

**Key:**

Red ~~strikethrough~~ and underlining indicates a recommendation in the s42A report (dated 21 October 2024)

Blue ~~strikethrough~~ and underlining indicates a recommendation in the supplementary s42A report (dated 18 November 2024)

## Overview

This chapter applies to network utility operators and includes provisions specific to the operation, maintenance, upgrading and development of network utilities. Provisions relating to managing the effects on the National ~~electricity~~ Grid and gas transmission network from other activities are contained in the national electricity and gas transmission chapter and also in the subdivision chapter.

People and communities within the district rely on network utilities to undertake everyday activities. These include transport networks (land, sea and air), piped networks (water, wastewater, and stormwater reticulation), transmission and distribution networks (electricity and gas) and telecommunication networks (wired and wireless).

In order to provide these services, utilities often rely on a national or regional network of assets. This plan recognises the importance of these networks and the benefits they provide. It also manages the potential for reverse sensitivity effects and the effects of activities which could potentially compromise the efficient and effective functioning of network utilities. Some utilities, such as the National Grid, have specific locational or operational needs that must be accommodated. For example, to maintain reliable cell phone coverage, telecommunication towers need to be placed in certain areas. The location and scale of new telecommunication towers in roads and in the general rural zone are provided for through the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 (NESTF). The rules for new telecommunication towers outside of these locations and where the requirements of NESTF are not met, are controlled by this plan. The National Grid is a linear network that is recognised to be of national significance in the National Policy Statement on Electricity Transmission (NPSET). Existing National Grid assets are regulated by the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (NESETA).

While the national, regional and local benefits, of network utilities are recognised, adverse effects on surrounding land uses and the environment can occur and need to be managed. The district contains overlays, scheduled sites and features which include significant landscapes, karst landscapes, heritage buildings, sites and areas of significance to Māori and significant natural areas. Section 6 of the Act mandates that the values associated with these features are recognised and provided for. In respect of network utilities, this requires a balance so that the nature, location and scale of the utility is appropriate and respects the character, attributes and value outcomes anticipated for the receiving environment. In some cases, these effects are managed through National Environmental Standards, and in others, through the rules in this plan. The National Grid is recognised

to be of national significance in the NPSET and the district plan must give effect to the NPSET.

### Other relevant regulations

Additional regulatory requirements and approvals separate to this plan, are also relevant to network utilities, including:

1. The requirements of the NESETA and the NESTF.
2. Where relevant, the requirements of the National Code of Practice for Utility Operators' Access to Transport Corridors will apply to the placement, maintenance, upgrading and removal of network utility structures in the road.
3. Compliance with the NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP) is mandatory under the Electricity Act 1992. All activities regulated by the NZECP, including any activities that are otherwise permitted by the plan, must comply with this regulation.
4. Compliance with the Electricity (Hazards from Trees) Regulations 2003 is mandatory. All activities regulated by these regulations, including any activities that are otherwise permitted by the plan, must comply with this regulation.
5. Connections to a network utility require approval of the relevant network utility operator and works within roads require approval of the relevant road controlling authority.

## Objectives

*Refer also to the relevant objectives in Part 2 District - Wide Matters and Part 3 - Area Specific Matters*

- NU-01.** Effective, resilient, efficient and safe network utilities that:
1. Provide essential and secure services, including in emergencies; and
  2. Facilitate local, regional, national, or international connectivity; and
  3. Contribute to the economy; and
  4. Integrate with development, infrastructure and other activities; and
  5. Enable people and communities to provide for their health, safety and wellbeing
- NU-02.** The adverse effects of network utilities on the environment are avoided, remedied or mitigated whilst recognising the positive effects and functional and operational needs of network utilities.
- NU-03.** The national significance and benefits of the National Grid ~~and gas transmission~~ network are recognised and provided for.
- NU-0X** The regional significance of the gas transmission network is recognised.<sup>1</sup>
- NU-04.** The transport network is a well-connected, integrated and accessible system that meets, and is responsive to current and future needs, and maximises opportunities to link with both existing and planned<sup>2</sup> land use and development.
- NU-05.** Resilient, efficient and safe water, wastewater and stormwater treatment systems are enabled.

<sup>1</sup> TLC [25.12], Transpower [31.35]

<sup>2</sup> Waka Kotahi [17.29]

# Policies

Refer also to the relevant policies in Part 2 District - Wide Matters and Part 3 - Area Specific Matters

## Benefits of network utilities

- NU-P1.** Recognise the benefits of network utilities by allowing for the development, upgrade, operation, maintenance, repair or removal of network utilities and provide for the functions and responsibilities of network utilities including during an emergency.
- NU-P2.** Recognise that the positive benefits of network utilities may be realised at a national, regional and local level. The benefits include an:
1. Effective, safe, secure, and efficient electricity and gas transmission and distribution system; and
  2. Integrated, efficient, and safe transport network for the movement of people and goods by land, air, or water, including public transport, walking, cycling and private vehicles; and
  3. Effective, reliable and future-proofed communications network and services; and
  4. Effective, resilient, efficient and safe water, wastewater and stormwater treatment systems, network and services.

## Minor Utilities

- NU-P3.** Enable minor utility structures for any network utility in all locations except for significant archaeological sites, sites and areas of significance to Māori, outstanding natural features, on or within the sites or surroundings of scheduled heritage buildings or structures.

## Signs

- ~~**NU-P4.** Allow signs that are required by legislation, including but not limited to health and safety, dangerous buildings and hazardous substances signs.~~
- ~~**NU-P5.** Allow signs on roads and railways that assist in directing traffic and promoting safety.~~
- ~~**NU-P6.** Ensure the number, design, location, and content of any sign does not adversely affect the safe functioning of roads by minimising obstructions caused by signs projecting into or over roads and access ways and avoiding clusters of signs which result in visual clutter and driver distraction.~~<sup>3</sup>

## Earthworks

- ~~**NU-P7.** Enable earthworks where they maintain the stability of land, are setback from caves, sinkholes and water bodies and minimise:~~
- ~~1. Erosion and sediment loss from the site, including loss to reticulated stormwater systems; and~~
  - ~~2. The effect of cut or fill faces and retaining structures on the visual amenity and character of the surrounding area; and~~
  - ~~3. Significant alterations to natural landforms; and~~

<sup>3</sup> WRC [10.23a, 10.23b, 10.23c, 10.20]

~~4. Adverse effects on air quality from objectionable particulate matter.~~<sup>4</sup>

## ~~Indigenous vegetation~~

~~NU-P8. Enable clearance of indigenous vegetation outside of overlays, scheduled sites and features, cave entrances and sinkholes, coastal and water body margins.~~<sup>5</sup>

## Adverse effects

**NU-P9.** ~~For roads in all locations and all land located outside of overlays, scheduled sites and features, manage the adverse effects of network utilities whilst taking into account their functional and operational needs, by:~~

Manage the adverse effects of network utilities in all roads and other land outside of overlays, scheduled sites and features, whilst taking into account their functional and operational needs by:<sup>6</sup>

1. Controlling the height, bulk and location of network utilities in a manner that minimises to the smallest amount reasonably practicable<sup>7</sup> any adverse effects on the anticipated outcomes for the receiving environment including the role, function, character and identified qualities of the zone or precinct; and
2. Requiring compliance with recognised standards or guidelines relating to radiofrequency fields and electric and magnetic fields; and
3. Requiring undergrounding of new electricity and telecommunications lines in the Te Kūiti CBD Precinct (PREC5) and the future urban zone only; however, this does not apply to upgrading of existing overhead lines.

**NU-P10.** Ensure the location, scale and operation of network utilities and their ancillary activities avoid, remedy or mitigate adverse effects on nearby sensitive activities ~~as far as~~ where practicable, including by:

1. Maintaining required separation distances to ensure reverse sensitivity effects are minimised; and
2. Ensuring sites are sufficiently landscaped and screened where appropriate; and
3. Ensuring that ~~industrial~~ buildings to house network utilities are designed ~~as far as practicable~~ to not overshadow or overly dominate the wider surrounding area.<sup>8</sup>

~~NU-PX~~ Manage the adverse effects of the development of new land transport infrastructure on the physical and natural environment by:

- ~~1. Considering the effects on the amenity values of the surrounding environment, public access, and the health and safety of people when locating, designing and operating new transport infrastructure.~~

<sup>4</sup> WRC [10.21 and 10.23d]

<sup>5</sup> WRC [10.23e]

<sup>6</sup> WRC [10.24]

<sup>7</sup> Transpower [31.40]

<sup>8</sup> Transpower [31.41] and Chorus, Connexa, Spark, Vodafone [09.06]

- 2.1. Considering alternative sites, routes or methods.
- 3.2 Limiting the presence and effects of the development of new land transport infrastructure within Outstanding Natural Features and Landscapes, Outstanding Natural Character, areas of significant natural areas, sites of historic heritage and sites and areas of significance to Māori to those which:
  - a. have an operational or functional requirement for the location; and
  - b. integrate design measures and management methods to mitigate adverse effects.<sup>9</sup>

## **Hazards areas, coastal hazard areas, overlays, scheduled sites and features**

**NU-P11.** ~~Ensure consideration of the values, qualities and characteristics of overlays, scheduled sites and features when proposing new infrastructure or undertaking significant upgrades to existing infrastructure.~~<sup>10</sup>

**NU-P12.** ~~Consider~~ Provide for regionally significant infrastructure within overlays, scheduled sites and features where:<sup>11</sup>

1. There is a demonstrated functional or operational need for the infrastructure to be located within the overlay, scheduled site or feature; and
2. It is demonstrated through an options assessment that locating within the overlay, scheduled site or feature is the best practicable option, having particular regard to the financial implications, social, cultural and environmental effects of the preferred option, compared to alternative options.

NU-PX Enable network utilities in natural hazard overlays that:

1. Do not increase the risk from the natural hazard to people, other property or other infrastructure;
2. Have a functional need or operational need to be located within the area subject to the hazard; and
3. Where necessary and appropriate include design measures to reduce the potential for damage in a natural hazard event.<sup>12</sup>

## **Integration**

**NU-P13.** In assessing the effects of any application and the directions contained in Policy NU-P1 to Policy NU-P12, have regard to:

<sup>9</sup> Federated Farmers of New Zealand [46.25], Forest and Bird [47.68]

<sup>10</sup> DOC [53.20]

<sup>11</sup> Chorus, Connexa, Spark, Vodafone [09.07 and 09.08], Forest & Bird [47.55, 47.50]

<sup>12</sup> Chorus, Connexa, Spark, Vodafone [09.07 and 09.08]

1. The extent to which adverse effects have been addressed through site, route or method selection and/or the extent to which the network utility is constrained by functional or operational needs; and
2. Whether, because of functional and operational constraints, there may be some situations where all adverse effects cannot be avoided, remedied, or mitigated; and
3. The necessity and significance of the network utility, including:
  - (i) The need to quickly repair and restore disrupted services; and
  - (ii) The impact at a local, regional and national level of not operating, repairing, maintaining, upgrading, removing or developing the network utility; and
4. The time, duration or frequency of adverse effects; and
5. The location of existing network utilities, including:
  - (i) The complexity and connectedness of the networks and services; and
  - (ii) The potential for co-location and shared use of network utility corridors.

**NU-P14.** Encourage the coordination of network utilities planning and delivery with land use subdivision, development and growth so that future land use and network utilities are integrated, efficient and aligned.

**NU-P15.** Support network utility operators in adopting new technologies that:

1. Improve access to, and efficient use of, networks and services; ~~and or~~
2. Allow for the re-use of redundant services and structures; ~~and or~~
3. Enable co-location on existing structures; ~~and or~~
4. Increase resilience, safety or reliability of networks and services; ~~and or~~
5. Result in environmental benefits and enhancements; or
6. Promote environmentally sustainable outcomes including green infrastructure and the increased utilisation of renewable resources.<sup>13</sup>

**NU-P16.** Facilitate the co-location of network utilities within transport corridors where these do not adversely impact the safe and efficient operation of the land transport network or unduly compromise the amenity of the receiving environment.

**NU-P17.** Require structures on or adjacent to an indicative road to locate or design the activity in general accordance with the indicative road transport network.

**NU-P18.** The flightpath height restrictions for the Te Kūiti Aerodrome must be complied with.

**NU-P19.** The function, operation, maintenance, repair and upgrading of existing network utilities is protected from the adverse effects, including reverse sensitivity effects, of subdivision, use and development.

## National Grid

<sup>13</sup> Chorus, Connexa, Spark and Vodafone [09.09]

**NU-P20.** Enable the operation, maintenance and minor upgrade and repair of the National Grid.

In the event of any conflict with any other policies within the plan, NUP20, NU-P21 and NU-P22 take precedence.<sup>14</sup>

**NU-P21.** Provide for the upgrading of the National Grid by:

1. Seeking to avoid adverse effects on areas identified in [SCHED1 - heritage buildings and structures](#), [SCHED2 - significant archaeological sites](#), [SCHED3](#) and [SCHED 4 - sites of significance to Māori](#), [SCHED6 - significant natural areas](#), and [SCHED8 - outstanding natural features](#); and
2. When considering major upgrades, have regard to the extent to which adverse effects have been avoided, remedied or mitigated by the route, site and method selection; and
3. Recognising the constraints arising from the operational needs and functional needs of the National Grid, when considering measures to avoid, remedy or mitigate any adverse effects; and
4. Recognising the potential benefits of upgrades to the National Grid to people and communities; and
5. Where appropriate, substantial upgrades should be used as an opportunity to reduce existing effects of the National Grid.
6. In the event of any conflict with any other policies within the plan, NUP20, NU-P21 and NU-P22 take precedence.<sup>15</sup>

**NU-P22.** Provide for the development of the National Grid:

1. In urban zoned areas, development should minimise adverse effects on urban amenity and should avoid material adverse effects on the commercial zone, areas of high recreational or amenity value and existing sensitive activities; and
2. Seek to avoid the adverse effects of the National Grid within overlays, scheduled sites and features; and
3. Where the National Grid has a functional need or operational need to locate within the coastal environment, manage adverse effects by:
  - (a) Seeking to avoid adverse effects on areas identified in [SCHED6 - significant natural areas](#), [SCHED7 - outstanding natural landscapes](#), [SCHED8 - outstanding natural features](#), and [SCHED10 areas of outstanding natural character](#); and
  - (b) Where it is not practicable to avoid adverse effects on the values of the areas in identified in [SCHED6 - significant natural areas](#), [SCHED7 - outstanding natural landscapes](#), [SCHED8 - outstanding natural features](#), and [SCHED10 areas of outstanding natural character](#) because of the

<sup>14</sup> Transpower [31.47 and 31.48]

<sup>15</sup> Transpower [31.47 and 31.48]

functional needs or operational needs of the national grid, remedy or mitigate adverse effects on those values; and

- (c) Seeking to avoid significant adverse effects on:
  - i. ~~SCHED11—areas of high/very high natural character, SCHED9—landscapes of high amenity value and SCHED12—karst overlay other areas of natural character in the coastal environment; and~~
  - ii. ~~SCHED1—heritage buildings and structures, SCHED2—significant archaeological sites, SCHED3 and SCHED 4—sites of significance to Māori natural attributes and characteristics of other natural features and landscapes in the coastal environment; and~~
  - iii. indigenous biodiversity values that meet the criteria in Policy 11(b) of the NZCPS 2010; and
  - iv. ~~Avoiding, remedying or mitigating other adverse effects to the extent practicable; and~~

~~4. Avoiding, remedying or mitigating other adverse effects to the extent practicable; and~~

~~45.~~ When considering the adverse effects in respect of NU-P22.1 - NU-P22.3 above:~~†~~

- (i) Have regard to the extent to which adverse effects have been avoided, remedied or mitigated by the route, site and method selection and techniques and measures proposed; and
- (ii) Consider the constraints arising from the operational needs and or functional needs of the National Grid, when considering measures to avoid, remedy or mitigate any adverse effects.

~~56. Other than policies relating to the coastal environment,~~ in the event of any conflict with any other policies within the plan, NU-P20, NU-P21 and NU-P22 take precedence. <sup>16</sup>

<sup>16</sup> Transpower [31.49]



## Rules

If land containing a network utility is subject to a designation, the designation and its condition(s) prevail. For the purposes of this chapter, irrespective of whether a scheduled site, feature or overlay is shown on the planning maps, the only column in the tables below that applies to roads is labelled "All roads and new roads approved as part of a resource consent".

The rules in this chapter apply to [network utility operators](#) only. The rules are contained in the tables listed below. To undertake any activity, it must comply with all the rules listed in:

- NU - Table 1 - Activities Rules; and
- NU - Table 2 - Performance Standards; and
- Unless specifically referenced in a rule, Part 2 District-Wide Matters do not apply except for the following chapters: [Strategic direction](#), [urban form and development](#), [contaminated land](#), [hazardous substances](#), [financial contributions](#), [hapori whānui](#), [activities on the surface of water](#), [relocated buildings](#) and [temporary activities](#); and
- Unless specifically referenced in a rule, Part 3 Area Specific Matters do not apply.

Where an activity breaches more than one rule, the most restrictive status shall apply to the activity.

[Refer to Part 1 - How the Plan Works](#) for an explanation of how to use this plan, including activity status abbreviations.

**Pursuant to Section 86B(3) of the RMA, the following rules that protect areas of significant indigenous vegetation or areas of significant habitats of indigenous fauna, and protect or relate to water have immediate legal effect: NU-R37.2 to R37.5 and NU-R40.**

## NU - Table 1 Activity Rules

NU - Table 1 contains the following sections:

- National Standards
- All network utilities (except where National Standards apply)
- Underground utilities only
- Above ground utilities only
- Telecommunications
- Sensing and monitoring equipment
- Three waters
- Roads
- Signs
- Earthworks, caves and removal of indigenous vegetation
- Structures close to the coast or water bodies
- Subdivision
- Te Kūiti aerodrome flightpath restrictions

*Note: More than one section and/or rule may apply to an activity.*

*Note: Where sites and areas of significance to Māori are referred to it means the mapped extent of sites listed in [SCHED3](#) and [SCHED4](#).*

*Note: Where Heritage Buildings and Structures are referred to it **also**<sup>17</sup> means the [site or surroundings \(of any building or structure listed in \[SCHED1\]\(#\)\)](#)*

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<sup>17</sup> NZHPT [03.32]

## Roads

### National Standards

NU-R1.	National Grid existing electricity transmission lines
All zones and all precincts. All overlays, scheduled sites and features All roads and new roads approved as part of a resource consent	
The activity status and standards for the operation, maintenance, upgrading, relocation, or removal of an existing transmission line in the National Grid, including maintaining access tracks, earthworks and associated activities is set out in the Resource Management (National Environmental Standards for Electricity Transmission Activities Regulations 2009 (NESETA)).	
<i>Note: This rule is not subject to any other rule in this plan.</i>	
<b>Activity status where compliance is not achieved with the regulations: Refer to NESETA.</b>	

NU-R2.	National Environmental Standards for Telecommunication Facilities (NESTF) 2016				
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent
See below	See below	<b>DIS:</b> Heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites, outstanding natural features Category A, C and D  <b>NC:</b> Outstanding natural features Category B, E and F	<b>DIS</b>	<b>RDIS</b>	<a href="#">PER</a> - See below

**NU-R2.1 to NU-R2.4 are permitted by NESTF where the relevant standards in NESTF are complied with and the activity is not located within overlays, scheduled sites and features:**

1. Telecommunication cabinets (Regulation 19 to 25):
  - ~~(i) In the road reserve~~
  - (ii) Outside the road reserve
  - (iii) On buildings [outside the road reserve](#)
2. Antennas (Regulation 26 to 37):
  - ~~(i) On existing poles in road reserve~~
  - ~~(ii) On new poles in road reserve~~
  - (iii) Replacement, upgrading and co-location of existing poles and antennas outside road reserve (with different conditions in residential and non-residential areas)
  - (iv) New poles and antennas in general rural zone
  - (v) Antennas on buildings [outside the road reserve](#) (above a permitted height in residential areas)
3. Small-cell units on existing structures [outside the road reserve](#) (Regulation 38)
4. Telecommunication lines underground, on the ground and overhead [outside the road reserve](#) (Regulations 39 to 43)

**[NU-R2.5 to NU-R2.8 are permitted by NESTF in the road reserve where the relevant standards in NESTF are complied with:](#)**<sup>18</sup>

5. [Telecommunication cabinets \(Regulation 19 to 25\):](#)
  - [\(i\) In the road reserve](#)
  - [\(ii\) On buildings](#)
6. [Antennas \(Regulation 26 to 37\):](#)
  - [\(i\) On existing poles](#)
  - [\(ii\) On new poles](#)
  - [\(iii\) Replacement, upgrading and co-location of existing poles and antennas \(with different conditions in residential and non-residential areas\)](#)
  - [\(v\) Antennas on buildings \(above a permitted height in residential areas\)](#)
7. [Small-cell units on existing structures \(Regulation 38\)](#)
8. [Telecommunication lines underground, on the ground and overhead \(Regulations 39 to 43\)](#)

**RDIS:** Where the standards in NESTF are not complied with unless the equivalent equipment not regulated by the NESTF is otherwise provided for as a permitted activity in the NU Rules (except for Reg 55 Radio Frequency which is NC in accordance with NESTF).

**NC:** Where the standards in NESTF are not complied with or the activity cannot comply with the Te Kūiti Aerodrome flightpath height restrictions.

<sup>18</sup> Chorus, Connexa, Spark, Vodafone [09.11]

**Where the activity is RDIS, the matters over which discretion is restricted are:**

- (a) The technical, functional and operational needs of and benefits from the network utility and the works proposed; and
- (b) Whether the works will result in public health and/or safety risks as a result of non-compliance with the standard; and
- (c) The scale of any structure and how it relates to the existing surroundings and the scale of structures anticipated in the zone, overlay, scheduled site or feature; and
- (d) The potential adverse effects of any noise generated having regard to the level, duration and frequency and characteristics of noise and proximity of nearby noise sensitive activities including the amenity values associated with the receiving environment; and
- (e) The potential adverse effects of any outdoor lighting, particularly on the amenity values of the locality; and
- (f) The extent, nature and effects of earthworks and vegetation clearance including how it may affect any overland flow paths and adjacent properties; and
- (g) Control of erosion and sediment including effects on drainage, flooding and overland flow paths; and
- (h) Effects on the coastline, water bodies and their margins, including effects on natural character and slope stability; and
- (i) Measures to avoid, remedy, or mitigate damage to ecological, hydrological and geological values of a karst system; and
- (j) Effects on the values of the coastal environment and landscape of high amenity value, including effects from structures, access tracks and the removal of indigenous vegetation; and
- (k) The effect on the safety and efficiency of the adjacent road network including intersections and proximity to existing driveways; and
- (l) The potential to contribute to cumulative adverse effects.

**All network utilities (except where National Standards apply)**

NU-R3.	Operation, maintenance and removal of existing network utilities and existing ancillary access tracks				
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent
PER	PER	PER	PER	PER	PER
		<b>RDIS:</b> Outstanding natural features, sites and areas of significance to Māori and significant archaeological sites for the removal of existing underground network utilities only			
PER and RDIS activities must:					
1. Comply with all the provisions in NU - Table 2: and					

NU-R3. Operation, maintenance and removal of existing network utilities and existing ancillary access tracks						
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent	

2. For all roads, the works must not extend beyond the road reserve or designation boundary; and
3. For all roads except state highways, the works must comply with the standards set out in the Regional Infrastructure Technical Specifications (Waikato).

**PER activities** that do not comply with NU-R3.1 through to NU-R3.3 are **RDIS activities**, except any activity that does not comply with the provisions in NU-R53 and NU-R54 is a **NC activity**.

*Note: for upgrading of existing above ground and underground network utilities see NU-R14 and NU-R17.*

**Where the activity is RDIS, the matters over which discretion is restricted are:**

- (a) The extent and effect of non-compliance with any rule and any matters of discretion in the rule; and
- (b) The technical, functional and operational needs of and benefits from the network utility and the works proposed; and
- (c) For roads: The effects on the environment of not complying with the standards set out in the Regional Infrastructure Technical Specifications (Waikato); and
- (d) Whether the works or actions will result in public health and/or safety risks; and
- (e) The effect on the safety and efficiency of the adjacent road network including intersections and proximity to existing driveways; and
- (f) For removal of underground network utilities, effects on the relationship of mana whenua and their culture and traditions with the scheduled site, any wāhi tapu or any other taonga; and
- (g) For removal of underground network utilities, outcomes from consultation with mana whenua regarding protection of the scheduled site's values including provision for tikanga Māori, kaitiakitanga and mātauranga Māori; and
- (h) For removal of underground utilities, measures to avoid, remedy, or mitigate damage to ecological, hydrological and geological values of the karst system.

NU-R4. New and extended or upgraded access tracks						
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent	
<b>PER</b>	<b>PER</b>	<b>DIS</b>	<b>RDIS</b>	<b>PER:</b> Coastal environment, landscapes of high amenity value	<b>PER</b>	

NU-R4.	New and extended or upgraded access tracks				
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent
		<b>RDIS</b> <sup>19</sup>		<b>RDIS:</b> Karst overlay	
<p><b>PER activities must:</b></p> <ol style="list-style-type: none"><li>1. Comply with all the provisions in NU - Table 2; and</li><li>2. Have a maximum width of 3 m, excluding passing bays, where located within the outstanding natural landscapes, outstanding natural character, high/very high natural character, coastal environment, karst overlay or landscapes of high amenity value; and</li><li>3. Be setback 2 m from the boundary of a site containing a sensitive activity or 15 m from a building housing a sensitive activity, whichever is the greater; and</li><li>4. Not create a dust nuisance.</li></ol> <p><b>PER activities</b> that do not comply with NU-R4.1 through to NU-R4.4 are <b>RDIS activities</b>, except any activity that does not comply with the provisions in NU-R53 and NU-R54 is a <b>NC activity</b>.</p> <p><b>RDIS and DIS activities</b> that do not comply with the provisions in NU-R53 and NU-R54 are a <b>NC activity</b>.</p>					
<p><b>Where the activity is a RDIS activity, the matters over which discretion is restricted are:</b></p> <ol style="list-style-type: none"><li>(a) The extent and effect of non-compliance with any rule and any matters of discretion in the rule; and</li><li>(b) The technical, functional and operational needs of and benefits from the network utility and the works proposed; and</li><li>(c) The amount and frequency of traffic movements and the type of vehicles, that will use the access track; and</li><li>(d) Whether the works or actions will result in additional public health and/or safety risks; and</li><li>(e) Effect on the values of the overlay, scheduled site or feature; and</li><li>(f) Within significant natural areas, the methods proposed to avoid or minimise potential adverse effects on indigenous biodiversity including the consideration of the no net loss principal and rehabilitation measures; and</li><li>(g) For adjacent sensitive activities, the location of the track on the site and whether another location is possible; and</li><li>(h) How dust is to be managed so it does not create a health or nuisance issue, or damage property; and</li><li>(i) The potential to contribute to cumulative effects on amenity values and</li><li>(j) measures to avoid, remedy, or mitigate damage to ecological, hydrological and geological values of the karst system.</li></ol>					

<sup>19</sup> WRC [10.25] and KRH [51.21]

<b>NU-R5.</b>	<b>New network utilities in existing buildings</b>
All zones and all precincts. All overlays, scheduled sites and features All roads and new roads approved as part of a resource consent	
<b>PER</b>	
<p><b>PER activities must:</b></p> <ol style="list-style-type: none"> <li>1. Comply with the noise standards in NU-R46 and with NU-R53 and NU-R54 in NU - Table 2.</li> </ol> <p><b>PER activities</b> that do not comply with the noise standards in NU-R46 are <b>RDIS activities</b>.</p> <p><b>PER activities</b> that do not comply with the provisions in NU-R53 and NU-R54 are a <b>NC activity</b>.</p>	
<p><b>Where the activity is RDIS, the matters over which discretion is restricted are:</b></p> <ol style="list-style-type: none"> <li>(a) The extent and effect of non-compliance with the noise standard and any matters of discretion in the rule.</li> </ol>	

<b>NU-R6.</b>	<b>New customer connections</b>
All zones and all precincts. All overlays, scheduled sites and features All roads and new roads approved as part of a resource consent	
<b>PER</b>	
<p><b>PER activities must:</b></p> <ol style="list-style-type: none"> <li>1. Comply with all the provisions in NU - Table 2; and</li> <li>2. Not include a new tower; and</li> <li>3. Not exceed three new additional poles, except in the general rural zone where there is no limitation on the number of poles.</li> </ol> <p><b>PER activities</b> that do not comply with NU-R6.1 through to NU-R6.3 are <b>RDIS activities</b>, except any activity that does not comply with the provisions in NU-R53 and NU-R54 is a <b>NC activity</b>.</p>	



**Where the activity is RDIS, the matters over which discretion is restricted are:**

- (a) The extent and effect of non-compliance with any rule and any matters of discretion in the rule; and
- (b) The technical, functional and operational needs of and benefits from the network utility and the works proposed; and
- (c) The effect on the safety and efficiency of the adjacent road network including intersections and proximity to existing driveways; and
- (d) Effects on the values of any overlay or scheduled site or feature.

*Note: An archaeological authority from Heritage New Zealand Pouhere Taonga may be required*

<b>NU-R7. New minor utility structures, including energy storage batteries, and telecommunication cabinets that are not regulated by NESTF</b>					
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent
<b>PER</b>	<b>PER</b>	<b>RDIS</b>	<b>PER</b>	<b>PER</b>	<b>PER</b>
<p><b>PER activities must:</b></p> <ol style="list-style-type: none"> <li>1. Comply with all the provisions in NU - Table 2; and</li> <li>2. Not be within 10 m of any existing utility structure that is more than 3 m<sup>2</sup> in area.</li> </ol> <p><b>PER activities</b> that do not comply with NU-R7.1 through to NU-R7.2 are <b>RDIS activities</b>, except any activity that does not comply with the provisions in NU-R53 and NU-R54 is a <b>NC activity</b>.</p>					
<p><b>Where the activity is RDIS, the matters over which discretion is restricted are:</b></p> <ul style="list-style-type: none"> <li>(a) The extent and effect of non-compliance with any rule and any matters of discretion in the rule; and</li> <li>(b) The technical, functional and operational needs of and benefits from the network utility and the works proposed; and</li> <li>(c) Whether the works or actions will result in additional public health and/or safety risks; and</li> <li>(d) Effects on the values of the overlay, scheduled site or feature; and</li> <li>(e) Effects on the relationship of mana whenua and their culture and traditions with the area and/or site, wāhi tapu or any other taonga; and</li> <li>(f) For any sites and areas of significance to Māori, outcomes from consultation with mana whenua regarding protection of the Scheduled site's values including provision for tikanga Māori, kaitiakitanga and mātauranga Māori; and</li> <li>(g) For any significant archaeological sites, outcomes from consultation with mana whenua and Heritage New Zealand Pouhere Taonga; and</li> <li>(h) For any heritage buildings and structures, outcomes from consultation with Heritage New Zealand Pouhere Taonga; and</li> <li>(i) For any outstanding natural features, measures to avoid, remedy, or mitigate damage to landscape and geological values; and</li> <li>(j) The potential visual effects, particularly on the visual amenity of the locality and streetscape; and</li> <li>(k) The effect on the safety and efficiency of the adjacent road network including intersections and proximity to existing driveways; and</li> <li>(l) The potential to contribute to cumulative effects on amenity values.</li> </ul>					

NU-R8: New electric vehicle charging facilities <sup>20</sup>						
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent	
PER	PER	RDIS	PER	PER	PER	
<p><b>PER activities must:</b></p> <p>1. Be installed in an existing, permitted or consented vehicle parking space, vehicle depot or garage structure, or installed on the road reserve; and</p> <p>2. Not exceed a height of 1.8 m and an area of 1.5 m².</p> <p><b>PER activities</b> that do not comply are <b>RDIS activities</b></p>						
<p><b>Where the activity is RDIS, the matters over which discretion is restricted are:</b></p> <p>(a) Adverse effects on the safe, efficient and effective operation of the road transport network; and</p> <p>(b) Effects on the values of any scheduled site or feature including outcomes from consultation with mana whenua and Heritage New Zealand Pouhere Taonga where relevant; and</p> <p>(c) The extent and effect of non-compliance on the streetscape, pedestrian safety and the amenity of the area.</p>						

<b>NU-R9: <del>New public walkways and cycleways</del><sup>21</sup></b>						
<del>Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3</del>	<del>Industrial, general rural and rural production zones and PREC3</del>	<del>Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites</del>	<del>Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character</del>	<del>Coastal environment, karst overlay, landscapes of high amenity value</del>	<del>All roads and new roads approved as part of a resource consent</del>	
<b>PER</b>	<b>PER</b>	<b>PER:</b> Heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites, outstanding natural features Category A, C, D and F	<b>PER</b>	<b>PER</b>	<b>PER</b>	

<sup>20</sup> WRC [10.16 and 10.26b]

<sup>21</sup> WRC [10.16 and 10.26c]

		<del><b>DIS:</b> Outstanding natural features Category B and E</del>			
<p><b>PER activities must:</b></p> <p>1. <del>Comply with all the provisions in NU Table 2; and</del></p> <p>2. <del>Have a minimum width of 1.5 m and a maximum width of 3.5 m.</del></p> <p><del><b>PER activities</b> that do not comply with NU R9.1 through to NU R9.2 are <b>RDIS activities</b>, except any activity that does not comply with the provisions in NU R53 and NU R54 is a <b>NC activity</b>.</del></p> <p><del><b>DIS activities</b> that do not comply with the provisions in NU R53 and NU R54 are a <b>NC activity</b></del></p>					
<p><b>Where an activity is RDIS, the matters over which discretion is restricted are:</b></p> <p>(a) <del>The extent and effect of non-compliance with any rule and any matters of discretion in the rule; and</del></p> <p>(b) <del>The design, location, construction and materials used; and</del></p> <p>(c) <del>Effects on the values of any overlay, scheduled site or feature including outcomes from consultation with mana whenua and Heritage New Zealand Pouhere Taonga where relevant; and</del></p> <p>(d) <del>The extent and effect of non-compliance on the streetscape, pedestrian and cyclist safety and the amenity of the area; and</del></p> <p>(e) <del>Connectivity with other off-road pedestrian and cycle facilities and the road network; and</del></p> <p>(f) <del>The extent to which the key moves in the relevant Town Concept Plan have been considered and provided for; and</del></p> <p>(g) <del>For any heritage buildings and structures, outcomes from consultation with Heritage New Zealand Pouhere Taonga; and</del></p> <p>(h) <del>For any outstanding natural features, measures to avoid, remedy, or mitigate damage to landscape and geological values; and</del></p> <p>(i) <del>The potential visual effects, particularly on the visual amenity of the locality and streetscape; and</del></p> <p>(j) <del>The effect on the safety and efficiency of the adjacent road network including intersections and proximity to existing driveways; and</del></p> <p>(k) <del>The potential to contribute to cumulative effects on amenity values.</del></p>					

<b>NU-R10:</b>	<b>New stock underpasses<sup>22</sup></b>				
<b>Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3</b>	<b>Industrial, general rural and rural production zones and PREC3</b>	<b>Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites</b>	<b>Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character</b>	<b>Coastal environment, karst overlay, landscapes of high amenity value</b>	<b>All roads and new roads approved as part of a resource consent</b>
<b>PER:</b> Rural lifestyle, and Māori purpose zones	<b>PER</b>	<b>DIS</b>	<b>PER</b>	<b>PER:</b> Coastal environment, landscapes of high amenity value	Refer to the activity status of the adjacent zone, where there are two or more zones,

<sup>22</sup> WRC [10.16 and 10.26d]

<del>RDIS: Residential, future urban, settlement, commercial, tourism, open space and natural open space zones, all precincts except PREC3</del>				<del>RDIS: Karst overlay</del>	<del>the most restrictive provision applies.</del>
<p><b>PER activities must:</b></p> <ol style="list-style-type: none"> <li><del>1. Comply with all the provisions in NU Table 2; and</del></li> <li><del>2. Other than works on state highways, comply with the standards and requirements set out in the Regional Infrastructure Technical Specifications (Waikato).</del></li> </ol> <p><b>PER activities that do not comply are RDIS activities</b></p>					
<p><b>Where the activity is RDIS, the matters over which discretion is restricted are:</b></p> <ol style="list-style-type: none"> <li><del>(a) Within the karst overlay, measures to avoid, remedy, or mitigate damage to ecological, hydrological and geological values of the karst system; and</del></li> <li><del>(b) Adverse effects on the safe, efficient and effective operation of the road transport network; and</del></li> <li><del>(c) The extent and effect of non-compliance with the standards set out in the Regional Infrastructure Technical Specifications (Waikato).</del></li> </ol>					

NU-R11. Electricity generators and self-contained power units for the supply of a network utility	
All zones and all precincts. All other overlays, scheduled sites and features All roads and new roads approved as part of a resource consent	Heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites
PER	RDIS <sup>23</sup>
<p><b>PER activities must:</b></p> <ol style="list-style-type: none"><li>1. Comply with the noise standards in NU-R46 and with NU-R53 and NU-R54 in NU - Table 2.</li><li>2. Be setback at least 2 m from the boundary of a site containing a sensitive activity or 15 m from a building housing a sensitive activity, whichever is greater; and</li><li>3. This rule does not apply to temporary generators associated with a network utility, used during outages of electricity supply.</li></ol> <p><b>PER activities</b> that do not comply with NU-R11.1 through to NU-R11.3 are <b>RDIS activities</b>, except any activity that does not comply with the provisions in NU-R53 and NU-R54 is a <b>NC activity</b>.</p>	

<sup>23</sup> NZHPT [03.40]

NU-R11.	Electricity generators and self-contained power units for the supply of a <b>network utility</b>
All zones and all precincts. All <b>other</b> overlays, scheduled sites and features All roads and new roads approved as part of a resource consent	<b>Heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites</b>
<p><b>Where the activity is RDIS, the matters over which discretion is restricted are:</b></p> <ul style="list-style-type: none"> <li>(a) The extent and effect of non-compliance with the noise standard and any matters of discretion in the rule; and</li> <li>(b) The functional and operational needs of, and benefits from, the generator or power unit, including the potential impact on levels of service, and health and safety if the work is not undertaken; and</li> <li>(c) The bulk, height and location of the generator; and</li> <li>(d) Any measures to avoid, remedy or mitigate adverse effects including on nearby sensitive activities; <del>and</del></li> <li>(e) The potential to contribute to cumulative effects on amenity values-; <b>and</b></li> <li>(f) <b>Effects on the values of any overlay or scheduled site or feature.</b><sup>24</sup></li> </ul>	

NU-R12.	Temporary <b>network utilities</b>				
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	<u>Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character</u> <sup>25</sup>	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent
PER	PER	DIS	PER: Outstanding natural landscapes, outstanding natural character, high/very high natural character	PER	PER
			RDIS: Significant natural areas		
<b>PER activities must:</b>  1. Comply with all the provisions in NU - Table 2; and 2. Operate for no longer than 12 months; and 3. Be setback at least 2 m from the boundary of a site containing a sensitive activity or 15 m from a building housing a sensitive activity, whichever is greater; and 4. Be removed from the site within one calendar month of completion of the temporary works.					

<sup>24</sup> NZHPT [03.40]

<sup>25</sup> WRC [10.25]

NU-R12.	Temporary <b>network utilities</b>				
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	<u>Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character</u> <sup>25</sup>	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent
<p><b>PER activities</b> that do not comply with NU-R12.1 through to NU-R12.4 are <b>RDIS activities</b>, except any activity that does not comply with the provisions in NU-R53 and NU-R54 is a <b>NC activity</b>.</p> <p><b>RDIS and DIS activities</b> that do not comply with the provisions in NU-R53 and NU-R54 are a <b>NC activity</b></p>					
<p><b>Where the activity is RDIS, the matters over which discretion is restricted are:</b></p> <ul style="list-style-type: none"> <li>(a) The extent and effect of non-compliance with any rule and any matters of discretion in the rule; and</li> <li>(b) The functional and operational needs of, and benefits from, the temporary network utility, including the potential impact on levels of service, and health and safety if the work is not undertaken; and</li> <li>(c) Whether the works or actions will result in additional public health and/or safety risks; and</li> <li>(d) Effects on the values of the overlay, scheduled site or feature; and</li> <li>(e) Within significant natural areas, the methods proposed to avoid or minimise potential adverse effects on indigenous biodiversity including the consideration of the no net loss principal and rehabilitation measures; and</li> <li>(f) The bulk, height, location, and design of the network utility, including any associated structures; and</li> <li>(g) The duration, timing and frequency of adverse effects; and</li> <li>(h) The effect on the safety and efficiency of the adjacent road network including intersections and proximity to existing driveways; and</li> <li>(i) Any measures to avoid, remedy or mitigate adverse effects including on nearby sensitive activities; and</li> <li>(j) The potential to contribute to cumulative effects on amenity values.</li> </ul>					

<del>NU-R13.</del>	<del>New structures on or adjacent to a railway corridor or an indicative road</del> <sup>26</sup>
<del>All zones and all precincts. All overlays, scheduled sites and features</del> <del>All roads and new roads approved as part of a resource consent</del>	
<b>RDIS</b>	

<sup>26</sup> WRC [10.16 and 10.26e]

<b>NU-R13:</b>	<b>New structures on or adjacent to a railway corridor or an indicative road<sup>26</sup></b>
<p><del>All zones and all precincts. All overlays, scheduled sites and features</del></p> <p><del>All roads and new roads approved as part of a resource consent</del></p>	
<p><b>Activity Status: RDIS</b></p> <p><b>Where:</b></p> <p>1. <del>The structure is located within 5 m of the edge of a railway corridor; or</del></p> <p>2. <del>The structure (excluding signs, temporary structures, and vehicle access points) is located within 20 m of the edge of an indicative road;</del></p> <p><del>AND</del></p> <p>3. <del>All of the performance standards in TRAN Table 2 are complied with.</del></p> <p><b>RDIS activities</b> that do not comply with NU-R13.1 through to NU-R13.3 are <b>DIS activities</b>, except any activity that does not comply with the provisions in NU-R53 and NU-R54 is a <b>NC activity</b>.</p> <p><i>Note: KiwiRail will be considered an affected person (in respect of activities adjacent to a railway corridor) in accordance with section 95B of the RMA where its written approval is not provided</i></p>	
<p><b>Where an activity is RDIS, the matters over which discretion is restricted are:</b></p> <p>(a) <del>The extent and effect of non-compliance with any rule and any matters of discretion in the rule in TRAN Table 2; and</del></p> <p>(b) <del>The size, nature and location of the structure on the site; and</del></p> <p>(c) <del>The extent to which the safety and efficiency of current and future rail operations will be adversely affected; and</del></p> <p>(d) <del>Whether the indicative road transport network is taken into account in the siting of structures; and</del></p> <p>(e) <del>Whether the structure would compromise the design, construction or functioning of the future road transport network; and</del></p> <p>(f) <del>Whether any land use activities enabled or established by the structure would be incompatible with rail operations or the transport network or create reverse sensitivity issues; and</del></p> <p>(g) <del>The outcome of consultation with KiwiRail.</del></p>	

## Underground utilities only

NU-R14. Upgrading including realignment of existing underground <b>network utilities</b>					
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	<u>Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites</u> <sup>27</sup>	Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent
<b>PER</b>	<b>PER</b>	<b>PER:</b> Heritage buildings and structures  <b>RDIS:</b> Outstanding natural features, sites and areas of significance to Māori and significant archaeological sites	<b>PER</b>	<b>PER</b>	<b>PER</b>

**PER activities must:**

1. Comply with all the provisions in NU - Table 2; and
2. Not exceed 2,000 kilopascals for any gas pipeline.

**PER activities** that do not comply with NU-R14.1 through to NU-R14.2 are **RDIS activities**, except any activity that does not comply with the provisions in NU-R53 and NU-R54 is a **NC activity**.

**RDIS activities** that do not comply with the provisions in NU-R53 and NU-R54 are a **NC activity**

*Note: Where the network utility is on the bed of or within a water body, resource consent from Waikato Regional Council or Manawatū-Whanganui Regional Council may be required*

*Note: An archaeological authority from Heritage New Zealand Pouhere Taonga may be required*

**Where the activity is RDIS, the matters over which discretion is restricted are:**

- (a) The extent and effect of non-compliance with any rule and any matters of discretion in the rule; and
- (b) The technical, functional and operational needs of and benefits from the network utility and the works proposed; and
- (c) Whether the works or actions will result in additional public health and/or safety risks; and
- (d) For any sites or areas of significance to Māori, outcomes from consultation with mana whenua regarding protection of the scheduled site's values including provision for tikanga Māori, kaitiakitanga and mātauranga Māori; and
- (e) For any significant archaeological sites, outcomes from consultation with mana whenua and Heritage New Zealand Pouhere Taonga; and
- (f) For any outstanding natural features, measures to avoid, remedy, or mitigate damage to landscape and geological values.

<sup>27</sup> Clause 16, correction of minor error heading missing



NU-R15.	New underground network utilities, except for gas pipelines where the gauge pressure exceeds 2,000 kilopascals				
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent
PER	PER	PER: Heritage buildings and structures	PER: Outstanding natural landscapes	PER: Coastal environment, landscapes of high amenity value	PER
		RDIS: Sites and areas of significance to Māori, significant archaeological sites, outstanding natural features Category A, C and D	RDIS: Outstanding natural character, significant natural areas, high/very high natural character	RDIS: Karst overlay	
		NC: Outstanding natural features Category B, E and F			
<p><b>PER activities must:</b></p> <p>1. Comply with all the provisions in NU – Table 2.</p> <p><b>PER activities</b> that do not comply with NU-R15.1 are <b>RDIS activities</b>, except any activity that does not comply with the provisions in NU-R53 and NU-R54 is a <b>NC activity</b>.</p> <p><b>RDIS activities</b> that do not comply with the provisions in NU-R53 and NU-R54 are a <b>NC activity</b></p> <p><i>Note: Where the activity is located is on the bed of or within a water body, resource consent from Waikato Regional Council or Manawatū-Wanganui Regional Council may be required.</i></p> <p><i>Note: An archaeological authority may be required from Heritage New Zealand Pouhere Taonga.</i></p>					
<p><b>Where the activity is RDIS, the matters over which discretion is restricted are:</b></p> <p>(a) The extent and effect of non-compliance with any rule and any matters of discretion in the rule; and</p> <p>(b) The technical and operational constraint of the network utility; and</p> <p>(c) The local, regional and national benefits of the work; and</p> <p>(d) Whether the works or actions will result in public health and/or safety risks; and</p> <p>(e) Effects on the values of the overlay, scheduled site or feature; and</p> <p>(f) For any sites and areas of significance to Māori, outcomes from consultation with mana whenua regarding protection of the Scheduled site’s values including provision for tikanga Māori, kaitiakitanga and mātauranga Māori; and</p> <p>(g) For any significant archaeological sites, outcomes from consultation with mana whenua and Heritage New Zealand Pouhere Taonga; and</p>					

- (h) Within significant natural areas, the methods proposed to avoid or minimise potential adverse effects on indigenous biodiversity including the consideration of the no net loss principal and rehabilitation measures; and
- (i) For any outstanding natural features, measures to avoid, remedy, or mitigate damage to landscape and geological values; and
- (j) Measures to avoid, remedy, or mitigate damage to ecological, hydrological and geological values of the karst system; and
- (k) Any measures to avoid, remedy or mitigate adverse effects including site reinstatement and replanting; and
- (l) The potential to contribute to cumulative effects on amenity values.

NU-R16. New underground gas pipelines exceeding 2000 kilopascals					
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character sites	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent
DIS	PER	DIS	DIS	DIS	DIS
<p><b>PER activities must:</b></p> <p>1. Comply with all the provisions in NU - Table 2.</p> <p><b>PER activities</b> that do not comply with NU-R16.1 are <b>RDIS activities</b>, except any activity that does not comply with the provisions in NU-R53 and NU-R54 is a <b>NC activity</b>.</p> <p><b>DIS activities</b> that do not comply with the provisions in NU-R53 and NU-R54 are a <b>NC activity</b></p> <p><i>Note: Where the pipeline is on the bed of or within a water body, resource consent from Waikato Regional Council or Manawatū-Wanganui Regional Council may be required.</i></p> <p><i>Note: An archaeological authority may be required from Heritage New Zealand Pouhere Taonga.</i></p>					
<p><b>Where the activity is RDIS, the matter over which discretion is restricted is:</b></p> <p>(a) The extent and effect of non-compliance with any relevant rule and any relevant matters of discretion in the rule.</p>					

## Above ground utilities only

NU-R17.	Upgrading of existing above ground <b>network utilities</b>
All zones and all precincts. All overlays, scheduled sites and features All roads and new roads approved as part of a resource consent	
<b>PER</b>	
<b>PER activities must:</b> 1. Comply with all the provisions in NU - Table 2.  <b>PER activities</b> that do not comply with NU-R17.1 are <b>RDIS activities</b> , except any activity that does not comply with the provisions in NU-R53 and NU-R54 is a <b>NC activity</b> .  <i>Note: For operation, maintenance, repair and road widening of existing public roads, state highways and service lanes see NU-R27.</i>	

NU-R18.	New above ground pipes				
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent
<b>DIS</b>	<b>PER</b>	<b>DIS</b>	<b>DIS</b>	<b>DIS</b>	<b>DIS</b>
<b>PER activities must:</b> 1. Not exceed a diameter of 600 mm and/or a length of 100 m; and 2. When above a water body, must be attached to an existing bridge or structure or located within an existing conduit or duct.  <b>PER activities</b> that do not comply with NU-R18.1 through to NU-R18.2 are <b>RDIS activities</b> , except any activity that does not comply with the provisions in NU-R53 and NU-R54 is a <b>NC activity</b> .  <b>DIS activities</b> that do not comply with the provisions in NU-R53 and NU-R54 are a <b>NC activity</b>					
<b>Where an activity is RDIS, the matters over which discretion are restricted are:</b> (a) The technical, functional and operational needs and benefits from the network utility and the works proposed; and (b) Whether the actions will result in additional public health and/or safety risks; and (c) The location, bulk, height and design of the network utility; and					

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- (d) The potential visual effects, particularly on the visual amenity of the locality and streetscape; and
- (e) The effect on the safety and efficiency of the adjacent road network including intersections and proximity to existing driveways; and
- (f) Any measures to avoid, remedy or mitigate adverse effects including site reinstatement and replanting; and
- (g) The potential to contribute to cumulative effects on amenity values.

NU-R19. New overhead lines and associated <u>equipment</u> , poles or towers <sup>28</sup>					
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent
<b>PER:</b> Up to 12 m in residential, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3 and PREC5	<b>PER:</b> Up to 15 m in industrial zone  <b>PER:</b> Up to 25 m general rural and rural production zones and PREC3	<b>DIS</b>	<b>DIS</b>	<b>PER:</b> Up to 15 m	Refer to the height requirements of the adjacent zone. Where there are two or more zones the most restrictive applies.
<b>RDIS:</b> Future urban and PREC5					
<b>PER activities must:</b>  1. Comply with all the provisions in NU - Table 2.  <b>PER activities</b> that do not comply with NU-R19.1 are <b>RDIS activities</b> , except any activity that does not comply with the provisions in NU-R53 and NU-R54 is a <b>NC activity</b> .  <b>RDIS and DIS activities</b> that do not comply with the provisions in NU-R53 and NU-R54 are a <b>NC activity</b>					
<b>Where the activity is RDIS, the matter over which discretion is restricted is:</b>  (a) The extent and effect of non-compliance with any rule and any matters of discretion in the rule.					

<sup>28</sup> TLC [25.13]

NU-R20.	New substations, ground mounted transformers, compressor/scrapper stations, gas regulation valves and/or take off stations and ancillary energy storage batteries				
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent
PER	PER	DIS	RDIS: Significant natural areas	PER	Refer to the activity status of the adjacent zone, where there are two or more zones, the most restrictive provision applies.
			DIS: Outstanding natural landscapes, outstanding natural character, high/very high natural character		
<p><b>PER activities must:</b></p> <ol style="list-style-type: none"><li>1. Comply with all the provisions in NU – Table 2; and</li><li>2. Not exceed a maximum area of 20 m², except in the industrial, rural production and general rural zones and the aerodrome precinct (PREC3) where the maximum area is 30 m²; and</li><li>3. Comply with the minimum setback from road boundaries, minimum setback from internal boundaries, height and height in relation to boundary standards for the relevant zone.</li></ol> <p><b>PER activities</b> that do not comply with NU-R20.1 through to NU-R20.3 are <b>RDIS activities</b>, except any activity that does not comply with the provisions in NU-R53 and NU-R54 is a <b>NC activity</b>.</p> <p><b>RDIS and DIS activities</b> that do not comply with the provisions in NU-R53 and NU-R54 are a <b>NC activity</b></p>					
<p><b>Where the activity is RDIS, the matters over which discretion is restricted are:</b></p> <ol style="list-style-type: none"><li>(a) The extent and effect of non-compliance with any rule and any matters of discretion in the rule; and</li><li>(b) The technical, functional and operational needs and benefits from the network utility and the works proposed; and</li><li>(c) Whether the works or actions will result in additional public health and/or safety risks; and</li><li>(d) The location, bulk, height and design of the network utility; and</li><li>(e) The effect on the safety and efficiency of the adjacent road network including intersections and proximity to existing driveways; and</li><li>(f) The amenity values of the zone, adjacent zone, and streetscape and the extent to which the amenity values have been avoided, remedied, or mitigated; and</li><li>(g) Within significant natural areas, the methods proposed to avoid or minimise potential adverse effects on indigenous biodiversity including the consideration of the no net loss principal and rehabilitation measures; and</li><li>(h) The potential to contribute to cumulative effects on amenity values.</li></ol>					

## Telecommunications

NU-R21.	New telecommunication poles and new antennas attached to poles that are not a regulated activity under the NESTF				
Residential, future urban, rural lifestyle, settlement, <a href="#">commercial</a> , Māori purpose, tourism, open space and natural open space zones, all pre <sup>29</sup> incts except PREC3 <a href="#">and PREC5</a>	Industrial, <a href="#">commercial</a> , general rural and rural production zones, <a href="#">and PREC3 and PREC5</a>	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character sites	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent
DIS	PER: Industrial, and rural production zones and PREC3	DIS	DIS	DIS	Refer to NESTF
	Refer to NESTF: <a href="#">General All</a> rural zones				
<p><b>PER activities must:</b></p> <p>1. Comply with all the provisions in NU - Table 2.</p> <p><b>PER activities</b> that do not comply with NU-R21.1 are <b>RDIS activities</b>, except any activity that does not comply with the provisions in NU-R53 and NU-R54 is a <b>NC activity</b>.</p> <p><b>DIS activities</b> that do not comply with the provisions in NU-R53 and NU-R54 are a <b>NC activity</b></p>					
<p><b>Where the activity is RDIS, the matter over which discretion is restricted is:</b></p> <p>(a) The extent and effect of non-compliance with any rule and any matters of discretion in the rule.</p>					

NU-R22.	New telecommunications kiosks
All zones and all precincts. All overlays, scheduled sites and features All roads and new roads approved as part of a resource consent	
<b>PER</b>	

<sup>29</sup> Chorus, Connexa, Spark, Vodafone [9.16]

**PER activities must:**

1. Not exceed a maximum height of 3.5 m; and
2. Not exceed a maximum area of 1.5 m<sup>2</sup>.

**PER activities** that do not comply with NU-R22.1 through to NU-R22.2 are **RDIS activities**, except any activity that does not comply with the provisions in NU-R53 and NU-R54 is a **NC activity**.

**Where an activity is RDIS, the matters over which discretion is restricted are:**

- (a) The extent and effect of non-compliance with any rule and any matters of discretion in the rule; and
- (b) The location of the kiosk; and
- (c) The technical, functional and operational needs of and benefits from the network utility and the works proposed; and
- (d) Whether the works or actions will result in additional public health and/or safety risks; and
- (e) Effects on the values of any overlay, scheduled site or feature including outcomes from consultation with mana whenua and Heritage New Zealand Pouhere Taonga where relevant; and
- (f) The effect on the safety and efficiency of the adjacent road network including intersections and proximity to existing driveways; and
- (g) The effect on the amenity of adjacent properties; and
- (h) The potential visual effects, particularly on the visual amenity of the locality and streetscape; and
- (i) The potential to contribute to cumulative effects on amenity values.

## Sensing and monitoring equipment

NU-R23.	Sensing and environmental monitoring equipment including air quality and meteorological equipment				
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent
PER	PER	DIS	RDIS: Significant natural areas	PER	Refer to the activity status of the adjacent zone, where there are two or more zones, the most restrictive provision applies.
			DIS: Outstanding natural landscapes, outstanding natural character, high/very high natural character		
PER activities must: 1. Comply with all the provisions in NU - Table 2; and 2. Not exceed a maximum area of 20 m², except in the industrial, general rural and rural production zones and PREC3, where the maximum area is 30 m²; and					

3. Comply with the minimum setback from road boundaries, minimum setback from internal boundaries, height and height in relation to boundary standards for the relevant zone, except for meteorological and air quality monitoring structures/devices that must comply with the following:
- (i) 12 m maximum height; and
  - (ii) One air quality monitoring structure/device per site; and
  - (iii) The air quality monitoring structure/device must not be installed on a road, or unformed road.

**PER activities** that do not comply with NU-R23.1 through to NU-R23.3 are **RDIS activities**, except any activity that does not comply with the provisions in NU-R53 and NU-R54 is a **NC activity**.

**RDIS and DIS activities** that do not comply with the provisions in NU-R53 and NU-R54 are a **NC activity**

**Where the activity is RDIS, the matters over which discretion is restricted are:**

- (a) The extent and effect of non-compliance with any rule and any matters of discretion in the rule; and
- (b) The technical, functional and operational needs and benefits from the network utility and the works proposed; and
- (c) Whether the works or actions will result in additional public health and/or safety risks; and
- (d) The bulk, height and design of the network utility; and
- (e) The effect on the safety and efficiency of the adjacent road network including intersections and proximity to existing driveways; and
- (f) The amenity values of the zone, adjacent zone, and streetscape and the extent to which the amenity values have been avoided, remedied, or mitigated; and
- (g) Within significant natural areas, the methods proposed to avoid or minimise potential adverse effects on indigenous biodiversity including the consideration of the no net loss principal and rehabilitation measures; and
- (h) The potential to contribute to cumulative effects on amenity values.

## Three waters

NU-R24.	Stormwater detention/retention ponds and artificial wetlands				
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character sites	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent
PER	PER	DIS	DIS	PER: Coastal environment, landscapes of high amenity value	PER
				RDIS: Karst overlay	
PER activities must: 1. Comply with all the provisions in NU - Table 2; and 2. Comply with the standards and requirements set out in the Regional Infrastructure Technical Specifications (Waikato).					



**PER activities** that do not comply with NU-R24.1 through to NU-R24.2 are **RDIS activities**, except any activity that does not comply with the provisions in NU-R53 and NU-R54 is a **NC activity**.

**RDIS and DIS activities** that do not comply with the provisions in NU-R53 and NU-R54 are a **NC activity**

**Where the activity is RDIS, the matters over which discretion is restricted are:**

- (a) The extent and effect of non-compliance with any rule and any matters of discretion in the rule; and
- (b) The technical, functional and operational needs and benefits from the stormwater pond or artificial wetland and the works proposed; and
- (c) The extent and effect of non-compliance with the standards set out in the Regional Infrastructure Technical Specifications (Waikato); and
- (d) Whether the works or actions will result in public health and/or safety risks; and
- (e) Within the karst overlay, measures to avoid, remedy, or mitigate damage to ecological, hydrological and geological values of the karst system; and
- (f) The design of the pond or wetland and whether there will be any actual or potential effects on adjacent properties; and
- (g) The planting and rehabilitation of the pond or wetland and associated positive effects on biodiversity; and
- (h) The amenity values of the zone or adjacent zone and the extent to which the amenity values have been avoided, remedied, or mitigated.

<b>NU-R25. Water, wastewater and stormwater pump stations, water reservoirs and water treatment plants that do not meet the definition of a minor utility structure</b>					
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent
<b>DIS</b>	<b>PER</b>	<b>DIS</b>	<b>DIS</b>	<b>PER</b>	<b>DIS</b>
<p><b>PER activities must:</b></p> <ol style="list-style-type: none"> <li>1. Comply with all of the provisions in NU - Table 2; and</li> <li>2. Comply with the minimum setback from road boundaries, minimum setback from internal boundaries, height and height in relation to boundary standards for the relevant zone.</li> </ol> <p><b>PER activities</b> that do not comply with NU-R25.1 through to NU-R25.2 are <b>RDIS activities</b>, except any activity that does not comply with the provisions in NU-R53 and NU-R54 is a <b>NC activity</b>.</p> <p><b>DIS activities</b> that do not comply with the provisions in NU-R53 and NU-R54 are a <b>NC activity</b></p>					

NU-R26. Wastewater treatment and storage, excluding domestic scale septic tanks						
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent	
DIS	DIS	NC	DIS	DIS	DIS	
<p><b>DIS activities must:</b></p> <p>1. Comply with all the provisions in NU- Table 2.</p> <p><b>DIS activities</b> that do not comply with the provisions in NU-R53 and NU-R54 are a <b>NC activity</b></p>						

## Roads

NU-R27. Operation, maintenance, repair and road widening of existing public roads, state highways and service lanes (including but not limited to traffic lights, roundabouts, islands and guard rails).						
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent	
N/A	N/A	N/A	N/A	N/A	PER	
<p><b>PER activities must:</b></p> <ol style="list-style-type: none"><li>Not extend beyond the extent of the road reserve or designation boundary; and</li><li>Other than works on state highways, comply with the standards and requirements set out in the Regional Infrastructure Technical Specifications (Waikato); and</li><li>Comply with all the provisions in NU- Table 2; and</li><li>Comply with all the provisions in TRAN - Table 2.</li></ol> <p><b>PER activities</b> that do not comply with NU-R27.1 through to NU-R27.4 are <b>DIS activities</b>.</p> <p><i>Note: For the construction of new public roads, state highways, service lanes and any road widening outside of the road reserve or designation see NU-R28.</i></p>						

<b>NU-R27.</b>	<b>Operation, maintenance, repair and road widening of existing public roads, state highways and service lanes (including but not limited to traffic lights, roundabouts, islands and guard rails).</b>				
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent
<i>Note: An archaeological authority may be required from Heritage New Zealand Pouhere Taonga.</i> <sup>30</sup>					

<sup>30</sup> NZHPT [03.54]

NU-R28.	The construction of new public roads, state highways, service lanes and any road widening outside of the road reserve or designation				
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character sites	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent
RDIS	RDIS	DIS: Heritage buildings and structures, outstanding natural features Category A, C and D	DIS	PER: Coastal environment, landscapes of high amenity value	N/A
		NC: Sites and areas of significance to Māori, significant archaeological sites, outstanding natural features Category B, E and F		RDIS: Karst overlay	
<p><b>RDIS activities must:</b></p> <ol style="list-style-type: none"><li>Be a new public road, service lane, state highway or an indicative road that is identified on the Planning Maps; and/or</li><li>Be road widening that extends beyond the road reserve or designation boundary; and</li><li>Other than works on state highways, comply with the standards and requirements set out in the Regional Infrastructure Technical Specifications (Waikato); and</li><li>Comply with all the provisions in NU - Table 2; and</li><li>Comply with all the provisions in TRAN - Table 2.</li></ol> <p><b>RDIS activities</b> that do not comply with NU-R28.1 through to NU-R28.5 are <b>DIS activities</b>.</p> <p><i>Note: All new roads that intersect a state highway require the approval of the New Zealand Transport Agency under the Government Roading Powers Act 1989</i></p>					
<p><b>Where the activity is RDIS, the matters over which discretion is restricted are:</b></p> <ol style="list-style-type: none"><li>The extent and effect of non-compliance with any rule and any matters of discretion in the rule in TRAN - Table 2 and NU - Table 2; and</li><li>The benefits provided by the road including on the safety and operation of the transport network; and</li><li>Where located within an overlay, scheduled site or feature, whether the location of the road and associated vegetation clearance and earthworks including batter slopes detracts from the values and characteristics of the overlay, scheduled site, or feature; and</li><li>The extent to which the proposal has provided for connectivity, including access to a range of transport modes; and</li><li>The outcome of consultation with the road controlling authority; and</li><li>The effect of any severance and changes to drainage patterns; and</li><li>The effects on the streetscape, pedestrian and cyclist safety and the amenity of the area; and</li><li>Alternative options and routes considered to overcome site and topographical constraints without compromising the safe, efficient and effective functioning of the transport network; and</li></ol>					

- (i) Integration and coordination with the transport network including proposed transport infrastructure and service improvements; and
- (j) Effects on public health and safety.

NU-R29. Streetlights within roads					
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent
N/A	N/A	N/A	N/A	N/A	PER
<p><b>PER activities must:</b></p> <ol style="list-style-type: none"> <li>On roads adjacent to the residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones and in all of the precincts except PREC3, streetlights must not exceed a maximum height of 12 m; and</li> <li>On roads adjacent to the industrial zone, streetlights must not exceed a maximum height of 15 m; and</li> <li>On roads adjacent to the general rural and rural production zones and PREC3, streetlights must not exceed a maximum height of 25 m; and</li> <li>Where there is more than one zone adjacent to the road, the most restrictive provision applies; and</li> <li>The streetlights must comply with the standards and requirements set out in the Regional Infrastructure Technical Specifications (Waikato); and</li> <li>The streetlights must comply with all the provisions in NU - Table 2.</li> </ol> <p><b>PER activities</b> that do not comply with NU-R29.1 through to NU-R29.6 are <b>RDIS activities</b>, except any activity that does not comply with the provisions in NU-R53 and NU-R54 is a <b>NC activity</b>.</p>					
<p><b>Where an activity is RDIS, the matters over which discretion is restricted are:</b></p> <ol style="list-style-type: none"> <li>The extent and effect of non-compliance with any rule and any matters of discretion in the rule; and</li> <li>The technical, functional and operational needs of and benefits from the network utility and the works proposed; and</li> <li>Whether the works or actions will result in additional public health and/or safety risks; and</li> <li>The extent and effect of non-compliance with the standards set out in the Regional Infrastructure Technical Specifications (Waikato); and</li> <li>The location, bulk, height and design of the network utility; and</li> <li>The effect on the safety and efficiency of the adjacent road network including intersections and proximity to existing driveways; and</li> <li>The amenity values of the zone or adjacent zone and the extent to which the amenity values have been avoided, remedied, or mitigated; and</li> <li>The effect on the safety and efficiency of the adjacent road network including intersections and proximity to existing driveways; and</li> <li>The potential to contribute to cumulative effects on amenity values.</li> </ol>					

NU-R30. New network utilities not otherwise provided for in Table 1					
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent
DIS	RDIS	DIS: Heritage buildings and structures, outstanding natural features Category A, C and D	DIS	DIS	Refer to the activity status of the adjacent zone, where there are two or more zones, the most restrictive provision applies.
		NC: Sites and areas of significance to Māori, significant archaeological sites, outstanding natural features Category B, E and F			
<p><b>RDIS activities must:</b></p> <ol style="list-style-type: none"><li>1. Comply with all the provisions in NU - Table 2; and</li><li>2. Comply with the minimum setback from road boundaries, minimum setback from internal boundaries, height and height in relation to boundary standards for the relevant zone.</li></ol> <p><b>RDIS activities</b> that do not comply with NU-R30.1 through to NU-R30.2 are <b>DIS activities</b>, except any activity that does not comply with the provisions in NU-R53 and NU-R54 is a <b>NC activity</b>.</p> <p><b>DIS activities</b> that do not comply with the provisions in NU-R53 and NU-R54 are a <b>NC activity</b>.</p>					
<p><b>Where an activity is RDIS, the matters over which discretion are restricted are:</b></p> <ol style="list-style-type: none"><li>(a) The extent and effect of non-compliance with any rule and any matters of discretion in the rule; and</li><li>(b) The functional and operational needs of, and benefits derived from, the network utility and the works proposed; and</li><li>(c) Whether the works or actions will result in additional public health and/or safety risks; and</li><li>(d) The purpose and necessity of the network utility; and</li><li>(e) The location, bulk, height and design of the network utility; and</li><li>(f) The effect on the safety and efficiency of the adjacent road network including intersections and proximity to existing driveways; and</li><li>(g) Any measures to avoid, remedy, or mitigate adverse effects including on the streetscape; and</li><li>(h) The potential to contribute to cumulative effects on amenity values.</li></ol>					

## Signs

<b>NU-R31. Official Signs</b>					
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character sites	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent
<b>PER</b>	<b>PER</b>	<b>PER</b>	<b>PER</b>	<b>PER</b>	<b>PER</b> Refer to SIGN-R1 for traffic and railway signs
<i>Note: This rule is not subject to any other rule in this plan.</i>					

<b>NU-R32. Signs</b>	
All zones and all precincts. All overlays, scheduled sites and features All roads and new roads approved as part of a resource consent	
<p style="text-align: center;"><b>PER</b></p>	
<p><b>PER activities must:</b></p> <ol style="list-style-type: none"> <li>1. Comply with all the provisions in NU - Table 2; and</li> <li>2. Not have flashing or revolving lights or lasers; and cannot be shaped or use images or colours that could be mistaken for a traffic control device in colour, shape or appearance.</li> </ol> <p><b>PER activities</b> that do not comply with NU-R32.1 through to NU-R32.2 are <b>RDIS activities</b>.</p> <p><i>Note: Signs within the road reserve require approval from the relevant road controlling authority.</i></p>	
<p><b>Where the activity is a RDIS activity, the matters over which discretion is restricted are:</b></p> <ol style="list-style-type: none"> <li>(a) The extent and effect of non-compliance with any rule and any matters of discretion in the rule; and</li> <li>(b) The location and purpose of the sign; and</li> <li>(c) The effect on the safety and efficiency of the adjacent road network including intersections and proximity to existing driveways; and</li> <li>(d) The effects from any flashing lights and lasers, including the potential for driver distraction and road safety issues; and</li> <li>(e) The actual and potential effects on traffic safety from any sign that could be mistaken for a traffic sign; and</li> <li>(f) The potential visual effects, particularly on the visual amenity of the locality and streetscape; and</li> </ol>	

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- (g) The potential to contribute to cumulative effects on amenity values-; and  
 (h) The outcome of consultation with Waka Kotahi New Zealand Transport Agency if signs are visible from the state highway network.<sup>31</sup>

## Earthworks, caves, removal of indigenous vegetation

NU-R33. Earthworks					
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent
<b>PER:</b> less than or equal to 2000m <sup>3</sup> in a single activity/project in any one calendar year	<b>PER:</b> less than or equal to 2000m <sup>3</sup> in a single activity/project in any one calendar year	<b>Heritage buildings and structures:</b> refer to zone rules	<b>PER:</b> In outstanding natural landscapes: where less than or equal to 250m <sup>3</sup> per holding per calendar year	<b>Coastal environment:</b> refer to zone rules unless in an overlay, scheduled site or feature	<b>PER:</b> Formed roads and new roads approved as part of a resource consent or designation.  <i>Note: This rule is not subject to any other rule in this plan.</i>
		<b>PER:</b> In outstanding natural features category A, C, D and F: Earthworks less than or equal to 100m <sup>3</sup> and/or no greater than 1m in depth per site per calendar year	<b>PER:</b> Outstanding natural character, high/very high natural character: where less than or equal to 100m <sup>3</sup> per holding per calendar year	<b>PER:</b> Karst overlay: where less than or equal to 250m <sup>3</sup> per holding per calendar year	<b>Indicative and unformed roads:</b> refer to zone rules unless in an overlay, scheduled site or feature
		<b>RDIS:</b> Sites and areas of significance to Māori <del>and significant archaeological sites</del>	<b>Significant natural areas:</b> refer to NU-R37	<b>PER:</b> Landscapes of high amenity value: where less than or equal to 500m <sup>3</sup> per holding per calendar year	
		<b>DIS:</b> <u>Significant archaeological sites</u> <sup>32</sup>			
		<b>DIS:</b> <u>Earthworks related to the National Grid in Outstanding</u>			

<sup>31</sup> Waka Kotahi [17.41]

<sup>32</sup> NZHPT [03.57]



		natural features Category B and E <sup>33</sup>			
		<b>NC:</b> Outstanding natural features Category B and E			

**PER and RDIS activities must:**

1. Comply with all the provisions in NU - Table 2; and
2. Not be located within the area defined in the Planning Maps as a coastal hazard area or hazard area (refer to NU-R45) or within 20 m radius of an entry or opening into any cave or sinkhole (refer to NU-R35); and
3. Earthworks are permitted within 5 m from the edge of a water body where:
  - (i) The works are for maintenance purposes on or within 2 m of existing roads, driveways, tracks, fences or water intake/discharge structures; or
  - (ii) The works are required in the event of a track being destroyed by flooding or landslip or other natural hazard and there are no alternative options to obtain access to an existing network utility; or
  - (iii) The works are for flood management or flood protection purposes where these are undertaken, maintained and/or operated by the District or Regional Council or its contractor; or
  - (iv) The works are for the operation and maintenance of existing district roads, bridges and state highways within the existing road reserve or designation boundary.

**PER activities** that do not comply with NU-R33.1 through to NU-R33.3 are **RDIS activities**, except within outstanding natural features (category A, C, D and F), areas of outstanding natural character and high/very high natural character where they become a **NC activity** or where associated with the National Grid they become **DIS**.<sup>34</sup>

**RDIS activities** that do not comply with NU-R33.1 through to NU-R33.3 are **DIS activities**.

*Note: An archaeological authority from Heritage New Zealand Pouhere Taonga may be required.*

<sup>33</sup> Transpower [31.56]

<sup>34</sup> Transpower [31.56]

**Where the activity is a RDIS activity, the matters over which discretion is restricted are:**

- (a) The extent and effect of non-compliance with any rule and any matters of discretion in the rule; and
- (b) The technical, functional and operational needs of and benefits from the network utility and the works proposed; and
- (c) Whether the works or actions will result in additional public health and/or safety risks; and
- (d) Whether the earthworks detract from or adversely affects the values of an overlay, scheduled site or feature, or adversely affect the hydrological and geological values of a karst system or natural feature; and
- (e) Outcomes from consultation with mana whenua and Heritage New Zealand Pouhere Taonga where relevant; and
- (f) Effects on the natural character of the coast, coastal processes or water bodies; and
- (g) The location, timing of construction, design and density of soil disturbance; and
- (h) The method of sediment retention and sediment runoff control to be adopted; and
- (i) Measures to manage overland flow including adverse effects on adjacent properties; and
- (j) Measures to maintain slope stability or prevent exacerbation of any pre-existing deep-seated land instability; and
- (k) Any measures to reduce or mitigate adverse effects including traffic, dust, and the rehabilitation of land following the completion of the activity.

<b>NU-R34.</b>	<b>Creation of new entrances into caves, structures within caves or other modifications to cave features</b>				
<b>NU-R35.</b>	<b>Any earthworks or clearance of vegetation (other than plant pest species or wilding pines) within a 20 m radius of an entry or opening into any cave or sinkhole</b>				
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent
<b>DIS</b>	<b>DIS</b>	<b>DIS:</b> Heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	<b>DIS:</b> Outstanding natural character, high/very high natural character	<b>DIS:</b> Coastal environment, landscapes of high amenity value	<b>DIS</b>
		<b>NC:</b> Outstanding natural features	<b>NC:</b> Outstanding natural landscapes, significant natural areas	<b>NC:</b> Karst overlay	

NU-R36. Any fill or rubbish placement into any cave or sinkhole OR within a 20 m radius of an entry or opening into any cave or sinkhole					
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent
DIS	DIS	DIS: Heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	DIS: Outstanding natural character, high/very high natural character	DIS: Coastal environment, landscapes of high amenity value	DIS
		PR: Outstanding natural features	NC: Outstanding natural landscapes, significant natural areas	PR: Karst overlay	

NU-R37. Removal of indigenous vegetation					
Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites	Outstanding natural landscapes, outstanding natural character, significant natural areas, high/very high natural character	Coastal environment, karst overlay, landscapes of high amenity value	All roads and new roads approved as part of a resource consent
PER	PER	Significant archaeological sites: refer to historic heritage chapter.	PER: Significant natural areas PER: Outstanding natural landscapes: where less than or equal to 5000m <sup>2</sup> per holding per calendar year.	Coastal environment and landscapes of high amenity value: refer to zone rules.	PER
		PER: Heritage buildings and structures, sites and areas of significance to Māori.	RDIS: Outstanding natural landscapes: where greater than 5000m <sup>2</sup> per holding per calendar year. RDIS: High/very high natural character: where less than or	PER: Karst overlay: where less than or equal to 5000m <sup>2</sup> per holding per calendar year.	

			equal to 5000m <sup>2</sup> per holding per calendar year.		
		<b>RDIS:</b> Outstanding natural features.	<b>DIS:</b> High/very high natural character: where greater than 5000m <sup>2</sup> per calendar year.  <b>NC:</b> Outstanding natural character.  <b>DIS:</b> Removal of indigenous vegetation related to the National Grid in Outstanding natural character <sup>35</sup>	<b>RDIS:</b> Karst overlay: where greater than 5000m <sup>2</sup> per holding per calendar year.	

**PER activities must (except for SNA):**

1. Permitted activities must not be undertaken within 5 m of a water body, except where:
  - (i) Required by statute or regulations, including the Electricity (Hazards from Trees) Regulations 2003 and the Telecommunications Act 2001; or
  - (ii) Indigenous vegetation is threatening or damaging a network utility; or
  - (iii) For maintenance purposes on or within 2 m of existing roads, driveways, tracks, fences or water intake/discharge structures; or
  - (iv) Required in the event of a track being destroyed by flooding or landslide or other natural hazard and there are no alternative options to obtain access to an existing network utility.
  - (v) The removal of indigenous vegetation is for flood management or flood protection purposes where these are undertaken, maintained and/or operated by the District or Regional Council; or
  - (vi) The removal of indigenous vegetation is for the operation and maintenance of existing district roads, bridges and state highways.

**PER activities (outside of an SNA) that do not comply are RDIS activities.**

*Note: There are no rules in this plan that control the removal of exotic vegetation other than in relation to plantation forestry.*

*Note: NU-R37 does not apply to the part of Waitomo district which is within the Manawatū-Whanganui Region. In this part of the district, clearance or removal of indigenous vegetation is controlled by the provisions of the Manawatū-Whanganui Regional Plan.*

<sup>35</sup> Transpower NZ Ltd [31.57]

**PER activities in an SNA must:**

2. Not exceed 150 m<sup>2</sup> of clearance per holding calendar year;
- AND
3. Be required by statute or regulations, including the Electricity (Hazards from Trees) Regulations 2003 and the Telecommunications Act 2001; or
4. Be undertaken because indigenous vegetation is threatening or damaging a network utility; or
5. Be for maintenance purposes on or within 2 m of existing roads, driveways, tracks, fences or water intake/discharge structures.

**PER activities in SNA that do not comply are DIS activities****Where the activity is a RDIS activity, the matters over which discretion is restricted are:**

- (a) The extent and effect of non-compliance with any rule and any matters of discretion in the rule; and
- (b) The technical, functional and operational needs of and benefits from the network utility and the works proposed; and
- (c) Whether the works or actions will result in additional public health and/or safety risks; and
- (d) Whether the earthworks detract from or adversely affects the values of an overlay, scheduled site or feature, or adversely affect the hydrological and geological values of a karst system or natural feature; and
- (e) Effects on the natural character of a water body, the coast and coastal processes; and
- (f) The location, timing of construction, design and density of soil disturbance; and
- (g) The method of sediment retention and sediment runoff control to be adopted; and
- (h) Measures to manage overland flow including adverse effects on adjacent properties; and
- (i) Measures to maintain slope stability or prevent exacerbation of any pre-existing deep-seated land instability; and
- (j) Any measures to reduce or mitigate adverse effects including traffic, dust, and the rehabilitation of land following the completion of the activity.

## Structures close to the coast or water bodies

<b>NU-R38.</b>	<b>New <u>buildings structures adjacent</u> to the open coast</b>
All zones and all precincts. All overlays, scheduled sites and features All roads and new roads approved as part of a resource consent	
<b>PER</b>	
<p><b>PER activities must:</b></p> <ol style="list-style-type: none"> <li>1. Locate the structure within the area defined by the greater of either: <ol style="list-style-type: none"> <li>(i) A distance of 200 m from the coast, or</li> <li>(ii) A distance defined by the intercept of a 1V:2H slope with the land surface, as measured from the current seaward toe of bank or the seaward edge of vegetation; or</li> <li>(iii) For any slopes steeper than 1V:2H, a setback from the top landward edge equal to half the height of the top of the slope.</li> </ol> </li> </ol> <p>AND</p> <ol style="list-style-type: none"> <li>2. Be less than or equal to 30 m<sup>2</sup> and be used for non-habitable purposes.</li> </ol> <p><b>PER activities</b> that do not comply with NU-R38.1 through to NU-R38.2 are <b>RDIS activities</b> and a site-specific coastal hazard assessment is required.</p>	
<p><b>Where an activity is RDIS, the matters over which discretion is restricted are:</b></p> <ol style="list-style-type: none"> <li>(a) The findings of any site-specific coastal hazard assessment undertaken by an appropriately qualified and experienced coastal scientist or coastal engineer; and</li> <li>(b) Consideration of the projected effects of climate change; and</li> <li>(c) Consideration of alternative locations.</li> </ol>	

<b>NU-R39.</b>	<b><u>Buildings Structures adjacent</u> to Kawhia harbour or <u>adjacent</u> to a river in the coastal marine area</b>
All zones and all precincts. All overlays, scheduled sites and features All roads and new roads approved as part of a resource consent	
<b>PER</b>	

<b>NU-R39.</b>	<b>Buildings Structures adjacent to Kawhia harbour or adjacent to a river in the coastal marine area</b>
<b>All zones and all precincts. All overlays, scheduled sites and features</b> <b>All roads and new roads approved as part of a resource consent</b>	
<p><b>PER activities must:</b></p> <ol style="list-style-type: none"> <li>1. Locate any structure situated on land adjacent to Kawhia harbour or land on the margins of any river which meets the open coast upstream to the boundary of the coastal marine area, within the area defined by the greater of either: <ol style="list-style-type: none"> <li>(i) A distance of 50 m from the river/harbour margin (as measured from the existing toe of bank); or</li> <li>(ii) A distance defined by the intercept of a 1V:2H slope with the land surface, as measured from the current toe of bank or the seaward edge of vegetation; or</li> <li>(iii) For any slopes steeper than 1V:2H, a setback from the top landward edge equal to half the height of the top of the slope.</li> </ol> </li> </ol> <p>AND</p> <ol style="list-style-type: none"> <li>2. Be less than or equal to 30 m<sup>2</sup> and be used for non-habitable purposes.</li> </ol> <p><b>PER activities</b> that do not comply with NU-R39.1 through to NU-R39.2 are <b>RDIS activities</b> and a site-specific coastal hazard assessment is required.</p> <p><b>Where an activity is RDIS, the matters over which discretion is restricted are:</b></p> <ol style="list-style-type: none"> <li>(a) The findings of any site-specific coastal hazard assessment undertaken by an appropriately qualified and experienced coastal scientist or coastal engineer; and</li> <li>(b) Consideration of the projected effects of climate change; and</li> <li>(c) Consideration of alternative locations.</li> </ol>	

<b>NU-R40.</b>	<b>Buildings and structures adjacent to a water body</b>
<b>All zones and all precincts. All overlays, scheduled sites and features</b> <b>All roads and new roads approved as part of a resource consent</b>	
<b>PER</b>	
<p><b>PER activities must:</b></p> <ol style="list-style-type: none"> <li>1. Be located at least 25 m from the bankfull channel width (see NU - Figure 1);</li> </ol> <p>OR</p> <ol style="list-style-type: none"> <li>2. Be a minor utility structure, a pole, tower, <u>line</u>, antennas attached to poles or streetlight; or <sup>36</sup></li> <li>3. Be a water supply intake structure or wastewater discharge structure; or</li> <li>4. Be a structure or works for flood management or flood protection purposes where these are undertaken, maintained and/or operated by the District or Regional Council; or</li> </ol>	

<sup>36</sup> Chorus, Connexa, Spark and Vodafone [09.22]

5. Be the operation and maintenance of existing district roads, bridges and state highways;

AND

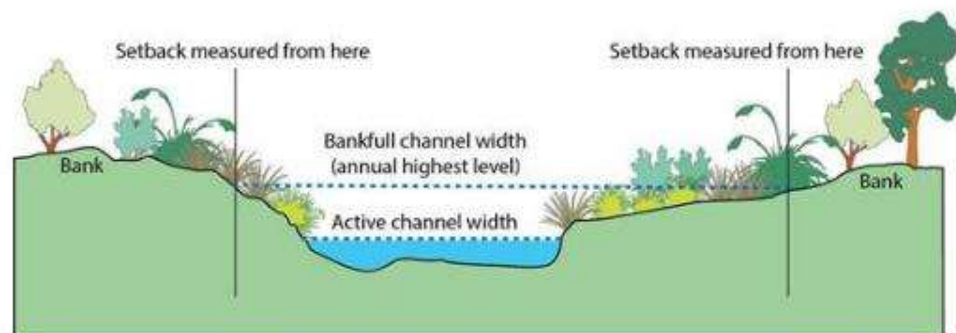
6. A water body is deemed to be:

- (i) A perennial watercourse with a bankfull channel width of 3 m or more; or
- (ii) In the Upper Waipa River sub-catchments, as identified on the Planning Maps, a perennial watercourse with a bankfull channel width of 2 m or more; or
- (iii) A lake equal to or larger than 0.25 ha.

**PER activities** that do not comply with NU-R40.1 through to NU-R40.6 are **DIS activities**

*Note: For setbacks from natural wetlands see the Resource Management (National Environmental Standards for Freshwater) Regulations 2020*

**NU - Figure 1**



## Subdivision

<b>NU-R41.</b>	<b>Subdivision</b>
<b>All zones and all precincts. All overlays, scheduled sites and features</b> <b>All roads and new roads approved as part of a resource consent</b>	
See SUB-R4	



## Te Kūiti Aerodrome flightpath restrictions

<b>NU-R42.</b>	<b>Non-compliance with the Te Kūiti Aerodrome flightpath height restrictions shown on the Planning Maps</b>
All zones and all precincts. All overlays, scheduled sites and features All roads and new roads approved as part of a resource consent	
NC	

NU - Table 2 – Performance Standards

The standard that applies to roads, designated roads and new roads approved by resource consent is the zone that is directly adjacent to the road where the proposed network utility is intended to be situated, except where there are two or more zones, in that case, the most restrictive zone standard applies.		
NU-R43.	Upgrading including realignment of existing underground <b>network utilities</b>	
<b>All zones, all roads, all overlays, scheduled sites &amp; scheduled features</b>	<ol style="list-style-type: none"> <li><del>The upgrading, realignment or relocation of an underground line, pipe (excluding a gas transmission pipeline), or ancillary structure is within 5 m of the existing alignment or location; or<sup>37</sup></del></li> <li>The upgrading, realignment or relocation of an underground gas transmission pipeline is within: <ol style="list-style-type: none"> <li>An existing easement in favour of the pipeline; and</li> <li>Is within 12 m of the existing alignment or location.</li> </ol> </li> <li><del>AND</del> The upgrading, realignment/relocation or removal of existing underground network utilities in outstanding natural features, sites and areas of significance to Māori and significant archaeological sites is a restricted discretionary activity. See NU-R3 and NU-R14.</li> </ol>	<b>Matters over which discretion is restricted:</b> <ol style="list-style-type: none"> <li>Site reinstatement and replanting; and</li> <li>The duration, timing and frequency of adverse effects; and</li> <li>Where relevant, effects on the values and characteristics of any overlay, scheduled site or feature.</li> </ol>
NU-R44.	Upgrading of existing above ground <b>network utilities</b>	
<b>All zones, all roads, all overlays, scheduled sites &amp; scheduled features</b>	<ol style="list-style-type: none"> <li>The realignment, relocation, or replacement of a pipe, pole, tower, conductor, cross arm, switch, transformer, ancillary structure or access track is within 5 m of the existing alignment or location; providing a pole is not replaced with a tower; and</li> <li>A replacement pole or tower must not exceed a height whichever is the lesser of the following: <ol style="list-style-type: none"> <li>25 m; or</li> <li>The height (network utility) of the existing pole or tower by more than 30 percent, except for the residential, settlement and tourism zones and where located in an outstanding natural feature, heritage buildings and structures, sites and areas of</li> </ol> </li> </ol>	<b>Matters over which discretion is restricted:</b> <ol style="list-style-type: none"> <li>Effects on the safety and efficiency of the road network; and</li> <li>The bulk, height and design of any structure; and</li> <li>The potential visual effects, particularly on the visual amenity of the locality and streetscape; and</li> <li>Whether there is sharing / co-siting of infrastructure; and</li> <li>Site reinstatement and replanting; and</li> <li>The duration, timing and frequency of adverse effects; and</li> <li>Where relevant, effects on the values and characteristics of any overlay, scheduled site or feature.</li> </ol>

<sup>37</sup> Chorus, Connexa, Spark, Vodafone [09.14b, 09.22] and TLC [25.14]

- significance to Māori and significant archaeological sites where it is 10 percent; and
3. The diameter or width of a replacement pole:
    - (i) Must not exceed twice that of the replaced pole at its widest point; or
    - (ii) Where a single pole is replaced with a pi pole, the width of the pi pole structure must not exceed 3 times the width of the replaced pole at its widest point or alternatively 4.2m as taken from the pole centres; and
  4. A replacement tower's footprint must not exceed the width of the existing tower by more than 25 percent; and
  5. The diameter of a replacement conductor or line must not exceed the diameter of the existing conductor or line or 50 mm, whichever is the greater.
  6. Additional conductors or lines:
    - (i) Must not increase the number of conductors or lines by more than 100 percent; and
    - (ii) Must not have a diameter which exceeds 50 mm; and
  7. Efficient or larger insulators, earthpeaks, earthmats or lightning rods are added to the pole; and
  8. Pole mounted transformers and voltage regulators not exceeding 3 m<sup>3</sup> and associated equipment are added to existing poles, except in the industrial, rural production, and general rural zones and roads directly adjoining these zones - where there is no maximum; and
  9. Small cell units, smart network technologies, and other ancillary equipment not listed elsewhere in this rule are added, providing that the unit and equipment are no more than 0.2 m<sup>3</sup> in total for any pole or structure; and
  10. An existing outdoor substation (or parts of it) are being enclosed within a structure that meets the permitted activity standards for the relevant zone; and
  11. The addition of an above-ground line or pipe to a bridge, culvert or similar structure; and

	<p>12. In all locations:</p> <ul style="list-style-type: none"> <li>(i) A replacement panel antenna must not increase the <b>largest</b><sup>38</sup> face area by more than 20 percent; and</li> <li>(ii) A replacement dish antenna must not increase in diameter by more than 20 percent; and</li> </ul> <p>13. On or within the site or surroundings of heritage buildings or structures:</p> <ul style="list-style-type: none"> <li>(i) A replacement antenna must be a similar colour to the scheduled item; and</li> <li>(ii) A replacement panel antenna must not increase the existing face area by more than 20 percent; and</li> <li>(iii) A replacement dish antenna must not increase the existing diameter by more than 20 percent.</li> </ul>	
<b>NU-R45.</b>	<b>Earthworks in a hazard area or coastal hazard area</b>	
<b>All zones, all roads, all overlays, scheduled sites &amp; scheduled features</b>	<ul style="list-style-type: none"> <li>1. The maximum volume of filling above natural ground level must not exceed 20 m<sup>3</sup> per site and or exceed a maximum cumulative volume of filling and excavation of 50 m<sup>3</sup> per site; and</li> <li>2. Earthworks must not exceed a maximum height of 0.2 m of filling above natural ground level; and</li> <li>3. Earthworks must not exceed a maximum depth of excavation of 0.5 m below natural ground level. <a href="#">The maximum depth of excavation shall not apply to network utility poles in Flood and Coastal Hazard Areas.</a><sup>39</sup></li> </ul>	<p><b>Matters over which discretion is restricted:</b></p> <ul style="list-style-type: none"> <li>(a) The location, timing, design and density of soil disturbance and vegetation removal activities and proposed rehabilitation/mitigation measures; and</li> <li>(b) The functional and operational need to locate in a hazard area or coastal hazard area and the consideration of alternative locations; and</li> <li>(c) Whether the earthworks would create new or exacerbate existing natural hazards; and</li> <li>(d) Effects on existing overland flow paths, surface drainage patterns, flood storage capacity and runoff volumes; and</li> <li>(e) Effects on adjoining properties and infrastructure, including the transfer of risk from the hazard; and</li> <li>(f) Where relevant, effects on the values and characteristics of any overlay, scheduled site or feature; and</li> <li>(g) The findings of any site-specific hazard assessment undertaken by an appropriately qualified and experienced person; and</li> </ul>

<sup>38</sup> Chorus, Connexa, Spark, Vodafone [09.23]

<sup>39</sup> Chorus, Connexa, Spark, Vodafone [09.24]

		(h) Consideration of the projected effects of climate change.
<b>NU-R46.</b>	<b>Noise</b>	
<b>All zones, all roads, all overlays, scheduled sites &amp; scheduled features</b>	<ol style="list-style-type: none"> <li>The rules in the <a href="#">noise chapter</a> must be complied with, unless provided for in <del>NU-R48.2 to NU-R.48.6</del> <a href="#">NU-R46.2 to NU-R46.6</a><sup>40</sup> below; and</li> <li>All new roads and altered roads that are within the scope of New Zealand Standard NZS 6806:2010 Acoustics-Road traffic noise - new and altered roads, must comply with its requirements; and</li> <li>Noise limits are not applicable to temporary diesel generators used in association with a network utility when operated for a duration not exceeding 48 hours; and</li> <li>When operating for a duration exceeding 48 hours, the noise from temporary diesel generators must not exceed a day time noise limit established in the <a href="#">noise chapter</a> for the relevant zone; and</li> <li>The noise from substations and energy storage batteries must not exceed: <ol style="list-style-type: none"> <li>55 dBA(LAeq) between 7am – 10pm and 45 dBA(LAeq) between 10pm – 7am at any point within any residential zone, or, at or within the notional boundary of any noise sensitive activity in the general rural, tourism, rural lifestyle, settlement, future urban or Māori purpose zones; and</li> </ol> </li> <li>Compressors associated with gas transmission pipelines must not exceed: <ol style="list-style-type: none"> <li>55 dBA(LAeq) between 7am – 10pm and 45 dBA(LAeq) between 10pm – 7am at any point within any residential zone, or, at or within the notional boundary of any noise sensitive activity in the general rural, tourism, rural lifestyle, settlement, future urban or Māori purpose zones.</li> </ol> </li> </ol>	<p><b>Matters over which discretion is restricted:</b></p> <ol style="list-style-type: none"> <li>The matters of discretion associated with any performance standard which cannot be complied with in the <a href="#">noise chapter</a>; and</li> <li>The technical, functional and operational needs of and benefits from the network utility and the works proposed; and</li> <li>The characteristics of the noise being generated including its frequency, intensity, and any special characteristics; and</li> <li>The potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and</li> <li>Effects on people and communities' health and wellbeing, including the potential for sleep disturbance; and</li> <li>Any mitigation of the noise proposed, in accordance with a best practicable option approach including site layout, design and location of structures and equipment and the timing of operations; and</li> <li>The degree to which adverse effects can be mitigated through conditions of consent such as noise attenuation.</li> </ol>

<sup>40</sup> Waka Kotahi [17.45]

NU-R47.	Parking and access	
<b>All zones, all roads, all overlays, scheduled sites &amp; scheduled features</b>	<ol style="list-style-type: none"> <li>Where a network utility is permanently staffed, a minimum of one on-site carpark per full time equivalent must be provided that complies with all of the performance standards TRAN - Table 2; and</li> <li><u>Where a network utility is permanently staffed,<sup>41</sup> Every site must be provided with a vehicle access point to a formed road that is constructed to a permanent standard and complies with all of the performance standards in TRAN - Table 2.</u></li> </ol>	<b>Matters over which discretion is restricted:</b> <ol style="list-style-type: none"> <li>The extent and effect of non-compliance with any rule and any matters of discretion in the rule in TRAN - Table 2; and</li> <li>Adverse effects on the safe, efficient and effective operation of the road transport network; and</li> <li>The extent and effect of non-compliance on vehicle, pedestrian and cyclist safety; and</li> <li>Mitigation measures to address safety.</li> </ol>
NU-R48.	New telecommunication poles and new antennas attached to poles that are not a regulated activity under NESTF	
<b>Industrial, general rural, and commercial, rural production zones, and PREC3 and PREC5</b>	<ol style="list-style-type: none"> <li>The maximum height of any pole must not exceed: <ol style="list-style-type: none"> <li><u>Industrial, general rural, and rural production zones and PREC3: 25 m, except where the antennas of two different operators are sited on the same pole, the maximum height of that pole must not exceed 30 m<sup>42</sup>; or</u></li> <li><u>Commercial zone and PREC5: 20m, except where the antennas of two different operators are sited on the same pole, the maximum height of that pole must not exceed 25 m; and</u></li> </ol> </li> <li>The pole must be located at least 20 m from an existing sensitive activity; and</li> <li>The minimum setback from road boundaries, minimum setback from internal boundaries and height in relation to boundary standards for the relevant zone must be complied with; and</li> <li>Panel antenna must not exceed a width of 0.8 m; and</li> <li>Dish antennae must not exceed a diameter of 1.2 m; and</li> <li>Omni directional 'whip' or dipole antennas must not exceed: <ol style="list-style-type: none"> <li>1.6 m in vertical length; and</li> </ol> </li> </ol>	<b>Matters over which discretion is restricted:</b> <ol style="list-style-type: none"> <li>The technical, functional and operational needs of and benefits from the network utility and the works proposed; and</li> <li>Whether the works will result in public health and/or safety risks; and</li> <li>The scale of any structure and how it relates to the existing surroundings and the scale of structures anticipated in the zone; and</li> <li>Effects on the coastline, water bodies and their margins; and</li> <li>The effect on the safety and efficiency of the adjacent road network including intersections and proximity to existing driveways; and</li> <li>The potential to contribute to cumulative adverse effects.</li> </ol>

<sup>41</sup> Chorus, Connexa, Spark, Vodafone [09.25]

<sup>42</sup> Chorus, Connexa, Spark, Vodafone [09.26]

	<p>(ii) 60 mm in diameter; and</p> <p>(iii) 1.5 m in horizontal length.</p>	
<b>NU-R49.</b>	<b>New substations, ground mounted transformers, compressor/scrapper stations, gas regulation valves and/or take off stations and ancillary energy storage batteries</b>	
<b>NU-R50.</b>	<b>Screening of sensing and environmental monitoring equipment including air quality and meteorological equipment</b>	
<b>All zones, all roads, all overlays, scheduled sites &amp; scheduled features</b>	<ol style="list-style-type: none"> <li>Boundaries of the area occupied must be landscaped by trees so that a solid screen is formed; and</li> <li>The trees must be a minimum height of 1.5 m at the time of planting.</li> </ol>	<p><b>Matters over which discretion is restricted:</b></p> <ol style="list-style-type: none"> <li>The number, species and type of landscaping; and</li> <li>The potential visual effects, particularly on the visual amenity of the locality and streetscape; and</li> <li>In the event another type of screening is proposed the effectiveness of the proposed screening.</li> </ol>
<b>NU-R51.</b>	<b>Signs</b>	
<b>All zones, all roads, all overlays, scheduled sites &amp; scheduled features</b>	<ol style="list-style-type: none"> <li>No sign must be located in, or project over the railway corridor; and</li> <li>No sign must be located in, or project over a road, indicative road, vehicle access point, private way, service lane or driveway; and</li> <li>No sign must obstruct the line of sight of any corner, bend, intersection, or vehicle or rail crossing; and</li> </ol>	<p><b>Matters over which discretion is restricted:</b></p> <ol style="list-style-type: none"> <li>The extent to which the sign may be an obstruction to sight distances, official signs or unnecessarily intrude into a driver's field of vision or cause a distraction that affects safety for road users; and</li> <li>The extent to which the sign may cause a physical obstruction; and</li> </ol>

	<ol style="list-style-type: none"> <li>4. No sign must be placed within 20 m of a road intersection; and</li> <li>5. No sign must obstruct, obscure or impair the view of any official sign; and</li> <li>6. Other than signs erected by the Road Controlling Authority, no sign may be illuminated; and</li> <li>7. Other than official signs or construction signs, no sign must exceed an area of 1 m<sup>2</sup>; and</li> <li>8. Construction signs (excluding fence wrap) must: <ol style="list-style-type: none"> <li>(i) Not exceed a maximum number of 4 per site provided that a double-sided sign shall count as 2 signs; and</li> <li>(ii) Not exceed a maximum sign face area of 2 m<sup>2</sup>; and</li> <li>(iii) Not exceed a maximum height of 4 m as measured from ground level for freestanding signs.</li> </ol> </li> </ol>	<ol style="list-style-type: none"> <li>(c) Proximity to other signs and intersections and potential adverse effects on the safety of road users including pedestrians; and</li> <li>(d) The degree of visual intrusion on the surrounding environment, including from illumination; and</li> <li>(e) For construction signs, the proposed duration of the display period; and</li> <li>(f) Where the sign(s) is proposed to be attached to a building, whether the sign would be complementary to the proportions and design of the building; and</li> <li>(g) The extent to which the impact of the sign(s) would be increased or lessened due to: <ol style="list-style-type: none"> <li>(i) The visibility of the sign(s); and</li> <li>(ii) The length of the road frontage; and</li> <li>(iii) The shape of the site, topography, natural and built features in the surrounding area; and</li> <li>(iv) Vegetation or other mitigating factors.</li> </ol> </li> </ol>
<b>NU-R52.</b>	<b>Maximum level of light overspill</b>	
<b>All zones, all roads, all overlays, scheduled sites &amp; scheduled features</b>	<ol style="list-style-type: none"> <li>1. The spill of light from artificial lighting on to any site in the general rural zone as measured at or within the notional boundary of any sensitive activity must not exceed 10 lux (horizontal and vertical); and</li> <li>2. Within the industrial zone, the spill of light from artificial lighting must not exceed 20 lux (horizontal and vertical) when measured or calculated at points 1.5 m within the boundary of any other site. However, where the site adjoins another zone, the provisions of NU-R54.3 apply; and</li> <li>3. In all other zones, the spill of light from artificial lighting must not exceed 10 lux (horizontal and vertical) when measured or calculated at points 1.5 m within the boundary of any other site; and</li> <li>4. In the case of contiguous sites held in the same ownership for the same activity, the spill of light shall be measured or calculated at points 1.5 m within the boundary of any other site beyond the boundary of the land holding; and</li> </ol>	<p><b>Matters over which discretion is restricted:</b></p> <ol style="list-style-type: none"> <li>(a) Whether artificial lighting is necessary for operation or functional purposes; and</li> <li>(b) The extent to which light overspill may impact on activities occurring on an adjoining property, including areas for outdoor living; and</li> <li>(c) The ability to mitigate adverse effects through the imposition of conditions such as shielding the light; and</li> <li>(d) The extent and effect of the duration, hours of operation and frequency of the activity on the amenity values and sleep quality experienced in adjoining properties; and</li> <li>(e) Effects on traffic safety attributable to lighting and glare; and</li> <li>(f) Measures to ensure that the natural night sky is preserved where practical in the tourism zone of Waitomo Caves Village.</li> </ol>



	<p>5. The standards for light must be measured and assessed in accordance with AS/NZS 4282;2019 Control of the Obtrusive Effects of Outdoor Lighting; and</p> <p>(i) The following activities are exempt from the provisions of this rule:</p> <p>(ii) Streetlights, navigation lights and traffic signals; and</p> <p>(iii) Lights of vehicles, trains and aircraft; and</p> <p>(iv) Temporary lighting for the purpose of emergency response.</p>	
<b>NU-R53.</b>	<b>Emission of radiofrequency fields</b>	
<b>All zones, all roads, all overlays, scheduled sites &amp; scheduled features</b>	<p>1. The radiofrequency emission complies with the maximum exposure level for the general public in NZS 27721:1999 Radiofrequency Fields – Maximum Exposure Levels – 3KHz to 300GHz.</p>	<b>Activity status where compliance is not achieved: NC</b>
<b>NU-R54.</b>	<b>Emission of electric and magnetic fields</b>	
<b>All zones, all roads, all overlays, scheduled sites &amp; scheduled features</b>	<p>1. The emission of electric and magnetic fields must not exceed the International Commission on Non-Ionising Radiation Protection Guidelines for limiting exposure to time varying electric and magnetic fields (1Hz-100kHz) (Health Physics, 2010, 99(6); 818-836)) and recommendations from the World Health Organisation monograph Environmental Health Criteria (No 238, June 2007).</p>	<b>Activity status where compliance is not achieved: NC</b>