

Addendum to recommendations and decisions for National Environmental Standards for Telecommunication Facilities

Under section 44(2)(b) of the Resource Management Act 1991, the Minister Responsible for RMA Reform made further decisions on the proposed National Environmental Standards for Telecommunication Facilities (NES-TF) following their original decisions outlined in the *National Environmental Standards for Electricity Transmission Activities and National Environmental Standards for Telecommunication Facilities: Report on Recommendations and Decisions*.¹

Overview of the changes

The changes improve the workability of the recommendations, reflecting feedback from industry stakeholders.

These included:

- clarified cabinet noise rules by retaining district plan noise limits for cabinets outside the road reserve and aligning the methodology for measuring noise with the rules that apply to cabinets within the road reserve
- removed remaining 100-metre location restrictions by removing the requirement for new antennas in the road reserve to be located within 100 metres of a neighbouring pole, providing greater flexibility for network deployment
- refined rural setback, relocation and height rules for poles by clarifying how rural setbacks apply, how baseline pole locations are identified, and how pole heights are calculated for existing poles within the 50-metre rural setback
- strengthened protections for residential areas by applying a residential boundary setback to new poles with antennas in commercial, industrial, mixed-use and centre zones adjoining residential zones, and requiring relocated poles to comply with those setbacks
- added provisions for renewable electricity generation and battery storage by permitting battery storage for certain rural telecommunications facilities and introducing a restricted discretionary activity pathway for renewable electricity generation or battery storage that does not meet permitted activity standards.

¹ Further decisions were also made on the proposed NES-ENA and that these are covered in a separate addendum titled Addendum to recommendations and decisions for National Environmental Standards for Electricity Network Activities.

Reading the addendum with the original report

The following table identifies the proposed provisions where Minister decisions differ from those in the original report on recommendations and decisions. Changes are marked using **bold** for new text and ~~striketrough~~ for deleted text. Recommendations on all other proposed provisions remain unchanged and are set out in the original report. The proposal section of the table includes the proposed provisions published in *National Environmental Standards for Electricity Transmission Activities and National Environmental Standards for Telecommunication Facilities: Report on Recommendations and Decisions*. Reference to ‘change’ means a recommendation to amend the notified proposal. The final text of the instrument may vary from officials’ recommendations as a result of legal drafting conventions.

PART 3: REGULATED ACTIVITIES AND STANDARDS

Subpart 1 – Cabinets						
Amendments to existing provisions						
NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF				
Clause	Proposed provisions	Topic	Original recommendations and decisions	Amended recommendations	Reasons for amended recommendations	Minister's decision
Regulation 25 – Noise limits for cabinet not in road reserve	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.	2. Rules on telecommunicati on antennas, cabinets, and poles	No change 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.	Change 19. Amend the proposal as follows; 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; i. i. if a building containing a habitable room is within 4 m of where the cabinet is located, the noise must be measured at a point that is: 1 m from the side of a building, or on the vertical plane on the side of the building ii. ii. In any other case, the noise must be measured at a point that is: at least 3 m from the cabinet; and 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: 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.	The change to this recommendation clarifies that district plan noise limits are still intended to apply to cabinets outside the road reserve. The limits applied may vary across districts. Officials recommend aligning the methodology for how and where noise from cabinets in and outside the road reserve is measured. This was not sufficiently clear in the original recommendation and decision.	Agreed

Subpart 2 – Antennas on poles in the road reserve

Amendments to existing provisions

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF				
Clause	Proposed provisions	Topic	Original recommendations and decisions	Amended recommendations	Reasons for amended 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	Change 20. Amend the proposal to change the regulations for new or existing poles in the road reserve by: 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).	Change 20. Amend the proposal to change the regulations for new or existing poles in the road reserve by: 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.	This is a minor consequential drafting matter. This recommendation clarifies that new antennas in the road reserve are no longer required to be located within 100 metres of a neighbouring pole while retaining the policy intent of the original recommendation.	Agreed
			Change 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	Change 22. 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	This recommendation clarifies how to identify the original location of an existing pole (ie, the baseline pole and baseline date) in the road reserve adjoining a rural zone within the 50m rural setback. This recommended change to the proposed NES-TF amendments reverts to the current wording in regulation 27(2)(a) to clarify	Agreed

Subpart 2 – Antennas on poles in the road reserve

Amendments to existing provisions

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RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Clause	Proposed provisions	Topic	Original recommendations and decisions	Amended recommendations	Reasons for amended recommendations	Minister's decision
			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	be relocated more than 5 m away from pole A's location on date A , where the 'zone adjoining the road reserve' of the existing pole is a rural zone existing pole is within the 50 metre rural setback.	that the baseline pole location is pole A's location on date A and should be read in conjunction with regulation 6 of the NES-TF (meaning of baseline pole and baseline date). This was the intent of the original recommendation.	
Regulations 27(5) and 29(4) on the pole height rules for new or existing poles in the road reserve	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. Option 1 [Government's preferred option]: a) Residential, local centre, neighbourhood centre zones – 20 m. b) Rural zone – 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). c) All other zones – 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	2. Rules on telecommunication antennas, cabinets, and poles	Change 24. Amend the proposal to specify: 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 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.	Change 24. Amend the proposal to change regulation 27(5) and 29(4) to specify: 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 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.	This recommendation clarifies the intent to include the height of a pole and all antennas within the pole height standards in Option 1 (ie, 20 m, 25 m, 35 m). Officials recommend removing recommendation (b), as this is unnecessary. The only case where poles in the road reserve are subject to a permitted height increase (and not a maximum pole height standard) is when existing poles are within the 50 metre rural setback.	Agreed
			Change 27. Amend the proposal applying the 50 metre rural setback where the 'zone adjoining the road reserve' for a new or	Change 27. Amend regulations 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	This recommendation is a drafting clarification. Recommendation 27 originally applied the 50 metre rural setback to new and existing poles in the road reserve adjoining a rural zone, when the intent is to apply the rural setback to new poles only. Specific rules	Agreed

Subpart 2 – Antennas on poles in the road reserve

Amendments to existing provisions

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

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	remain subject to district plan rules. 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 commercial zones (capped at 30 m), industrial zones and residential zones. 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).		existing pole is adjoining a rural zone, to: - remove the reference 'on a neighbouring property' - replace the term 'sensitive activities' with 'buildings used for residential or educational purposes, marae, papakāinga and places of worship.'	marae, papakāinga and places of worship as buildings subject to the setback.	relating to existing poles within the 50 metre rural setback are covered in recommendation 28.	
			Change 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: the height of the baseline pole (excluding antennas) on the baseline date² plus 5 m; or	Change 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: - the height of the baseline pole on the baseline date¹ (excluding antennas) on the baseline date plus 5 m; or - the height of the baseline pole and all antennas on the baseline date. (excluding	This amendment is recommended to correct an error in recommendation 28. Previously, the recommendation excluded antennas when measuring the height of poles. The recommendation should have retained the existing height rules in regulation 27 (5) (enabling an existing pole in the road reserve to be replaced or removed subject to the rural setback). The recommendation enables existing poles where the antennas may be stacked higher than 5 metres to be replaced on a like-for-like basis.	Agreed

² 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

Amendments to existing provisions

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			b. the height of the baseline pole on the baseline date (excluding antennas) plus the height of all existing antennas.	antennas) plus the height of all existing antennas.		
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	Change 30. Amend the proposal to: 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 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	Change 30. Amend the proposal to: 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 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:	This change is a minor drafting error whereby the word 'existing' was inadvertently added to the recommendation.	Agreed

Subpart 2 – Antennas on poles in the road reserve

Amendments to existing provisions

NOTIFIED PROPOSAL		RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF				
Clause	Proposed provisions	Topic	Original recommendations and decisions	Amended recommendations	Reasons for amended recommendations	Minister's decision
			pole in the road reserve can be the greater of: 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.	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.		

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Original recommendations and decisions	Amended recommendations	Reasons for recommendations	Minister's decision
Regulations 32(1)(a) and 33(2)(a) on new or existing poles outside of the road reserve and not in a residential zone	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. 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. 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.	3. Expanding where new or replacement telecommunication poles are permitted	Change 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: - only applies to boundaries in these zones adjoining a property zoned residential; and - does not apply to the boundary of a road.	Change 39. Amend the height-in-relation-to-boundary setback rule for new and existing poles with antennas outside the road reserve in a local centre, mixed-use, and 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). a. only applies to boundaries in these zones adjoining a property zoned residential; and b. does not apply to the boundary of a road. 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 50m rural setback, is permitted if it meets the following standards: - 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 - if the existing pole within the residential boundary setback is located within a commercial, industrial,	These recommended amendments provide greater clarity on the residential boundary setback for new, relocated and replacement poles. New poles with antennas could not be located in a height-in-relation-to-boundary setback adjoining a residential zone. This is recommended to protect residential zones from the visual amenity effects of new poles, so that they could be assessed through a resource consent process if they breach the setback. The amended recommendation extends the application of the residential boundary setback to apply to commercial, industrial and large format retail zones adjoining residential zones to provide greater protection to residential areas. Specific standards to relocate or replace existing poles are recommended to protect existing use rights, but also ensure relocating ensure these poles is not permitted if it continues to breach a residential boundary setback, requiring a resource consent. Officials do not consider that the residential setback needs to be applied within residential zones. The NES-TF does not provide regulated activity standards to permit new poles in this zone and it already enables existing poles outside of the road reserve in a residential zone to relocate by up to	Agreed

Subpart 2 – Antennas on poles outside of the road reserve

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Regulations	Proposed provisions	Topic	Original recommendations and decisions	Amended recommendations	Reasons for recommendations	Minister's decision
				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.	5 metres from the pole's original location under regulation 31(2)(a)(iii). These poles would have been subject to district plan rules which may have required a resource consent. The residential setback need not apply to rural zones because new poles are already subject to the 50 metre rural setback and specific pole modification rules will apply to existing poles.	
			Change 40. Amend the proposal to: - retain the relocation rules in regulation 33(2) of the NES-TF for an existing pole outside the road reserve in 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 - remove the relocation limits for all other existing poles outside the road reserve in a rural zone not covered	Change 40. Amend the proposal to: retain amend the existing relocation rules in regulation 33(2)(a) of the NES-TF for an existing pole with an antenna outside the road reserve in a and not in a residential rural zone (referred to as pole D) so that: 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;	This recommended change to the NES-TF amendments clarifies how to identify the replaced pole's original location (the baseline pole on the baseline date). The remainder of the recommendation reverts to the current wording in regulation 33(2)(a)(iii) to make it clear that the baseline pole location is pole D's location on date D and should be read in conjunction with regulation 6 of the NES-TF on the meaning of baseline pole and baseline date. This was the intent of the original recommendation.	Agreed

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Original recommendations and decisions	Amended recommendations	Reasons for recommendations	Minister's decision
			by (a) and for existing poles in commercial, industrial, neighbourhood centre, large format retail, local centre and mixed-use zones; and 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.	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 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 c. retain the proposal to permit existing poles outside the road reserve in other zones not covered by (a) and (b) so that where the existing pole outside the road reserve (pole D) is located is in a city centre, metropolitan, open space, special 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.		

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Original recommendations and decisions	Amended recommendations	Reasons for recommendations	Minister's decision
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 Note this excludes residential zones.	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. Option 1 [Government's preferred option]: a) Local centre or neighbourhood centre zone – 20 m with a height-in relation- to-boundary setback of 4 m and 60o recession plane b) Mixed-use zone – 25 m with a height-in-relation-to boundary setback of 4 m and 60o recession plane c) Industrial and commercial zones – 25 m d) Any other zone (excluding rural) – permit existing poles outside of the road reserve to increase by 5 m from baseline pole height (increased from 3.5 m). Option 2: 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). 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).	2. Rules on telecommunication antennas, cabinets, and poles	Change 48. Amend the proposal to specify: 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 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.	Change 48. Amend the proposal to specify: a. a. that the maximum permitted pole height for a new and existing pole with antennas outside the road reserve applies to includes the height of the pole and all antennas, except where an existing pole with antennas is subject to the 50 metre rural setback. 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.	This recommendation clarifies the intent to include the height of a pole and all antennas within the pole height standards in Option 1 (ie, 20 m, 25 m and 35 m). Recommendation 48(b) is recommended to be removed as it is unnecessary and may cause confusion for drafting.	Agreed

Subpart 2 – Antennas on poles outside of the road reserve

NOTIFIED PROPOSAL

RECOMMENDATIONS FOR AMENDMENTS TO THE NES-TF

Regulations	Proposed provisions	Topic	Original recommendations and decisions	Amended recommendations	Reasons for recommendations	Minister's decision
			Change 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 height is the greater of: 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.	Change 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: a. the height of the baseline pole (excluding antennas) on the baseline date plus 5 metres; or b. the height of the baseline pole and all antennas on the baseline date (excluding antennas) plus the height of all existing antennas.	This recommendation aligns with recommendation 28 above and clarifies the approach to determine the height of existing poles outside the road reserve in a rural zone within the 50 metre rural setback. The intent is to align how the height of existing poles are to be determined both in and outside the road reserve when within the 50 metre rural setback. Officials recommend removing part of (b), as this is unnecessary and confusing, as the intent is to count antennas when determining the height of the baseline pole on the baseline date. The revised (b) enables existing poles where the antennas may be stacked higher than 5 m to be replaced on a like for- like basis.	Agreed

Other recommendations

These recommendations relate to additional matters raised through submissions and our assessment of the proposal. They were not included in the notified proposal or our previous recommendations.

RECOMMENDATIONS FOR AMENDMENTS TO NATIONAL ENVIRONMENTAL STANDARDS FOR TELECOMMUNICATION FACILITIES			
Proposal	Recommendation	Reasons for recommendation	Minister's decision
Permitting battery storage for rural facilities already connected to small-scale REG	75. Amend the definition of 'cabinet' to include reference to a cabinet also being used to store batteries. 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.	You previously agreed in December 2025 [BRF-6930] that battery storage would be enabled to power rural facilities already connected to small-scale renewable electricity generation (solar and wind) or on-board temporary facilities. 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.	Agreed
Noncompliance with permitted activity standards for small-scale renewable electricity generation (REG)	77. Amend the proposal to include; 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 agreed in recommendation 62; and b. provide for the following matters of discretion: 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; iv. the design, appearance or scale of the renewable electricity generation or battery storage asset; v. v. the extent to which a non-compliance is due to evolving technology; and vi. vi. the measures to avoid, mitigate or remedy any adverse environmental effects.	Officials consider that non-compliance with new permitted activity standards agreed to for new small-scale renewable electricity generation standards in recommendation 62 should be a restricted discretionary activity rather than defer to district plans as previously advised. Following Plan Stop, it is likely 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.	Agreed

Topic	Recommendation	Reasons for original recommendation	Further amending recommendation	Reason for amending recommendation	Minister's decision
DECISION 77 Non-compliance with permitted activity standards for small-scale renewable electricity generation	78. Amend the proposal to include; 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: 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; 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.	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. 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.	The matters of discretion in the effects on the amenity and character of adjacent properties and the environment, and the design, appearance or scale of the REG or Battery storage be amended and combined to refer to: iii. the effects on the amenity and character of visual dominance (including impacts of bulk and scale of the facility and the self-contained power unit), noise, vibration, shadow flicker, and shading effects from the generation asset on adjacent properties and the surrounding environment; iv. impact on the existing rural character of the surrounding environment. iv. the design, appearance or scale of the renewable electricity generation or battery storage asset;	This rule applies when small-scale renewable generation or battery storage in rural areas needs consent because it does not meet permitted activity standards. These activities usually have local effects only. The amendment makes those effects clearer by focusing on visual dominance, noise, vibration, shadow flicker, shading, and rural character. This gives councils clearer guidance and still meets RMA requirements.	Agreed