



PROACTIVE RELEASE COVERSHEET

Minister	Minister Bishop	Portfolio	RMA Reform
Name of package	Phase 2 National Direction	Date to be published	10 September 2026

List of documents that have been proactively released

Date	Title	Author
23 April 2026	Final Regulatory Impact Statement: Amendments to the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016	Ministry of Business, Innovation and Employment Ministry for the Environment

Information redacted **NO**

Any information redacted in this document is redacted in accordance with the Ministry for the Environment's policy on proactive release and is labelled with the reason for redaction. This may include information that would be redacted if this information was requested under Official Information Act 1982. Where this is the case, the reasons for withholding information are listed below. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

Summary of reasons for redaction

N/A

Final Regulatory Impact Statement: Amendments to the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016

Decision sought	Final Cabinet decision (2026) to amend the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 (NES-TF).
Agency responsible	The Ministry of Business, Innovation and Employment (MBIE) and the Ministry for the Environment (MfE).
Proposing Ministers	Hon Chris Bishop, Minister Responsible for RMA Reform and Minister for Infrastructure.
Date finalised	23 April 2026

Brief description of the Ministers' regulatory proposal

This Regulatory Impact Statement (**RIS**) builds on the Interim RIS issued on 16 April 2025 prior to public consultation on the proposals in mid-2025.¹ The Minister Responsible for RMA Reform proposes to amend the NES-TF by:

- Updating the existing technical standards for telecommunication facilities to better reflect current technology and to align with the government's housing intensification goals.
- Extending the range of permitted activities to include new poles in the road reserve with fewer restrictions, and new poles outside the road reserve in specified economic zones,
- Enabling small-scale renewable electricity generation activities to power rural facilities, temporary telecommunication facilities (**temporary facilities**) and fibre installations to heritage buildings.

These changes will promote greater enablement, national consistency and efficiency in the deployment of telecommunications infrastructure. As a result, telecommunication providers will be better equipped to meet the connectivity needs of New Zealand households and businesses. These changes aim to proportionately manage environmental effects while preserving local decision-making, especially in environmentally significant areas. Officials anticipate they will result in some minor – or potentially in some districts, more than minor – cumulative adverse visual amenity effects. However, the nationwide connectivity benefits of the proposal are widespread and outweigh the typically localised costs through visual amenity effects.

¹ *Interim Regulatory Impact Statement: Amendments to the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016* (16 April 2025) < <https://environment.govt.nz/assets/Interim-Regulatory-Impact-Statement-Amendments-to-the-National-Environmental-Standards-for-Telecommunication-Facilities-2016.pdf> >.

Summary: Problem definition and options

What is the policy problem?

Context

The National Environmental Standards for Telecommunication Facilities (**NES TF**) is issued under the Resource Management Act 1991 (**RMA**) to provide for a nationally consistent planning framework for low impact² telecommunication facilities. It permits telecommunication providers to install and operate facilities without needing to seek a resource consent. Local participation is preserved in areas of natural or cultural significance (referred to as ‘subpart 5 areas’).³ The NES-TF is an important instrument with respect to telecommunications network design and is aimed at reducing consenting costs and timeframes for providers to deploy or upgrade facilities. It also reduces council consenting workloads for low impact telecommunication facilities.

The Government is currently progressing resource management reforms. This includes a large package of national direction changes under the RMA (referred to as ‘the National Direction programme’), including amendments to the NES-TF. This programme aims to unlock development for housing, enable the delivery of high-quality infrastructure and support primary sector growth while managing environmental effects.

Problem definition

The NES-TF no longer reflects the requirements for adopting modern telecommunications technologies, the pace of network upgrades, nor telecommunications to support housing intensification (such as medium density housing). Further, the scope of the NES-TF does not cover new types of activities, such as small-scale renewable electricity generation and temporary facilities. It also does not adequately provide for the installation of new facilities located outside of the road reserve in specified economic zones (such as commercial, industrial, mixed-use zones) where the visual amenity effects of new facilities are considered minor or already anticipated. As a result, the current framework for installing or upgrading facilities depends heavily on the provisions contained in 67 RMA plans.⁴ These plans vary widely in their treatment of facilities, including inconsistent planning rules, some of which require resource consents for a range of low impact facilities. This is resulting in significant costs and delays for network upgrades.

The status quo preserves local decision-making, enabling local RMA plans and resource consents to manage the visual amenity effects of telecommunication facilities which do not comply with the NES-TF. This allows communities to shape land use rules for telecommunication facilities to better reflect local values, environmental conditions, and development needs. However, this is also results in the following impacts (discussed further in Table 1 on page 20-21):

- *A slow rollout of 5G mobile services upgrades, despite significant growth in data use demand for faster services.*

² The term *low impact* relates to the individual or cumulative amenity impacts (including visual impacts and noise), radiofrequency field exposure, and earthworks. See footnote 21 on page 17 for further explanation.

³ Subpart 5 of the NES-TF states that rules in RMA plans override the NES-TF in certain environmentally significant areas. This consists of the protection of trees and vegetation in the road reserve (including significant trees), historic heritage values (including wāhi tapu), visual amenity landscapes, significant habitats for indigenous vegetation and fauna, outstanding natural features or landscapes, and places adjoining coastal marine areas, rivers and lakes.

⁴ District, regional or unitary plans.

- *Increased mobile blackspots* in cities and suburban areas where taller buildings obstruct the signal from cell towers, despite an increased number of users depending on mobile connectivity.
- *Discouraging investment in rural connectivity and resilience enhancements* due to higher deployment costs from consenting. This includes higher costs to government-funded programmes supporting such enhancements (ie, the mobile black spot fund and Lifting the Resilience of Cellular Telecommunications Networks).
- *Increasing consenting costs and inefficient network design raise the overall deployment costs for telecommunications providers*, diverting investment away from network design and build activities. These higher costs are ultimately cost recovered through service charges paid for by consumers.
- *Inconsistent RMA plan rules causing design inefficiency, delays, and added cost*. An over dependence on provisions in 67 different RMA plans creates excessive variability in the design requirements for facilities performing the same basic function. This increases manufacturing costs as each facility requires bespoke design specifications to reflect the varied RMA plan rules in different locations. See **Annex B** for a summary of varied RMA plan rules in relation to pole height as a key example of this.
- *The avoidable impact of deploying facilities in more locations*. The status quo incentivises providers to build multiple poles that meet the NES-TF standards to avoid the need for a resource consent, rather than co-locating equipment on one larger pole with a headframe. This not only results in inefficient infrastructure deployment with much higher costs but also has environmental effects from using more materials (ie, steel and concrete). This increases carbon emissions and contributes to adverse visual amenity effects from ‘clustering’ multiple poles close together.

What is the policy objective?

The proposed regulatory interventions aim to:

- Better enable modern, resilient and reliable telecommunications infrastructure that will meet New Zealanders current connectivity needs and respond to changing urban environments.
- Proportionately manage environmental effects, in particular the visual effects from the size and appearance of telecommunications infrastructure permitted by planning zones, noting that national environmental standards (**NES**) cannot permit an activity with significant adverse effects. This includes better enabling co-location.
- Maintain local decision-making authority in areas with significant environmental values and for activities with potentially significant environmental effects (ie, fuel storage).
- Enable cost-efficient and timely deployment of telecommunications infrastructure for the benefit of all New Zealanders.

What policy options have been considered, including any alternatives to regulation?

Status quo

Under the status quo, for each new or upgraded telecommunication facility, telecommunication providers must comply with resource management requirements through one of the following processes:

1. Comply with the NES-TF activity standards if the facility is a permitted activity in the NES-TF (and therefore does not require a resource consent).
2. Comply with the permitted activity rules of the relevant RMA plan if the facility is not a regulated activity in the NES-TF (and therefore does not require a resource consent).
3. Obtain resource consents for telecommunication facilities that either do not comply with the permitted activity standards in the NES-TF or the relevant RMA plan.⁵

Based on data provided by tower companies (**TowerCos**), officials estimate that at least two thirds of new mobile towers would require a resource consent under the status quo. Officials expect that the proportion of new sites requiring a resource consent would continue to increase under the status quo, at least until 2028 after Plan Stop.⁶ TowerCos have advised that even where telecommunication facilities are permitted, the status quo incentivises building more poles. This is because the NES-TF and many RMA plans do not permit larger poles with a headframe to support co-location. This leads to more pole deployment, resulting in visual amenity effects, significant cost inefficiencies, and additional embedded carbon emissions.

Under the status quo, future upgrades to telecommunication networks (eg for 5G functionality and additional battery backup for cell towers) will require resource consents. For activities not regulated by the NES-TF and managed through RMA plans, such as small-scale renewable electricity generation activities, temporary facilities and poles outside of the road reserve in specific economic zones, providers will need to adhere to rules in the relevant RMA plan. These rules often vary between RMA plans and in many cases require resource consents.

While the status quo would continue to provide a high degree of local discretion to councils to manage the environmental effects of telecommunication facilities, it will continue to result in high nationwide costs, delays and uncertainty of outcome from resource consent processes. These inefficiencies will not adequately support telecommunication providers to deploy or upgrade their facilities, thereby deterring or slowing improvements to services.

⁵ Note that regulation 14 of the NES-TF specifies that where an RMA plan permits a regulated activity under the NES-TF, if it does not comply with the regulated activity standards in the NES-TF, then it still requires a controlled activity resource consent.

⁶ 'Plan Stop' under the Resource Management (Consenting and Other System Changes) Amendment Act 2025 has put significant restrictions on councils from making plan changes until the transition to the new resource management system is complete.

Option 1 – Revising the NES-TF to update the technical standards for existing permitted activities (antennas, poles and cabinets) to reflect changes to the built and technological environment

Option 1 would update existing technical standards for existing permitted activities in the NES-TF to better reflect current technology and medium density housing (see **Table 3** for a full list of amendments). The updates consist of:

- a. *Increasing the permitted height for antenna on poles and buildings.* This would reduce the need to obtain resource consents for taller poles which are needed to address coverage gaps caused by taller permitted buildings or trees. Where it is more cost-effective, it would also incentivise providers to build fewer poles that support co-location rather than clustering multiples poles close together.
- b. *Increasing the maximum allowable antenna dimensions and updating headframe rules.* This would reduce the need to obtain resource consents for the deployment of newer technologies, enhancements to resilience and rural connectivity, and facilities that enable co-location of multiple facility operators.
- c. *Increasing cabinet sizes and amending the cabinet grouping rules.* This would reduce the need to obtain resource consents for larger cabinets to store larger batteries to enhance network resilience and support co-location.

Option 2 – Revising the NES-TF to update the technical standards for existing permitted activities (as per Option 1) together with expanding the scope of the NES-TF to permit a greater range of activities and permit activities in more locations [officials’ and Minister’s preferred option]

Option 2 would progress the amendments in Option 1 as well as expand the scope of the NES-TF to permit more types of telecommunication facilities and permit activities in more areas with fewer restrictions (see **Table 4**). This option consists of:

- a. *Permitting the installation of new poles in the road reserve with fewer restrictions.* This would remove the rule that new poles in the road reserve must be within 100 metres of existing poles in the road reserve (known as the ‘100 m rule’). While this rule provides visual amenity protections for places without existing poles in the road reserve, it impedes network design and delays deployment of facilities in the road reserve.
- b. *Permitting the installation of new poles outside of the road reserve in specified economic zones* (such as commercial, industrial, mixed-use zones). This supports more efficient deployment of telecommunications infrastructure in and around areas expected to have greater development, housing intensification and taller new buildings. The visual amenity effects of new facilities in these areas are also generally minor or anticipated.
- c. *New standards to permit temporary facilities* which are used to rapidly restore services or provide temporary connectivity especially during emergencies or when there is maintenance on permanent infrastructure. Temporary facilities are essential to support network resilience for the reliability of services provided to end users.
- d. *New standards to permit small-scale renewable electricity generation and battery storage* to power rural facilities.
- e. *New standards to permit customer connection lines to heritage buildings* and provide greater national consistency to manage the environmental effects of these facilities.

While Option 1 retains local decision-making for environmentally significant areas under subpart 5 of the NES-TF with no changes, Option 2 makes two exemptions to subpart 5: permitting temporary facilities in all environments in emergencies and customer connection lines to heritage buildings (both subject to activity standards to manage environmental effects).

Preferred option

Officials' and the Minister's preferred option is Option 2, which is reflected in the Cabinet paper. Option 2 better supports greater efficiency in deploying or upgrading more types of telecommunication facilities in more locations while managing effects. These changes to the NES-TF would make the deployment of new facilities faster and less expensive with fewer resource consents required nationwide.

Option 2 would result in some minor to potentially more than minor cumulative adverse visual amenity effects compared to the status quo, particularly in parts of the country with less enabling RMA plans for telecommunications.⁷ However, proposed activity standards in Option 2 aim to proportionately manage these effects, based on the size of the facilities, the relevant zone, and the environmental sensitivities in the receiving environment. Where works are proposed in a significant natural environment or cultural place (ie, a subpart 5 area), local decision-making for facilities is retained, which may involve more stringent RMA plan rules and require resource consents. The only exceptions to this are for temporary facilities in emergencies and fibre connections to heritage buildings. RMA plans would also continue to apply to new poles outside of the road reserve in residential, open space and special purpose zones.

What consultation has been undertaken?

The proposed amendments to the NES-TF considered in this impact assessment have been informed by both the targeted engagement undertaken in 2024 and the public consultation undertaken in 2025.

2024 targeted engagement

Between August and September 2024, MBIE officials undertook targeted engagement with key stakeholders, including telecommunication providers, local government and other resource management practitioners (including members of the New Zealand Planning Institute), on potential changes to the NES-TF. MBIE and MfE also continued to routinely engage with a working group established by the TCF. Officials provided an overview of the NES-TF proposals to all relevant Post Settlement Governance Entities (**PSGEs**). Officials also sought further engagement opportunities with several Māori representative groups but did not engage specifically on the NES-TF.

2025 public consultation

The Government publicly consulted on proposed amendments to the NES-TF as part of the [Package 1: Infrastructure and development discussion document](#), alongside proposals for other new and amended national direction instruments from 29 May 2025 to 27 July 2025. Officials conducted public engagement on the national direction proposals through webinars, forums and meetings.

⁷ See page 8, and footnotes 9 and 10 for a further information on which specific districts officials anticipate will be most affected by these adverse visual and amenity effects.

185 submissions were made on the NES-TF proposal, with 90 from organisations and 95 from individuals. Most⁸ organisations that submitted on the proposal agreed with the problem definition that the NES-TF is overly restrictive, out of date, and no longer reflects technological and built environment developments since the regulations were last reviewed in 2016.

Most of the 31 councils that submitted on the NES-TF proposal supported it, but many suggested changes. These suggested changes were to generally make the proposal less enabling and were concerned about the visual effects for residents that could see telecommunication facilities from their homes or front yards. Most of the 28 submissions from businesses and industry bodies, especially the eight telecommunication businesses, strongly supported the NES-TF proposal, but recommended further changes to make the NES-TF more enabling. The 19 submissions from organisations identified as iwi and hapū were divided, with some supporting the NES-TF proposal and some opposing.

Most of the 95 submissions from individuals opposed the NES-TF proposal, with over two thirds mainly opposed due to perceived concerns about radiofrequency field exposure limits, especially in relation to 5G mobile technology. This matter is out of scope, as the proposal did not include any amendments to regulation 55 on radiofrequency fields, which aligns with international best practice and remains fit for purpose. Many individuals were also concerned about the visual effects from telecommunication facilities, the negative environmental and cultural impacts, and the loss of localism and community voice.

Is the preferred option in the Cabinet paper the same as preferred option in the RIS?

Yes

Summary: Ministers' and agencies' preferred option in the Cabinet paper

Costs (Core information)

Monetised costs

Small transitional costs

Officials anticipate some relatively small, one-off administrative costs (less than \$1 million overall) to central and local government from the proposed changes to the NES-TF, as well as to telecommunication providers. Officials expect these one-off minor transitional costs would be offset by cost savings, especially for telecommunication providers. Updating the NES-TF User's Guide will also help to minimise implementation costs for local government and telecommunication providers as they familiarise themselves with the amendments. Note however that officials have limited evidence from councils and telecommunication providers on the costs associated with implementing amendments to the NES-TF.

⁸ For ease of reference, "most" means greater than 50 per cent of submitters; "many" means 26 to 50 per cent; some means "six to 25 per cent; and "few" means five per cent or less.

Possible increase in monitoring and enforcement costs to councils

Given the proposed amendments would permit more activities through the NES-TF, councils may need to spend more in order to monitor and enforce the NES-TF. Councils can recover these costs directly from telecommunication providers under the RMA where there has been a breach of the NES-TF. However, where no such breach has occurred, these costs would need to be recovered from ratepayers. Officials anticipate that these costs will be small (in the \$100,000s across all councils annually) but have limited evidence from councils on the level of these costs. Officials also cannot accurately predict the extent to which each council may increase monitoring of the NES-TF in response to the amendments.

Non-monetised costs

Cumulative visual effects

Permitting larger telecommunication facilities through the NES-TF and extending the NES-TF to apply to more activities and locations will have some cumulative adverse visual effects. This is likely to be greatest for telecommunication facilities installed in sensitive areas such as in the road reserve of residential zones or Māori purpose zones (noting this excludes protected heritage areas or visual amenity landscapes, which remains subject to local decision-making under subpart 5 of the NES-TF).

It is difficult to assess the scale of these visual impacts, given the wide variation in RMA plan rules and the site-specific nature of visual effects. It is noted that these are urban environments, where telecommunication facilities are not unexpected or inconsistent with urban surroundings. These visual effects are likely to be most pronounced (more than minor) in the 18 out of 67 territorial authorities that have the least enabling RMA plan rules for telecommunication facilities.⁹ There would likely be minor visual effects for the 12 territorial authorities with existing RMA plan rules for telecommunication facilities broadly in line with the proposed NES-TF amendments in Option 2.¹⁰ For the remaining 37 territorial authorities, the visual effects would be minor or more than minor, depending on the specific zone and activity.

Amendments to the NES-TF substantially retain existing mechanisms that provide for local decision-making on telecommunication facilities in areas of greatest environmental significance. Where subpart 5 areas are identified in RMA plans, councils will still be responsible for managing the adverse visual effects in these areas. For example, the proposed NES-TF amendments are likely to have a more than minor effect in the Queenstown Lakes District in areas not covered by subpart 5. However, since approximately 97 per cent of the Queenstown-Lakes District is classified as Outstanding Natural Landscape or Features, most parts of the district would remain subject to RMA plan rules.

Reduction community engagement, including with iwi and hapū

The NES-TF amendments will reduce the ability of councils to require consultation with affected communities, including iwi and hapū, on the installation or upgrade of telecommunication facilities. Some effects could be better managed through engagement under a resource consent

⁹ These RMA plans generally have poles height limits less than half what is proposed in the NES-TF in multiple zones. This consists of the following territorial authorities: Far North, Hauraki, Hamilton, Matamata-Piako District, Ōtorohanga, Waitomo, Taupō, Tasman, Nelson, Mackenzie, Waitaki, Waimate, Queenstown Lakes, Central Otago, Clutha, Gore, Invercargill, and the Chatham Islands.

¹⁰ These RMA plans generally only have minor infractions compared to Option 2 in the NES-TF in relation to pole heights (ie, no additional height for co-location, 5 metres or less difference in pole heights in one zone). This consists of the following territorial authorities: South Waikato, Kawerau, Hastings, South Taranaki, Masterton, South Wairarapa, Porirua, Wellington, Marlborough, Christchurch, Waimakariri, and Selwyn.

process compared to a permitted activity under the NES-TF. This will likely result in an increase in the volume of complaints from residents living close to where new poles are built. However, the proposed amendments to the NES-TF substantially retain existing mechanisms that provide for local decision-making on telecommunication facilities in areas of greater environmental significance. This includes subpart 5 areas and outside of the road reserve in residential, open space, and special purpose zones (including Māori purpose zones).

Benefits (Core information)

Monetised benefits

Significant reduction in consenting and build costs

Amendments to the NES-TF are expected to significantly reduce consenting and build costs for the telecommunications sector. Based on historical trends observed in MfE's national monitoring system, officials estimate the total cost of resource consents over the next decade for telecommunication facilities would normally be approximately \$80 to \$100 million (including \$32 to \$40 million in resource consent fees) without the proposed amendments to the NES-TF. Officials anticipate that the preferred option would reduce these costs by at least half, resulting in savings of between \$40 and \$50 million over the next decade. Furthermore, the NES-TF amendments would better enable co-location. This will incentivise providers to share infrastructure and build fewer poles, saving between \$250,000 to over \$1 million per additional site.

Potential to limit price increases

The estimated savings to telecommunication providers from the proposed NES-TF amendments has the potential to dampen price increases for consumers, as costs associated with resource consents and constrained design choices can be avoided. However, because the effects are indirect, it is not possible to accurately quantify the level of reduced cost passed through to consumers in pricing.

Reduced administrative costs for councils and therefore ratepayers

The proposed amendments to the NES-TF are expected to reduce overall complexity and burden for local government regulators. Prior to the introduction of Plan Stop, this would have reduced the need for councils to establish bespoke rules for telecommunication facilities that are not regulated activities in the NES-TF. This includes temporary facilities and small-scale renewable electricity generation that would become regulated activities in the NES-TF. This would have reduced costs from RMA plan changes. The extent to which this reduces these costs in the new resource management system depends on the extent to which the NES-TF amendments are carried across into the new resource management system, and how new standards apply to telecommunications.¹¹

Non-monetised benefits

More efficient deployment of telecommunication services

Officials anticipate that the reduced consenting and planning costs, as well as greater certainty of process and outcome for telecommunication providers from the changes, will speed up the

¹¹ In December 2025, the Minister Responsible for RMA Reform introduced two new bills to Parliament for their first reading, the Planning Bill and the Natural Environment Bill, which are expected to replace the RMA and be passed into law in mid-2026. It is anticipated the intent of the NES-TF amendments would be carried over into the new system.

deployment of a range of upgrades to telecommunication facilities. This includes the roll-out of 5G mobile services to more locations around the country, coverage improvements (including reducing potential disruptions from surrounding buildings and trees), battery upgrades for resilience, and rural connectivity enhancements. It will also contribute to a faster roll-out of the Public Safety Network (**PSN**) for emergency services, supporting safer, faster emergency response. However, it is not possible to quantify these anticipated benefits as they vary according to the future network development and individual site build specifications.

Environmental benefits from better enabling co-location and renewable electricity generation

Officials anticipate that changes that better enable co-location would reduce the use of more materials (ie, steel, concrete) that result in more CO₂ emissions that are harmful to the environment and which contribute to climate change. It is estimated that 30 to 36 tons of additional CO₂ is emitted over a 10-year period per additional mobile tower, with approximately 80 tons of concrete and 6 tons of steel per site.¹² Streamlining the consenting process for new renewable energy generators and battery storage in rural areas is also expected to reduce carbon emissions over time.

Balance of benefits and costs (Core information)

Based on the information held, plus targeted engagement and public consultation, officials consider that on balance the benefits of the proposed changes to the NES-TF outweigh the anticipated costs.

Officials estimate that the monetised costs to local government (met by ratepayers) for the proposed amendments would mostly be small one-off costs (likely less than \$500,000 in total across all councils). There may be some small additional ongoing costs to local government and telecommunication providers should councils choose to increase the level of compliance monitoring for the NES-TF. Costs to local government associated with the transition, monitoring and enforcement would likely be offset by the reduced administrative costs and cost recovery mechanisms introduced in 2025 amendments to the RMA.¹³

Officials further expect that the monetised benefits of reduced costs to telecommunication providers (estimated to be between \$40 and \$50 million) and greater efficiency in deploying or upgrading telecommunication facilities will result in the delivery of better connectivity services to many New Zealanders. There are also potentially significant environmental benefits from better enabling co-location, but this depends on network design decisions by telecommunication providers. These benefits will come at the expense of some minor, or more than minor effects and reduced local decision-making, particularly in parts of the country with more stringent RMA plans.

Officials consider that the nationwide connectivity benefits (ie, faster, more reliable and resilient connectivity services) outweigh the localised adverse visual effects and reduction in community engagement. Local decision-making would also be retained for telecommunication facilities located in more sensitive environments, with proportionate activity standards based on zone characteristics when permitted by the NES-TF.

¹² Based on analysis by Ernst & Young Global Limited. (2023). *The sustainability contribution of the European independent TowerCos sector (Report prepared for the European Wireless Infrastructure Association)*. EY Parthenon. <<https://www.ey.com>>.

¹³ Resource Management (Consenting and Other System Changes) Amendment Act 2025 enables councils to recover costs from parties for investigating suspected breaches of national environmental standards, where a breach occurs.

Implementation

Timeframes and process

The proposed NES-TF amendments would take legal effect and prevail over RMA plans 28 days after gazettal. Councils are responsible for enforcing compliance with the NES-TF. The NES-TF amendments must be observed irrespective of whether a council does not incorporate the updated NES-TF rules into their RMA plans.

Risks

The two key implementation risks of progressing the proposed NES-TF amendments are:

Lack of adequate compliance monitoring and enforcement of the NES-TF

The proposed NES-TF changes will permit a greater range of telecommunication facilities and will thereby lessen council oversight of the installation and upgrade of facilities through resource consent processes. Consequentially, there is an increased risk of non-compliance with the NES-TF. However, officials currently have insufficient information on council monitoring to assess the scale of this risk. Some councils may also have existing compliance monitoring for activities under RMA plans that become permitted activities under the NES-TF and so may continue with these practices after implementation. Amendments to the RMA in 2025 improved cost recovery mechanisms, including allowing councils to recover costs of monitoring NES non-compliance. Officials would also issue non-statutory guidance materials to support compliance.

Ambiguous interpretation from different councils on the NES-TF amendments

If there is ambiguity in how the NES-TF amendments are drafted, this would create implementation risk by allowing different councils to interpret and apply the provisions inconsistently. This may result in variable application across New Zealand, reducing regulatory certainty for telecommunications providers. Inconsistent interpretation can lead to delays, increased compliance costs, and a higher likelihood of disputes or appeals. Over time, this undermines the objective of nationally consistent settings and may discourage timely investment in network deployment and upgrades. This risk would be mitigated by undertaking targeted testing of the NES-TF drafting with a small pre-determined group of industry and council practitioners to test the workability of the changes before finalising the NES-TF amendments. It would also be mitigated by issuing non-statutory guidance materials to support greater consistency in how the amendments are interpreted and applied.

Limitations and Constraints on Analysis

The scope of options to update the NES-TF limited by policy decisions

The policy mandate from Cabinet in June 2024 was to include amendments to the NES-TF as part of a proposed package within the National Direction programme aimed at better enabling infrastructure [CAB-24-MIN-0246 refers]. This was reaffirmed again by Cabinet in March 2025 as part of decisions on other changes to the National Direction programme, which agreed to progress technical changes to the NES-TF [CAB-25-MIN-0080 refers]. As a result, non-regulatory options (such as guidance for councils, voluntary standards or global consents) were not considered.

Furthermore, officials have not considered additional options that either make the NES-TF more restrictive (ie, specifying regulated activities that require resource consents), or options to deregulate the deployment or upgrade of telecommunication facilities (ie, no longer setting out

regulated activity standards). The options considered continue to permit activities subject to meeting regulated activity standards. These options aim to balance the need for a more efficient roll-out or upgrade of telecommunication facilities while managing environmental effects proportionately and retaining local decision-making in more sensitive environments. As a result, officials have not considered substantive changes to subpart 5 of the NES-TF.

Limited quantitative data on costs and benefits

Quantitative and qualitative information on costs and benefits of options has largely been gathered through public consultation and targeted engagement with the telecommunications sector, local government and RMA practitioners. Most of the information on the costs of the status quo have been provided directly by the sector (eg the financial costs and delays incurred for resource consents). Where possible, this has been informed by MfE's resource management consents dataset, although there may be gaps in this data.¹⁴

Furthermore, the environmental effects of the proposed changes and anticipated benefits of improved connectivity for New Zealanders have only been assessed by officials in a qualitative way. Many of the benefits have not been fully quantified because estimates provided by the telecommunications sector about anticipated benefits are indicative only and vary according to future network development. Assessment of the visual and amenity effects is based on officials' planning assessment of environmental effects and limited qualitative evidence (largely from anecdotal feedback in submissions).

Many submissions from public consultation agreed with the problem definition. However, limited additional quantitative information was provided on the costs and benefits in submissions. Most of the submitters provided qualitative assessments of the environmental or cultural effects of the proposed NES-TF amendments.

There is a risk that the visual amenity effects of the proposal may be understated. The proposed NES-TF amendments are enabling policies and may increase the presence of telecommunication infrastructure in the built or natural environment over time in ways that the status quo may have prevented. However, local decision-making will be substantively retained for environmentally significant areas including subpart 5 areas and outside of the road reserve in residential, open space and special purpose zones. Furthermore, officials have assessed that the NES-TF proposals comply with section 43A(3) of the RMA and do not permit an activity with significant adverse effects.

Transition to the new resource management system

In December 2025, the Government introduced the Planning and the Natural Environment Bills to Parliament to replace the RMA. These bills are expected to pass into law in 2026. As the legislative process is ongoing, there is still significant uncertainty over the new system, and how the transition between the two systems would be managed. However, based on the Bills as they are currently being considered by the Environment Committee, officials anticipate that all RMA national direction instruments, including the NES-TF, and RMA plans will be in force until the end of the transition period, predicted to be in 2029.

Overall, officials do not consider there any significant limitations on this analysis.

14 See *Resource consent applications 2014-15 to 2023-24* < <https://data.mfe.govt.nz/table/104834-resource-consent-applications-2014-15-to-2023-24/>. Note that as there is no way to easily identify resource consents for telecommunication facilities. This data has been compiled by officials manually and so there may be gaps.

I have read the Regulatory Impact Statement and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the preferred option.

Responsible Manager(s) signature:



Deborah Salter
Manager
Communications Policy
Building, Resources and Markets, MBIE

30 April 2026



Michael Tucker
Manager
Infrastructure and Policy
Environmental Management and Adaptation, MfE

7 May 2026

Quality Assurance Statement	
Reviewing Agency: MfE	QA rating: Partially Meets
Panel Comment: A quality assurance panel with members from the Ministry for the Environment has reviewed the <i>Final Regulatory Impact Statement: Amendments to the Resource Management (National Environmental Standards for Telecommunication Facilitates) Regulations 2016</i>. The panel considers that it partially meets the Quality Assurance criteria. The case for national intervention is supported by cost, efficiency and infrastructure evidence, but the governance rationale for overriding local decision making is not clearly articulated. The scope of options was constrained by prior Cabinet direction, limiting consideration of genuinely alternative options. Taken together, these factors reduce the overall persuasive strength of the analysis.	

Glossary of terms

Antenna – a device that receives or transmits radiocommunication or telecommunication signals. This includes panel antennas (*depicted on the left*), dish antennas (*depicted in the middle*) and aerial antennas (*depicted on the right*).



Cabinet – a casing around equipment that is necessary to operate a telecommunication network including battery storage (*depicted on the right is an example of a Spark cabinet servicing a mobile tower*).



Co-location – where a pole, headframe, cabinet or a group of cabinets is designed to carry the equipment of two or more facility operators.

District Plan zones – the zones provided in the National Planning Standards (2019) zone framework (Standard 8). The current version can be found online here:

<https://environment.govt.nz/assets/publications/national-planning-standards-november-2019-updated-2022.pdf>

Fibre – fibre-optic cables and associated equipment that allow optical transmission between points at very high speeds.

Headframe – a structure attached to a pole that enables more antennas to be attached to a pole (*an example of a headframe with six antennas attached is shown on the right*).



Heritage building – means a building identified in a relevant district plan or proposed district plan as being subject to historic heritage values. The corresponding meaning of ‘historic heritage’ under section 2 of the RMA still applies.

LFC – a local fibre company as defined in section 156AB of the Telecommunications Act 2001. There are four LFCs: Chorus, Tuatahi First Fibre Limited, Enable Networks Limited and Northpower Fibre Limited.

MDRS – the Medium Density Residential Standards introduced in 2021 under the RMA include requirements, rules, density standards, objectives and policies for specified local authorities to incorporate medium density housing development into their RMA plans. This includes allowing for residential intensification of up to three storeys.

MNO – mobile network operator. There are three major MNOs in New Zealand: 2 Degrees Mobile Limited (**2Degrees**), One New Zealand Group Limited (**One NZ**), and Spark New Zealand Limited (**Spark**). The term MNO also includes the Rural Connectivity Group (**RCG**), separately defined below.

NES – national environmental standards, which are secondary legislation (regulations) prepared by central government to establish nationally consistent rules or methods in accordance with sections 43 and 44 of the RMA.

NPS – national policy statements, which are prepared by central government in accordance with sections 45 to 55 of the RMA to provide policy on matters of national significance.

Notional envelope – this means the notional cylindrical shape within which all non-dish antennas attached to the pole would fit. This includes any shroud casing (a covering for antennas and other equipment to help protect and reduce visual effect) but excludes any mount or ancillary equipment.

Pole – a pole, mast, lattice tower, or similar structure, of a kind that can be used (with or without modification) to support antennas. This may include electricity poles or poles with streetlights (*depicted on the left is a common example of a monopole with antennas, on the upper right is an example of antennas installed on a streetlight pole and on the lower right is a lattice tower, more commonly found in rural areas*).



PSGE – post-settlement governance entity is the legal entity ratified by an iwi to receive, hold and manage Treaty of Waitangi settlements from the Crown.

PSN – the Public Safety Network is a nationwide, secure digital communications system for frontline emergency services (ie, ambulance, fire and police) allocated approximately \$1.4 billion over 10 years by the Crown. It is administered by Next Generation Critical Communications. Its cellular services are delivered by Hourua (a joint venture between Spark and One NZ), while the digital land mobile radio network is being delivered by Tait Systems NZ.

RCG – the Rural Connectivity Group is a joint venture between the MNOs Spark, One NZ and 2degrees formed in 2017. The RCG is responsible for building, owning and operating a shared rural mobile network that delivers mobile and wireless broadband to remote and underserved areas.

RMA – the Resource Management Act 1991. The RMA is New Zealand’s primary source of environmental and planning law.

RMA Plans – means district, regional or unitary plans.

Road reserve – a formed legal road and any land next to it up to the legal boundary of the adjoining land.

SSREG – small-scale renewable electricity generator, which means renewable electricity generation (solar or wind) where the primary purpose is to provide electricity for on-site use at a telecommunication facility.

Telecommunication provider – for the purpose of this regulatory impact statement, the term telecommunication provider is used to refer to a facility operator that is subject to the NES-TF. This includes a network operator (as defined in section 5 of the Telecommunications Act 2001), the Crown or a Crown agent. It may be shortened to ‘provider’ in this RIS.

TowerCo – tower companies, which since 2022 have operated passive mobile tower infrastructure assets formerly owned by MNOs. The largest TowerCos are Connexa (for Spark and 2Degrees) and FortySouth (for One NZ).

WISP – wireless internet service providers are regional telecommunication providers that predominantly offer internet access using fixed-wireless technology, with some expanding into fibre.

Section 1: Diagnosing the policy problem

What is the context behind the policy problem?

The critical nature of telecommunications networks in New Zealand

1. Telecommunications networks are critical national infrastructure that underpin many aspects of socio-economic activity. These networks are essential to conduct business, operate other critical infrastructure and deliver key services such as education, health, finance and government services. Most telecommunication providers are also lifeline utilities under the Civil Defence and Emergency Management Act 2002,¹⁵ playing a critical role during and after emergencies, and supporting better public health and safety outcomes.
2. New Zealand households and businesses continue to depend on telecommunications networks, and their reliance has increased significantly over the past decade. Since the last update of the National Environmental Standards for Telecommunication Facilities (**NES-TF**) in 2016, there has been:
 - a. Further widespread smartphone adoption.¹⁶
 - b. The rollout and uptake of faster networks (ie, 5G¹⁷ and fibre broadband).
 - c. The proliferation of data-intensive services like high-definition streaming, social media and open-source artificial intelligence (**AI**), which have seen continual exponential growth in data demands.¹⁸
 - d. A societal shift towards remote working and services using digital platforms.
 - e. Greater expectations for rural connectivity and resilience.
3. A series of natural disasters and states of emergency since the last update to the NES-TF in 2016 (including the Kaikoura earthquake in 2016, Covid-19 and North Island Severe Weather)

¹⁵ See Schedule 1 Lifeline Utilities, Part A, Specific Entities, Civil Defence and Emergency Management Act 2002.

¹⁶ The AUT Research Repository (2015/2016): The "Internet in New Zealand 2015" report (published in April 2016) found that 75 per cent of households had a smartphone in 2016. See <https://openrepository.aut.ac.nz/items/bfa1e8e2-edae-48fe-94ff-c75cd062117c>. Global System for Mobile communications Intelligence's data suggests that as of January 2025, 99.9 per cent of mobile connections in New Zealand can now be considered 'broadband', which means that they connect via 4G or 5G mobile networks. See <https://datareportal.com/reports/digital-2025-new-zealand#:~:text=Mobile%20connections%20in%20New%20Zealand,4G%2C%20or%205G%20mobile%20networks>.

¹⁷ In 2016, 5G services were still at trial stage but by mid-2024, 5G penetration in New Zealand was approximately 22 per cent (the proportion of time mobile users spend connected to 5G networks), with projections to reach 95 per cent by 2030. See *The Mobile Economy Asia Pacific 2024* report by GSMA (2024) <https://www.gsma.com/solutions-and-impact/connectivity-for-good/mobile-economy/wp-content/uploads/2024/07/240724-Mobile-Economy-Asia-Pacific-2024-FINAL.pdf> page 9.

¹⁸ Global mobile network data traffic increased from around 7 exabytes (EB) per month in mid-2016 (Ericsson Mobility Report, June 2016) to approximately 126 EB per month by the end of 2024 (Ericsson Mobility Report, November 2024), representing more than a fifteen-fold increase over the period. Ericsson. (2016). *Ericsson Mobility Report: June 2016*. <https://www.ericsson.com/en/reports-and-papers/mobility-report/reports>; Ericsson. (2024). *Ericsson Mobility Report: November 2024*. <https://www.ericsson.com/en/reports-and-papers/mobility-report/reports>. Telecommunications industry experts widely expect mobile network data demand to increase by around four to fivefold over the next decade, with Ericsson forecasting that global mobile data traffic will more than double between 2024 and 2029, and will continue growing at a compound annual growth rate of roughly 16 to 20 per cent into the early 2030s, driven by AI, video, new data-intensive application and 5G adoption.

has brought to light the need for resilient telecommunications services during emergencies and to support response and recovery efforts.

Types of telecommunications technology

4. Telecommunications networks broadly fall into two main types:
 - a. *Fixed broadband* – such as fibre, copper and fixed wireless technologies provided by mobile network operators (**MNOs**) and wireless internet service providers (**WISPs**). These assets provide broadband internet connectivity to households and businesses.
 - b. *Mobile* – mobile connectivity is delivered over cellular networks using fourth and fifth generation technologies (4G and 5G)¹⁹, enabling people to make voice calls, send texts and access internet on the go.
5. Telecommunication providers must comply with the Resource Management Act 1991 (**RMA**) to be able to install, maintain and upgrade their network infrastructure.
6. Under the Telecommunications Act 2001, telecommunication providers have a right to occupy the road reserve with support structures (ie, poles), antennas, cabinets and cables.

Background to the NES-TF

7. The NES-TF was introduced in 2008 under the RMA as secondary legislation. A national environmental standard (**NES**) may: allow an activity (including permitting an activity, meaning that it does not require a resource consent); prohibit an activity; or require that an activity be subject to a resource consent, which includes specifying the conditions under which consent may be granted. Where an activity has significant adverse environmental effects, a NES cannot provide for the activity as a permitted activity (ie, it cannot specify that a resource consent is not required).²⁰

Objectives of the original NES-TF 2008

8. The policy objective of the NES-TF 2008 was to provide for a nationally consistent planning framework for low impact telecommunications infrastructure in road reserves.²¹ The NES was to assist in network design, reduce compliance costs and timeframes for service providers (which in turn would reduce costs and timeframes for providing new services to consumers) and reduce council workloads to process consent applications. It also aimed to set an appropriate balance between local participation in community planning and cost-effective national infrastructure investment.
9. The regulations permitted a limited range of low impact telecommunication facilities in road reserves, provided they complied with the relevant activity standards. Standards covered

¹⁹ All MNOs completed shut down of their 3G networks in March 2026. The development of 6G networks is still in the early stages and not expected to begin commercially until the 2030s.

²⁰ Section 43A(3) of the RMA.

²¹ There is no technical definition for what 'low impact' means in the context of the NES-TF, or previous policy decisions (including the RIS for the NES-TF 2008 or the NES-TF 2016). The main emphasis when referring to 'impacts' is the individual or cumulative visual amenity impact of telecommunication facilities, in relation to their location, size and bulk, and the appearance of equipment (eg whether a pole has a headframe and the number of antennas attached). Other effects include noise and radiofrequency field exposure, managed through incorporated New Zealand Standards (**NZS**) and earthworks, largely managed through RMA plans. There are also the environmental impacts of building or upgrading a facility, which may include noise, dust and disruptions (such as roadworks), managed through RMA plans and the National Code of Practice for Utility Operators' Access to Transport Corridors. References to 'impacts' throughout this RIS mainly relate to the individual or cumulative visual amenity impacts of a telecommunication facility, unless specified otherwise.

radiofrequency fields generated by antennas, the installation of roadside cabinets and the addition of antennas to existing structures (such as light poles). The 2008 NES-TF originally limited its application to telecommunication facilities in the road reserve because it was deemed to be a 'low risk' setting for the first use of national standards for telecommunications. There were also highly inconsistent RMA plan rules for roadside cabinets, poles and antennas.

Amendments to the NES-TF in 2016

10. A review of the NES-TF in 2013 found that while it had mostly met initial objectives, it had not kept pace with technological changes in the rapidly evolving telecommunications landscape. For example, the NES-TF 2008 did not support a range of rural connectivity enhancements and modern technologies, such as 4G, and was causing inefficient network deployment due to inconsistent local consenting requirements.
11. Subsequently, the NES-TF was updated to significantly expand the scope of permitted activities beyond the road reserve to include telecommunication facilities on buildings and private land, replacement and upgrading of poles, co-location of antennas, new rural poles, small cells, and telecommunications lines, all with different conditions by zone type. This activity coverage provided greater national consistency in planning rules and enabled a faster, more efficient rollout of telecommunications infrastructure and new technologies.
12. The NES-TF 2016 supported the Government's Ultra-Fast Broadband (**UFB**), Rural Broadband Initiative (**RBI**) and Mobile Black Spot Fund (**MBSF**) programmes.

How the current 2016 NES-TF works

Permitted activity standards

13. The NES-TF currently provides regulated activity standards for the installation and operation of antennas, cabinets, poles and telecommunication lines (ie, fibre and copper cables). It permits these regulated activities if they meet the permitted activities standards, meaning a resource consent is not required. Most activity standards control the size of a facility or restrict where it can be installed. There are also noise limits for cabinets, and all facilities that generate radiofrequency fields are subject to New Zealand Standards that are incorporated by reference into regulation 55 of the NES-TF.

Activities not permitted or regulated by the NES-TF

14. Where a facility operator cannot meet the regulated activity standards, Part 2 of the NES-TF defers decision making to RMA plans. However, non-compliance with regulation 55 (radiofrequency fields) triggers a non-complying activity status, meaning that a gateway test under section 104D of the RMA must be met. Regulation 14 specifies that where an RMA plan permits any other regulated activity, if it does not comply with the regulated activity standards in the NES-TF, it still requires a controlled activity resource consent.
15. The NES-TF does not provide regulated activity standards for all telecommunication facilities in all locations. For example, it only permits the installation of new poles in the road reserve and outside of the road reserve in a rural zone, or the replacement of an existing pole. New poles outside of the road reserve which are not in a rural zone are subject to RMA plan rules which enable local decision-making to manage the effects of these activities. See **Annex B** for a summary of the 67 varied RMA plan rules on pole heights in different zones.

16. The NES-TF also does not provide activity standards for temporary facilities or self-contained power units (including renewable electricity generators). These are subject to RMA plan rules, or default to a discretionary activity status if the RMA plan is silent.

Application of RMA plan rules to regulated activities in the NES-TF

17. Subparts 5 and 6 of the NES-TF specify areas where RMA plan rules can be more stringent than the NES-TF for regulated activities.
- a. Subpart 5 is largely premised on the 'Matters of National Importance' identified in section 6 of the RMA. This is one of the primary mechanisms in the NES-TF to ensure that the most sensitive areas identified in RMA plans are protected and subject to local decision-making. While there is no official nationwide map of subpart 5 areas, they affect a substantial proportion of the country's land area.²² Subpart 5 covers:
 - i. Trees and vegetation in the road reserve, including significant trees.
 - ii. Historic heritage values (including wāhi tapu).
 - iii. Visual amenity landscapes.
 - iv. Significant habitats for indigenous vegetation and fauna.
 - v. Outstanding natural features or landscapes (**ONLs**).
 - vi. Places adjoining coastal marine areas, rivers and lakes.
 - b. Subpart 6 requires earthworks to be carried out in accordance with the relevant regional rules. Regulation 25 also requires telecommunication providers to comply with district rules on noise for cabinets outside of the road reserve.
18. Applying local rules for environmentally sensitive areas and activities provides for local decision-making. This means the NES-TF does not direct planners and decision-makers as to how to manage those environments or activities.
19. Unlike other section 6 RMA matters, regulated activities in the NES-TF are not subject to any natural hazard district plan rules (as per regulation 57 in the NES-TF). This recognises that telecommunication providers are better placed to make decisions relating to natural hazard risk than councils.

Current state of New Zealand's telecommunications networks and how the status quo is expected to develop

Telecommunication providers are continuously upgrading their networks

20. Continuous investment and upgrading of telecommunications networks is essential to meet exponentially increasing data demands, support economic growth and enhance national resilience. Telecommunications networks are considered unique amongst network utilities in their requirement for more frequent renewal and replacement. Telecommunications network equipment often has a functional lifespan of just five to ten years because of rapid technological advancement and relies on thousands of small-scale, repeatable works to carry out minor upgrades.

²² This varies significantly between council and overlay type. ONLs likely make up the largest subpart 5 area by landmass. The amount of land classified as ONLs varies significantly by RMA plan. For example, some RMA plans may contain few ONLs, while others have mapped a majority of their RMA plans as ONLs (ie, Tasman District has mapped more than 70 per cent of their area as ONL and Queenstown Lakes District Council has mapped over 90 per cent).

21. **Table 1** below provides an overview of major ongoing upgrades to New Zealand's telecommunications infrastructure and how the current resource management settings (in the NES-TF and RMA plans) affect their delivery. Officials anticipate that a majority of these new or upgraded telecommunication facilities will require a resource consent under the status quo. This better enables local decision-making across 67 unique RMA plans to manage the adverse effects of telecommunication facilities, but it also slows or deters major network improvements.

Scope of current resource management reforms under the status quo

22. The Government has progressed resource management reforms in three phases:
- a. Phase 1 repealed the Natural and Built Environment Act 2023 and Spatial Planning Act 2023.
 - b. Phase 2 introduces targeted amendments to the RMA. This has included developing the Fast Track Approvals Act 2024 and a refined package of national direction changes aimed at enabling development in housing, infrastructure and primary industries (referred to as 'the National Direction programme'). In June 2024, Cabinet agreed to progress work on amendments to the NES-TF as part of these national direction changes [**CAB-24-MIN-0246 refers**]. The broader objective of the National Direction programme is to unlock development and investment in infrastructure and primary industries, while achieving good environmental outcomes.
 - c. Phase 3 is to replace the RMA with a new Planning Act and Natural Environment Act. These bills were introduced to Parliament for their first reading in December 2025 and enactment is anticipated before the end of 2026.
23. Recent national direction changes under the RMA introduced ten new or amended instruments on 15 January 2026. This included a new NPS for Infrastructure which applies to telecommunication facilities. The NPS is intended to provide policy direction for infrastructure and align with the direction of the new planning system.
24. Plan Stop generally prevents councils from notifying new plan changes until after 31 December 2027, unless an exemption applies.²³ However, officials understand from recent engagements with telecommunication providers that this national direction is starting to make it easier and faster to consent telecommunication facilities in some locations.

How this work relates to the Government's priorities for telecommunications

25. The New Zealand Government's current regulatory priorities for telecommunications are to modernise an aging regulatory framework to better support competition, innovation and nationwide connectivity. A Telecommunications Sector Regulatory Review was launched in 2025 to assess whether the Telecommunications Act 2001 and related systems (although not the RMA) remain fit for purpose amid rapid technological and market change. Its focus was to ensure regulation supports innovation, proportionate compliance obligations and effective stewardship across the sector. Cabinet decisions regarding the recommendations from review were released in March 2026 and work is underway to progress changes.

²³ The Resource Management (Consenting and Other System Changes) Amendment Act 2025 brought in changes to pause councils' work on reviewing and changing their RMA plans until legislation to replace the RMA comes into force.

Table 1: Ongoing upgrades to telecommunications networks planned under the current NES-TF and RMA plan rules

Network upgrade	Description of work and relationship to Government priorities	Issues caused by the status quo
<i>The continued rollout of 5G mobile services</i>	Tower Companies (TowerCos), who own and operate the passive infrastructure (ie, towers and cabinets) of MNOs, have significant build plans over the next decade to support the continued rollout of 5G. In 2022, Connexa and FortySouth committed to building nearly 1,500 more towers by 2032, increasing the total number of towers from approximately 3,900 to 5,300. ²⁴ Based on data provided by TowerCos, as at the end of February 2026 they have built nearly half of these towers. Each MNO has its own 5G deployment targets and only one has reported it is on track.	Telecommunications industry experts advised that the NES-TF (and many RMA plans) do not permit a range of upgrades necessary for the deployment of 5G services. This is mainly due to constraints on the size of poles, panel antennas and cabinets. 5G also requires more cell sites as it carries greater data with less range. Based on historical data from TowerCos (that shows two thirds of their new poles between 2022, and February 2026 required resource consents), it is likely that majority of new 5G sites would require resource consents.
<i>Upgrading cell sites in response to changes to the built environment</i>	Taller new buildings are more permissible under RMA plans to meet housing growth targets and support urban intensification, particularly in and around residential, commercial and mixed-use zones. This is influenced by policies such as the National Policy Statement (NPS) on Urban Development 2020 and the Medium Density Residential Standards (MDRS), which ten councils have incorporated. Such a mismatch in heights results in taller buildings obstructing signals from antennas, causing connectivity black spots. TowerCos and MNOs will need to install new facilities or upgrade existing ones to address this issue. TowerCos are making some these upgrades alongside their 5G roll-out, ensuring poles are high enough for the environment.	Size limits in the NES-TF (and many RMA plans) do not permit poles to be built high enough to exceed surrounding buildings, trees and topography. For example, the NES-TF ties the maximum pole size to the average size of existing pole infrastructure (ie, light poles, cell poles) which usually limits pole heights to between 8.5 and 13.5 m. Over half of RMA plans do not permit poles at or greater than 15 m high in residential zones and a third do not permit poles at or greater than 15 m in commercial zones. See Annex B for a summary of RMA plan rules related to pole heights. These limits are often inadequate for antennas to exceed the height of three storey or more buildings (generally 11 or 12 m high), as the top of the antennas need to be at least five metres above surrounding buildings (ie, 16 or 17 m). As a result, TowerCos either need to build more sites within the permitted activity standards or obtain resource consents.
<i>Network resilience enhancements</i>	Resilience upgrades have become more of a priority for providers following the large-scale outages in severe weather events since 2023. The Government has committed over \$10 million to co-invest with industry on battery upgrades, with the goal of increasing battery life to a minimum of 24 hours for over 300 to 350 cell sites over the next year. Providers have also invested in increasing the availability and use of temporary facilities	Industry experts have advised that the roadside cabinet size limits do not provide sufficient room to accommodate battery upgrades. This means that telecommunication providers would need to obtain resource consents to upgrade battery back-up for most sites in the road reserve. The NES-TF also does not provide activity standards for temporary facilities, meaning that providers rely on RMA plans. There is national

²⁴ See Commerce Commission's *Telecommunications Monitoring Report Pūrongo Aroturuki Torotoro Waea 2024* (30 June 2025), page 199. MNOs plan to increase 5G coverage significantly in the next few years through the reallocation of the 3G spectrum following completion of the 3G network shutdown for all MNOs in March 2026. The New Zealand Telecommunications Forum (**TCF**) estimates a total of an additional 3,500 to 4,000 new mobile sites (including towers, replacements and antennas on buildings) will need to be built or upgraded over the next decade. See: TCF, *Updating the National Environmental Standards for Telecommunications (NES-TF)*, May 2024, <https://www.tcf.org.nz/news/updating-the-national-environmental-standards-for-telecommunications-nestf>.

	to restore services during planned or unplanned outages; for example, cells on wheels (CoWs) or mobile exchanges on wheels (MEOWs).	inconsistency across RMA plans to permit these types of facilities, with different size limits, location limitations, timeframes and other conditions limiting their use.
<i>Upgrades to rural connectivity coverage and capacity</i>	The Government is continuing to support rural connectivity upgrades through its existing programmes (ie, the MBSF, RBI and Rural Capacity Upgrades programmes) which will conclude by mid-2027. TowerCos and MNOs are upgrading rural sites following 3G shutdown. Mobile coverage in rural areas is often impacted by topographic features such as trees, hills and valleys. ²⁵	Telecommunication industry experts have advised that many upgrades or new facilities in rural zones require resource consent because they cannot comply with the NES-TF. This includes poles greater than 25 m to exceed the height of shelter belts or topography. The NES-TF also does not permit the installation of new poles in the road reserve if there is not an existing pole within 100 m.
<i>The deployment of the Public Safety Network (PSN)</i>	The Government has made a \$1.4 billion, ten-year investment to create a modern, secure, and resilient critical communications ecosystem for New Zealand's frontline emergency services. The infrastructure is being built by Tait Systems NZ (Tait), which is constructing a 500+ site Land Mobile Radio (LMR) network. As of 31 December 2025, 286 of the 500+ sites have been acquired, with 97 completed and 87 under construction. The programme is expected to be complete by mid-2028, one year behind schedule.	Tait advised officials in 2024 that they would need to obtain resource consents for many of their planned LMR network sites as the NES-TF and RMA plans do not provide adequate heights for planned poles (ie, some in rural areas exceed the permitted 25 m height limit in the NES-TF and most of their residential poles need to be 15 m to exceed the height of surrounding buildings). TowerCos noted that at least seven case examples of prospective PSN sites to co-locate on their poles were not permitted by the NES-TF or RMA plans (five of which did not progress).
<i>Greater use of small-scale renewable electricity generation (SSREG)</i>	Providers are incorporating more renewable electricity into their networks to meet sustainability targets and manage rising energy demands and prices. This includes building small-scale solar panels or wind turbines to power facilities in rural areas. MNOs, including the Rural Connectivity Group (RCG), and Tait (for the PSN) also increasingly utilise these facilities to power remote, off-grid sites or to enhance resilience. The benefits of renewable electricity are bolstered through battery storage.	The NES-TF does not provide activity standards for SSREG, meaning that providers rely on RMA plans. ²⁶ RMA plans currently have inconsistent size and location limitations for these facilities, many of which do not meet the energy needs of larger telecommunication facilities in rural areas. This means that many of these facilities require resource consents.
<i>Further rollout of UFB</i>	The Government's UFB programmes made fibre available to 87 per cent of New Zealanders and uptake is currently sitting at around 75 per cent. New Zealand's largest local fibre company, Chorus, is aiming to get this to 80 per cent by 2030. LFCs and several WISPs are also continuing to expand their fibre networks where commercially viable.	LFCs have advised that generally the NES-TF is enabling of fibre expansion, but some settings increase their dependence on resource consents. This mainly relates to restrictions on roadside cabinet sizes and fibre installations to heritage buildings (ie, four out of every five RMA plans require resource consents to install fibre to heritage buildings).

²⁵ MNOs are also all investing in direct-to-cell satellite services, with One NZ already offering text and data services and the other MNOs introducing services in the coming years. These satellite services will help to address coverage gaps but are not expected to replace the need for high-capacity, low-latency performance from land-based 4G and 5G networks.

²⁶ While the NPS for Renewable Electricity Generation 2011 (Amended 2025) from January 2026 requires councils to provide for SSREG, Plan Stop means they will not introduce enabling new activity standards until after 2028.

What is the policy problem or opportunity?

26. The status quo is impeding the deployment, upgrade and resilience of modern telecommunications networks. Key permitted activity standards in the NES-TF (eg pole heights and widths, antenna and cabinet envelopes, headframe limits) do not reflect changes to the technology and built environment of 2026. For example, the NES-TF does not enable 5G upgrades, respond to urban intensification plans, or incentivise rural connectivity or resilience upgrades. It is also contributing to delays for the rollout of the PSN for emergency service providers.
27. Where activities cannot meet the NES-TF standards, telecommunication providers must obtain resource consents under 67 variable RMA plan rules. While this enables greater local decision-making to manage the adverse environmental effects (in particular, the visual effects) of telecommunication facilities, it is re-introducing the national inconsistency that the NES-TF was originally intended to reduce. Under the status quo, there is greater reliance on RMA plans managing the localised visual effects of telecommunication facilities. While this enables councils to tailor RMA plans to respond to local contexts and community preferences, it also impedes nationwide connectivity benefits from greater enablement of telecommunications infrastructure. This does not align with the Government's broader system-wide objective for resource management reform to better enable infrastructure.
28. Where an activity is not regulated by the NES-TF (eg temporary facilities, new poles outside road reserves in non-rural zones, SSREG), providers again rely on variable RMA plan rules, with many requiring resource consents or conditions that may be difficult to comply with. This regulatory fragmentation drives significant costs, delays and sub-optimal design at scale, particularly for telecommunication providers undertaking nationwide upgrade programmes including TowerCos, MNOs and LFCs.
29. Telecommunication providers advised through targeted engagements in 2024 and 2025 that they often aim to comply with the NES-TF or permitted activities in RMA plans as a path of least resistance. This risk averse provider behaviour to avoid resource consents is due to the sector's experience of high costs and delays, or the imposition of certain conditions, which result in sub-optimal designs. Where resource consents are required, providers often seek to avoid breaches that will result in public notification requirements, again due to the high costs, likelihood of delays and uncertainty of outcome associated with this. This incentive structure causes inefficiency as providers seek to build multiple short poles instead of a single, taller, co-located pole, just to avoid a resource consent. This does not align with the Government's broader system-wide objective to support good environmental outcomes.

The nature and scale of the problem

Costs and delays from resource consents

30. There is strong evidence to demonstrate that telecommunication providers face rising consenting volumes, costs and delays for thousands of relatively small, repeatable works across the country. This indicates that the NES-TF is increasingly losing currency as a regulatory mechanism that enables telecommunications infrastructure. This includes:
 - a. **Data provided by the TCF, TowerCos and MNOs** showing that:
 - i. The average cost per resource consent for telecommunication providers is \$15,000 (including the fee, additional planning and technical consultation, and administrative costs).

- ii. Since 2022, an estimated 447 of 672 (67 per cent) new mobile towers built by TowerCos required a resource consent.
 - iii. Visual landscape assessments are becoming a more common request by councils, with TowerCos requested to provide these as part of 11 resource consents in the 2024/25 financial year (increased from three in the 2023/24 financial year). This can add significant cost to a project (approximately \$8,000 per site) and time (usually at least a month).
 - iv. Examples of some protracted resource consent applications of routine poles (permitted by some other RMA plans) being notified – subject to limited or public consultation – are costing more than \$100,000 (see case study 1 in **Annex A**). The risk of incurring these sorts of costs creates a high level of uncertainty for providers in parts of the country with more restrictive rules.
- b. **MfE’s national monitoring system**²⁷ corroborates the data provided by industry, showing that between the 2014/15 and 2023/24 financial years:
- i. The number of resource consent applications for telecommunication facilities nearly doubled (from 193 to 377 per year).²⁸
 - ii. The average council fees for telecommunication facilities rose by more than 120 per cent (98 per cent in real terms)²⁹, from approximately \$1,800 to \$4,000.
 - iii. Total consenting fees alone for telecommunication facilities were approximately \$6 million over the decade, with the 2023/24 financial year making up approximately a quarter of this at nearly \$1.5 million.
 - iv. The average timeframe for resource consents for telecommunication facilities in 2023/24 was 18 statutory days. However, this does not factor in the additional time taken for telecommunication providers to respond to requests for additional information, where the statutory clock stops. Two per cent of applications (44 resource consents) took more than 50 statutory days and seven applications took more than 100 statutory days.
31. Independent research by the New Zealand Infrastructure Commission published in 2021 concluded that New Zealand spent much more on planning and consenting for smaller projects relative to other countries assessed.³⁰ This study found that for smaller projects costing less than \$200,000, consenting averaged 16 per cent of a project’s costs (compared to 5.5 per cent for an average infrastructure project). Telecommunication providers advise that these smaller projects are making up a larger component of their upgrades as part of the rollout of 5G. The high costs for these smaller projects often delay or in some cases prevent upgrades. The report

²⁷ See Resource consent applications 2014-15 to 2023-24, <https://data.mfe.govt.nz/table/104834-resource-consent-applications-2014-15-to-2023-24/>. Note that there is no way to easily identify resource consents for telecommunication facilities. This data has been compiled by officials manually and so there may be gaps.

²⁸ Note that the national monitoring system does not provide data on the number of new or upgraded facilities permitted through the NES-TF or RMA plans. Therefore, it is not possible to calculate the proportion of facilities that required resource consents. While we note that this increase in resource consents is likely to be partly attributed to more facilities being built or upgraded, it still demonstrates the significant increase in resource consents and costs associated with this.

²⁹ Based on data from Stats NZ, the cumulative inflation increase (Consumer Price Index) in New Zealand between the 2014/15 and 2023/24 financial years was approximately 22 per cent.

³⁰ Moore et al., 2021, *The cost of consenting infrastructure projects in New Zealand*. Sapere Research Group; New Zealand Infrastructure Commission Te Waihangā. <https://tewaihang.govt.nz/media/py0p420w/the-cost-of-consenting-infrastructure-projects-in-new-zealand.pdf>.

also highlighted high consultant and legal fees, making up 70 per cent of infrastructure providers' \$1.29 billion annual spend on resource consents.

The extent of national inconsistency and inefficiencies through RMA plans

32. Under the status quo, telecommunication providers are heavily reliant on RMA plans providing for a greater level of local decision-making. It means that RMA plans are the primary mechanism for balancing the level of enablement for telecommunications infrastructure with managing environmental effects of telecommunications infrastructure and responding to community preferences. However, this is resulting in wide variation across the 67 RMA plan rules to manage the effects of critical national infrastructure and driving significant nationwide costs.
33. The lack of national consistency under the status quo means that providers experience greater challenges to purchase nationally consistent assets (eg manufactured poles, cabinets and antennas). Providers resort to preparing bespoke designs for each site to meet the permitted standards in each RMA plan, to avoid a resource consent. The average cost of manufacturing, planning and constructing facilities is consequentially driven up, resulting in an inefficient deployment strategy.
34. Where providers opt to comply with the NES-TF or RMA plans to avoid resource consent requirements, this either:
 - a. compromises the benefits of an upgrade (for example limiting coverage of upgrades), or
 - b. results in inefficient construction whereby providers build two or more poles rather than co-locating antennas of multiple facility operators on the same pole.
35. As shown in **Table 2** below, Connexa estimates that 89 of their telecommunication poles are within 50 metres of at least one other Connexa pole, and 266 are within 50 metres of another facility operator's pole.

Table 2: Connexa poles within 50 metres of other telecommunications poles³¹

Proximity to other poles (within 50 m)	Connexa poles near Connexa poles	Connexa poles near other operators' poles
1 other pole	74	237
2 other poles	13	22
3 other poles	2	7
Total	89	266

36. These inefficiencies create additional costs of between \$250,000 to over \$1 million per site (based on cost ranges provided by TowerCos). This demonstrates the scale and costs associated with clustering poles incentivised by the status quo, rather than building one larger pole with a headframe that supports co-location. It also results in an estimated 30 to 36 tons of additional CO2 emissions over a 10-year period per additional mobile tower, with approximately 80 tons of concrete and 6 tons of steel per site.³²

³¹ This is based on data provided by Connexa in April 2026 and excludes rooftop facilities.

³² Based on analysis by Ernst & Young Global Limited. (2023). *The sustainability contribution of the European independent TowerCos sector* (Report prepared for the European Wireless Infrastructure Association). EY-Parthenon. <https://www.ey.com>.

37. The status quo also puts increased pressure on the 67 territorial authorities to develop their own RMA plan rules relating to telecommunication facilities not permitted or regulated by the NES-TF, as new technologies emerge. While Plan Stop has temporarily ceased a majority of RMA plan changes, these issues may persist in the new planning system. It also increases the cost and workload of territorial authority staff to process consent applications.

Impact of the status quo on New Zealanders

38. While the status quo provides for a greater level of local decision-making to manage the adverse environmental effects (notable visual effects) from telecommunication facilities and enable network improvements (ie, 5G upgrades), it is resulting in the following significant trade-offs:
- a. **Slowing or deterring upgrades to telecommunications networks.** *Table 2* below provides a more detailed overview on the scope and scale of this problem, including available evidence.
 - b. **Price increases**, passed through charges onto customers, resulting in cost-of-living implications for New Zealanders. By international standards, connectivity in New Zealand is generally considered affordable and good value — but affordability varies by income and location. The Digital Equity Coalition Aotearoa reports that many low-income households cannot afford internet access, a problem that has worsened with the cost-of-living crisis.³³

Other evidence of the problem definition

39. A report from 2023 by 4Sight Consulting (now called SLR Consulting) for the New Zealand Infrastructure Commission supports officials' assessment of the problems with the current NES-TF. This report determined that the NES-TF was no longer adequate to meet the connectivity, resilience and technology needs of New Zealanders. The report concluded that urgent, targeted amendments are required to address current consenting barriers and enable deployment of modern infrastructure. See **Annex C** for a summary of this report.

³³ Digital Equity Coalition Aotearoa (2024). *Affordable Connectivity in Aotearoa*
<https://static1.squarespace.com/static/654194d4dd28e204271eedb/t/6631823f114b520a9e79d901/1755662848344/DE+CA+Affordable+Connectivity.pdf>.

Table 2: Assessing the scale of impacts on New Zealanders from issues caused by the current NES-TF

Issue	Scale of the problem	Evidence
Slower rollout of 5G capacity and coverage – Limits on the size of poles, antennas (including small cell units) and cabinets in the NES-TF are not fit for purpose, which means that minor 5G upgrades require resource consents, contributing to delays.	This has widespread impacts on all of New Zealand’s ability to have faster connectivity, innovation and reliable performance from the deployment of 5G, including adoption of AI capabilities. This is necessary to meet exponential growth in data demands and equitable access to digital services for businesses and households.	Average 5G mobile population coverage across the country was 40 per cent as at the end of 2024. ³⁴ New Zealand’s 5G availability in June 2023 was ranked nearly the lowest out of OECD countries (49 out of 56 countries, and 27 out of 28 OECD countries surveyed). ³⁵ Technical limitations of the NES-TF and RMA plans are impeding the rollout of 5G.
Increased reporting of mobile blackspots in cities and suburban areas – the NES-TF activity standards and RMA plans do not permit antennas to be located high enough over surrounding buildings, particularly three storey buildings. This also impacts TowerCos’ deployment of 5G upgrades.	There is no record of the number of instances where this has occurred and how many households or businesses are affected. However, this problem is expected to increase in scale as more medium density housing is constructed in urban areas across New Zealand. Connectivity disruptions cause significant disruptions to daily life, safety and economic activity for those affected. ³⁶	Annex B provides a summary of RMA plan rules on pole heights. This demonstrates wide variation in pole height rules that are often inadequate for the built environment, especially in residential and commercial zones. Telecommunication providers have provided several case studies of taller buildings obstructing the signal from antennas on poles (see Annex A). ³⁷
Disincentivises rural connectivity improvements – poles taller than 25 m in rural zones and most new poles in the road reserve of rural zones require resource consents due to limits in the NES-TF. Many RMA plans also require resource consents for SSREG to support off-grid sites in remote locations.	While 95 per cent of rural households and businesses are within 4G mobile coverage of at least one MNO, mobile coverage in rural areas is often impacted by topographic features such as trees, hills and valleys. The current regulatory settings deter providers from making upgrades that would require resource consents, due to the low commercial incentives and high compliance costs.	As at the end of 2024, just 12 per cent of rural households (areas without fibre) had 5G mobile coverage. The status quo is contributing to delays or deterring 5G upgrades in rural towns. It is unclear to what extent TowerCos, MNOs and WISPs will invest in further upgrades to rural connectivity, given the rollout of satellite services.

³⁴ Commerce Commission. 30 June 2025. *2024 Telecommunications Monitoring Report Pūrongo Aroturuki Torotoro Waea*. Page 15-16; and New Zealand Infrastructure Commission Te Waihanga. February 2025. *2026 National Infrastructure Plan Mahere Tūāhanga ā-Motu*. Page 159.

³⁵ Ian Fogg. *Benchmarking the Global 5G Experience — June 2023*. Open Signal <https://insights.opensignal.com/2023/06/30/benchmarking-the-global-5g-experience-june-2023#:~:text=It's%20now%20over%20four%20years,developed%20markets%2C%20scores%20range%20widely>.

³⁶ Most New Zealanders rely on terrestrial mobile coverage to contact emergency services. In 2010, nearly two thirds of emergency calls were made from mobile phones and by 2025 this had increased to over 90 per cent of emergency calls. With the withdrawal of copper line services expected to occur over the next five years, we anticipate this trend to continue to increase. While MNOs are introducing direct-to-device satellite services in the coming years, it is not clear to what extent these services will meet consumers’ needs, be available on most devices and enable 111 calling.

³⁷ Several of these case studies are discussed in TCF’s *Updating the National Environmental Standards for Telecommunications (NESTF): A briefing pack for those new to the issues* (May 2024), published online here: <https://www.tcf.org.nz/news/updating-the-national-environmental-standards-for-telecommunications-nestf>. There is also anecdotal evidence of communities in urban and suburban areas experiencing mobile blackspots. For example, in 2022 the Auckland mayor wrote to the MNOs to raise concerns about mobile coverage across Auckland, including CBD and suburban areas.

Reduced network resilience – While batteries are subject to RMA plan rules under the NES-TF, battery upgrades are often not enabled by the NES-TF due to constraints on the size of roadside cabinets in the NES-TF. SSREG for resilience also often trigger resource consent requirements under RMA plans. Temporary facilities (such as CoWs) are also difficult to deploy quickly and often RMA plans are silent on temporary facilities because this is relatively new technology. This means they may be treated as discretionary activities and subject to resource consents.	Resilience enhancements generally offer a small commercial return and so additional compliance costs may deter upgrades from being carried out. Without battery upgrades or SSREG to power rural facilities, communities are more vulnerable to communication outages during power failures or natural disasters. Difficulty in installing temporary facilities also reduces network reliability and operational flexibility to provide services during and after a civil emergency (as required by the Civil Defence Emergency Management Act 2002). Officials estimate there are at least 100 temporary facilities either deployed or in storage ready for deployment across New Zealand based on figures provided by some MNOs.	Government-backed and industry-led initiatives are currently underway to increase battery capacity to 24 hours at key locations nationwide. For example, in 2025 the Government allocated \$6.4 million to battery upgrades for 200 to 250 mobile sites over 2026 and 2027 through its programme Lifting the Resilience of Cellular Telecommunications Networks. Roadside sites will likely need resource consents which will increase the cost per site to upgrade (reducing the total number of battery upgrades funded). A review of several RMA plans demonstrates varied permitted conditions, timeframes and use cases for temporary facilities. Often providers are faced with choosing between delays to restore services or breaching RMA plan rules.
Slower rollout of the PSN – Tait advised officials in 2024 that limitations to the NES-TF and RMA plans was contributing to delays in the PSN rollout. This was largely due to the NES-TF or RMA plan limitations on the size of poles, cabinets and antennas. In late 2024, Tait advised that approximately 60 of their planned sites across the country would include SSREG.	The LMR rollout has fallen behind schedule, with completion in the final regions now pushed back by at least one year compared with earlier plans and not expected to be completed until mid-2028. As of 31 December 2025, at least 200 sites are still to be acquired out of 500+ planned site builds (and more than 300 yet to commence construction).	Officials anticipate that at least a half of the remaining 300 sites will require resource consents, costing the Crown over \$2 million. Securing land access and consents for the LMR network has taken longer than anticipated and remains a critical path risk. In June 2025, the PSN project was rated by the Treasury at the top of the ‘Top 10 reported cost pressures by value.’³⁸
Inequitable access to fibre for people living and working in heritage buildings – Fibre connections to heritage buildings must be carried out in accordance with historic heritage rules in RMA plans. These rules vary between RMA plans and are subject to different levels of restriction, with four out of every five plans requiring resource consents.	Those living in heritage buildings or businesses operating from them may not receive the benefits of high-quality digital connectivity. The effects of fibre installations to heritage buildings can be minor if carried out in accordance with good practice around altering heritage buildings.	Some providers have advised that obtaining resource consents is often costly, inefficient and constitutes a barrier to fibre broadband access. There is no specific data available about the number of heritage buildings without a fibre broadband connection and whether this is due to resource consent requirements. However, a review of 64 RMA plans demonstrates the wide variation in rules between connection types and heritage building categories, as well as conditions and activity types.

³⁸ The Treasury. *Quarterly Investment Report for the April-June 2025 Quarter*. <https://www.treasury.govt.nz/publications/information-release/quarterly-investment-report-april-june-2025-quarter>.

What objectives are sought in relation to the policy problems?

40. Officials have determined four objectives of the proposed regulatory interventions:
- a. **Objective One** – to enable deployment of modern, resilient and reliable telecommunications infrastructure that will meet New Zealanders current connectivity needs and respond to changing urban environments.
 - b. **Objective Two** – to proportionately manage the environmental effects from telecommunication facilities, in particular the visual effects from the size and appearance of telecommunications infrastructure permitted by planning zones. This includes better enablement of co-location. Note that a NES cannot permit an activity with significant adverse effects.
 - c. **Objective Three** – to maintain local decision-making authority in areas with significant environmental values and for activities with potentially significant environmental effects (ie, fuel storage).
 - d. **Objective Four** – to enable cost-efficient and timely deployment of telecommunications infrastructure for the benefit of New Zealanders.
41. To assess whether the regulatory proposals have addressed the policy problem and achieved the objectives, we would expect to see through the national monitoring system and industry data:
- a. A decrease in the number of new or upgraded telecommunication facilities requiring resource consents, reducing planning costs. This is particularly so in non-sensitive receiving environments.
 - b. Faster and greater deployment of telecommunication upgrades (such as the rollout of 5G mobile services and resilience enhancements).
 - c. Fewer connectivity blackspots in urban and suburban areas over time, as sites are upgraded and built to the height needed to exceed surrounding buildings.
 - d. Greater co-location of antennas and equipment, with less facilities needed overall.
 - e. Greater standardisation and national consistency on the regulatory rules related to the deployment of telecommunication facilities.
 - f. Potentially limiting price increases. This is because the reduced consenting and planning costs would mean providers do not need to pass these costs on, although it is not possible to measure this relative to the status quo.

What consultation has been undertaken?

42. The regulatory proposals considered in this impact assessment have been informed by both targeted engagement in 2024 and a public statutory consultation in 2025.

2024 Targeted engagement

43. Between August and September 2024, officials undertook targeted engagement with a wide range of stakeholders. This consisted of:
- a. Planners and environmental managers from telecommunication providers, including the TowerCos, MNOs, Chorus and the other LFCs, several WISPs, Tait, Tū Ātea, Kordia, Nokia, and Transpower;

- b. Local government practitioners;
 - c. The National Infrastructure Funding Financing company which administers government-funded connectivity programmes;
 - d. The Infrastructure Commission;
 - e. Representatives from the New Zealand Planning Institute (**NZPI**); and
 - f. Relevant post-settlement government entities (**PSGEs**), which are the legal, ratified bodies established by Māori claimant groups (iwi) to receive, hold and manage Treaty of Waitangi settlement assets from the Crown.
44. Officials also invited further engagement with several other Māori representative groups, including the Data Iwi Leaders Group and Papa Pounamu (a technical interest group aligned with NZPI).
45. All stakeholders that officials engaged with largely shared the above characterisation of the problem definition, expressing views that the NES-TF is overly restrictive, out of date and no longer reflects technological and urban developments. Telecommunication providers presented a range of case studies about how the current NES-TF is inadequate, which demonstrated that their over-reliance on resource consents and RMA plan rules to deploy infrastructure caused unnecessary costs and delays.³⁹
46. Some local government practitioners raised concerns on the visual and amenity effects of several technical changes to the NES-TF under consideration (mainly in relation to pole sizes, but also the dimensions of larger antennas, cabinets and headframes). This informed the development of several sub-options relating to pole heights, headframe sizes and rules for antennas on buildings for public consultation. Several local government planners also expressed support for introducing new permitted activity standards on customer connection lines to heritage buildings, temporary facilities and SSREG.

2025 Public consultation

47. The Government publicly consulted on amendments to the NES-TF as part of package 1 of the *Infrastructure and development discussion document* in the National Direction programme.⁴⁰ Consultation ran from 29 May 2025 to 27 July 2025, in accordance with section 46A of the RMA. This involved hosting webinars and forums, which provided an opportunity for discussion with various interest groups on the proposed NES-TF amendments.
48. The NES-TF proposal consulted on officials' and Ministers preferred option (Option 2 discussed further below) but also included several sub-options on specific regulated activity standards.
49. Out of the total 726 submissions received on packages 1 and 2, there were 185 submissions that included feedback on the NES-TF proposal, with 90 from organisations and 95 from individuals.⁴¹

³⁹ The TCF. *Updating the National Environmental Standards for Telecommunications (NESTF): A briefing pack for those new to the issues* (May 2024). <https://www.tcf.org.nz/news/updating-the-national-environmental-standards-for-telecommunications-nestf>.

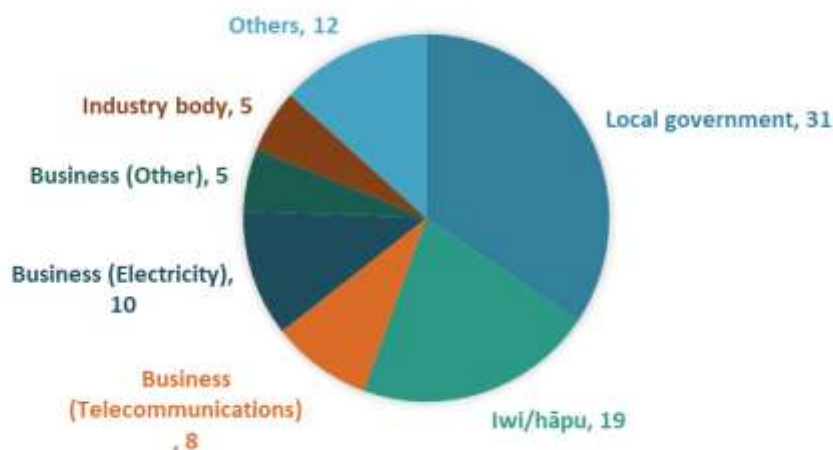
⁴⁰ MfE. *Discussion document: Infrastructure and development Package 1* (May 2025) <https://environment.govt.nz/assets/publications/RMA/package-1-infrastructure-and-development-discussion-document.pdf>.

⁴¹ The report and recommendations (including a summary of submissions) on the NES-TF proposals will be published here on MfE's website in May 2026: <https://environment.govt.nz/publications/?offset=25>.

Overview of submissions from organisations

50. Submissions from organisations can be broadly categorised into the groups shown below in **Figure 1**.

Figure 1: Number of submissions from organisations on the NES-TF proposal (by organisation type)



51. Key themes from submissions on the NES-TF proposals from organisations included:
- Recognition of the critical role of telecommunications infrastructure.** Most⁴² submissions from organisations (businesses and industry bodies, councils, and iwi and hapū) agreed with the characterisation of the problem definition. Most submitters supported the intent of the proposal to improve connectivity, with a particular focus on technological advancement, resilience and rural connectivity. However, no additional quantitative information on the costs (and benefits) was provided through public consultation as evidence of the problem definition.
 - A need to balance telecommunications infrastructure enablement and the management of adverse effects.** Most businesses and industry bodies stressed the operational need for telecommunication poles to increase in height, to provide better coverage over buildings, structures and vegetation. Most councils, iwi and hapū also recognised this need. However, most councils, iwi and hapū, and individuals also raised concerns about the visual and cultural effects associated with larger telecommunication facilities, particularly in residential road reserves or near sites of significance to Māori.
 - Support for proportionate changes to enable co-location** (ie, headframes and cabinet sizes). Most businesses and industry bodies, some councils, and iwi and hapū supported proposed changes to enable greater co-location of multiple facility operators, as they considered it more efficient than requiring multiple telecommunication facilities for different operators. However, some councils and iwi and hapū also noted the risk of adverse visual effects from changes to better enable co-location, such as larger headframes on poles.
 - Support for new proposed regulated activity standards.** Most submitters that commented on new activity standards for SSREG, temporary facilities and customer connection lines to heritage buildings supported them. This included most businesses

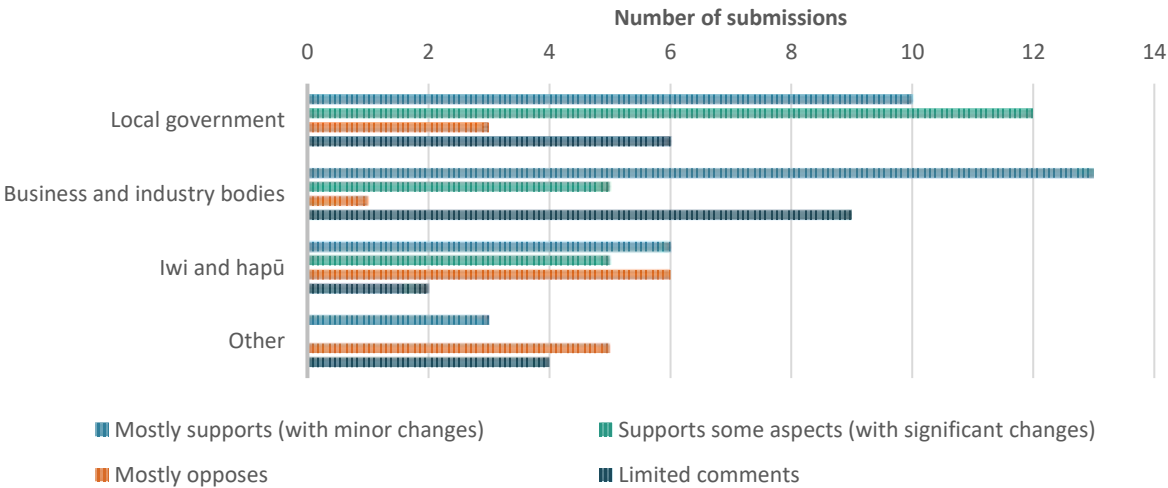
⁴² For ease of reference, “most” means greater than 50 per cent of submitters; “many” means 26 to 50 per cent; some means “six to 25 per cent; and “few” means five per cent or less.

and industry bodies, many councils, and some iwi and hapū. Many councils and many iwi and hapū suggested minor changes to mitigate adverse visual or cultural effects.

- e. **Mixed views on more enabling provisions for telecommunication poles in the road reserve.** Most submissions from telecommunication businesses noted the operational need to permit facilities in the road reserve. In contrast, many councils were concerned about the visual effects of this proposal, particularly in residential zones.
- f. **Mixed views on the adequacy of subpart 5 of the NES-TF for environmentally or culturally significant areas.** Some councils and many iwi and hapū noted the importance of retaining subpart 5 so that district plan rules continue to apply in these areas. Some councils and iwi and hapū recommended the NES-TF be more prescriptive on requirements to protect subpart 5 areas, in particular, sites of significance to Māori.

52. *Figure 2 below provides a high-level qualitative assessment of feedback from organisations based on whether they mostly supported the proposal (with only minor technical changes), had mixed views (supporting some aspects but recommending substantive changes), mostly opposed or provided limited comments.*

Figure 2: Qualitative assessment of feedback on NES-TF proposals (by organisation type)



Overview of submissions from individuals

- 53. Most of the 95 submissions from individuals opposed the NES-TF proposals, with over two thirds mainly opposed due to perceived concerns relating to radiofrequency field exposure limits and 5G mobile technology. This is set through NZS 2772.1:1999, which is incorporated by reference into regulation 55 of the NES-TF.⁴³ Many individuals were also concerned about the visual effects from telecommunication facilities and the potential impact these would have on property prices (particularly in residential areas), the negative environmental and cultural impacts, and the loss of localism and community voice.
- 54. Some individual submitters supported certain aspects of the proposal. Some welcomed the new proposed activity standards for SSREG and temporary facilities. Others endorsed aspects of the proposal promoting rural connectivity enhancements and co-location of facility operators to reduce the number of telecommunication poles needed.

⁴³ Health New Zealand and the Interagency Committee on the Health Effects of Non-ionising Fields advise that the NZS continues to align with international best practice and remains fit for purpose. The NES-TF proposal did not include any amendments to regulation 55 on radiofrequency fields, so this matter was considered out of scope.

Section 2: Assessing options to address the policy problem

What criteria will be used to compare options to the status quo?

55. The options considered have been assessed against the criteria below. This set of criteria is consistent across the national direction programme and applied with equal weighting.

Criteria	Definition
<i>Effectiveness in achieving objectives</i>	This criterion is focussed on whether an option strikes the right balance in achieving the objectives outlined above (enabling deployment of modern, resilient and reliable telecommunications infrastructure; proportionately managing environmental effects; preserving local decision-making in environmentally sensitive areas; and enabling cost-efficient and timely delivery of telecommunications infrastructure). Options should deliver net benefits to New Zealand when assessed against these objectives.
<i>Upholding the Treaty of Waitangi</i>	This criterion is focused on the effectiveness of an option to support Māori-Crown partnership, consider the principles of the Treaty of Waitangi and ensure the Crown upholds any relevant Treaty of Waitangi settlements. A Treaty Impact Assessment to support decisions to consult on proposed changes to the NES-TF has been undertaken alongside this regulatory impact statement.
<i>System alignment</i>	This criterion will assess the extent to which options integrate well with other proposals across national direction, the purpose of the RMA and wider system objectives for RMA reforms and telecommunications regulatory settings. The NES-TF has relevance to many of the other proposed new or amended national direction, including those for infrastructure, energy and urban development.
<i>Minimise implementation risks</i>	This criterion assesses the extent to which the options present implementation risks that are low or within acceptable parameters. This includes assessing whether the option is clear about what is required for implementation by local government or others, and the extent to which the option can be implemented within reasonable timeframes.

Key for qualitative judgement for each objective:

- ++ much better than doing nothing/the status quo/counterfactual
- + better than doing nothing/the status quo/counterfactual
- 0 about the same as doing nothing/the status quo/counterfactual
- worse than doing nothing/the status quo/counterfactual
- much worse than doing nothing/the status quo/counterfactual

What scope will options be considered within?

Decisions already taken by Cabinet

56. In June 2024, Cabinet agreed to include amendments to the NES-TF as part of a proposed package within the National Direction programme aimed at better enabling infrastructure

[**CAB-24-MIN-0246 refers**]. This was reaffirmed again by Cabinet in March 2025 as part of decisions on other changes to the National Direction programme, which agreed to progress technical changes to the NES-TF [**CAB-25-MIN-0080 refers**].

57. In May 2025, Cabinet invited the Minister responsible for RMA Reform to consult on proposed amendments to the NES-TF as part of *Package 1: Infrastructure and development discussion document* [**CAB-25-MIN-0151**]. Cabinet also delegated power to the Minister Responsible for RMA Reform to make final policy and drafting decisions on the National Direction programme (including the NES-TF), in consultation with relevant portfolio Ministers.
58. The National Direction programme was initially to be delivered by the end of 2025. However, the Minister Responsible for RMA Reform agreed to stagger it into three stages. The NES-TF is part of the final stage of the National Direction programme, now expected to be delivered by mid-2026.
59. The National Direction programme is intended to help drive a more efficient and effective resource management system and unlock development in infrastructure, housing and primary industries. The scope of options under consideration has also been influenced by ministerial expectations to have the National Direction changes in place as soon as possible.

Scope of options not considered

Consideration of non-regulatory options

60. Non-regulatory options were not considered because issues stem from the regulatory design of the NES-TF itself, rather than a lack of information or guidance. The NES-TF does not sufficiently enable new and upgraded telecommunication facilities needed for the modern day, and this is resulting in higher costs and delays to telecommunication upgrades through resource consents. Guidance could support better practice, but it cannot reduce the need for resource consents or ensure greater national consistency across RMA plans.

Retaining protections for environmentally significant areas

61. Officials did not consider options that would substantively change subpart 5 of the NES-TF through amendments. More stringent rules in district or regional plans to protect environmentally significant places and areas would be retained. There is separate work underway on the new planning system intended to better enable critical infrastructure in environmentally significant areas.

Scope of issues not progressed

62. The initial scope of Cabinet decisions and timeframes set by Ministers meant that several further changes to the NES-TF sought by some telecommunication providers were not prioritised and therefore were not progressed at this time. These include:
 - a. New standards on Internet of Things devices in public spaces such as smart parking systems,⁴⁴ sensing and environmental monitoring equipment, signage, and ‘communications kiosks’ to replace public telephone boxes.
 - b. New standards on the subdivision of land to build and operate a telecommunication facility.

⁴⁴ Note that amendments to the NES for Electricity Transmission Activities, introducing new nationally consistent permitted activity standards for electric vehicle charging infrastructure, will take effect on 7 May 2026.

- c. New standards on earthworks to permit installation of access tracks to a telecommunication facility.

Other issues considered out-of-scope

- 63. Changes to radio frequency exposure standards are out of scope. Under the NES-TF, telecommunication providers need to comply with NZS 2772.1:1999, which is administered and reviewed by the Ministry of Health and Health New Zealand (Te Whatu Ora). The protections for radio-frequency exposures will be maintained with no changes. The Ministry of Health and Health New Zealand advised that compliance with NZS 2772.1:1999 aligns with international best practice and remains fit for purpose.

What options are being considered?

Status quo / counterfactual

- 64. Under the status quo, for each new or upgraded telecommunication facility telecommunication providers would either need to:
 - a. **Comply with activity standards in the NES-TF so the facility is a permitted activity (and does not require a resource consent).** This is possible for the following facilities with activity standards in the NES-TF: new or replacement poles and antennas in the road reserve or outside of the road reserve in rural zones; replacement poles outside of the road reserve in all other zones; cabinets in and outside of the road reserve; and telecommunication lines. In subpart 5 areas, RMA plan rules can be more stringent than the NES-TF and require resource consents.
- 65. **Comply with RMA plan rules for permitted activities that are not regulated activities in the NES-TF.** This includes new poles outside of the road reserve that are not in a rural zone, SSREG, temporary facilities and fibre connections to heritage buildings. As demonstrated by **Annex B**, which provides a summary of the 67 varied RMA plan rules on pole heights in different zones, the permitted pole heights in RMA plans are highly variable, creating a high degree of national inconsistency. Councils would continue to amend their RMA plans individually to reflect updated telecommunication technology and changes to the built environment (subject to how the new planning system operates and after the conclusion of Plan Stop in 2028).
 - a. **Obtain resource consents for telecommunication facilities that either do not comply with the NES-TF or the permitted activity standards in RMA plans.** Telecommunication providers have indicated that their most significant issue is the inability to comply with in the NES-TF and RMA plans for pole heights and widths, resulting in the need for resource consents. This applies to both poles in the road reserve and outside of the road reserve.
- 66. Since there is no nationwide requirement for telecommunication providers or councils to report permitted activities through MfE's national monitoring system, officials do not know what proportion of new or upgraded telecommunication facilities fall into each of these three categories. However, based on information provided by TowerCos, two thirds of new mobile towers required a resource consent between 2022 and February 2026, and only a third were permitted. Officials expect that the proportion of new sites requiring a resource consent would continue to increase under the status quo, at least until 2028 after Plan Stop.
- 67. TowerCos have advised that even where telecommunication facilities are permitted, this results in them building more poles rather than co-locating equipment on one larger pole with a headframe (noting that the installation of a headframe on a roadside pole is not permitted in the NES-TF). This leads to more embedded carbon emissions, visual effect trade-offs and a

significant increase in costs (between \$250,000 to over \$1 million per additional site). Furthermore, several permitted activity standards in the NES-TF no longer support the deployment of modern technologies such as 5G (due to antenna and cabinet size restrictions) or battery upgrades to enhance resilience (due to roadside cabinet size restrictions), which will mean more future upgrades require resource consents.

68. For activities not regulated by the NES-TF and managed through RMA plans, providers have noted that this is leading to significant costs, uncertainty and delays for relatively minor routine upgrades in parts of the country with less enabling RMA plans. It also prevents national standardisation, as each site requires bespoke designs to meet RMA plan specifications, driving increased costs for nationwide providers.
69. The status quo would continue to provide a high degree of discretion to councils to manage the environmental effects of telecommunication facilities (in particular, the visual and amenity impacts). However, telecommunication providers would continue to rely on resource consents for many new or upgraded telecommunication facilities or building suboptimal facilities to avoid consent requirements. Without regulatory changes, this would continue to result in higher costs and more delays for many new or upgraded telecommunication facilities (as discussed in the problem definition in **Tables 1 and 2**). These inefficiencies would not adequately support telecommunication providers to deploy or upgrade their facilities, deterring or slowing improvements to services for New Zealand households and businesses. Telecommunication providers would likely pass on the increased costs of these inefficiencies to New Zealanders. Whether the environment would be marginally better protected or improved by the status quo depends on individual RMA plans and individual site specifications, and the extent to which co-location is enabled.

Option 1 – Technical updates to existing permitted activity standards for antennas, poles and cabinets to reflect changes to the built and technological environment

70. This option progresses a range of technical amendments to existing permitted activity standards in the NES-TF. See **Table 3** below for a detailed overview of the proposed changes. This option includes:
 - a. *Increasing the permitted height of telecommunication poles.*
 - i. Amending the permitted pole heights to allow for taller poles would help to address coverage gaps caused by the built or natural environment (eg trees and shelter belts).
 - ii. The Government consulted on two sub-options (**Table 3** refers).
 - b. *Increasing the maximum allowable antenna dimensions and updating headframe rules.*
 - i. These amendments would support the deployment of newer technologies (such as 5G mobile services). Larger dish antennas would support enhancements to resilience and rural connectivity. Headframes would better enable co-location of multiple operators' equipment (antennas) on the same facility.
 - ii. Two sub-options on headframe sizes in the road reserve were consulted (**Table 3** refers).
 - c. *Increasing cabinet sizes and amending the cabinet grouping rules.*

- i. Permitting larger telecommunications cabinets that can be closer together supports network resilience (eg storage of additional batteries)⁴⁵, new technologies with larger equipment (such as 5G mobile services) and to better enable co-location.
71. Option 1 provides more flexibility for telecommunication providers to install or upgrade telecommunication facilities, but only in locations where the NES-TF already provides for this (ie, in the road reserve subject to location limitations, outside of the road reserve in a rural zone or for existing poles in any other zone). The technical standards in Option 1 avoids or mitigates adverse environmental effects.

Option 2 – Technical updates (as per Option 1), and expanding the scope of the NES-TF to permit the installation of poles in more places and permit new types of facilities

72. This option progresses the technical changes in Option 1 (above), as well as expanding the scope of the NES-TF to permit the installation of poles in more places and permit new types of facilities. See **Table 4** below for a detailed overview of the proposed changes. The expanded scope of the NES-TF would fill gaps in the current framework. This means that providers would be less dependent on RMA plan rules and there would be greater national consistency on the deployment of more types of telecommunication facilities in more locations.
73. Option 2 would expand the scope of the NES-TF by further permitting:
- a. The installation and operation of new telecommunication poles outside of the road reserve in specified economic zones (ie, commercial, industrial, large format retail, local centre, mixed-use and neighbourhood centre zones). The proposed pole sizes from Option 1 would apply to these locations and a residential boundary setback is applied to protect residential amenity.
 - b. The construction of new poles in the road reserve in more locations, by removing the requirement that new poles be within 100 metres of existing poles.
 - c. The installation of customer connection lines to heritage buildings.
 - d. The operation of temporary telecommunication facilities, including in all places and environments during an emergency.
 - e. Installation of SSREG (ie, solar panels and/or wind turbines) and battery storage for rural facilities.
74. Option 2 proposes new activity standards to avoid or mitigate adverse environmental effects.

⁴⁵ While batteries are subject to RMA plan rules under the NES-TF, battery upgrades are often not enabled by the NES-TF due to constraints on size of roadside cabinets. Telecommunication providers have advised that there are no issues with RMA plan rules on battery upgrades (only the limits in the NES-TF on the size and location of roadside cabinets).

Table 3: Option 1 – Technical updates to existing permitted activity standards for antennas, poles and cabinets to reflect changes to the built and technological environment⁴⁶

Proposal	Description of option	Impacts
Increase antenna dimensions (panel, dish and aerial antennas, and small cell units) to support new technologies and necessary upgrades.	Increasing the permitted standard for the notional envelope of non-dish antennas on a pole (without a headframe) in the road reserve to 5 m in length and 1.2 m in width (from 3.5 m x 0.7 m). Increasing the permitted standard for the width of a non-dish antenna on a pole with a headframe or a pole outside of the road reserve to 1 m (from 0.7 m). Replacing the panel antenna area limit of 1.5 m² for panel antenna on buildings outside of residential zones with a 1 m width limit per panel antenna. Increasing the permitted standard for the maximum diameter of dish antennas on a pole and on buildings with commensurate size limits by zone and location (from 0.38 m to 0.6 m for poles in the road reserve, and from 1.2 m to 2 m for poles outside of the road reserve in specified 'economic' zones and rural zones). The protrusion distance of dish antenna also increases (from 0.6 m to 0.8 m) for poles in the road reserve. Amending the definition of small cell unit by increasing dimensions from 0.11 m³ to 0.33 m³.	+ <u>Further enables necessary telecommunication upgrades</u> – The proposed changes ensure regulations for antennas meet operational requirements to support the rollout of new technologies such as 5G, and larger dish antennas (such as for digital microwave radio) will support rural connectivity enhancements. - <u>Some cumulative visual effects</u> associated with larger, more visible antennas on poles and buildings, although subpart 5 areas would still be subject to potentially more stringent RMA plan rules. - <u>Reducing local decision-making on adoption of new technologies</u> – The proposed change would give councils less discretion over the level of enablement for newer technologies (such as 5G).
Amend cabinet dimensions and rules to support new technologies and resilience enhancements.	Increase the permitted footprint of: cabinets in the road reserve to 2.25 m² if adjoining a residential zone (from 1.4 m²) and 3.0 m² for any other adjoining zone (from 2.0 m²) groups of cabinets in road reserves to 3.0 m² (from 2.0 m²), with 6.0 m² where the group of cabinets is to support two facility operators and 9.0 m² for three or more facility operators cabinets servicing buildings to 3.0 m² (from 2.0 m²). Reduce the minimum separation distance for a group of cabinets in the road reserve to 10 m (from 30 m) with no minimum separation distance for co-location. Align how and where noise is to be measured from a cabinet outside of the road reserve with how and where noise is to be measured for a cabinet in the road reserve. Currently how and where noise is to be measured from cabinets outside of the road reserve is determined by RMA plan rules.	+ <u>Further enables necessary telecommunication upgrades</u> – Increases to cabinet sizes support telecommunication providers to store additional backup batteries and enable installation of additional equipment to support new technologies, such as 5G. + <u>Promotes co-location</u> – Changes to the cabinet grouping and sizing rules promote co-location, optimising efficient use of space and infrastructure. This has visual amenity trade-offs, enabling fewer but larger groups of cabinets. + <u>Supports greater efficiency and standardisation</u> – Standardising the technical requirements for cabinets and noise measurements supports greater efficiency, as providers have nationally consistent approaches to noise assessments and sizes for manufacturing. - <u>Some cumulative visual effects</u> – While these changes would better enable co-location, meaning there would be fewer cabinets and they would be less spread out, the trade-off is the visual effect of permitting much larger, more visible groups of roadside cabinets, particularly in residential road reserves. To manage these visual effects, the maximum proposed height of cabinets in the residential road reserve of 1.8 m aligns with the maximum height permitted in most RMA plans for fences (so cabinets do not protrude above fence lines). Furthermore, subpart 5 areas would still be subject to potentially more stringent RMA plan rules. - <u>Potential increase in noise from cabinets</u> – where RMA plans have more stringent rules on where and how noise from cabinets outside of the road reserve is measured. Officials anticipate that any adverse environmental effects from increased noise would be minor as the noise limit itself is still determined by RMA plans (noting these limits are unlikely to change until at least 2028 after Plan Stop).

⁴⁶ Note that the +’s and –’s are not weighted as part of the assessment of options below in **Table 5**.

Amend pole height rules to establish proportionate pole height caps by zone for poles in the road reserve, outside of the road reserve in a rural zone and for existing poles in some zones.	Under the current NES-TF, the following rules apply in relation to pole heights: • Replacement poles: the maximum pole heights are currently linked to existing pole heights for replacement poles. Replacement poles can generally increase by 3.5 m from the baseline pole height on the baseline date. • New poles: for new poles permitted in the road reserve, the maximum height limit is based on the height of existing neighbouring poles within 100 m. New poles outside of the road reserve in rural zones are permitted to reach up to 25 m, with a 50 m setback from buildings used for residential and educational purposes. The proposed amendment would: • Introduce pole height standards proportionate to a zone’s characteristics and service needs. The heights would range from 20 m in more sensitive zones (ie, a residential road reserve), 25 m in specified economic zones (ie, commercial, industrial and mixed-use zones) and 35 m in rural zones (from 25 m). Existing poles outside of the road reserve in more sensitive zones (ie, open space and special purpose) could increase in height by 5 m from the baseline pole height. • Permit an additional 5 m in pole height for co-location on top of the pole heights provided above, in all zones except for residential, settlement, Māori purpose, and outside of the road reserve in open space and special purpose zones. • Introduce a ‘residential boundary setback’. This would be a height-in-relation-to-boundary setback of 4 m and 60° recession plane from residential boundaries. It would only apply to the replacement of existing poles outside of the road reserve, excluding existing poles in residential and rural zones. This would prevent existing poles within this setback from relocating or increasing in height to protect residential amenity, unless the final pole location is outside of the setback. <i>[Officials also consulted on a second option in relation to pole heights that would link permitted pole heights in the NES-TF to building zone heights plus 5 m. This would have provided more flexibility to telecommunication providers to build taller poles that are fit-for-purpose in their built environment. For example, in high-density residential zones this would enable 27 m poles to provide coverage over 22 m six storey buildings. This option was strongly supported by most telecommunication businesses but opposed by most other submitters (including councils, and iwi and hapū). As a result, this option was not recommended or progressed by officials because it risked enabling much taller and bulkier poles in some locations and could have had more significant adverse visual effects].</i>	+ <u>Reduces the risk of disruption to telecommunication services</u> – The new pole heights ensure facilities can be built to meet operational requirements and to maintain coverage, including over three storey buildings permitted by the MDRS. + <u>Promotes co-location to reduce environmental effects</u> – The additional 5 m promotes co-location and network optimisation, as taller towers have more space at the top for multiple providers to co-locate equipment. Fewer but taller towers are expected to be deployed. Greater height flexibility is provided in ‘economic’-oriented zones while there is less flexibility in sensitive zones. This has a trade-off in visual effects and environmental benefits, with less materials required for more poles. + <u>Enables infrastructure to support Going for Housing Growth</u> – Greater pole heights are expected to support more efficient deployment of telecommunications infrastructure in zones where greater housing intensification is planned. This reduces the likelihood of delays in building or upgrading telecommunication facilities to provide coverage to new housing. + <u>Greater national consistency</u> – National pole height standards ensure that planners, providers and the community know exactly what sized poles are permitted nationwide, providing more certainty and transparency than the status quo. + <u>Protecting residential amenity</u> – Residential amenity is protected through proportionate pole sizes in residential zones as well as through a residential boundary setback, protecting living spaces. - <u>Cumulative adverse visual effects</u> –Taller, more visible telecommunication poles enabled in more locations (particularly in the road reserve and in rural zones) will result in cumulative adverse visual effects. The maximum pole heights are intended to be proportionate to a zone’s character to manage adverse visual effects. Furthermore, subpart 5 areas would still be subject to potentially more stringent RMA plan rules. - <u>Reducing local decision-making to manage the effects of poles</u> – Based on what we heard from many submissions from individuals, some councils, and some iwi and hapū, there is a preference from many submitters for retaining local-decision making on the height and location of telecommunication poles.
Amend pole width rules to establish fixed pole width caps to support the proposed pole height caps by zone above.	Under the NES-TF, pole widths are also currently linked to the width of existing poles. For example, if more antennas are added to an existing pole, then the diameter of a replacement pole can increase by double to support the increased load. Otherwise, it can only increase 1.3 times its original width. This proposed amendment would link permitted pole width standards to corresponding pole height standards above, in other words 0.9 m wide for 20 m high poles, 1.5 m wide for 25/30 m high poles, and 1.7 m wide for 35/40 m high poles in the rural road reserve and 6 m wide if outside of the road reserve in a rural zone.	+ <u>Meets engineering and design specifications</u> – Pole widths need to increase commensurate with increases in pole heights to meet engineering design specifications and load requirements for poles. Standardising pole dimensions is expected to help reduce compliance costs. - <u>Cumulative adverse visual effects</u> are associated with these widths, because bulkier, more visible telecommunication poles would be enabled. The maximum pole widths are designed to support the maximum pole heights above and are intended to be proportionate to a zone’s character to manage adverse visual effects. Furthermore, subpart 5 areas would still be subject to potentially more stringent RMA plan rules.

Amend headframe rules to permit the installation of proportionate headframes on more poles commensurate to a zone’s character and service needs.	Under the NES-TF, the installation of headframes on poles in the road reserve is only permitted to replace an existing headframe (in which case it is limited to the width of the existing headframe). Installation of headframes on existing poles outside of the road reserve that are not in a residential zone are permitted to be up to 6 m wide. This proposed amendment would: • Permit headframes to be installed on new or existing poles in the road reserve where a pole is designed to co-locate multiple facility operators. • Introduce a three-tier headframe size framework, with 1.6 m, 2.5 m, and 4.5 m wide headframes permitted, commensurate to zoning characteristics and service needs. For both the 1.6 m and 2.5 m wide headframes, the poles must be at least 15 m high to mitigate visual effects at one’s line of sight. <i>[Officials consulted on two options in relation to headframe sizes on poles in the road reserve. The proposal above is based on an amalgamation of these two options to meet connectivity needs while managing adverse effects from disproportionately large headframes. This responds to feedback from telecommunication providers in consultation].</i>	+ <u>Enables co-location to reduce environmental impacts</u> – These changes would support multiple providers to co-locate antennas on headframes, enabling the telecommunications sector to roll out fewer towers (with a corresponding trade-off in visual amenity effects). This would also have other environmental benefits, with less materials required for more poles. + <u>Enables rural connectivity improvements</u> – Permitting the installation of headframes on poles in the road reserve would increase incentives for multiple network operators to provide coverage in more areas. This may help to address rural connectivity challenges. - <u>Cumulative adverse visual effects</u> associated with permitting headframes to be installed on poles in the road reserve, resulting bulkier, more visible telecommunication structures. The maximum headframe widths are designed to support co-location of antennas belonging to multiple facility operators and are intended to be proportionate to a zone’s character to manage adverse visual effects. Furthermore, subpart 5 areas would still be subject to potentially more stringent RMA plan rules.
Amend antenna attachment rules on buildings by enabling antennas to be located higher than surrounding buildings.	Amend the pole attachment rules for antenna on buildings that are not in a residential zone, to permit an increase in the maximum height of antennas to 10 m above the highest point of a building (increased from 5 m) – but only where the permitted building zone height is 15 m or more. For antennas on any other building (including in a residential zone or where the building zone height is less than 15 m), the maximum height of antennas is 5 m above the highest point of the building. <i>[Officials consulted on two options in relation to antenna placement on buildings. The proposal above is an amalgamation of these two options in response to feedback from some councils].</i>	+ <u>Reduces the risk of disruption to telecommunication services</u> – The proposed amendments would help to ensure telecommunication facilities can be built to meet the operational need to provide and maintain coverage in their built environment. - <u>Some minor cumulative visual effects</u> – Provides some flexibility to help ensure antennas are high enough to provide coverage to their built environment, meaning that antennas on buildings may be more visible. The proposed standards ensure that poles on buildings are proportionate in size to the building scale and manage visual effects. Furthermore, subpart 5 areas would still be subject to potentially more stringent RMA plan rules.
Amend rules for support structures for aerial telecommunication lines, with changes on the size and placement of replacement support structures.	Amend the permitted activity standard for the location of replacement support structures for aerial telecommunication lines to be up to 10 m from the existing location (currently 3 m) and the height to increase by up to 3 m (currently 1 m).	+ <u>Enables necessary telecommunication upgrades</u> – This would provide fixed line operators flexibility to replace poles to match manufacturer standards (some existing poles are 9 m but manufacturers only supply 11 m poles). - <u>Some minor cumulative visual effects</u> – Providing some flexibility to relocate and increase the height of support structures may result in some minor cumulative visual effects, but these would be small. Furthermore, subpart 5 areas would still be subject to potentially more stringent RMA plan rules.

Table 4: Option 2 – Technical updates to existing standards (as per Option 1) and expanding the scope of the NES-TF to permit the installation of poles in more places and new types of facilities

Proposal	Description	Expected impacts
<i>Amendments to permit new poles in the road reserve with fewer restrictions,</i> noting that the 50 m rural setback rule would be extended to poles in the road reserve adjoining a rural zone.	The current NES-TF permits telecommunication providers to build new poles in the road reserve so long as they are within 100 m of an existing pole (the '100 m rule'). This proposal amends the permitted activity standard to: • Remove the 100 m rule so new poles are permitted in the road reserve with fewer restrictions (ie, there is no requirement for them to be within 100 m of an existing pole). • Extend the 50 m rural setback to poles in the road reserve adjoining a rural zone. The 50 m rural setback currently applies to new poles outside the road reserve in a rural zone and to any building used for residential or educational purposes. Officials advised extending this to apply to marae, places of worship and papakāinga.	+ <u>Enables more cost-effective telecommunication upgrades</u> – Removing the 100 m rule and permitting new poles in economic zones outside of the road reserve means the placement of new poles can be based on network design requirements and commercial feasibility. This is expected to result in better connectivity solutions in transport corridors where it is likely to be easier to connect fibre backhaul. + <u>Enables infrastructure to support Going for Housing Growth</u> by speeding up the rollout of telecommunication facilities to service new housing developments. We expect to see greater housing intensification in proximity to transport corridors (eg State Highways and local roads) and near economic zones (especially commercial and mixed-use zones).
<i>Introduce new regulated activity standards to permit new poles outside of the road reserve in key 'economic' zones, subject to a residential boundary setback and the same size limits as poles in the road reserve.</i>	Currently, the NES-TF does not provide for new poles outside of the road reserve except in a rural zone or where it is replacing an existing pole. This proposal would introduce new permitted activity standards for telecommunication providers to build new poles outside of the road reserve in the following key economic zones: commercial, industrial, mixed-use, large format retail, local centre and neighbourhood centre zones. The permitted pole heights, widths and headframe sizes for new or existing poles in these zones would be aligned with the specifications for poles in the road reserve (Option 1 refers). New poles in these zones must comply with a height-in-relation-to-boundary setback of 4 m and a 60° recession plane from residential boundaries (described in Option 1).	- <u>Cumulative adverse visual effects from enabling poles in more locations</u> – Removing the 100 m rule means there are no pole density controls, noting that this has visual amenity trade-offs as poles would likely be more spread out (and less clustered together). It would also make it easier to build new poles in the road reserve. Note the 50 m rural setback to new poles in the road reserve and the residential boundary setback are ways that the proposal manages the visual effects of new poles, particularly effects on private property. The poles would also be subject to proportionate height, width and headframe limits. - <u>Cumulative adverse visual effects</u> due to taller, more visible telecommunication poles enabled in more locations. This would be more noticeable in districts with more stringent RMA plan rules (see Annex A for a summary of existing RMA plan rules on pole heights). The maximum pole heights are intended to be proportionate to a zone's character to manage adverse visual effects. Furthermore, subpart 5 areas would still be subject to potentially more stringent RMA plan rules.
<i>Introduce a new regulated activity standard to permit temporary facilities to operate in specified circumstances and timeframes.</i>	This proposal would introduce a new permitted activity for temporary facilities to provide coverage or additional capacity for the following specified circumstances and timeframes: • during or after an emergency event for up to 12 months in all environments (including in subpart 5 areas) • during the maintenance or upgrade of an existing facility for up to 12 months • for an event or short period during high-capacity demand (ie, holiday period at a camp site) for up to three months. Temporary facilities in subpart areas must not disturb the protected values. The site must be reinstated after operation of the temporary facility ceases. The maximum height permitted height for a temporary facility is 25 m and the maximum footprint is 20 m².	+ <u>Enhances telecommunications resilience</u> – New standards would permit temporary facilities nationwide. Temporary facilities bolster resilience by plugging coverage gaps and enhancing operational flexibility. They can be deployed to a site readily, unlike the construction of a permanent new pole. Telecommunications are a critical part of the emergency management system, enabling people to contact 111. - <u>Temporary adverse visual effects</u> – The enablement of these bulkier structures in or outside of the road reserve may have some temporary visual effects for surrounding property owners. This would be noticeable for districts with more stringent rules than what is proposed through the NES-TF. When installed following an emergency in a subpart 5 area, this may have some temporary negative effects on the environmental values of subpart 5 areas, although they cannot be installed if they damage the area. Officials consider these impacts to be low and offset by the essential nature of the facility to restore or provide connectivity to an area quickly.

<i>Introduce a new regulated activity standards to permit small-scale renewable electricity generation to power rural facilities.</i>	The proposal would introduce a new permitted activity for SSREG (ie, solar panels and/or wind turbines) to power a telecommunication facility in rural zones outside of the road reserve. These new standards would permit the installation of 100 m² of solar panels and up to two 25 m high wind turbines, as well as battery storage to support these renewable electricity generation activities. Standards control height, solar panel footprint, turbine noise, and are subject to the 50 m rural setback. Batteries must be stored in cabinets in accordance with regulations 20 and 25 of the NES-TF. <i>[Most submissions from telecommunication businesses requested permitting fuel storage tanks as back up to SSREG. 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. Rules for installation and operation of non-renewable generators would continue to be determined based upon the content of RMA plans, which are generally enabling of generators used in temporary or emergency situations].</i>	+ <u>Enhances telecommunications resilience</u> – Renewable electricity can serve as a back-up – particularly with batteries – and is becoming increasingly necessary during emergencies. + <u>Enables necessary telecommunication upgrades</u> – This supports rural connectivity by enabling providers to build facilities in remote areas without connection to the electricity network. - <u>Cumulative adverse visual effects in rural areas</u> – From the increased use and visibility of solar panels and small-scale wind turbines next to telecommunication facilities. This would be noticeable for districts with more stringent rules than what is proposed through the NES-TF. Note the 50 m rural setback helps to manage these visual effects and the application of NZS 6808:2010 on turbine noise mitigates effects from noise. Furthermore, subpart 5 areas would still be subject to potentially more stringent RMA plan rules.
<i>Introduce new regulated activity standards to permit customer connection lines (ie, fibre) to heritage buildings, overriding the requirement in subpart 5 to comply with requirements in RMA plans.</i>	Introduce a new permitted activity for the installation and operation of customer connection lines (ie, fibre) to a heritage building. The activity standards include: • avoiding the front façade or a primary heritage feature, • compliance with existing limits on the diameter of lines and conduit • making use of existing entry points. The installation of a customer connection line on a primary feature or the front façade of a heritage building is only permitted where it is enclosed within an existing conduit that was either lawfully consented or permitted by an RMA plan. Where the permitted activity standards cannot be met, the activity defaults to a restricted discretionary activity, with matters of discretion limited to: effects on historic heritage values and any other reasonable alternative installation solution. <i>[Officials consulted on a second option, to default to controlled activity status, but this was not supported iwi, hapū and council submitters. Officials therefore considered that the ability to decline a resource consent application should be preserved].</i>	+ <u>Enables necessary telecommunication upgrades</u> – The proposed new standards enable customer connection lines to heritage buildings. This reduces cost barriers to fibre installations to help ensure heritage buildings remain useable for people living or working in them. - <u>Some minor adverse effects on heritage values</u> – This proposal could result in some minor effects on heritage values, where the installation is permitted on part of a building that has heritage values. This would be mitigated by the standards which would not permit installation of a customer connection line on the primary feature or front façade of a heritage building.

Table 5: How do the options compare to the status quo/counterfactual?

Criteria		Status quo	Option 1 – Technical updates to existing permitted activity standards	Option 2 –Option 1 plus expanding the scope of the NES-TF to permit new activities [Officials’ preferred option]
Effectiveness in achieving the objectives	<i>The NES-TF enables the deployment of modern, resilience and reliable telecommunications infrastructure</i>	0	+ Updating existing technical standards better reflects changes in modern technology and the built environment. Officials expect more upgrades to existing telecommunication facilities through increases to pole height, cabinet and antenna size (eg the rollout of 5G mobile services, battery upgrades and the rollout of the LMR as part of the PSN). New poles outside of the road reserve not in rural zones continue to rely wholly on RMA plans. However, this option would not support greater national consistency and efficiency in the deployment of a range of new types of facilities (ie, SSREG, temporary facilities) that would enable resilience and rural connectivity enhancements.	++ New technical standards would permit new telecommunication facilities outside the road reserve in more zones and remove restrictions on the location of new poles in the road reserve. This option also enables a range of new network-supporting infrastructure such as SSREG, temporary facilities and allowing customer connections to heritage buildings. These new activities support more modern, resilient and reliable connectivity options for both private providers and the PSN.
	<i>The NES-TF proportionately manages any environmental effects, including better enabling co-location</i>	0	- Under this option, there would be some adverse visual effects on the streetscape of New Zealand’s towns and cities from the cumulative effects of permitting larger telecommunication facilities. It is difficult to assess the scale of these impacts, given the wide variation in RMA plan rules and site-specific nature of visual effects. These visual effects are likely to be observed most in the 18 out of 67 territorial authorities determined to have the least enabling RMA plan rules for telecommunication facilities, where the effects are likely to be more than minor.⁴⁷ There would likely be less than minor visual effects for the 12 territorial authorities with existing RMA plan rules for telecommunication facilities broadly in line with the proposed NES-TF pole dimensions.⁴⁸ For the remaining 37 territorial authorities, the visual effects would be minor, or more than minor, depending on the specific zone and activity. Some submissions from councils, iwi and hapū were concerned about the visual effects of these changes, particularly in residential zones, Māori purpose zones and culturally sensitive landscapes. Adverse visual effects of taller poles with headframes and larger cabinets would be balanced by changes supporting greater co-location of multiple facility operators, reducing the number of poles. The proposed pole and headframe sizes are also designed to be commensurate with zoning character and service needs.	- There would be further adverse visual effects than Option 1. For example, there may be a cumulative visual effect from permitting new poles anywhere in the road reserve and outside of the road reserve in specified economic zones. This is particularly the case for RMA plans with more restrictions to manage visual effects (such as setbacks from buildings, or more restrictive size limits). These visual effects likely range from minor to more than minor, depending on the design and location. These effects may be partially offset by changes incentivising providers to build fewer poles by co-locating equipment of multiple providers onto one pole. The residential boundary setback and changes to the 50 m rural setback helps to mitigate these effects, along with proportionate size limits for poles and headframes.
	<i>The NES-TF preserves local decision-making in environmentally significant areas</i>	0	0 / - Some councils, iwi and hapū and individuals noted in submissions that they consider residential and Māori purpose zones as more sensitive environments that should be subject to local decision-making processes to reflect local considerations. This option will mean that telecommunication providers are less dependent on RMA plans and seeking resource consents for facilities in the road reserve in these more sensitive zones. However, the proposed size limits would adopt the most stringent size limits in these zones. Furthermore, by making no changes to subpart 5, all telecommunication facilities in environmentally sensitive areas would remain subject to requirements in RMA plans. RMA plan rules would also still determine the appropriate settings to build new telecommunication facilities outside of the road reserve in residential, open space and special purpose zones.	- In addition to the loss of local decision-making in Option 1, this option could weaken any special protections afforded under RMA plans through subpart 5 of the NES-TF for customer connection lines to heritage buildings and temporary facilities in emergencies. However, the proposed standards aim to mitigate adverse environmental impacts and provide good practice nationally. Furthermore, subpart 5 will be retained for all other activities (ie, for installing or upgrading telecommunication poles). RMA plan rules still determine the appropriate settings to build new telecommunication facilities outside of the road reserve in residential, open space and special purpose zones.

⁴⁷ These RMA plans have poles height limits that are less than half what is proposed in the NES-TF in multiple zones as assessed in **Annex B**. This consists of the following territorial authorities: Far North, Hauraki, Hamilton, Matamata-Piako District, Ōtorohanga, Waitomo, Taupō, Tasman, Nelson, Mackenzie, Waitaki, Waimate, Queenstown Lakes, Central Otago, Clutha, Gore, Invercargill, and the Chatham Islands.

⁴⁸ These RMA plans generally only have minor infractions compared to Option 2 in the NES-TF (ie, no additional height for co-location, 5 m or less difference in pole heights in one zone) as assessed in **Annex B**. This consists of the following territorial authorities: South Waikato, Kawerau, Hastings, South Taranaki, Masterton, South Wairarapa, Porirua, Wellington, Marlborough, Christchurch, Waimakariri and Selwyn.

	<i>The NES-TF enables cost-efficient and timely deployment of telecommunications infrastructure</i>	0	+ Providers no longer need resource consents for a range of upgrades to existing facilities (such as increasing the height of poles to retain coverage, replacing antennas or installing larger cabinets). For less permissive RMA plans, these changes provide a more enabling and certain outcome. For RMA plans that already permit these specifications, providers would no longer require a controlled activity resource consent (saving on average approximately \$15,000 in planning and consenting costs per application, and months in delays). This option reduces flow-on costs and delays for New Zealand businesses and households when existing facilities are upgraded.	++ In addition to Option 1, there would be a more significant reduction in costs and delays, with less resource consents needed for new regulated activities (ie, SSREG, temporary facilities). New poles would be permitted in more locations (ie, in the road reserve with fewer restrictions and outside of the road reserve in key economic zones). This would reduce potential flow-on costs and delays for New Zealand businesses and households that benefit from telecommunication upgrades. The changes would also speed up the rollout of telecommunication facilities for new housing development, support urban intensification, enable fibre installations to heritage buildings without a resource consent (when many RMA plans currently require this) and help to speed up the rollout of the PSN.
	Overall score for effectiveness	0	+	++
	Upholding the Treaty of Waitangi	0	0 Technical updates are not expected to have adverse effects on Māori interests relative to the status quo. The types of facilities intended to benefit from the amendments are very rarely subject to consultation as part of resource consent processes and so officials do not expect to see a reduction in local iwi and hapū consultation. Where sites are located on whenua Māori, telecommunication providers would still need to obtain the landowner's consent (or comply with any lease arrangements). Furthermore, local decision-making and processes would be retained under subpart 5 of the NES-TF in areas of cultural significance to Māori identified in RMA plans. In response to feedback from consultation, officials have also recommended that Māori purpose zones are subject to the same rules (on pole height, width, antennas and headframes) as those in a residential zone, given the sensitivity of this zone. It would also be afforded the same protections as residential zones through the residential boundary setback. We anticipate the proposed technical updates to NES-TF would have similar connectivity benefits for Māori and non-Māori (supporting the rollout of faster, more resilient telecommunication services, reducing cost pressures and enabling improvements to rural connectivity). Ensuring Māori have access to affordable and reliable telecommunication services is a way in which the Crown can protect Māori interests and support Māori development (eg Māori enterprise). This analysis was informed by officials' detailed Treaty Impact Assessment.	0 Expanding the scope of the NES-TF to permit new poles in more locations (ie, outside of the road reserve in key economic zones and removing restrictions on the location of new poles in the road reserve) may reduce the opportunity for local input from iwi and hapū where this currently occurs through existing RMA plans. New poles and SSREG in rural zones would be subject to a 50 m setback from buildings, including marae and papakāinga. Furthermore, the proposal would not permit most types of facilities (ie, poles, cabinets and antennas) to be installed on sites of significance to Māori identified in RMA plans, as per regulation 46 of the NES-TF. Two amendments are proposed that relate to changes to how subpart 5 is applied. New activity standards permit customer connection lines to heritage buildings (including marae). This still requires landowner consent and include a requirement to avoid the primary feature or front facade of a heritage building. Temporary facilities may also access and operate in a subpart 5 area when a state of emergency is declared, noting the need for facility operators to obtain landowner permission. These amendments support the installation of modern, resilient connectivity infrastructure for Māori and include controls to manage effects. Expanding the scope of the NES-TF would support the rollout of telecommunication services to new housing developments for both Māori, including Kāinga Ora developments and papakāinga. The proposed changes also go further in ensuring Māori have access to affordable and reliable telecommunication services.
	System alignment	0	+ These technical updates to the NES-TF align with Government objectives for infrastructure and housing growth, reducing regulatory barriers to invest in improving our telecommunication networks for households and businesses. These updates to the NES-TF align with comparable changes to the NES-Electricity Network Activities, to ensure regulated activities are proportionate to zoning character and service needs. The NES-TF amendments are also supported by the introduction of a new National Policy Statement (NPS) for Infrastructure 2025.	++ As per Option 1 but provides greater policy alignment with broader Government objectives for the reform of the RMA. For example, permitting the installation of telecommunication poles with antennas in more locations helps to support Going for Housing Growth. Furthermore, new regulated activity standards for renewable electricity generators help to facilitate more cost-effective renewable power solutions for telecommunication facilities in rural zones.
	Minimise implementation risks	0	0	0

		This proposal would not be complex to implement. There would be some small implementation costs (described in more detail in Table 6 below) for central government to update guidance, and to local government and telecommunication providers to familiarise themselves with the changes. These costs would be significantly outweighed by the savings from reduced consenting costs and reviewing and updating RMA plans. There is a risk that the assessment of visual effects is understated and benefits of better enabling co-location is overstated. These are enabling policies and may increase the presence of telecommunication infrastructure in the built or natural environment over time in ways that the status quo would have prevented. However, local decision-making would be substantively retained for environmentally significant areas, including subpart 5 areas and outside of the road reserve in residential, open space and special purpose zones. With greater dependence on the NES-TF and fewer resource consents needed, consenting authorities responsible for monitoring and enforcing compliance with the NES-TF may face difficulties covering these costs. However, recent amendments in 2025 to section 36 of the RMA allows councils to cost recover monitoring of NES where there has been a contravention. We consider the legal risks associated with this option to be low and to align with requirements in the RMA and have assessed the NES-TF proposals do not permit activities with significant adverse effects.	As per Option 1, but the costs and savings would be more significant due to the expanded scope of the NES-TF under this proposal. Councils would have less oversight of new facilities due to more permitted activities, and potentially greater costs for monitoring and enforcement of the NES-TF, with less council oversight through resource consents. As per Option 1, there is also the risk that the assessment of visual effects is understated and the benefits of enabling co-location is overstated. Some organisations and community groups are likely to oppose permitting new telecommunication poles in more locations. They may challenge whether telecommunication providers as private companies should have social licence to build new facilities in more locations without needing a resource consent or without some level of community engagement. This is weighed against better, more reliable and resilient connectivity, which many New Zealanders benefit from. We consider the legal risks associated with this option to still be low and to align with requirements of the RMA and have assessed the NES-TF proposals do not permit activities with significant adverse effects.
Overall assessment		+	++

What option is likely to best address the problem, meet the policy objectives, and deliver the highest net benefits?

75. Officials consider that Option 2 is most likely to deliver the highest net benefit to New Zealanders and so is officials' preferred option (as recommended in the Cabinet paper). Option 2 would go further than Option 1 to:
- a. **Support greater efficiency** for telecommunication providers to upgrade existing facilities and deploy a range of new facilities without the need for resource consents. This reduces associated planning and consenting costs, providing greater certainty for telecommunication providers to invest in new or upgraded facilities.
 - b. **Help to address connectivity black spots** in more locations where poles cannot exceed the height of surrounding buildings or vegetation.
 - c. **Enable telecommunication providers to meet the technological needs of New Zealand households and businesses.** While it is not possible to accurately measure or predict network enhancements, we anticipate this would help to speed up the rollout of new technology to support upgrades to telecommunication services (such as 5G mobile services, battery upgrades for resilience of renewable electricity generation activities, and fibre connections to heritage buildings).
 - d. **Support co-location of multiple facility operators**, permitting taller poles with headframes in more locations. This has corresponding environmental benefits as it would require fewer telecommunication poles.
 - e. **Support the Government's broader objectives on housing, infrastructure and rural connectivity.** For example, Option 2 would enable new poles to be built in more locations to support housing growth. Option 2 also permits a range of increasingly important connectivity solutions, including temporary facilities and renewable electricity generators, to help support resilience and rural connectivity.
76. Progressing Option 1 would limit the benefit of the technical amendments by only permitting these changes to apply to existing areas covered by the NES-TF. While this limits the visual effects, it would impact the performance and coverage of telecommunications networks in relation to activity gaps in the current NES-TF.
77. Option 2 limits the expanded scope of new poles to the road reserve or specified economic zones that have already been developed (ie, commercial, industrial and mixed-use zones). It also includes several mitigations to manage visual effects, including: the new residential boundary setback, expanding the 50 metre rural setback and proportionate standards reflecting zone characteristics and service needs.

Assessing the trade-offs of Option 2 (visual effects and loss of local decision making)

78. Officials anticipate that Option 2 will deliver higher net benefits for most New Zealanders by better enabling essential telecommunications infrastructure. This comes with trade-offs, including increased visual effects from larger telecommunication facilities at some sites and reduced scope for RMA plans to reflect local values. Visual effects will be more pronounced for people living closer to the larger poles, while people in areas where additional poles are no longer required are likely to experience reduced visual effects overall. Officials consider these effects are acceptable, as the broader NES-TF changes are expected to reduce the total number of poles through increased co-location.

79. On balance, Option 2 better supports nationwide connectivity needs, though it results in more localised adverse effects for a minority of communities, particularly those with stringent RMA provisions that seek to limit the visibility of telecommunication infrastructure.

Assessing the impacts of Option 2 on business competition

80. We do not consider Option 2 would have impacts on market competition within or between different types of providers within the telecommunications market (eg between TowerCos, MNOs, LFCs or WISPs). The NES-TF takes a provider-neutral approach to permitting the construction and operation of telecommunication facilities. While many of the proposed changes to the NES-TF (in particular, in relation to poles and antennas) have been driven by TowerCos/MNOs, any facility operator can utilise the rights conferred by the NES-TF.

Is the Minister's preferred option in the Cabinet paper the same as the agency's preferred option in the RIS?

81. Yes, the Minister's preferred option in the Cabinet paper is the same as officials' preferred option in the RIS.

What are the marginal costs and benefits of the preferred option in the Cabinet paper?

82. **Table 6** on the next page provides marginal analysis of the costs and benefits associated with progressing proposed changes to the NES-TF under Option 2. Note, there is limited quantifiable data on the financial or economic costs and benefits associated with the proposals in this regulatory impact statement. This is because most of the benefits are dependent on commercial decisions by telecommunication providers and depend heavily on future network build plans. For these reasons, the cost and benefits analysis are limited to commenting on the likelihood of impact and whether the impact is likely to be low, medium, or high.

Table 6: Marginal analysis of the costs and benefits associated with progressing proposed changes to the NES-TF under Option 2

Affected groups (identify)	Comment <i>Nature of cost or benefit (eg ongoing, one-off), evidence and assumption (eg compliance rates) and risks.</i>	Impact (Net present value) <i>High, medium, or low</i>	Evidence Certainty <i>High, medium, or low</i>
Additional costs of the preferred option compared to taking no action			
Telecommunication providers	There would be some relatively small one-off administrative costs to telecommunication providers to update systems and processes, and to learn the new regulations, or to update any current plans or project designs.	Low We estimate the cost to providers in staff time to implement the NES-TF amendments to be in the low \$100,000s across the whole industry, or less.	Medium The sector did not raise ongoing or unexpected implementation costs as a concern and were confident this would be outweighed by the benefits.
Central government	Administrative costs for central government to develop the changes to the NES-TF and support implementation (ie, preparing updated non-statutory guidance such as the NES-TF User’s Guide).	Low We estimate the total cost to central government to amend the NES-TF would be less than \$500,000. This mainly consists of staff time. These costs are being met within existing departmental baselines.	Low Officials have yet to calculate the full and final costs of the amendments or implementation.
Councils	Administrative costs to train staff to become familiar with new regulations. The Plan Stop amendments have put significant restrictions on councils to make plan changes until the transition to the new system is complete. This means that in the interim councils cannot change their plan to reflect the greater enablement of the NES-TF in areas not regulated by the NES-TF (ie, for new poles outside of the road reserve in residential, open space and special purpose zones). However, this does not affect the implementation of the proposed NES-TF changes. Councils may face costs from monitoring and enforcement, as well as increased complaints about the placement of new infrastructure. These costs would either be recovered through ratepayers or directly from telecommunication providers (where cost recovery is enabled under section 36 of the RMA).	Low Councils would incur minor costs, largely from staff time learning the new regulations and updating systems (likely less than \$10,000 per council and less than \$500,000 in total). The increased costs of monitoring and enforcement would vary by council.	Low / Medium With Plan Stop in place, councils cannot carry out a plan change to incorporate the NES-TF. Permitted activity regulations reduce the need for councils to develop RMA plan rules when Plan Stop ends and the new planning system takes effect. It also reduces council workloads from processing resource consents (although these are generally cost-recovered through fees).
Local communities	Permitting larger telecommunication facilities and extending the NES-TF to apply to other activities and locations will have some cumulative visual effects for local communities. This can have implications on open space and tourism, which can affect some districts more than others. This was one of the main concerns raised by submissions from many (between 26 and 50 per cent) individuals, some councils, and some iwi and hapū in public consultation. The proposed NES-TF amendments in Option 2 are enabling policies and may increase the presence of telecommunication infrastructure in the built or natural environment. It is difficult to assess the extent to which this would be substantially different from the status quo, where resource consents are required and mostly granted. Impacts also vary on a case-by-case basis depending on a range of factors, such as the design and location of the new facility. Adverse visual effects are likely to be observed most in the 18 out of 67 territorial authorities determined to have the least enabling RMA plan rules for telecommunication facilities, where the effects are likely to be more than minor but less than significant (see footnote 47 on page 43 and Annex B). The visual effects on residential and rural amenity and character have been avoided or mitigated through proportionate pole, cabinet and headframe size limits by zone that better enable co-location, as well as two	Low / Medium Officials estimate that the NES-TF amendments would have less than minor visual and amenity effects in 12 out of 67 (18 per cent) territorial authorities, minor to more than minor effects in 37 (55 per cent) territorial authorities and more than minor effects in 18 (27 per cent) territorial authorities. This is based on an assessment of RMA plan pole height rules in Annex B against the proposed pole height rules in Option 2. Based on submissions from many individuals and some councils, those most affected are likely to be property owners located nearest to a telecommunication	Low / Medium There is limited available quantitative evidence of the impact of telecommunication facilities on local communities, for example in terms of impacts on house prices or enjoyment of community space. We have considered feedback from individuals, councils, iwi and hapū and others in assessing the scale of visual effects from the proposed NES-TF amendments. Evidence has been sourced from reports prepared for the 2008 NES-TF and consenting data from MfE data service. Both MBIE and MfE receive approximately 10 to 20 complaints from members of the public

	setback requirements. By better enabling co-location, officials anticipate fewer poles will be needed, which would have visual effect trade-offs. The impact of telecommunication facilities on property values is unclear. Research undertaken around the time of the original NES-TF 2008 noted the perceived reduction in value from close location of towers is much greater than the actual reduction. The negative impact is small and falls away rapidly with distance from the site. Given the importance of connectivity and expectation of coverage, there may in fact be an opposing effect in that reduced or poor connectivity has a negative effect on property values.⁴⁹ Proposed changes to the NES-TF would reduce councils’ ability to require providers to consult with communities for new or upgraded telecommunication facilities when this is permitted under the NES-TF. However, it is difficult to assess the extent to which the proposed changes to the NES-TF would weaken community engagement. It is rare for councils to notify resource consents for telecommunication facilities (with just 26 recorded instances in the nine years between 2014/15 and 2023/24, or 1.2 per cent of all applications).	facility. These submitters considered the proposed maximum size of poles located in the road reserve adjoining a residential zone would have adverse visual effects. Analysis conducted as part of the establishment of the NES-TF in 2008 found evidence on the relationship between cellular facilities and property values to be mixed.	concerned about the lack of community engagement with respect to telecommunications deployment each year. Most of these relate to concerns on the adequacy of radiofrequency field level exposure limits. There is a risk that these impacts are understated. The proposed NES-TF amendments are enabling policies and may increase the presence of telecommunication infrastructure in the built or natural environment over time in ways that the status quo would have prevented.
Iwi/Māori	There is a greater risk of adverse effects on sites of significance to Māori from permitting larger telecommunication facilities in more locations. The use of permitted activities would remove the obligation of telecommunication providers to consult with communities and local iwi and hapū on new or upgraded telecommunication facilities, in some cases or where sites have yet to be identified in plans. Some submissions (between six and 25 per cent) from iwi and hapū considered that the NES-TF proposals put 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. Officials anticipate effects on cultural values for Māori relative to the status quo have been mitigated by the following regulatory choices: • Retaining subpart 5 of the NES-TF, deferring decision-making to RMA plans in identified areas of significance to Māori (such as wāhi tapu and urupā). • Treating Māori Purpose zones as residential zones for the purpose of assigning pole size standards, and application of a residential boundary setback. • Extending the application of the 50 m rural setback to marae and papakāinga in rural zones. • Restricted discretionary activity status for non-compliance with the heritage connections permitted standards (which apply to marae), allowing council to decline poor applications. • Written notice requirements to council for works longer than 30 working days in a subpart 5 area (including sites of significance to Māori) during and after emergencies. Note that the NPS-Infrastructure Māori interests policy applies to telecommunication facilities where applicable (ie, when applying for a resource consent) and it promotes active engagement.	Low / Medium Officials consider the NES-TF amendments would have the potentially for more adverse effects in districts with existing RMA plans that do not identify or provide adequate protections for sites of cultural significance for Māori. Where existing RMA plans identify and protect areas of cultural significance for Māori, these effects would be low. Some submissions from 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.	Low / Medium Officials have not undertaken a review of the adequacy of existing RMA plans to identify and provide additional protections for sites of cultural significance to Māori. We are also not aware of the extent to which plans have comprehensively identified and scheduled sites of significance to Māori. Officials’ assessment of the costs for iwi/Māori has been informed by submissions from iwi and hapū in public consultation.
Environment/ biodiversity	The main environmental effects from the installation of telecommunication facilities are visual effects, noise, earthworks effects (eg from trenching and the installation of new poles) and potentially effects from radiofrequency fields. As noted above in ‘local communities’ impacts, visual effects vary on a case-by-case basis depending on a range of factors, such as the design and location of the new facility. Adverse visual effects are likely to be observed most in the 18 out of 67 territorial authorities determined to have the least enabling RMA plan rules for	Low / Medium The submission from the Environmental Defence Society noted the importance of retaining subpart 5. No submissions raised significant concerns with effects on the	Low The 2014 report by Jacobs SKM was prepared before the NES-TF 2016 came into force and may not be current. Officials have undertaken a high-level assessment of environmental effects,

⁴⁹ See Filippova, O. (2010). *The effect of cell phone towers on house prices in New Zealand. Paper presented at the Pacific Rim Real Estate Society (PRRES) Conference*, Wellington, January 2010. This found that proximity to mobile phone base stations had no statistically significant impact on residential property values across four Auckland regions. See <https://researchspace.auckland.ac.nz/items/3b12d7e1-ecd5-491f-aeac-c0a360f22585> for the abstract of a separate paper informed by this research.

	telecommunication facilities, where the effects are likely to be more than minor (see footnote 47 on page 43). While there are likely to be some minor, or more than minor, cumulative adverse visual effects of enabling taller and bulkier telecommunication poles, the broader NES-TF changes are expected to reduce the total number of poles through increased co-location. Earthworks for this type of work tend to be temporary or minor in their nature and scale. Earthworks seek to prepare a stable foundation upon which the facility sits. A 2014 report by Jacobs SKM suggests that overall, the environmental effects from each piece of telecommunications infrastructure individually and their installation activities, tend to be low (less than minor or negligible).⁵⁰ However, cumulative visual effects of above-ground infrastructure including above-ground cables, above-ground cabinets, and poles and antennas, have the potential to be greater. The proposed rural and residential setbacks help to mitigate the actual or potential environmental effects associated with the deployment of new poles and SSREG activities both in and outside the road reserve, and standards on size and location for new activities. The installation of non-renewable electricity generators (ie, diesel generators) and fuel tanks to support new regulated activity standards would also continue to rely on RMA plan rules. Subpart 5 of NES-TF would also continue to apply to environmentally significant areas identified in RMA plans. Human health is protected from radiofrequency fields under the New Zealand Standards (NZS 2772.1). However, these standards are not intended for environmental/non-human application, therefore officials cannot be certain that radiofrequency fields from telecommunication facilities do not affect terrestrial biodiversity.	environment or biodiversity resulting from the proposed amendments.	engaged with SLR Consulting to support analysis and reviewed feedback from public consultation. The International Commission on Non-Ionizing Radiation Protection has not prepared standards for non-ionising radiation (including radiofrequency fields) for the purposes of protecting plants, bees, avifauna and herpetofauna, however, we understand their intention to release standards in 2027.
Additional benefits of the preferred option compared to taking no action			
Telecommunication providers	A more streamlined process through the NES-TF for new or upgraded telecommunication facilities is expected to significantly reduce ongoing consenting and planning costs for the telecommunication sector. This is particularly the case for TowerCos and MNOs who heavily rely on the NES-TF to install and upgrade telecommunication poles, but also Tait who is responsible for delivering the LMR network as part of the PSN. Note the financial benefits would likely range in the tens of millions of dollars over the next decade, taking into account the span of changes, including enabling SSREG, batteries, temporary facilities, connections to heritage buildings, and enabling pole and headframe standards. TowerCos and MNOs in particular would benefit from being better able to co-locate antennas on the same pole, significantly reducing the cost of building new facilities. The proposed changes would support telecommunication providers to rollout more upgrades to their networks at a faster rate (eg 5G mobile services, battery upgrades, renewable electricity generators for resilience and to support rural connectivity). The proposed changes would also improve certainty and enable telecommunication providers to purchase equipment at bulk and commence site designs earlier, making their operations more efficient. Wireless telecommunication providers (TowerCos, MNOs and WISPs) would also be better able to address coverage black spots resulting from taller buildings in some zones, trees, or other obstacles. For fixed-line providers (ie, Chorus and other LFCs) the amendments reduce barriers to installing fibre connections to	Medium / High A 2021 study commissioned by the Infrastructure Commission estimated the total average cost the telecommunications sector spent on resource consents was approximately \$60 million between 2018 and 2020 (5.5 per cent of their total annualised average \$1.1 billion spend on telecommunications infrastructure).⁵¹ The TCF estimates that it would cost TowerCos and MNOs between \$52 to 60 million to deploy the estimated 3,500 to 4,000 new or upgraded mobile sites over the next ten years. Based on trends observed in MfE’s National Monitoring System, officials estimate fees alone could cost providers \$32 to \$40 million over the next ten years, with a total cost of approximately \$80 to 100 million. Officials	Medium These estimates have been derived from figures provided by the telecommunications industry (in particular the TCF, MNOs and TowerCos). These figures broadly align with those available in the resource management consents dataset administered by MfE. We have not been able to undertake a detailed counterfactual assessment of what savings telecommunication providers would have made if the proposed NES-TF changes were in place. This is because based on the information from MfE’s dataset of resource consents, it is not possible to assess each resource consent against the proposed NES-TF changes. These benefits may be overstated, as they depend heavily on future network build or

⁵⁰ Jacobs SKM. *Environmental Effects of Implementing Ultra-Fast Broadband and Mobile Infrastructure* (May 2014).

⁵¹ Sapere. *The cost of consenting infrastructure projects in New Zealand* (July 2021) <https://media.umbraco.io/te-waihanga-30-year-strategy/py0p420w/the-cost-of-consenting-infrastructure-projects-in-new-zealand.pdf>. Pages 49-50.

	heritage buildings, thereby increasing the rate of return on these connections. There would also be greater flexibility to replace and/or relocate poles supporting telecommunication lines.	anticipate that the preferred option would reduce these costs by at least half, resulting in savings of between \$40 and \$50 million. ⁵²	upgrade decisions by telecommunication providers.
Central government	Proposed changes to the NES-TF would support broader objectives around Going for Housing Growth and economic development. The changes would incentivise co-location and use of SSREG activities on rural sites, which supports New Zealand's Emissions Reduction Plan. The changes would mean fewer new site builds as part of the LMR network for the PSN require a resource consent, for which the costs are ultimately borne by the Crown.	Medium Regulatory barriers through consenting costs are one of several issues that contribute to delays in deploying telecommunication facilities to new housing developments or to supporting urban intensification. Officials anticipate that the NES-TF amendments could save the Crown up to \$1 million in costs associated with resource consents over the next two to three years as part of the LMR network for the PSN.	Low There is limited available evidence on the extent to which NES-TF changes would have these impacts, as they depend heavily on future network build plans. Estimated savings for the PSN depend on specific site designs, although Tait advises that NES-TF amendments would likely reduce the number of resource consents required. However, we do not have historical data on resource consents or future build plans for the PSN to assess against the proposed NES-TF amendments.
Councils	The proposed changes to NES-TF may result in an ongoing and small reduction in administrative costs for councils, as fewer new and upgraded telecommunication facilities would be subject to RMA plan rules or require resource consents. Plan Stop means that councils need not amend their plan as a consequence of the NES-TF amendments. As a result, there are savings from councils not having to update their RMA plans.	Low The benefits conferred to councils would be relatively small but ongoing as they would spend less time and resources assessing resource consents for individual telecommunication facilities.	Low Limited evidence on the cost savings / benefits from the NES-TF amendments was provided in submissions.
Local communities	We anticipate that the reduced consenting and planning costs, as well as certainty of process and outcome for telecommunication providers, would speed up the rollout of a range of upgrades to telecommunication facilities. For example, this includes the rollout of 5G mobile services to more locations around the country, battery upgrades for resilience and rural connectivity enhancements. This supports: • Business productivity through increased broadband internet speeds/capacity, enabling remote working, optimised data management, improved customer experience, and advanced technologies such as AI and internet of things devices. • Rural communities that may be underserved by current connectivity options, who may benefit from rural connectivity enhancements enabled by the NES-TF amendments. • Enhanced resilience of telecommunications networks by enabling faster, more efficient deployment of temporary facilities (particularly in emergencies), SSREG and battery upgrades. This supports better public health outcomes, enabling people to contact 111 in the event of power outages and emergency response. The estimated savings for telecommunication providers would potentially limit future price increases. However, it is not possible to accurately predict or measure this.	Medium / High We would expect to see a reduction in the timeframe for deployment of these network upgrades (especially the rollout of 5G mobile services and the LMR network for the PSN, given there are contractual commitments to deliver these). There are at least 100 temporary facilities across New Zealand either deployed or ready to be deployed. The proposed activity standards for temporary facilities would mean that providers can deploy these facilities more quickly without having to adhere to varied RMA plan rules. Officials anticipate that the greater regulatory enablement would potentially limit future price increases for telecommunication service.	Low These benefits are anticipated in submissions from most telecommunications businesses and industry bodies, some councils, iwi and hapū, and individuals. However, the network benefits cannot be quantified because estimates provided by the telecommunications sector are indicative only and vary according to future network development. Telecommunication providers are private companies and have network build plans primarily driven by commercial feasibility.

⁵² The data from the national monitoring system that enabled these estimates has been compiled by officials manually, so there may be gaps.

Iwi/Māori	The proposed changes to the NES-TF would have similar connectivity benefits for Māori and non-Māori (supporting the rollout of faster, more resilient telecommunications services and removing a cost barrier to improving rural connectivity). Enabling changes that support Māori to have access to high-performing, reliable and affordable telecommunication services is a way in which the Crown can protect Māori interests and support Māori development (ie, Māori enterprise). Poles in the road reserve of Māori purpose zones have standards that manage visual effects without creating disincentives for providers to deploy facilities to Māori land.	Medium / High Submissions from some (between six and 25 per cent) iwi and hapū noted support for several anticipated benefits from the NES-TF amendments. This includes better enabling telecommunication providers to respond to increasing demand for faster and more reliable telecommunication services, rural connectivity enhancements and better enabling opportunities for remote work.	Low As above, the network benefits cannot be quantified because estimates provided by the telecommunications sector are indicative only and vary according to future network development.
Environment	Where it is more cost-effective to co-locate antennas on a pole or build one larger pole rather than multiple shorter poles, officials anticipate that the proposed changes would incentivise telecommunication providers to design more efficient networks. This may reduce the risk of a proliferation of more poles being clustered together. Relative to the status quo, this may reduce the use of materials (ie, steel, concrete) which result in more CO₂ emissions that are harmful to the environment and contribute to climate change. Streamlining the consenting process for new renewable energy generators is expected to reduce total carbon emissions produced from telecommunication facilities in rural areas over time.	Medium Officials anticipate more resilient telecommunications networks that efficiently occupy the road reserve, supported by REG and batteries. Data provided by Connexa demonstrates how the status quo results in more poles (as providers are incentivised to cluster multiple poles to provide their services in order to avoid the costs and uncertainty of seeking a resource consent). 89 of Connexa’s existing poles with antennas are within 50 m of at least one of their other poles, and 266 are within 50 m of other operators’ poles. It is estimated that 30 to 36 tons of additional CO₂ is emitted over a 10-year period per additional mobile tower, with approximately 80 tons of concrete and 6 tons of steel per site.⁵³	Low The network design benefits cannot be quantified because this is dependent on the future network design plans of telecommunication providers.

⁵³ Based on analysis by Ernst & Young Global Limited. (2023). *The sustainability contribution of the European independent TowerCos sector (Report prepared for the European Wireless Infrastructure Association)*. EY Parthenon. <https://www.ey.com>.

Section 3: Delivering an option

How would the proposal be implemented?

Timing and process

83. The amended NES-TF would take immediate effect from its commencement date, 28 days after gazettal. This means that:
- The NES-TF provisions prevail over plan provisions, unless the NES-TF expressly states that RMA plan rules can be more lenient or stringent than the standards as per section 43B of the RMA (ie, subpart 5 areas).
 - RMA plan rules that address effects not covered in the NES-TF continue to apply, as per section 43A(5) of the RMA (ie, existing rules in RMA plans on special earthworks or noise limits for cabinets outside of the road reserve).
 - All local authorities and consent authorities must enforce the NES-TF as per section 44A(8) of the RMA.
 - The NES-TF must be had regard to for all applicable resource consent applications, alongside all other relevant matters for consideration as per section 104 of the RMA.
 - Local authorities must amend plans, or proposed plans, to remove duplications or conflicts with NES-TF without using the Schedule 1 process, as soon as practicable after the date on which the standard comes into force as per section 44A of the RMA.⁵⁴
84. In effect, this means that telecommunication providers would be able to carry out work within the amended NES-TF permitted activity regime without relying on RMA plan provisions in most cases. Existing rules in RMA plans would still apply to telecommunication activities not in scope of the NES-TF (ie, new poles outside of the road reserve in residential, open space or special purpose zones).

What is required from councils

85. In practice, when implementing the NES-TF, local authorities would have to:
- Interpret the NES-TF in relation to their plan and determine how the NES-TF has changed how activities are to be managed.
 - Ensure that their staff are well informed of the changes and able to implement them as required.
 - Identify and remove any conflicts or duplications between RMA plans and the amended NES-TF.
 - Assess whether any ongoing consent applications has been affected by the amended NES-TF.
 - Update their website, guidance and any other relevant material as necessary.

⁵⁴ Plan stop applies to the notification of planning instruments. Changes to plans outside of the Schedule 1 process are therefore not affected by Plan Stop. However, any other plan change that may be considered in relation to implementing the NES-TF, or in relation to the matters addressed by the NES-TF, will need to receive an exemption from the Minister for the Environment to proceed.

- f. Respond to public enquiries they may receive on the changes
 - g. Update their compliance and enforcement approach as necessary, and assess the possible funding implications
 - h. Make any changes in their systems and processes necessary to give effect to the amended NES-TF.
86. Although councils and consent authorities have a duty to enforce the NES-TF, they still have considerable discretion over some aspects of its implementation. They decide on how proactive their compliance monitoring is. They also decide how proactively they communicate with the public or relevant interest groups on how the NES-TF amendments may impact on activities management framework in their districts or regions.

Council enforcement of the amended NES-TF

87. Every consent authority must enforce the observance of a NES to the extent their powers enable them to do so (as per Section 44(A)(8) of the RMA). As a result, councils are primarily responsible for enforcing compliance with the NES-TF. Local authorities must monitor the activities of the district in accordance with their functions under sections 31 and 35 of the RMA, including keeping and maintaining records.
88. Under Regulation 55 of the NES-TF, the 'pre-commencement report' requirement mandates that before a radiofrequency generating facility starts operating, a report must be produced confirming that the facility operates within the maximum exposure levels set by the New Zealand Standard (NZS 2772.1:1999). This notifies councils of a telecommunication providers plans to construct or upgrade a telecommunication facility and so may trigger independent auditing. Councils often respond to ad hoc complaints about new or upgraded telecommunication facilities and undertake site visits to assess compliance with the NES-TF or relevant RMA plan rules.

Communications and guidance

89. The 28-day window between gazettal of NES-TF and the day it takes force provides MBIE, MfE, councils and the telecommunications sector sufficient time to prepare for the updated NES-TF to take effect. The preparations would include councils familiarising themselves with the contents of NES-TF amendments and central government providing support by developing communications and non-statutory guidance materials (ie, the NES-TF User Guide). Officials anticipate the publication of the updated NES-TF User Guide will occur alongside the NES-TF amendments taking effect, to support consistent decision-making early on.
90. Officials would communicate these changes to the public, iwi, hapū, other Māori interest groups, and local councils through formal channels such as press releases and speeches, as well as through informal channels such as emails to key partners and stakeholders.

Transition to the new system

91. In December 2024, the Government introduced the Planning and the Natural Environment Bills to Parliament to replace the RMA. These bills are expected to pass into law in 2026. As the legislative process is ongoing, there is still significant uncertainty over the new system, and how the transition between the two systems would be managed. However, based on the Bills in their current being considered by Select Committee, officials anticipate that:
- a. All RMA national directions, including NES-TF, and plans will be in force until the end of the transition period, expected to be in 2029.

- b. During this transition period, national policy directions and standards will be issued. Although councils and consent authorities would not have to implement them in their RMA plans, consent authorities would likely have regard to them when making decision on consents, under section 104(1)(c) of the RMA.
- c. Transitional national rules may be issued under the new Planning and Natural Environment Acts, which would have legal effect during the transition period. These would override any conflicting national environmental standards and must be considered for consent applications made during the transitional period.
- d. After the transition period is completed, NES-TF will be revoked. Although Cabinet noted, in 2024, that the scope of the current national direction programme had been determined partly on the basis of whether they would transfer well into a future system. Whether and how (or how much) they are transferred into the new system would depend on their alignment with the goals of the new system, the purpose of national direction in this new system, and the regulatory process they must go through.

Implementation costs

- 92. There would be some relatively small one-off transitional costs to telecommunication providers to update systems and business operations, and to learn the new rules. In total this is likely to be in the low \$100,000s range. However, officials cannot be certain due to limited evidence from councils of the costs associated with implementing NES.
- 93. Transitional costs for central government to develop the changes to NES-TF and support implementation (ie, preparing updated non-statutory guidance such as the NES-TF Users' Guide) would also be low. In total, this is likely to also be less than \$500,000 and mostly consists of staff time. These costs are being met within funding baselines. However, officials have yet to calculate the full and final costs of the amendments or implementation.
- 94. Implementation costs for councils would likely be low (less than \$10,000 per council and less than \$500,000 in total). Costs would centre around staff learning the new NES-TF rules and removing any duplication or conflict from RMA plans where this does not require a Schedule 1 process.⁵⁵ These costs may be slightly offset by the reduction in administrative costs in process resource consents. Councils can cost recover monitoring where there has been contravention of the NES-TF.

Implementation risks

Lack of adequate monitoring and enforcement of NES-TF by councils may increase non-compliance

- 95. Greater enablement by the NES-TF through permitted activity rules would reduce council oversight through resource consent processes. Councils must rely on the RMA's monitoring and enforcement provisions as well as internal processes. If councils do not have adequate measures in place to monitor and enforce compliance with NES-TF, there is a risk that these changes may increase the risk of non-compliance. This could lead to adverse environmental effects. This concern was raised by some councils (between 6 and 25 per cent) in consultation.
- 96. There is currently an insufficient quality of information to assess council monitoring and enforcement capabilities, which varies between councils. There is a significant amount of change occurring through the Government's broader RMA reform programme, and so it is

⁵⁵ Given the volume of change occurring across the resource management system, many local authorities are unlikely to do this until after the transition period to the new resource management system is complete (expected to be in 2029).

likely that council planners may face difficulties becoming familiar with amendments. However, councils can cost recover monitoring where there has been contravention of the NES-TF. This helps support adequate monitoring and enforcement, and acts as deterrent for telecommunication providers to not comply with the NES-TF. Furthermore, MBIE and MfE officials would provide support to local councils by developing communications and non-statutory guidance materials (ie, the NES-TF User Guide).

Ambiguous interpretation from different councils on NES-TF amendments

97. If there is ambiguity in how the NES-TF amendments are drafted, this would create implementation risk by allowing different councils to interpret and apply the provisions inconsistently. This may result in variable application across New Zealand, reducing regulatory certainty for telecommunications providers. Inconsistent interpretation can lead to delays, increased compliance costs, and a higher likelihood of disputes or appeals. Over time, this would undermine the objective of nationally consistent settings and may discourage timely investment in network deployment and upgrades.
98. This risk would be mitigated by undertaking targeted testing of NES-TF drafting with a small pre-determined group of industry and council practitioners to test the workability of the changes before finalising the NES-TF amendments. It would also be mitigated by issuing non-statutory guidance materials to support greater consistency in how the amendments are interpreted and applied.

Some public opposition to the amendments and potential loss of social licence

99. Where resource consents are currently required for telecommunication facilities, this process encourages resource users to act as a good social business, undertaking assessment of alternative sites and consulting with communities (even when it is not a requirement for obtaining a resource consent). The amendments to the NES-TF may see a reduction in community engagement by telecommunication providers. This was a concern raised by some councils, iwi and hapū and many individuals in consultation.
100. However, officials consider that this risk can be managed. Most telecommunication facilities in environmentally significant areas identified in subpart 5 of the NES-TF would still be subject to district or regional plan rules and so may still require a resource consent. The TCF and its industry members have also indicated an intention to review and update its industry code that provides guidelines to improve engagement with communities on significant upgrades to wireless telecommunication facilities (regardless of whether they are permitted under NES-TF or not).

How would the proposal be monitored, evaluated, and reviewed?

101. The monitoring of the amended NES-TF and its effectiveness would be undertaken by MBIE and MfE as part of the development of national standards under the new system. This would include consideration of whether and how the RMA National Directions need to be transitioned into the new system. The process would include an evaluation of the NES-TF, how it has been implemented, and whether it is having the intended outcome.
102. A more fulsome monitoring policy is to be developed by MfE as part of the development of the new system's standards.
103. MfE would still collect data on the NES-TF implementations through its existing national monitoring system. This includes the national monitoring system, which collects, collates and publishes data from all local authorities on their implementation of the RMA. However, these

surveys collect data from local authorities mainly on their resource consenting functions (not permitted activities).

104. MBIE and MfE would continue to engage with telecommunication providers through a local government working group within the TCF, and with councils routinely as part its stewardship role. This would provide an opportunity to evaluate the effectiveness of amendments and assess whether there have been any unintended consequences. This includes requesting information on consent costs for Crown contracts such as rural connectivity or resilience enhancements and the PSN. This would inform decisions on future standard related to telecommunications as part of the new resource management system, expected to be developed by the end of 2027.
105. Given the pace of technological advancements in telecommunications technology, officials anticipate that the NES-TF will require ongoing regular review and updates. It is likely that within five years (by 2031), further updates would be needed to ensure it aligns with current technology (such as the roll-out of 6G and any expansion of satellite service capabilities).

Annex A: Further evidence of the problem in relation to pole height

- Through targeted engagement and public consultation (particularly feedback from the telecommunications industry) officials are aware of several case examples where the current rules in the NES-TF do not enable antennas to be installed high enough to provide adequate connectivity coverage. These are discussed in more detail below as evidence of the problem and its scale.

Limitations of the current regulated activities in the NES-TF in relation to pole height

- Currently, pole height limits in the NES-TF are tied to the height of existing poles including mobile towers, streetlights and other poles. For example, the NES-TF specifies that the maximum permitted height for new poles in the road reserve is based on the height of the existing neighbouring poles. New poles in the road reserve must also be within 100 metres of an existing pole (referred to as 'the 100 m rule').
- Often existing poles do not provide sufficient height to exceed the height of surrounding buildings. As demonstrated by the image below, wireless signals do not travel easily through obstructions, and this can result in blackspots within the wider network where customers are in the shadow of taller permitted buildings.



- The TowerCos and MNOs advise that the ideal height for an antenna is five metres taller than surrounding buildings and obstructions, with space for additional antennas used for sharing the mast to accommodate growth (as demonstrated by the image below).



- Buildings in residential and mixed-use zones are getting taller due to local and national government housing intensification goals. For example, the MDRS permits three-storey buildings (which can reach up to 12 metres high). The total height of a pole and all antennas would need to be 17 metres (the building height plus five metres) to prevent new or existing surrounding three-storey buildings from disrupting the signal from a mobile tower. However, most street light poles in residential areas (classified as P-category roads under AS/NZS 1158) are generally 6.0 to 7.5 metres in height.
- The NES-TF also only enables new poles to be built either in the road reserve or outside of the road reserve in a rural zone. This means that telecommunication providers are wholly dependent on district plan rules to determine the permitted height of new poles outside of the road reserve in any zone except a rural zone. The NES-TF also permits existing poles outside of the road reserve to be replaced, with a small increase in the baseline pole height (generally 3.5 metres). This is often inadequate to provide the height needed for poles so that antenna exceed the height of surrounding buildings.
- Where a taller pole is permitted by an RMA plan, if it is a regulated activity but does not comply with the NES-TF, then the activity status defaults to a controlled activity. Councils must grant resource consents for controlled activities but nonetheless results in added costs and delays for telecommunication providers building or upgrading facilities. Where activities are not permitted by the NES-TF or an RMA plan, they generally require either a restricted discretionary or discretionary resource consent.
- Rural areas also experience coverage issues due to the current pole height limits. The NES-TF currently permits the installation and operation of new poles outside of the road reserve in rural zones up to 25 metres high. The telecommunications sector has indicated that this is often not sufficient to exceed the height of coverage obstacles resulting from topography, and overgrown shelter belts and trees. This is particularly the case in rural flat areas like the Canterbury plains.

Evidence of inadequate district plan rules in relation to pole height

- **Annex B** provides an overview of district plan rules in relation to pole heights. Many district plans have taken different approaches to mitigate the visual effects of telecommunication poles. This has led to fragmented rules, many of which are overly restrictive. Out of the 66 district plans assessed where the NES-TF regulated activity standards are not met:
 - a. **Only about 40 per cent of plans permit poles greater than 15 metres in the road reserve in residential zones**, despite the MDRS permitting buildings up to 12 metres in height and some high-density residential areas permitting up to 22 metres.
 - b. **Only five per cent of plans permit poles up to 35 metres in or outside of the road reserve in rural zones**, relying mostly on the NES-TF's 25-metre pole height rule, despite often needing additional height to provide coverage in rural areas over trees and shelter belts – particularly in flat areas like the Canterbury Plains.
 - c. **Only about 20 per cent of plans permit poles up to 25 metres in or outside of the road reserve in commercial zones**, despite taller buildings being built in these zones. The environmental impact of installing poles in these areas is considered low given they have already been subject to development.

Evidence of inadequate the NES-TF provisions and district plan rules for co-location

- The NES-TF does not permit the installation of headframes on new poles in the road reserve. It also only permits headframes to be installed on an existing pole in the road reserve if the existing pole has a headframe. Approximately half of district plans do not currently support telecommunication providers to co-locate their equipment on the same pole, due to a combination of headframe and pole height rules.
- Telecommunication providers have advised that the status quo encourages providers to deploy multiple shorter poles in the same area, rather than co-locating antennas on the same pole. This results in more adverse effects on the environment, requiring more materials (eg steel), more earthworks for multiple facilities and an inefficient use of limited space in the road reserve, risking roadside clutter. Two or three shorter poles with individual facility operators also disperses the visual and amenity effects to more locations. Enabling the construction one pole at an appropriate height with a headframe would isolate the visual effects to one area.
- Most submissions (more than 50 per cent) from businesses and industry bodies, and submission from some councils, iwi and hapū noted that the current NES-TF does not adequately support co-location of multiple facility operators. Many submitters (between 26 and 50 per cent) considered the status quo does not support efficient use of space and often results in multiple poles for different operators.

Case studies

Case study one: Lake Hāwea in the Queenstown Lakes District – demonstrating the costs of notified consent processes

- In 2019, Spark was looking to improve mobile coverage and capacity in Lake Hāwea in the Queenstown Lakes District by getting consent for a new 16-metre pole in the road reserve adjacent to a residential zone. This pole height was necessary to achieve coverage while avoiding disruption from trees and buildings. The NES-TF only permitted a pole height of 10.5 metres, so the proposed pole was a discretionary activity under the district plan and triggered public notification. Opposition from the community was largely on amenity grounds, despite a landscape and visual assessment concluding that the landscape effects of the proposal would be very low. See below for a computer-generated image of the tower on a photo of the proposed site.



- The decision granting the consent with conditions was issued on 22 August 2019. Costs incurred by Spark amounted to approximately \$140,000. This included a planning consultant, an expert witness and Council fees. The decision was appealed to the Environment Court on 12 September 2019. Due to a change in the network configuration requirements Spark reconsidered the need for the proposed Hāwea site. After securing an alternative site, Spark withdrew the application. This meant that Spark avoided incurring significant additional litigation costs, expected to be around \$250,000, and the uncertainty of going through the Environment Court and the risk of further litigation.
- Spark's alternative site is in a rural zone with an overlay for an 'Outstanding Natural Landscape'. The pole height is limited to eight metres under the district plan. A certificate of compliance was issued in May 2020 and cost approximately \$10,000. The tower is now in place but is impacted by the limited height of the pole and so it cannot provide comprehensive 360-degree coverage to the township. Spark continues to need a new site within Hāwea township to support growth.

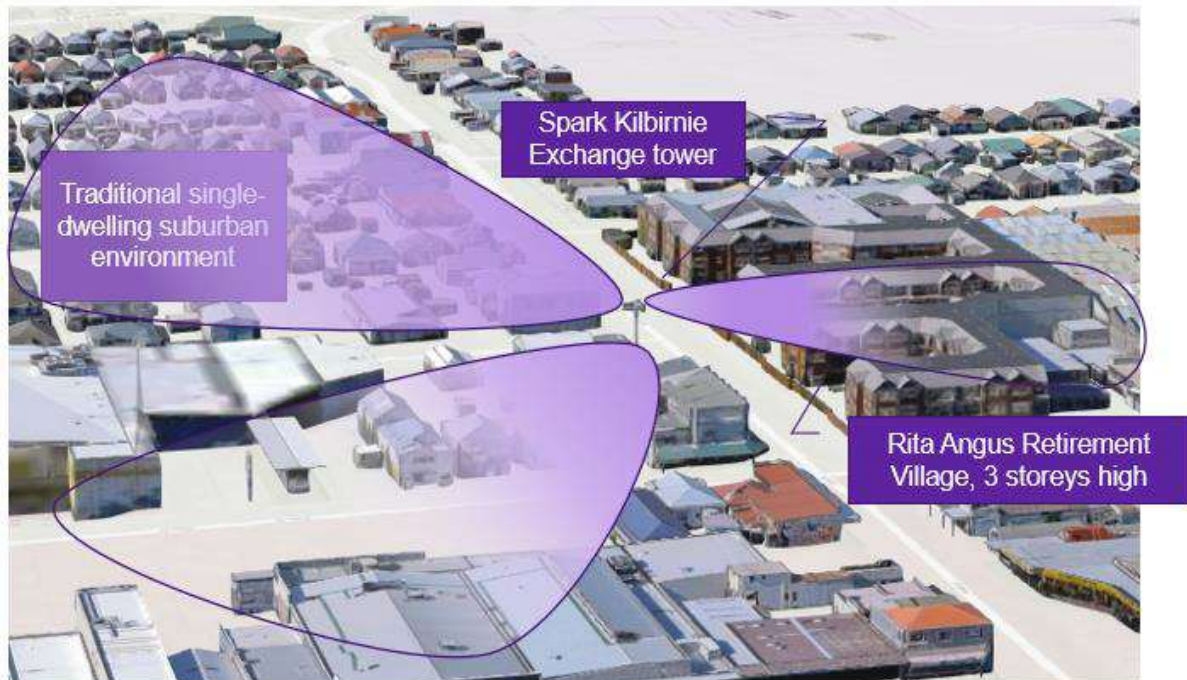
Case study two: Karaka East in Auckland City – demonstrating time and costs of consenting 25-metre mast on the road reserve adjoining a mixed-use zone

- A 25-metre mast was consented as a restricted discretionary activity in June 2022 with only standard conditions as attached. The proposal exceeded the permitted pole height and width under the NES-TF. However, it was deemed acceptable by the Council because it would provide access to improved mobile coverage for the surrounding area. See the image to the right for the completed pole.
- The cost to obtain this consent was approximately \$20,000. It took approximately six months to obtain, from lodgement of the application in December 2021 to the consent being granted in June 2022. Proposed changes to the NES-TF would mean that this facility would not require resource consent.



Case study three: Kilbirnie in Wellington City – demonstrating a three-storey building impacting existing coverage and requiring taller poles in a residential zone

- The example below provided by Spark is from Kilbirnie, Wellington. It shows how a three-storey building can impact coverage from a telecommunication facility, demonstrating the need for taller poles to retain coverage. To replace the coverage lost from one of the antenna sectors on the pole, an additional site is required, or the existing site needs to be rebuilt to at least 17 metres (the NES-TF does not currently provide for this).



Annex B: Additional analysis of district plan rules on pole heights

- Officials reviewed the permitted pole height rules for 66 RMA plans across New Zealand as of November 2024. Our findings from this analysis are provided below.

Poles in the road reserve

- The NES-TF provides regulated activity standards to permit the installation of new poles in the road reserve. The activity standards specify new poles are only permitted if they are within 100 metres of an existing pole. The maximum height permitted is based on the average height of the two nearest poles plus 3.5 metres. If a new pole does not comply with these standards, then it becomes subject to RMA plan rules, which determines what type of activity it is. If a regulated activity does not comply with the standards but is permitted by an RMA plan, it still requires a controlled activity resource consent.
- Nearly 61 per cent of RMA plans surveyed (40 out of 66), do not set a bespoke numeric height for poles in the road reserve but defer to the permitted height of poles outside of the road reserve in the adjoining zone. For example, if the permitted height of a pole outside the road reserve in a residential zone is 15 metres in an RMA plan, then that is the same height permitted for poles in the road reserve.
- Nearly 23 per cent of RMA plans (15 out of 66) rely solely on the NES-TF for new poles in the road reserve, with no additional permitted activity standards. Another 20 per cent (13 out of 66) require setbacks for poles in the road reserve such as a height-in-relation-to-boundary (**HIRTB**) setback. Furthermore, 20 per cent (13 out of 66) provide fixed permitted numerical pole heights, most of which vary by zone.

Findings: There are nationally inconsistent approaches to pole heights in the road reserve when not permitted by the NES-TF. This relates to both how the maximum height is determined, what the maximum height is, and whether it is subject to other requirements (such as a setback).

Poles outside of the road reserve

- The NES-TF only provides regulated activity standards for the replacement of existing poles outside of the road reserve or for new poles outside of the road reserve in a rural zone. The tables below show what proportion of RMA plans permit new poles outside the road reserve within different height ranges. These permitted heights also apply in the road reserve for the 40 RMA plans that specify the maximum pole height in the road reserve is based on that of the adjoining zone.

Table 1: Maximum permitted pole heights in residential zones for a single-operator in RMA plans

7-10 m	10-14 m	15-19 m	20-25 m	NES-TF only ⁵⁶	Zone height + X m ⁵⁷	HIRTB Setback
6 (9%)	16 (24%)	18 (27%)	7 (11%)	15 (23%)	3 (5%)	1 (2%)

⁵⁶ This means that the RMA plan does not permit new poles outside of the road reserve in a residential zone and so always require a resource consent. They only permit replacement poles in line with regulated activity standards in the NES-TF.

⁵⁷ This specifies that the maximum permitted pole height is based on the permitted maximum building height for that zone plus a specified number of metres (usually five metres).

Findings: One third of RMA plans do not permit new poles equal to or greater than 15 metres with nearly a quarter wholly reliant on the NES-TF (which often provides inadequate heights). This confirms tight constraints on pole heights for residential zones nationally compared to other zones. This is not sufficient to exceed the height of three storey buildings up to 12 metres tall in medium density residential zones. Nearly a quarter of RMA plans do not permit new poles outside of the road reserve in a residential zone, and so regardless of pole height, these always require a resource consent. The median maximum permitted pole height in residential zones is 15 metres.

Table 2: Maximum permitted poles heights in rural zones for a single-operator in RMA plans

8-24 m ⁵⁸	25-29 m	30-40 m	NES-TF only	Zone height + X m	HIRTB Setback
18 (27%)	40 (61%)	4 (6%)	1 (2%)	2 (3%)	1 (2%)

Findings: Few RMA plans permit poles 30 metres or more in height (just 6 per cent), with the median maximum permitted pole height 25 metres. As a result, most district plans default to the 25 metres permitted height in the NES-TF.

Table 3: Maximum permitted poles heights in commercial zones for a single-operator in RMA plans⁵⁹

7-15 m	16-20 m	21-26 m	NES-TF only	Zone height + X m	HIRTB Setback
22 (35%)	20 (32%)	12 (18%)	4 (6%)	4 (6%)	1 (2%)

Findings: Maximum pole sizes in commercial zones vary significantly between RMA plans, with over a third equal to or less than 15 metres and about 1 in 5 over 20 metres. The median maximum permitted pole height is 20 metres.

Table 4: Maximum permitted pole heights in industrial zones for a single-operator in RMA plans⁶⁰

7-20 m	21-25 m	26-30 m	NES-TF only	Zone height + X m	HIRTB Setback
24 (37%)	35 (54%)	2 (3%)	1 (2%)	2 (3%)	1 (2%)

Findings: Industrial rules are more permissive than commercial zones. Most RMA plans permit poles greater than 20 metres, with median maximum permitted pole height at 25 metres. However, over a third of RMA plans do not permit poles greater than 20 metres in these zones, despite lower visual effects.

⁵⁸ The 2016 NES-TF permits the installation of new poles outside of the road reserve in a rural zone up to 25 metres in height. These 18 RMA plans have not been updated to reflect this change in 2016. Even so, RMA plans cannot be more stringent than NES-TF, unless it relates to an environmentally significant area under subpart 5 of the NES-TF.

⁵⁹ Note this excludes three RMA that plans do not adopt the use of commercial zones.

⁶⁰ Note that this excludes one RMA plan that does not adopt the use of industrial zones.

Assessing the enablement of co-location in RMA plans

- Of the 66 RMA plans reviewed, 27 (41 per cent) provide for taller poles to support co-location in at least one zone. This mostly relates to poles in rural zones (22 RMA plans), industrial zones (18 RMA plans), and commercial zones (15 RMA plans). Only six RMA plans provide for taller poles to support co-location in residential zones.

Findings: Most RMA plans (39 out of 66; or 59 per cent) do not provide taller pole heights as an incentive to co-locate antennas on the same pole. This means that telecommunication providers are incentivised to build more shorter poles, rather than one pole that co-locates multiple facility operators. Where RMA plans do enable taller poles for co-location, this is mostly in rural zones.

Activity type if not permitted by the NES-TF or RMA plan

- Where new poles do not adhere to the maximum permitted pole heights in RMA plans, they require a resource consent. The table below shows the range of different activity types that RMA plans default to if not permitted by NES-TF or the RMA plan.⁶¹

Table 5: Activity type in RMA plans when activity not permitted

Restricted discretionary	Restricted discretionary or discretionary	Discretionary	Discretionary or non-complying
42 (64 %)	9 (14%)	13 (20%)	2 (3%)

Findings: Most RMA plans specify that poles not permitted by the NES-TF or an RMA plan are restricted discretionary activities. Most plans limit the matters of discretion to assessing visual amenity and landscape effects, which often requires visual impact assessments. Over a third of plans specify that activities not permitted are discretionary in some or all cases.

⁶¹ A restricted discretionary activity resource consent can be declined, but the council's discretion to decline must focus on specified matters. A discretionary activity resource consent can be declined for any reason based on an assessment against the RMA and its purpose. A non-complying activity can only obtain a resource consent if the applicant can demonstrate the adverse effects on the environment are minor, or the activity is not contrary to the objectives and policies of the relevant plan (section 104D of the RMA refers).

Annex C: Summary of Recommended Amendments to the National Environmental Standards for Telecommunication Facilities 2016 (March 2023) by 4Sight Consulting (SLR)

- The March 2023 4Sight Consulting (now called SLR) review identified that while the NES-TF had supported nationally consistent enabling provisions for telecommunication infrastructure, it was no longer adequate to meet the connectivity, resilience, and technology needs of modern New Zealand. The report concluded that urgent, targeted amendments are required to address current consenting barriers, allow deployment of modern infrastructure, and support a robust and future-proofed network.

Overall Adequacy of the NES-TF

- SLR found that the NES-TF does not adequately provide for contemporary telecommunications needs, particularly the rollout of 5G, increasing demand for capacity, and resilience during natural hazard and extreme weather events. Key inadequacies include outdated size and height limits, prescriptive terminology (eg baseline poles), and insufficient provision for new technologies or essential supporting infrastructure such as self-contained power units. These gaps result in unnecessary resource consents, inconsistent treatment across different RMA plans, and inefficiencies that delay critical upgrades needed to serve New Zealanders reliably.

Key Problems with the Current NES-TF

1. Outdated dimensional limits that constrain modern technology

- The NES-TF's controls on cabinet size, pole height, notional envelopes, and dish antenna dimensions are based on equipment profiles from 2016. These limits do not accommodate:
 - Larger batteries needed for resilience during outages.
 - Modern 4G/5G antenna configurations.
 - Need for taller poles in urban areas due to MDRS and building heights enabled by the NPS-Urban Development.
 - Rural connectivity requirements, where higher poles reduce the number of sites needed and improve the reliability of coverage over shelter belts and trees.
- The report found that these constraints frequently trigger unnecessary consents, increasing cost and delays.

2. Overly complex and restrictive drafting (eg baseline pole/date rules)

- Provisions controlling roadside poles based on 'baseline poles' within 100 metres produce:
 - Inefficient design processes.
 - Multiple site visits to measure existing poles.
 - 'Frozen-in-time' outcomes where legacy pole sizes limits upgrades.
- These rules cause significant consenting barriers and undermine the rollout of future-ready networks. 4Sight recommended removing these requirements.

3. Insufficient allowance for essential supporting infrastructure

- The current NES-TF excludes:
 - Self-contained power units (solar, wind, generators).
 - Temporary facilities such as CoWs.
- The report noted these are essential for modern rural sites and resilience in emergencies. Their absence forces reliance on district plans, creating national inconsistency and consenting delays. SLR identifies these as high urgency fixes.

4. Ambiguous or outdated definitions creating interpretation problems

- The report identified that key definitions—such as small cell units, facility, headframe, rural zone, and RFG facility—are no longer fit-for-purpose. Ambiguity leads to inconsistent council interpretations (eg small antennas treated as small cell units), triggering unintended consent requirements. Updating these definitions was considered urgent.

Conclusions

- SLR concluded that while the NES-TF remains a valuable national tool, it requires urgent, targeted updates to meet New Zealand's growing connectivity and resilience demands. The most critical amendments relate to:
 - Enabling modern equipment sizes for the built environment (ie, antennas, cabinets and poles).
 - More enabling and less complex roadside pole rules.
 - Including essential supporting infrastructure (ie, SSREG and temporary facilities).
 - Updating definitions and removing outdated or inefficient provisions.
- These changes would reduce consenting barriers, support rapid deployment of resilient networks, and ensure telecommunications infrastructure can keep pace with technological and societal needs.