommendations 133, 134 and 135).

Remove definitions of ‘base height’, ‘base position’, ‘base footprint’, ‘base width’, ‘envelope for controlled activities’, ‘envelope for permitted activities’, ‘National Grid’, ‘overland flow path’ and ‘upgrading’ included in the NES-ETA (see recommendation 45).

2.3.2 Topic 2: Enabling routine work on the electricity network

2.3.2.1 Proposal

The proposed NES-ENA will be more permissive than the existing NES-ETA for some routine electricity transmission activities, and it is proposed that some of these rules be extended to the electricity distribution network. The following routine activities have a permitted activity rule:

- overhead conductors, circuits, telecommunication cables and earth-wires
- increasing the voltage or current rating
- undergrounding
- signs
- relocation, alteration and removal
- temporary structures and line deviations

- tree trimming and vegetation clearance
- earthworks
- discharges to water from blasting.

Some electricity network activities may not be able to meet the permitted activity standards, thereby defaulting to a controlled or restricted discretionary activity consent classification. The proposed NES-ENA would amend the status of these activities from a 'restricted discretionary activity' to a 'controlled activity'.

2.3.2.2 Key issues from submissions

Overhead conductors, circuits, telecommunication cables and earth-wires

Many councils and the Law Association of New Zealand were concerned about the residential noise thresholds and requested that the best practicable option be applied to manage noise effects.

Forest & Bird contended that breaches to the permitted activity standards should trigger a consent with a discretionary activity status within places recognised under section 6 of the RMA. Its view is that controlled activity status is not appropriate because it does not afford discretion to decline a resource consent application, regardless of whether significant adverse effects are likely.

Transpower sought the inclusion of optical ground wires (OPGW) in regulations R7 and R9 as permitted activities without restriction.

Other submitters were supportive or neutral.

Increasing the voltage or current rating

Transpower and the Law Association of New Zealand also sought noise standards to align with the approach taken in regulation 6. Transpower also sought assurance that the electric and magnetic field thresholds align with International Commission on Non-Ionizing Radiation Protection (ICNIRP) 2010 (incorporated by reference in NPS-EN) guidelines on exposure limits ('basic restrictions') for various bodily tissues.

Other groups were neutral or supportive.

Undergrounding transmission lines

Transpower sought a permitted activity status for the undergrounding of transmission lines (the proposal retains controlled activity status). Transpower noted the Auckland Unitary Plan (AUP) provides for undergrounding of transmission lines as a permitted activity. Some city councils, such as Tauranga and Porirua, sought for undergrounding of transmission lines to be a controlled activity.

Signs

Most submitters supported not restricting signage. Electricity network (EN) providers in particular argued signs are critical in promoting health and safety. A few submitters queried the appropriateness of enabling signs, particularly in sensitive environments such as waterways and the coastal marine area (CMA) without standards or restriction. Industry submissions stated that works in waterways or the CMA should be undertaken in accordance with the regional rules proposed.

Relocation, alteration and removal

Submitters expressed mixed views on the proposal to amend regulations 14, 15 and 16.

Transpower supported the changes, including the deletion of regulation 16 (restricted discretionary activity), submitting that this approach would provide it with the operational flexibility and certainty to determine the most appropriate support structure for the location.

Many submitters raised concerns with the bulk standards proposed, seeing them as overly permissive. Key points raised were as follows.

- **Height concerns.** Many submitters raised concerns about overly permissive height thresholds, opposing the controlled activity status for structures not meeting permitted height thresholds, especially since the permitted activity standard is increasing to 25 percent. Submitters generally suggested a restricted discretionary status for non-compliance with height.
- **Visual concerns.** A few councils were opposed to poles being replaced with towers due to concerns over visual and amenity effects. Manawatū District Council proposed a restricted discretionary activity status for consent applications in heritage areas, areas of outstanding natural landscape and locations of cultural significance.
- **Viewshafts.** Tauranga City Council raised concerns about the effects of increased bulk and location and removal of public viewshafts on residential zones. It also flagged incremental change to bulk and location over time as a further concern.
- **Hazards.** A few submitters opposed the increased distance for replacement poles. The New Zealand Forestry Owners Association (NZFOA) and New Zealand Forestry Managers (NZFM) raised concerns that a 10-metre relocation allowance could result in conductor alignment shifting over forest margins. This could subject legally established forests to felling or could undermine the forestry industry's obligations under the Emission Trading Scheme (ETS).
- **Matters of control.** Some councils and ENGOs expressed concerns over having technical requirements, operational or functional need, and the benefits of ETN activities, as matters of control, regarding these as unnecessary or inappropriate.

Temporary structures and line deviations

Submitters were either supportive of the 12-month timeframe for temporary structure and line deviations or were neutral. Transpower supported 12-months.

Tree trimming and vegetation clearance

The proposal to update regulations 30 to 33 received mixed support. A few submitters (councils and ENGOs) opposed it because they said the status quo is sufficient and that these changes could pose significant ecological or biodiversity risks.

Transpower and ENA considered the proposal does not go far enough to enable routine activities critical for the operation of the electricity network. While they supported the link to comply with the Electricity (Hazards from Trees) Regulations 2003, they proposed an alternative, more enabling approach to:

- introduce a permitted activity for tree trimming and vegetation clearance outside of natural areas and not involving notable trees, with a set of permitted activity standards
- limit the application of the standard to identified or mapped natural areas or notable trees, with the intent to permit works on indigenous vegetation within identified significant natural areas and outstanding natural features landscapes and on notable trees

- distinguish between routine and non-routine works, with a 1,000 square metre surface area threshold of land disturbed per discrete project location proposed for non-routine activities
- provide a permitted activity rule for the creation of new access tracks to existing lines in natural areas
- introduce a controlled activity with broad matters of control when permitted activity standards are not met.

Officials note there was an error in the drafting of the proposal, which was to remove regulations 30(3) and 30(4). Forest & Bird opposed the removal of these standards and raised concerns over the matters of control proposed. This issue was also raised for the other controlled activity rules. Horizons Regional Council also proposed the use of setbacks from waterbodies and direction on discharges and sediment as matters of control and sought retention of regulation 30(3) due to concerns over soil conservation.

Note management plan proposals are discussed in section 2.3.4.

Earthworks

Transpower, ENA and EDBs expressed concern that the proposal takes a step back from the existing NES-ETA as they would lose the existing regulations for earthworks within natural areas, and from regulation 30(8) for work in historic heritage settings.

Industry submitters sought a much more permissive earthworks threshold within natural areas, suggesting 1,000 square metres per discrete project location and within 2 metres of existing access tracks.

While some councils generally supported these amendments, submissions from a few regional councils noted issues in relation to sediment and erosion control. They sought retention of regulation 30(3) in the NES-ENA or erosion and sediment controls commensurate to the scale of work and the sensitivity of the receiving environment.

Porirua City Council suggested that resource consent should be required in areas mapped as overland flow paths and deemed the proposed general requirement to 'not increase flood risk in identified flood hazard areas' as a possible cause of implementation issues. Matamata-Piako District Council sought a consent requirement for earthworks in natural, historic heritage and culturally significant areas to foster tangata whenua involvement.

In relation to the standards, many submitters sought the current wording of regulations 33(3) and 33(5) to be retained. Industry submitters sought removal of regulations 33(7) and 33(9), and an amendment to regulation 33(4) to apply to areas identified as erosion prone land.

Industry submitters supported most of the additional matters of control proposed. They requested regulation 34(2)(f) be retained and 'functional need' and 'water quality of the coastal marine area' be removed as matters of control. While Transpower supported the 'benefits to the EN' reference as a matter of control, this was not supported by ENA and other submitters, who contended this is an inappropriate matter for councils to control.

Note management plan proposals are discussed in section 2.3.4.

Earthworks on potentially contaminated land

Industry submitters did not support carrying over regulation 36 as it does not provide for any earthworks on potentially contaminated land as a permitted activity. Both Transpower and ENA sought that regulations only apply to land confirmed as contaminated (not 'potentially contaminated') and sought a higher permitted activity earthworks threshold of 200 cubic metres for routine earthworks on contaminated land.²⁰

Transpower suggested a management plan approach similar to blasting, with a soil management plan prepared by a suitably qualified practitioner in accordance with contaminated land management guidelines. ENA prefers a permitted activity rather than a management plan approach, to provide greater certainty and to avoid complexity.

Noise and vibration from construction activity

Industry submitters supported amendments to regulations 37 and 38 regarding noise and vibration from construction activities.

Discharges to water from blasting

The proposals for regulations 25 to 27 on discharges to water from blasting were generally supported.

Industry submitters supported the proposal subject to minor changes. ENA and EDBs requested specific reference to the EDN in the regulations to clarify that they apply to distribution, noting that some EDBs own sub-transmission lines (former assets of the National Grid) that require the same blasting maintenance as the ETN.

ENGOs expressed concern over the effects of permitted discharges from blasting on the CMA.

Both Transpower and ENA opposed the change to the matters of control in regulation 26(3)(a) (ie, replacing 'ecologically sensitive areas' with 'natural area' or 'historic heritage place or area'), contending it would result in a broader assessment of effects than necessary. They sought retention of the term 'ecologically sensitive area'.

ENA recommended that regulation 26(c)(i) be removed, as this requires a greater setback than what is proposed as a permitted activity.

Note management plan proposals are discussed in section 2.3.4.

Discharges to water

Industry submitters supported the proposal to include the discharge of contaminants onto land where this may enter water in regulations 28 and 29, while Forest & Bird opposed the amendments, contending that the scope of these regulations should not be broadened.

Default activity status for non-compliance with standards

Many submitters expressed mixed views as to what the appropriate activity status should be when proposals do not comply with the permitted activity standards. Most councils supported a restricted discretionary activity status, whereas industry submitters sought a controlled

²⁰ This amount is greater than the permitted thresholds in the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS).

activity status to ensure that the works can proceed. Some individual submitters requested a prohibited activity status. Submitters who opposed introducing a controlled activity status were concerned it does not offer an opportunity to decline resource consent applications, even if significant environmental or cultural effects are likely.

2.3.2.3 Analysis of submissions and proposal

Overhead conductors, circuits, telecommunication cables and earth-wires

Noise standards

Based on concerns raised in submissions over permitted noise thresholds, officials recommend reducing the operational noise limit for overhead conductors, earth-wires, overhead telecommunication cables, overhead circuits and transmission lines operating at or above 220 kilovolts in residential areas to 40 decibels LAeq (15min). This will ensure the permitted standard provides for increases in the current voltage or rating up to ≥ 220 kilovolts and additional conductors/circuits operating at ≥ 220 kilovolts in residential zones, while ensuring noise effects are not significant. These noise thresholds have been widely adopted in residential environments in district plans (eg, district and unitary plans in Wellington City, Queenstown-Lakes District, Auckland, Christchurch City, Tauranga City and Dunedin City) and address other councils' concerns around the noise limit being higher in residential zones than other zones.

The administrative burden on Transpower is not anticipated to be significant. It will not impact existing lines operating at 220 kilovolts or above, and most of Transpower's network above 220 kilovolts is located outside of urban areas. Where there are upgrades that increase the voltage/rating, or add conductors, to 220 kilovolts or above to existing lines in urban areas (eg, through Auckland), a permitted activity is provided. If the 40-decibel standard can't be met, then the activity is a controlled activity and must be granted. Matters of control are proposed relevant to noise considerations. This is considered appropriate given Transpower's statement in its 2023 submission that noise above 40 decibels in urban areas may not be acceptable and officials have assessed its proposed mitigations between 40 and 48 decibels to be too complex or uncertain to adopt.

The intent of the rule regarding noise limits for existing transmission lines operating at or above 220 kilovolts is proposed to apply when the current voltage or rating is increased to 220 kilovolts (or above) or another conductor/circuit is added to an existing line and will be operating at 220 kilovolts (or above). Officials recommend retaining a controlled activity pathway when permitted activity standards can't be met.

Additional matters

Officials recommend inclusion of OPGW as a permitted activity (along with the regulations for earth-wires and telecommunications). No standards are required to restrict the number of OPGW because the environmental effects are nil or minor and they will only be deployed as is operationally necessary. OPGW will be subject to the same permitted activity standard of 30 millimetres in diameter.

Officials recommend removing from regulation 9 the matters of control relating to the operational need, functional need, technical requirement and benefits of the ETN, and instead replacing it with a new matter of control providing for the 'effects on services and infrastructure'. This is considered a more appropriate matter of control for councils and more aligned with existing approaches in the NES-ETA (regulations 12(2)(d) and 15(4)(d)).

Functional need and operational need are tests applied to support the determination of site/ route/location, rather than matters to control or regulate environmental effects for existing assets. Functional and operational need considerations in resource management decision-making are already provided for in Policy 2 of the NPS-EN. Officials also recommend making the amendment sought by submitters to remove 'benefits of the ETN' from the matters of control, as these considerations can be included in 'effects on services and infrastructure', which could provide for consideration on the benefits of the service provided by the electricity network.

Increasing the voltage or current rating

Officials recommend including in the proposal for regulation 10 a new operational noise condition for transmission lines operating at or above 200 kilovolts to not exceed the noise limits outlined in the recommended changes to regulation 6.

Officials also recommend including Transpower's request for electric and magnetic field thresholds to regulation 10 to align with ICNIRP 2010 guidelines (and the NPS-EN). Please refer to changes to regulation 10 attachment A for the new current density thresholds.

Undergrounding transmission lines

Officials recommend retaining the regulations for undergrounding as proposed, which retains a controlled activity status for the undergrounding of transmission lines, subject to meeting the standards in regulation 10. Some degree of controls on undergrounding transmission lines is considered necessary to manage effects on natural areas and historic heritage, which may be significant. As such, officials recommend retaining the matters of control as outlined in regulation 12(2) of NES-ETA, updating the reference to historic heritage in line with the proposed definition (D20 in the proposal). Officials recommend replacing proposed matters of control relating to operational or functional need, benefits to and of the ETN, and technical requirements of the ETN with a new matter of control on the 'effects on services and infrastructure', to align with other controlled activities in the proposed NES-ENA.

Officials propose to retain a non-complying activity status if the standards in regulation 10 and the matters of control in regulation 12 are not complied with.

Signs

Officials do not recommend changes to the proposed permitted activity for signs in relation to the submissions received. They consider signs to be necessary for public health and safety and providers need to be able to deploy them without undue barriers. Industry best practice will sufficiently guide how signs are deployed.

Relocation, alteration and removal of transmission line support structures

Height and tower footprint

Officials consider the proposed increase in the height standard and the controlled activity status to be reasonable and necessary to provide greater operational flexibility to adopt new technologies or optimise efficient use of existing assets.

Public viewshafts

Officials consider the proposal to remove the height requirement to comply with viewshafts better recognises the nature of existing transmission assets already located within a viewshaft (not complying with regulation 14(3)(b)) and helps avoid unnecessary consent requirements

for routine activities (eg, alteration, relocation or replacement). A similar approach is taken in regulation 14(4), which does not contain standards on moving structures laterally in a viewshaft, so long as the height is not changed and compliance with the rule is achieved.

While concerns over cultural values are acknowledged, this regulation is only relevant to existing assets and allows a more efficient use of them, avoiding the alternative of relocating lines, which is likely to have greater adverse effects.

Replacing pole with tower

The proposal aligns with the policy direction in the NPS-EN to enable routine activities in all locations, giving Transpower greater operational flexibility to choose the most appropriate technical solution for asset replacement. It is noted that building envelope controls will still apply to replacement towers to manage their overall scale or bulk.

Relocating or replacing poles and potential effects on ETS

The proposal intends to provide greater operational flexibility for the location of relocated or replacement poles, while they are still in reasonable proximity to the original pole location. Replacement and relocation of poles is considered routine and necessary for the efficient and effective operation and functioning of the National Grid.

In terms of any potential effects on ETS obligations, no evidence has been provided in the submissions as to the extent to which those obligations may be affected by the proposal. It is also uncertain which ETS obligations could be affected, as they are also influenced by other regulations. Surrendering ETS units would have to occur if a gap of trees at least 15 metres wide and at least 1 hectare in area has been felled (mapped as deforested in the ETS). This means that felling trees from more than 7.5 metres on either side of the centreline could be considered deforestation if the area being felled is greater than 1 hectare in area. To achieve 1 hectare of deforestation, multiple poles and spans would need to be moved. In this situation, Transpower submitted that rarely more than five poles would be involved. Further, if poles were moved, a compensatory area may be released in balance, which could contribute towards ETS units and lessen the impact.

As the potential effects are unlikely to be significant, officials consider the proposal to be appropriate and do not recommend any changes.

Temporary structures and line deviations

Officials recommend no changes are made to this activity standard as proposed.

Tree trimming and vegetation clearance

Tree trimming and vegetation clearance are part of the day-to-day operation of the electricity network. The proposed amendments enable routine activities while ensuring adverse effects on trees and vegetation are not significant. The more enabling proposal sought by industry is not supported for the following reasons.

- Limiting natural areas to those identified and mapped in plans risks enabling significant effects on areas with values under section 6 of the RMA, particularly given MfE's understanding that only approximately 50 percent of district or combined plans have mapped and identified significant natural areas.

- A permitted activity status for new access tracks is not considered appropriate given that adverse effects could be significant (eg, habitat fragmentation, erosion, amenity).
- Permitted activity status for non-routine work is inappropriate in relation to section 43A(3) of the RMA.²¹

Officials recommend retaining the changes to regulations 30, 31 and 32 largely as proposed, with changes only to the matters of control.

Officials recommend removing existing permitted activity regulation 30(4), noting relevant legislation for vegetation management on conservation land and assets will still apply, and retaining regulations 30(5) and 30(6). The Department of Conservation (DOC) was supportive of the approach to remove the condition under regulation 30(4) on removing trees on the DOC estate, as other legislation will still apply (eg, Conservation Act 1987).

In response to concerns regarding natural hazards, officials recommend retaining matters of control relating to erosion and sediment effects. This would appropriately address effects of vegetation clearance where electricity networks occur in locations subject to a natural hazard rule or overlay.

Regarding matters of control in regulation 31(2), officials recommend replacing proposed matters of control relating to the operational need or functional need of ETN activities, technical requirements of ETN activities, and benefits to and of the ETN with a matter of control to provide for effects on services and infrastructure. This approach has been used in existing regulations 12 and 14. Officials also recommend adding a new matter of control for erosion and sediment, as proposed by Transpower.

Note management plan proposals are discussed in section 2.3.4.

Earthworks

Officials acknowledge the concerns expressed by industry submitters and recommend retaining the proposal to have no thresholds for earthworks outside of natural areas (as defined in D27) and historic heritage items or settings (as defined in D20). Officials recommend introducing new permitted activity standards for earthworks in natural areas or historic heritage items or settings, extending application to the electricity distribution network. The recommended permitted activity standards in natural areas or historic heritage items or settings are:

- 50 cubic metres per existing EN asset
- 100 cubic metres or 1,000 square metres per existing access track (whichever is greater).

This approach retains the permitted activity standard of the status quo while accommodating some changes sought by industry.

The increase in permitted activity standard for earthworks on existing access tracks recognises that these are existing areas of disturbance, which are consistent with provisions in some existing or combined district plans. Earthworks on access tracks are part of regular maintenance on existing assets, which would limit effects on values identified in section 6 of the RMA beyond what has already been consented or permitted. This approach for access tracks also improves alignment with changes proposed for vegetation management in regulation 30, reducing consenting burdens for routine works on existing access tracks.

²¹ NES must not allow activities with significant adverse effects.

In terms of earthworks standards, officials recommend retaining regulation 33(8) relating to historic heritage, with the threshold extended to EDN assets. This would continue to allow work in a heritage item or setting but only where it is carried out in accordance with Heritage New Zealand Pouhere Taonga Act 2014 (HNZPT Act). This would mean that an archaeological authority would be involved in permitted activity earthworks where required. It would avoid duplication of assessment and permitting (between the RMA and the HNZPT Act).

To address concerns raised in relation to sediment and erosion control due to earthworks, officials recommend retaining all current permitted activity standards in regulations 33(3) to 33(9).

Officials recommend retaining most proposed matters of control for regulation 34(2) but replacing those relating to the operational need and functional need of ETN activities, the technical requirements of ETN activities, and the benefits to and of the ETN with a matter of control to provide for effects on services and infrastructure. Officials recommend retaining the existing condition under regulation 34(2)(f).

Note management plan proposals are discussed in section 2.3.4.

Earthworks on potentially contaminated land

Officials acknowledge the industry's preference for earthworks for electricity transmission and distribution on potentially contaminated land, to be permitted in the NES-ENA, or managed under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS). None of these options is in scope of this proposal.

Noise and vibration from construction activity

To align with the approach taken in other regulations (eg, earthworks, or vegetation management), officials recommend removing matters of control relating to the functional or operational need of the EN and the benefits of the EN, as it would not be appropriate for councils to control these matters. Instead, a matter of control to provide for effects on services and infrastructure is proposed, consistent with the approach taken in existing regulations 12 and 14.

Discharges to water from blasting

Officials agree with submitters that these regulations could apply to the EDN as some EDBs manage former National Grid assets that require the level of maintenance as ETN assets.

Note management plan proposals are discussed in section 2.3.4.

Regarding regulation 26, officials agree with industry submitters that introducing references to 'natural area' and 'historic heritage areas' would broaden the assessment compared with the current NES, contrary to the Government's intent to enable routine activities. In the context of a blasting regulation that manages discharges, officials consider reference to 'ecologically-sensitive receiving environment' to be more appropriate, as adverse effects need to be managed in areas of ecological value, regardless of whether or not they are natural areas. Provisions in local plans to manage effects on historic heritage will apply as relevant. Officials recommend retaining the drafting of regulation 26(3)(a) in the NES-ETA.

Discharges to water

Officials recommend removing from the proposal matters of control relating to the functional or operational need of the EN and the benefits of the EN and replacing them with a new matter of control to provide for effects on services and infrastructure. This also aligns with the management approach in existing regulations 12 and 14.

Default activity status for non-compliance with permitted activity standards

Officials recommend a controlled activity status for routine work where permitted activity standards have not been met. In practice, it is not feasible to enable a consent authority to decline routine work on existing and consented electricity network assets. The alternative of a restricted discretionary activity classification creates uncertainty for operators, such as Transpower, as to whether they can carry out essential work to maintain or improve the operation of the network and is inconsistent with the policy direction in the NPS-EN. Failure to carry out maintenance work on old assets could cause its own set of environmental harms and fail to maximise the benefits of existing assets.

2.3.2.4 Recommendations

Recommendations for this topic are summarised below and the complete list (including ‘no change’ recommendations) is outlined in full in the consolidated recommendations table in attachment A.

Key recommendations

Amend the proposed permitted activity standards for routine maintenance and upgrade activities on the electricity network to include appropriate thresholds for sensitive environments including earthworks in natural areas and historic heritage places or areas (see recommendation 75 and 76).

2.3.3 Topic 3: Regulations for the National Grid Yard and Subdivision Corridor

2.3.3.1 Proposal

The proposal introduces regulations for the National Grid Yard and Subdivision Corridor (National Grid rules), based on the existing provisions developed over a number of years by Transpower and stakeholders.

The proposal establishes a ‘National Grid Yard’ and a ‘National Grid Subdivision Corridor’ to prevent inappropriate land use, buildings and structures, land disturbance and subdivision by third parties from taking place near or underneath electricity transmission lines and support structures. The proposed rules permit certain activities within the National Grid Yard if they do not present a risk to the transmission network. To clarify, these regulations are not proposed to apply to the distribution network.

With agreement from Auckland Council, the Government proposes to recognise and provide for the Auckland Compromised and Uncompromised Spans, retaining the existing setbacks and rules within the AUP.

2.3.3.2 Key issues from submissions

Most submitters who expressed a view on the National Grid rules were neutral, supportive, or supportive if specific changes were made. These included councils and some Māori submitters. Some councils considered the proposal an efficient way to replace older rules in district plans, and some practitioners supported clear standards for setbacks to support reducing possible reverse sensitivity effects.

Ashburton District Council and Horticulture NZ expressed concern over effects on rural landowners and farm operations. Horticulture NZ opposed the provisions, contending it would reduce land-use flexibility and constrain uses of highly productive land.

Transpower supported the proposed National Grid rules. Transpower sought some minor amendments to regulation R12 to improve its workability (refer attachment A). Transpower sought authority to provide written approval to the contravening third party as part of its dispensation power, to improve implementation. The Telecommunications Forum requested a permitted activity for network utilities that maintain vehicle access.

In relation to Auckland Council's compromised and uncompromised spans approach, Transpower recommended that the AUP provisions be included in the NES-ENA, rather than disapplying Auckland from the National Grid rules.

Some submitters contended that there must be direct Māori engagement as part of implementing the National Grid rules.

2.3.3.3 Analysis of submissions and proposal

Officials consider minimal changes are required to the proposed regulations for the National Grid Yard and Subdivision Corridor (R12 and R13). These rules have been adopted by approximately 70 percent of councils nationwide. Transpower's suggestions were more relevant to drafting the regulations than to their intent, although officials support its suggested clarifications/improvements. Refer to attachment A for more detailed changes.

For Auckland, both Transpower and Auckland Council supported the proposed approach to exclude the Auckland region from the application of regulations R12 and R13, therefore retaining the AUP approach of compromised/uncompromised spans and the National Grid Corridor Overlay in the region.

Officials do not recommend amending the proposal to address Transpower's suggestion to incorporate the AUP provisions for compromised/uncompromised spans and National Grid Corridor Overlay into NES-ENA. MfE has not engaged with affected parties such as Auckland Council and residents, and other ENGOS. While the rules themselves have gone through the AUP development process and have been tested through an independent hearing process, and Environment Court and High Court hearings, their inclusion in the NES-ENA has not been consulted on. The benefits of adopting Transpower's suggested amendment are small. Incorporating the AUP provisions in the NES-ENA would not effectively change the status quo although it would align with the intent to provide a nationally comprehensive regulatory framework for electricity networks and provide certainty for operators using these provisions.

2.3.3.4 Recommendations

Recommendations for this topic are summarised below and the complete list (including 'no change' recommendations) is outlined in full in the consolidated recommendations table in attachment A.

Key recommendations

Amend the proposal to specify that Transpower is the authority that may waive itself as an affected party by providing special dispensation in the form of a written notice tendered to the contravening third party, which allows for non-compliance with NZECP 34:2001 (see recommendation 120).

2.3.4 Topic 4: Potential new regional regulations and management plan requirements

2.3.4.1 Proposal

Regional rules

The NES-ETA regulates some activities relating to regional council functions (eg, rules for discharges to water from blasting, soil conservation and activities in the CMA). Many transmission activities are necessary to facilitate the ongoing operation and efficiency of the network and cannot be avoided in these environments.

The proposal includes the following five activities as permitted regional rules:

- river crossings
- groundwater takes and use, dewatering
- stormwater discharges
- structures in the CMA
- works in the bed of a lake or river.

A permitted activity would be subject to conditions and where they cannot be met, the activity would default to a controlled or restricted discretionary activity.

Management plans

The Government also sought feedback on a proposal for the NES-ENA to require management plans to be submitted to regional councils as part of a permitted activity. The management plans could cover routine ancillary activities such as vegetation management and earthworks, in addition to the proposed management plan approach for discharges from blasting.

2.3.4.2 Key issues from submissions

Regional rules

Submitters expressed mixed support for this proposal. Some groups, namely regional councils and ENGOs, were opposed to regional rules, citing lack of details about the type of standards these rules would include.

Transpower strongly supported the proposed rules and provided some suggestions to improve the workability of these regulations, including detailed permitted activity standards.

Distribution providers supported the proposal but wanted assurance that the regional rules would apply to distribution networks.

Māori submitters considered that consultation with Māori as well as cultural impact assessment should be a requirement of the rules. The rules relate potentially to culturally significant sites.

Some submitters were concerned about the impacts of these rules on other resource users, particularly primary production.

Management plans

Submitters gave mixed feedback on the proposal to use management plans for tree trimming, vegetation clearance, earthworks and discharges from blasting in lieu of a resource consent. Industry supported some, but not all, proposals for management plans. Feedback from councils was mixed and mostly related to the process for reviewing and approving management plans, while Forest & Bird largely opposed them. If management plans are adopted, most submitters agree a suitably qualified person must approve these plans. Some submitters sought a review process for management plans.

Tree trimming and vegetation clearance

While a few submitters supported the use of management plans (including the Law Association of New Zealand and Taranaki Regional Council), industry submitters opposed the proposal and instead expressed preference for a permitted activity for routine vegetation maintenance. A few councils raised concerns over compliance and enforcement of management plans, including concerns over cost recovery, and Te Kaahui o Rauru raised concerns over the lack of requirements for the involvement of iwi or hapū in plan development.

Earthworks

The proposal to introduce management plans for earthworks received mixed feedback. Industry submitters preferred the current earthworks standard to the proposed management plan for earthworks. This is because they would no longer enjoy the permitted activity rights for earthworks within natural areas (as defined in D27) and historic heritage items or settings (as defined in D20). Industry submitters sought more permissive earthworks standards (eg, setting the area threshold to 1,000 square metres per project location).

Feedback from councils was mixed, although most opposed the proposal for management plans and supported a consent pathway. Auckland Council raised concerns about its ability to cost-recover for the time required to undertake checks and monitoring of management plans.

Discharges from blasting

The proposal for management plans to manage discharges from blasting received overall support. Transpower, ENA and EDBs supported the use of environmental management plans (EMPs) and site-specific management plans (SSMPs) as part of a permitted activity. A few councils raised concerns over monitoring and their ability to recover costs, while a couple of other submitters raised the need for management plans to be reviewed and updated in order to meet best practice.

2.3.4.3 Analysis of submissions and proposal

Regional rules

Officials recommend withdrawing the proposal for regional rules. Feedback received on the proposal was mixed and there has been limited time to further develop the proposal. Officials see value in considering how regional rules may be developed in the new resource management system.

Management plans

Tree trimming and vegetation clearance

Officials do not recommend the use of management plans for vegetation management given the concerns raised by industry submitters and their preference for permitted activity standards for routine works. A permitted activity standard approach will provide more clarity and certainty for consenting and will reduce information requirements compared with a management plan approach (refer to section 2.3.2 for recommended permitted activity standards).

Earthworks

Officials acknowledge industry concerns and their preference for adjustments to the status quo. They recommend that management plan requirements for earthworks are removed from the proposal, albeit with the permitted activity standards retained. This is considered a more efficient approach for the management of routine earthworks, reducing the consenting burden on industry to undertake these activities (refer to section 2.3.2 for recommended permitted activity standards).

Discharges from blasting

Based on the feedback received, officials recommend retaining the proposal for management plans for discharges from blasting as a permitted activity condition. These will provide a robust framework for the management of potential effects from discharges while retaining a permitted activity status for compliant routine activities. Officials note that existing mechanisms for cost-recovery under the RMA will not be affected by the proposal.

In terms of reviewing and updating management plans, officials note that management plans must be provided to regional councils at least 10 days before work is due to commence, and that they must include provisions for review and update to councils. To address submitters' concerns regarding reviewing and updating management plans, officials propose to include a requirement to notify the regional council when works have been completed to confirm they were undertaken in accordance with the management plans provided. This would support the permitted activity status and provide councils with reassurance that the practices outlined in the management plans were followed. This approach of post-activity notification is similar to that applied in other national environmental standards (eg, the National Environmental Standards for Commercial Forestry (NES-CF) and NES-CS).

2.3.4.4 Recommendations

Recommendations for this topic are summarised below and the complete list (including 'no change' recommendations) is outlined in full in the consolidated recommendations table in attachment A.

Key recommendations

Retain the proposal for management plans for blasting activities and the proposed contents of an overarching environmental management plan and site-specific management plan (see recommendations 64 and 66).

Amend the proposal to remove regional rules from the proposed NES-ENA (recommendation 83).

2.3.5 Topic 5: New provisions for the electricity distribution network

2.3.5.1 Proposal

The proposal includes nationally consistent regulations for electricity distribution activities that align with the NPS-EN policy intent. The new regulations are proposed for the following works:

- **existing distribution assets** – permitted activity regulations for certain electricity distribution activities on existing lines when the standards are met, and new controlled activity regulations when they are not met
- **new distribution assets** – permitted activity regulations for new distribution lines and cabinets when standards are met, and restricted discretionary activity regulations when they are not
- **new rules** – regulations relating to subdivision and construction of buildings or structures near electricity distribution lines to ensure these comply with safe distance requirements.

The proposed rules for buildings, structures and subdivisions proposed near electricity distribution lines require compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 (NZECP 34:2001).

2.3.5.2 Key issues from submissions

Overall, most submitters supported the regulation of electricity distribution networks under the NES-ENA.

Ancillary EDN activities

Feedback on the application of the regulations for routine and ancillary activities to the EDN was generally supportive, with specific submission points discussed in the relevant regulations above. The ENA was supportive of the proposal.

Operation of existing EDN assets

Many submitters were neutral or supportive of the permitted activity for the operation of existing EDN assets (R6). EDN providers and some councils accepted that existing legally established assets should be treated more leniently and also supported the inclusion of ancillary activities. EDN providers also sought clarity on the approach to maintenance activities throughout the regulations.

Temporary structures

Generally, submitters were neutral about or supportive of the proposed regulations for temporary structures (R7). EDN providers and some councils supported the proposal to permit temporary structures for up to 12 months. ENA requested an additional 6-month extension to the proposed 12-month timeframe for temporary structures, subject to notification and locational standards.

Additions to existing EDN assets

The proposed regulation for additions to EDN lines of conductors, earth-wires and telecommunication devices as a permitted activity (R8A) received mixed feedback from submitters.

The ENA supported the proposal overall but requested a different approach for alteration of and addition to existing distribution lines based on location, distinguishing between urban and rural environments.

Some councils raised concerns about visual effects and considered that thresholds for devices on distribution assets should be lower than for transmission assets, as distribution assets are more visible and widespread. These councils suggested a restricted discretionary status for non-compliance.

Forest & Bird submitted on the proposed controlled activity status and contended that a discretionary activity status would allow for appropriate assessment of effects and condition, retaining the ability to decline consents. Industry submitters supported the proposed controlled activity status.

Alignment with the NES-TF was also raised in submissions, with some councils seeking alignment and others not seeing it as necessary, given the different operational requirements.

EDN providers sought to allow district plan rules to be more lenient than the NES-ENA, as is the case for Hamilton City, which currently has a more lenient approach to additions to existing EDN assets.

Mid-span poles

Many councils raised concerns over the proposed 30-metre maximum height standard for a pole and considered it too permissive. EDBs and the ENA were supportive of the proposal, although a few sought more clarity on the application of the regulation in natural areas (D27) and to historic heritage items or settings (D20).

While the ENA and EDBs strongly supported the inclusion of the NZECP 34:2001 standards in NES-ENA (the New Zealand code of practice for electrical safe distances), most councils opposed it, raising concerns that this could make councils liable for non-compliance with the standard. Federated Farmers also raised concerns over how incorporation of the standards in the NES-ENA could impinge on property rights.

In relation to the matters of control for the controlled activity status, most submitters considered the matters were suitable but needed further refinement. The ENA sought tightening of how effects on natural areas (D27) are controlled, while Unison Networks submitted that landscape and ecological effects and effects on natural areas should only be matters of control for existing assets within a natural area or historic heritage area.

Maintenance, replacement and additional underground conductors

Submitters were neutral about or supportive of the proposal to enable the maintenance, replacement and additions to underground conductors as a permitted activity (R8C). The ENA and EDBs supported the proposal.

Alteration, relocation and replacement of existing EDN assets

Industry submitters raised concerns with the permitted 25 percent bulk standard for height and width increases. The ENA, Vector and Counties Energy submissions stated the threshold would unduly restrict replacements and sought for the AUP approach to be used instead. These submitters considered that a more enabling pathway is required to alter or replace assets that exceed the 25 percent threshold, especially where the asset is already small scale.

Feedback from councils was mixed, with some considering the proposed bulk and location standards to be too permissive, while others were generally supportive.

Relocation within 10 metres of its original location is generally considered reasonable by submitters. A few industry submitters contended that 10 metres would be insufficient to shift away from a land-slip event, while Porirua City Council considered 10 metres to be too enabling.

Industry submitters sought clarity on whether proposed regulation R9 would apply to access tracks, and for noise standards to be duplicated in the NES-ENA rather than by referencing the NES-TF.

The ENA sought removal of landscape and ecological effects as matters of control (except in natural areas, defined in D27), contending this proposal could hinder routine activities.

Undergrounding of existing EDN lines and replacement of existing underground lines

The proposal received little feedback, although councils generally supported the undergrounding of EDN lines. WEL Networks sought inclusion of maintenance of cables located in a natural area (D27) or historic heritage item or setting (D20). The ENA and Vector supported the proposed matters of control.

Regulation R10 Constructing new distribution lines

MfE received mixed feedback on the proposal for a regulation on constructing new distribution lines. Generally, industry submitters were supportive of its intent but considered that it was not sufficiently enabling, and that new lines and cabinets should be permitted in future urban and special purpose zones. Industry submitters also considered the restricted discretionary status should only apply in areas of high value.

Councils supported some of the proposal but sought amendments that generally supported local discretion, especially in sensitive areas. Tauranga City Council requested that airports and Māori purpose zones be removed from the list of locations where new lines are enabled. Hamilton City Council sought clarification on protection for wāhi tapu and archaeological sites. Overall, councils considered the proposed 30-metre permitted height for poles to be too permissive for the construction of new distribution lines in all zones and sought a more scalable approach. Several councils sought a maximum height limit generally. Some submitters also said that it was not appropriate to permit new overhead lines in outstanding natural or culturally significant landscapes.

Heritage New Zealand guidelines recommend a restricted discretionary status for new structures in the vicinity of a heritage item or setting.²² Industry submitters sought more permissive bulk standards of 5 metres in height and 10 square metres in area for cabinets. Porirua City Council supported the proposed 1.8-metre maximum height for permitted cabinets but considered the 6 square metres area to be too permissive. Other concerns raised in industry submissions were in relation to the need for a consent in high-value areas even when located in a land transport corridor and sought removal of the requirement to comply with rules for building and structures within the underlying zone. The ENA sought duplication of the NES-TF noise standards in NES-ENA for better visibility.

Electric, magnetic and radiofrequency fields

Submissions on proposed regulations for electric, magnetic and radiofrequency fields (R11) were generally supportive of or neutral on regulating electric, magnetic and radiofrequency fields in accordance with international guidelines and New Zealand Standards. ENA requested discretionary activity status for EDN infrastructure that doesn't comply with the permitted activity standards, rather than a non-complying activity status.

Reverse sensitivity rules for electricity distribution

The Government received mostly supportive feedback about proposed rules to address reverse sensitivity risks to electricity distribution, which would provide a buffer around distribution networks and ensure appropriate safety distances. There were some mixed views regarding implementation of NZECP 34:2001.

Distribution providers noted the approach to distribution differs from that to the National Grid and sought equivalent protections and alignment for distribution networks. Specifically, the ENA and EDBs sought inclusion of provisions relating to earthworks, land disturbance or vertical holes, as the risks to EDN assets would be similar to those for transmission assets. They also sought a requirement/standard relating to maintaining vehicle access to distribution assets, and the inclusion of 'replacement' in rule 14(b).

EDBs also supported the reference to NZECP 34:2001 as a standard to be complied with, and endorsed councils' ability to assess a proposal on a case-by-case basis and decline an application where NZECP 34:2001 has not been met. Industry submitters noted that careful guidance and processes will need to be established to address information requirements for demonstrating compliance to ensure that administration of this component is accurate and efficient.

Councils generally supported the proposals, although concerns were raised regarding the requirement to monitor and assess compliance with NZECP 34:2001. Some considered lines operators to be the best-placed entity to monitor compliance.

Some submitters raised concerns over how these rules could restrict land use. Te Rūnanga o Ngāti Manawa raised concerns over how the proposals could restrict Māori land development or cultural uses and Federated Farmers opposed the provisions, contending they would restrict farming activities.

²² Heritage New Zealand Pouhere Taonga. 2022. *Guide to the management of historic heritage: District Plans*, p 12.

2.3.5.3 Analysis of submissions and proposal

Officials recommend no substantive change (see minor changes outlined in attachment A) to the following regulations for electricity distribution: Ancillary EDN activities; Operation of existing (R6) EDN assets; Temporary structures (R7); and Maintenance, replacement and additional underground conductors (R8C). Officials consider these regulations to be fit for purpose and broadly align with the approach for electricity transmission in NES-ENA and telecommunications under NES-TF, where applicable and appropriate.

For the remaining proposed regulations in this section, officials make the following recommendations.

Additions to existing EDN assets

Officials have considered the need for the NES-ENA to align with the NES-TF and recommend some changes to this effect.

Officials recommend the scope of the proposed regulation for additions to existing EDN assets (R8A) is broadened to include OPGW, aligning with the approach in proposed regulation 7. OPGW are comparable to earth-wires (which are permitted) and are necessary ancillary equipment that provide grounding as well as telecommunication services. Adverse effects associated with OPGW are typically less than minor. Restrictions on the number of OPGW that can be deployed were not considered appropriate, as providers are only going to deploy the number of OPGW that are operationally necessary.

Officials recommend increasing the permitted diameter of conductors, earth-wires, telecommunication cables and OPGW to 30 millimetres, instead of the proposed 28 millimetres, to align with the existing cable diameter standard in regulation 42 of the NES-TF and proposed regulation 7 of NES-ENA.

Based on the mixed feedback received on bulk standards for additions to EDN assets, officials recommend a middle-ground relief to change the permitted activity standards (width and height) for telecommunication devices on EDN support structures. An increased permitted height of 3.5 metres above the height of the existing support structure (instead of the proposed 2.5 metres) and a reduced width standard to be 'no wider than 1.3 times the width of the existing support structure' (which results in a reduction in poles, and an increase in towers). This approach would allow for taller EDN antennas but will be more restrictive in terms of width, which is relevant for telecommunication devices such as satellite dishes on poles. This approach would better manage amenity effects of devices attached to EDN assets and ensure a consistent approach between NES-TF and EDN regardless of the asset owner.

Consideration was given to a more enabling standard for support structures in rural areas (as sought by industry submitters). However, officials consider this would introduce challenges in respect of defining 'rural environment' and there is insufficient evidence from industry regarding:

- the size of telecommunication devices they use
- whether a more lenient threshold would address a consenting burden
- justification for a more enabling approach than for telecommunication facilities under NES-TF.

In terms of the activities covered by proposed regulation R8A, officials agree with industry submitters to include 'replacement' and 'maintenance' of EDN lines, support structures and cabinets as permitted activities, as this better aligns with the overall policy intent of the NES-ENA to enable routine activities for electricity distribution. This approach is consistent with the regulations for electricity transmission and proposed regulation R9.

Industry submitters requested that 'Other pole-mounted assets, including but not limited to switches, transformers, and voltage regulators as necessary for the operation of the electricity distribution network' be covered by the NES-ENA. While it is not considered appropriate to include these assets in the definition of a pole, officials agree that greater clarity as to the type of ancillary equipment permitted is appropriate. Officials propose to include a new permitted activity for 'ancillary equipment on support structures', where these can comply with a bulk standard of 2 cubic metres per item and the noise standard for ground mounted cabinets (R9A(12)). This approach avoids the risk of a perverse outcome where a restricted discretionary activity consent for ancillary infrastructure is unnecessarily required. The 2 cubic metre threshold adopts the AUP approach, noting the lack of evidence provided in submissions for alternative sizes of transformer boxes.

To support this amendment to the proposal, officials recommend a new definition of 'ancillary equipment on support structures' which includes 'transformer boxes, fuses/circuit breakers, switchgear, voltage regulators, insulators, isolators, junction boxes, lightning arrestors/surge protectors and associated equipment mounted on support structures'. These components included in the definition are based on the approach taken in some district plans.

As with other regulations in the proposed NES-ENA, officials recommend amending the matters of control to replace operational or functional need and the benefits and the technical requirements of the EDN with a single matter of control, 'effects on services and infrastructure' (see regulation 7 for a more detailed explanation). Officials note that the controlled activity status would ensure councils could attach conditions to the consent to manage adverse effects relating to a breach of the permitted activity standards, while providing an enabling consenting framework for electricity distribution.

Mid-span poles

Given the feedback received on the proposed pole height for mid-span poles (R8B) and the reference to NZECP 34:2001, officials recommend replacing the proposal for a 30-metre maximum height standard with a 25 percent height increase threshold (relative to the height of the adjacent support structures) and removing references to NZECP 34:2001 from this regulation.

This recommended amendment to the proposed height standards addresses significant opposition to 30-metre pole height from councils, and better aligns with proposed ETN regulation 14. A percentage threshold is considered to be a far more proportionate approach that factors in the height of the existing EDN line (while still allowing for mid-span poles, which are taller than those either side of them). It is anticipated that the 25 percent height standard will strike an appropriate balance between providing for the operational and functional need of EDN operators while managing bulk effects of mid-span poles. Industry supported the 30-metre permitted activity standard; however, they provided limited evidence as to why 30 metres is required to respond to development under power lines (as a result of intensification). Where the permitted activity standards cannot be met, there is still an enabling consenting pathway under a controlled activity.

The reference to NZECP 34:2001 is no longer needed as the proposed pole height has been reduced, and EDBs must comply with NZECP 34:2001 standards under the Electricity Act 1992. This is consistent with the approach in the other regulations, which is to include reference to NZECP 34:2001 compliance in relation to third-party activities. Officials support the EDN operator being responsible for determining whether the pole complies with NZECP 34:2001. Officials do not recommend changing the NZECP 34:2001 reference in the standard as it would reduce the scope of what activities are covered if providers cannot meet the permitted activity standards (eg, it would inadvertently exclude mid-span poles required for any reason other than NZECP34:2001 compliance).

As with other regulations in the NES-ENA, officials recommend amending the matters of control to replace the operational or functional need and the benefits and the technical requirements of the EDN, with a single matter of control, 'effects on services and infrastructure' (see regulation 7 for a more detailed explanation). In response to industry feedback, officials consider 'ecological effects' an appropriate matter of control, in alignment with regulation 15(4)(a).

Alteration, relocation and replacement of existing EDN assets

Officials acknowledge the concerns raised by industry and councils on the proposed bulk standards for alteration, relocation and replacement of existing EDN assets, but do not recommend any changes to the proposal. There was no compelling evidence provided in submissions to support a tightening or loosening of bulk standards (including for opposing lateral movement from the original location), and officials consider the proposed bulk standards are appropriate. It is noted that this regulation will apply to existing distribution assets.

In response to EDBs' request for proposed regulation R10 bulk standards to apply to regulation R9 when those permitted activity standards are not met, this is not recommended because the effects of these activities should be managed relative to the effects of the existing structures (and defaulting to a controlled activity status is considered sufficiently enabling).

In response to EDBs' request to include widening access tracks as a permitted activity, it was not originally intended that the permitted activity regulation would apply to ancillary activities like access tracks. Ancillary activities are covered by other regulations (with scope extending to existing EDN activities). Therefore, there is no need to duplicate standards in this regulation.

Officials agree with industry submitters that the workability of the noise standards can be improved through clarifying that the place of noise measurement for cabinets outside of a road reserve is the same as for regulations 24 and 25 of the NES-TF. It is also recommended to clarify that the exceptions to permitted activity standards relate only to any replaced or relocated support structure or cabinet within 10 metres of its existing position, which is aligned with other approaches to replacement infrastructure in the NES-ENA.

As with other regulations in the NES-ENA, officials recommend amending the matters of control to replace the operational or functional need and the benefits and the technical requirements of the EDN, with a single matter of control, 'effects on services and infrastructure' (see regulation 7 for a more detailed explanation).

Undergrounding of existing EDN lines and replacement of existing underground lines

Officials recommend minor changes to proposed regulation R9B to address duplication with other regulations.

Officials recommend removing the reference to ‘replacement of existing underground lines is a permitted activity where these are located’ and to ‘any relocated ED line or cabinet’. The reference to ‘replacement of existing underground lines’ in regulation R9B is an error, as it is already addressed under regulation R8C, which provides for ‘new regulations to enable the maintenance of underground conductors, replacement of underground conductors, and additional underground conductors on existing EDN lines as a permitted activity’.

The reference to ‘any relocated ED line or cabinet’ in regulation R9B is also an error, as it is already provided for under regulation R9A, which provides for ‘a new regulation that would enable the alteration, relocation and replacement of existing ED lines, support structures and cabinets to be undertaken as a permitted activity’.

In response to submissions on maintenance provisions, the proposal provides for maintenance of underground cables, which is permitted under regulation R8C. Therefore, no change is recommended to regulation R9B.

Undergrounding of existing EDN lines in the land transport corridor within or adjacent to a historic heritage place or setting is recommended to be included in the permitted activity rule to align with recommendations for regulation R10. The Heritage New Zealand Pouhere Taonga Act 2014 would continue to apply to archaeological or accidental discovery, and local bylaws relating to cemeteries and burial grounds would also continue to apply.

Constructing new distribution lines

For regulation R10A, officials acknowledge the significant opposition to the 30-metre maximum height permitted activity standard proposed for poles and recommend changes to the NES-ENA. The recommended changes provide an overall height reduction, with heights determined by which zone the lines are located within. This approach is based upon a similar height framework for telecommunication poles recommended in the NES-TF and is aligned with several district plans that have recently been updated. The zone approach allows for height commensurate to the maximum permitted building height in zones (eg, most residential zones have height limits of 8–9 metres). Officials recommend the following height and location standard for all supporting structures:

1. in the land transport corridor within or adjacent to:
 - (a) residential zones and Māori purpose zones: 15 metres
 - (b) rural and industrial zones: 25 metres
 - (c) all other zones: 20 metres
2. within specified zones (outside of the land transport corridor):
 - (a) rural and industrial zones: 25 metres
 - (b) special purpose zones: airport, correctional, hospital, port, stadium, and tertiary education: 20 metres.

The height framework is consistent with height recommended for telecommunication poles in the NES-TF, and the lower height thresholds are appropriate in the context of the differing operational needs between telecommunication poles and electricity distribution poles. Telecommunication poles need more height to ‘reach’ over buildings, vegetation and topography. The height thresholds for each zone are based off the recently reviewed New Plymouth District Plan. Officials’ view is that Māori purpose zones can be treated in the same way as residential zones to recognise the similar sensitivities of these environments.

Officials recommend the revised height standards apply to all EDN support structures (ie, both poles and towers). This is based on a district plan review showing that recently updated plans do not differentiate between the types of support structures (eg, New Plymouth District Plan, Far North Proposed District Plan, Waimakariri District Plan, Selwyn Proposed District Plan). It is noted that towers are not a common EDN line support structure, as most lines use poles; therefore the expected impact of this change is considered to be lower.

The proposed restricted discretionary activity pathway for new overhead EDN lines that do not comply with permitted activity standards will be retained and will also apply to new overhead lines located in natural areas (D27) and historic heritage items or settings (D20) outside of the land transport corridor. Discretion is proposed to be restricted to visual and landscape effects, ecological effects, effects on any natural area or historic heritage item or setting, the proposed methods to mitigate adverse effects, effects on services and infrastructure and effects on health and safety.

While the proposal sought to enable new overhead lines in the land transport corridor, it did not include controls for historic heritage items or settings (D20) or natural areas (D27) nor permitted activity standards. In response to concerns raised in submissions regarding the effects on RMA section 6 historic heritage values, officials recommend a new controlled activity pathway for the construction of new EDN lines (overhead and underground) in the land transport corridor in a historic heritage item or setting.

A controlled activity status allows councils to condition projects to manage effects on historic heritage only, while providing certainty to providers that their projects will be granted a resource consent. It also does not require new national standards to control for effects on heritage values. A controlled activity status recognises the national importance of historic heritage under section 6(f) of the RMA and provides for its protection from inappropriate development from overhead infrastructure. This would also ensure some degree of protection for Māori heritage (cultural heritage), taonga, wāhi tapu, cemeteries/burial grounds, and sites of significance to Māori, a matter of national importance under section 6(e) of the RMA. The Heritage New Zealand Pouhere Taonga Act 2014 will continue to apply to archaeological or accidental discovery.

Similarly, in response to concerns raised about the potential effects of new EDN lines on outstanding natural features and landscapes (which are included under D27 natural area), officials proposed a controlled activity for the construction of new EDN lines (overhead and underground) in the land transport corridor in natural areas (D27). This approach will allow councils to assess and control any potential effects on RMA section 6 values in a manner that is consistent the purpose of the RMA.

The proposed restricted discretionary activity pathway is recommended to be retained for new EDN lines (overhead and underground) outside of the land transport corridor in natural areas (D27) or historic heritage items or settings (D20).

To help enable routine activities necessary for the functioning of the electricity network, officials recommend that the proposal is amended so that the NES-ENA also applies to the operation and maintenance of EDN lines, including the construction of new EDN assets required for operation and maintenance purposes.

Officials also recommend retaining the proposal for regulation R10 to apply to the construction of new underground EDN lines, permitting it outside of natural areas or historic heritage items or settings. For new underground lines in a natural area or historic heritage items or settings, officials recommend a controlled activity status in the land transport corridor, and a restricted

discretionary activity status outside of the land transport corridor, with the same matters of control and discretion outlined for new overhead lines above. The change in activity status (from permitted to controlled) in the land transport corridor is considered proportionate given the potential effects on RMA section 6 values, noting that the Heritage New Zealand Pouhere Taonga Act 2014 would still apply to archaeological or accidental discovery where this is relevant. Controls proposed in other regulations to manage effects of earthworks and vegetation management will also apply.

To provide more broadly for assets necessary to the EDN and similar to the recommendation for regulation R8A, officials recommend including a new permitted standard of 2 cubic metres for ancillary equipment installed on support structures and compliance with the noise standard for cabinets in regulation 9A(12).

Electric, magnetic and radiofrequency fields

Officials seek to retain the intent of this regulation and recommend refinements to improve its workability.

The World Health Organization (WHO) 2007 monograph reference in the proposal must be removed because it includes a 'very-low-cost measure' recommendation which renders the permitted activity subject to an assessment. The requirement to comply with WHO (2007) is already a requirement of NPS-EN policy.

Electric and magnetic fields generated by EDN lines or cabinets should be managed in the same way as electricity transmission. Proposed regulation 10 of the NES-ENA provides for thresholds that have been drawn from the basic restrictions for exposure in ICNIRP 2010 guidelines. It is considered better to directly apply regulation 10 rather than reference ICNIRP 2010 generally.

Radiofrequency fields are recommended to be managed in the same way as telecommunication facilities. Regulation 55 of the NES-TF provides for two New Zealand Standards for Radiofrequency Fields (NZS2772.1:1999) which control radiofrequency field strength and exposure. The NZS2772.1:1999 was developed in line with ICNIRP guidelines and regulation 55 of the NES-TF is well established, with implementation supported through non-statutory guidance materials.

The Ministry of Health has advised that NZS2772.1:1999 and regulation 55 have slightly different requirements. Referencing regulation 55 is slightly more onerous than referencing NZS2772.1:1999 alone because a pre-commencement and post-commencement report must be carried out and tendered with the local authority. However, a pre-commencement report is a common requirement among district plans already and the types of assets fixed onto distribution is generally low power/intensity, meaning that most of the time a post-commencement report will be unnecessary.

The proposed non-complying activity status is recommended to be retained to align with NES-TF.

Reverse sensitivity rules for distribution

The proposal sought to protect the EDN from the adverse effects of third parties using a similar approach to that used in the National Grid Yard and Subdivision Corridor. Based on the feedback received in submissions, officials recommend the following changes.

Subdivision of a site containing overhead EDN lines

Regulation R14 proposes an approach similar to regulation R13 for electricity transmission to ensure that the EDN isn't compromised by land-use change arising from subdivision.

As notified, regulation R14 only applies to subdivision with a land-use component. The intent of the rule is to ensure that subdivision of any lot under existing EDN lines is capable of meeting NZECP 34:2001 requirements, thereby ensuring any development built on the site is compliant with NZECP 34:2001. This protects the EDN and avoids potential reserve sensitivity effects. Compliance with NZECP 34:2001 is mandatory, regardless of whether the standard is referenced in the NES-ENA.

To ensure a more comprehensive approach to subdivision, officials recommend amending the proposal so that it also applies to subdivision without a land-use component. This would mean all subdivisions creating new lot(s) on a site containing an EDN line are a controlled activity, subject to matters of control relating to the compliance of the anticipated future land use with the safe distance requirements provided in NZECP 34:2001, including the location of building platforms and site access. If compliance with NZECP 34:2001 cannot be ensured, resource consent would be required for a discretionary activity. An exception is proposed for minor boundary adjustments, so that only subdivision creating new allotments is captured by the regulation. The intent of this proposal is to avoid situations where subdivision creates allotments that can never safely be built upon, or there is no safe way to undertake earthworks (without changes to the network).

This approach is unlikely to pose any significant constraint or administrative burden upon landowners as most subdivisions that create new allotments are at least controlled activities and require building platform areas to be identified. It requires applicants to show that a future anticipated land use can reasonably occur within a new allotment in compliance with NZECP 34:2001. For example, if a site is zoned residential, it must be able to fit a building platform in a location that complies with NZECP 34: 2001. It is standard practice to include indicative building platforms on subdivision plans to show that a permitted land use can fit within the new allotment (otherwise a land-use consent would be required, or the subdivision arrangement could be considered unsuitable).

The recommended amendments to regulation R14 provide a better alignment with Policy 10 of the NPS-EN and ensure that the subdivision process results in building platform and site access that complies with NZECP 34:2001. This will provide more certainty that future land uses do not compromise the EDN.

Officials recommend amending proposed rules (R14A and R15) for relevant land-use components, such as earthworks and construction, as outlined below.

Construction of buildings or structures near overhead EDN lines

Officials recommend amending proposed regulation R15 to align with the approach taken in other rules relevant to the protection of the EDN from third-party effects.

Officials recommend amending the proposal to include an option to allow electricity distribution providers to provide dispensation under NZECP 34:2001 for non-complying works. Providing special dispensation to the relevant distribution network provider aligns with what is recommended for the National Grid, where Transpower would have the authority to provide special dispensation to waive the requirements of NZECP 34:2001 in the National Grid Yard or Subdivision Corridor. Further, officials recommend removing the requirement for regulation

R15 to apply to all buildings and structures within 30 metres of EDN lines, as minimum safe distance requirements are outlined in NZECP 34:2001.

This approach addresses concerns raised by councils while still ensuring compliance with NZECP 34:2001 (a mandatory standard). Removing the distance requirement allows for more flexibility on minimum safe distances for buildings and structures in line with NZECP 34:2001. Providing the ability for distribution providers with authority to grant special dispensation to waive NZECP 34:2001 would provide flexibility, enabling the provider to consider the project and the proposed location on a case-by-case basis.

Officials recommend a discretionary activity status for the construction of buildings or structures that do not meet the permitted activity conditions above. This aligns with the approach in proposed regulation R14 and would give consent authorities the ability to decline a consent should third-party effects impact the safe operation, maintenance and upgrade of the EDN. However, officials recommend including the option to apply for a dispensation from the relevant EDB under NZECP 34:2001, thereby avoiding the need to obtain a discretionary activity resource consent for the construction works.

New regulation R14A: Earthworks, land disturbances and vertical holes on a site containing overhead EDN lines

The notified proposal included rules for subdivision and the construction of buildings or structures near overhead EDN lines. Feedback received from EDBs noted the absence of requirements relating to earthworks, land disturbance or vertical holes on sites containing overhead EDN lines.

Earthworks, land disturbance and vertical holes can compromise the EDN. Earthworks near poles and towers can destabilise these structures, causing them to lean over or collapse. Inappropriate earthworks can also impede physical access to the support structures, hindering maintenance and upgrade activities and increasing costs. Without appropriate management through the regulations, earthworks can result in health and safety effects on people and property and significant disruption to the EDN.

To provide for a more comprehensive approach to the management of adverse effects from third parties on the EDN, officials recommend including a new rule in addition to the proposal to manage earthworks, land disturbance and vertical holes on a site containing overhead EDN lines.

This would enable earthworks, land disturbance and vertical holes to be undertaken as a permitted activity, subject to compliance with the same permitted activity standards set out for ETN assets in regulation R12 above, and with the exceptions for:

- a) earthworks and land disturbance undertaken for the repair or resealing of a road, footpath, driveway or farm track
- b) earthworks, land disturbance and vertical holes that are subject to a dispensation from the EDN network operator under NZECP 34:2001 **or for which** the EDN network operator **has given its written approval in relation to clause 7.**

Earthworks, land disturbance and vertical holes that do not meet the permitted activity conditions above are proposed to be a discretionary activity. The proposed activity status is reflective of how non-complying activities should be avoided in order to safeguard the operation of the EDN. This aligns with the approach taken in proposed regulations R14 and R15, responds to feedback received from industry submitters and aligns with the direction in Policy 10(2)(c) of NPS-EN.

The recommended changes are aligned with the proposed policy direction in the NPS-EN Policy 10(2)(c) and (d):

- (a) engage with the operators of the EDN to identify an appropriate buffer corridor for the EDN, within which buildings, subdivision, and **earthwork** activities must comply with NZECP34
- (b) require buildings, structures, **earthworks**, and activities to avoid adverse effects on the EN, including reverse sensitivity effects, and to be designed and located to maintain safe distances from, and allow sufficient space for access to, and maintenance, construction, development, and upgrading of, EN assets.

Officials also recommend inclusion of an option to apply for a dispensation from the relevant EDB under NZECP 34:2001 to avoid the need to obtain a discretionary activity resource consent for the works.

2.3.5.4 Recommendations

Recommendations for this topic are summarised below and the complete list (including 'no change' recommendations) is outlined in full in the consolidated recommendations table in attachment A.

Key recommendations

Amend the proposed permitted activity standards for the installation of mid-span poles on existing EDN lines to:

- d. replace the height standard with a 25 percent height increase relative to the height of the adjacent support structures
- e. remove the requirement to comply with NZECP 34:2001 ([see recommendation 96](#)).

Amend the proposal to introduce new permitted activity standards for overhead structures (poles and towers) as follows:

- a) in the land transport corridor within or adjacent to:
 - i. residential zones and Māori purpose zones: 15 metres maximum height
 - ii. rural and industrial zones: 25 metres maximum height
- b) all other zones: 20 metres maximum height
- c) within specified zones (outside of the land transport corridor):
 - i. rural and industrial zones: 25 metres maximum height
 - ii. special purpose zones: airport, correctional, hospital, port, stadium, and tertiary education: 20 metres maximum height ([see recommendation 108](#)).

Amend the proposal for a new regulation for a permitted activity for the construction of new underground EDN lines in all zones as a permitted activity, except in natural areas or historic heritage places or areas ([see recommendation 109](#)).

Amend the proposal to introduce a new regulation for the construction of new EDN lines (overhead and underground) in the land transport corridor in natural areas or historic heritage places or areas as a controlled activity ([see recommendation 111](#)).

2.3.6 Topic 6: Allowing plan rules to be more stringent or lenient

2.3.6.1 Proposal

The proposal would allow district plan rules to be more lenient than the NES-ENA, but not more stringent, in relation to electricity distribution activities (and EV charging infrastructure).

2.3.6.2 Key issues from submissions

Feedback received in submissions was mixed regarding the relationship between the NES-ENA and regional or district plan rules.

There was strong support from industry and councils to allow plan rules to be more lenient than the NES-ENA, providing for local flexibility to maintain existing enabling provisions developed through local collaboration with network providers.

Many submitters, including councils and ENGOs, supported allowing more stringent plan rules in certain circumstances, especially when involving areas of significant value (RMA section 6). Industry submitters did not fully support allowing more stringent plan rules, although they acknowledged that it could be appropriate to protect significant ecological, freshwater and coastal values, subject to areas of value being mapped and clear to avoid broad, unclear application or interpretation.

2.3.6.3 Analysis of submissions and proposal

Officials recommend allowing district plans or district rules in combined plan rules to be more lenient than the NES-ENA in relation to electricity distribution and EV charging infrastructure. This would not apply to reverse sensitivity rules for electricity distribution (as regulations R14, R14A and R15 require compliance with NZECP34:2001) and to the standards in regulation R11 (which require compliance with international standards regarding electromagnetic fields and radio frequencies).

The intent is for territorial authorities to continue to apply their more lenient district plan as these are the result of collaboration with EDBs or EV charging infrastructure developers. This would support the Government's enabling policy for electricity distribution while ensuring an appropriate level of national standardisation for consenting transmission and distribution activities. Officials note existing regional plan rules would still apply.

Officials do not recommend allowing more stringent rules for electricity distribution and EV charging infrastructure. The potential adverse effects of electricity distribution or EV charging activities have been taken into account when developing activity rules, including more stringent consent pathways in areas with values under section 6 of the RMA. As such, officials consider the NES-ENA strikes an appropriate balance between enabling these activities (especially routine maintenance activities) and ensuring the NES-ENA does not permit activities with significant adverse effects (barred by section 43A(3) of the RMA). This approach retains greater standardisation across the country and provides more certainty to industry.

2.3.6.4 Recommendations

Recommendations for this topic are summarised below and the complete list (including 'no change' recommendations) is outlined in full in the consolidated recommendations table in attachment A.

Key recommendations

Amend the proposal to clarify that regional or district plan rules can be more lenient but not more stringent than the NES-ENA (in accordance with section 43B RMA) with regard to electricity distribution and EV charging infrastructure, except for the following regulations:

- a) reverse sensitivity rules for distribution (Part 4 – R14, R14A, R15)
- b) EMF and RF rule (R11) ([see recommendation 135](#)).

2.3.7 Topic 7: EV charging infrastructure

2.3.7.1 Proposal

New permitted activity standards are proposed to enable EV charging infrastructure in various settings: residential areas, transport corridors, as standalone facilities, and as ancillary activities.

This supports the Government's goal of installing 10,000 public EV chargers by 2030.

2.3.7.2 Key issues from submissions

Most submitters, including councils, iwi/Māori and industry, supported the intent behind the proposed changes and consider EV charging infrastructure (EVCI) to be low-risk infrastructure and necessary for electrification. Most councils raised specific concerns and suggestions regarding:

- the lack of detail on traffic and safety considerations in the proposal
- clarification of noise standards and their application
- permitted height standards for EVCI, with concerns raised over EVCI serving taller vehicles
- the location of EVCI and avoiding areas of significant value
- the proposed provisions for ancillary activities, such as lighting and concreting.

Some submitters considered the proposal should not permit new EVCI on highly productive land, land zoned residential, and areas of natural, cultural or historic heritage significance. They contended that EVCI should not constrain or impact primary production or native vegetation.

2.3.7.3 Analysis of submissions and proposal

Officials recognise that the proposal may not have been sufficiently clear as to the requirements for EVCI to comply with traffic standards. Officials recommend amending the proposal so that district plan transport standards, excluding vehicle movements (ie, vehicle trip generation), apply to public EVCI when a new car park is created. This will improve workability and retain a degree of flexibility and local consideration depending on the location of the new public EVCI in accordance with district plan rules (eg, vehicle access and manoeuvring standards will still apply). The proposed NES-ENA has a specific standard for vehicle movements related to stand-alone EVCI. A vehicle movements standard for other types of EVCI was not considered necessary (ie, traffic movements for ancillary EVCI are primarily associated with the primary activity at the site, with no anticipated additional traffic effects that warrant specific standards in the NES).

While the NES-ENA is proposed to specify that district plans can be more lenient (see section 2.3.6), it is unlikely district plans will have specific noise standards for EVCI. Officials recommend amending the proposal to ensure district plan noise standards apply where these are more lenient than the proposed noise standard in regulation R16. This is aligned with the enabling direction of the proposals.

Officials recommend the EVCI permitted activity standards apply in residential zones but not apply to private residential household chargers. This is aligned with the enabling direction of the proposals.

Submissions were supportive of regulation R16 applying to all vehicle types; however concerns were raised about the effects of taller EVCI on residential activities (eg, charging for buses in the land transport corridor, trucks at vehicle depots/standalone facilities). Some councils requested additional standards in the NES-ENA or the application of district plan rules where EVCI is over 3 metres high. To address this, officials recommend increasing the setback for 'standalone' and 'ancillary' EVCI and introducing a new setback in the land transport corridor adjacent to residential boundaries. This will continue to enable larger charging infrastructure while ensuring appropriate controls next to a zone where sensitive activities are located.

In response to requests in submissions for further clarification on the application of the regulation in relation to vehicle parking spaces associated with EVCI, officials recommend adding a new permitted activity standard for EVCI associated with existing, permitted or consented vehicle parking spaces that are located in the land transport corridor or ancillary to a primary activity. District plans will be relied upon to determine if new vehicle parking spaces are permitted or require consent, including where located within natural areas (D27) and historic heritage items or settings (D20). This change provides clarity and addresses potential effects (including on RMA section 6 values), while closely aligning with the enabling direction of the proposals. Officials note that vehicle parking spaces associated with EVCI will be included (as defined under D15 of the proposal), which avoids the unintended outcome in which the charging station is a permitted activity, but its car parking area requires a consent. While relevant effects of EVCI will be covered in the NES-ENA, district plan standards will continue to apply for lighting, signs, and retail sale of other goods and services, transport (except trip generation), as well as any relevant EVCI rules that are more lenient than the NES-ENA (see section 2.3.6 for recommendations on leniency).

2.3.7.4 Recommendations

Recommendations for this topic are summarised below and the complete list (including 'no change' recommendations) is outlined in full in the consolidated recommendations table in attachment A.

Recommendations

Amend the proposal to introduce a new permitted activity for the following EVCI:

- a) EVCI not available for public use and subject to the following standard:
 - i) it complies with the zone rules relating to construction of buildings and structures and alterations and additions to existing buildings and structures
- b) EVCI located in the land transport corridor
- c) EVCI ancillary to the primary activity (excluding residential uses) on the site subject to the following standards:

- i) it does not exceed 3 metres in height if located within 1 metre of any front boundary or 3 metres of any boundary adjoining a residential zone
- ii) it complies with the noise and earthworks standards (see below)
- d) stand-alone EVCI that is the primary activity (excluding residential uses) on the site subject to the following standards:
 - i) the site is not located in a residential zone, natural area, or historic heritage place or area
 - ii) does not exceed 3 metres in height if located within 1 metre of any front boundary or 3 metres of any boundary adjoining a residential zone
 - iii) complies with the noise and earthworks standards outlined in the notified proposal
 - iv) does not generate more than 10 vehicles per hour (averaged across 24 hours)
- e) EVCI associated with existing, permitted or consented vehicle parking space, when located in the land transport corridor or ancillary to a primary activity (see [recommendation 128](#)).

Amend the proposal to clarify that district plan transport standards (excluding vehicle movements) apply to EVCI for public use when a new car park is created (see [recommendation 130](#)).

2.3.8 Other issues

Consistency with NES-TF

A number of submitters noted the need to align the NES-ENA and the NES-TF for consistency. They acknowledged there are sometimes operational differences, but that generally the two types of linear infrastructure (particularly distribution and telecommunication poles) are comparable and similar standards should apply. In response, officials have worked to ensure consistency across the main common matters between the instruments, these being cabinets, relocation, additions, antenna size rules, pole heights, radiofrequency fields, cable diameters, and temporary activity timeframes. Remaining differences between the NES-ENA and the NES-TF reflect the operational and biophysical characteristics of the relevant infrastructure that is being regulated by these instruments.

Electric, magnetic and radiofrequency fields

MfE received submissions from several organisations and individuals relating to the emission of electric, magnetic and radiofrequency fields generated from EN infrastructure. Their concerns related largely either to the inadequacy of the international guidelines or exposure effects on plants, birds, lizards and bats. The submitters sought more information about the thresholds and the impacts on human health.

Advice from the Ministry of Health is that the approach of managing field effects is fit for purpose and aligns with international best practice. The exposure limits proposed in regulation 10 have been drawn from the ICNIRP 2010 guidelines and are considered appropriate thresholds for limiting exposure to electric and magnetic fields generated by both transmission and distribution infrastructure. As the NES-ENA will include the exposure thresholds, there will be no need to refer back to ICNIRP 2010 generally during implementation.

The NES-TF standards are also relevant. Regulation 55 of the NES-TF also applies to structures or devices associated with electricity distribution that generate radiofrequency fields, to ensure compliance with the relevant New Zealand Standard (NZS 2772.1:1999). Transpower is

considered a network operator under the Telecommunications Act 2001 and must comply with the NES-TF. Officials heard from their Australian counterparts at the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) that ICNIRP intends to update the guidelines in 2027 and when those guidelines are released officials will investigate how they could be carried into secondary legislation.

Electrical safety distances

A key concern raised by submitters is the role of councils in determining compliance with NZECP 34:2001. Officials recommended the Government continue to reference NZECP 34:2001 in the NES-ENA. Compliance with NZECP 34:2001 is mandatory regardless of whether it is incorporated in national direction, and aligning NES-ENA with NZECP 34:2001 will help ensure that adverse effects on the EN are avoided. Some councils have already adopted NZECP 34:2001 in plans; however, officials consider its inclusion in the proposed NES-ENA will promote greater visibility and national consistency. Officials recommend changes to the application of the NZECP 34:2001. This includes a recommendation to provide the ability for EDBs to allow applicants to dispense with NZECP 34:2001 compliance, which will improve the workability of the reverse sensitivity rules for electricity distribution.

2.3.8.2 Recommendations

Recommendations for these topics have been addressed in their respective regulations. As such, officials do not recommend any further changes to the proposal.

Recommendations

No change

2.3.9 Other considerations

2.3.9.1 Part 2 RMA

Context

Any person exercising powers, duties and functions under the RMA must give effect to Part 2 when making recommendations and decisions on national environmental standards (refer to section 46A(3)). Part 2 includes section 5 (purpose), section 6 (matters of national importance), section 7 (other matters) and section 8 (Treaty of Waitangi).

Submission themes that specifically refer to Part 2 matters and officials' analysis are outlined below.

Submissions

The key issue identified in the NES-ENA submissions relating to Part 2 of the RMA was concern about adverse effects on natural areas and cultural places²³ due to routine work enabled on the transmission and distribution network or construction of new distribution lines which is permitted under the current proposal.

²³ Namely those environments with values in section 6(a), (b), (c), (e) and (f) of the RMA.

Analysis

The regulations of the NES-ENA are directly relevant to section 5(2) of the RMA, which recognises that people and communities need to use and develop natural and physical resources in a way that provides for their wellbeing and for their health and safety over time, including meeting the reasonably foreseeable needs of future generations, as part of promoting sustainable management.

NES-ENA is consistent with Part 2 of the RMA for the following reasons.

- It would support sustainable management by enabling:
 - the use and development of natural and physical resources to operate, protect, maintain and upgrade electricity networks
 - the construction of new distribution lines and EV charging infrastructure while managing adverse effects on the environment through activity classes and standards.
- These standards have been developed with support from industry and technical experts and have been informed by feedback provided in the public consultation. The standards apply a proportionate approach reflecting the scale and nature of the various electricity network assets, but also the role electricity networks and EV charging infrastructure have in supporting communities to develop sustainably.
- It would further enable people and communities to provide for their social, economic and cultural wellbeing and for their health and safety by contributing to maintaining and improving the services that electricity networks provide. This includes ensuring a reliable electricity supply to households and industry. The National Grid rules will protect the network from adverse effects by third parties, while ensuring that people, communities and their properties are safe from the risks of electrical hazards.
- It supports key activities for climate change mitigation, such as enabling capacity improvements to the National Grid, supporting nationwide electrification through enabling rules for new electricity distribution and EV charging infrastructure.
- It recognises and protects matters of national importance under section 6 of the RMA, while enabling electricity projects to take place only when permitted activity standards are met. Natural areas and historic heritage items or settings are protected from any potential significant effects resulting from routine activities, such as vegetation clearance, earthworks and blasting, through suitable activity standards and rules. Values associated with natural areas and historic heritage items or settings are also recognised in matters of control when a resource consent is required and where this is relevant. Some natural hazard matters such as soil erosion are also afforded recognition as part of the relevant matters of control.

Recommendations

Recommendations for this topic are summarised below.

Recommendations

No change.

2.3.9.2 Treaty of Waitangi and Treaty settlement considerations

The Crown has made a series of commitments to individual iwi or hapū through Treaty settlement agreements and redress. Officials have considered these relevant settlements when preparing the proposed NES-ENA. When deciding on the recommendations in this report, Ministers will also need to consider Treaty settlement act matters alongside RMA section 6(e) and (g), section 7 and section 8 matters, as highlighted further in this section.

Submissions

Submission points raised by iwi/Māori on the proposals for specific regulations have been addressed in the relevant sections above. Separate to these, officials identified several key themes raised in submissions relating to RMA Treaty matters and Treaty settlements, summarised as follows:

- the consideration of the rights and interests of mana whenua:
 - the requirement to consider Treaty settlement obligations, statutory acknowledgements and sites of significance
 - concerns over the use of permitted activity standards, removing resource consent processes that undermine Treaty settlement obligations and statutory acknowledgements
- the protection of wāhi tapu and sensitive environments:
 - concerns over adverse effects on cultural values, environmental values and sensitive environments
 - construction of new assets on Māori land and sites and areas of significance to Māori (SASM)
- consultation and engagement requirements:
 - consultation or engagement with tangata whenua for works on SASM or whenua Māori
 - direct consultation with Māori landowners
 - concern that the role of iwi and hapū is marginalised in resource management in favour of centralised approach
- whether NES-ENA supports the aspirations of tangata whenua:
 - supporting iwi and hapū energy independence
 - the potential constraints imposed by National Grid Yard rules on the use of Māori land, undermining development aspirations.

Analysis

The proposed NES-ENA has been assessed against Treaty settlement commitments both during the development of the proposal and through the submission process. Officials do not consider this proposal will present a risk to Treaty settlement commitments. The NES-ENA proposal does not allow decision-makers on plans and resource consents to avoid any obligation to recognise and provide for, or have particular regard for, the values, objectives, strategies, plans or legal status for specific taonga, Māori rights and interests. The proposed NES-ENA does not amend any decision-making and participation arrangements provided under Treaty settlements. In practice, decision-makers will be required to consider the provisions of both the NES-ENA and NPS-EN, along with the policies in plans influenced by Treaty settlements and other arrangements and come to a decision which upholds those agreements. As such, the proposal is unlikely to affect Treaty settlements in this respect.

Regarding the protection of wāhi tapu and sensitive environments, officials note that sites of significance to Māori are covered by the definition of historic heritage item or setting (D21). Throughout the NES-ENA, permitted activity standards have been proposed only where evidence has shown that any potential effects on RMA section 6 values are not significant. Where adverse effects may be significant, specific pathways are proposed to manage the potential effects on values, including those on historic heritage items or settings. For example, Māori purpose zones have been recognised similarly to residential zones in regulation R10.

Officials recommend a controlled activity status for new overhead EDN assets where the proposal may affect historic heritage items or settings (R10). This recognises the national importance of heritage under section 6(f) of the RMA and provides protection of Māori cultural heritage, wāhi tapu, cemeteries/burial grounds, and sites of significance to Māori from inappropriate development, with any effects managed through consent conditions. The Heritage New Zealand Pouhere Taonga Act 2014 will continue to apply to archaeological or accidental discovery.

The NES-ENA is intended to work in accordance with the RMA's information requirements for assessment of environmental effects (Schedule 4), and alongside existing national direction on the management of activities in sensitive environments, such as the National Policy Statements for Indigenous Biodiversity (distribution and EVCI only), Freshwater Management and Highly Productive Land, as well as the National Environmental Standards for Freshwater.

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

The NES-ENA will support opportunities for tangata whenua to develop and operate their own distribution infrastructure at any scale, or in partnership with existing EDBs. The enabling framework of the proposed NES-ENA will benefit these initiatives and provide for a clear and streamlined consenting framework. Further, the enabling framework proposed for EVCI will also be available to Māori communities and support greater roll-out of EVCI across the country.

Regarding the constraints of the National Grid Yard and Subdivision Corridor provisions, while these may limit land use in certain circumstances, the rules are intended to ensure the electricity network is protected from adverse effects from third parties. This will support the continuous transmission and distribution of electricity to communities throughout the country, and ensure that the construction of any buildings, structures or earthworks in the proximity of the electricity network can be undertaken safely. However, officials recommend Transpower or electricity distribution operators are able to issue dispensations so that resource consent requirements can be waived when appropriate. Officials consider these provisions necessary to ensure the continuous operation and maintenance of electricity networks so that they can continue to benefit communities nationwide.

Recommendations

Officials acknowledge the concerns raised in submissions regarding Treaty settlements but do not recommend further changes.

Recommendations

No change.

3. Part B: Amendments to the National Environmental Standards for Telecommunication Facilities 2016

3.1 Proposal overview

The NES-TF has led to uncertainty and high costs for telecommunication providers because it has not kept pace with changes in the built environment and advancements in technology.

The proposal to amend the NES-TF aims to promote greater efficiency in the deployment of telecommunication facilities. It supports facility operators to better meet the connectivity needs of New Zealanders. The proposal consists of:

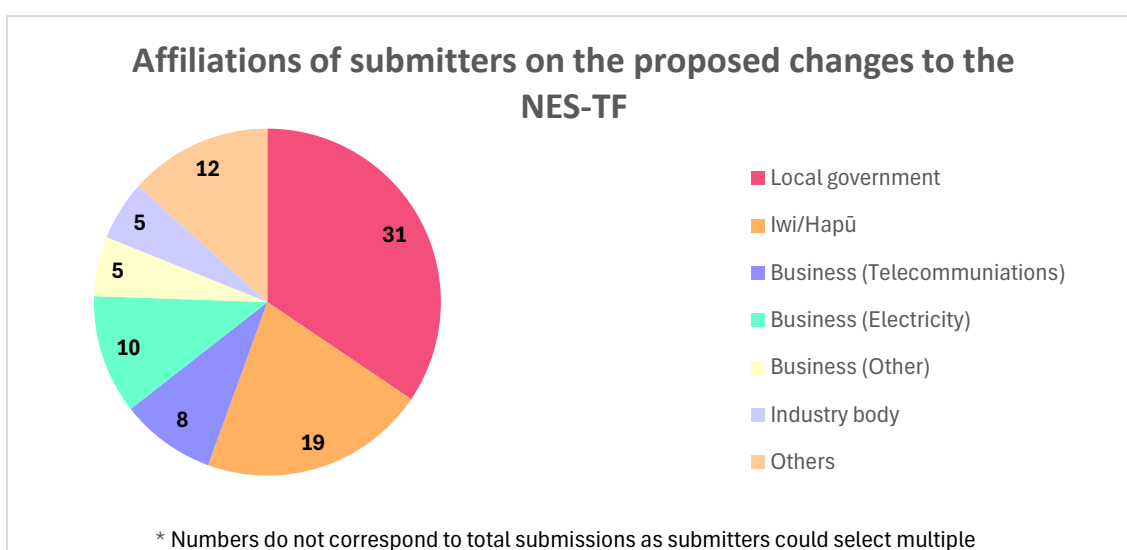
- updating the technical standards for telecommunication antennas, cabinets, headframes and poles to reflect changes to the technological and built environment and to promote co-location
- permitting telecommunication poles in more locations to support housing growth and telecommunication infrastructure deployment
- new regulations to permit ancillary renewable electricity generators, temporary telecommunication facilities (temporary facilities) and customer connection lines to heritage buildings, to better enable modern, reliable and resilient telecommunication services.

In addition, the proposal retains subpart 5 of the NES-TF, which states that rules in district and regional plans override the NES-TF in certain environmentally significant areas ('subpart 5 areas'). The exception to this relates to two new regulations: temporary facilities in emergencies and customer connection lines to heritage buildings.

3.2 Summary of submissions

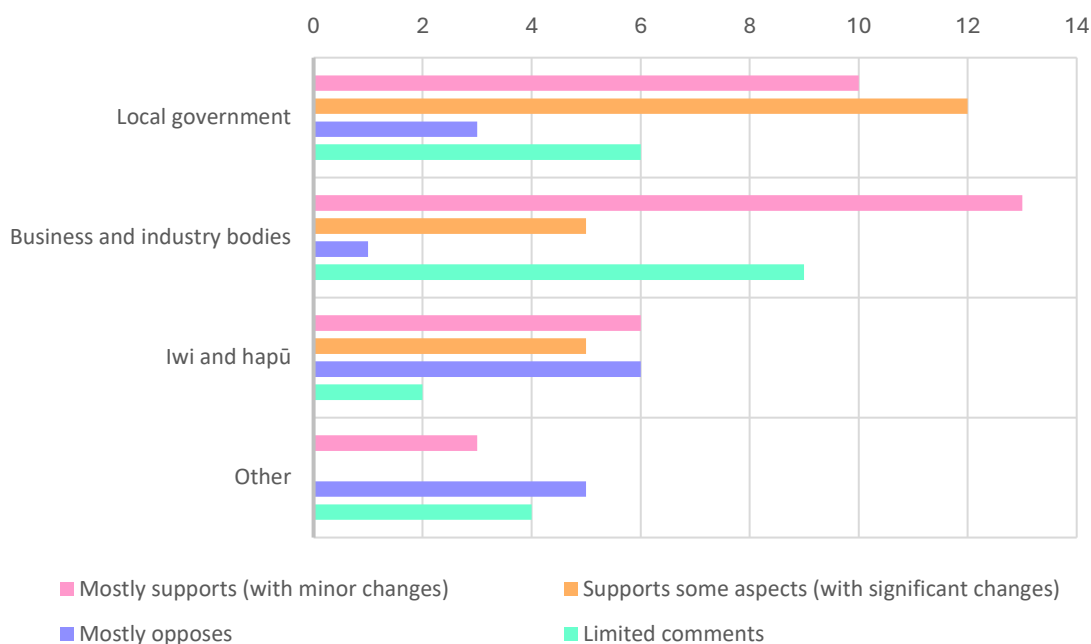
3.2.1 Overview of submissions

Out of the total 726 submissions received on packages 1 and 2, 185 submissions included feedback on the NES-TF proposal, with 90 from organisations and 95 from individuals. Submissions from organisations have been broadly categorised into the groups shown below.²⁴



²⁴ The submission analysis, which was undertaken by the Ministry of Business, Innovation & Employment, splits out submissions from organisations and individuals. Note that 'iwi/hapū' organisations exclude individuals who identified as 'iwi/hapū'.

The following graph provides a high-level qualitative assessment of feedback from organisations undertaken by the Ministry of Business, Innovation & Employment. This is based on whether submissions from organisations mostly supported the proposal (with only minor technical changes), had mixed views (supporting some aspects but recommending substantive changes), mostly opposed the proposal or provided limited comments.



3.2.1.1 Local government

Of the 31 councils that commented on the NES-TF proposal, 10 mostly supported it, 12 supported some aspects of it but suggested significant changes (generally to make the changes less enabling than what was proposed), 3 mostly opposed and 6 provided limited feedback on specific aspects of the proposal.

3.2.1.2 Businesses and industry bodies

Most of the 28 submissions from businesses, particularly telecommunication businesses and industry bodies, were strongly supportive of the NES-TF proposal. Submissions from all five industry bodies²⁵ supported the NES-TF proposal. Eight submissions received from telecommunication businesses (including mobile network operators, tower companies and local fibre companies) all supported the proposal but recommended further changes to make the NES-TF more enabling. Most suggestions were technical in nature, but some were more substantial. Officials discuss these suggestions later in this report.

3.2.1.3 Iwi and hapū

The 19 submissions from organisations that identified as iwi and hapū were divided, with six mostly in support, five supportive of some aspects (and seeking significant changes) and six opposed. Some noted support for the proposal to better enable connectivity, particularly in under-served rural areas. Some also noted telecommunications contribute to lower emissions, enabling more people to work and connect remotely. Officials discuss the concerns expressed by iwi and hapū submitters later in this report.

²⁵ Organisations that identified themselves as industry bodies were Amuri Irrigation Company Limited, Infrastructure New Zealand, Internet Services Providers Association of New Zealand, the New Zealand Telecommunications Forum, and NZTech.

3.2.1.4 Others

The 12 other submissions were from: non-governmental organisations (the Environmental Defence Society Incorporated (EDS) and Federated Farmers of New Zealand); Crown entities (Fire and Emergency New Zealand and Heritage New Zealand Pouhere Taonga); academics or subject matter experts (4); resource management practitioners (2); and registered charities (2). These submitters were divided in their views. Four, including the EDS, were generally in support. Four submissions from non-governmental organisations were strongly opposed to the NES-TF proposal due to perceived concerns that the existing New Zealand Standard on Radiofrequency Fields (NZS 2772.1:1999) incorporated by reference into regulation 55 of the NES-TF do not adequately protect public health.²⁶ The remaining four submitters provided limited comments that were focused on specific aspects of the proposal.

3.2.1.5 Individuals

Most of the 95 submissions from individuals opposed the NES-TF proposal, with over two-thirds outlining their concerns in relation to radiofrequency field exposure limits and 5G mobile technology. Many individuals were also concerned about the visual effects from telecommunication facilities and their impact on property values (particularly in residential areas), the negative environmental and cultural or perceptual impacts, and the loss of localism and community voice.

Some individual submitters supported certain aspects of the proposal. Some welcomed the new proposed activity standards for customer connection lines to heritage buildings, renewable electricity generation, and temporary facilities. Others endorsed aspects of the proposal that promote rural connectivity enhancements and co-location of facility operators to reduce the number of telecommunication poles needed.

3.2.2 Key submission topics

Key topics from submissions on the NES-TF proposal include:

- scope and definitions
- rules on telecommunication antennas, cabinets, headframes and poles
- expanding where new or replacement telecommunication poles are permitted
- enabling renewable and non-renewable electricity generation
- enabling temporary facilities
- enabling customer connection lines to heritage buildings.

These topics are discussed in further detail below.

3.3 Analysis of proposal and submissions

²⁶ Health New Zealand and the Interagency Committee on the Health Effects of Non-Ionising Fields advise that NZS 2772.1:1999 aligns with international best practice and remains fit for purpose. The NES-TF proposal does not include any amendments to regulation 55 on radiofrequency fields and so this matter is considered out of scope.

3.3.1 Topic 1: Scope and definitions

3.3.1.1 Proposal

The NES-TF applies nationwide to support a nationally consistent approach to install and operate telecommunication facilities. The NES-TF proposal does not change this.

The Government proposed several new and amended definitions to the NES-TF, with most of these changes being technical in nature. The significant amendments were:

- a new definition for ‘sensitive activities’ to align with the National Policy Statement for Infrastructure (NPS-I) and NPS-EN proposals. This new definition would be applied to the 50-metre rural setback²⁷ for ‘buildings used for sensitive activities’ in rural zones (discussed further in topic 3 of this part)
- introducing new definitions for ‘renewable electricity generation activity’ and ‘temporary telecommunication facility’ (discussed further in topics 4 and 5 of this part).

3.3.1.2 Key issues from submissions

Definition of ‘ancillary equipment’

Most telecommunication businesses sought the inclusion of the following devices in the definition of ancillary equipment: radio heads and units, structures for renewable electricity generation mounted on a pole or cabinet, GPS antennas, lightning rods, cable trays and covers, safety systems and battery storage.

Definition of ‘area adjoining the road reserve’

Many telecommunication businesses sought this definition as they contended that there is sometimes confusion regarding which zone rules apply for poles when two zones are divided by a road.

Definition of ‘self-contained power unit’

Many telecommunication businesses submitted on the inclusion of battery storage for the purposes of back-up renewable electricity generation and temporary facilities. They reiterated that self-contained power units would now be in scope of the NES-TF, when currently they are not.

Introducing a new definition for ‘co-location’

Many telecommunication businesses recommended a new definition for ‘co-location’ to apply to regulations on cabinets, headframes and poles facilitating multiple operators. They recommended the following definition: ‘co-location is where a structure or pole is designed to carry two or more facility operators’.

Introducing a new definition for ‘sensitive activities’

Many telecommunication businesses opposed introducing the new definition for ‘sensitive activities’ and preferred that the Government retain the existing wording used in regulation 35

²⁷ The 50-metre rural setback currently requires a new pole outside of the road reserve in a rural zone to be at least 50 metres away from any building used for residential or educational purposes (see regulation 35(2)(d) of the NES-TF).

– ‘buildings used for residential or educational purposes’ – to apply to the 50-metre rural setback. Industry submitters noted concerns that the use of the term ‘sensitive’ may be perceived by some to relate to public health considerations. They also considered the definition included activities that should not require a setback, such as prisons. Some councils, iwi and hapū supported the new definition for ‘sensitive activities’ and suggested including papakāinga.

Including access tracks within the scope of the NES-TF

Most telecommunication businesses and some electricity businesses suggested the inclusion of ‘access tracks’ in the definition of a facility, with consequential amendments to regulation 5 of the NES-TF. Telecommunication businesses noted it is often necessary to construct or upgrade a track to access a facility in rural zones, and permitting access tracks supports the commercial feasibility of installing or upgrading facilities in rural areas. They also proposed permitting a larger footprint or volume of earthworks than what the NES-TF currently allows.

3.3.1.3 Analysis of submissions and proposal

New equipment included in definition of ‘ancillary equipment’

Officials recommend including the following devices in the definition of ‘ancillary equipment’: remote radio heads and units, GPS antenna, cable trays and covers. These devices are necessary components for installing or operating a telecommunication facility. Officials do not recommend including lightning rods, as these are already part of installing and operating a facility under regulation 5. The inclusion of ‘safety systems’ is not considered necessary as it is not clear from submissions what this is intending to capture (and security devices and cameras are already provided for in the proposal). Officials recommend accessory buildings and fencing be removed from the proposed definition because there are no proposed standards supporting the inclusion of those structures.

Amending the definition of ‘area adjoining the road reserve’

Officials recommend the definition of ‘area adjoining the road reserve’ be amended to clarify that where a road is also a legal boundary between two zones, each side of the road from the centreline adopts each zone’s respective rules. This will resolve confusion regarding which zone applies when a road divides two zones. Officials recommend renaming the definition as ‘zone adjoining the road reserve’, as this better articulates the intent.

Amending the definition of ‘self-contained power unit’

Officials recommend the definition of ‘self-contained power unit’ be amended to include the storage of power and the generation of power. This will support battery storage for renewable electricity generation and on-board temporary facilities.

Introducing a new definition for ‘co-location’

Officials recommend adopting a new definition for ‘co-location’, in line with the recommendation from most telecommunication businesses. The recommended definition would articulate that the pole, headframe, cabinet or a group of cabinets is designed to carry two or more operators in one location, rather than require this from the start of installation. This definition provides additional operational flexibility to add co-located antennas on a facility over time and reduces complexity with respect to compliance and enforcement.

Deleting the proposed definition of ‘sensitive activities’

The proposed NPS-I and NPS-EN have been drafted to apply a principles-based definition for ‘sensitive activities’, rather than adopting a list of specific activities. If this principles-based definition was applied to the 50-metre rural setback in the NES-TF, it would likely make implementation more complex and open to interpretation by district councils. This would reduce certainty regarding which buildings the setback applies to. Officials recommend retaining the existing wording for the 50-metre rural setback: ‘buildings used for residential or educational purposes’, and including marae, papakāinga and places of worship in the definition. This was requested by councils, iwi and hapū, and is consistent with the broader, principle-based definition of sensitive activities applied in the proposed NPS-I and NPS-EN.

Continuing to exclude access tracks from the definition of ‘facility’

Based on the submissions received, it is unclear the extent to which district or regional plan rules pose an unnecessary barrier to construct or maintain access tracks. Plans are generally enabling of access tracks in rural zones, and in practice operators often utilise existing tracks such as farm tracks before constructing new tracks. Officials consider there are scope risks associated with progressing this suggestion. Therefore, officials have not recommended including access tracks in the definition of a facility.

3.3.1.4 Recommendations

Recommendations for this topic are summarised below and the complete list (including ‘no change’ recommendations) is outlined in full in the consolidated recommendations table in attachment B.

Key recommendations

Amend the definition of ‘ancillary equipment’ to include remote radio heads and units, GPS antennas, cable trays and covers ([see recommendation 1](#)).

Amend the definition of ‘area adjoining road reserve’ to ‘zone adjoining the road reserve’ ([see recommendation 7](#)).

Amend the definition of ‘self-contained power unit’ to include the storage of power ([see recommendation 65](#)).

Insert a new definition for ‘co-location’, where a pole, headframe, cabinet or a group of cabinets is designed to carry two or more operators in one location, which will apply to regulations providing for co-location ([see recommendation 64](#)).

Remove the proposed new definition for ‘sensitive activities’ ([see recommendation 9](#)).

Amend the proposal to clarify that self-contained power units are in scope, supported by ancillary equipment, and that these units will apply to two new regulated activities: renewable electricity generation and temporary facilities ([see recommendations 11 and 72](#)).

3.3.2 Topic 2: Rules on telecommunication antennas, cabinets, headframes and poles

3.3.2.1 Proposal

The NES-TF proposal updates the permitted activity standards for telecommunication antennas, cabinets, headframes and poles to reflect changes to the technological and built environment, and to promote co-location.

Permitting taller and wider telecommunication poles

Under the status quo, the NES-TF ties maximum permitted pole heights and widths to the size of existing poles. The proposal included two options to link pole heights to the relevant zone.

- Option 1 would specify fixed pole height caps by zone.
- Option 2 would be more enabling and permit pole heights up to the permitted building height for the zone plus 5 metres.

Both options proposed to control pole widths based on the zone the pole is located in, with an additional 5 metres in height available for co-located facilities outside of residential zones.

Enabling the installation of headframes on poles

NES-TF does not currently enable the installation of headframes on poles in the road reserve, unless there is a headframe on an existing pole (subject to a resource consent). The proposal included two options to enable headframes on poles in the road reserve.

- Option 1 would enable the installation of 1.6-metre-wide headframes on poles adjoining commercial, industrial, mixed-use and rural zones.
- Option 2 would enable 4.5-metre-wide headframes on poles adjoining commercial, industrial and rural zones and 1.6-metre-wide headframes on poles adjoining residential, local centre, neighbourhood centre and mixed-use zones.

The proposal also included changes to headframe standards for new and existing poles permitted in some zones outside of the road reserve.²⁸

More enabling rules proposed on the placement of antennas on buildings

This proposal consisted of two options.

- Option 1 would increase the permitted height for antennas on buildings not in a residential zone from 5 to 10 metres.
- Option 2 would permit antennas on buildings to be located up to the permitted building zone height plus 5 metres and enable antennas to be installed on three-storey buildings in residential zones.

Increasing the size of panel and dish antennas

Proposals to increase the size of panel and dish antennas support newer technologies, rural connectivity and telecommunication network resilience.

²⁸ The term 'outside of the road reserve' refers to both private and public land.

Changes proposed to telecommunication cabinet sizes and rules

The changes proposed included:

- increasing the size dimensions of cabinets and groups of cabinets in the road reserve and on buildings covered under the NES-TF
- reducing the distance required to separate cabinets and groups of cabinets in the road reserve, aligning the point of measurement for noise for cabinets in and outside of the road reserve.

3.3.2.2 Key issues from submissions

Permitting taller and wider telecommunication poles

Most councils, iwi and hapū submitters supported Option 1 (fixed pole height caps by zone). These submitters noted that this option is more proportionate, provides greater certainty for all parties and is easier to administer.

Most telecommunication businesses and industry bodies also supported Option 1. However, they suggested changes to provide flexibility to construct poles in or adjoining some zones up to the maximum permitted building height of the zone plus 5 metres (which meant their recommendation was more akin to Option 2). Industry submitters consider the additional height is necessary to enable telecommunication poles to reach over surrounding buildings to overcome obstacles caused by taller buildings. They noted that this approach would be consistent with the National Policy Statement for Urban Development 2020 (NPS-UD) intensification policies. They also sought slightly wider poles (1.7 metres) in the road reserve of rural areas for structural stability.

Some submissions from councils, iwi and hapū and other organisations opposed both options. Their concerns related largely to visual effects, particularly in the residential road reserve. Some low-growth councils considered the need for taller poles to be an issue facing high-growth councils only – because low-growth councils are not subject to the NPS-UD intensification policies – and they did not support the ‘one-size-fits-all’ approach. Some iwi and hapū stated pole sizes are context-specific and suggested heights should be tiered for culturally sensitive landscapes. Some iwi and hapū also requested the ability to identify exclusion zones.

Most individual submitters opposed both options relating to pole heights.

Enabling the installation of headframes on poles

Most businesses and industry bodies, and some councils, iwi and hapū supported the proposed headframe changes to enable greater co-location of multiple facility operators, as this is considered a more efficient use of space than requiring multiple poles for different operators.

Headframes on poles in the road reserve

Most councils and some submissions from iwi and hapū supported Option 1. Some councils were concerned that under Option 2, there is a risk of adverse visual effects from enabling 1.6-metre-wide headframes in the road reserve adjoining residential zones. Some councils suggested that 4.5-metre-wide headframes in the road reserve under Option 2 could be a hazard or distraction to vehicles and pedestrians. Some iwi and hapū noted larger headframes exacerbate adverse effects on culturally sensitive sites within or near the road reserve.

Most telecommunication businesses and industry bodies supported Option 1 but suggested modifications that are closer to Option 2. Their recommendation was to permit 1.2-metre-wide headframes for single operators on poles in the road reserve adjoining any zone, and the following headframe sizes for co-location:

- 1.6-metre-wide headframes where adjoining residential zones
- 2.5-metre-wide headframes where adjoining local centre and neighbourhood centre zones
- 4.5-metre-wide headframes where adjoining all other zones.

Most individual submitters opposed both options.

Headframes on poles outside of the road reserve

Few organisations or individuals submitted on this proposal. Some councils noted that headframes should only be permitted in areas where there are lower visual amenity impacts (ie, commercial and industrial zones).

Many telecommunication businesses and some industry bodies submitted on the operational need to install headframes on telecommunication poles outside of the road reserve. They suggested that the same 2.5-metre-wide headframes for poles in the road reserve in local centre and neighbourhood centre zones should be permitted on poles outside of the road reserve in these zones. Many telecommunication businesses also requested removing the proposed co-location references for headframes on poles outside of the road reserve, as headframes are also used by single operators to provide additional network capacity or coverage to an area.

Changes to antenna sizes and rules

Location rules for antennas on buildings

Most telecommunication businesses and industry bodies supported Option 1 and some preferred Option 2. Most councils and all iwi and hapū who submitted on this proposal supported Option 1. Three councils were opposed to both options.

Those who support Option 1 submitted that it was more proportionate than Option 2 and would better mitigate visual and amenity effects. Generally, submitters agreed that the point of measurement for the height of an antenna should begin from the highest point of the building. Organisations opposed to both options were concerned about visual effects of 10-metre poles protruding from buildings (particularly in smaller rural town centres). Some iwi and hapū submissions noted that there is a lack of clear protocols for heritage buildings or culturally important sites such as marae and papakāinga, when allowing antennas on these buildings.

Size rules for antennas

Businesses and industry bodies generally supported the proposed antenna standards with minor changes. Very few other submitters commented on proposed antenna dimensions and considered these should reflect technological need. Of the four councils that commented on these proposals, two supported them, and two were opposed due to concerns about visual and streetscape effects.

Changes to telecommunication cabinet sizes and rules

Most businesses and industry submitters supported the proposed telecommunication cabinet sizes and rules.

Some councils supported the proposed cabinet rules, including the 1.8-metre height limit for cabinets in the road reserve adjacent to residentially zoned land, as it aligns with permitted fence heights. Other councils sought minor wording changes. Some councils opposed the cabinet size increases due to concerns about the lack of available space in an already congested road reserve, and the need to ensure safety for pedestrians and vehicles by locating cabinets away from intersections. A few councils also opposed aligning the point of measurement for cabinet noise in and outside of the road reserve, due to concerns that it could result in higher noise levels.

Some iwi and hapū supported the proposed cabinet changes, and some opposed them. No specific rationale was provided.

Most individual submissions opposed cabinet proposals, but some supported them.

3.3.2.3 Analysis of submissions and proposal

Permitting taller and wider telecommunication poles

Based on the submissions, officials recommend proceeding with Option 1 (height caps by zone). Attachment C provides an overview of the proposed pole sizes by zone type for the NES-TF. Officials agree with most submitters that this approach better mitigates the risk of adverse visual effects, is easier to administer and provides certainty for councils and communities. Officials have also proposed to clarify that where a pole is subject to a total maximum pole height (ie, 20 metres, 25 metres or 35 metres), the cap is applied to the height of the pole and all antennas.

Officials note that Option 1 would not permit poles to exceed the height of buildings in some zones to provide coverage (notably the 20-metre height cap for poles in the road reserve adjoining a residential zone would not exceed the height of some buildings in high-density residential zones up to approximately 22 metres high). In these circumstances, officials consider it appropriate that facility operators continue to rely on district plan rules, which may require them to obtain a resource consent if taller poles are not already permitted. Facility operators may also have the option of obtaining a lease to locate antennas on buildings as taller buildings are increasingly being constructed in high-density residential zones.

Officials recommend that the height cap of 25 metres (30 metres for co-location) apply to poles in the road reserve adjoining city centre, large format retail, and town centre zones. This was originally the intent, as telecommunication facilities can be built in the road reserve for these zones currently.

Officials acknowledge the concerns raised by some low-growth councils regarding the 'one-size-fits-all' approach to pole sizes. In the view of officials, there are nationwide benefits in providing consistent size standards across the country. While taller buildings in residential or residential-adjacent zones primarily drive the proposed pole heights, other obstacles such as topography and vegetation can likewise disrupt connectivity coverage. The proposed pole heights will help to address the range of scenarios that can pose obstacles to urban and rural connectivity.

Officials also acknowledge concerns from some submitters about the potential visual effects of taller poles in some zones, particularly in the residential road reserve and in rural zones. However, officials largely support retaining the proposed pole height and width caps. Officials recommend that settlement zones be treated as a residential zone for the purposes of pole height and width. This approach will ensure residential areas and settlement zones are

protected from disproportionately tall poles in the road reserve. The proposed pole heights will provide telecommunication facility operators with greater flexibility to build to the height needed to provide adequate reach over buildings, vegetation or other coverage obstacles. The proposed height caps are not a minimum threshold, and officials anticipate in many cases facility operators will not seek to build to the maximum specifications or beyond what is operationally necessary because they will be aiming to minimise construction costs.

Officials agree that taller poles in the road reserve adjoining a rural zone will need to be wider to structurally support poles as high as 35 metres. Therefore, the maximum permitted width of these poles is recommended to increase to 1.7 metres.

Officials acknowledge the submissions from some iwi and hapū suggesting specific protections for culturally sensitive landscapes. Under regulation 46 of the NES-TF, regulated activities in a historic heritage place must be carried out in accordance with district plan rules.²⁹ Officials note that in some districts, many sites of significance to Māori have not been identified in district plans. In accordance with the principle of subsidiarity, local government is better placed than central government to identify and determine appropriate rules relating to pole heights near these sensitive sites.

Enabling the installation of headframes on poles

Officials support greater enablement of headframes to facilitate co-location. This is anticipated to result in industry constructing a new single pole with a headframe that supports co-location, rather than deploying multiple poles that achieve comparable service. Co-location supports more efficient facility deployment and avoids or mitigates adverse environmental effects associated with the clustering of multiple poles. The headframe size standards are designed to be commensurate with zoning character and service needs.

Headframes on poles in the road reserve

Officials recommend Option 2 (headframe size standards) in the road reserve, but a modified version based upon industry's suggested sizes. This approach includes a three-tier headframe size framework that captures road reserve adjoining all zones. These headframe sizes are commensurate to zoning characteristics and will provide telecommunication services that meet connectivity needs while managing adverse effects from disproportionately large headframes.

The headframe size standards are recommended to be as follows:

- 1.6-metre-wide headframe where adjoining residential zones (including settlement and Māori purpose zones) or open space zones
- 2.5-metre-wide headframe where adjoining city centre, local centre, metropolitan, mixed-use, neighbourhood centre, special purpose and town centre zones
- 4.5-metre-wide headframe where adjoining commercial, industrial, large format retail, and rural zones.

Both for the 1.6-metre-wide and 2.5-metre-wide headframe allowances, the poles must be at least 15 metres high to mitigate visual impacts at one's line of sight.

Traffic safety risk concerns expressed by councils would continue to be managed through the National Code of Practice for Utility Operators' Access to Transport Corridors 2024 (the National Code 2024) issued under the Utilities Access Act 2010. Facility operators must

²⁹ Historic heritage is defined in the RMA as including 'sites of significance to Māori, including wāhi tapu'.

submit a corridor access request to the road controlling authority, which then issues a works access permit with a range of conditions, including those related to pedestrian and vehicle safety. The proposed amendments to the NES-TF would not exempt facility operators from these requirements.

Headframes on poles outside of the road reserve

Officials do not consider there is a strong basis to differentiate between the size standards for headframes in or outside the road reserve. Amending the proposal to apply headframe size standards based on zone only, irrespective of whether the pole is in or outside the road reserve, is recommended. In terms of headframes on poles outside the road reserve, new regulations would only apply to commercial, industrial, large format retail, local centre, mixed-use and neighbourhood centre zones.

Officials also recommend a requirement that a headframe on a new pole outside of the road reserve in local centre, mixed-use and neighbourhood centre zones is to support co-location and includes a 15-metre minimum pole height requirement (to mitigate visual effects). This approach will encourage 'bulkier' facilities in those three zones (which typically accommodate dairies, service stations and similar) while still providing coverage to surrounding residential zones. For commercial, industrial and large format retail zones, officials propose no co-location requirement as these zones are less sensitive to the visual and amenity effects of larger headframes.

The existing 6-metre-wide headframe allowance provided to rural masts outside of the road reserve continues to apply.

Changes to telecommunication cabinet sizes and rules

Officials propose three minor changes to rules for telecommunication cabinets. Firstly, officials recommend clarifying that the cabinet group rules apply in residential zones because it is not currently clear in the notified proposal. Secondly, they recommend the maximum permitted height for cabinets in the road reserve adjoining a residential zone stay at 1.8 metres (which is a common permitted height rule for fences). This will mitigate the visual effects of cabinets protruding above fence lines. Thirdly, officials recommend the proposed footprint area for a cabinet in the road reserve increase from 2 to 2.25 square metres to compensate for shorter cabinets.

Changes to antenna sizes and rules

Officials recommend progressing the standards for antennas on poles as proposed, with some minor changes. These include clarifying the size limits for antennas on a headframe where the pole is in the road reserve. These changes are relatively minor and will ensure greater operational flexibility for panel and dish antennas, without changing the nature or scale of visual effects. Most submitters were not concerned with these proposed sizes.

Antennas on buildings

Officials recommend proceeding with Option 1 with some minor changes. The most significant change would limit the increase in the maximum antenna height from 5 to 10 metres for buildings where the maximum permitted building zone height is 15 metres or more. This addresses concerns from some councils about the visual impact of permitting antennas to protrude up to 10 metres above the height of a building in smaller rural town centres, where permitted building height is typically only 8 to 12 metres.

3.3.2.4 Recommendations

Recommendations for this topic are summarised below and the complete list (including 'no change' recommendations) is outlined in full in the consolidated recommendations table in attachment B.

Key recommendations

Progress Option 1 to establish fixed pole height caps for new and existing poles both **in the road reserve** and **outside the road reserve** in specified zones with amendments (see recommendations 22 and 47 and attachment C).

Progress Option 2 on headframe rules for co-location on new or existing poles **in the road reserve**, with changes to permit 2.5-metre-wide headframes in some zones (see recommendation 35 and attachment C).

Amend the proposal to permit headframes on poles **outside the road reserve** with the same widths as headframes on poles in the road reserve by zone, and remove the co-location reference for some zones (see recommendation 45 and attachment C).

Progress Option 1 on the attachment rules for antennas on buildings and only permit an increase in the maximum height of antennas from 5 to 10 metres above the highest point of a building where the building zone height is 15 metres or more (see recommendation 55).

Decrease the permitted height of cabinets in the road reserve of residential zones to 1.8 metres and increase the permitted footprint to 2.25 square metres (see recommendation 15).

Apply the cabinet group rules to cabinets in a residential zone (see recommendation 17).

3.3.3 Topic 3: Expanding where new or replacement telecommunication poles are permitted

3.3.3.1 Proposal

The Government proposed to permit new or replacement telecommunication poles in more places by:

- removing the requirement for new poles in the road reserve to locate within 100 metres of existing poles (referred to as the '100-metre rule') so that new poles can be more easily built in the road reserve, especially in rural areas or for new housing developments
- permitting new poles outside of the road reserve in commercial, industrial, local centre, mixed-use and neighbourhood centre zones, subject to a height in relation to boundary setback of 4 metres and a 60-degree recession plane. In all other zones (ie, open space, residential and special purpose zones) outside of the road reserve, a replacement pole could locate 10 metres away from the original pole location and be taller than the original, by up to 5 metres in height
- amending the 50-metre rural setback, applying it to 'sensitive activities' located **on a neighbouring property only**, and applying the rule to poles both in and outside of the road reserve.

New or replacement poles in these areas would still be subject to district or regional plan rules if they are in an environmentally significant area identified in subpart 5 of the NES-TF, so may still require a resource consent.

3.3.3.2 Key issues from submissions

Removing the 100-metre rule for new poles in the road reserve

Most telecommunication businesses and industry bodies strongly supported removing the 100-metre rule for new poles in the road reserve. They noted the important role that road corridors play in hosting linear infrastructure (both underground and overhead). Some telecommunication businesses recommended permitting new and replacement telecommunication poles in the road reserve of several NES-TF subpart 5 areas.

Some councils supported the removal of the 100-metre rule, but others opposed it. Those opposing its removal were concerned about:

- the risk of exacerbating infrastructure congestion in the road reserve and increasing traffic safety risks
- visual and amenity effects, particularly in residential zones
- facility operators' lack of engagement with councils and communities on the location of new telecommunication poles in the road reserve, without a resource consent to guide how this is carried out.

Some iwi and hapū supported this proposal and others opposed it when it came to potential development on or near whenua Māori or sites of significance to Māori. They recommended consultation with iwi and hapū for poles in these areas, or requiring the preparation of cultural impact assessments as a condition.

Most submissions provided by individuals were opposed to this proposal, mostly due to concerns related to radiofrequency fields. Others were concerned about the visual effects from more permissive rules for poles in the road reserve, particularly in residential zones.

Permitting telecommunication poles in more places outside of the road reserve

Most telecommunication businesses and industry bodies supported permitting poles in more zones outside of the road reserve. They wanted to extend the proposal further, permitting new poles in any zone outside of the road reserve, particularly residential zones. Their view is that it is essential to permit new poles both in and outside of the road reserve in residential zones to support future development, such as large new residential developments and retirement villages.

Many telecommunication businesses also suggested only applying the proposed setback³⁰ to boundaries that adjoin a property zoned as residential. They noted that applying the proposed setback to other zones is stricter than what most district plans permit. Telecommunication businesses also recommended only applying the proposed setback where there is different ownership on the site that the pole is located on, so that landowners can agree to host a facility on their land within the setback.

Some councils supported this proposal with changes; one was opposed. Some suggested the NES-TF should provide regulated activity standards for poles in **all** zones outside of the road reserve, rather than relying on district plan rules, for consistency and ease of administration. Some also suggested extending the proposed setbacks to new poles in other zones adjacent to sensitive activities. The few councils opposed were mostly concerned about the lack of engagement with councils and communities on the location of new poles in these zones.

³⁰ The height in relation to boundary setback of 4 metres and a 60-degree recession plane.

Some iwi and hapū supported this proposal and noted that the activity standards for poles should be as enabling outside of the road reserve as the activity standards for poles in the road reserve, except in NES-TF subpart 5 areas. Some also noted concerns about permitting poles near whenua Māori or sites of significance to Māori and recommended consultation with iwi and hapū for poles in these areas or requiring cultural impact assessments.

Amending the 50-metre rural setback

Most telecommunication businesses and some industry bodies supported changes to the 50-metre rural setback so that it only applies to buildings **on a neighbouring property**. They noted this would provide more flexibility where a landowner agrees to host a facility on their land within the setback. Most telecommunication businesses opposed extending the application of the 50-metre rural setback to new poles in the road reserve of rural zones. They noted that there is no problem with the status quo and that setbacks should not apply to poles permitted in the road reserve for any zone.

A few councils suggested applying the 50-metre rural setback to poles in residential zones. Some iwi and hapū also supported the proposed changes and suggested applying the rule to sites of significance to Māori and cultural landscapes identified in iwi management plans. Some other organisations and some individuals recommended extending the 50-metre rural setback to 500 metres and applying it in all zones, due to concerns about radiofrequency field exposure.

3.3.3.3 Analysis of submissions and proposal

Removing the 100-metre rule for new poles in the road reserve

Officials continue to recommend removing the 100-metre rule. While some councils and many individuals are concerned about the visual effects of new poles in the road reserve of residential zones, the rule does not contribute to more congestion of infrastructure in the road reserve. It may prevent facility operators from installing new poles in optimal locations to provide coverage that may have lower visual amenity effects. It also makes it more difficult for facility operators to design and build new poles in the road reserve for new housing developments where there are no poles to begin with.

As discussed above in relation to headframes and cabinets in the road reserve, concerns related to infrastructure congestion and traffic safety risks would be managed through the National Code 2024 issued under the Utilities Access Act 2010. Officials also note that facility operators follow the engagement process outlined in the New Zealand Telecommunications Forum's *Community Engagement Guidelines for New Wireless Facilities* and make design changes based on views of affected parties and the community.

Permitting telecommunication poles in more places outside of the road reserve

Officials continue to propose to permit new telecommunication poles outside of the road reserve in commercial, industrial, local centre, mixed-use and neighbourhood centre zones. These zones are least sensitive and can accommodate poles outside of the road reserve without significant departure from the zone's character.

Officials do not propose to extend the NES-TF to permit new poles outside of the road reserve in other zones (including residential, open space, sport and active recreation or special purpose zones). Officials consider that these zones are more likely to have a range of other environmental sensitivities or values that should be considered in the context of specific local or community preferences expressed in district plans.

Officials support the proposal to amend the setback rules to only apply to boundaries that adjoin a property zoned as residential, rather than to any building within a local centre, mixed-use or neighbourhood centre zone. Given the buildings in these zones are generally more compact and diverse in their land use, officials recognise it could be difficult for facility operators to comply with the proposed setback. They also note that many district plans do not specify setback rules for buildings in these zones.

Officials do not recommend only applying the proposed setback where there is a different ownership on the site that the pole is located on. The intent of the height in relation to boundary setback is to mitigate the visual effects of new poles outside of the road reserve located near residential boundaries and so should apply regardless of building ownership status.

Amending the 50-metre rural setback

Officials recommend retaining the proposal to apply the 50-metre rural setback to new poles in the road reserve of rural zones. Given officials are proposing to remove the 100-metre rule, this will provide much more enablement for facility operators to install new poles in the road reserve of rural zones. Officials consider the 50-metre rural setback for poles up to 35 metres high in rural zones should apply both in and outside of the road reserve. This will ensure development is consistent with rural character.

Officials do not recommend applying the 50-metre rural setback to other zones, as the rationale for the setback is to maintain rural character and the quality of the rural environment, and could be too constraining for industry.

As discussed in topic 1 of this part, officials have recommended clarifying that marae and papakāinga are included as a building used for residential or educational purposes for the 50-metre rural setback. For other sites of significance to Māori not captured within the setback proposal but within NES-TF subpart 5 areas, district plans can apply controls such as setbacks or viewshafts.

Officials have also recommended changes to clarify what the rules are for an existing pole within the 50-metre rural setback. This will provide some flexibility for these poles to be relocated and upgraded (ie, moving by 5 metres and increasing in height by 5 metres) while retaining the intent of the 50-metre rural setback.

3.3.3.4 Recommendations

Recommendations for this topic are summarised below and the complete list (including 'no change' recommendations) is outlined in full in the consolidated recommendations table in attachment B.

Key recommendations

Amend the setback rule so it only applies to boundaries that adjoin a property zoned residential, rather than to a boundary within local centre, mixed-use or neighbourhood centre zone (see recommendation 39).

Retain the existing wording 'buildings used for residential or educational purposes' used in regulation 35 applied for the 50-metre rural setback, and include marae, papakāinga and places of worship (see recommendations 9, 27 and 52).

3.3.4 Topic 4: Enabling renewable electricity generators for telecommunication facilities

3.3.4.1 Proposal

The Government proposed to introduce new standards for renewable electricity generators that power telecommunication facilities outside of the road reserve in a rural zone. The proposal included:

- permitting **solar panels** (with a footprint no greater than 100 square metres and a height limit of 5 metres for ground-mounted solar panels)
- permitting **wind turbines** (with a maximum height of 25 metres and subject to New Zealand Standard 6808:2010 Acoustics – Wind farm noise)
- applying the 50-metre rural setback to sensitive activities from renewable electricity generation activities
- permitting the installation and operation of a non-renewable (diesel or petrol) electricity generator as a back-up to renewable electricity generation.

3.3.4.2 Key issues from submissions

Many submitters across Package 1: Infrastructure and development supported the intent of enabling renewable electricity generators and some supported introducing standards for telecommunication facilities.

Some councils supported the proposed new activity standards for renewable electricity generation, and none opposed. A few councils suggested the following controls for wind turbines: limiting how many are permitted per facility, rotor size limits, and applying height-in-relation-to-boundary setbacks. A few councils questioned the basis for the proposed 100-square-metre solar panel footprint. Submissions from a few iwi and hapū supported the proposal but noted installations must not occur near wāhi tapu or significant landscapes without prior agreement from iwi and hapū.

Most telecommunications and electricity businesses and industry bodies supported the proposed new standards with some changes. Most telecommunication businesses requested permitting fuel storage tanks as an ancillary activity of up to 3,000 litres and clarifying that district plan rules on noise would apply to non-renewable electricity generators. They also noted that tanks would be installed in accordance with the Health and Safety at Work (Hazardous Substances) Regulations 2017.

3.3.4.3 Analysis of submissions and proposal

Officials recommend continuing to progress this proposal and recognise that most submitters who commented on the proposal supported it. Officials also support renewable electricity to power infrastructure for climate, energy security, resilience and affordability reasons.

Self-contained power unit

Officials recommend amending the proposal to clarify that self-contained power units (as defined in the NES-TF) will be enabled to support facilities in rural zones outside the road reserve for renewable electricity generation activities enabled by this proposal. The amended definition will include battery storage. The scope of this regulation will be supported by a

definition and policies on ‘small-scale renewable energy generation (REG)’, provided in proposed amendments to the National Policy Statement for Renewable Energy Generation 2011 (NPS-REG).

Solar panels

Officials continue to support the proposed 100-square-metre solar panel footprint and are aware of several existing sites with a solar panel footprint of approximately 80 square metres. This footprint will give facility operators flexibility to design specific sites to meet their energy consumption needs. Officials do not recommend changes to the solar standard.

Wind turbines

Officials recommend adopting two of the suggestions from submitters in relation to wind turbines:

- limiting the number of turbines to two per facility
- clarifying that the 25-metre height limit applies to the height of the total structure (including the rotor).

Officials expect this to meet facility operators’ needs and mitigate adverse visual effects. Officials do not recommend applying a height-in-relation-to-boundary setback. Officials consider application of the 50 metre rural setback is appropriate to mitigate visual effects given the smaller scale of these wind turbines.³¹ The wind turbines will also be subject to New Zealand Standard 6808:2010 Acoustics – Wind farm noise.

Battery storage

Officials recommend that it is made clear battery storage is supported by the NES-TF for this new regulated activity as part of being a self-contained power unit. Batteries are critical in supporting resilience and enhancing the benefits of renewable electricity generation. Officials do not intend to provide a specific standard for batteries, but batteries in this instance need to be housed on site in cabinets in accordance with the NES-TF and will be limited by the amount of electricity generated by two wind turbines or 100 square metres of solar panels.

Non-renewable back-up generators and fuel storage tanks

Non-renewable (diesel or petrol) back-up generators and ancillary fuel storage are often needed for off-grid facilities. However, diesel and petrol carry environmental risks especially if they are left unattended.

Officials do not recommend permitting non-renewable generators and fuel storage in the NES-TF at this time. The telecommunication industry’s request to permit the storage of 3,000 litres of fuel is not supported as this is considered an excessive volume of fuel and is not supported by evidence.

Officials differ from industry in their views on the adequacy of the Health and Safety at Work (Hazardous Substances) Regulations 2017 in protecting the environment. These regulations only apply when workers are ‘on-site’ but once they leave, the Health and Safety at Work Act

³¹ Note the 50-metre rural setback for renewable electricity generation activities will also not apply to ‘buildings used for sensitive activities’ as originally proposed, but to ‘buildings used for residential or educational purposes’ including marae, papakāinga and places of worship, to align with the proposed changes to the 50-metre rural setback on poles in rural zones.

2015 no longer applies, meaning these regulations alone are not fit for an environmental purpose. Officials consider that there could be merit in reviewing this suggestion in the future. Non-renewable generators will be determined based upon the content of district plans, which are generally enabling of generators used in temporary or emergency situations.

3.3.4.4 Recommendations

Recommendations for this topic are summarised below and the complete list (including 'no change' recommendations) is outlined in full in the consolidated recommendations table in attachment B.

Key recommendations

Amend the proposal for wind turbines to limit the number of turbines to two per facility and specify that the 25-metre height limit applies to the height of the total structure including the rotor ([see recommendation 62](#)).

Amend the proposal to remove non-renewable electricity generators ([see recommendation 62](#)).

3.3.5 Topic 5: Enabling temporary telecommunication facilities

3.3.5.1 Proposal

The Government proposed to introduce new standards for temporary facilities. These facilities are critical in emergencies and for maintenance.

The proposal included a six-month time limit for the operation of temporary facilities in emergencies and for maintenance purposes, and a three-month time limit for events or short periods during high-capacity demand (eg, during holiday periods; at a festival or campsite). It proposed to introduce a leniency provision to enable temporary facilities to be permitted for longer timeframes by district plans, without requiring a controlled activity resource consent.

Temporary facilities could be deployed in NES-TF subpart 5 areas in a state of an emergency only. The proposal also included some technical standards for telecommunication facilities relating to bulk, location and environmental obligations.

3.3.5.2 Key issues from submissions

Most telecommunication businesses, some electricity businesses and most industry bodies supported the proposal but sought several changes to improve its workability. While many councils supported the proposal, a few were opposed, and some iwi and hapū supported the proposal with changes. Key submission points included the following.

The timeframes for temporary facilities

Most telecommunication businesses recommended increasing the proposed timeframes from six months to twelve months for emergencies and maintenance, and from three months to six months for events and short periods during high-capacity demand. Some councils supported the proposed timeframes as notified while a few recommended decreasing to three months for maintenance and decreasing events to one week on either side of the event.

Requirements on the location and number of temporary facilities for maintenance

Most telecommunication businesses considered controls on the location and number of temporary facilities to be unworkable. They noted sometimes it is not possible to locate a temporary facility within 100 metres of an existing facility under maintenance, and multiple facilities are sometimes required to provide the equivalent level of coverage service for an existing facility.

The footprint of a temporary facility and clarifying what components are included

Some telecommunication businesses noted that the proposed 15-square-metre limit would not support all components of a temporary facility. They suggested increasing its permitted size to a 20-square-metre footprint limit and clarifying that self-contained power units and ancillary equipment (eg, diesel generators, a fuel tank or solar panels) are included.

Enabling temporary facilities in NES-TF subpart 5 areas

Most telecommunication businesses note that the use of temporary facilities is critical in ensuring continuity of service in emergencies or non-emergencies. They propose to permit temporary facilities in subpart 5 areas for all proposed use cases.

Some councils, iwi and hapū noted the risk of adverse cultural and environmental effects from permitting temporary facilities in subpart 5 areas. Some iwi and hapū suggested post-emergency obligations to engage with Māori where temporary facilities were deployed on or near whenua Māori or sites of significance to Māori. Some councils recommended adding controls for temporary facilities in subpart 5 areas to manage effects and requiring notification to the local authority and local iwi and hapū in these areas. Some councils also noted that temporary facilities in the road reserve need to be installed in areas that ensure road safety.

3.3.5.3 Analysis of submissions and proposal

Officials recommend continuing to progress the new permitted activity standards for temporary facilities. Many submitters considered introducing the new standards was necessary to support telecommunications resilience. Officials view temporary facilities as essential infrastructure for resilience purposes.

Officials support several recommended changes from submissions.

The timeframes for temporary facilities

Officials recommend extending the timeframes for temporary facilities for emergencies and maintenance to 12 months. This will provide greater operational flexibility for facility operators in the event of outages, repairs or other maintenance. Retaining the three-month timeframe for events (eg, festivals) and short periods during high-capacity demand (eg, Easter weekend) is recommended, as a longer period is considered to be excessive. Given the proposed extension to 12 months for emergencies and maintenance, there is no need to introduce a leniency provision to enable temporary facilities to be permitted for longer timeframes by district plans. Officials recommend removing the leniency provision on temporary facilities from the proposal.

Requirements on the location and number of temporary facilities for maintenance

Officials recommend removing the requirements on the location and number of temporary telecommunication facilities for maintenance. They agree these controls may not be workable in all situations. Given these facilities are temporary and support resilience, officials consider the controls on location and number of facilities can be lifted.

The footprint of a temporary facility and clarifying what components are included

Officials recommend increasing the proposed footprint from 15 square metres to 20 square metres to support the deployment of larger temporary facilities, such as a mobile exchange on wheels or deployable cell towers with solar panels. Officials also support clarifying ancillary equipment is enabled for the purposes of operating a temporary facility.

Enabling temporary facilities in NES-TF subpart 5 areas

While officials agree with submissions from most telecommunication businesses that it is necessary to support the deployment of temporary facilities for emergencies and maintenance, MfE has advised that permitting temporary facilities in subpart 5 areas for maintenance is not within scope of the notified proposal and cannot be progressed at this point in time. Where there is not a state of emergency but operation of a temporary facility in subpart 5 areas is necessary to prevent loss of life or damage to property, the emergency works provisions in section 330 of the RMA would enable facility operators to install temporary facilities for maintenance without first obtaining a resource consent.

Officials recommend introducing a new requirement to provide written notice to the relevant district or regional council when operating a temporary facility within a subpart 5 area in an emergency. This recommendation would respond to concerns from councils, iwi, hapū and an ENGO about infrastructure development in places with significant natural or cultural values. Officials recommend that facility operators be required to provide or send an electronically written notice to the relevant council on dates and locations operating within a subpart 5 area for more than 30 working days.

Additional matters

Self-contained power unit

Officials support provision for small-scale REG and battery storage in the NES-TF to power temporary facilities. Temporary facilities can accommodate solar, a small wind turbine and/or batteries. Batteries are critical in supporting resilience. Officials do not intend to provide a specific standard for solar, wind and batteries in relation to temporary facilities, but this equipment does need to be housed on a temporary facility within the 20-square-metre footprint limit and the 25-metre height limit.

Earthworks

Officials see no need for operators to carry out earthworks in accordance with the NES-TF earthworks standard to operate a temporary facility. This is consistent with the intent that these facilities would not damage the site they access, or if they do, the site would be restored to its prior condition.

3.3.5.4 Recommendations

Recommendations for this topic are summarised below and the complete list (including 'no change' recommendations) is outlined in full in the consolidated recommendations table in attachment B.

Key recommendations

Extend the permitted timeframe for temporary facilities used in emergencies and for maintenance from 6 months to 12 months (see recommendation 10).

Remove the requirement that a temporary facility for maintenance must be located within 100 metres of the existing facility under maintenance (see recommendation 10).

Remove the limit on the number of temporary facilities for maintenance (see recommendation 61).

Amend the proposed permitted footprint for a temporary facility from 15 square metres to 20 square metres (see recommendation 61).

Amend the proposal to require facility operators to provide written or electronic notice to the relevant regional or district council where a temporary facility is operating in an NES-TF subpart 5 area following an emergency for more than 30 working days, providing information about location and dates (see recommendation 61).

Remove the leniency provision that would enable temporary facilities to be permitted for longer timeframes by district plans (see recommendation 14).

Amend the proposal to clarify that a self-contained power unit is enabled on-board a temporary facility, as well as ancillary equipment, but that earthworks are not enabled (see recommendation 71).

3.3.6 Topic 6: Enabling customer connection lines to heritage buildings

3.3.6.1 Proposal

The Government proposed to make the installation and operation of a customer connection line (such as fibre optic broadband cables) to a heritage building a permitted activity. To mitigate the risk of damage to, or loss of values to, heritage buildings, the permitted activity standards would:

- require installers to make use of existing entry points
- prevent a new connection line from being attached to a primary feature or the front façade of a heritage building
- comply with regulation 40 of the NES-TF that limits the diameter of any lines and conduit and requires overhead lines to be supported by existing support structures.

The Government consulted on whether non-compliance with the permitted activity standards should mean the installations would be either a restricted discretionary activity (Option 1) or a controlled activity (Option 2). Discretion on resource consents was proposed to be limited to effects on historic heritage values and any other reasonable alternative installation solution.

3.3.6.2 Key issues from submissions

Many submissions supported the intent of the new proposed permitted activity standards for customer connection lines to heritage buildings.

Most telecommunication businesses supported a controlled activity status with changes. They contended that all owners should have certainty that they can connect a building to modern

telecommunications infrastructure and that a restricted discretionary activity status is inappropriate. They also recommended enabling a customer connection line to be connected to the primary feature or front façade of a heritage building where there is no practicable alternative connection point available due to the building's design and location.

Many iwi and hapū supported a restricted discretionary status and some proposed changes. Some noted that controlled activity status would be too weak and limit the ability to protect values associated with taonga buildings. Some iwi and hapū and other organisations noted that connections to taonga buildings must avoid damaging culturally significant features and that installations should be guided by tikanga and mana whenua oversight.

Many councils supported a restricted discretionary status, some sought changes and a few supported controlled activity status. Some noted it is not effective to mitigate visual effects through conditions, so a controlled activity status is not practicable. Some councils noted that the terms 'primary feature' and 'front façade' should be defined in the NES-TF and some suggested extending the proposal to 'any component of the building or structure that is listed as protected in the district plan' (eg, a roof or secondary façade).

Heritage New Zealand Pouhere Taonga did not specify its preference for either option but noted support for enabling fibre connections to heritage buildings with appropriate safeguards. This includes heritage impact assessments to ensure that heritage values are managed effectively. Most individuals that commented on the proposal supported restricted-discretionary status, while some preferred controlled status.

3.3.6.3 Analysis of submissions and proposal

Officials recommend continuing to progress new permitted activity standards for customer connection lines to heritage buildings in order to better enable the installation of fibre connections to households and businesses in heritage buildings.

Officials recommend proceeding with Option 1 (a restricted discretionary activity). Officials agree with the position of iwi, hapū and council submitters that a controlled activity status under Option 2 is not preferred as the ability to decline a resource consent application should be preserved when considering heritage conservation. Officials consider Option 1 to be more enabling than the status quo, where many district plans do not provide permitted activity status for connections to heritage buildings, including several plans that classify this activity as a discretionary activity.

Officials do not recommend allowing new customer connection lines on the primary feature or front façade, where there are no other practicable alternative connection points available. They anticipate such an approach would add complexity, would be too open to interpretation and could unintentionally lead to loss of rare or representative heritage. It also risks undermining the intent of avoiding the primary feature or front façade of a heritage building as ideal practice when modifying a heritage building. Officials also could not be certain that they would be recommending permitting an activity without any potentially significant adverse effects.

When installers cannot avoid a primary heritage feature or the front façade, officials consider oversight from council to be appropriate. This will help to ensure a level of council control and expert heritage input.

Officials recommend amending the permitted activity rules to enable installation of a customer connection line on the primary feature or front façade of a heritage building if it is enclosed within an existing conduit that has been lawfully permitted or consented, and uses the same

attachment points and fixings to the heritage building. The replacement or addition must use the same attachment points and fixings to the heritage building, with no further modification to the primary feature or front façade exterior. Allowing a line to be fed through existing conduit will facilitate technology upgrades (eg, copper to fibre optic) and should not cause damage to or loss of heritage values.

This approach will provide some additional flexibility for facility operators to install or replace customer connection lines to heritage buildings, while reducing the risk of cumulative adverse effects.

3.3.6.4 Recommendations

Recommendations for this topic are summarised below and the complete list (including 'no change' recommendations) is outlined in full in the consolidated recommendations table in attachment B.

Key recommendations

Progress Option 1 so that non-compliance with the permitted activity standards for customer connection lines to heritage buildings would mean the activity is a restricted discretionary activity (see recommendation 56).

Amend the proposal to permit the installation of a customer connection line on the primary feature or front façade of a heritage building if it is enclosed within an existing conduit that has been lawfully permitted or consented and uses the same attachment points and fixings to the heritage building (see recommendation 58).

3.3.7 Other issues

3.3.7.1 Preserving existing district plan rules through leniency

Submissions from telecommunication businesses requested the NES-TF state that existing district plan rules that are more lenient than the NES-TF should continue to apply. Telecommunication businesses noted instances where a controlled activity resource consent would still be required after the proposed NES-TF changes, despite being permitted under a district plan. The examples provided mainly relate to pole sizes (pole height and width). They noted that the absence of a leniency provision results in unnecessary additional costs and delays with no change in environmental or service outcomes, given that any lenient district plan rules would have been legitimised through an RMA Schedule 1 plan change process (ie, public consultation). In relation to pole sizes, they noted that these often reflect bespoke local conditions such as the built environment, topography or shelter belt heights.

Officials do not propose applying leniency provisions in the NES-TF, which would enable more lenient district or combined plan rules to apply. Their analysis of district plan provisions for telecommunication facilities suggests that the proposal is more enabling than the status quo for most district or combined plans and, due to the age of the NES-TF, many district or combined plans have not departed from the national environmental standards framework since 2008. In addition, leniency provisions were only included in the notified proposal for temporary telecommunication facilities. MfE considers further consultation would be required for any proposals seeking to amend changes to leniency provisions in other parts of the NES-TF.

3.3.7.2 Aligning the zones in the NES-TF with the National Planning Standards 2019

Some councils suggested making it clearer how the zones in the NES-TF relate to the National Planning Standards 2019 zoning framework. The definitions of residential and rural zones in the NES-TF was issued before the National Planning Standards 2019 were developed. The definitions rely largely on district plan interpretation. Officials recommend changes to clarify which zones under the National Planning Standards are captured by the 'generic' zone terms applied in the NES-TF. This will improve the workability of the NES-TF proposal and reduce the likelihood of inconsistent interpretations of zones or the inadvertent application of rules.

Officials consider that Māori purpose zones have a similar level of sensitivity to residential zones and have cultural significance. They therefore recommended a change to specify that Māori purpose zones are subject to the same rules (on pole height, width, antennas and headframes) as those in a residential zone for the purposes of the NES-TF. This recommendation also responds to submissions from iwi and Māori seeking less enablement in Māori purpose zones. Officials further note that subpart 5 of the NES-TF also retains district plan rules in Māori purpose zones that include historic heritage or cultural significance overlays.

3.3.7.3 Expanding the scope of NES-TF to non-facility operators

Some councils suggested that the NES-TF be amended to include non-facility operators who deploy telecommunications infrastructure, such as other utilities including wastewater treatment. In principle, officials support the consistent application of rules for telecommunication facilities regardless of the operator, but do not have a clear enough overview of the problem to apply national environmental standards. Furthermore, councils could apply the same rules in the NES-TF to non-facility operators in their district plans as there is no requirement in the NES-TF that the rules must be more stringent for non-facility operators.

3.3.7.4 Consistency with NES-ENA

Most electricity businesses, some telecommunication businesses and some councils commented on the need for consistency between the NES-TF and the NES-ENA proposals. Most of these issues are technical in nature. Officials have developed their recommendations to ensure telecommunications and distribution assets are consistent with one another. Where the standards are dissimilar, this reflects variation in operational and service need, or the biophysical environment. The rules officials have sought consistency on relate to cabinets, relocation of facilities, additions, antenna size rules, pole height approach, radiofrequency fields, cable diameters, temporary activity timeframes and focusing on development in the road reserve.

Some electricity businesses and telecommunication businesses also sought greater clarity on interactions between the proposed NES-ENA and the NES-TF for similar types of activities. Officials' recommendations provide consistency between the NES-ENA and NES-TF interface, so there should be little difference in treatment regardless of which national environmental standards apply. Transpower sought for OPGW (which provide telecommunications and grounding services) to be included in the proposed NES-ENA and to ensure it is clear they do not come under the NES-TF. The proposed NES-ENA will clarify how OPGW are to be treated.

3.3.7.5 Other issues raised that are out of scope

Some councils, individuals and telecommunication businesses noted that the NES-TF proposal did not address other connectivity challenges, such as:

- expanding the roll-out of fibre to address rural connectivity challenges
- provision of fibre optic at new property developments or at new subdivisions, with no obligation on developers to engage with local fibre companies
- Māori digital exclusion and marae connectivity.

These issues are not directly addressed by the NES-TF and so are not in scope.

3.3.7.6 Additional matters

Radiofrequency field exposure limits

As previously noted (section 3.2.1.5), most individuals and a few organisations were opposed to the NES-TF proposal due to concerns that the New Zealand Standard on radiofrequency field exposure limits (NZS 2772.1:1999), incorporated by reference into regulation 55 of NES-TF, does not adequately protect public health. Health New Zealand and the Interagency Committee on the Health Effects of Non-ionising Fields advise that NZS 2772.1:1999 aligns with international best practice and remains fit for purpose. The NES-TF proposal does not include any amendments to regulation 55 on radiofrequency fields and so this matter is considered out of scope.

3.3.7.7 Recommendations

Recommendations for this topic are summarised below and the complete list (including ‘no change’ recommendations) is outlined in full in the consolidated recommendations table in attachment B.

Key recommendations

Amend the definitions of ‘residential zone’ and ‘rural zone’ under the NES-TF to align with the zone framework of the National Planning Standards 2019 (see [recommendations 66 and 67](#)).

Amend the proposal to insert new definitions for ‘industrial zone’, ‘open space zone’ and ‘special purpose zone’ in accordance with the zone framework in the National Planning Standards 2019 (see [recommendations 68 to 70](#)).

3.3.8 Other considerations

3.3.8.1 Part 2 RMA

Context

Any person exercising powers, duties and functions under the RMA must give effect to Part 2 when making recommendations and decisions on national environmental standards (refer to section 46A(3) of the RMA). Part 2 includes section 5 (purpose), section 6 (matters of national importance), section 7 (other matters) and section 8 (Treaty of Waitangi).

Submission themes that specifically refer to Part 2 matters and officials’ analysis are outlined below.

Submissions

Many submissions noted concerns about the NES-TF proposal resulting in adverse effects in areas relating to Part 2 of the RMA. These concerns are grouped as follows.

Ensuring natural and physical resources are used to provide telecommunication services

Submitters agree that telecommunications infrastructure provides essential services in the modern day and is a critical lifeline utility during an emergency and to provide for the social, cultural and economic wellbeing of all New Zealanders. The use and development of natural and physical resources is appropriate for telecommunications infrastructure.

Effects on amenity and the quality of the environment

Many councils, many individuals and some iwi and hapū were concerned about the visual and amenity effects of the proposal on the environment, particularly in residential areas. Some individuals suggested the placement of telecommunication facilities, poles in particular, can impact surrounding property values. Many of these submitters also recommended either not permitting telecommunication poles in residential areas or adding requirements to consult with councils and communities.

Effects on the natural environment and heritage

EDS noted that telecommunication facilities should not be permitted in areas with significant natural character, biodiversity or landscape values,³² and that a resource consent requirement should apply to ensure that effects on these areas and their values are properly recognised and provided for in accordance with national, regional and district objectives and policies. Some councils and individuals noted that the NES-TF proposal may result in adverse effects on historic heritage. Most of these do not relate to the customer connections proposal, but instead to the risk of other telecommunication facilities (eg, poles and antennas) being permitted in or near heritage buildings or precincts.

Effects on or near sites of significance to Māori

Most iwi and hapū, some councils and a few individuals considered the NES-TF proposal may result in adverse effects to sites of significance to Māori. Most concerns were in relation to the proposal on temporary facilities and a few related to permitting customer connection lines to heritage buildings. Many iwi and hapū were concerned about permitting new telecommunication poles in more places, and the risk they could be on or near a site of significance to Māori. Many iwi and hapū suggested a range of additional measures for telecommunication facilities located on or near whenua Māori or near sites of significance to Māori, such as cultural impact assessments, consultation requirements, setback requirements and integration with iwi management plans.

Analysis

The regulations of the NES-TF are directly relevant to section 5(2) of the RMA, which recognises that people and communities need to use and develop natural and physical resources in a way which provides for their wellbeing and for their health and safety over time, including meeting the reasonably foreseeable needs of future generations, as part of promoting sustainable management.

Officials consider that the NES-TF proposal is consistent with Part 2 of the RMA for the following reasons.

³² Section 6(a), (b) or (c) RMA values.

Ensuring natural and physical resources are used to provide telecommunication services

The NES-TF amendments will improve the efficiency with which telecommunication facilities are deployed. They will allow resources to be used to widen access to telecommunication services (heritage building owners, rural communities) and will enhance resilience through temporary facilities and renewable electricity generation.

Effects on amenity and the quality of the environment

The NES-TF provides consistent rules to develop, operate, protect and upgrade telecommunication networks while managing effects on the environment through activity classes and standards. Pole and headframe sizes have been designed to be commensurate with the zone. Rural character will be protected through a 50-metre rural setback.

Effects on the natural environment and heritage

Natural and historic heritage areas mostly continue to be subject to NES-TF subpart 5 (local rules), apart from two proposals (temporary facilities in an emergency and connections to heritage buildings). Officials consider that this approach will continue to provide sufficient means for councils to protect areas identified in Part 2 of the RMA (namely section 6).

Most telecommunication businesses, some industry bodies, some councils and other organisations noted that subpart 5 of the NES-TF would continue to apply to provide sufficient means to give effect to Part 2 of the RMA.

Effects on or near sites of significance to Māori

The NES-TF proposal will not permit most types of telecommunication facilities (ie, poles, cabinets and antennas) to be installed on sites of significance to Māori identified in district plans. This is because subpart 5 of the NES-TF will be retained, except in relation to temporary facilities and customer connection lines to heritage buildings. While officials recognise that in some districts, many sites of cultural significance to Māori are not recognised or provided protection under the relevant district plans, local government is better placed than central government to determine appropriate rules for these sensitive sites.

Temporary facilities may access and operate in a subpart 5 area when a state of emergency is declared and the facility operator has landowner permission. This will enable lifeline infrastructure to continue to be provided to Māori in an emergency. New activity standards permitting customer connection lines to heritage buildings will also require landowner consent and include a requirement to avoid the primary feature or front façade of a heritage building. This will support installation of modern, resilient connectivity infrastructure to heritage buildings of cultural significance to Māori, such as marae, without the need for a resource consent. Policy 6 in the proposed NPS-I also applies to consent applications for telecommunication facilities and directs decision-makers to recognise and provide for Māori interests.

Recommendations

Recommendations for this topic are summarised below.

Recommendations

No change

3.3.8.2 Treaty of Waitangi and Treaty settlement considerations

The Crown has made a series of commitments to individual iwi through post-Treaty settlement redress. Several Treaty settlements require the Crown to engage on policy or legislative proposals related to the RMA and national direction. Some Treaty settlements place obligations on local authorities, such as by involving iwi and hapū in plan development and decision-making in plans. Officials have considered these relevant settlements when preparing the policies in the NES-TF proposal. Officials have not identified any Treaty settlements or obligations where the NES-TF has any specific relevance.

Submissions

Submissions on the NES-TF proposal, mostly from iwi and hapū, but also from some councils, businesses and a few individuals, identified several key themes relating to RMA Treaty matters and Treaty settlements.

- Some iwi and hapū considered the NES-TF proposal puts Treaty settlements at risk as they consider that the Crown's Treaty obligations cannot be fulfilled where telecommunication facilities are permitted in more locations, and engagement with iwi and hapū on infrastructure is discretionary.
- Some iwi and hapū noted that some district plans do not incorporate recent settlement redress or iwi spatial priorities, with some culturally significant sites not explicitly mapped in district plans.
- Many submissions from iwi and hapū, some councils and businesses, and a few individuals recommended strengthening the alignment of the NES-TF, and national direction for infrastructure generally, with the principles of the Treaty of Waitangi. Key recommendations included:
 - requiring meaningful engagement with iwi and hapū on infrastructure, particularly on or near wāhi tapu, marae, urupā or whenua Māori
 - mandatory recognition of iwi management plans as part of the Crown's Treaty obligations of partnership, active protection and participation
 - enabling co-design with iwi and hapū to uphold the principles of partnership, equity and active participation, and to reflect mātauranga Māori or tikanga-based approaches to infrastructure deployment.

Analysis

Officials consider that the NES-TF proposal will not present a risk to the operation of Treaty settlement commitments, as it will not directly impact the decision-making process on plans or resource consents as part of Treaty settlements or iwi participation legislation.

Protections for culturally significant sites, many identified through Treaty settlements, continue to apply under district or combined plans (as NES-TF subpart 5 retains district plan rules in these areas). The two exceptions to this are the proposals on customer connections to heritage buildings, and temporary facilities. These proposals would allow Māori heritage buildings (eg, marae) to be modified and Māori land, including sites of significance to Māori, to be accessed and operated on in an emergency.

Officials note concerns from some iwi and hapū that there are existing district plans that do not incorporate settlement redress areas or sites of cultural significance. Some iwi and hapū expressed concern that permitting new telecommunication facilities (particularly poles) in

more locations may increase the risk of new facilities being built in culturally sensitive areas in a way that could result in adverse cultural effects for Māori. The only example provided by submissions is related to proposals to install mobile towers in the Waitākere Ranges Heritage Area west of Auckland. The submission from Te Kawerau ā Maki noted that engagement on the tower prevented it from having significant visual effects and light pollution. However, this area is already identified as a protected overlay in the AUP and so would continue to be subject to district plan rules as per regulation 46 of the NES-TF.

Officials consider local government is better placed to identify and determine appropriate rules relating to telecommunication facilities on or near sites of cultural significance to Māori. This could include notification requirements, setbacks from sites of cultural significance to Māori, viewshaft rules or other controls. Officials would not support taking a nationally consistent approach to identifying and protecting sites of cultural significance to Māori, as this would risk undermining local decision-making with iwi and hapū, and approaches that are working well.

Recommendations

Recommendations for this topic are summarised below.

Recommendations

No change

4. Part C: Implementation

4.1 Context

This part outlines key implementation considerations for the proposed NES-ENA and NES-TF, drawing on submissions received during consultation on packages 1 and 2.

It begins with an overview of implementation issues raised across all national direction proposals, including timing, system alignment and resourcing. It then focuses on specific implementation pathways and implications for the NES-ENA and NES-TF, including statutory and non-statutory mechanisms and the impact of recent legislative changes.

These implementation considerations are critical to ensuring that the NES-ENA and NES-TF achieve their intended outcomes and align with the Government's broader resource management reform programme.

4.2 Implementation

4.2.1 Proposal overview

A series of implementation questions were raised in the discussion documents on packages 1 and 2 to gather feedback on implementation timeframes, particularly in relation to national policy statements.

During public consultation on packages 1 and 2, submitters were specifically asked:

- Does 'as soon as practicable' provide sufficient flexibility for implementing this suite of national policy statements and the NZCPS [New Zealand Coastal Policy Statement]?
- Is providing a maximum time period for plan changes to fully implement national policy statements to be notified sufficient?
 - If not, what would be better, and why?
 - If yes, what time period would be reasonable, and why? (eg, five years?)
- Is requiring all plan changes to fully implement a national policy statement before or at plan review reasonable?
- Are there other statutory or non-statutory implementation provisions that should be considered?

Options for implementing national environmental standards set out in the discussion documents for packages 1 and 2 included:

- providing a five-year timeframe from gazettal for making amendments to give effect to national environmental standards
- requiring all plan changes to fully implement the national environmental standards before or at plan review in addition to specific implementation provisions in each proposal. The exception to this is the proposed NPS-I and proposed changes to the NPS-REG and NPS-ET where only the default provisions of 'as soon as practicable' are to be applied.

The discussion documents include further details of the implementation questions raised, which were the same in both packages 1 and 2.³³

³³ Ministry for the Environment. 2025. *Package 1: Infrastructure and development – Discussion document* and *Package 2: Primary sector – Discussion document*. Wellington: Ministry for the Environment.

4.3 Key issues from submissions

Resource management practitioners from local government, Treaty partners and industry contributed useful feedback, ideas and suggestions to improve the implementation of packages 1 and 2. The key themes raised included:

- implementation timing and system alignment
- flexibility and fairness
- clarity, definitions and guidance
- resourcing and cost sharing
- technical and legal considerations.

An overview of submissions raised in each theme is provided below. No specific analysis of these more general implementation issues is included. However, the submissions provided valuable information that has been taken into account when considering broader implementation of the package 1 and 2 instruments and will be informative for developing the new resource management system.

4.4 Overview of submissions

4.4.1 Implementation timing and system alignment

Local government and some industry bodies raised concerns about the timing of national direction implementation and how the proposals aligned with resource management reform and new legislation in development. A summary of key themes from those submissions is provided below.

- Implementation should occur with the new system, not before, to avoid confusion and inefficiencies (Whanganui District Council, Waimakariri District Council).
- Implementing now, before further reform, would create more work and the costs would outweigh the benefits (Timaru District Council, Engineering New Zealand).
- It is better to implement through one comprehensive plan review or under the new system, but not both (Tauranga City Council).
- Implementation should align with a council's Long-Term Plan (LTP) cycle and full plan review process (Waitaki District Council, Kāpiti Coast District Council).
- Without a clear line of sight to the new resource management system, there is a risk that these proposals will result in misalignment, inconsistencies and gaps (Waikato Regional Council, Horizons Regional Council and Bay of Plenty Regional Council, Environment Southland).

Local government submitters also advocated for bespoke, locally workable and flexible timeframes (eg, flexibility to implement the amended and new national direction instruments under the current or new system; flexibility to determine the sequencing of how national direction is implemented; and flexibility to amend regional policy statements and plans, except where section 55 of the RMA applies).

Some local government submitters supported the 'as soon as practicable' approach for implementing national environmental standards. Some suggested timeframes of 5 to 10 years for full implementation of national environmental standards.

4.4.2 Clarity, definitions and guidance

Clear themes emerged in submissions from local government, industry bodies and businesses on what might lead to successful implementation of the various proposed national direction instruments, whether new or being amended. The following points were raised consistently by submitters.

- There is a lack of clarity in definitions and concepts, which will hinder implementation (Environmental Institute of Australia and New Zealand, Meridian Energy Limited, Clarus Limited, Forest & Bird).
- Guidance documents are essential to ensure national consistency and reduce confusion (Queenstown-Lakes District Council, Te Tumu Paeroa – Office of the Māori Trustee, Waitaki District Council).
- Guidance should clarify the hierarchy of and relationships between conflicting national direction instruments (Powerco Limited, Bay of Plenty Regional Council).
- Guidance must be comprehensive and technical, especially for national policy statements (Engineering New Zealand, Porirua City Council).
- Central government guidance is a minimum requirement to support successful implementation (Auckland Council, Kāpiti Coast District Council).

4.4.3 Resourcing and cost sharing

Submissions from local government were consistent in their identification of resourcing and the need for cost-sharing with central government to ensure effective implementation. Within the local government submitter category, smaller territorial authorities raised concerns about disproportionate operational costs. Many local government submitters also raised concerns about implementation costs falling on ratepayers rather than on users only, irrespective of size, location or operational scope.

- Implementation requires resourcing from central government to support councils (Porirua City Council, Timaru District Council).
- Incentives to support implementation were suggested (Auckland Council).
- There should be flexibility for councils to determine the sequencing of how they implement national direction instruments (Auckland Council).
- Costs should be shared between local government and central government (Waikato District Council, Waimate District Council, Meridian Energy Limited).
- Smaller councils face disproportionate costs and need tailored support (Manawatū District Council, Mackenzie District Council).
- Monitoring and enforcement costs should not shift unfairly from users to ratepayers (Horizons Regional Council).

4.4.4 Technical and legal considerations

Local government submitters were consistent in their identification of the following issues.

- Implementation must be consistent with Part 2 of the RMA.
- Current national direction instruments are inconsistent and lack technical robustness.

- There is a risk of legal challenges during implementation, especially if provisions are unclear or instruments conflict with each other – for example, if terms like ‘as soon as practicable’ are too vague to hold up in court.

4.4.5 Other matters

Local government, industry bodies and business submitters made it clear in their submissions that implementation would be best enabled by:

- ensuring each national direction instrument is directive enough to enable timely implementation
- allowing local government the flexibility to initiate full implementation at the same time as when their plans undergo full plan reviews
- allowing local government enough time to complete any technical assessments, as some national direction instruments will require, prior to implementation
- allowing local government to update plans without recourse to RMA Schedule 1 plan-making processes
- pausing the implementation of these national direction instruments until the new resource management system is in place.

Submissions from local government noted the need for implementation to reflect their communities’ need for transparency in decision-making.

4.5 Implementation of proposals

4.5.1 Implementation methods

Implementation of the proposed NES-ENA and NES-TF can be through either:

- **statutory implementation** in the form of direction on how and when the proposal, or parts of the proposal, should take effect – for example, particular parts of the national direction that must be considered by decision-makers; when and how required RMA plan amendments are to be progressed; and direction on who will use and implement the national direction, or
- **non-statutory implementation** in the form of guidance, workshops and capacity-building to assist understanding and delivery of the proposals.

Section 44A of the RMA outlines the statutory implementation provisions for national environmental standards.

4.5.2 Statutory implementation of the NES-ENA and NES-TF

The NES-ENA and amendments to the NES-TF will have an immediate effect on opportunities for development proposals and on resource consent decisions for electricity network and telecommunication facilities.

The new rules mean that a wide range of routine activities for the operation, maintenance, upgrade and protection of electricity transmission and distribution networks, as well as the

installation and upgrade of telecommunication facilities (including 5G, cabinets and antennas) and EV charging infrastructure, will now be permitted activities, subject to meeting identified permitted activity standards and applicable district or combined plan rules. This will mean that a resource consent will no longer be required for those activities.

If the NES-ENA and NES-TF are made as recommended in this report, a resource consent for a restricted discretionary or controlled activity will be required for the following activities:

- electricity network or telecommunication activities that do not meet the permitted activity standards or applicable district rules in district or combined plans
- construction of new electricity distribution assets or telecommunication facilities in locations or zones where the permitted activity status does not apply
- activities adjacent to sensitive environments, such as natural areas or historic heritage sites, or where additional environmental protections are required
- installation of EV charging infrastructure or telecommunication facilities outside the specified permitted zones or where standards are not met.

This means that either a resource consent must be granted, or the matters of discretion that a council may address in making a decision on those resource consents are limited.

Activities that exceed specified thresholds or are located in areas with higher environmental sensitivity may require a resource consent for a discretionary activity.

Where a resource consent application is required, consent authorities must consider relevant provisions of the NES-ENA and NES-TF under section 104 of the RMA. These considerations are required alongside an assessment of effects, any mitigation measures, other RMA plan provisions and any other matter the decision-maker considers relevant and reasonably necessary to make a decision.

After commencement, the NES-ENA and NES-TF will have an immediate effect on plans, with rules in the NES-ENA and NES-TF replacing those equivalent rules in plans unless relevant stringency or leniency provisions apply. Typically, local authorities would start a plan change to update a plan to reflect the NES-ENA and NES-TF without using the RMA Schedule 1 process after the NES-ENA and NES-TF commence.

Both the NES-ENA and NES-TF contain leniency provisions, enabling district or combined plans to be more lenient than some of the proposed rules for electricity network and telecommunication activities. This enables existing plans to retain some of their more lenient rules. In such cases, the plan rules would apply instead of the equivalent rules in the NES-ENA or NES-TF.

Once operative, the NES-ENA and NES-TF would apply even if a plan change to implement them has not been completed.

4.5.3 RMA Amendment Act 2025, Plan Stop provisions and implications for national direction implementation

In August 2025, the Government passed an amendment to the RMA that introduced a requirement to stop most plan-making under the RMA, unless it was subject to an exemption. The Plan Stop suspended the requirement to review plans and policy statements and prevents

notification of new plan or policy statement changes or variations until the end of 2027, when the new resource management system will be in effect.

The Plan Stop provides an automatic exemption for plan or policy statement changes that implement requirements under a new national policy statement, where the policy statement specifies that its implementation – or parts of its implementation – is to occur through a plan-making process before 31 December 2027. This exemption is relevant to the proposed NES-ENA and NES-TF only if consequential plan changes are required to give effect to the new standards.

This does not affect private plan changes, which are still able to progress and will need to consider relevant national direction including the proposed NES-ENA and NES-TF.

The Plan Stop provisions have no immediate effect on implementation of the proposed NES-ENA and NES-TF, unless an RMA Schedule 1 plan change is required to address consequential matters. In that instance, unless by exemption, no plan change would be able to progress until the end of 2027.

4.6 Recommendations

Recommendations for this topic are summarised below.

Key recommendations

No change



Attachment A

Consolidated recommendations – Amendments to the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009

Recommendations in relation to notified proposed provisions

The following recommendations are made in response to matters raised through submissions and officials' overall assessment of the proposal.

The proposal section of this table includes the proposed provisions published in: Ministry for the Environment. 2025. *Package 1: Infrastructure and development – Discussion document*. The recommendations section recommends changes to the notified proposal and specifies reasons for recommended changes. Reference to 'no change' means a recommendation to retain the proposal as notified whereas 'change' indicates a recommendation to change the notified proposal.

Key policy recommendations for changes to the amendments to the National Environmental Standards for Electricity Transmission Activities proposal, which is proposed to be renamed the National Environmental Standards for Electricity Network Activities (NES-ENA), are to:

- broaden the application of the NES-ENA to include electricity distribution networks and EV charging infrastructure
- amend definitions to improve clarity and alignment with the National Policy Statement for Electricity Networks to reduce interpretation issues
- amend the proposed permitted activity standards for routine maintenance and upgrade activities on the electricity network to include appropriate thresholds and matters of control for sensitive environments. This includes new permitted activity standards for earthworks in natural areas and historic heritage places or areas
- withdraw regional rules and management plans for vegetation and earthworks, while retaining a management plan approach to support permitted discharges from blasting activities

- amend proposed rules for the electricity distribution network to provide for existing and new assets, with appropriate controls in sensitive environments. This includes revised height standards with zone-based limits for new lines and a new controlled activity for new lines in the land transport corridor in natural areas and historic heritage places or areas
- change the proposed regulations for the National Grid Yard and Subdivision Corridor for the electricity transmission network to clarify the application to a limited number of lines operating at a lower voltage. The proposed approach for Auckland will be retained, so the National Grid rules do not override the AUP approach. This was supported by Auckland Council and Transpower
- improve workability of reverse sensitivity rules for the electricity distribution network, including a new rule for earthworks near lines, reflecting best safety practices. These rules will codify compliance with NZECP 34:2001³⁴ into the NES-ENA and introduce the ability for electricity distribution operators to provide dispensation
- clarify that district and regional plan rules can be more lenient, but not more stringent, than the NES-ENA for electricity distribution and EV charging, to maintain local flexibility while ensuring national consistency
- amend the new permitted bulk and location standards for EV charging infrastructure and clarify the relationship with traffic standards.

³⁴ The New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP 34:2001).

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Application	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Where will the NES-ENA apply?	<p>The NESETA is proposed to be amended and to apply to both existing electricity transmission infrastructure and electricity distribution assets (new and existing) and include new regulations relating to electric vehicle charging infrastructure (EVCI) and be a new set of regulations called the NES-ENA.</p> <p>The NES-ENA is proposed to apply nationwide except for the National Grid Yard rules, which are not proposed to apply within the Auckland region.</p>	Scope and definitions	<p>No change</p> <ol style="list-style-type: none"> 1. Rename the National Environmental Standards for Electricity Transmission Activities to the National Environmental Standards for Electricity Network Activities (NES-ENA) 2. Retain the proposal to amend the application of the NES-ENA to: <ol style="list-style-type: none"> a. all electricity network infrastructure and ancillary activities, and electric vehicle charging infrastructure (EVCI) b. exclude the application of the National Grid Yard rules for the Auckland region. 	<p>Most submitters supported the proposed application of the NES-ENA and supported the expanded NES-ENA scope to include electricity distribution and EV charging infrastructure.</p> <p>Officials do not recommend changing the proposed approach for the National Grid Yard rules for Auckland. While Transpower supported incorporating the AUP provisions in the NES-ENA, this would not effectively change the status quo (as the overlay is currently operative), and the potential benefits do not outweigh the risk of not having engaged with affected parties on this approach.</p>	<p>Yes No</p> <p>Yes No</p>
What electricity assets will be covered by the NES-ENA?	<p>The application of the NES-ENA is proposed to be to activities relating to existing electricity transmission lines that were operational on 14 January 2010 (the same as the NESETA) and activities relating to specified electricity distribution assets (new and existing). It will also apply to certain types of EV charging infrastructure.</p> <p>The proposal is seeking feedback on whether the proposed NES-ENA should apply to either:</p> <ul style="list-style-type: none"> • electricity distribution network (EDN) lines over 110 kV voltage (existing and new). This would give a similar level of enablement and protection for all lines over 110 kV, regardless of ownership; or 	Scope and definitions	<p>Change</p> <ol style="list-style-type: none"> 3. Apply the NES-ENA to: <ol style="list-style-type: none"> a. all electricity distribution assets and activities, except as otherwise specified in the regulation b. electricity transmission infrastructure as operational on 14 January 2010 c. electricity distribution and EV charging infrastructure from the gazettal date of the NES-ENA 	<p>Submitters supported applying the NES-ENA regulations to all electricity distribution assets and activities, except as otherwise specified in regulations. While it is recognised that substations are essential components of the electricity distribution network, substations are not expressly regulated under the NES-ENA.</p> <p>The commencement date for NES-ENA will be the date of gazettal. This means that it will apply to the electricity distribution network from gazettal, while the application to existing electricity transmission lines as at 14 January 2010 will be retained and is specified in proposed D16. This approach addresses Transpower's concerns and avoids extending coverage to designated assets.</p>	Yes No

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Application	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<ul style="list-style-type: none"> a wider range of EDN activities covering both high and low voltage lines and existing and new assets, as detailed further in Part 3 of this proposal. 		d. new resource consent applications that are lodged on or after the commencement date of the NES-ENA in relation to the electricity transmission or distribution network.	Officials recommend the NES-ENA applies from the commencement date, so it applies to resource consents under active consideration.	

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
D1 Ancillary electricity network activities (ancillary EN activities)	<p>Introduce a new definition for 'ancillary EN activities' that:</p> <p><i>means all supporting and subsidiary activities needed to provide the operation, maintenance, and upgrading of the EN, including but not limited to vegetation clearance, tree trimming, earthworks, the construction, maintenance and upgrading of access tracks and accessways, power supply, and telecommunications.</i></p>	Scope and definitions	<p>No change</p> <p>4. Retain the proposal definition of 'ancillary electricity network activities'.</p>	This definition expands on the National Planning Standards 2019 definition for ancillary activities, providing an inclusive list of likely ancillary EN activities for electricity networks.	Yes No
D2 Cabinet	<p>Introduce a new definition that means:</p> <p>c) <i>a structure that houses equipment affixed to the ground that is necessary to operate part of the electricity distribution network, including any casing; but</i></p> <p>d) <i>does not include electricity substation facilities or buildings.</i></p>	Scope and definitions	<p>Change</p> <p>5. Amend the proposal definition of 'cabinet' to clarify that unenclosed substations are excluded from the definition.</p>	This clarification is necessary to ensure that the regulations are not applied to unenclosed substations. Bulk standards have been proposed according to equipment housed in ground-mounted cabinets, similar to the approach in the NES-TF. While cabinets could still contain substation components (eg, transformers or switching gear), unenclosed substations would continue to rely on rules in district plans or as provided under other legislation (eg, Building Act 2004).	Yes No

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
D3 Circuit	Retain and amend the definition that: <i>means conductors on a transmission line or distribution line that together form a single electrical connection between 2 or more system nodes.</i>	Scope and definitions	No change 6. Retain the proposal definition of 'circuit'.	The definition was generally supported in submissions.	Yes No
D4 Compromised span	Introduce a new definition that: <i>means, for the purpose of these regulations, a span identified in the Auckland Unitary Plan as being compromised.</i>	Scope and definitions	Change 7. Remove the proposal definition of 'compromised span'.	This definition is no longer required in the regulations, as it is necessary only if the AUP provisions are included in the NES-ENA.	Yes No
D5 Conductor	Amend the definition that means: <i>c) wire or cable used for carrying electric current along a transmission line or distribution line; and</i> <i>d) includes any hardware and insulation associated with the wire or cable.</i>	Scope and definitions	No change 8. Retain the proposal definition of 'conductor'.	This definition was generally supported in submissions.	Yes No
D6 Customer driven project	Introduce a new definition for 'customer driven projects' that means: <i>ETN or EDN activities that a third party other than Transpower New Zealand Limited or an electricity distribution business has requested be carried out, such as new connections to electricity generation or demand, or relocation or undergrounding of assets in order to enable urban or infrastructure development, excluding new connections to electricity generation that are managed under the National Policy Statement for Renewable Electricity Generation.</i>	Scope and definitions	Change 9. Amend the proposal to remove the definition of 'customer driven project'.	Officials recommend removing this definition as it is not necessary for the interpretation of the regulations. Direct customer connections from the electricity generation facility to the EN that are owned and operated by the EN are covered by the NES-ENA. However, connections that are operated by the EN but owned by the REG companies are captured by the NPS-REG.	Yes No

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
D7 Electricity network development activities (EN development activities)	Introduce a new definition that means: <i>a) the construction of new EN assets that is not carried out on or related to EN lines, or cables, or at substation sites, that exist at the time of construction; or</i> <i>b) customer driven projects.</i>	Scope and definitions	Change 10. Amend the proposal to remove the definition of 'electricity network development activities'.	Officials recommend removing this definition as the term 'EN development activities' is not used in the regulations.	Yes No
D8 Dry abrasive blasting	Introduce a definition that: <i>means abrasive blasting using materials to which no water has been added.</i>	Scope and definitions	No change 11. Retain the proposal definition of 'dry abrasive blasting' as defined in the national planning standards.	These definitions are needed to assist in interpreting the proposed rules. The definitions in the National Planning Standards 2019 are proposed to be used as they are intended to improve national consistency of the planning system.	Yes No
D9 Earthworks	Introduce a new definition that: <i>means the alteration or disturbance of land, including by moving, removing, placing, blading, cutting, contouring, fillings or excavation of earth (or any matter constituting the land including soil, clay, sand and rock); but excludes gardening, cultivation, and disturbance of land for the installation of fence posts.</i>	Scope and definitions	No change 12. Retain the proposal definition of 'earthworks' as defined in the national planning standards.		Yes No
D10 Electricity distribution network (EDN)	Introduce a new definition that: <i>means any part of the electricity network that is controlled by a person or body who is both an electricity distributor and an electricity operator as those terms are defined in section 2 of the Electricity Act 1992; and does not include the electricity transmission network (as defined below).</i>	Scope and definitions	Change 13. Amend the proposal definition of 'electricity distribution network' to include specific references to the distribution network consistent with the definition of 'electricity transmission network' and align with the proposed NPS-EN definition.	Clarifying the definition of 'electricity distribution network' will assist with interpretation of the regulations and provide greater clarity and certainty for EDBs. Officials recommend aligning this definition with the corresponding definition in the proposed NPS-EN.	Yes No

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
D11 Electricity network (EN)	Introduce a definition that: <i>means the electricity transmission network and the electricity distribution network.</i>	Scope and definitions	No change 14. Amend the proposal definition of 'electricity network to' refer to the 'existing electricity transmission network' and align with the proposed NPS-EN definition.	The scope of the NES-ENA is to provide a regulatory framework for the distribution and transmission network. While some submitters sought the inclusion of grid-scale batteries, inclusion in NES-ENA is considered out of scope and policy has been provided in proposed amendments to the NPS-REG.	Yes No
D12 Electricity network activities (EN activities)	Introduce a definition that: <i>means the construction, operation, maintenance, development, upgrade, replacement, decommissioning or removal of electricity network assets and all ancillary activities, unless otherwise specified.</i>	Scope and definitions	No change 15. Retain the proposal definition of 'electricity network activities' and align with the proposed NPS-EN definition.	This definition has the same meaning as in the proposed NPS-EN.	Yes No
D13 Electricity transmission network (ETN)	Introduce a definition that: <i>means all parts of the National Grid of electricity transmission that:</i> a) <i>comprises the network of transmission lines, and cables (aerial, underground, and submarine, including the high-voltage direct current link), stations, and substations, facilities and works, and all ancillary activities, and other works used to connect grid injection points and grid exit points to convey electricity in Aotearoa New Zealand;</i> b) <i>is owned or used by Transpower New Zealand Limited; and</i> c) <i>is commonly known as the National Grid.</i>	Scope and definitions	Change 16. Amend the proposal definition of 'electricity transmission network' to remove reference to the National Grid and replace it with reference to the 'electricity transmission network' only and align with the proposed NPS-EN definition.	A minor change to replace reference to the term 'National Grid' is recommended because the term 'electricity transmission network' is used in both the proposed NES-ENA and proposed NPS-EN and an amendment would align definitions in both instruments. Reference to the 'National Grid' in clause (c) is retained for clarification.	Yes No

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
D14 Electricity network activities (EN development activities)	<p>Introduce a definition that means:</p> <p><i>a) the construction of new EN assets that is not carried out on or related to EN lines, or cables, or at substation sites, that exist at the time of construction; or</i></p> <p><i>b) customer driven projects.</i></p>	Scope and definitions	<p>Change</p> <p>17. Amend the proposal to remove the definition of 'electricity network activities' from the proposal.</p>	The term is not intended to be used in this regulation, and the definition is not required.	Yes No
D15 Electric vehicle charging infrastructure (EVCI)	<p>Introduce a definition that:</p> <p><i>means the construction, maintenance, operation, upgrade, and replacement of electricity vehicle charging infrastructure:</i></p> <p><i>a) including 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;</i></p> <p><i>b) it does not include the retail sales of any other goods or services.</i></p>	Scope and definitions	<p>Change</p> <p>18. Amend the proposal definition of 'EV charging infrastructure' to exclude lighting and signage.</p>	The change clarifies that lighting and signage associated with EV charging infrastructure are not included in the definition, meaning that district plan rules will continue to provide for these matters.	Yes No
D16 Existing transmission line	<p>Retain and amend a definition that means:</p> <p><i>a) a transmission line that was operational, or was able to be operated, at 14 January 2010 (being the commencement of the original regulations); and</i></p> <p><i>b) includes a transmission line described in paragraph (a) that is altered or relocated in accordance with these regulations; and</i></p>	Scope and definitions	<p>No change</p> <p>19. Retain the proposal definition of 'existing transmission line'.</p>	The definition of 'existing transmission line' is necessary to ensure that the proposed NES-ENA continues to appropriately apply to existing Transpower assets as at 14 January 2010.	Yes No

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<i>c) includes a transmission line that, in accordance with these regulations, replaces a transmission line described in paragraph (a).</i>				
D17 Existing distribution line	<p>Introduce definition that means:</p> <p><i>a) a distribution line that was operational, or was able to be operated, at the commencement of the regulations relating to distribution lines; and</i></p> <p><i>b) includes a distribution line described in paragraph (a) that is altered or relocated in accordance with these regulations; and</i></p> <p><i>c) includes a distribution line that, in accordance with these regulations, replaces a distribution line described in paragraph (a).</i></p>	Scope and definitions	<p>No change</p> <p>20. Retain the proposal definition of 'existing distribution line'.</p>	The definition of 'existing distribution line' will support users to differentiate between existing and new electricity distribution lines. Existing distribution lines are those lines that were operational on the date of the commencement of the proposed NES-ENA.	Yes No
D18 Guy wire	<p>Introduce a definition that:</p> <p><i>means a cable or wire designed to add stability to a structure, including any associated pole or anchor block.</i></p>	Scope and definitions	<p>No change</p> <p>21. Retain the proposal definition of 'guy wire'.</p>	The proposed definition was generally supported.	Yes No
D19 Height	<p>Amend the definition of height that:</p> <p><i>means the vertical distance between a specified reference point and the highest part of any feature, structure, or building above that point.</i></p>	Scope and definitions	<p>Change</p> <p>22. Amend the proposal definition of 'height' with the intent of clarifying the following reference points:</p> <p>a. the height of the structure measured vertically from the ground level at the centre of the structure to the highest point of the structure includes conductors</p>	While the proposed definition aligns with the National Planning Standards 2019, it lacks specificity and has potential interpretation issues. Officials recommend amending the definition to clarify the specified reference point for each type of structure addressed in the regulations to improve the workability of relevant regulations that include standards relative to height.	Yes No

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<p>but excluding telecommunication devices, earth peaks, lightning rods and insulators' for regulations 14, 15, 21, 22, R8A, R8B, R9, R10A and R10B</p> <p>b. 'ground level' for regulations 25, R12 and R16.</p>	<p>The NES-ETA reference point has been adjusted to exclude insulators, which are captured in the proposed NES-ENA under D31 Pole.</p> <p>This approach provides certainty and flexibility for differences in 'reference points' depending on the regulations and relative structure involving height standards.</p>	
D20 Historic heritage item or setting	Amend the definition for historic heritage that: <i>means any historic heritage site, building or area protected by a rule in a plan because of its historic heritage value, including sites of significance to Māori.</i>	Scope and definitions	<p>Change</p> <p>23. Amend the proposal definition of 'historic heritage item or setting' to:</p> <p>a. Rename the definition 'historic heritage place or area'</p> <p>b. Include historic heritage items in the definition.</p>	This minor change provides consistent statutory language on historic heritage, which will assist with interpretation. The definition retains the reliance on provisions in local plans. Compliance with the Heritage New Zealand Pouhere Taonga Act 2014 archaeological provisions is still required. Consistent referencing to D20 throughout the NES-ENA will be addressed in drafting.	Yes No
D21 Land transport corridor	Introduce a definition of land transport corridor that: <i>means land within the legal boundary of any road, motorway, or railway land.</i>	Scope and definitions	<p>No change</p> <p>24. Retain the proposal definition of 'land transport corridor'.</p>	The definition is consistent with the wording used in most district plans. Where there is a potential gap in coverage because roads are shown on subdivision plans but have not yet been vested as legal road, it is expected that councils will take a pragmatic approach in considering the application of the proposed NES-ENA regulations.	Yes No
D22 LAeq(15min)	Introduce a definition that: <i>has the same meaning as in NZS 6801:2008 Acoustics – Measurement of environmental sound.</i>	Scope and definitions	<p>No change</p> <p>25. Retain the proposal definition of 'LAeq(15min)' as defined in the national planning standards.</p>	The definition is needed to assist in interpreting the proposed rules. The definition in the National Planning Standards 2019 is proposed to be used to improve national consistency of the planning system.	Yes No

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
D23 Mechanical preparation of surface	Introduce a definition that: <i>means removing impurities or corrosion of part of the surface using hand-held tools with an abrasive surface.</i>	Scope and definitions	No change 26. Retain the proposal definition of 'mechanical preparation of surface'.	The proposed definition was supported by submitters.	Yes No
D24 Modelled conductor noise levels	Introduce a definition that: <i>means calculated noise levels based on the transmission line and conductor configuration, taking into account new wet conductor characteristics, ignoring the presence of any buildings, and without any adjustments for special audible characteristics (which has the same meaning as in NZS 6802:2008 Acoustics – Environmental noise (NZS 6802).</i>	Scope and definitions	No change 27. Retain the proposal definition of 'modelled conductor noise levels'.	This definition was supported by submitters. It will work alongside regulations carried over from proposed NES-TF amendments to clarify how noise is to be measured.	Yes No
D25 National Grid Subdivision Corridor	Introduce a new definition that: <i>means the area measured either side of the centreline of above ground National Grid transmission lines as follows (and illustrated in the darker green below):</i> <ul style="list-style-type: none"> • 14 metres for 66 kV and 110 kV transmission lines on single poles • 16 metres for 66 kV and 110 kV transmission lines on pi poles • 32 metres for 66 kV and 110 kV transmission lines on towers (including tubular steel monopoles towers where these replace steel lattice towers) • 37 metres for 220 kV transmission lines • 39 metres for 350 kV transmission lines. 	Scope and definitions	Change 28. Amend the proposal definition for 'national grid subdivision corridor' to achieve the intent of including limited additional lines which operate at a lower voltage as follows: <ul style="list-style-type: none"> a. 16 metres for 66kV and 110 kV transmission lines on pi poles and the Benmore-Bog Roy A, Te Hikowhenua-Deviation A and South Makara-Oteranga Bay A transmission lines. 	Adding these lines to the proposal provides for a more comprehensive policy approach. Officials understand that these additional lines constitute earth electrode transmission lines supporting the operation of 350-kilovolt lines (including the HVDC link on the Cook Strait), and as such are an important component of the electricity transmission network, warranting a similar level of protection from effects from subdivision as proposed for other transmission lines.	Yes No

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p><i>The National Grid Subdivision Corridor does not apply to designated assets.</i></p> <p><i>See attachment 1.4.1 for a diagram of the National Grid Subdivision Corridor.</i></p>				
D26 National Grid Yard	<p>Introduce a new definition that means:</p> <ul style="list-style-type: none"> <i>the area located 10 metres either side of the centreline of an overhead 110 kV National Grid transmission line on single poles</i> <i>the area located 10 metres either side of the centreline of an overhead 66 kV National Grid transmission line on single poles, pi poles or towers</i> <i>the area located 12 metres either side of the centreline of any overhead 110 kV, 220 kV, or 350 kV National Grid transmission line on pi poles or towers (including tubular steel monopoles towers where these replace steel lattice towers)</i> <i>the area located 12 metres in any direction from the outer visible edge of a National Grid support structure.</i> <p><i>The National Grid Yard does not apply to designated assets.</i></p> <p><i>See attachment 1.4.1 for a diagram of the National Grid Yard.</i></p>	Scope and definitions	<p>Change</p> <p>29. Amend the definition to achieve the intent of including limited additional lines which operate at a lower voltage as follows:</p> <ol style="list-style-type: none"> the area located 10 metres either side of the centreline of an overhead 110 kV National Grid transmission line on single poles and the South Makara-Oteranga Bay A line the area located 12 metres either side of the centreline of any overhead 110 kV, 220 kV, or 350 kV National Grid transmission line on pi poles or towers (including steel monopoles where these replace steel lattice towers), and the Benmore-Bog Roy A, Te Hikowhenua-Deviation A and South Makara-Oteranga Bay A transmission lines. 	As outlined above in D25, this recommended change includes limited transmission lines operating at low voltage that would otherwise be excluded in the proposal. Officials understand that these additional lines constitute earth electrode transmission lines supporting the operation of 350-kilovolt lines (including the HVDC link on the Cook Strait) and are an important component of the electricity transmission network and warrant a similar level of protection from effects from third parties as proposed for other transmission lines.	Yes No

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
D27 Natural area	Amend the existing definition of natural area that: <i>means an area that is protected by a rule because it is an outstanding natural feature or landscape, an area of significant indigenous vegetation, or a significant habitat of indigenous fauna.</i>	Scope and definitions	No change 30. Retain the proposal definition of 'natural area'.	The definition applies to natural areas with RMA section 6 values that are protected by a rule in a plan. While electricity network providers submitted to include a requirement for natural areas to be identified and mapped, this is not considered appropriate as it could lead to conflicts with section 6 of the RMA and would be contrary to section 43A(3).	Yes No
D28 Non-routine electricity network activity (non-routine EN activity)	Introduce a definition that: <i>means the upgrade, rebuilding or replacement of, or changes to, EN assets, or other EN activities, where the upgrade, rebuilding, replacement or change, or activity is not defined as a routine EN activity.</i>	Scope and definitions	Change 31. Amend the proposal to remove the definition of 'non-routine electricity network' from the proposal.	The definition is not used in any of the proposed regulations and risks creating confusion in interpretation. The development of new EDN lines or cabinets is addressed in the proposed R10 of the NES-ENA.	Yes No
D29 NZECP 34:2001	Introduce a definition that: <i>means the New Zealand Electrical Code of Practice for Electrical Safe Distances (2001).</i>	Scope and definitions	No change 32. Retain the proposal definition of 'NZECP 34:2001'.	This term will support regulations relating to electrical safety distances.	Yes No
D30 Operation	Amend the definition to: <i>means the use of a transmission line or distribution line to convey electricity.</i>	Scope and definitions	No change 33. Retain the proposal definition of 'operation'.	The definition is needed to interpret the regulations.	Yes No
D31 Pole	Amend the definition that means: a) <i>a structure that supports conductors as part of a transmission line or distribution line and that—</i> <i>i. has no more than three vertical supports, not including a pole that forms part of a guy wire</i> <i>ii. is not a steel lattice structure.</i>	Scope and definitions	No change 34. Retain the proposal definition of 'pole'.	The definition of 'pole' is required for policies that relate to altering existing pole heights, and constructing new poles and transformer boxes.	Yes No

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>b) <i>includes the hardware associated with the structure (such as insulators, cross-arms, and guy wires) and the structure's foundations</i></p> <p>c) <i>can be made of wood, reinforced concrete, steel, or other material.</i></p>				
D32 Routine electricity network activity (Routine EN activity)	<p>Introduce a definition that:</p> <p>a) <i>means activities required for, or associated with, the operation or maintenance of existing EN assets</i></p> <p>b) <i>implements the modern equivalent, substitute, or replacement of the existing EN assets, which may not be 'like for like'</i></p> <p>c) <i>maintenance and upgrades of existing EN assets necessary to continue to deliver the same or similar level of service or to improve resilience</i></p> <p>d) <i>other upgrades of existing EN assets where the upgrade or other change will, once the activity is complete, have no more than minor adverse effects on the environment</i></p> <p>e) <i>the removal, decommissioning, or dismantling of EN assets</i></p> <p>f) <i>all relevant ancillary activities, such as vegetation clearance, tree trimming, and creating, maintaining, and improving access tracks and accessways to EN assets</i></p> <p>g) <i>includes all activities regulated by the NES-ENA, including replacing structures, reconductoring, earthworks, altering or relocating of structures, undergrounding.</i></p>	Scope and definitions	<p>Change</p> <p>35. Amend the proposal to remove the definition of 'routine electricity network activity'.</p>	This definition is not necessary in the NES-ENA as it is not referred to in regulations. Most activities regulated in the NES-ENA are already considered routine activities in the NPS-EN by way of clause (f) of the respective definition.	Yes No

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
D33 Sensitive activities	Introduce a definition that: <i>includes residential unit (including visitor accommodation and retirement accommodation), care facilities, childcare facilities, schools, hospitals, custodial or supervised accommodation where residents are detained on site, marae, or place of worship.</i>	Scope and definitions	Change 36. Amend the proposal definition of 'sensitive activities' to include a reference to 'papakāinga' and align with the proposed NPS-EN definition.	This change is consistent with the proposed NPS-I and the proposed NPS-EN. Feedback received in submissions recommended including papakāinga in the list of sensitive activities, and this is considered an appropriate inclusion as it often adjoins marae.	Yes No
D34 Telecommunication device	Retain and amend a definition that: <i>means telecommunication device—</i> a) <i>means a device (for example, an antenna) that—</i> <i>(i) facilitates the operation of a transmission line or distribution line</i> <i>(ii) receives or transmits telecommunication signals</i> b) <i>includes any hardware associated with the device; but</i> c) <i>does not include a telecommunication cable.</i>	Scope and definitions	No change 37. Retain the proposal definition of 'telecommunication device'.	The proposed definition reflects the expanded scope of the NES-ENA to include electricity distribution.	Yes No
D35 Temporary line deviation	Introduce a definition that: <i>means the construction and use of a temporary section of transmission line or distribution line.</i>	Scope and definitions	No change 38. Retain the proposal definition of 'temporary line deviation'.	The proposed definition was supported in submissions.	Yes No
D36 Termination structure	Retain and amend the definition that: <i>means a tower, or pole, and/or gantry used for the transition between an overhead and an underground transmission line or distribution line.</i>	Scope and definitions	No change 39. Retain the proposal definition of 'termination structure'.	The proposed definition was supported in submissions.	Yes No

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
D37 Tower	<p>Introduce a definition that means:</p> <p><i>a) a steel lattice structure that supports conductors as part of a transmission line or distribution line</i></p> <p><i>b) includes the hardware associated with the structure (such as insulators, cross-arms, and guy wires) and the structure's foundations.</i></p>	Scope and definitions	<p>No change</p> <p>40. Retain the proposal definition of 'tower'.</p>	The definition reflects the expanded scope of the NES-ENA to include electricity distribution.	Yes No
D38 Transmission line or distribution line	<p>Amend the definition of transmission line as follows:</p> <p><i>a) means the facilities and structures used for, or associated with, the overhead and/or underground transmission or distribution of electricity within the ETN or EDN, including the transition from overhead to underground</i></p> <p><i>b) includes conductors, transmission line and distribution line support structures, telecommunication cables, and telecommunication devices to which paragraph (a) applies</i></p> <p><i>c) for the avoidance of doubt includes cables located over land, within waterbodies (including the coastal marine area), on the bed of lakes and rivers, on the bed and foreshore of the coastal marine area and on bridges and other waterway crossings; but</i></p> <p><i>d) does not include an electricity substation.</i></p>	Scope and definitions	<p>Change</p> <p>41. Amend the proposal definition of 'transmission line or distribution line' to specify that it includes 'ancillary equipment on supporting structures' unless specified otherwise.</p>	The amendment is necessary to ensure all parts of existing transmission lines and distribution lines are included in the definition.	Yes No

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
D39 Transmission line or distribution line support structure	Retain and amend a definition that: <i>means a tower or pole.</i>	Scope and definitions	Change 42. Amend the proposal definition of 'transmission line or distribution line support structure' to: a. remove reference to 'transmission line or distribution line' b. include termination structures and ancillary equipment, unless specified otherwise in regulation.	The amendment clarifies that support structures include termination structures and ancillary equipment, unless the context of the regulation specifies that such equipment is not included.	Yes No
D40 Undergrounding	Retain and amend a definition that: a) <i>means replacing overhead transmission lines or distribution lines with underground transmission lines or distribution lines</i> b) <i>includes altering, relocating, or replacing a tower or pole at 1 or both ends of the underground transmission lines or distribution lines so that the tower or pole becomes a termination structure.</i>	Scope and definitions	No change 43. Retain the proposal definition of 'undergrounding' as proposed.	This term is needed to interpret the regulations and it was generally supported.	Yes No
D41 Wet abrasive blasting	Introduce a definition that: <i>means abrasive blasting using material to which water has been added, and includes air assisted wet abrasive blasting.</i>	Scope and definitions	No change 44. Retain the proposal definition of 'wet abrasive blasting'.	This term is needed to interpret the regulations and it was generally supported in submissions.	Yes No

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Interpretation (definitions)	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Delete definitions	Delete the following existing definitions in the NESETA: <ul style="list-style-type: none"> • base height • base position • base footprint • base width • envelope for controlled activities • envelope for permitted activities • National Grid • overland flow path • upgrading. 	Scope and definitions	No change 45. Retain the proposal to remove the following definitions from the NES-ENA: <ul style="list-style-type: none"> a. base height b. base position c. base footprint d. base width e. envelope for controlled activities f. envelope for permitted activities g. National Grid h. overland flow path i. upgrading. 	The proposal to remove these definitions was generally supported by submitters and will avoid interpretation issues in the NES-ENA.	Yes No

PART 2: PROPOSED REGULATIONS FOR EXISTING TRANSMISSION LINES

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulation 4 – Regulations apply only to certain activities in relation to existing transmission lines	<p>Replace this regulation with a new regulation that clarifies:</p> <ul style="list-style-type: none"> the range of ETN and EDN activities regulated under the NES-ENA, including routine activities, non-routine activities, work on existing new lines, activities on land and within the coastal marine area the roles and responsibilities of regional councils and territorial authorities for implementing certain regulations (similar to the approach taken in the National Environmental Standards for Commercial Forestry 2017) certain ETN and EDN activities the regulations do not apply to (eg substations, refuelling, storage of hazardous substances). 	<p>Scope and definitions</p> <p>New provisions for the electricity distribution network</p>	<p>Change</p> <p>46. Amend the proposal so Regulation 4 of the NES-ETA applies only to ETN and EDN activities in relation to existing transmission lines by:</p> <ol style="list-style-type: none"> removing reference to routine and non-routine activities amending the proposal to clarify that regulations do not apply to unenclosed substation facilities or buildings within unenclosed substations. 	<p>These amendments reflect changes to the definitions in the proposed NES-ENA and discussed in the table above.</p> <p>Substations are not provided for comprehensively under the NES-ENA, as they can consist of a variety of infrastructure housed in cabinets or buildings, although some aspects of substations are covered by the definition of 'cabinet' (D2). This amendment reflects changes to D2.</p>	Yes No

Operation of transmission lines or use of access track

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulation 5 – Operation of transmission line or use of access track	<p>Amend regulation 5 of the NESETA to add a new clause 3 as follows:</p> <p>3) <i>The occupation of land for an existing transmission line is a permitted activity.</i></p>	<p>Enabling routine work on the electricity network</p>	<p>No change</p> <p>47. Retain the proposal to amend regulation 5 of NES-ETA to add a new clause providing for the occupation of land for an existing transmission line as a permitted activity.</p>	<p>The amendment clarifies that the occupation of land for an existing transmission line is a permitted activity.</p>	Yes No

Overhead conductors, earth-wires, overhead telecommunication cables, and adding overhead circuits

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reason for recommendations	Minister's decision
<p>Regulation 6 – Overhead conductors, earth-wires, overhead telecommunication cables, and adding overhead circuits</p> <p>Regulation 8 – Permitted activities: adding overhead circuits</p>	<p>The proposed changes are to:</p> <ul style="list-style-type: none"> delete regulation 8 and amend the scope of regulation 6 so that the addition of overhead conductors and overhead circuits is regulated together in amended regulation 6. Remove the condition in regulation 6(4) that there may be no more than two conductors (duplex configuration). Include a new condition in regulation 6 that operational noise from transmission lines operating at or above 220 kV shall not exceed the following noise limits: <ul style="list-style-type: none"> 48 dB LAeq (15min) in residential zones; or 45 dB LAeq (15min) in all other zones. 	<p>Enabling routine work on the electricity network</p>	<p>Change</p> <p>48. Amend the proposal so that the permitted noise limit for transmission lines operating at or above 220kV in residential areas is 40dB LAeq (15min).</p>	<p>This amendment aligns the proposed night-time noise threshold with that used by councils in district plans. Officials agree with submitters and recommend the limit in residential areas be set to 40 decibels LAeq (15min).</p>	<p>Yes No</p>
<p>Regulation 7 – Permitted activities: earth-wires and overhead telecommunication cables</p> <p>Regulation 9 – Restricted discretionary activities</p>	<p>The proposed changes are to:</p> <ul style="list-style-type: none"> remove the conditions limiting the number of wires and cables on existing transmission lines in regulation 7(4) increase the permitted diameter limit on new wires or cables from 25 mm to 28 mm in regulation 7(5) change the activity status in regulation 9 when conditions are not complied with from a restricted discretionary to a controlled activity change matters of discretion to matters of control and expand matters of control in 	<p>Enabling routine work on the electricity network</p>	<p>Change</p> <p>49. Amend the proposal to change Regulations 7 and 9 of the NES-ETA to achieve the following intent:</p> <ol style="list-style-type: none"> increase the permitted diameter limit on new wires or cables from 25 mm to 30 mm in regulation 7(5) and 7(6) change the activity status of activities which do not comply with permitted activity conditions to a controlled activity 	<p>Amendments to the proposed regulation are recommended to:</p> <ul style="list-style-type: none"> align with the cable diameter with that provided for in the existing NES-TF (30 millimetres, regulation 42) include OPGW, as these are comparable to earth-wires (which are permitted) and are necessary ancillary equipment that provides grounding as well as telecommunication services. Adverse effects associated with OPGW are typically less than minor. Restrictions on the number of OPGW that can be deployed were not considered 	<p>Yes No</p>

Overhead conductors, earth-wires, overhead telecommunication cables, and adding overhead circuits

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reason for recommendations	Minister's decision
	regulation 9 to include the following considerations: <ul style="list-style-type: none"> – frequency, intensity, duration and offensiveness of noise generated (to capture the new operational noise standards) – the operational and functional need of ETN activities and technical requirements of ETN activities – benefits to and of the ETN. 		c. change matters of discretion to matters of control and expand matters of control in regulation 9 to include the following considerations: <ul style="list-style-type: none"> i. frequency, intensity, duration and offensiveness of noise generated (to capture the new operational noise standards) ii. effects on services and infrastructure. d. apply the permitted activity regulations for earth wires to include Optical Ground Wires (OPGW).	appropriate, as providers are only going to deploy the number of OPGW that are operationally necessary. Changes proposed to matters of control align with the approach taken across the regulations in the proposed NES-ENA.	

Increasing voltage or current rating, underground conductors, and undergrounding transmission lines

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reason for recommendations	Minister's decision
Regulation 10 – Permitted activities: increasing voltage or current rating	The proposed changes are to: <ul style="list-style-type: none"> • increase the magnetic flux density reference threshold from 100 microteslas to 200 microteslas in regulation 10(2), to be consistent with the proposed NPS-EN 	Enabling routine work on the electricity network	Change 50. Amend the proposal to: <ul style="list-style-type: none"> a. include new operational noise conditions for transmission lines operating at or above 200kV to not exceed the noise limits 	The recommended changes would align regulation 10 with the changes recommended in regulation 6 (noise levels). A new threshold, as suggested by Transpower, is recommended to reflect the updated measurements in ICNIRP 2010 (currently incorporated by reference into	Yes No

Increasing voltage or current rating, underground conductors, and undergrounding transmission lines

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reason for recommendations	Minister's decision
	<ul style="list-style-type: none"> alter the modelling methodology of electric field strength in regulation 10(6) to be based on <i>conservative</i> climatic conditions, rather than using specified conditions include new operational noise conditions in regulation 10 for transmission lines operating at or above 200 kV to not exceed the following noise limits: <ul style="list-style-type: none"> 48 dB LAeq (15min) in residential zones 45 dB LAeq (15min) in all other zones. 		<p>outlined in the recommended changes to Regulation 6.</p> <p>b. Include new thresholds relating to electric and magnetic field exposure that achieve the following intent:</p> <p><i>Not exceed the basic restrict level of 0.02 V/m in central nervous system tissues of the head and 0.4 V/m in all tissues of the head and body.</i></p>	<p>NPS-EN). Current density is now expressed in terms of volts per metre (V/m), rather than milliamperes per square metre (mA/m²) (in NES-ETA). The recommendation aligns with advice received from the Ministry of Health.</p>	
<p>Regulation 11 – Permitted activities: underground conductors</p>	<p>No changes are proposed.</p>	<p>Enabling routine work on the electricity network</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>
<p>Regulation 12 – Controlled activities: undergrounding transmission lines</p>	<p>The only proposed changes relate to the matters of control including:</p> <ul style="list-style-type: none"> adding additional matters of control relating to (i) the operational need and functional need of ETN activities, (ii) technical requirements of ETN activities, and (iii) benefits to and of the ETN updating the reference to historic heritage area to refer to historic heritage item or setting. <p>We are also seeking feedback on options to better enable the undergrounding of existing transmission lines by:</p>	<p>Enabling routine work on the electricity network</p>	<p>Change</p> <p>51. Amend the proposed matters of control for undergrounding transmission lines to:</p> <ol style="list-style-type: none"> replace the proposed additional matters of control with a single matter to provide for ‘effects on services and infrastructure’ provide an updated reference to heritage as defined in D20. 	<p>Officials recommend retaining the regulations for undergrounding as proposed, other than modifying some of the matters of control. Some degree of controls on undergrounding of transmission lines could be necessary to manage effects on natural areas and historic heritage which may be significant.</p> <p>Matters of control relating to operational and functional need, benefits to and of the ETN and technical requirements of the ETN are recommended to be removed and a new matter of control inserted into this regulation, ‘effects on</p>	<p>Yes No</p>

Increasing voltage or current rating, underground conductors, and undergrounding transmission lines

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reason for recommendations	Minister's decision
	<ul style="list-style-type: none"> allowing for this to occur as a permitted activity, which is a common approach for the undergrounding of distribution lines in district plans and is proposed below for EDN in Part 3 narrowing the matters of control to remove general references to visual and landscape effects (given that undergrounding of lines does not typically result in any adverse visual or landscape effects). 			services and infrastructure', to align with other controlled activities is recommended.	
Regulation 13 – Non-complying activities	No changes are proposed.	Enabling routine work on the electricity network	N/A	N/A	N/A

Transmission line support structures: Alteration, relocation and replacement

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<p>Regulation 14 – Permitted activities</p> <p>Regulation 15 – Controlled activities</p> <p>Regulation 16 – Restricted discretionary activities</p>	<p>The main changes proposed to these regulations are as follows.</p> <ul style="list-style-type: none"> • Height – increasing the permitted threshold for increasing the height of existing structures in regulation 14(3)(a) from 15% to 25%. • Public view shafts – removing the requirement in regulation 14(3)(b) for additional height of existing structures to comply with any plan rules relating to public view shafts (the requirement to comply with height restrictions near airports would be retained for safety reasons). • Occupied buildings – retaining the requirement in regulation 14(4) for support structures to be set back from occupied buildings while clarifying that the setback distance is to be measured at the closest point (not horizontally). • Tower footprint – amending regulation 14(5) to enable an increase in tower footprint to be up to 25% greater in length than the existing length of each side. • Tower's envelope for permitted and controlled activities – removing the condition in regulation 14(6) relating to the 'envelope for permitted activity' and 'envelope for controlled activities' for the tower base width. 	<p>Enabling routine work on the electricity network</p>	<p>No Change</p> <p>52. Retain the proposals for height, public view shafts, occupied buildings, tower footprint, replacing pole with tower and relocating or replacing poles.</p> <p>53. Retain the proposal for non-compliance with the permitted activity conditions be a controlled activity.</p> <p>54. Retain the proposal to delete regulation 16 of NES-ETA.</p> <p>Change</p> <p>55. Amend the proposal to remove the condition relating to the 'envelopes' to also remove clause 15(1)(c) of NES-ETA.</p> <p>56. Amend the proposed matters of control in regulation 15(4) to include:</p> <ol style="list-style-type: none"> visual, landscape and ecological effects [existing reg 15(4)(a)]; effects on services and infrastructure [existing reg 15(4)(d)]; 	<p>The proposal will support the use, maintenance and upgrade of transmission infrastructure. In line with the approach taken in other regulations above, officials recommend removing matters of control relating to operational and functional need, benefits to and of the ETN and technical requirements of the ETN and inserting a new matter of control on 'effects on services and infrastructure' to align with other controlled activities. This is considered a more appropriate matter of control for decision-makers to consider.</p>	<p>Yes No</p> <p>Yes No</p> <p>Yes No</p> <p>Yes No</p> <p>Yes No</p>

Transmission line support structures: Alteration, relocation and replacement

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<ul style="list-style-type: none"> • Replacing pole with tower – removing the condition in regulation 14(7) that a pole cannot be replaced with a tower. • Relocating or replacing poles – amending the condition in regulation 14(8) so that a pole must not be replaced or removed more than 10 m (rather than 5 m) from the existing pole. <p>It is proposed that the activity status for non-compliance with the permitted activity conditions be a controlled activity, rather than a cascade of controlled and restricted discretionary activity (ie, regulation 16 is to be deleted).</p> <p>Amendments to the matters of control in regulation 15(4) are also proposed to:</p> <ul style="list-style-type: none"> • add additional matters of control relating to the technical requirements of ETN activities, operational need and functional need of ETN activities, and benefits to and of the ETN • update the reference to historic heritage area to refer to a historic heritage area or place • add an additional matter relating to effects on any sensitive activities. 		<ul style="list-style-type: none"> c. the effects on a historic heritage area or place [amended reg 15(4)(b)]; and d. the effects and timing of construction works [existing reg 15(4)(c)]. 		

Temporary structures and temporary line deviation		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
NOTIFIED PROPOSAL					
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulation 17 – Permitted activities Regulation 18 – Controlled activities	Amend the regulations to be more concise and enabling by: <ul style="list-style-type: none"> including all temporary structures (including as part of a temporary deviation) within one permitted activity regulation (regulation 17) revising the existing conditions in regulation 17(3) and 17(4) to enable temporary structures to be in place for 12 months rather than setting specific timeframes for the erection and removal of these structures (20 days to 60 days). 	Enabling routine work on the electricity network	No change 57. Retain the proposal to amend regulation 17 to retain all temporary structures within one permitted activity regulation. 58. Retain the proposal to revise existing conditions in regulation 17(3) and 17(4) to enable temporary structures to remain in place for 12 months.	The proposal to enable temporary structures and deviations to be in place for 12 months is considered a reasonable period and is consistent with a similar rule for temporary activities proposed in amendments to NES-TF. Having one regulation for all temporary structures will improve workability. Regulation 18 was referred to in the proposal for context and was not proposed to be amended.	Yes No Yes No

Transmission lines: Removal		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
NOTIFIED PROPOSAL					
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulation 19 – Permitted activities Regulation 20 – Controlled activities	Retain the permitted activity conditions but amend the matters of control in regulation 20(2) to: <ul style="list-style-type: none"> delete matters of control relating to earthworks and vegetation clearance include reference to removal works include new matters relating to the operational and functional needs of ETN activities, and benefits to and of the ETN. 	Enabling routine work on the electricity network	Change 59. Retain the proposal to amend the matters of control for removing existing transmission assets in regulation 20(2) to: <ol style="list-style-type: none"> delete matters of control relating to earthworks and vegetation clearance 	Officials recommend that the proposal to amend regulations for removing existing transmission assets largely be retained unchanged, except for some changes to the matters of control. These relate to the operational and functional need of the ETN, benefits of the ETN and technical requirements of ETN activities, which officials recommend removing (refer to the part B report for an explanation). This approach is consistent with other controlled activities in the proposal.	Yes No

Transmission lines: Removal

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<ul style="list-style-type: none"> b. include reference to 'removal works' instead of 'construction works' c. include a new matter of control to provide for the effects on services and infrastructure. 	Officials recommend including an additional matter of control for 'effects on services and infrastructure'. This will help align matters of control across the controlled activity classes in the proposed NES-ENA and afford councils with the discretion to control effects on electricity services and nearby infrastructure.	

Telecommunication devices

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<p>Regulation 21 – Permitted activities</p> <p>Regulation 22 – Restricted discretionary activities</p>	<p>Amend regulation 21(1) to permit installing or modifying a telecommunications device on an existing transmission line support structure and remove the conditions in regulation 21(3) and 21(4) relating to the width and height of the device.</p> <p>Delete regulation 22 because a restricted discretionary rule is not needed if there are no permitted activity conditions to comply with for telecommunication devices.</p>	Enabling routine work on the electricity network	<p>No change</p> <p>60. Retain the proposal to amend regulation 21(1) to permit installing or modifying a telecommunications device on an existing transmission line support structure and remove conditions in regulation 21(3) and 21(4) relating to the width and height of the device.</p> <p>61. Retain the proposal to remove regulation 22 which provides for restricted discretionary activities for telecommunication devices on transmission line support structures.</p>	<p>Telecommunication devices are critical communications infrastructure necessary to support Transpower's operational requirements (eg, coordinating operations and services across regions).</p> <p>Officials do not consider it necessary to restrict the installation of existing transmission towers as these are ancillary and will only be deployed as is operationally necessary.</p>	<p>Yes No</p> <p>Yes No</p>

Signs		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulation 23 – Permitted activities Regulation 24 – Signs	<p>The proposed changes are to:</p> <ul style="list-style-type: none"> simplify regulation 23 and regulation 24 by combining them and providing for signs on or next to a transmission line support structure as a permitted activity and removing the controls on size of the sign in regulation 23(2) and 23(3) expand regulation 23 to permit signage within the bed of a lake, river, stream or coastal marine area and associated occupation without any conditions delete the restricted discretionary activity rule for signage where the permitted activity standards are not complied with (regulation 25) because there would be no permitted activity conditions. 	Enabling routine work on the electricity network	<p>No change</p> <p>62. Retain the proposals to amend regulations 23, 24 and 25 for signs by:</p> <ol style="list-style-type: none"> permitting signs on or next to a transmission line support structure and within the bed of a lake, river, stream or coastal marine area and associated occupation removing the permitted activity standards for the size of the sign removing the restricted discretionary activity rule for signs. 	Officials consider signs to be necessary for public health and safety and therefore do not consider bulk and location standards to be necessary. Industry best practice will sufficiently guide how signs are deployed.	Yes No

Transmission line support structures: Discharges from blasting and applying protective coatings		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulation 25 – Permitted activities	<p>Amend the regulations as follows.</p> <p>Regulation 25 (permitted activities)</p> <ul style="list-style-type: none"> Broadening of the regulation to: <ul style="list-style-type: none"> cover the mechanical preparation of support structure surfaces 	Enabling routine work on the electricity network	<p>No change</p> <p>63. Retain the proposal to amend regulation 25 to broaden the regulation to cover the mechanical preparation of support structure surfaces.</p>	Officials agree with submissions that these regulations could clarify application to the EDN, as proposed in the application of the regulations for distribution, especially given that some EDBs manage ex National Grid assets which require the same maintenance as ETN assets.	Yes No

Transmission line support structures: Discharges from blasting and applying protective coatings

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<p>Permitted 26 – Controlled activities</p> <p>Permitted 27 – Restricted discretionary activities</p>	<ul style="list-style-type: none"> – the discharge to air from the use of diesel-fired compressors associated with the blasting of a transmission line (however, only if the regional rules further down the document are not incorporated). • Amendments to the wet abrasive blasting conditions in regulation 25(3) and regulation 25(4): <ul style="list-style-type: none"> – clarification that these regulations will only apply to wet abrasive blasting – changes to the permitted activity conditions so wet abrasive blasting must not be within 20 m of a water body, the coastal marine area (CMA), a public road, or an occupied building unless in accordance with submitted management plans (see new condition below). • Amendment to the dry abrasive blasting conditions in regulation 25(7). • Increase in permitted height above ground level where dry abrasive blasting can be undertaken (up to 2 m, from 1 m previously permitted). • New conditions that dry abrasive blasting must not be undertaken within 10 m of a water body, the CMA, and a public road, and 20 m of an occupied building, unless in accordance with submitted management plans (see new condition below). 	<p>Potential new regional regulations and management plan requirements</p>	<p>64. Retain the proposal to amend regulation 25(3) and 25(4) to:</p> <ol style="list-style-type: none"> a. clarify that these regulations will only apply to wet abrasive blasting b. changes to the permitted activity conditions so wet abrasive blasting must not be within 20 m of a water body, the coastal marine area (CMA), a public road, or an occupied building unless in accordance with submitted management plans c. Amend dry abrasive blasting conditions in regulation 25(7) to: <ol style="list-style-type: none"> i. increase the permitted height above ground level where dry abrasive blasting can be undertaken to 2m ii. include new conditions that dry abrasive blasting must not be undertaken within 10 m of a water body, the CMA, and a public road, and 20 m of an occupied building, unless in accordance with submitted management plans. 		<p>Yes No</p>

Transmission line support structures: Discharges from blasting and applying protective coatings

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<ul style="list-style-type: none"> • A new condition requiring an 'overarching environmental management plan (EMP)', as well as a 'site-specific management plan (SSMP)' when works are undertaken as a permitted activity within the above setbacks from water bodies, wetlands, the CMA, public roads and occupied buildings. The overarching EMP could be applied nationally and submitted to each regional council. The overarching EMP and SSMP must be provided to the regional council at least 10 days before work is due to commence. <p>The proposal is that the overarching EMP must include:</p> <ul style="list-style-type: none"> a) activities covered by the EMP b) effects to be managed associated with these activities c) specific controls to ensure compliance with the permitted activity standards d) mitigation measures and when to deploy these e) procedures covering incident management, complaints, spill management and management of compressors f) notification protocols (eg to roading authorities, landowners and the public) g) opportunities for technologies that will allow for continuous environmental improvement h) review of the EMP and a process for providing to and updating regional councils 		<ul style="list-style-type: none"> d. retain the proposal for management plans for blasting activities e. retain the proposal contents of EMP and SSMP. <p>65. Retain the proposal to remove regulation 27.</p> <p>Change</p> <p>66. Amend the proposal to change Regulation 25 to:</p> <ul style="list-style-type: none"> a. include a new permitted activity condition requiring an 'overarching environmental management plan (EMP)', as well as a 'site-specific management plan (SSMP)' when works are undertaken as a permitted activity within the above setbacks from water bodies, wetlands, the CMA, public roads and occupied buildings; and b. include a new requirement to notify regional councils after works are completed that works were undertaken in accordance with the provided management plans. 	<p><i>Regulation 27</i></p> <p>The removal of regulation 27 enables blasting to proceed as a permitted or controlled activity, removing consenting burdens for routine blasting activities.</p> <p><i>Regulation 25</i></p> <p>Based on the feedback received, officials recommend retaining the proposal for requiring management plans as a permitted activity condition. These will provide a robust framework for the management of potential effects from discharges while retaining a permitted activity status for compliant routine activities.</p> <p>To address concerns raised in submissions, officials propose to include a requirement to notify the regional council when works have been completed to confirm they were undertaken in accordance with the management plans provided. This would support the permitted activity framework and provide councils with reassurance that the practices outlined in the management plans were followed. This approach is similar to that applied in</p>	<p>Yes No</p> <p>Yes No</p>

Transmission line support structures: Discharges from blasting and applying protective coatings

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>i) blasting information sheets and any other relevant information.</p> <p>The proposal is that the SSMP must include:</p> <p>a) the tower name and location (including address and coordinates)</p> <p>b) identification of the proximity of the tower to water bodies (including natural inland wetlands), CMA (can note any significance and special features of the water bodies), public roads and occupied buildings – show on map</p> <p>c) identification if the structure has previously been painted with lead, and, if so, details on the method and mitigation</p> <p>d) proposed methodology (eg mechanical preparation, wet blasting, dry blasting)</p> <p>e) timing and duration of work</p> <p>f) mitigation measures proposed from mitigation toolbox (including reasons for not deploying mitigation if it is not practicable to do so), and include covering of the ground, houses, stormwater catchpits and so on</p> <p>g) proposed monitoring, for example, wind speed and placement of whiteboard markers for drift towards water bodies</p> <p>h) how waste (including solvent rags) and debris will be managed and disposed of</p> <p>i) notification, for example, could be notifying road authority and households within a certain radius of the structure</p>		<p>67. Amend the proposal for Regulation 26 to:</p> <p>a. remove regulation 26(1)(a) to expand the controlled activity status to apply to blasting carried out on structures located within water bodies and the CMA (when a management plan has not been provided under regulation 25)</p> <p>b. amend regulation 26(1)(b) so that it only applies when setbacks are not complied with and a management plan has not been prepared and submitted to the regional council</p> <p>c. remove condition 26(1)(c)(i) to align with permitted setbacks from waterbodies or CMA</p> <p>d. amend the matters of control in regulation 26(3) to:</p> <p>i. retain the status quo for 26(3)(a) – ie, revert to reference to ‘the effects on water quality and ecologically-sensitive receiving environment’</p> <p>ii. include new matters of control on the effects on the use of public roads and the</p>	<p>other national environmental standards (eg, NES-CF and NES-CS).</p> <p><i>Regulation 26 (controlled activities) – matters of control</i></p> <p>Changes to regulation 26 are recommended to align with the changes to permitted activity standards in regulation 25. Introducing references to ‘natural area’ and ‘historic heritage place or area’ in regulation 26 would broaden the assessment compared with the status quo, contrary to the Government’s intent to enable routine activities. In the context of a blasting regulation that manages discharges, officials consider reference to ‘ecologically-sensitive receiving environment’ to be more appropriate, as adverse effects need to be managed in areas of ecological value, regardless of whether or not they are natural areas. Provisions in local plans to manage effects on historic heritage will apply as relevant.</p> <p>Officials recommend removing matters of control relating to operational and functional need, and benefits to and of the ETN and inserting a new matter of control into this regulation, ‘effects on services and infrastructure’, to align with other controlled activities.</p>	<p>Yes No</p>

Transmission line support structures: Discharges from blasting and applying protective coatings

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>j) location of plant and machinery, containment area of paints and spill kits available</p> <p>k) complaints management and recording procedure</p> <p>l) roles and responsibilities and quality assurance for environmental controls.</p> <p>Regulation 26 (controlled activities)</p> <ul style="list-style-type: none"> • Deletion of regulation 26(1)(a), expanding the controlled activity status to apply to blasting carried out on structures located within water bodies and the CMA (when a management plan has not been provided under regulation 25). • Amending regulation 26(1)(b) so that this regulation applies only when a permitted activity setback in regulations 25(4) and 25(7) cannot be complied with and a management plan has not been prepared and submitted to the regional council. • Amendments to the matters of control in regulation 26(3), including: <ul style="list-style-type: none"> – replacing 'ecological sensitive receiving environments' with 'natural areas' and 'historic heritage place or area' – new matters of control, including effects on the use of public roads, the functional and operational need of ET activities, and benefits of the ETN. 		<p>effects on services and infrastructure.</p>		

Transmission line support structures: Discharges from blasting and applying protective coatings

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES				Minister's decision
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations		
	<p>Regulation 27 (restricted discretionary activities)</p> <p>The proposal is to delete regulation 27 so that blasting activities are either managed through permitted activity conditions or a controlled activity consent process when these conditions are not complied with (regulation 25 and regulation 26).</p>					

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES				Minister's decision
Clause	Proposed provisions	Topic	Recommendations	Reason for recommendations		
<p>Regulation 28 – Permitted activities</p> <p>Regulation 29 – Controlled activities</p>	<p>The proposal is a minor amendment to regulation 28 and regulation 29 so that they also regulate the discharge of contaminants onto land where this may enter water. The proposal would also amend the matters of control in regulation 29(2) to refer to the functional and operational need of ETN activities, the technical requirements of ETN activities, and the benefits of the ETN.</p>	<p>Enabling routine work on the electricity network</p>	<p>Change</p> <p>68. Amend the proposed matters of control in regulation 29(2) to refer to the effects on services and infrastructure.</p>	<p>In line with the approach taken in other regulations above, officials recommend matters of control relating to operational and functional need, and benefits to and of the ETN and technical requirements of the ETN be removed and a new matter of control be inserted into this regulation, 'effects on services and infrastructure', to align with other controlled activities. This is considered a more appropriate matter of control for decision-makers to consider.</p>	<p>Yes No</p>	

Trimming, felling, and removing trees and vegetation

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<p>Regulations 30 – Permitted activities</p> <p>Regulation 31 – Controlled activities</p> <p>Restricted 32 – Restricted discretionary activities</p>	<p>The proposal is to replace regulations 30 to 32 with a new approach that only controls vegetation clearance and tree trimming when this affects the following:</p> <ul style="list-style-type: none"> • natural areas (which include areas of significant indigenous vegetation and significant habitats of indigenous fauna) • notable trees identified in district plans with a plan rule that restricts their trimming, felling, or clearance and removal. <p>For these higher value and sensitive vegetation and areas, vegetation clearance or tree trimming would only be permitted when it is required for specific operational or safety reasons as follows:</p> <ul style="list-style-type: none"> • to comply with the Electricity (Hazards from Trees) Regulations 2003; or • to provide for the operation, maintenance or repair of existing access tracks; or • to prevent damage, or the threat of damage, to the ETN and: <ul style="list-style-type: none"> – it is carried out by an ecologist, arborist or other suitably qualified professional – written notice is provided to the relevant local authority 5 working days before the clearance or trimming occurs, or as soon as practicable where it relates to imminent safety concerns. This written notice must include a description of the vegetation and tree affected, the measures that will be 	<p>Enabling routine work on the electricity network</p> <p>Potential new regional regulations and management plan requirements</p>	<p>Change</p> <p><i>Management plans</i></p> <p>69. Amend the proposal to remove the proposed requirement for management plans for tree trimming and vegetation clearance.</p> <p><i>Permitted Activity Standards</i></p> <p>70. Amend the proposal to retain regulations 30(5) and 30(6) of the NES-ETA.</p> <p>71. Amend the proposal to remove regulation 30(4) of the NES-ETA.</p> <p>72. Amend the proposal to change regulation 30(3) of the NES-ETA so that if works are undertaken on land controlled by a regional rule for the purposes of soil conservation or avoiding or mitigating natural hazards, there is a requirement to engage with the regional council before undertaking vegetation clearance to highlight any soil conservation risk or natural hazards that may pose as significant risks.</p>	<p>Vegetation clearance is part of the day-to-day operation of the electricity network. This includes the trimming, felling and removal of trees and vegetation. The proposed amendments are considered to balance the enabling routine activities within the bounds of ensuring adverse effects are not significant.</p> <p>There was insufficient support for a management plan approach in submissions, although officials recommend changes to permitted activity conditions and matters of control in response to submissions.</p> <p>Amendments to permitted activity conditions will introduce a requirement to engage with regional councils in areas of soil conservation risk and natural hazards.</p> <p>Amendments to matters of control align with the approach taken in existing regulations and Transpower's proposal to introduce a new matter of control for erosion and sediment effects.</p>	<p>Yes No</p> <p>Yes No</p> <p>Yes No</p> <p>Yes No</p>

Trimming, felling, and removing trees and vegetation

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>taken to mitigate adverse effects and limit clearance and trimming to what is necessary to address the threat of damage, and the timing and duration of the works.</p> <p>Outside natural areas and notable trees, vegetation clearance would be permitted with no conditions (eg trimming and clearing grass, pest weeds, exotic vegetation).</p> <p>Remove the existing conditions in regulation 30(3) and 30(4) that require that vegetation clearance:</p> <ul style="list-style-type: none"> • is not undertaken on land controlled by a regional rule for the purposes of soil conservation or avoiding or mitigating natural hazards • is not undertaken on land administered by the Department of Conservation. <p>However, it is proposed that the conditions in regulation 30(3) and 30(4) are retained.</p> <p>As with other NESETA regulations, it is proposed that the activity status for non-compliance with the permitted activity standards is a controlled activity, rather than a restricted discretionary activity. It is also proposed that the matters of control in regulation 31(2) are amended to:</p> <ul style="list-style-type: none"> • add additional matters of control relating to the operational need and functional need of 		<p><i>Matters of control</i></p> <p>73. Amend the proposal to change matters of control in regulation 31(2) to add new matters of control on:</p> <ul style="list-style-type: none"> a. the effects on services and infrastructure b. erosion and sediment effects. 		<p>Yes No</p>

Trimming, felling, and removing trees and vegetation

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>ETN activities, technical requirements of ETN activities, and benefits to and of the ETN</p> <ul style="list-style-type: none"> • add the additional matter of control relating to effects on any natural area or notable tree. <p>Alternative option – management plan requirements</p> <p>Feedback is also being sought on whether management plan requirements can be implemented through the NES-ENA more broadly, including for vegetation clearance. This could involve a permitted activity condition that requires a management plan to be prepared and provided to the local authority when vegetation clearance relates to a natural area or notable tree. The requirements in the management plan could include:</p> <ul style="list-style-type: none"> • a requirement for it to be prepared by an ecologist, arborist or other suitably qualified expert • a description of the ecological or other values (notable trees) present and potential risks to those values from the proposed clearance or trimming • mitigation measures that must be implemented to avoid or mitigate adverse effects on identified ecological or other values (notable trees) 				

Trimming, felling, and removing trees and vegetation NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<ul style="list-style-type: none"> protocols to manage adverse effects on any indigenous fauna present in the areas that clearance will occur a description of timing and duration of works any proposed measures to replant, manage debris or reinstate the area following completion of the clearance. 				

Earthworks NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulation 33 – Permitted activities Regulation 34 – Controlled activities Regulation 35 – Restricted discretionary activities: historic heritage areas	<p>Amend the regulations for earthworks to be a permitted activity in regulation 33 (except for contaminated land) by:</p> <ul style="list-style-type: none"> replacing the area thresholds for earthworks undertaken within a natural area in regulation 33(2) with a requirement for earthworks to not be located within a natural area or historic heritage area or place otherwise a controlled activity consent would be required amending existing regulation 33(3) to require sediment control measures to be implemented when the earthworks are located within 50 m of water bodies and the coastal marine area 	<p>Enabling routine work on the electricity network</p> <p>Potential new regional regulations and management plan requirements</p>	<p>Change</p> <p>74. Amend the proposal to remove the proposed management plans for earthworks.</p> <p>75. Retain the proposal to have no thresholds for earthworks outside of natural areas and historic heritage places or areas.</p> <p>76. Amend the proposal to introduce a new permitted activity for earthworks in natural areas and historic heritage places or areas subject to compliance with the following permitted activity standards:</p>	<p>Officials understand the concerns expressed by industry on the proposal being more restrictive than the status quo. Officials propose to retain the proposal to have no thresholds outside of natural areas and historic heritage places or areas and have permitted activity threshold for earthworks in natural areas, with thresholds extended to the existing EDN.</p> <p>Officials recommend retaining regulation 33(8) to carry over the status quo for works in historic heritage places or areas.</p> <p>To address concerns raised in relation to sediment and erosion control, officials</p>	<p>Yes No</p> <p>Yes No</p> <p>Yes No</p>

Earthworks

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<ul style="list-style-type: none"> replacing the requirement in regulation 33(5)(c) for earthworks to not create or contribute to drainage problems or flooding of overland flow paths with a requirement to not increase flood risk in identified flood hazard areas. <p>Where any of the permitted activity conditions are not complied with, a controlled activity resource consent would be required that is consistent with existing regulation 34 but a change for regulation 35 that relates to historic heritage areas.</p> <p>Amendments to the matters of control in regulation 34(2) are proposed to:</p> <ul style="list-style-type: none"> add matters of control relating to the timing and duration of earthworks and any effects on water quality or the coastal marine area amend the existing matter of control in regulation 34(2)(e) to refer to effects on any historic heritage place or area add a matter of control relating to effects on instability, erosion and flood risk to replace the existing matter of control in regulation 34(2)(f) relating to drainage, flooding and overland flow paths add matters of control relating to the operational need and functional need of ETN activities, technical requirements of ETN activities, and benefits to and of the ETN 		<ul style="list-style-type: none"> a. 50m³ per existing support structure b. 100m³ or 1000m² per existing access track (whichever is greatest). <p>77. Retain regulations 33(3) to 33(9) of the NES-ETA, to apply in all environments.</p> <p><i>Matters of control</i></p> <p>78. Amend the proposal to retain condition 34(2)(f) relating to drainage, flooding and overland flow paths.</p> <p>79. Amend the proposal to introduce new matters of control relating to the timing and duration of earthworks, instability of land, erosion, effects on water quality and the coastal marine area, flood risk, natural areas and restoration of the land.</p> <p>80. Amend the proposal to change the existing matters of control in regulation 34(2)(e) of the NES-ETA to refer to effects on historic heritage places or areas.</p>	<p>recommend retaining all current permitted activity standards in regulations 33(3) to (9).</p> <p>Changes to matters of control reflect feedback received in submissions and align with the approach taken in other regulations.</p>	<p>Yes No</p> <p>Yes No</p> <p>Yes No</p>

Earthworks

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<ul style="list-style-type: none"> add a matter of control relating to effects on any natural area. <p>Alternative option – management plan requirements</p> <p>Feedback is also being sought on whether management plan requirements can be implemented through the NES-ENA more broadly, including for earthworks. This could involve a permitted activity condition that requires a management plan to be prepared and provided to the local authority when earthworks will occur in a natural area or a historic heritage place or area, or a notable tree. The requirements in the management plan could include:</p> <ul style="list-style-type: none"> a description of the ecological or historic heritage values presents risk and potential risk to those values from the proposed earthworks mitigation measures that must be implemented throughout the duration of the earthworks to avoid or mitigate adverse effects on identified ecological or other values (notable trees) measures that will be undertaken to manage sediment runoff, to avoid debris entering water bodies and the coastal marine area, to avoid land instability, erosion or increase in flood risk and so on a description of the timing and duration of earthworks 		<p>81. Amend the proposal to add a new matter of control relating to effects on services and infrastructure.</p>		<p>Yes No</p>

Earthworks					
NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<ul style="list-style-type: none"> measures to reinstate and stabilise the site following the completion of the earthworks a requirement for the level of detail in the management plan to correspond to the scale and significance of the potential adverse effects of the earthworks. 				
Regulation 36 – Earthworks on potentially contaminated land	No changes proposed.	Enabling routine work on the electricity network	No change	Officials understand industry's preference for a permitted activity framework for earthworks on potentially contaminated land in the NES-ENA or for the management of contaminated soils for electricity transmission and distribution under the NES-CS. Neither option is in scope for this consultation.	N/A
Regulation 37 – Permitted activities Regulation 38 – Controlled activities	<p>Amend regulation 37(2) conditions for permitted activities to require that:</p> <ol style="list-style-type: none"> the noise from the construction activity must be in accordance with (instead of comply with) New Zealand Standard NZS 6803:1999 Acoustics—Construction Noise. the vibrations from the construction activity must be in accordance with (instead of comply with) the peak particle velocity limits in table 1 of German Standard DIN 4150–3:1999 Structural Vibration—Effects of Vibration on Structures. <p>Amendments are also proposed to the matters of control in regulation 38(2) to:</p>	Enabling routine work on the electricity network	Change 82. Amend the proposal to change the matters of control in regulation 38(2) of the NES-ETA to: <ol style="list-style-type: none"> replace 'sensitive land uses' with 'sensitive activities'; and add a new matter of control to provide for effects on services and infrastructure. 	In alignment with the approach taken in other regulations (eg, earthworks, vegetation management), officials recommend removing matters of control relating to the functional and operational need of the EN and the benefits of the EN, as it would not be appropriate for councils to apply controls on these matters. Instead, a matter of control to provide for effects on services and infrastructure is proposed, consistent with the approach taken in existing regulations 12 and 15.	Yes No

Earthworks		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	a) replace 'sensitive land uses' with 'sensitive activities' b) add additional matters of control relating to the functional and operational need of ETN activities, technical requirements of ETN activities, and the benefits of the ETN.				

Other transmission activities		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulation 39 – Other transmission activities	No changes proposed.		No change	No changes were proposed to regulation 39.	N/A

POTENTIAL NEW REGIONAL REGULATIONS

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regional rules	<p>We are <u>seeking feedback</u> on a range of new regional regulations that would better enable transmission activities and make the NES-ENA function as more of a one-stop-shop (ie, these are not proposals at this stage). The additional regional regulations we are seeking feedback on for potential inclusion in the NES-ENA are as follows.</p> <ul style="list-style-type: none"> • R1: River crossings – a new permitted activity rule for the construction, use, maintenance, upgrade and removal of river crossings for an existing transmission line subject to conditions relating to flows, discharges, cleaning and fuelling, use of machinery, fish passage, and erosion. A controlled activity consent would be required when the permitted activity conditions are not met. • R2: Groundwater take and use, dewatering – a new permitted activity rule to take and use water for the purposes of dewatering when undertaking routine ETN activities. This would include permitted activity conditions relating to duration, location, ground subsidence, flooding, discharges, discharge of TSS near sensitive receiving environments, compliance with the Australian and New Zealand Environment and Conservation Council guidelines (ANZECC guidelines) and drinking water source protection areas. A controlled activity consent would be required when the permitted activity conditions are not met. 		<p>Change</p> <p>83. Amend the proposal to remove regional rules from the proposed NES-ENA.</p>	<p>Feedback on the proposed regional regulations was mixed, and officials recommend the Government postpone the development of regional rules until the new system has been confirmed. Once the new system is supported by legislation, officials will look to how regional rules can be developed to apply to a range of network utilities. Officials have collected submission feedback and will use it to inform their future advice.</p> <p>Rules that permit works in natural environments require careful drafting and need to ensure they do not permit significant adverse effects or cut through well-meaning protections afforded through regional plans.</p>	Yes No

POTENTIAL NEW REGIONAL REGULATIONS

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<ul style="list-style-type: none"> • R3: Stormwater discharges – a new permitted activity rule for discharges of stormwater subject to conditions relating to natural inland wetlands, Hazardous Activities and Industries List (HAIL) sites, erosion, flooding, discharge of TSS near sensitive receiving environments, compliance with ANZECC guidelines, and drinking water source protection areas. A controlled activity consent would be required when the permitted activity conditions are not met. • R4: Structures in the coastal marine area (CMA) – a new permitted activity rule for structures in the CMA subject to conditions relating to increasing the size of the structure, not being located in port, navigation or protected areas, discharges, cleaning and refuelling, and use of machinery. A controlled activity consent would be required when the permitted activity conditions are not met. • R5: Works within the bed of a lake or river – a new permitted activity rule enabling works to be undertaken within the beds of lakes and rivers subject to conditions relating to access to lawfully established structures, fish passage, not be located in natural areas or historic heritage areas, and the works being undertaken in accordance with a plan submitted to the relevant regional council hydrologic engineer. A restricted discretionary activity consent is proposed when the permitted activity conditions are not met. 				

PART 3: REGULATIONS FOR ELECTRICITY DISTRIBUTION NETWORK ACTIVITIES

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Application	The regulations apply to 'high voltage' and 'low voltage' EDN activities.	New provisions for the electricity distribution network	<p>Change</p> <p>84. Amend the proposal to clarify that the regulations apply to all EDN activities and assets, except as otherwise specified in regulations.</p>	<p>There is overall support to include the electricity distribution network in the NES-ENA. Distribution activities can vary in voltage, with low voltage activities (eg, below 110 kilovolts) constituting the majority of the EDN in some locations. While some sought clarification as to the application of the regulation to 'high-' and 'low-' voltage assets, the clarification is not needed for the interpretation of the regulations as they will be subject to the same activity-based approach in the NES-ENA. As such, officials recommend that EDN rules apply to all EDN activities and assets, except as otherwise specified in regulations. While the term 'EDN asset' is not defined, each regulation clarifies the EDN activities and/or components it applies to. For instance, substations are not expressly regulated under the NES-ENA.</p>	Yes No
Ancillary EDN activities	<p>The following regulations proposed in Part 2 for 'ancillary activities' are proposed to apply to EDN activities:</p> <ul style="list-style-type: none"> • regulation 23 and regulation 24: Signs • regulation 25 and regulation 26: Blasting and applying protective coatings • regulation 28: Discharges to water 	New provisions for the electricity distribution network	<p>No change</p> <p>85. Retain the proposal to extend the application of regulations for 'ancillary activities' to apply to EDN activities.</p>	No change is proposed. General support came from submissions.	Yes No

PART 3: REGULATIONS FOR ELECTRICITY DISTRIBUTION NETWORK ACTIVITIES

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<ul style="list-style-type: none"> regulation 30: Trimming, felling, and removing trees and vegetation regulations 33, 34 and 35: Earthworks (outside potentially contaminated land) regulation 36: Earthworks on contaminated land regulation 37 and regulation 38: Noise and vibration from construction activities. 				
<p>R6: Operation of existing EDN assets – permitted activities</p>	<p>Introduce new permitted activity rules for the following:</p> <ul style="list-style-type: none"> the operation of an existing EDN line or cabinet the use of an access track to an existing EDN line or cabinet occupation of land for existing EDN lines and cabinets. 	<p>New provisions for the electricity distribution network</p>	<p>Change</p> <p>86. Amend the proposal to include the maintenance of an EDN line or cabinet as a permitted activity unless the maintenance activity is covered by other regulations in the NES-ENA.</p>	<p>The inclusion of maintenance as a permitted activity responds to feedback on inconsistent coverage of maintenance in the regulations. While officials propose to include the maintenance of EDN lines or cabinets as a permitted activity, this is only for those maintenance activities that are not specifically regulated in the NES-ENA (eg, earthworks, vegetation clearance, blasting).</p> <p>As the term 'EDN asset' is undefined, drafting will reflect the application of the regulation (ie, existing EDN lines, cabinets and access tracks).</p> <p>Officials note the regulation permits use of an existing access track, regardless of its location, under the RMA. However, determining access rights over private land falls outside of the scope of the RMA.</p>	<p>Yes No</p>

PART 3: REGULATIONS FOR ELECTRICITY DISTRIBUTION NETWORK ACTIVITIES

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
R7: Temporary structures and line deviations associated with existing EDN assets	<p>Introduce new permitted activity rules for the maintenance or upgrade of an existing EDN line or cabinet subject to a permitted activity condition that the structures are installed and removed within one calendar year (12 months).</p> <p>A controlled activity is proposed for temporary structures and deviations that cannot comply with the permitted activity condition (ie where the structure is in place for more than 12 months), with the matters of control limited to the duration of any works and the effects and timing of construction works.</p>	New provisions for the electricity distribution network	<p>No change</p> <p>87. Retain the proposal to introduce a new permitted activity rule for a temporary structure and line deviations for the maintenance and upgrade of an existing EDN line or cabinet subject to a permitted activity condition that the structures are installed and removed within one calendar year (12 months).</p> <p>88. Retain the proposal for a controlled activity for temporary structures that do not comply with permitted standards.</p> <p>89. Retain the proposal for the matters of control to be limited to the duration of any works and the effects and timing of construction works.</p>	<p>The proposal introduces a 12-month timeframe for temporary structures and deviations that are necessary for the maintenance or upgrade of an existing EDN line or cabinet as a permitted activity, which becomes a controlled activity beyond this timeframe. This approach aligns with that in the proposed amendments to the NES-TF, designed to support short-term infrastructure maintenance and upgrades without requiring resource consent.</p> <p>As the term 'EDN asset' is undefined, drafting will reflect the application of the regulation (ie, temporary structures and line deviations).</p>	<p>Yes No</p> <p>Yes No</p> <p>Yes No</p>
R8: Additions to existing EDN assets	<p>A: Introduce new regulations that would enable the following additions to existing EDN lines and support structures to be undertaken as permitted activities subject to the following conditions:</p> <ul style="list-style-type: none"> • conductors with a diameter no greater than existing conductor or 50 mm • earth-wires and telecommunication cables with a diameter no greater than existing or 28 mm 	New provisions for the electricity distribution network	<p>Change</p> <p>90. Amend the proposal to include the following as permitted activities:</p> <ol style="list-style-type: none"> a. additions of optical ground wires (OPGW), earth-wires and telecommunication cables on support structures and lines b. replacement of conductors, circuits, earth-wires, overhead 	<p>Having considered the need to align with the NES-TF, officials recommend some changes in relation to the inclusion of OPGW and the permitted diameter of earth-wires, telecommunication cables and OPGW.</p> <p>Based on the mixed feedback received on bulk standards, officials recommend a middle-ground relief to change the permitted (width and height)</p>	Yes No

PART 3: REGULATIONS FOR ELECTRICITY DISTRIBUTION NETWORK ACTIVITIES

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<ul style="list-style-type: none"> telecommunication devices on EDN support structure with a width of no greater than 1.8 m and height no greater than 2.5 m above the height of the EDN support structure (ie, pole or tower). <p>Where the permitted activity standards are not complied with, the activity would be a controlled activity with the matters of control limited to the visual and landscape effects associated with the additional infrastructure, and the technical requirements, operational need and functional need of EDN activities, and the benefits of the EDN.</p>		<p>telecommunication cables and optical ground wires</p> <p>c. maintenance of EDN lines and support structures</p> <p>d. additions of ancillary equipment on support structures.</p> <p>91. Amend the proposal to include the following permitted activity standards for ancillary equipment on support structures:</p> <p>a. 30mm maximum permitted diameter of earth wires, telecommunication cables and OPGW</p> <p>b. maximum height of 3.5m above the height of the existing support structure for telecommunication devices on EDN support structures</p> <p>c. maximum width of 1.3 times the width of the existing support structure for telecommunication devices on EDN support structures</p> <p>d. maximum of 2 cubic metres per item and meeting the noise standing for ground mounted cabinets in R9A for 'ancillary equipment on support structures'.</p>	<p>thresholds for telecommunication devices on EDN support structures.</p> <p>In terms of the activities that are covered by regulation R8A, officials agree with industry submitters' proposal to include 'replacement' and 'maintenance' as permitted activities, as this better aligns with the overall policy intent of the NES-ENA to enable routine activities for distribution. This approach is consistent with the regulations for electricity transmission and proposed regulation R9.</p> <p>Officials propose to include a new permitted activity standard for 'ancillary equipment on support structures', responding to concerns raised by industry submitters.</p> <p>Amendments to matters of control are consistent with other provisions (refer to the part B report for the reasoning).</p> <p>As the term 'EDN asset' is undefined, drafting will reflect the application of the regulation (ie, additions to EDN lines and support structures).</p>	<p>Yes No</p>

PART 3: REGULATIONS FOR ELECTRICITY DISTRIBUTION NETWORK ACTIVITIES

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			92. Introduce a controlled activity where permitted activity standards for ancillary equipment on support structures are not met.		Yes No
			93. Amend the proposal to limit the matters of control for controlled activities for ancillary equipment on support structures to: <ul style="list-style-type: none"> a. the visual and landscape effects associated with the additional infrastructure, and b. the effects on services and infrastructure. 		Yes No
	<p>B: Introduce new regulations that would enable the installation of mid-span poles on existing EDN lines. The regulations would provide for these poles as a permitted activity subject to compliance with the following conditions:</p> <ul style="list-style-type: none"> • the pole is not greater than 30 m in height above ground level • the pole is required to ensure compliance with NZECP 34:2001 • the pole not located within a natural area or a historic heritage place or area (except where the existing line is located in one of these areas). <p>Mid-span poles on existing EDN lines that do not comply with the permitted activity standards would be</p>	New provisions for the electricity distribution network	<p>No change</p> <p>94. Introduce a new permitted activity regulation for the installation of mid-span poles on existing EDN lines subject to meeting permitted activity standards.</p> <p>95. Retain the proposal to require a consent for a controlled activity for the installation of mid-span poles on existing EDN lines that do not meet the permitted activity standards.</p>	<p>This amendment addresses significant council opposition to 30-metre maximum pole height, better aligns with ETN regulation 14 and is considered a more proportionate approach that takes the relative height of the existing EDN line into account (while still allowing for mid-span poles that are taller than those on either side of it).</p> <p>It is anticipated that the 25% height allowance will strike an appropriate balance between providing for the operational and functional needs of EDN operators and managing the effects of the activity.</p>	<p>Yes No</p> <p>Yes No</p>

PART 3: REGULATIONS FOR ELECTRICITY DISTRIBUTION NETWORK ACTIVITIES

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			d. proposed methods to mitigate adverse effects e. effects on services and infrastructure f. effects on health and safety.		
	<p>C: Introduce new regulations to enable the maintenance of underground conductors, replacement of underground conductors, and additional underground conductors on existing EDN lines as a permitted activity without conditions (except the radio frequency fields and electric and magnetic fields standards outlined below). This is consistent with the regulations in the NESETA (regulation 11), which are proposed to be retained in the NES-ENA.</p>	New provisions for the electricity distribution network	<p>No change</p> 98. Retain the proposal to for a new regulation for a permitted activity for the maintenance of underground conductors, replacement of underground conductors, and additional underground conductors on existing EDN lines subject to the standards for radio frequency fields and electric and magnetic fields in R11.	Retaining the proposal was widely supported in submissions.	Yes No
R9: Alteration, relocation and replacement of existing EDN assets	<p>A: Introduce a new regulation that would enable the alteration, relocation and replacement of existing ED lines, support structures and cabinets to be undertaken as a permitted activity subject to conditions on the size and location of those assets.</p> <p>The proposed permitted activity standards are as follows.</p> <ul style="list-style-type: none"> • the EDN asset must be located: <ul style="list-style-type: none"> – within a land transport corridor; or 	New provisions for the electricity distribution network	<p>No change</p> 99. Retain the proposal for a new regulation for a permitted activity for the alteration, relocation and replacement of existing distribution lines, support structures and cabinets subject to meeting permitted activity standards as proposed except where specified in recommendation 101.	<p>Officials recommend changes to noise provisions to ensure consistency with regulations 24 and 25 of the NES-TF.</p> <p>Officials also recommend clarifying that the exceptions to permitted activity conditions relate only to any replaced or relocated support structure or cabinet within 10 metres of its existing position, which is aligned with other approaches to replacement in the NES-ENA.</p>	Yes No

PART 3: REGULATIONS FOR ELECTRICITY DISTRIBUTION NETWORK ACTIVITIES

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<p>as a permitted activity, except in natural areas or historic heritage places or areas.</p> <p>110. Amend the proposal to introduce a new permitted activity standard of 2m3 for the ancillary equipment installed on support structures and compliance with the noise standard for cabinets in R9A.</p> <p>111. Amend the proposal to introduce a new regulation for the construction of new EDN lines (overhead and underground) in the land transport corridor in natural areas or historic heritage places or areas as a controlled activity, with matters of control limited to:</p> <ul style="list-style-type: none"> a. effects on any natural area and historic heritage places or areas b. proposed methods to mitigate adverse effects c. effects on services and infrastructure. <p>112. Amend the proposal to introduce a new regulation for a restricted discretionary activity for the construction of EDN lines when</p>	<p>construction of new underground and overhead EDN lines, to better reflect the needs of the EDN.</p> <p>To provide more broadly for assets necessary to the EDN and similar to the recommendation for regulation R8A, officials recommend including a new permitted standard of 2 cubic metres for the ancillary equipment installed on support structures and compliance with the noise standard for cabinets in regulation R9A(12).</p> <p>As the term 'EDN asset' is undefined, drafting will reflect the application of the regulation to the construction, operation and maintenance of EDN lines.</p>	<p>Yes No</p> <p>Yes No</p> <p>Yes No</p>

PART 3: REGULATIONS FOR ELECTRICITY DISTRIBUTION NETWORK ACTIVITIES

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			permitted activity standards are not met, with discretion restricted to: <ol style="list-style-type: none"> a. visual and landscape effects b. ecological effects c. effects on any natural area or historic heritage place or area d. proposed methods to mitigate adverse effects e. effects on services and infrastructure f. effects on health and safety. 		
	<p>B: Introduce a new regulation to enable new cabinets associated with the EDN to be installed and operated as a permitted activity provided that:</p> <ul style="list-style-type: none"> • the cabinet is located within a land transport corridor; and <ul style="list-style-type: none"> – the cabinet(s) are no larger than 1.8 m tall and 6 m² in area – the cabinets comply with the noise limits in regulation 24 of the NES-TF (noise limits for cabinets in road reserve); or • the cabinet complies with rules for buildings and structures within the underlying zone • the cabinets are not located within a natural area or a historic heritage place or area. <p>Cabinets that do not comply with the permitted activity standards would require a resource consent for a restricted discretionary activity. The matters of</p>	New provisions for the electricity distribution network	<p>Change</p> <p>113. Amend the proposal to introduce a new regulation for a permitted activity for the 'operation and maintenance' of new cabinets.</p>	Officials recommend a minor change to the proposal to include the maintenance of new cabinets as well as their installation and operation, providing a more comprehensive approach to cabinets based on feedback received from the sector.	Yes No

PART 4: RULES FOR THE NATIONAL GRID YARD AND SUBDIVISION CORRIDOR

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<ul style="list-style-type: none"> • accessory buildings for sensitive activities located more than 12 m from a National Grid support structure, and that are no more than 2.5 m in height and no more than 10 m² in area • network utilities, as defined in section 166 of the RMA, and electricity generation that connects to the National Grid • fences located at least 5 m from a National Grid pole support structure and at least 6 m from a National Grid tower • ancillary stockyards and platforms, including those associated with milking sheds (relates to rural activities) located more than 12 m from a National Grid support structure • uninhabited farm and horticultural buildings and structures located more than 12 m from a National Grid support structure and alterations to these buildings and structures • artificial crop protection structures or crop support structures not exceeding 2.5 m in height and located at least 8 m from a National Grid transmission line pole that: <ul style="list-style-type: none"> – are removable or temporary to allow a clear working space of 12 m from the pole for maintenance; and 				

PART 4: RULES FOR THE NATIONAL GRID YARD AND SUBDIVISION CORRIDOR

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<ul style="list-style-type: none"> – allow all-weather access to the pole and a sufficient area for maintenance equipment, including a crane; or – meet the requirements of clause 2.4.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001). <p>The above activities must also comply with the following permitted activity standards:</p> <ul style="list-style-type: none"> • all buildings and structures must comply with the safe distance standards in NZECP 34:2001 • all buildings and structures must not permanently physically impede vehicle access to a National Grid support structure. <p>The proposed rule would also make the following activities non-complying activities within the National Grid Yard:</p> <ul style="list-style-type: none"> • establishing sensitive activities in an existing building or a new building • alterations and additions to an existing building or structure for a sensitive activity that involves an increase in the building height or footprint • wintering barns • commercial greenhouses • immovable protective canopies • produce packing facilities • milking sheds 				

PART 4: RULES FOR THE NATIONAL GRID YARD AND SUBDIVISION CORRIDOR

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<ul style="list-style-type: none"> buildings or structures for the handling or storage of hazardous substances with explosive or flammable intrinsic properties (except that this does not apply to the accessory use and storage of hazardous substances in domestic scale quantities) any building or structure permitted under this rule that does not meet the permitted activity standards. 				
<p>R12: National Grid Yard – Earthworks, land disturbance and vertical holes</p>	<p>Introduce a new rule that would control earthworks, land disturbance and vertical holes within the National Grid Yard. This would enable earthworks, land disturbance and vertical holes to be undertaken as a permitted activity subject to the following standards:</p> <ol style="list-style-type: none"> are no deeper than 300 mm within 6 m of the outer visible edge of a foundation of a National Grid transmission line tower or pole are no deeper than 3 m between 6 m and 12 m of the outer visible edge of a foundation of a National Grid transmission line tower or pole; or are no deeper than 300 mm depth within 2.2 m of the outer visible edge of a National Grid pole are no deeper than 750 mm depth between 2.2 m and 5 m of the outer visible edge of a National Grid pole support structure; except that vertical holes not exceeding 500 mm in diameter beyond 1.5 m from the outer visible edge of the pole support structure or stay wire are exempt 	<p>Regulations for the National Grid Yard and Subdivision Corridor</p>	<p>No change</p> <p>118. Retain the proposal to introduce a new rule providing for earthworks, land disturbance and vertical holes within the National Grid Yard as a permitted activity subject to the proposed permitted activity standards.</p> <p>119. Retain the proposal to introduce a rule providing for earthworks, land disturbance and vertical holes within the National Grid Yard as a non-complying activity when permitted activity standards are not met.</p> <p>Change</p> <p>120. Amend the proposal to specify that Transpower is the authority who may waive themselves as an affected party by providing special</p>	<p>Officials consider it sensible to afford Transpower the authority to waive itself as an affected party and allow it to provide dispensation/written notice that allows for NZECP 34:2001 non-compliance. This will allow Transpower to consider a project and the proposed location on a case-by-case basis and adds to operational flexibility. Extending the proposed exemptions, as submitted by Transpower, will reduce the potential consenting burden for landowners and operators undertaking earthworks that do not impede access to the National Grid.</p>	<p>Yes No</p> <p>Yes No</p> <p>Yes No</p>

PART 4: RULES FOR THE NATIONAL GRID YARD AND SUBDIVISION CORRIDOR

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>5) do not compromise the stability of a National Grid transmission line tower or pole</p> <p>6) do not result in a reduction in the ground to conductor clearance distances as required in table 4 of NZECP 34:2001</p> <p>7) do not permanently physically impede access to a National Grid support structure.</p> <p>The following activities are proposed to be exempt from clauses 1 to 4 above:</p> <p>a) earthworks and land disturbance undertaken for the repair or resealing of a road, footpath, driveway or farm track</p> <p>b) earthworks, land disturbance and vertical holes that are subject to a dispensation from Transpower under NZECP 34:2001.</p> <p>Earthworks, land disturbance and vertical holes that do not meet the permitted activity standards above are proposed to be a non-complying activity.</p>		<p>dispensation in the form of a written notice tendered to the contravening third party, which allows for non-compliance with NZECP 34:2001.</p> <p>121. Amend the proposal to specify that exempted earthworks, land disturbances and vertical holes as outlined in a) and b) of the proposal are also exempt from complying with standard 7) of the proposal (ie 'do not permanently physically impede access to a National Grid support structure').</p>		<p>Yes No</p>

PART 4: RULES FOR THE NATIONAL GRID YARD AND SUBDIVISION CORRIDOR

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Clause	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>safety and property are appropriately avoided, remedied or mitigated, for example, through the location of roads and reserves under the transmission lines</p> <ul style="list-style-type: none"> the nature and location of any proposed vegetation to be planted the outcome of any consultation with, and technical advice from, Transpower. 				

Electricity distribution lines and adverse effects from third parties

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
R14: Subdivision of site containing overhead EDN lines (Controlled)	<p>Introduce a new rule for subdivision of a site containing an existing overhead EDN line that would provide for this activity as a controlled activity if any proposed building, structure or building platform complies with the minimum safe distance requirements for poles and towers in NZECP 34:2001, otherwise resource consent would be required as a discretionary activity.</p> <p>If the condition above is complied with, the proposed matters of control are:</p> <ul style="list-style-type: none"> the extent to which the subdivision allows for earthworks, buildings, and structures to comply with the safe distance requirements provided in NZECP 34:2001 	New provisions for the electricity distribution network	<p>Change</p> <p>124. Amend the proposal to introduce a new permitted activity for minor boundary adjustments on sites containing EDN lines.</p> <p>125. Amend the proposal so that subdivision creating new allotment(s) on a site containing an EDN line is a controlled activity when any proposed building, structure or building platform complies with the minimum safe distance requirements for poles and towers</p>	<p>The purpose of this rule is to ensure that land-use change arising from subdivision can be managed to ensure that the EDN isn't compromised, by introducing an approach similar to that for electricity transmission proposed in regulation R13.</p> <p>The changes proposed will ensure a more comprehensive approach to subdivision, aligning with Policy 11 of the NPS-EN and ensuring compliance with safe distance requirements provided in NZECP 34:2001, therefore ensuring that future land uses would not compromise the EDN.</p>	<p>Yes No</p> <p>Yes No</p>

Electricity distribution lines and adverse effects from third parties

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<ul style="list-style-type: none"> • provision for the ongoing efficient operation, maintenance, and minor upgrading of EDN line infrastructure, including for continued reasonable access for maintenance, inspections, and minor upgrading • the location of site access and any proposed building platform, and the design and use of any future building as it relates to EDN line infrastructure • measures necessary to avoid or sufficiently minimise the adverse effects, including health and safety risks, of the overhead EDN lines on future owners and occupiers of the sites that result from the subdivision. 		<p>in NZECP 34:2001, subject to the following matters of control:</p> <ol style="list-style-type: none"> a. the extent to which the subdivision allows for the anticipated future land use earthworks, buildings, and structures to comply with the safe distance requirements provided in NZECP 34:2001, including the location of building platforms and site access. b. the provision for the ongoing efficient operation, maintenance, and minor upgrading of EDN line infrastructure, including for continued reasonable access for maintenance, inspections, and minor upgrading c. the outcome of consultation with the owner and operator of the EDN line d. the measures necessary to avoid or sufficiently minimise the adverse effects, including health and safety risks, of the overhead EDN lines on future owners and occupiers of the sites that result from the subdivision. 	<p>The proposal for resource consent as a discretionary activity is retained in the case of non-compliance.</p> <p>Bespoke rules for relevant land-use components, such as earthworks and construction, are proposed below.</p>	

Electricity distribution lines and adverse effects from third parties

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			126. Retain the proposal for subdivision creating new allotment(s) on a site containing an EDN line as a discretionary activity when compliance with safe distance requirements provided in NZECP 34:2001 is not achieved.		Yes No
<p>R15: Construction of buildings or structures near overhead EDN lines (Discretionary)</p>	<p>Introduce a new rule to manage buildings and structures within 30 m of EDN lines to ensure these comply with NZECP 34:2001. The rule would provide for the construction of a new building or structure, or alterations or extensions to an existing building or structure within 30 m of the centre line of an overhead EDN line as a permitted activity, provided the construction or alteration complies with the safe distance requirements for poles and towers in NZECP 34:2001.</p>	<p>New provisions for the electricity distribution network</p>	<p>Change</p> <p>127. Amend the proposal to:</p> <ul style="list-style-type: none"> a. introduce a new rule for a permitted activity for the construction of a new building or structure or alterations or extensions to an existing building or structure near an overhead EDN line subject to compliance with safe distance requirements for poles and towers in NZECP 34:2001 b. specify that the relevant electricity distribution provider is the authority who may waive themselves as an affected party by providing special dispensation in the form of a written notice tendered to the contravening party, which allows for non-compliance with NZECP 34:2001 	<p>Officials recommend removing the distance requirement from the rule as minimum safe distances for buildings and structures from conductors are outlined in NZECP 34:2001.</p> <p>Officials recommend a discretionary activity status for the construction of buildings or structures that do not meet the permitted activity conditions above. This aligns with the approach in regulation R14 and gives consenting authorities the ability to decline a consent should third-party effects impact the safe operation, maintenance and upgrade of the EDN. However, officials recommend there be the option of applying for a dispensation from the relevant EDB under NZECP 34:2001 to avoid the need to obtain a discretionary activity resource consent for the works.</p>	<p>Yes No</p>

Electricity distribution lines and adverse effects from third parties NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision	
			c. require a resource consent as a discretionary activity for the construction of a new building or structure or alterations or extensions to an existing building or structure near an overhead EDN line that do not meet safe distance requirements for poles and towers in NZECP 34:2001.		

Electric vehicle charging standard NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision	
R16: Installing new EV charging infrastructure is a permitted activity	<p>Introduce a new regulation for EV charging infrastructure. This would provide for any of the following types of EV charging infrastructure as permitted activities.</p> <p>Private use</p> <ul style="list-style-type: none"> EV infrastructure that is not available for public use and complies with the relevant zone rules relating to the construction of buildings and structures, and alterations and additions to existing buildings and structures. 	EV charging infrastructure	<p>Change</p> <p>128. Amend the proposal to introduce a new permitted activity for the following EV charging infrastructure:</p> <p>a. EV infrastructure not available for public use and subject to the following standard:</p> <p>i. it complies with the zone rules relating to construction of buildings and structures and alterations and additions to existing buildings and structures.</p>	<p>Amendments are recommended to clarify the proposal and improve its workability, such as clarifying the relationship of regulation R16 with district plan standards, excluding EVCI for residential use and clarifying the regulation in relation to vehicle parking spaces associated with EVCI.</p> <p>Officials also recommend changes to bulk and location standards to address concerns raised in submissions.</p>	Yes No

Electric vehicle charging standard

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<p>Land transport corridor</p> <ul style="list-style-type: none"> EV infrastructure located in the land transport corridor. <p>Ancillary to primary activity</p> <ul style="list-style-type: none"> EV infrastructure that is ancillary to the primary activity on site and complies with the following conditions: <ul style="list-style-type: none"> it does not exceed 3 m in height if located within 1 m of any front boundary or 1 m of any boundary adjoining a residential zone it complies with the noise and earthworks standards (see below). <p>Stand-alone EV charging facility</p> <ul style="list-style-type: none"> EV infrastructure that is the primary activity on site and complies with the following conditions: <ul style="list-style-type: none"> it is not located in a residential zone, natural area, or historic heritage item or setting does not exceed 3 m in height if located within 1 m of any front boundary or 1 m of any boundary adjoining a residential zone complies with the noise and earthworks standards (see below) does not generate more than 10 vehicles per hour (averaged across 24 hours). <p>The proposed noise standards are as follows.</p>		<ul style="list-style-type: none"> b. EV infrastructure located in the land transport corridor. c. EV infrastructure ancillary to the primary activity (excluding residential uses) on the site subject to the following standards: <ul style="list-style-type: none"> i. it does not exceed 3 m in height if located within 1 m of any front boundary or 3 m of any boundary adjoining a residential zone; and ii. it complies with the noise and earthworks standards (see below). d. Stand-alone EV charging infrastructure that is the primary activity (excluding residential uses) on the site subject to the following standards: <ul style="list-style-type: none"> i. the site is not located in a residential zone, natural area, or historic heritage place or area; ii. does not exceed 3 metres in height if located within 1 metre of any front boundary or 3 metres of any boundary adjoining a residential zone 		

Electric vehicle charging standard

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<p>a) Residential zone</p> <p>i. Noise must not exceed the following limits measured at the boundary of another site:</p> <ul style="list-style-type: none"> • 7 am to 10 pm: 50 dB LAeq (15min) • 10 pm to 7 am: <ul style="list-style-type: none"> – 40 dB LAeq (15min) – 65 dB LAFmax. <p>b) Non-residential zone</p> <p>i. Noise must not exceed the following limits measured at the boundary of any site zoned residential:</p> <ul style="list-style-type: none"> • 7 am to 10 pm: 55 dB LAeq (15min) • 10 pm to 7 am: <ul style="list-style-type: none"> – 45 dB LAeq (15min) – 65 dB LAFmax. <p>ii. Noise must not exceed the following limits measured at the boundary of any site that is not zoned residential:</p> <ul style="list-style-type: none"> • Any time: 60 dB LAeq (15min) • 10 pm to 7 am: 65 dB LAFmax. <p>The proposed earthworks standards are that earthworks must:</p> <p>a) not result in a permanent cut height of more than 1.5 m or fill depth of more than 1.5 m</p> <p>b) be carried out with controls to minimise the mobilisation of silt or sediment beyond</p>		<p>iii. complies with the noise and earthworks standards outlined in the notified proposal</p> <p>iv. does not generate more than 10 vehicles per hour (averaged across 24 hours).</p> <p>e. EVCI associated with existing, permitted or consented vehicle parking space, when located in the land transport corridor or ancillary to a primary activity.</p> <p>129. Retain permitted activity noise standards and permitted activity earthwork standards for EV charging infrastructure as proposed.</p> <p>130. Amend the proposal to clarify that District Plan transport standards (excluding vehicle movements) apply to EV charging infrastructure for public use when a new car park is created.</p> <p>131. Retain the proposal to introduce a restricted discretionary activity rule when permitted activity standards are not complied with, with the matters of discretion as proposed.</p>		<p>Yes No</p> <p>Yes No</p> <p>Yes No</p>

Electric vehicle charging standard

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>the boundary of the site where the earthworks occur</p> <p>c) not result in any instability of land at or beyond the boundary of the site where the earthworks occur</p> <p>d) be reinstated to stabilise the site from further erosion within 1 month after the earthworks are complete.</p> <p>Where permitted activity conditions are not complied with, the proposal is that resource consent would be required for a restricted discretionary activity, with the matters of discretion restricted to:</p> <ul style="list-style-type: none"> • the effects on the safe and efficient operation of transport networks • the effects of the operation of the activity, including noise • the effects on the amenity and character of adjacent properties and environment • the design and appearance of buildings and structures • the extent to which a non-compliance is due to evolving technology • the measures to avoid, mitigate or remedy any adverse environmental effects. 				

Other recommendations

Recommendations in relation to matters raised through submissions

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES			
Topic	Recommendation	Reasons for recommendation	Minister's decision
Scope and definitions	<p>Change</p> <p>132. Amend the proposal to include the following definitions:</p> <ul style="list-style-type: none"> a. <i>Tower footprint</i> from the NES-ETA (renamed from 'base footprint') b. <i>Temporary structure</i> from the NES-ETA (amended to include EDN and line deviations) c. <i>Upgrading</i> (as defined in the NPS-EN). 	<p><i>Tower footprint</i>: This amendment supports the interpretation of regulations R14–R16. 'Footprint' is also used in regulation R12 in relation to third-party buildings (and this definition is not appropriate for such activities). To make this distinction clear, it is recommended that the term for this definition is renamed as 'tower footprint'.</p> <p><i>Temporary structure</i>: The term is defined in the NES-ETA. As the NES-ENA applies to the distribution network (regulation R7), the definition requires amending to suit the broadened scope of the NES-ENA, including temporary line deviations.</p> <p><i>Upgrading</i>: This term will assist with interpretation of the regulations and officials recommend it aligns with the definition in the NPS-EN.</p>	Yes No
Scope and definitions	<p>133. Amend the proposal to include a new definition of 'electricity network asset' that 'means the physical components of the EN and all ancillary activities' and aligns with the NPS-EN.</p>	<p>Industry submitters requested the definition to assist in the interpretation of the regulations.</p> <p>The intent is for the definition to capture the electricity network and ancillary EN activities (as defined in definition D1 'ancillary EN activities').</p>	Yes No
Scope and definitions	<p>134. Amend the proposal to include a new definition of 'ancillary equipment on support structures' with the intent of including transformer boxes, fuses/circuit breakers, switchgear, voltage regulators, insulators, isolators, junction boxes, lightning arrestors/surge protectors and associated equipment mounted on support structures.</p>	<p>This definition is necessary for the interpretation of rules relating to electricity distribution (regulations R8 and R10).</p>	Yes No

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR ELECTRICITY NETWORK ACTIVITIES

Topic	Recommendation	Reasons for recommendation	Minister's decision
Allowing plan rules to be more stringent or lenient	<p>135. Amend the proposal to clarify that regional or district plan rules can be more lenient but not more stringent than the NES-ENA (in accordance with s43B RMA) with regard to electricity distribution and EV charging infrastructure, except for the following regulations:</p> <ul style="list-style-type: none"> a. reverse sensitivity rules for distribution (Part 4 – R14, R14A, R15) b. EMF and RF rule (R11). 	<p>The notified proposal³⁵ sought to allow district or regional plans to be more lenient but not more stringent for electricity distribution activities (and EV charging infrastructure).</p> <p>The recommended changes clarify the application of the NES-ENA and its relationship with regional and district plan rules with respect to electricity distribution and EV charging infrastructure. Exclusions are recommended where rules implement national or international standards of compliance for electrical safe distances, electric and magnetic field emissions and radio frequency fields.</p>	Yes No
New provisions for the electricity distribution network	<p>136. Amend the proposal to:</p> <ul style="list-style-type: none"> a. add a new regulation (R14A) for third-party earthworks, land disturbance and vertical holes on a site containing overhead EDN lines as a permitted activity, subject to compliance with NZECP 34:2001 b. include specification that EDBs are the authorities who may waive themselves as an affected party by providing special dispensation in the form of a written notice tendered to the contravening third party, which allows for non-compliance with NZECP 34:2001 c. include a new regulation for third-party earthworks, land disturbance and vertical holes on a site containing overhead EDN lines as a discretionary activity when compliance with NZECP 34:2001 is not met. 	<p>Officials recommend including a rule (regulation R14A Earthworks, land disturbance and vertical holes on a site containing overhead EDN lines) to manage potential effects by third parties on the EDN from earthworks, land disturbance or vertical holes on sites containing overhead EDN lines.</p> <p>This provides a more comprehensive approach to the management of adverse effects from third parties on the EDN, similar to those proposed for the ETN (regulations R12 and R13). It aligns with the approach taken in regulations R14 and R15, responds to feedback received from industry submitters and aligns with the direction in Policy 10 of the NPS-EN.</p>	Yes No
Attachment 1.4.1 National Grid Yard and National Grid Subdivision Corridor	<p>137. Retain the proposed attachment 1.4.1 relating to the National Grid Yard and National Grid Subdivision Corridor.</p>	<p>No changes are necessary as the setbacks proposed in regulations R12 and R13 are recommended to be retained. While officials concede that the colours in the legend in appendix 1.4.1 do not match the diagrams, this will be resolved in the drafting process.</p>	Yes No

³⁵ The proposal was included in the discussion document and not the proposed provisions table as the NES-ETA did not allow district or regional rules to be more stringent or lenient than the instrument itself.



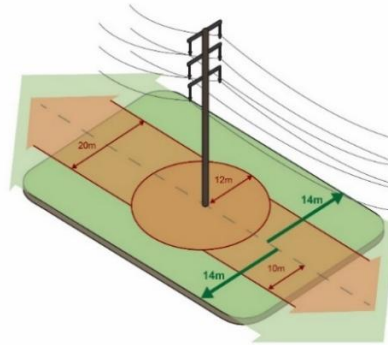
Attachment 1.4.1: National Grid Yard and National Grid Subdivision Corridor

Proposed Amendment to the Resource Management (National Environmental Standards for Electricity Network Activities) Regulations 2009

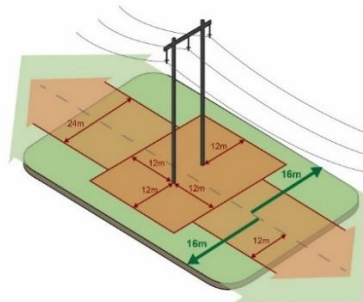
Legend:

National Grid Yard	
National Grid Subdivision Corridor	

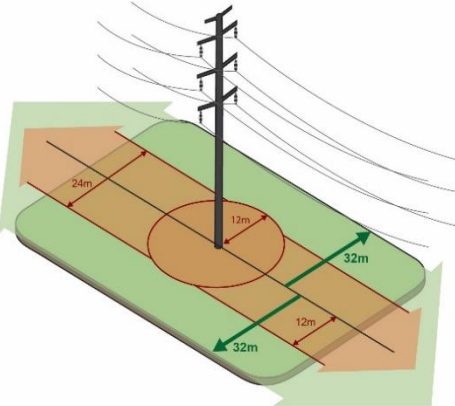
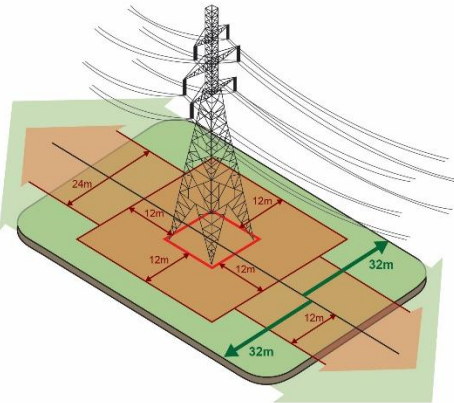
66-kilovolt and 110-kilovolt transmission lines on single poles



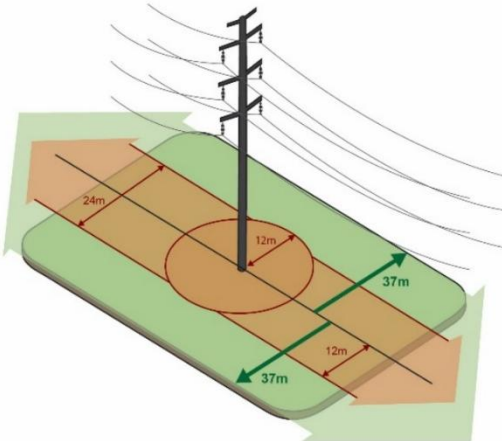
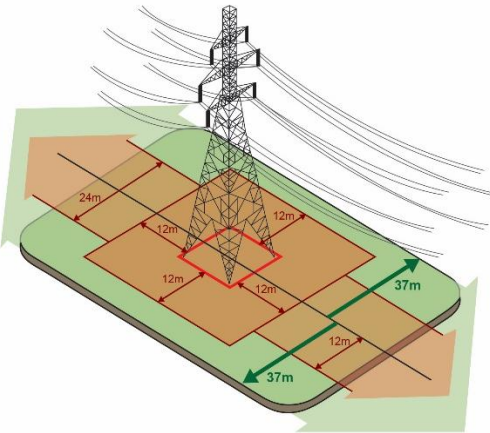
66-kilovolt and 110-kilovolt transmission lines on pi poles



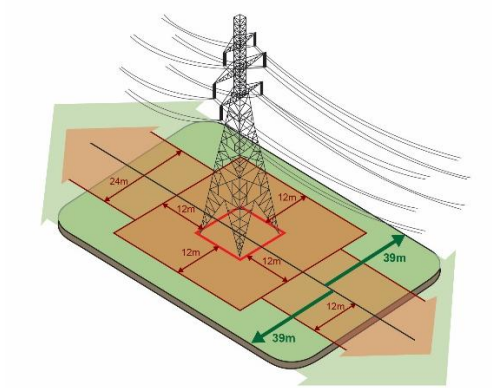
66-kilovolt and 110-kilovolt transmission lines on steel lattice towers



220-kilovolt transmission lines on steel lattice towers and tubular steel monopoles



350-kilovolt transmission lines



Source: Transpower, February 2025

Attachment B

Consolidated recommendations – Amendments to the National Environmental Standards for Telecommunication Facilities 2016

Recommendations in relation to notified proposed provisions

The following recommendations are made in response to matters raised through submissions and in officials' overall assessment of the National Environmental Standards for Telecommunication Facilities (NES-TF) proposal.

The proposal section of this table includes the proposed provisions published in: Ministry for the Environment. 2025. *Package 1: Infrastructure and development – Discussion document*. The recommendations section seeks changes to the notified proposal and specifies reasons for the recommended changes. References to 'no change' mean a recommendation to retain the instrument as notified, whereas 'change' indicates a recommendation to change the notified proposal. The 'other recommendations' table includes some recommended consequential changes. Any provision in the NES-TF not included in the notified proposal or these tables is intended to remain the same.

Key recommendations for changes to the notified proposal to amend the NES-TF include:

- proceeding with Option 1 on the pole height standards, with pole height caps ranging between 20 metres, 25 metres and 35 metres, depending on the zone, and additional height in some zones to promote co-location (refer to **attachment C** for the pole size standards proposed for the NES-TF)
- amendments to the proposed headframes size standards for poles in and outside of the road reserve (adapted from Option 2) to support co-location. This adopts a three-tier approach for headframes, with maximum widths of 1.6 metres, 2.5 metres and 4.5 metres, commensurate with the sensitivity and built-form characteristics of the zone a pole is in or adjoining (refer to **attachment C** for the headframe size standards proposed for the NES-TF)
- amendments to the 50-metre rural setback³⁶ to improve its workability and enable relocation, size increases and headframe replacement for existing poles within this setback

³⁶ The 50-metre rural setback rule is currently provided for in regulation 35(2)(d) of the NES-TF and requires a setback of 50 metres between new poles outside the road reserve in a rural zone and any building used for residential or educational purposes. The NES-TF proposal as notified was to extend this setback to new poles in the road reserve adjoining a rural zone and to solar panels and wind turbines outside the road reserve in a rural zone. It also proposed to change which buildings the setback applies from. Officials have recommended several changes to the 50-metre rural setback outlined in this document.

- several amendments to improve the workability of proposed new activity standards for temporary telecommunication facilities, renewable electricity generation to power rural telecommunication facilities, and customer connections (ie, fibre optic broadband) to heritage buildings
- proceeding with a restricted discretionary activity status (Option 1) for non-compliance with the standard on customer connection lines to heritage buildings.

PART 1: PRELIMINARY MATTERS

Section 4 Interpretation (definitions)

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Proposed amended definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Ancillary equipment	Amend the definition to include 'accessory buildings (as defined in the National Policy Statement 2019), fencing, guy wires and associated anchor structures, and security devices/cameras' within scope of the definition of ancillary equipment.	1. Scope and definitions	<p>Change</p> <ol style="list-style-type: none"> 1. Amend the proposal to change the definition of 'ancillary equipment' to: <ol style="list-style-type: none"> a. remove accessory buildings and fencing b. retain guy wires and associated anchor structures, and security devices and cameras c. include remote radio heads and units, GPS antenna, cable trays and covers. 	<p>Officials consider district plan rules should continue to apply in relation to accessory buildings and fencing, as there were no proposed size or location limits for these activities. This will mean district plan rules can apply appropriate controls.</p> <p>The inclusion of guy wires and associated anchor structures, along with security devices and cameras, is necessary as part of installing and operating telecommunication facilities. Officials had intended to refer to the National Planning Standards 2019 in relation to the definition of accessory buildings, although it was mislabelled in the notified proposal in error. Officials no longer recommend including this definition in the proposal.</p>	Yes No
Facility	A facility in the NES-TF currently means an antenna, cabinet, telecommunication line, or small cell unit. The proposed amended definition will refer to a 'telecommunication facility' and will include a pole and ancillary equipment.	1. Scope and definitions	<p>No change</p> <ol style="list-style-type: none"> 2. Retain the proposal to include a pole and ancillary equipment as part of a 'telecommunication facility'. 	<p>Officials consider it necessary to clarify the inclusion of a pole and ancillary equipment as part of installing and operating a facility. This definition was generally supported in submissions.</p> <p>While most industry submissions recommended including 'access tracks' in the definition, officials consider there is not a clear problem with existing district plan rules for access tracks. Officials do not recommend adding 'access tracks'.</p>	Yes No

PART 1: PRELIMINARY MATTERS

Section 4 Interpretation (definitions)

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Proposed amended definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Flange	The projecting part at the base of the pole to strengthen and secure it to the ground (see figure 8 in Attachment 1.5.1).	1. Scope and definitions	Change 3. Amend the proposed definition of 'flange' so that it relates to any projecting part attached to a pole to strengthen and secure it, not just the base of the pole.	Flanges are used to strengthen and secure different sections of a pole together along the pole shaft, not just at the base of the pole. The amended definition is recommended to better reflect the design of telecommunication poles and responds to submissions from most telecommunication businesses.	Yes No
Headframe	Currently, a headframe means a structure attached to a pole that enables more than one antenna to be attached, and results in a notional envelope ³⁷ of the pole being larger than 0.7 m in diameter. The proposed amended definition will increase this minimum notional envelope to 1.2 m.	1. Scope and definitions	No change 4. Retain the proposal to increase the minimum notional envelope of a headframe to 1.2 m.	This definition aligns with the proposed increase in the permitted diameter for the notional envelope for a pole in the road reserve without a headframe.	Yes No
RFG (radiofrequency generation) facility	Currently, an RFG facility is defined as an antenna or a small cell unit, if it generates radiofrequency fields or will do so when it is in operation; or a cabinet, if the equipment in the cabinet generates radiofrequency fields, or will do so when the equipment is in operation. The proposed amended definition is 'a facility that generates radiofrequency fields or will do so when it is in operation'.	1. Scope and definitions	No change 5. Retain the proposal to amend the definition of 'radiofrequency generation facility' (RFG facility) so that it applies to any facility which generates radiofrequency fields.	This definition will ensure all components of a telecommunication facility that generates radio frequency fields are in scope of regulation 55 of the NES-TF.	Yes No

³⁷ 'Notional envelope', for a pole, means the smallest notional cylindrical shape into which all non-dish antennas attached to the pole (including any shroud but not including any mount or ancillary equipment) would fit.

PART 1: PRELIMINARY MATTERS

Section 4 Interpretation (definitions)

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Proposed amended definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Small cell unit	Amend the definition by increasing the volume of a small cell unit from 0.11 m ³ to 0.33 m ³ .	1. Scope and definitions	No change 6. Retain the proposal to amend the definition of 'small cell unit' to increase the volume to 0.33 m ³ .	This size increase from the current NES-TF limit of 0.11 cubic metres will align with changes to small cell unit technology and support the roll-out of 5G. It was generally supported in submissions.	Yes No

Section 4 Interpretation (new definitions)

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Proposed definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
D1 Area adjoining road reserve	Add a new definition to refer to the area on each side of a road and up to the legal boundary of the adjoining land.	1. Scope and definitions	Change 7. Amend the proposal to clarify that the new definition of 'area adjoining road reserve' refers to the zone on each side of a road from the centre line and up to the legal boundary of the adjoining land.	This recommendation clarifies that where a road divides two zones, each side of the road from the centreline adopts each zone's respective rules (eg, in relation to pole height caps by zone). This would apply a similar rule already in place for cabinets in the road reserve adjoining a residential zone in regulations 20(4) and 20(8) but to telecommunication poles (including headframes) in the road reserve. Officials consider this definition will reduce ambiguity for councils and promote greater standardisation. The defined term will become 'zone adjoining the road reserve'.	Yes No

Section 4 Interpretation (new definitions)

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Proposed definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
D2 Renewable electricity generation activity	Add a new definition for structures and equipment associated with renewable electricity generation from solar and wind energy sources for telecommunication facilities (freestanding or surface-mounted on a building). This includes any cables or ancillary equipment connecting to the facility. This new definition will accompany changes to regulation 5 to include self-contained power units as part of installing and operating a facility subject to complying with new regulated activity standards.	1. Scope and definitions	Change 8. Amend the proposal to: a. remove the proposed definition of 'renewable electricity generation activity' b. replace it with the definition of 'small-scale renewable electricity generation' used in the proposed amendments to the National Policy Statement for Renewable Electricity Generation 2011 (NPS-REG).	Small-scale REG is defined in the proposed recommendations to amend the NPS-REG (consolidated recommendations – recommendation 17) and refers to telecommunication facilities. This cross-reference ensures alignment between the proposed amendments to the two instruments. The new definition would support proposed <i>New Regulated Activity 2: Renewable electricity generators</i> and was otherwise generally supported in submissions. Officials recommend consequential changes to the proposed <i>New Regulated Activity 2</i> to ensure NPS-REG enabling policies apply.	Yes No
D3 Sensitive activities	Add a new definition for sensitive activities that includes residential buildings (including visitor accommodation and retirement accommodation), care facilities, childcare facilities, schools, hospitals, custodial or supervised accommodation where residents are detained on site, marae, or a place of worship.	1. Scope and definitions	Change 9. Amend the proposal to remove the definition of 'sensitive activities'.	This definition is no longer recommended because the proposed NPS-I applies a principles-based definition of sensitive activities that would make its application to the NES-TF more complex. Officials recommend retaining the original NES-TF wording in regulation 35(2)(d), with the inclusion of marae, papakāinga and places of worship, for the purposes of the 50-metre rural setback.	Yes No

Section 4 Interpretation (new definitions)

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Proposed definitions	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<p>D4 Temporary telecommunication facility</p>	<p>Add a new definition for a temporary telecommunication facility that provides network coverage or capacity for the following specified timeframes and circumstances:</p> <ul style="list-style-type: none"> a) during or post emergency event for up to six months from the point a local, regional, or national state of emergency is declared 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 months, where the temporary telecommunication facility is located within 100 m of the existing facility c) for an event, or during high-capacity demand holiday periods, for up to three months. 	<p>1. Scope and definitions</p>	<p>Change</p> <p>10. Amend the proposed definition of 'temporary telecommunication facility' as follows and otherwise retain as proposed:</p> <ul style="list-style-type: none"> a. extend the permitted timeframe for the circumstances described in (a) (emergencies) and (b) (maintenance) to 12 months b. remove the requirement that a 'temporary telecommunication facility' in the circumstance described in (b) (maintenance) must be located within 100 m of the existing facility under maintenance. 	<p>Officials recommend extending the timeframes for operating a temporary telecommunication facility in emergencies and for maintenance. This provides more flexibility to facility operators and supports telecommunications resilience in the event of power outages, repairs or other maintenance. This responds to submission points raised by most telecommunication businesses that six months is often insufficient and aligns with the proposed NES-ENA on temporary line deviations.</p> <p>Most submissions from telecommunication businesses said that the proposed controls to limit the location of a temporary telecommunication facility for maintenance may not be workable in all situations. Officials agree with these submission points and support flexibility for facility operators because temporary telecommunication facilities support network resilience.</p> <p>Officials recommend retaining the three-month time period for events and holiday periods as they consider this timeframe is sufficient for this purpose.</p>	<p>Yes No</p>

AMENDMENTS PROPOSED TO REGULATIONS

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulation 5(1) and 5(2) – Installing and operating a facility	<p>Amend regulation 5(1)(b) to include installation and operations of structures and equipment for renewable electricity generation activities. Amend regulation 5(2)(a) to clarify that a facility can include a self-contained power unit.</p> <p>Clarify that installing and operating a facility includes ‘upgrading, expanding, replacing, removing and decommissioning’ a telecommunication facility.</p>	1. Scope and definitions	<p>Change</p> <p>11. Amend the proposal to retain regulation 5 of the NES-TF with an amendment to:</p> <ul style="list-style-type: none"> a. clarify that the use of a ‘self-contained power unit’ is in scope of the NES-TF only for the purposes of regulation 5B, proposed in recommendation 72 b. remove ‘expanding’ from ‘installing and operating a facility’ and otherwise retain as proposed. 	<p>Originally, officials intended for renewable electricity generation, under the definition of a self-contained power unit, to be in the scope of the NES-TF through changes to regulation 5. However, they now recommend a new regulation is inserted for this (see recommendation 72). This will make it clear in regulation 5 of the NES-TF that a self-contained power unit is not enabled for any facility, but only some facilities where this is expressly provided.</p> <p>Officials also recommend removing ‘expanding’ from the meaning of ‘installing and operating a facility’. This ensures the wording in regulation 5 aligns with the terminology used in the proposed NPS-I where possible.</p>	Yes No
Regulation 6 – Meaning of baseline pole and baseline date	Amend regulations 6(1) to (4) to remove references to ‘pole A’, which relates to replacing existing poles in the road reserve.	1. Scope and definitions	<p>Change</p> <p>12. Amend the proposal to retain the reference to ‘Pole A’ in regulations 6(1) to (4) of the NES-TF for the purpose of replacing existing poles in the road reserve.</p>	This change is recommended as a consequence of other recommended changes to apply distinct rules relating to relocation, pole height, pole width and headframes to replacement poles subject to the 50-metre rural setback (see recommendations 21, 28, 31 and 36).	Yes No
Regulation 7 – Measurements	Amend clause 7(2) to clarify how the width of a pole is to be measured for the purpose of ensuring compliance with the NES-TF. This proposed change will clarify that the flange (new definition above) and any ancillary equipment are not part of the measurement for the width of a pole.	1. Scope and definitions	<p>Change</p> <p>13. Amend the proposal to clarify that the measurement of the width of a pole excludes any flange on a pole.</p>	This change is recommended to align with proposed changes to the definition of ‘flange’ in recommendation 3. This will exclude any flange on a pole from the measurement of the width of a pole (not just the one at the base). This supports greater national consistency on the interpretation of pole width limits and was supported by submissions from many telecommunication businesses.	Yes No

PART 2: CARRYING OUT OF REGULATED ACTIVITIES					
NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF			
Proposed regulation	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decisions
R1 Leniency provisions	Insert new leniency provisions specifying that the definition of a temporary telecommunication facility can permit their operation for longer than the proposed timeframes in the new NES-TF definition.	5. Enabling temporary telecommunication facilities	Change 14. Amend the proposal to remove the proposed leniency provision that would permit temporary telecommunication facilities for longer time periods in district plans.	Officials recommend removing this proposal, as recommendation 10 proposes to increase the permitted timeframes for temporary telecommunication facilities in emergencies and for maintenance to 12 months. This aligns with the maximum duration specified in many district plans and so the proposal to provide leniency is no longer considered necessary.	Yes No

PART 3: REGULATED ACTIVITIES AND STANDARDS					
Subpart 1 – Cabinets					
Amendments to existing provisions					
NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF			
Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulations 20(3)(a) and 20(3)(b) – Cabinet not servicing antenna on building	Amend the height and dimension conditions for cabinets not servicing antenna on buildings as follows: a) <i>in a road reserve adjacent to a residential zone</i> : increasing the cabinet height from 1.8 m to 2.0 m and the footprint from 1.4 m ² to 2.0 m ² ; b) <i>in a road reserve adjacent to any other zone</i> : increasing the cabinet footprint from 2.0 m ² to 3.0 m ² .	2. Rules on telecommunication antennas, cabinets, and poles	Change 15. Amend the proposal to: a. refer to cabinets in a road reserve as 'adjoining' a residential or other zone, rather than 'adjacent to' b. decrease the permitted height standard for a cabinet in the road reserve adjoining a residential zone to 1.8 m	The proposal used phrasing 'in a road reserve <i>adjacent to</i> ' a zone, which invertedly amended the existing words ' <i>that is in, or adjoins</i> '. This recommendation clarifies the intent is only to amend the cabinet dimensions, not how they apply to cabinets in the road reserve. Officials support the suggestion from a few council submissions for cabinet heights to align with residential fence height standards, typically a maximum height of 1.8 metres in many district plans. This will mitigate adverse	Yes No

PART 3: REGULATED ACTIVITIES AND STANDARDS

Subpart 1 – Cabinets

Amendments to existing provisions

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<p>c. increase the permitted footprint area standard for a cabinet in the road reserve adjoining a residential zone to 2.25 m² and otherwise retain the proposed 3.0m² footprint area standard for a cabinet in the road reserve adjoining any other zone.</p>	<p>visual or shading effects from cabinets protruding above fences. The recommended increase in cabinet footprint area to 2.25 m² will provide for facility operators' technical requirements, including the installation of additional back-up batteries and equipment to support new technologies (eg, the deployment of 5G mobile services).</p>	
<p>Regulation 21(3)(a)(ii) – Cabinet servicing antenna on building</p>	<p>Amend the footprint dimension conditions for cabinets servicing buildings by increasing from 2.0 m² to 3.0 m².</p>	<p>2. Rules on telecommunication antennas, cabinets, and poles</p>	<p>No change</p> <p>16. Retain the proposal to increase the standard for the footprint area of a cabinet servicing a building to 3.0 m².</p>	<p>The proposed increase in the footprint area of cabinets servicing antennas on buildings will support the installation of additional back-up batteries and equipment to support new technologies (eg, the deployment of 5G mobile services). Most submitters that commented on this proposal supported it.</p>	<p>Yes No</p>
<p>Regulation 22(1)(b)(ii) Footprint rules for groups of cabinets in road reserves</p>	<p>Amend the dimension conditions for groups of cabinets in road reserves by increasing the footprint of a group of cabinets from 2.0 m² to 3.0 m².</p> <p>Amend the dimension for groups of cabinets in the road reserve for co-location to 6.0 m² where the group of cabinets support two facility operators, and 9.0 m² for three or more facility operators.</p>	<p>2. Rules on telecommunication antennas, cabinets, and poles</p>	<p>Change</p> <p>17. Amend the proposal to clarify that it introduces a new regulation on the footprint area for a group of cabinets in the road reserve for co-location, including a group of cabinets adjoining a residential zone, and otherwise retain as proposed.</p>	<p>This recommendation clarifies that the footprint area for a group of cabinets for the purposes of co-locating multiple facility operators is a new regulation.</p> <p>The notified proposal was not clear whether the size increase for a group of cabinets for co-location would apply to a group of cabinets in the road reserve adjoining a residential zone. Officials consider co-location rules for cabinets should apply in all zones and this was supported in submissions from most telecommunication businesses.</p>	<p>Yes No</p>

PART 3: REGULATED ACTIVITIES AND STANDARDS

Subpart 1 – Cabinets

Amendments to existing provisions

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
				The proposed increases in the footprint for a group of cabinets will support co-location of equipment and network optimisation. Often poles co-locating antennas of multiple facility operators have more than one cabinet, one for each facility operator. These changes will support co-location of cabinets for poles, which may reduce the proliferation of new poles.	
<p>Regulations 22(1)(a)(i) and 22(1) (b)(i) – Group rules for cabinets in road reserves</p>	<p>Reduce the minimum distance that separates groups of cabinets from 30 m to 10 m.</p> <p>If the cabinets are to support more than one facility operator on a single facility, then no separation between the groups of cabinets for each facility operator is required.</p>	<p>2. Rules on telecommunication antennas, cabinets and poles</p>	<p>No change</p> <p>18. Retain the proposal to reduce the minimum separation distance for a group of cabinets in the road reserve to 10 m with no minimum separation distance for co-location.</p>	<p>Officials consider this notified proposal will support facility operators to co-locate equipment. It will also support network optimisation as the current rule can result in cabinets being spaced too far apart, resulting in signal and power loss (known as attenuation).</p>	<p>Yes No</p>
<p>Regulation 25 – Noise limits for cabinet not in road reserve</p>	<p>Amend the point of measurement for the noise of a cabinet not in the road reserve (currently set in district plans) so that it is consistent with the point of measurement that applies to cabinets in the road reserve under regulation 24.</p>	<p>2. Rules on telecommunication antennas, cabinets, and poles</p>	<p>No change</p> <p>19. Retain the proposal to align the point of measurement for the noise of a cabinet not in the road reserve with the point of measurement for a cabinet in the road reserve.</p>	<p>Officials consider this notified proposal will clarify and standardise how noise from cabinets is measured, which will support greater efficiency. While most industry submitters supported the change, some councils expressed concern about potential noise effects. However, officials consider any changes to noise levels would be minor.</p>	<p>Yes No</p>

Subpart 2 – Antennas on poles in the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<p>Regulations 26(1)(b), 27(2)(a) , 28(1)(a) and 29(6) on new or existing poles in the road reserve</p>	<p>Amend the regulated activity and standard to remove the current limitations on the location of new or replacement poles in the road reserve. This will enable the installation of poles with antennas anywhere in the road reserve (noting areas identified in district plans with special, natural or heritage significance as per Subpart 5 of the NES-TF would remain subject to district plan rules).</p>	<p>3. Expanding where new or replacement telecommunication poles are permitted</p>	<p>Change</p> <p>20. Amend the proposal to change the regulations for new or existing poles in the road reserve by:</p> <ul style="list-style-type: none"> a. removing the '100-metre rule', that specifies new poles in the road reserve must be within 100 m of an existing pole, from regulation 28(1)(a)(i)(B) b. removing the 5 m relocation limit for existing poles in regulation 27(2)(a)(ii), except for existing poles within the 50-metre setback (see recommendation 21 below). 	<p>These recommendations clarify the intent to remove the 100-metre rule for new poles in the road reserve and to remove the relocation limits for existing poles in the road reserve (except for poles within the 50-metre rural setback).</p> <p>Removing the 100-metre rule for new poles and relocation limits for existing poles will better enable facility operators to design and build new poles in the road reserve to meet service needs. It will also better enable installation of new poles for housing developments where there are no existing poles.</p>	<p>Yes No</p>
			<p>Change</p> <p>21. Amend the proposal to retain the existing relocation rules in regulation 27(2)(a) of the NES-TF, so that an existing pole in the road reserve cannot be relocated more than 5 m away from the replaced pole, where the 'zone adjoining the road reserve' of the existing pole is a rural zone and the existing pole is within the 50 metre rural setback.</p>	<p>This recommendation is a consequential amendment from applying the 50-metre rural setback to new poles in the road reserve adjoining a rural zone. The notified proposal did not include provisions on relocating existing poles within the 50-metre setback. This proposed amendment retains flexibility for existing poles to enable 5 metres for relocation.</p>	

Subpart 2 – Antennas on poles in the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<p>Regulations 27(5) and 29(4) on the pole height rules for new or existing poles in the road reserve</p>	<p>Amend the permitted standard for the maximum permitted height for poles adjoining the road reserve so that they are more permissive. There are two options under consideration to achieve this.</p> <p>Option 1 [Government's preferred option]:</p> <p>a) Residential, local centre, neighbourhood centre zones – 20 m.</p> <p>b) <i>Rural zone</i> – 35 m, increased from 25 m. For new poles, apply the 50 m setback from buildings used for sensitive activities on a neighbouring property (as applied for new poles outside of the road reserve in a rural zone).</p> <p>c) <i>All other zones</i> – 25 m. For clarity, this includes coastal settlement, commercial, mixed-use, industrial, metropolitan, open space and special purpose zones, but noting areas identified in district plans with special, natural or heritage significance as per Subpart 5 of the NES-TF would remain subject to district plan rules.</p> <p>Option 2: Permit caps to be the higher of either of those proposed above in Option 1, or building zone height plus 5 m for poles in</p>	<p>2. Rules on telecommunication antennas, cabinets and poles</p>	<p>Change</p> <p>22. Proceed with Option 1 to establish fixed pole height caps for new and existing poles in the road reserve, except where this is modified in recommendations 23 to 28.</p>	<p>Officials consider it is necessary to decouple pole height requirements currently set in the NES-TF from the height of existing poles. Option 1 (fixed height caps) is recommended as it provides operational flexibility for facility operators to build poles to the height needed to provide adequate reach over buildings, vegetation and other coverage obstacles. Option 1 will better mitigate the risk of adverse visual effects, is easier to administer and provides certainty for councils, industry and communities. Option 1 was preferred by most submitters that chose an option, including councils, iwi and hapū.</p>	<p>Yes No</p>
			<p>Change</p> <p>23. Amend the proposal to specify that the maximum pole heights for new and existing poles in the road reserve are based on the zone rules of the 'zone adjoining the road reserve' of the pole (not the rules that apply to the road reserve).</p>	<p>This recommendation clarifies that the pole height rules relate to poles in the road reserve (the proposal had said 'poles adjoining the road reserve'). It also applies the definition change in recommendation 7 ('zone adjoining the road reserve') and clarifies how the height standard will work when poles are in the road reserve.</p>	<p>Yes No</p>
			<p>Change</p> <p>24. Amend the proposal to specify:</p> <p>a. that the maximum permitted pole height for new and existing poles in the road</p>	<p>The proposed maximum permitted pole heights were intended to apply to the height of a pole and all antennas, but this was not clearly specified. This aligns with the approach to specify the maximum permitted pole height</p>	<p>Yes No</p>

Subpart 2 – Antennas on poles in the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>commercial zones (capped at 30 m), industrial zones and residential zones.</p> <p>For both options, a further 5 m height is afforded where two or more facility operators are co-located on the same pole (excluding residential zones).</p>		<p>reserve includes the height of the pole and all antennas</p> <p>b. for existing poles where a height increase is permitted and a maximum permitted pole height does not apply, the height of the pole continues to exclude all antennas.</p>	<p>in regulation 35(2)(a) for new poles outside the road reserve in a rural zone. This provides greater clarity on how the pole height caps apply to ensure consistent interpretation across councils, reducing ambiguity. This rule only applies where a pole is subject to a maximum total height cap in metres (ie, 20 or 25 metres), not where the maximum height is tied to the height of an existing pole (in which case, antennas are excluded).</p>	
			<p>Change</p> <p>25. Amend the proposal to specify that where the 'zone adjoining the road reserve' for a new or existing pole is a settlement zone, the height of the pole and all antennas in the road reserve is not more than 20 m.</p>	<p>The notified proposal included settlement zone in 'all other zones', which would permit poles in the road reserve adjoining the settlement zone of up to 25 metres in height (or 30 metres in height when the pole co-locates multiple facility operators). Some submissions from councils did not support poles of this size in this zone, given the higher visual amenity effects. Officials propose to apply the same height standard for poles in the road reserve of settlement zones as residential zones, as this is more commensurate with the zone's character. Note that this will not permit an additional 5 metres of height for co-location. As per recommendation 66, officials have recommended that the definition of 'residential zone' include 'settlement zone'.</p>	<p>Yes No</p>

Subpart 2 – Antennas on poles in the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<p>Change</p> <p>26. Amend the proposal to clarify that where the 'zone adjoining the road reserve' for a new or existing pole is a 'city centre zone', 'large format retail zone', or 'town centre zone' the height of the pole and all antennas in the road reserve does not exceed 25 m for a single facility operator and 30 m if the pole enables co-location of multiple facility operators.</p>	<p>This recommendation clarifies that city centre, large format retail, and town centre zones are captured in the height standard for 'all other zones'. The proposal did not stipulate that these zones were included in 'all other zones'. The intent was to apply pole height caps to all poles in the road reserve so that the height of new poles no longer relied on the height of existing poles in the road reserve.</p>	Yes No
			<p>Change</p> <p>27. Amend the proposal applying the 50 metre rural setback where the 'zone adjoining the road reserve' for a new or existing pole is adjoining a rural zone, to:</p> <ol style="list-style-type: none"> a. remove the reference 'on a neighbouring property' b. replace the term 'sensitive activities' with 'buildings used for residential or educational purposes, marae, papakāinga and places of worship.' 	<p>The reference to 'on a neighbouring property' only relates to poles outside the road reserve. It enables a landowner to permit a new pole on their land within the 50-metre rural setback. This does not apply in the same way to poles in the road reserve, as there are no buildings subject to the 50-metre rural setback within the road reserve.</p> <p>In line with recommendation 9, officials propose to remove the term 'sensitive activities' but still retain the applicability of the 50-metre rural setback to 'any building used for residential or educational purposes' (which already applies to new poles outside of the road reserve in rural zones in regulation 35(2)(d)). Submissions from some councils, iwi and hapū supported the inclusion of marae</p>	Yes No

Subpart 2 – Antennas on poles in the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
				and places of worship in the 50-metre rural setback and recommended adding papakāinga. Officials consider applying the setback rule to these activities will help to mitigate adverse visual or cultural effects from large-scale facilities such as masts in rural settings.	
			<p>Change</p> <p>28. Amend the proposal for an existing pole in the road reserve where the 'zone adjoining the road reserve' of the existing pole is a rural zone and the existing pole is within the 50 metre rural setback to specify that the maximum permitted pole height is the greater of:</p> <ul style="list-style-type: none"> a. the height of the baseline pole (excluding antennas) on the baseline date³⁸ plus 5 m; or b. the height of the baseline pole on the baseline date (excluding antennas) plus the height of all existing antennas. 	<p>This recommendation is a consequential amendment from applying the 50-metre rural setback to new poles in the road reserve adjoining a rural zone. The notified proposal did not include provisions on height increases for existing poles in the road reserve within the 50-metre rural setback. This proposed amendment provides flexibility for existing poles in the 50-metre rural setback to be replaced and be allowed to increase in height to support new antennas.</p> <p>Currently, regulation 27(5) of the NES-TF permits existing poles in the road reserve to increase in height up to either 3.5 metres from the replaced pole, or the height of the pole plus all antennas (whichever is higher). Officials recommend increasing the 3.5-metre permitted height increase to 5 metres to align with the proposal to increase the permitted</p>	Yes No

³⁸ See regulation 6 of the NES-TF. The regulation directs that for an existing pole in the road reserve erected before 1 January 2017, the baseline date is 1 January 2017; if the pole was erected after 1 January 2017 for a purpose other than installing an antenna (eg, a standard utility pole), the baseline date is the date the pole was erected. If the pole was erected after 1 January 2017 specifically to install antennas, the baseline date is determined by when work began to install the first antenna on that pole.

Subpart 2 – Antennas on poles in the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
				notional envelope for antennas in recommendation 32. This provides flexibility on height increases for existing poles within the 50-metre rural setback (already permitted or consented) to be replaced or upgraded.	
Regulations 27(6) and 29(5) on the pole width rules for new or existing poles in the road reserve	Amend the permitted standard for the maximum pole width at the base to 0.9 m if the road reserve is adjoining a residential zone, or otherwise 1.5 m for all other zones.	2. Rules on telecommunication antennas, cabinets and poles	<p>Change</p> <p>29. Amend the proposal to clarify that the maximum pole widths for new and existing poles in the road reserve are based on the 'zone adjoining the road reserve' of the pole.</p>	This recommendation applies the definition of 'zone adjoining the road reserve' and clarifies how the pole width standard will work when poles are in the road reserve. This is because it is not always clear which zone applies when a road divides two zones. It is also a consequence of the changes expressed in recommendation 7.	Yes No
			<p>Change</p> <p>30. Amend the proposal to:</p> <ul style="list-style-type: none"> a. increase the maximum permitted width of new or existing poles in the road reserve, where the 'zone adjoining the road reserve' of the existing pole is a rural zone, from 1.5 m to 1.7 m, except where an existing pole is within the 50 metre rural setback (see recommendation 31) b. retaining the 0.9 m maximum permitted width for new or existing poles in the road 	<p>Officials consider the change to increase the maximum permitted width for poles in the road reserve adjoining a rural zone to 1.7 metres is necessary to structurally support poles up to 40 metres in height. Submissions from the telecommunication businesses also recommended this change. The remaining submissions on this topic proposed pole widths align with the increase in pole height to meet engineering design specifications and load requirements for poles and headframes.</p> <p>The notified proposal was also not clear on whether an existing pole that exceeds the proposed width caps could be replaced up to the width of the existing pole. Officials propose</p>	Yes No

Subpart 2 – Antennas on poles in the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<p>reserve, where the 'zone adjoining the road reserve' of the existing pole is a residential zone, and 1.5 m for all other zones except for rural</p> <p>c. specify that the maximum permitted width of an existing pole in the road reserve can be the greater of:</p> <ul style="list-style-type: none"> i. the proposed pole width caps by adjoining zone as per (a) and (b) above; or ii. the width of the baseline pole on the baseline date. 	<p>to clarify the greater of the caps or the existing width applies to the pole width rules. This enables replacement of a like-for-like pole and improves the workability of the proposed pole width rules.</p>	
			<p>Change</p> <p>31. Amend the proposal to retain the pole width rules in regulation 27(6) of the NES-TF for an existing pole in the road reserve adjoining a rural zone within the 50 metre rural setback so that the width of the final pole does not exceed the width of the baseline pole on the baseline date multiplied by:</p> <ul style="list-style-type: none"> a. if 1 or more antennas were attached to the baseline pole on the baseline date, 1.3; or b. otherwise, 2. 	<p>This is recommended as a consequential amendment to applying the 50-metre rural setback to new poles in the road reserve adjoining a rural zone. The notified proposal did not include provisions on width increases for existing poles within the 50-metre rural setback. This proposed amendment retains flexibility for existing poles in the 50-metre rural setback to be replaced and be allowed to increase in width to support new antennas (already enabled by regulation 27(6) of the NES-TF). Retaining this flexibility makes it easier for existing infrastructure within the 50-metre rural setback (already permitted or consented) to be replaced or upgraded.</p>	<p>Yes No</p>

Subpart 2 – Antennas on poles in the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<p>Regulations 27(3) and 29(3) on the antenna size rules for non-dish antenna³⁹ on new or existing poles in the road reserve</p>	<p>Amend the permitted standard for the notional envelope of non-dish antenna per facility operator for poles without a headframe to be no larger than 5.0 m in length (increased from 3.5 m) and 1.2 m in diameter (increased from 0.7 m). Where the existing notional envelope of non-dish antennas on a pole is larger than these measurements, this will be the permitted maximum notional envelope.</p>	<p>2. Rules on telecommunication antennas, cabinets and poles</p>	<p>No change</p> <p>32. Retain the proposal to increase the notional envelope for non-dish antenna for new and existing poles in the road reserve without headframes to a maximum length of 5 m and a diameter of 1.2 m per facility operator.</p>	<p>Officials consider increasing the notional envelope for non-dish antenna is necessary to support deployment of modern technologies (eg, 5G) and to enable antennas to tilt on poles without headframes to maximise coverage.</p>	<p>Yes No</p>
			<p>Change</p> <p>33. Amend the proposal on the antenna size rules to specify that if a new pole in the road reserve has a headframe for co-location, the width of the non-dish antenna must not exceed more than 0.7 m.</p>	<p>The notified proposal did not specify if the non-dish (ie, panel) antennas on headframes for co-location on new poles in the road reserve were subject to any antenna size rules. Officials recommend retaining the antenna size rules that already apply to existing poles in the road reserve with a headframe in regulation 27(3)(a) of the NES-TF. This would better mitigate adverse visual effects and ensure consistent non-dish antenna size rules apply to both new and existing poles in the road reserve.</p>	<p>Yes No</p>
<p>Regulations 27(3) and 29(3) on the antenna size rules for dish antenna for new or existing poles in the road reserve</p>	<p>Amend the permitted standard for the maximum diameter of a new or replacement dish antenna from 0.38 m to 0.6 m. Where the existing dish antennas on a pole are larger than these measurements, the existing diameter of dish antenna will be the maximum permitted diameter. The protrusion distance for new and replacement</p>	<p>2. Rules on telecommunication antennas, cabinets, and poles</p>	<p>No change</p> <p>34. Retain the proposal to update dish antenna dimensions and protrusion distances in regulations 27(4) and 29(3)(b) for new or existing poles in the road reserve.</p>	<p>Officials consider increasing the size and protrusion distance for dish antennas is necessary to align with the need for larger dish antennas to increase the distance over which a signal can be sent (eg, via digital microwave radio). This also supports rural connectivity and resilience in the telecommunications network.</p>	<p>Yes No</p>

³⁹ Non-dish antenna include panel antenna and aerial antenna.

Subpart 2 – Antennas on poles in the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	dish antenna would also increase from 0.6 m to 0.8 m. Where the existing dish antenna's protrusion distance on a pole exceeds this, the existing dish antenna's protrusion distance will be the maximum permitted.				
<p>Regulations 27(7) and 29(2)(b) on the headframe rules for new or existing poles in the road reserve</p>	<p>Amend the regulated activity and permitted standards for installation of a headframe on new or existing poles in the road reserve so that these rules are more permissive. There are two options under consideration to achieve this.</p> <p>Option 1 [Government's preferred option]: Permit the installation of 1.6 m headframes (excluding antennas) on poles in the road reserve in commercial, industrial, mixed-use and rural zones where a pole is supporting co-location of multiple facility operators. See figure 4 in Attachment 1.5.1 for an example of the proposed smaller 1.6m wide headframe.</p> <p>Option 2: Permit the installation of 4.5 m wide headframes on poles in the road reserve in commercial (excluding local centre or neighbourhood), industrial and rural zones (See figure 3 in Attachment 1.5.1 for an example of a 4.5 m headframe).</p>	<p>2. Rules on telecommunication antennas, cabinets and poles</p>	<p>Change</p> <p>35. Amend the proposal to proceed with Option 2 on headframe rules for new or existing poles in the road reserve to facilitate co-location of antennas for multiple facility operators with a size framework as follows:</p> <ul style="list-style-type: none"> a. permit a maximum 1.6 m wide headframe, where the 'zone adjoining the road reserve' of the pole is a residential or open space zone and apply a 15 m minimum pole height requirement in these zones b. permit a maximum 2.5 m wide headframe, where the 'zone adjoining the road reserve' of the pole is a neighbourhood centre, local centre, mixed-use, town centre, metropolitan centre, city centre or special purpose zone and apply the 15 minimum pole height requirement in these zones 	<p>Officials recommend progressing a more enabling approach for installing headframes on telecommunication poles in the road reserve to facilitate co-location based on the framework proposed in Option 2.</p> <p>This approach includes a three-tier headframe size framework that captures all zones adjoining a road reserve, enabling 1.6-metre-wide headframes in more sensitive zones (ie, residential), 2.5-metre-wide in less sensitive zones (ie, town centre) and 4.5-metre-wide in other zones where the visual effects of headframes are anticipated or minor (ie, industrial).</p> <p>Please refer to attachment C for the headframe size standards.</p> <p>Officials consider the proposed headframe sizes are commensurate with zoning characteristics and service needs. The introduction of the 2.5-metre-wide headframe is to provide for co-location of multiple facility operators on a headframe and align with the suggested changes in submissions from most telecommunication businesses.</p>	<p>Yes No</p>

Subpart 2 – Antennas on poles in the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	<p>Permit 1.6 m headframes (excluding antennas) on poles in the road reserve in residential, local centre, neighbourhood centre and mixed-use zones where a pole is at least 15 m in height and this is to support co-location of multiple facility operators.</p> <p>Under both options, the NES-TF will continue to permit replacement of existing headframes on poles in the road reserve up to their existing width, if they exceed this specified width.</p>		<p>c. permit a maximum 4.5 m wide headframe, where the 'zone adjoining the road reserve' of the pole is a commercial, industrial, large format retail, or rural zone, except where an existing pole is within the 50 metre rural setback (see recommendation 36).</p>	<p>The recommended headframe sizes promote co-location and are intended to reduce proliferation of multiple poles, when a pole with a headframe could achieve comparable service. Without adequate headframe size rules in some zones, facility operators are likely to install more poles in line with the permitted activity standards in the NES-TF, rather than seek a resource consent.</p> <p>Officials consider the 15-metre minimum pole height requirement will help to reduce visual effects of headframes from the ground level (one's line of sight), mitigating streetscape effects in sensitive and moderately sensitive zones. Officials consider the visual effects of these proposed changes would be minor. This is because the 50-metre rural setback will still apply in a rural zone (with existing headframes on poles within the setback only permitted to be replaced up to the width of the replaced headframe) and subpart 5 areas will remain subject to district plan rules.</p> <p>This recommendation also applies the definition of 'zone adjoining the road reserve' and clarifies how the headframe width standard will work when poles are in the road reserve (see recommendation 7).</p>	

Subpart 2 – Antennas on poles in the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
				Note that officials had intended to refer to amending regulation 29(2)(a) to permit headframes on new poles in the road reserve (not regulation 29(2)(b)).	
			<p>Change</p> <p>36. Amend the proposal to retain the existing headframe rules in regulation 27(7) of the NES-TF for an existing pole in the road reserve where the 'zone adjoining the road reserve' is a rural zone and the existing pole is within the 50 metre rural setback, so that a headframe is only permitted if one already exists and its width does not exceed that of the replaced headframe.</p>	This recommendation is a consequential amendment from applying the 50-metre rural setback to new poles in the road reserve adjoining a rural zone. The notified proposal did not include provisions on headframes for existing poles within the 50-metre rural setback. This proposed amendment retains flexibility for existing poles in the 50-metre rural setback to be replaced, or for replacement headframes to be installed on these poles (already enabled in regulation 27(7) of the NES-TF). Retaining this flexibility makes it easier for existing infrastructure within the 50-metre rural setback (already permitted or consented) to be replaced or upgraded.	Yes No

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF			Minister's decision
Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	
Regulation 31(4) on the antenna size rules for dish antenna on existing poles not in the road reserve and in residential zones	<p>Amend the permitted standard for the maximum diameter of a new or replacement dish antenna from 0.38 m to 0.6 m. Where the existing dish antennas on a pole are larger than these measurements, the existing diameter of dish antenna will be the maximum permitted diameter.</p> <p>The dish antenna protrusion distance would also increase from 0.6 m to 0.8 m. Where the existing dish antennas protrusion distance on a pole exceeds this, the existing dish antennas protrusion distance will be the maximum permitted.</p>	2. Rules on telecommunication antennas, cabinets and poles	<p>No change</p> <p>37. Retain the proposed dimensions and protrusion distances for dish antenna on existing poles not in the road reserve and in residential zones.</p>	Officials consider these size increases are necessary to align with the need for larger dish antennas to increase the distance over which a signal can be sent (eg, via digital microwave radio). This also supports rural connectivity and telecommunications network resilience.	Yes No
Regulations 32(1)(a) and 33(2)(a) on new or existing poles outside of the road reserve and not in a residential zone	<p>Amend the regulated activity and standard to enable the installation of new poles with antennas outside of the road reserve in commercial, industrial, local centre, mixed-use and neighbourhood centre zones.</p> <p>New poles in local centre, mixed-use and neighbourhood centre zones will include a height-in-relation-to-boundary setback of 4 m and 60° recession plane.</p> <p>In all other zones covered by this regulation (ie special purpose and open space zones), the distance that a replacement pole can be built from the original pole will increase from 5 m to 10 m.</p>	3. Expanding where new or replacement telecommunication poles are permitted	<p>Change</p> <p>38. Amend regulations 32 and 33 of the NES-TF to clarify that the regulations now also apply to:</p> <ul style="list-style-type: none"> a. new and existing poles with antennas in commercial, industrial, large format retail, local centre, mixed-use and neighbourhood centre zones b. existing poles in all other zones, except a residential zone. 	<p>This recommended change clarifies that the intent of the notified proposal was to change regulations 32 and 33, which currently only relate to existing poles, to now permit new poles with antennas outside of the road reserve in specified zones. This would amend regulation 32 to specify that the installation and operation of an antenna by a facility operator on a new pole is a regulated activity where the new pole is not in a road reserve and is in a commercial, industrial, large format retail, local centre, mixed-use or neighbourhood centre zone.</p> <p>Officials recommend clarifying that 'large format retail zone' is also captured by this change, with new poles permitted in this zone. This is generally considered a type of commercial zone, and so the</p>	Yes No

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
				effects of permitting new poles in this zone will be similar to those in a commercial zone (and will adopt the same rules). This also responds to submissions from some councils recommending more specific references to the zone framework in the National Planning Standards 2019.	
			<p>Change</p> <p>39. Amend the height-in-relation-to-boundary setback rule for new and existing poles in a local centre, mixed-use and neighbourhood centre zone so that it:</p> <ul style="list-style-type: none"> a. only applies to boundaries in these zones adjoining a property zoned residential; and b. does not apply to the boundary of a road. 	<p>Officials consider it appropriate to only apply this setback rule to boundaries adjoining a property zoned residential in relation to the specified zones rather than to a property boundary within a local centre, mixed-use or neighbourhood centre zone. Local centre, mixed-use or neighbourhood centre zones are less sensitive to visual effects, and it would be harder to apply a boundary setback within these zones where properties are generally closer together. This setback will also apply to existing poles if they are relocated.</p> <p>Officials consider it unnecessary to apply this setback rule to the boundary of a road, given there is no setback for poles in the road reserve (except for the 50-metre rural setback).</p> <p>Officials refer to this setback as the 'residential boundary setback'.</p>	Yes No
			<p>Change</p> <p>40. Amend the proposal to:</p> <ul style="list-style-type: none"> a. retain the relocation rules in regulation 33(2) of the NES-TF for an existing pole outside the road reserve in 	Officials recommend 40(a) to retain flexibility for existing poles outside the road reserve in a rural zone within the 50-metre rural setback to relocate up to 5 metres away from the pole's original location. This makes it easier for existing infrastructure within the 50-metre rural setback	Yes No

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<p>a rural zone and within the 50 metre rural setback so that the existing pole cannot relocate more than 5 m away from the replaced pole's original location</p> <p>b. remove the relocation limits for all other existing poles outside the road reserve in a rural zone not covered by (a) and for existing poles in commercial, industrial, neighbourhood centre, large format retail, local centre and mixed-use zones; and</p> <p>c. retain the proposal to permit existing poles outside the road reserve in other zones not covered by (a) and (b) so that existing poles in city centre, metropolitan, open space, special purpose, or town centre zones can be relocated up to 10 m from the replaced pole's original location.</p>	<p>(already permitted or consented) to be replaced or upgraded.</p> <p>Officials recommend 40(b) to clarify that there is no relocation limit for existing poles in a rural zone not within the 50-metre rural setback, as regulations 34 and 35 already permit new poles outside the road reserve in a rural zone. No relocation distance limits are recommended for existing poles in commercial, industrial, neighbourhood centre, large format retail, local centre and mixed-use zones, as new poles are permitted in these zones. However, as per recommendation 39, poles in local centre, mixed-use and neighbourhood centre zones will be subject to the residential boundary setback.</p> <p>Officials recommend in 40(c) retaining the proposal for existing poles in all other zones (where new poles are not permitted) to be able to relocate up to 10 metres from the replaced pole's original location (increased from 5 metres). This provides facility operators with greater flexibility when locating a replaced pole and avoids triggering resource consent requirements if relocating a pole between 5 and 10 metres away.</p>	

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF			Minister's decision
Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	
Regulations 33(3)(a) and 35(2)(e) on the antenna size rules for panel antenna for new or existing poles outside of the road reserve and not in a residential zone	Amend the permitted standard for the maximum width of panel antenna from 0.7 m to 1.0 m. Where the existing panel antenna on a pole is larger than these measurements, the width of existing panel antenna will be the permitted maximum width.	2. Rules on telecommunication antennas, cabinets and poles	<p>Change</p> <p>41. Amend the proposal to increase the maximum width of non-dish antenna to 1.0 m by clarifying that it applies to:</p> <ul style="list-style-type: none"> a. existing poles outside the road reserve not in a residential zone b. new poles outside the road reserve in commercial, industrial, neighbourhood centre, large format retail, local centre, mixed-use and rural zones. 	<p>This recommendation clarifies which poles the increase in the width of non-dish antennas applies to.</p> <p>Officials consider these increases to non-dish antennas on poles outside the road reserve are necessary to support deployment of modern technologies (eg, 5G).</p>	Yes No
Regulations 33(3)(a) and 35(2)(f) on the antenna size rules for dish antenna for new or existing poles outside of the road reserve and not in a residential zone	Amend the permitted diameter of dish antenna from 1.2 m to 2.0 m (excluding residential, local centre, neighbourhood centre and open space zones, which will remain at 1.2 m). Where the existing dish antenna on a pole are larger than these measurements, the existing diameter of dish antenna will be the maximum permitted diameter (for all zones).	2. Rules on telecommunication antennas, cabinets and poles	<p>Change</p> <p>42. Amend the proposal to:</p> <ul style="list-style-type: none"> a. increase the maximum permitted diameter of dish antenna on new and existing poles outside the road reserve in commercial, industrial, large format retail and rural zones, and existing poles outside the road reserve in special purpose zones, to be the larger of either: 	<p>This recommendation clarifies the maximum permitted diameter of dish antennas for new and existing poles outside the road reserve in specified zones.</p> <p>The notified proposal increased the maximum diameter of dish antennas to 2.0 metres on existing poles outside the road reserve in city centre, metropolitan and town centre zones. Officials recommend retaining the existing 1.2-metre dish antenna diameter in the NES-TF for these zones to reduce visual and amenity effects.</p> <p>Otherwise, officials consider these proposed increases are necessary to align with the need for larger dish antennas to increase the distance over</p>	Yes No

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<ul style="list-style-type: none"> i. 2.0 m; or ii. the existing diameter of dish antenna on an existing pole. b. retain the maximum diameter of dish antenna in regulation 33(3)(b) of the NES-TF for new and existing poles outside the road reserve in any other zone not covered by (a), and excluding residential zones, to be the larger of either: <ul style="list-style-type: none"> i. 1.2 m; or ii. the existing diameter of dish antenna on an existing pole. 	<p>which a signal can be sent (eg, via digital microwave radio). This also supports rural connectivity and telecommunications network resilience.</p>	
<p>Regulations 33(4) and 33(5) on the pole width rules for new or existing poles outside of the road reserve and not in a residential zone</p>	<p>Amend the permitted standard for the maximum width of a pole to 6 m for replacement of existing poles in rural zones and 1.5 m for new or replacement poles in other zones covered by this regulation (or the width of the existing pole if greater). The new 1.5 m maximum will also apply to new poles in commercial, industrial, local centre, mixed-use and neighbourhood centre zones.</p>	<p>2. Rules on telecommunication antennas, cabinets and poles</p>	<p>Change</p> <p>43. Amend the proposal to clarify the following proposed maximum pole widths:</p> <ul style="list-style-type: none"> a. permit 1.5 m for new and existing poles in commercial, industrial, large format retail, local centre, mixed-use and neighbourhood centre zones, or the width of the existing pole if greater than 1.5 m 	<p>This recommended change clarifies the maximum pole widths for new and existing poles outside the road reserve in specified zones.</p> <p>Please refer to attachment C for the pole size standards outside the road reserve.</p> <p>The proposed pole widths are recommended to align with the increase in pole height to meet engineering design specifications and load requirements for poles. The pole widths also support facility operators to co-locate equipment on poles with an increased load from additional antennas.</p>	<p>Yes No</p>

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<p>b. permit 1.5 m for existing poles outside the road in other zones, excluding residential and rural zones, or the width of the existing pole if greater than 1.5 m</p> <p>c. permit 6 m for an existing pole outside the road reserve in a rural zone, or the width of the existing pole if greater than 6 m, except where an existing pole outside the road reserve is in a rural zone and is within the 50 metre rural setback (see recommendation 44).</p>		
			<p>Change</p> <p>44. Amend the proposal to specify that where an existing pole outside the road reserve is in a rural zone and within the 50 metre rural setback, retain the existing pole width rules in regulation 33(5) in the NES-TF so that the maximum permitted pole width is the greater of the width of the baseline pole on</p>	<p>Officials recommend retaining flexibility for existing poles outside of the road reserve in a rural zone within the 50-metre rural setback to increase their width compared with the original pole width. This makes it easier for existing infrastructure within the 50-metre rural setback (already permitted or consented) to be replaced or upgraded.</p>	<p>Yes No</p>

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			the baseline date multiplied by either: <ul style="list-style-type: none"> a. if 1 or more antennas were attached to the baseline pole on the baseline date, 1.3; or b. otherwise, 2. 		
<p>Regulation 33(6) on the headframe width rules for new or existing poles outside of the road reserve and not in a residential zone</p>	<p>Extend the permitted standard for installation of a headframe of up to 6 m wide to apply to <i>new</i> poles outside of the road reserve in commercial (excluding local centre or neighbourhood centre zones), industrial, or on existing poles in rural zones. This aligns with existing rules for poles not in the road reserve and not in a residential zone under regulation 33(6).</p> <p>Add a new permitted standard for installation of a headframe no greater than 1.6 m wide (excluding antennas) on a new pole in local centre, mixed-use and neighbourhood centre zones outside of the road reserve, where the pole is a minimum of 15 m in height and is supporting co-location of multiple facility operators.</p>	<p>2. Rules on telecommunication antennas, cabinets and poles</p>	<p>Change</p> <p>45. Amend the proposed headframe rules on new or existing poles outside the road reserve as follows:</p> <ul style="list-style-type: none"> a. permit a maximum 2.5 m wide headframe in neighbourhood centre, local centre and mixed-use zones for co-location, with a 15 m minimum pole height b. permit a maximum 4.5 m wide headframe in commercial, large format retail and industrial zones with no co-location reference c. permit a maximum 6 m wide headframe in a rural zone with no co-location reference, except where an 	<p>Officials recommend aligning the permitted size of headframes on new poles outside the road reserve in the specified zones with the sizes in recommendation 35 for poles in the road reserve (except for a rural zone where a 6-metre headframe is retained). This will provide greater certainty and consistency on headframe rules. It will also mean that the headframe rules for new and existing poles in the specified zones are aligned.</p> <p>Please refer to attachment C for the pole size framework.</p> <p>The increase to 2.5-metre-wide headframes from 1.6-metre-wide headframes in the specified zone would better provide for co-location, enabling more antennas of multiple facility operators to be installed on a headframe. The proposed headframe sizes are also aligned with the suggested changes in most submissions from telecommunication businesses.</p>	<p>Yes No</p>

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<p>existing pole outside the road reserve in a rural zone is within the 50 rural metre setback (see recommendation 46)</p> <p>d. clarify that if a headframe on an existing pole is larger than the maximum headframe sizes in (a) to (c) above, then the maximum headframe width is the width of the replaced headframe.</p>	<p>The recommended headframe sizes would support co-location and reduce the proliferation of multiple poles, when a pole with a headframe could achieve comparable service. Without adequate headframe size rules in some zones, facility operators are likely to install more poles in line with the permitted activity standards in the NES-TF, rather than seek a resource consent.</p> <p>Officials consider the visual effects of these proposed changes will be low. This is because the 50-metre rural setback still applies (with existing headframes on poles within the setback only permitted to be replaced up to the width of the replaced headframe) and subpart 5 areas will remain subject to district plan rules.</p>	
			<p>Change</p> <p>46. Amend the proposal to specify that where an existing pole outside the road reserve is in a rural zone and within the 50 metre rural setback and has a headframe, the maximum headframe width is the same as the replaced headframe.</p>	<p>Officials recommend retaining flexibility to replace headframes for existing poles outside of the road reserve in a rural zone within the 50-metre rural setback. This makes it easier for existing infrastructure within the 50-metre setback (already permitted or consented) to be replaced or upgraded.</p>	Yes No

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF			Minister's decision
Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	
<p>Regulation 33(7) on the pole height rules for new or existing poles not in road reserve and in commercial, industrial, rural or mixed-use zones</p> <p>Note this excludes residential zones.</p>	<p>Amend the permitted standard for the maximum permitted height for poles outside of the road reserve so that they are more permissive. There are two options under consideration to achieve this.</p> <p>Option 1 [Government's preferred option]:</p> <p>a) <i>Local centre or neighbourhood centre zone</i> – 20 m with a height-in-relation-to-boundary setback of 4 m and 60° recession plane</p> <p>b) <i>Mixed-use zone</i> – 25 m with a height-in-relation-to-boundary setback of 4 m and 60° recession plane</p> <p>c) <i>Industrial and commercial zones</i> – 25 m</p> <p>d) <i>Any other zone (excluding rural)</i> – permit existing poles outside of the road reserve to increase by 5 m from baseline pole height (increased from 3.5 m).</p> <p>Option 2:</p> <p>Permit caps to be the higher of either those proposed above in Option 1, or building zone height plus 5 m for poles in commercial zones (capped at 30 m) and industrial zones (no cap).</p> <p>For both options, a further 5 m height is afforded where two or more facility</p>	<p>2. Rules on telecommunication antennas, cabinets and poles</p>	<p>Change</p> <p>47. Proceed with Option 1 and amend the proposal on pole heights for new and existing poles outside the road reserve in select zones, specifying fixed pole height caps by zone, with the modifications outlined in recommendations 48 to 50.</p>	<p>Officials recommend the Government progress Option 1 (fixed height caps) to provide operational flexibility for facility operators to build poles to the height needed to provide adequate reach over buildings, vegetation or other coverage obstacles. Option 1 will better mitigate the risk of adverse visual effects, is easier to administer and provides certainty for councils and communities. Option 1 was supported by most submitters that chose an option, including councils, iwi and hapū. Please refer to attachment C for the pole size standards outside the road reserve. These pole heights are also aligned with those proposed for poles in the road reserve (refer to recommendation 22).</p>	Yes No
			<p>Change</p> <p>48. Amend the proposal to specify:</p> <p>a. that the maximum permitted pole height for a new and existing pole outside the road reserve applies to the height of the pole and all antennas</p> <p>b. for existing poles where a height increase is permitted, and a maximum permitted pole height does not apply, and the height of the pole continues to exclude all antennas.</p>	<p>The proposed maximum pole heights were intended to apply to the height of a pole and all antennas, but this was not clearly specified. This amendment aligns with the approach to specifying the maximum pole height in regulation 35(2)(a) for new poles outside the road reserve in a rural zone. This provides greater clarity on how the pole height caps apply to ensure consistent interpretation across councils, reducing ambiguity.</p>	Yes No

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
	operators are co-located on the same pole (excluding residential zones).		<p>Change</p> <p>49. Amend the proposal to specify:</p> <ul style="list-style-type: none"> a. for new and existing poles outside the road reserve in commercial, industrial, large format retail, and mixed-use zones, the height of the pole and all antennas must not exceed 25 m for a single facility operator and 30 m if the pole enables co-location of multiple facility operators b. for new and existing poles outside the road reserve in local centre and neighbourhood centre zones, the height of the pole and all antennas must not exceed 20 m for a single facility operator and 25 m if the pole enables co-location of multiple facility operators c. for existing poles outside the road reserve in a rural zone, the height of the pole and all antennas must not exceed 35 m for a single facility operator and 40 m if the pole enables co-location 	<p>This recommendation clarifies the maximum pole heights for new and existing poles outside the road reserve in specified zones. Most of the heights are retained as notified. The two main changes are applying pole height standards to new and existing poles in a large format retail zone and removing the reference to the 'residential boundary setback'.</p> <p>Officials consider 'large format retail zone' to be a type of commercial zone, and so the permitted pole heights for new and existing poles in this zone should be aligned with the commercial zone. This change also responds to submissions from some councils recommending more specific references to the zone names in the National Planning Standards 2019.</p> <p>The proposed 'residential boundary setback' for new and existing poles outside of the road reserve in specified zones is removed, as it is already captured in proposed changes to regulation 33(2) (see recommendation 39).</p>	<p>Yes No</p>

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<p>of multiple facility operators, except where an existing pole outside the road reserve in a rural zone is within the 50 rural metre setback (see recommendation 50)</p> <p>d. for existing poles outside the road reserve in any other zone not captured by (a) to (c) above, the pole height rules in regulation 33(7)(b) are retained and the permitted height increase in regulation 33(8) increases to 5 m in all situations</p> <p>e. remove the reference to the height-in-relation-to boundary (the 'residential boundary setback').</p>		
			<p>Change</p> <p>50. Amend the proposal for an existing pole outside the road reserve in a rural zone where the existing pole is within the 50 metre rural setback, so that</p>	<p>Officials recommend retaining flexibility for existing rural poles subject to the 50-metre rural setback, allowing an increase in height compared with the original pole. Officials have proposed the permitted height increase is aligned with poles in the road reserve within the 50-metre rural setback (see recommendation 28).</p>	<p>Yes No</p>

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF			Minister's decision
Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	
			<p>the maximum permitted height is the greater of:</p> <ul style="list-style-type: none"> a. the height of the baseline pole (excluding antennas) on the baseline date plus 5 m; or b. the height of the baseline pole on the baseline date (excluding antennas) plus the height of all existing antennas. 	<p>This will provide additional height for larger panel antennas, and flexibility for existing infrastructure within the 50-metre setback (already permitted or consented) to be replaced or upgraded.</p>	
<p>Regulation 35(2)(a) on the pole height rules for new or existing poles not in road reserve and in rural zone</p>	<p>Apply pole height rules for existing poles outside of road reserve in a rural zone to regulation 35 (previously applied to regulation 33). Amend the permitted standard for the maximum height for new or replacement poles outside of the road reserve in a rural zone from 25 m to 35 m (see figure 5 in attachment 1.5.1 for an example). A further 5 m height is afforded where two or more facility operators are co-located on the same pole.</p>	<p>2. Rules on telecommunication antennas, cabinets and poles</p>	<p>No change</p> <p>51. Retain the proposal for the maximum height of a new pole and all antennas outside the road reserve in a rural zone to be 35 m for a single facility operator and 40 m if the pole enables co-location of multiple facility operators.</p>	<p>Officials recommend allowing for 35-metre telecommunication poles (ie, masts, towers) in rural areas (and up to 40 metres for co-location) as this is necessary to address coverage obstacles resulting from topography including shelter belts and other trees. Most telecommunication businesses supported the proposed changes. A few submissions from councils, iwi and hapū did not support the proposed pole height increase, while some councils and individuals noted the importance of enabling facility operators to build to the height needed to provide coverage in rural areas.</p>	<p>Yes No</p>

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<p>Regulation 35(2)(d) on the minimum setback from buildings for new poles not in the road reserve and in a rural zone</p>	<p>Amend the 50 m setback from buildings so it only applies to buildings on a neighbouring property, not buildings within the property boundary where the pole is being installed. Note a new definition is also proposed for 'sensitive activities' that would apply to this requirement and clarify which buildings this setback applies to.</p>	<p>3. Expanding where new or replacement telecommunication poles are permitted</p>	<p>Change</p> <p>52. Amend the proposal to change the application of the 50 metre rural setback, and otherwise retain as proposed, to:</p> <ul style="list-style-type: none"> a. retain the original wording in regulation 35(2)(d) of the NES-TF, 'buildings used for residential or educational purposes' b. include marae, papakāinga and places of worship c. clarify that the changes in (a) and (b) also apply to the 50 metre rural setback, relevant to existing poles outside the road reserve in a rural zone. 	<p>Officials recommend removing the term 'sensitive activities' (see recommendation 9) and retaining the application of the 50-metre rural setback to 'any building used for residential or educational purposes'.</p> <p>Submissions from some councils, iwi and hapū supported the inclusion of marae and places of worship in the 50-metre rural setback rule and recommended adding papakāinga. Officials consider applying the setback to these buildings helps to mitigate adverse visual or cultural effects from large facilities in rural settings.</p> <p>The setback continues to apply to buildings on the neighbouring property only, as notified in the proposed provisions.</p>	<p>Yes No</p>

Subpart 2 – Antennas on buildings

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulation 37(3)(a) on the size rules for panel antenna	Amend the permitted standard to change the 1.5 m ² area limit for a group of panel antennas on buildings in all but residential zones to a 1.0 m limit on the width of individual panel antenna. For buildings in residential zones, increase from 1.5 m ² to 3 m ² area limit for panel antenna.	2. Rules on telecommunication antennas, cabinets and poles	<p>Change</p> <p>53. Amend the proposed antenna size rules as follows:</p> <ul style="list-style-type: none"> a. if the antenna is a panel antenna on a building in a residential zone, the existing area limit of 1.5 m² for each panel in regulation 37(3)(a) is retained b. if the antenna is a panel antenna not on a building in a residential zone, the area limit for each panel antenna is removed and is replaced with a 1.0 m width limit for each panel. 	<p>Some submissions from councils did not support increasing the area of a panel antenna on a residential building from 1.5 square metres to 3 square metres, noting the potential adverse visual effects. Officials consider that a 1.5-square-metre area limit is sufficient to meet panel size specifications for a majority of panel antennas on buildings in a residential zone.</p> <p>Note that the proposed provisions indicated that the antenna size rules applied to a 'group of panel antennas'. The term 'group of panel antennas' is not defined and extending an area limit to a group of panel antennas would unreasonably restrict the ability of telecommunication providers to install antennas on buildings. Submissions from most telecommunication businesses proposed retaining the size limit 'per panel antenna' as it currently applies.</p>	Yes No
Regulation 37(3)(b) on the size rules for dish antenna	Amend the permitted standard for the maximum permitted diameter of dish antenna from 1.2 m to 2.0 m on all buildings, excluding those in a residential zone (which remain at 1.2 m).	2. Rules on telecommunication antennas, cabinets and poles	<p>No change</p> <p>54. Retain the proposal to increase the maximum diameter of dish antennas on buildings to:</p> <ul style="list-style-type: none"> a. 2.0 m in all zones (except for a residential zone) b. 1.2 metres in a residential zone. 	<p>Officials consider these increases are necessary to align with the need for larger dish antennas to increase the distance over which a signal can be sent (eg, via digital microwave radio). This also supports rural connectivity and telecommunications network resilience.</p>	Yes No

Subpart 2 – Antennas on buildings

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<p>Regulation 37(4)(a) on the attachment rules for the top of the antenna</p>	<p>Amend the permitted standard on the height limit for antenna on buildings in a residential zone so that these rules are more permissive and enable poles on buildings with antennas to be higher. There are two options under consideration to achieve this.</p> <p>Option 1 [Government's preferred option]: Amend the height limit rules in the NES-TF to specify that antenna height on buildings in all zones only applies from the highest point of the building (not from the point an antenna is attached to a building). Increase the height limit for antenna on buildings not in a residential zone from 5 m to 10 m above the highest point of a building.</p> <p>Option 2: Amend the maximum permitted height for the top of an antenna on a building to be the building zone height plus 5 m. Reduce the height minimum to attach antenna to a building in a residential zone to 11 m (from 15 m), to enable antenna to be attached to three-storey buildings.</p>	<p>2. Rules on telecommunication antennas, cabinets and poles</p>	<p>Change</p> <p>55. Proceed with Option 1 and amend the proposal on the attachment rules for antenna on buildings not in a residential zone, and otherwise retain as proposed, to permit an increase in the maximum height of antennas from 5 to 10 m above the highest point of a building where the maximum permitted building zone height is 15 m or more.</p>	<p>Officials consider this change to Option 1 is necessary to prevent visual effects of permitting antennas that protrude up to 10 metres above the height of buildings in smaller rural town centres, where they may only permit 8- to 12-metre-high buildings. This change addresses concerns from some council submissions.</p> <p>The proposal will enable antennas to be located higher on buildings to improve coverage or to allow them to exceed the height of surrounding buildings that may obstruct coverage.</p> <p>The proposal to specify the point of measurement for determining the maximum height of antennas on buildings (which is from the highest point of the building) is retained.</p>	<p>Yes No</p>

Subpart 4 – Telecommunication lines

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
<p>Regulations 39 and 40 on customer connection lines to heritage buildings</p>	<p>Amend clauses 39 and 40 to include a new regulated permitted activity for the installation and operation of customer connection lines (such as fibre) to a heritage building or structure. This would exclude wāhi tapu without buildings and archaeological sites.</p> <p>Proposed activity standards include:</p> <ul style="list-style-type: none"> a) compliance with regulation 39 and 40 of the NES-TF regarding customer connection lines, including limits on the diameter of any lines and conduit, and that the line must be supported by existing structures b) to make use of existing entry points for customer connection lines to a heritage building (noting that an additional aerial customer connection line attached to an existing line on the same route is permitted) c) a customer connection line and any conduit must not be attached to a primary feature or front façade of an identified heritage building or structure. <p>Where the permitted activity standards cannot be met, the activity will either default to a restricted discretionary activity (Option 1 [Government's preferred option]) or controlled activity (Option 2). Matters of discretion for both options would be limited to effects on historic heritage values and any other reasonable alternative installation solution.</p>	<p>5. Enabling customer connection lines to heritage buildings</p>	<p>Change</p> <p>56. Amend the proposal to proceed with Option 1 to provide for a restricted discretionary activity status when the permitted activity standards for customer connection lines to heritage building in (a) to (c) are not met, retaining the proposed matters of discretion.</p>	<p>Officials recommend continuing to progress new permitted activity standards for customer connection lines to heritage buildings. This will better enable the installation of fibre to households and businesses in heritage buildings.</p> <p>Officials consider the controlled activity status (as proposed in Option 2) is not sufficient to manage adverse effects on heritage buildings. Officials recommend proceeding with Option 1 as the discretion to decline a resource consent (as a restricted discretionary activity) is considered necessary. Option 1 was also supported by most submitters that chose an option, including iwi, hapū and councils.</p>	<p>Yes No</p>
			<p>Change</p> <p>57. Amend the proposal so that the proposed provisions apply to an archaeological site as well as a heritage building or structure for the purposes of a new permitted activity rule for installing and operating a customer connection line, subject to the standards outlined in (a) to (c) of the proposal.</p>	<p>The notified proposal was not intended to enable the installation of a customer connection line across archaeological sites without buildings; nor was it intended to exclude buildings that are identified as archaeological. Officials note that under the Heritage New Zealand Pouhere Taonga Act 2014, archaeological sites can be either built or non-built places, meaning that pre-1900 buildings are archaeological sites. The intention was to permit a customer connection line to any heritage building where it complies with the permitted activity standards.</p> <p>Where a facility operator wishes to modify a building or structure built prior to 1900 or encounters accidental discovery, permission in the form of an archaeological authority from Heritage New Zealand must be obtained under the Heritage New Zealand Pouhere Taonga Act 2014.</p>	

Subpart 4 – Telecommunication lines

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
			<p>Change</p> <p>58. Amend the proposal to permit the installation and operation of a customer connection line on a primary feature or the front façade of an identified heritage building or structure subject to the following standards:</p> <ul style="list-style-type: none"> a. it is enclosed within an existing conduit, lawfully permitted or consented to be fixed onto the front façade or a primary heritage feature b. it uses existing attachment points and fixings. 	<p>This recommendation provides some additional flexibility for facility operators to install or replace customer connection lines to heritage buildings using existing conduit, which officials consider would have minor or de minimis effects. The use of existing conduit could include the use of an existing pipe or a prior utility connection with which a new fibre line is fed through. This recommendation partially responds to feedback from some telecommunication businesses that using existing customer connection points would not have any additional effect.</p>	<p>Yes No</p>
<p>Regulation 42(2)(c) on location of the replacement structure for aerial telecommunication line along same route as existing telecommunication or power line</p>	<p>Amend the permitted standard for the location of replacement support structures for telecommunication lines (eg fibre) to be a maximum of 10 m from the existing location (increased from current 3 m maximum).</p>	<p>2. Rules on telecommunication antennas, cabinets and poles</p>	<p>No change</p> <p>59. Retain the proposed amendments requiring the location of replacement support structures for telecommunication lines to be within a maximum of 10 m from the existing location.</p>	<p>This amendment provides fixed line operators with greater flexibility when locating a replaced pole. This also aligns with proposed distribution rule (regulation R9) of the proposed NES-ENA.</p>	<p>Yes No</p>

Subpart 4 – Telecommunication lines

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulation 42(3)(a) on the height of the replacement structure for aerial telecommunication line along same route as existing telecommunication or power line	Amend the permitted standard for the replacement support structure for telecommunication lines (eg fibre) so the height can increase by up to 3 m (currently limited to an increase of 1 m).	2. Rules on telecommunication antennas, cabinets and poles	No change 60. Retain the proposed amendments to increase the height of replacement support structures for telecommunication lines by up to 3 m above the height of an existing support structure.	This would provide fixed line operators with flexibility to replace poles to match manufacturer standards.	Yes No

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Proposed regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendation	Minister's decision
New Regulated Activity 1: Temporary telecommunication facilities	<p>Introduce a new regulated permitted activity for a temporary telecommunication facility for coverage or additional capacity. Refer to the new definition proposed above for <i>Temporary telecommunication facility</i>, including the specified timeframes and circumstances for their use.</p> <p>The proposed standard for the activity is:</p> <p>a) that there shall be only one temporary telecommunication facility per site in the event it is to provide coverage for an existing facility for maintenance (not applicable in emergencies)</p>	5. Enabling temporary telecommunication facilities	Change 61. Amend the proposal to permit temporary telecommunication facilities, retaining the proposed standards, except for the following amendments: a. remove the limit of one temporary facility per site for maintenance b. increase the maximum footprint of the facility to 20 m ² c. add a requirement for a facility operator to provide written or	<p>Officials support temporary telecommunication facilities for resilience purposes.</p> <p>Officials consider there is a need to provide operational flexibility for operators to deploy and locate multiple temporary telecommunication facilities during maintenance, and telecommunication businesses contended that a limit may not be workable in all situations (eg, multiple temporary facilities may be needed to substitute an existing facility under maintenance because it co-locates multiple facility operators).</p>	Yes No

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF			
Proposed regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendation	Minister's decision
	<p>b) all temporary facilities shall cease within the specified timeframes</p> <p>c) the temporary facility must be removed from the site when the operation ceases</p> <p>d) temporary telecommunication facilities are permitted in areas identified in district plans with special, natural or heritage significance, as per Subpart 5 of NES-TF, in emergencies only (as defined in the circumstances described in (a) above in definition) but only when they can be installed without damaging or altering the protected areas</p> <p>e) if the temporary facility is an RFG facility, then regulation 55 (on radiofrequency fields) must be complied with</p> <p>f) as soon as practicable and no later than 3 months after completion of the works, the site must be reinstated and restored to its previous condition prior to the works</p> <p>g) the maximum height of a temporary telecommunication facility is 25 m and has a maximum footprint of no greater than 15 m².</p>		<p>electronic notice to the relevant regional council and territorial authority on the number, location and anticipated end date, of a temporary telecommunication facility operating within a subpart 5 area, if the facility operates at the site for longer than 30 working days.</p>	<p>Officials consider the larger footprint is necessary to support larger temporary telecommunication facilities, such as a mobile exchange on wheels, which can also accommodate solar panels or batteries.</p> <p>Officials recommend introducing a notice requirement to support council compliance as well as monitoring and record-keeping under section 35 of the RMA. Notice must be provided to the council if the facility has been operating in a subpart 5 area for longer than 30 working days, consistent with the timeframes in section 330A of the RMA. Officials consider this requirement is necessary given the sensitivity and intrinsic value associated with subpart 5 areas. This also responds to suggestions in submissions from some councils, iwi and hapū to add a written notice requirement.</p> <p>The remaining proposed standards for temporary telecommunication facilities (b–f) are fit for purpose and should be retained.</p>	

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF			
Proposed regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendation	Minister's decision
New Regulated Activity 2: Renewable electricity generators	<p>Introduce a new regulated permitted activity for installation and operation of renewable electricity generators in rural zones outside of the road reserve. This would also permit installation and operation of a non-renewable electricity generator for an off-grid site as back-up where a renewable energy source is not available.</p> <p>Proposed standards for solar panels (see figure 6 in Attachment 1.5.1) would specify:</p> <ul style="list-style-type: none"> a) the distance from the top of the array or structure to the ground does not exceed 5 m b) the footprint of the overall size of solar arrays (excluding any gaps between panels) for all facility operators does not exceed 100 m² c) ground-mounted solar panels (excluding wiring and ancillary equipment) must be a minimum of 50 m from buildings used for sensitive activities on a neighbouring property d) note solar arrays are excluded from reflectivity, glare and colour requirements under district plans. <p>Proposed standards for wind turbines would specify:</p> <ul style="list-style-type: none"> a) a maximum height of 25 m 	4. Enabling renewable electricity generators for telecommunication facilities	<p>Change</p> <p>62. Proceed with the proposal to permit renewable electricity generation to power a telecommunication facility outside the road reserve in a rural zone, retaining the proposed solar and wind standards except for the following amendments:</p> <ul style="list-style-type: none"> a. remove the installation and operation of a non-renewable electricity generator for an off-grid site as a back-up where a renewable energy source is not available b. allow a limit of two wind turbines per facility c. specify that the 25 m height standard for wind turbines applies to the height of the total structure (including the rotor) d. apply the 50 metre rural setback proposed for ground-mounted solar panels and wind turbines to buildings used for residential or educational purposes, marae, papakāinga and places of worship. 	<p>Officials support small-scale solar and wind electricity generation for the purposes of powering telecommunication facilities in rural and remote areas.</p> <p>Officials consider that district plan provisions would be better suited to address non-renewable (petrol or diesel) generators as most of the time, these will be deployed on a temporary and case-by-case basis, and the problem definition does not currently support permitting non-renewable generation. Officials consider solar, wind and battery enablement to be a key measure to bolster facility resilience and to support rural connectivity.</p> <p>Recommendations 62(b) and (c) were suggested by a few councils in submissions. Officials agree that two is an appropriate number of wind turbines when they are permitted as high as 25 metres. Officials also understand these standards will meet facility operators' energy needs while mitigating adverse visual effects on surrounding properties. This recommendation ensures wind turbine development remains consistent with rural character and proportionate to the scale of the principal facility.</p> <p>Recommendation 62(d) will align the application of the 50-metre rural setback for renewable electricity generators and poles in rural zones.</p>	Yes No

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF			
Proposed regulations	Proposed provisions	Topic	Recommendations	Reasons for recommendation	Minister's decision
	<p>b) the turbine and the structure it is connected to (excluding wiring and ancillary equipment) must be set back at a minimum of 50 m from buildings used for sensitive activities on a neighbouring property</p> <p>c) noise standards for wind farm noise in the New Zealand Standard 6808:2010 Acoustics – Wind farm noise) incorporated by reference.</p>				

Subpart 5 – Application of district and regional rules					
NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF			
Proposed regulations	Proposal	Topic	Recommendations	Reasons for recommendations	Minister's decision
Regulation 46 Historic heritage values: Customer connection lines to heritage buildings	Amend regulation 46 to exempt customer connection lines for heritage buildings from needing to comply with district plan rules.	5. Enabling customer connection lines to heritage buildings	No change 63. Retain the proposal to exempt regulation 46 of the NES-TF from applying for the purposes of customer connection lines to heritage buildings when the permitted activity standards are met.	This recommendation is a consequence of the proposal to amend regulations 39 and 40 to permit customer connection lines to heritage buildings (see recommendations 56 to 58). It will mean telecommunications infrastructure development affecting historic heritage will continue to revert to district plan rules except for customer connection lines.	Yes No

Other recommendations

Recommendations in relation to matters raised through submissions

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR TELECOMMUNICATION FACILITIES			
Scope and definitions	Recommendation	Reasons for recommendation	Minister's decision
D5: Co-location	<p>Change</p> <p>64. Amend the proposal to include a definition for 'co-location': where a pole, headframe, cabinet or a group of cabinets, is designed to carry two or more facility operators in one location.</p>	<p>Officials recommend introducing a new definition of 'co-location' into the NES-TF as it would improve the workability of the proposals relating to co-location of multiple facilities. This definition was proposed in most submissions from telecommunication businesses. It would enable facility operators to design and build poles, headframes or cabinets in line with specified permitted activity standards that reference co-location, so long as the facility is designed to co-locate multiple operators.</p>	Yes No
D6: Self-contained power unit	<p>Change</p> <p>65. Amend the definition of 'self-contained power unit' in the NES-TF to include storage of power.</p>	<p>The intent of the proposal was to enable battery storage where appropriate, for resilience purposes. The amendment will clarify that a self-contained power unit is one that not only 'generates' electricity but stores it as well. This definition will only apply to two new activity standards: renewable electricity generation and temporary telecommunication facilities.</p>	Yes No
D7: Residential zone	<p>Change</p> <p>66. Amend the definition of 'residential zone' in the NES-TF to include the following zones applied in district plans and provided for in the National Planning Standards 2019 and primarily used for residential activities:</p> <ol style="list-style-type: none"> large lot residential zone low density residential zone settlement zone Māori purpose zone general residential zone medium density residential zone high density residential zone. 	<p>The definition of 'residential zone' in the NES-TF was issued before the National Planning Standards 2019 were developed. It relies largely on district plan interpretations when the National Planning Standards provide a zone framework and descriptions. The recommendation clarifies which zones under the National Planning Standards are captured by the meaning of residential zone, which is applied throughout the NES-TF proposal. This also responds to feedback in some submissions from councils that recommended making it clearer how the zones in the NES-TF relate to the National Planning Standards' zone framework.</p> <p>Officials consider that Māori purpose zones (eg, papakāinga) have a similar level of sensitivity to residential zones and have cultural significance. Officials have recommended a change to specify that Māori purpose zones are subject to the same rules on pole height, width, antennas and headframes as residential zones for the purposes of the NES-TF. This also responds to submissions from iwi and Māori that sought less enablement in Māori purpose zones.</p>	Yes No

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR TELECOMMUNICATION FACILITIES

Scope and definitions	Recommendation	Reasons for recommendation	Minister's decision
D8: Rural zone	<p>Change</p> <p>67. Amend the definition of 'rural zone' in the NES-TF to include the following zones applied in district plans and provided for in the National Planning Standards 2019 and primarily used for rural activities and primary production:</p> <ul style="list-style-type: none"> a. general rural zone b. rural production zone c. rural lifestyle zone. 	<p>The definition of 'rural zone' in the NES-TF was issued before the National Planning Standards 2019 were developed. It relies largely on district plan interpretations when the National Planning Standards provide a zone framework and descriptions. The recommendation clarifies which zones under the National Planning Standards are captured by the meaning of 'rural zone', which is applied throughout the NES-TF proposal. This also responds to feedback in some submissions from councils that recommended making it clearer how the zones in the NES-TF relate to the National Planning Standards' zone framework.</p>	Yes No
D9: Industrial zone	<p>Change</p> <p>68. Insert a new definition of 'industrial zone' into the NES-TF which includes the following zones applied in district plans and provided for in the National Planning Standards 2019 and primarily used for industrial and manufacturing activities:</p> <ul style="list-style-type: none"> a. light industrial zone b. general industrial zone c. heavy industrial zone. 	<p>There is no definition of 'industrial zone' in the NES-TF while there are three different types of industrial zones provided for in the National Planning Standards 2019. The definition will clarify which zones under the National Planning Standards are captured by the meaning of 'industrial zone', which is a term used in the NES-TF proposal. This also responds to feedback in submissions from some councils that recommended making it clearer how the zones in the NES-TF relate to the National Planning Standards.</p>	Yes No
D10: Open Space Zone	<p>Change</p> <p>69. Insert a new definition of 'open space zone' into the NES-TF which includes the following zones applied in district plans and provided for in the National Planning Standards 2019 primarily for open space and recreational activities:</p> <ul style="list-style-type: none"> a. open space zone b. natural open space zone c. sport and active recreation zone. 	<p>There is no definition of 'open space zone' in the NES-TF while there are three different types of open space zones provided for in the National Planning Standards 2019. The definition will clarify which zones under the National Planning Standards are captured by the meaning of 'open space zone', which is a term used in the NES-TF proposal. This also responds to feedback in some submissions from councils that recommended making it clearer how the zones in the NES-TF relate to the National Planning Standards.</p>	Yes No

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR TELECOMMUNICATION FACILITIES

Scope and definitions	Recommendation	Reasons for recommendation	Minister's decision
D11: Special Purpose Zone	<p>Change</p> <p>70. Insert a new definition of 'special purpose zone' into the NES-TF which includes the following zones applied in district plans and provided for in the National Planning Standards 2019 primarily for special purpose activities:</p> <ul style="list-style-type: none"> a. airport zone b. corrections zone c. future urban zone d. hospital zone e. port zone f. stadium zone g. tertiary education zone. 	<p>There is no definition of 'special purpose zone' in the NES-TF while there are eight different types of special purpose zones provided for in the National Planning Standards 2019. The definition will clarify which zones under the National Planning Standards are captured by the meaning of 'special purpose zone', which is a term used in the NES-TF proposal. This also responds to feedback in submissions from some councils that recommended making it clearer how the zones in the NES-TF relate to the National Planning Standards.</p> <p>In recommendation 66, officials defined 'residential zone' to include Māori purpose zones, despite this zone being recognised as a type of special purpose zone. This is because Māori purpose zones are more akin to residential activities and the NES-TF proposal is less enabling for residential activities to encourage development elsewhere.</p>	Yes No
Regulation 5A – Operating a temporary telecommunication facility	<p>Change</p> <p>71. Amend the proposal to introduce a new regulation which outlines:</p> <ul style="list-style-type: none"> a. the intent to provide for the operation of a temporary telecommunication facility within the scope of the NES-TF, and includes the following ancillary activities: <ul style="list-style-type: none"> i. installing and operating ancillary equipment ii. carrying out repairs and maintenance on a facility iii. the use of a self-contained power unit; and b. the operation of a temporary telecommunication facility does not include carrying out earthworks in accordance with subpart 6 of the NES-TF. 	<p>This recommendation does not change the intent of the proposal; instead, it clarifies that the scope of the NES-TF has changed in response to the inclusion of new regulated activities. It also specifies that ancillary equipment is enabled to support a temporary telecommunication facility. This regulation outlines to the user how the NES-TF is designed and intended to operate, and how a temporary telecommunication facility is distinct from a permanent one. The new regulation operates in a similar way to regulation 5, 'installing and operating a facility', but relates to operating a temporary telecommunication facility.</p> <p>Officials do not consider it necessary or appropriate to enable the use of the earthworks standard under subpart 6 of the NES-TF for the purposes of operating a temporary telecommunication facility. This is consistent with the original intent that these facilities would not damage the site they access or, if they do, that they would restore it to its prior condition.</p>	Yes No

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR TELECOMMUNICATION FACILITIES

Scope and definitions	Recommendation	Reasons for recommendation	Minister's decision
<p>Regulation 5B – Installing and operating a self-contained power unit</p>	<p>Change</p> <p>72. Amend the proposal to introduce a new regulation which outlines:</p> <ul style="list-style-type: none"> a. the intent to provide for the installation and operation of a self-contained power unit within the scope of the NES-TF for the purposes of: <ul style="list-style-type: none"> i. small-scale renewable electricity generation (solar panels or wind turbines) powering a facility in the rural zone and outside the road reserve in accordance with the solar and wind standards; or ii. small-scale renewable electricity generation powering a temporary telecommunication facility; or iii. it is battery storage supporting (i) and (ii); and b. includes the following ancillary activities: <ul style="list-style-type: none"> i. installing and operating ancillary equipment ii. carrying out repairs and maintenance on the self-contained power unit iii. carrying out earthworks in accordance with subpart 6 of the NES-TF for the purposes of installing or maintaining solar panels or wind turbines. c. installing and operating a self-contained power unit does not include electricity generation that is not 'small-scale REG' (ie non-renewable). 	<p>This amendment is recommended as it would retain the intent of the proposal to enable renewable electricity generators but clarifies the circumstances when a self-contained power unit is expressly enabled under the NES-TF. The new regulation operates in a similar way to regulation 5, 'installing and operating a facility', but relates to self-contained power units.</p> <p>This provision will also enable ancillary equipment to support the installation and operation of a self-contained power unit. The scope will exclude the installation and operation of a non-renewable electricity generator from the meaning of 'self-contained power unit' because there are no standards to support its inclusion.</p> <p>Battery storage will be captured and enabled as this is a necessary component of a renewable electricity generator system and a temporary telecommunication facility. Including battery storage was also recommended in submissions from most telecommunication businesses.</p>	<p>Yes No</p>
<p>Regulation 7 – Measurements</p>	<p>Change</p> <p>73. Amend regulation 7(3) on measuring headframes to exclude any antenna attached to it.</p>	<p>Antennas and headframes have different size standards in the NES-TF to apply proportionate controls on their visual effects. Officials recommend it is appropriate to clarify that antennas are excluded from the measurement of headframes because they are managed through separate regulations. Including antennas in the width of a headframe could result in minor infringements of the permitted activity standard and unnecessary resource consents, as antennas are upgraded over the life of a headframe and so may change in size or may be tilted. Submissions from many telecommunication businesses also supported this change.</p>	<p>Yes No</p>

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR TELECOMMUNICATION FACILITIES

Scope and definitions	Recommendation	Reasons for recommendation	Minister's decision
	<p>Change</p> <p>74. Amend Regulation 7 of the NES-TF to clarify that the 50 metre rural setback is to be measured –</p> <ul style="list-style-type: none"> a. from the closest point of a facility (excluding any guy wires or cabinets) or self-contained power unit as part of the proposed New Regulated Activity 2 Renewable electricity generators activity (excluding battery storage) b. to the exterior wall of a relevant building (excluding staircases, decks or patios) on a property. 	<p>Officials agree with submissions from telecommunication businesses that the NES-TF should specify which part of a building the 50-metre rural setback for poles and renewable electricity generators in rural zones applies to, to improve clarity of the regulation.</p>	<p>Yes No</p>

Attachment C

Pole size standards proposed for the National Environmental Standards for Telecommunication Facilities

This table has been prepared to assist ministerial decision-making on the proposed amendments to the National Environmental Standards for Telecommunication Facilities (NES-TF) given the technical nature of the proposed amendments related to pole size. Note that poles in subpart 5 areas will continue to be subject to district plan rules.

NEW OR EXISTING TELECOMMUNICATION POLES IN THE ROAD RESERVE						
Adjoining zone	Proposal permits installation of a new pole	Pole size standard (height × width) (metres)	Pole height for co-location (metres)	Headframe size standard (metres)	Panel antenna size standard	Dish antenna size standard
Residential zones <ul style="list-style-type: none"> • Large lot residential zone • Low-density residential zone • Settlement zone • Māori purpose zone • General residential zone • Medium-density residential zone • High-density residential zone 	Yes	20 × 0.9	No	1.6*	<p>The width of a non-dish (panel) antenna must not exceed 0.7 metres (with a headframe) in all zones.</p> <p>The notional envelope of each panel antenna per operator (without a headframe) must not exceed 5.0 metres in length × 1.2 metres wide in all zones.</p>	<p>The diameter of a dish must not exceed 0.6 metres in all zones.</p> <p>The protrusion distance must not exceed 0.8 metres in all zones.</p> <p><i>(A ‘protrusion distance’ is the amount by which a dish antenna extends out from the edge of the pole.)</i></p>
Local centre zone	Yes	20 × 1.5	25	2.5*	<i>(A ‘notional envelope’ is the smallest ‘theoretical’ cylindrical shape within which all non-dish antenna must fit.)</i>	
Neighbourhood zone	Yes	20 × 1.5	25	2.5*		
Open space zones <ul style="list-style-type: none"> • Natural open space zone • Sport and active recreation zone 	Yes	25 × 1.5	30	1.6*		

NEW OR EXISTING TELECOMMUNICATION POLES IN THE ROAD RESERVE

Adjoining zone	Proposal permits installation of a new pole	Pole size standard (height × width) (metres)	Pole height for co-location (metres)	Headframe size standard (metres)	Panel antenna size standard	Dish antenna size standard
Metropolitan zone	Yes	25 × 1.5	30	2.5*		
Mixed-use zone	Yes	25 × 1.5	30	2.5*		
Town centre zone	Yes	25 × 1.5	30	2.5*		
City centre zone	Yes	25 × 1.5	30	2.5*		
Commercial zone	Yes	25 × 1.5	30	4.5		
Large format retail zone	Yes	25 × 1.5	30	4.5		
Special purpose zones <ul style="list-style-type: none"> • <i>Airport zone</i> • <i>Corrections zone</i> • <i>Future urban zone</i> • <i>Hospital zone</i> • <i>Port zone</i> • <i>Stadium zone</i> • <i>Tertiary education zone</i> 	Yes	25 × 1.5	30	2.5*		
Industrial zones <ul style="list-style-type: none"> • <i>Light industrial zone</i> • <i>General industrial zone</i> • <i>Heavy industrial zone</i> 	Yes	25 × 1.5	30	4.5		
Rural zones <ul style="list-style-type: none"> • <i>General rural zone</i> • <i>Rural production zone</i> • <i>Rural lifestyle zone</i> 	Yes	35 × 1.7	40	4.5		

NEW OR EXISTING TELECOMMUNICATION POLES *OUTSIDE* OF THE ROAD RESERVE⁴⁰

Zone	Proposal permits installation of a new pole	Size standard (height x width) (metres)	Pole height for co-location (metres)	Headframe size standard (metres)	Panel antenna size standard	Dish antenna size standard
Residential zones <ul style="list-style-type: none"> • <i>Large lot residential zone</i> • <i>Low-density residential zone</i> • <i>Settlement zone</i> • <i>Māori purpose zone</i> • <i>General residential zone</i> • <i>Medium-density residential zone</i> • <i>High-density residential zone</i> 	No					Dish on existing poles: 0.6-metre diameter dish 0.8-metre protrusion distance
Local centre zone	Yes	20 × 1.5	25	2.5*	1.0	1.2
Neighbourhood zone	Yes	20 × 1.5	25	2.5*	1.0	1.2
Open space zones <ul style="list-style-type: none"> • <i>Natural open space zone</i> • <i>Sport and active recreation zone</i> 	No				1.0	1.2
Metropolitan zone	No				1.0	1.2
Mixed-use zone	Yes	25 × 1.5	30	2.5*	1.0	2.0
Town centre zone	No				1.0	1.2
City centre zone	No				1.0	1.2

⁴⁰ For zones where new poles are not permitted outside the road reserve (residential, open space, special purpose, city centre, metropolitan and town centre zones), district plan rules will continue to apply. For existing poles in these zones, the existing rules in the NES-TF – in regulations 31 and 33 permitting changes to the height, width and headframe for a pole – will largely be retained.

NEW OR EXISTING TELECOMMUNICATION POLES *OUTSIDE* OF THE ROAD RESERVE⁴⁰

Zone	Proposal permits installation of a new pole	Size standard (height x width) (metres)	Pole height for co-location (metres)	Headframe size standard (metres)	Panel antenna size standard	Dish antenna size standard
Commercial zone	Yes	25 × 1.5	30	4.5	1.0	2.0
Large format retail zone	Yes	25 × 1.5	30	4.5	1.0	2.0
Special purpose zones <ul style="list-style-type: none"> • <i>Airport zone</i> • <i>Corrections zone</i> • <i>Future urban zone</i> • <i>Hospital zone</i> • <i>Port zone</i> • <i>Stadium zone</i> • <i>Tertiary education zone</i> 	No				1.0	2.0
Industrial zones <ul style="list-style-type: none"> • <i>Light industrial zone</i> • <i>General industrial zone</i> • <i>Heavy industrial zone</i> 	Yes	25 × 1.5	30	4.5	1.0	2.0
Rural zones <ul style="list-style-type: none"> • <i>General rural zone</i> • <i>Rural production zone</i> • <i>Rural lifestyle zone</i> 	Yes	35 × 6	40	6	1.0	2.0

* Applies to poles with a minimum height of 15 metres.