

# Waitomo District Council

Hearing on submissions on the Proposed Waitomo District Plan

## Report and Decisions of the Independent Hearing Commissioners

Decision Report:

Chapter 19. Network Utilities

19 June 2025

Commissioners

Greg Hill (Chair)

**Wikitōria Tāne**

Allan Goddard

Phil Brodie

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# 1 Introduction

1. This Decision Report relates to all the submissions received by the Waitomo District Council (Council) on Chapter 19 Network Utilities.
2. The Network Utilities chapter applies to network utilities and includes provisions specific to the operation, maintenance, upgrading and development of network utilities. Network Utility Operator is defined in s166 of the RMA and Chapter 9 Definitions of the Plan as follows:

means a person who—

(a) undertakes or proposes to undertake the distribution or transmission by pipeline of natural or manufactured gas, petroleum, biofuel, or geothermal energy; or

(b) operates or proposes to operate a network for the purpose of—

(i) telecommunication as defined in section 5 of the Telecommunications Act 2001; or

(ii) radio communication as defined in section 2(1) of the Radio Communications Act 1989; or is an electricity operator or electricity distributor as defined in section 2 of the Electricity Act 1992 for the purpose of line function services as defined in that section; or

(c) is an electricity operator or electricity distributor as defined in section 2 of the Electricity Act 1992 for the purpose of line function services as defined in that section; or

(d) undertakes or proposes to undertake the distribution of water for supply (including irrigation); or

(e) undertakes or proposes to undertake a drainage or sewerage system; or

(f) constructs, operates, or proposes to construct or operate, a road or railway line; or

(g) is an airport authority as defined by the Airport Authorities Act 1966 for the purposes of operating an airport as defined by that Act; or

(h) is a provider of any approach control service within the meaning of the Civil Aviation Act 1990; or

(i) undertakes or proposes to undertake a project or work prescribed as a network utility operation for the purposes of this definition by regulations made under this Act, —

and the words network utility operation have a corresponding meaning.

3. The structure and approach of the Network Utilities Chapter is unique in the Plan. While the ability to refer to objectives and policies across the Plan is retained, the rules section of the Chapter is largely self-contained with limited reference to other **Chapters of the Plan. As stated in Chapter 6 General Approach, the 'hierarchy is different for the Network Utilities Chapter as most of the overlay and district wide rules are contained within that chapter'.**
4. More specifically, the italicised notes under the objective and policy headings in the Chapter refer the plan user to relevant objectives and policies in Part 2 District-Wide Matters and Part 3- Area Specific Matters. For example:

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

5. However, in contrast, in the Rules section it states that Part 2 District-Wide Matters Part 3- Area Specific Matters do not apply, as follows:

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, hāpori 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.
6. However, there are several exceptions to this, such as NU-R33 Earthworks where the activity status table refers heritage buildings and structures to the zone rules.
7. The Network Utilities Chapter has a close relationship with Chapter 18 National Electricity and Gas Transmission Network. In terms of the role of each chapter, Chapter 19 Network Utilities manages the operation, maintenance, replacement, upgrading and development of the National Grid and gas transmission network. Whereas Chapter 18 National Electricity and Gas Transmission manages activities near these networks that are not undertaken by the network operator.
8. Likewise, Chapter 20 Transport manages third party interactions with the transport corridor, while Chapter 19 Network Utilities manages the construction, operation, maintenance and repair of the roading network.

## 2 Hearing arrangements

9. The hearing was held in person and online on 27 November **2024 in Council's** offices at 15 Queen Street, Te Kuiti. All of the relevant information pertaining to this hearing (i.e., section 42A reports, legal submissions and evidence) is **contained on Council's website**.
10. The following parties submitted on this chapter.

Submission No	Submitter
02	New Zealand Helicopter Association
03	Heritage New Zealand Pouhere Taonga
09	Chorus New Zealand Limited, Connexa Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited
10	Waikato Regional Council
17	New Zealand Transport Agency Waka Kotahi
24	Ministry of Education
25	The Lines Company
31	Transpower
39	Firstgas

Submission No	Submitter
42	Ventus Energy
46	Federated Farmers of New Zealand
47	Royal Forest and Bird Protection Society of New Zealand
51	KiwiRail Holdings
53	Director-General of Conservation
56	The Fuel Companies
FS03	Director-General of Conservation
FS05	Federated Farmers
FS09	Kainga Ora
FS11	KiwiRail Holdings
FS13	New Zealand Agricultural Aviation Association
FS16	Heritage New Zealand Pouhere Taonga
FS19	PF Olsen
FS22	Chorus New Zealand Limited, Connexa Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited
FS23	Te Nehenehenui
FS24	The Lines Company
FS25	Ventus Energy
FS26	Waikato Regional Council
FS27	New Zealand Transport Agency Waka Kotahi

11. The submitters who attended the hearing to address the Network Utilities provisions were the telecommunications companies<sup>1</sup>, represented by Graeme McCarrison (corporate) and Chris Horne (planning).<sup>2</sup> KiwiRail Holdings Ltd and New Zealand Transport Agency Waka Kotahi were also represented at the Tranche 2 hearing, however their evidence was largely focused on management of land use activities and subdivision in close proximity to the rail and state highway network. These matters are addressed in the Transport decision report.
12. Evidence was filed by Rebecca Eng (corporate) and Pauline Whitney (planning) on behalf of Transpower New Zealand Limited (Transpower), but they did not attend the hearing as the matters in contention had been resolved by the time of the hearing.
13. A statement of evidence was also filed by Lisette Balsom on behalf of Waikato Regional Council supporting the recommendation of the s42A report to remove duplicated provisions from the Network Utilities chapter.

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<sup>1</sup> Collectively representing Spark New Zealand Trading Ltd, Chorus New Zealand Ltd, One NZ Group Ltd, Fortysouth and Connexa Ltd.

<sup>2</sup> 27 November 2024

## 3 Submitter evidence

### 3.1 Telecommunications companies

14. The Panel had read in the joint statement of evidence (from the telecommunications companies<sup>3</sup>) that the opportunity to workshop and provide feedback on early drafting versions of the Plan has resulted in a Plan that is practical and generally works well for telecommunications. Consequently, the matters in contention were relatively narrow.

#### Flood and Coastal Hazard provisions

15. While the telecommunications companies recognised the importance of planning for and designing for being in sensitive and/or areas subject to climate change and/or natural hazards, the National Environmental Standards for Telecommunications Facilities 2016 (NESTF) exempts regulated telecommunications networks from hazard provisions in district plans. The position promoted by the telecommunications companies is that district plans are not the place to regulate for a resilient telecommunications infrastructure when it is in coastal environments and settlements where they have existing networks and customers.
16. The telecommunications companies observed that avoiding a natural hazard and other overlays area is not practical or possible for technical and operational reasons to service companies.<sup>4</sup> The planning evidence of Mr Horne concurred with this position and accepted that while further development in coastal areas may be vulnerable to coastal hazards, network utilities such as telecommunications are not leading development to these areas. Instead, they are providing service to communities that already exists.
17. Mr Horne considered that network utility operators can make their own risk assessment about how to provide service to these existing communities and did not consider it necessary or efficient for the district plan to regulate these types of structures to serve existing development. He noted that where the equipment is regulated by the NESTF, Regulation 57 already disapples any district plan rules relating to natural hazards.<sup>5</sup>
18. In particular, Mr Horne sought to amend Rules NU-R38 and NU-R39 so that it does not apply to customer connections, and network utility structures in existing roads. NU-R38 requires structures to be located 200 m from the coast, or a distance dependent on the slope. NU-R39 applies a 50m setback or distance dependent on the slope to the Kawhia Harbour and rivers in the coastal marine area. Mr Horne made the point that network utility operators would not choose to locate their structures where they were likely to be at risk of damage from natural hazard events.

#### Telecommunications equipment in roads covered by overlays

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<sup>3</sup> Joint statement of evidence of Graeme McCarrison for Spark New Zealand Trading Ltd, Andrew Kantor for Chorus New Zealand Ltd, Colin Clune for One NZ Group Ltd and Fortysouth Group Ltd and Fiona Matthews for Connexa Ltd, 4 November 2024.

<sup>4</sup> Corporate evidence on behalf of the Telecommunication Companies, 4 November 2024, paragraphs 6.5 and 6.6.

<sup>5</sup> Summary Statement of Chris Horne on behalf of the Telecommunications Companies, paragraph 8.

19. The submission from the telecommunications companies sought that a permitted activity status be applied to NU-R15 where the road traverses an overlay. NU-R15 is the rule which applies to new underground network utilities and applies a largely permitted approach except in some overlays where a resource consent would be required.
20. In the s42A report, Ms Wratt considered that the provisions make it clear that the **activity status in the "road" column of the rule (which is permitted) overrides other** columns which relate to overlays. She recommended amended standards for Rule NU-R2 (facilities meeting the NESTF in roads) to clearly exempt this equipment from the overlay provisions due to the scale of such equipment and the role of roads as infrastructure corridors.<sup>6</sup> Mr Horne was satisfied with this approach although suggested some minor changes to align with the NESTF regulations which he attached to his summary statement.<sup>7</sup>

#### Telecommunication Poles and Antennas in Zones

21. The **issue raised in Mr Horne's evidence was** whether there should be a permitted activity for telecommunication poles and antennas in the Rural Residential Zone, Commercial Zone (COMZ) and Te Kuiti CBD Precinct PREC5. He sought a permitted status for Commercial Zone (COMZ) and PREC5 (Te Kuiti CBD) where resource consent is currently required regardless of scale, permitted height limits of 20m for COMZ and 25m for the PREC5, and an additional 5m height in all zones where permitted for co-location by more than one operator. Ms Wratt agreed with Mr Horne in the s42A addendum report that there should be a permitted activity allowance in commercial zones including PREC5 for this equipment. She considered that amendment would be more consistent with other district plans and the operative Waitomo District Plan.
22. Ms Wratt did not agree with a permitted activity in the Rural residential zone however. Mr Horne noted that the NESTF includes rural residential zones in the definition of Rural Zone and as such a 25m high permitted activity status applies in Regulation 35 of the NESTF. Given that the activity is controlled by the NESTF anyway, the NESTF activity status will prevail. Mr Horne supported the Proposed District Plan (PDP) matching the NESTF in terms of activity status. Further, he suggested the Panel adopt a 50m set back requirement from the façade of any dwelling on another site to align with the NESTF.<sup>8</sup>

#### Earthworks for Utility Pole Foundations in Hazard Areas

23. Mr Horne sought an exemption for utility poles from the earthworks depth restriction of 0.5m in flood and coastal hazard areas in Rule NU-45 on the basis these controls are unnecessary for utility poles and impractical for many pole foundation designs. Ms Wratt agreed and recommended amending the rule accordingly.<sup>9</sup>

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<sup>6</sup> s42A Supplementary evidence in response to expert evidence filed by submitters, Carolyn Wratt, 18 November 2024, paragraph 66.

<sup>7</sup> Summary Statement of Chris Horne on behalf of the Telecommunications Companies, paragraph 3.

<sup>8</sup> Summary Statement of Chris Horne on behalf of the Telecommunications companies, paragraph 5.

<sup>9</sup> s42A Supplementary evidence in response to expert evidence filed by submitters, Carolyn Wratt, 18 November 2024, paragraph 82.

## 3.2 National Grid

24. Ms Whitney's **evidence** supported or accepted the recommendation of the s42A report for policy NU-P22. In its submission, Transpower sought amendment to the National Grid specific policy for the development of new National Grid assets. While the policy was recommended to be amended in the s42A report, Ms Whitney considered the resulting wording to be unclear.
25. Ms Wratt clarified that there were errors in bringing across the changes from the Transpower submission, whereby the incorrect clauses were struck through. Ms Wratt recommended these errors be corrected.<sup>10</sup> Consequently Transpower considered that all its issues with regards to the Network Utility chapter had been resolved and therefore did not attend the hearing.

## 4 Panel decision

### 4.1 Telecommunications structures

#### Natural Hazards

26. It appears to the Panel that the options available for managing infrastructure within close proximity to the coast, Kawhia Harbour and rivers within the coastal marine area (the subject of NU-R38 and NU-R39) are:
- a. That the PDP continue to manage network utilities in close proximity to these waterbodies due to the risk of natural hazards. It does not preclude network utilities being located near the coast, Kawhia Harbour and rivers but it would require a resource consent; or
  - b. Rules NU-R38 and NU-R39 are amended so they do not apply to customer connections, and network utility structures in existing roads as requested by the submissions. Exempting customer connections and network utility structures in existing roads would enable network utilities to manage the risk to their structures and network as they see fit in those environments.
27. Having considered the evidence presented by Mr Horne, the Panel prefer less regulation. Where an existing road is already in place, the Panel consider there is no need for additional controls on network utility structures within the road reserve in close proximity to the coast or Kawhia Harbour. The Panel appreciate that network utility operators are unlikely to place their structures in locations with high risk from natural hazards. The Panel is mindful of the importance of customer connections in keeping people and communities connected, and agree that customer connections should also be exempt from the setbacks in NU-R38 and NU-R39.

#### Telecommunications equipment in roads covered by overlays

28. The Panel have considered the minor changes to NU-R2 to align with the NESTF regulations which Mr Horne attached to his summary statement. The Panel agree that they are appropriate.

#### Telecommunication Poles and Antennas in Zones

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<sup>10</sup> s42A Supplementary evidence in response to expert evidence filed by submitters, Carolyn Wratt, 18 November 2024, paragraph 56-57.



29. As pointed out by Mr Horne, the NESTF includes rural residential zones in the definition of Rural Zones and as such a 25m high permitted activity status applies in Regulation 35 of the NESTF. Given that the activity is controlled by the NESTF anyway, there seems little sense in the PDP having a different height limit from the NESTF. The Panel therefore consider that the height for telecommunication poles and antennas should be 25m for the Rural lifestyle zone in rules NU-R21 and NU-R48.
30. **The Panel note that Mr Horne's evidence** described the NESTF as requiring a 50m set back from the façade of any dwelling on another site, but Regulation 35 of the NESTF requires the pole to be at least 50 m away from any building used for residential or educational purposes. The Panel agree with Mr Horne that adopting the NESTF requirement for a 50m set back requirement from any building used for residential or educational purposes is a sensible approach.

#### Earthworks for Utility Pole Foundations in Hazard Areas

31. The Panel support the exemption for utility poles from the earthworks depth restriction of 0.5m in flood and coastal hazard areas in Rule NU-R45 for the reasons set out by Mr Horne.

## 4.2 National Grid

32. The Panel agrees **with Ms Wratt's recommendations** to amend NU-P22 so that it is clear and provides an appropriate policy framework for National Grid activities that are not covered by the NESETA.<sup>11</sup>
33. For all other matters concerned with the Network Utility provisions not otherwise covered above, the Panel has adopted the recommendations in the Section 42A Report and further amendments recommended in the Section 42A Addendum Report (as discussed above).

## 5 Conclusion

34. The Panel accepts the recommendations in the section 42A report. The reasons for this are those set out in the section 42A reports, the evidence, and provided in this Decision; collectively forming the section 32AA assessment informing this Decision.
35. Overall, the Panel is satisfied that the provisions of the network utilities chapter, as amended, will provide a suitable framework for managing the ongoing use and development of network utilities, while managing any adverse effects.
36. The Panel accepts, accepts in part, or rejects the submissions as set out in the section 42A reports.

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<sup>11</sup> s42A Supplementary evidence in response to expert evidence filed by submitters, Carolyn Wratt, 18 November 2024, Appendix 1.

For the Hearing Panel

A handwritten signature in dark ink, appearing to read "Greg Hill", followed by a period.

Greg Hill, Chair

Dated: 19 June 2025

## 1. Appendix 1 – Submission Table

## NETWORK UTILITIES

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	Accept/Accept in part/Reject
02.14	NZHA	Support	19. Network utilities	NU-O1	Retain the objective as notified.	Accept
FS13.14	New Zealand Agricultural Aviation Association	Support			Retain the objective as sought	Accept
02.15	NZHA	Support	19. Network utilities	NU-P2	Retain the objective as notified.	Accept
FS13.15	New Zealand Agricultural Aviation Association	Support			Retain the policy as sought	Accept
03.27	NZHPT	Support	19. Network utilities	NU-P3	That NU-P3 is retained.	Accept
03.28	NZHPT	Support	19. Network utilities	NU-P11	That Policy NU-P11 is retained.	Reject
03.29	NZHPT	Oppose	19. Network utilities	NU-P12	<p>That NU-P12 is amended as follows;</p> <p><b>"Provide</b> for regionally significant infrastructure <u>by</u> <del>within overlays, scheduled sites and features where:</del></p> <p>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</p> <p>2. have regard to the extent to which adverse effects have been avoided, remedied or mitigated by the route, site and method selection;</p>	Reject

					<p>3. There is a demonstrated functional or operational need for the infrastructure to be located within the overlay, scheduled site or feature; and</p> <p>4. 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 <b>alternative options.</b>"</p>	
FS11.01	KiwiRail	Oppose			Reject submission	Accept
FS24.01	The Lines Company	Oppose			Disallow	Accept
FS22.01	Telcos	Oppose			Disallow the submission	Accept
03.30	NZHPT	Support	19. Network utilities	NU-P21	That NU-P21 is retained.	Accept in part
03.31	NZHPT	Support	19. Network utilities	NU-P22	That NU-P22 is retained.	Accept in part
03.32	NZHPT	Oppose in part	19. Network utilities	Notes Activity Table 1	That the note is amended to read; <b>"Note:</b> Where Heritage Buildings and Structures are referred to, it also means the site or surroundings (of any building or structure listed in <b>SCHED1</b> )"	Accept
03.33	NZHPT	Support	19. Network utilities	NU-R2	That the discretionary activity status is retained.	Accept
03.34	NZHPT	Support	19. Network utilities	NU-R3	That NU-R3 is retained.	Accept
03.35	NZHPT	Support	19. Network utilities	NU-R4	That NU-R4 is retained.	Accept in part
03.36	NZHPT	Oppose	19. Network utilities	NU-R6	HNZPT seeks that the permitted activity for NU-R6 is amended to a restricted discretionary activity.	Reject
FS24.02	The Lines Company	Oppose			Disallow	Accept
03.37	NZHPT	Support	19. Network utilities	NU-R7	That NU-R7 is retained.	Accept
03.38	NZHPT	Oppose	19. Network utilities	NU-R9	That New public walkways and cycleways in the following is amended to a discretionary activity for the following locations; Heritage buildings and structures, sites and areas of significance to <b>Māori</b> and significant archaeological sites.	Addressed in the TRAN chapter
03.39	NZHPT	Support	19. Network utilities	NU-R10	That NU-R10 is retained.	Reject
03.40	NZHPT	Oppose	19. Network utilities	NU-R11	That NU-R11 is amended to a restricted discretionary activity, with associated suitable assessment criteria.	Accept
FS24.03	The Lines	Oppose			Disallow	Reject

	Company					
03.41	NZHPT	Support	19. Network utilities	NU-R12	That NU-R12 is retained.	Accept in part
03.42	NZHPT	Support	19. Network utilities	NU-R14	That NU-R14 is retained.	Accept in part
03.43	NZHPT	Support	19. Network utilities	NU-R15	That NU-R15 is retained.	Accept
03.44	NZHPT	Support	19. Network utilities	NU-R16	That NU-R16 is retained.	Accept
03.45	NZHPT	Support	19. Network utilities	NU-R17	That NU-R17 is retained.	Accept
03.46	NZHPT	Support	19. Network utilities	NU-R18	That NU-R18 is retained.	Accept
03.47	NZHPT	Support	19. Network utilities	NU-R19	That NU-R19 is retained.	Accept in part
03.48	NZHPT	Support	19. Network utilities	NU-R20	That NU-R20 is retained.	Accept
03.49	NZHPT	Support	19. Network utilities	NU-R21	That NU-R21 is retained.	Accept in part
03.50	NZHPT	Support	19. Network utilities	NU-R23	That NU-R23 is retained.	Accept
03.51	NZHPT	Support	19. Network utilities	NU-R24	That NU-R24 is retained.	Accept
03.52	NZHPT	Support	19. Network utilities	NU-R25	That NU-R25 is retained.	Accept
03.53	NZHPT	Oppose in part	19. Network utilities	NU-R26	That NU-R25 is retained and amended to include domestic scale septic tanks	Reject
FS05.07	Federated Farmers	Oppose			Decline the relief sought	Accept
03.54	NZHPT	Oppose in part	19. Network utilities	NU-R27	That an advice note is included as part of the Nu-R27 activity, as follows; <u>"Note: An archaeological Authority may be required from Heritage New Zealand Pouhere Taonga"</u>	Accept
03.55	NZHPT	Support in part	19. Network utilities	NU-R28	That NU-R28 is retained and amended such that " the construction of new public roads, state highways, service lanes and any road widening outside of the road reserve or <b>designation</b> ", in a Heritage buildings and structures, is also a non-complying activity.	Reject
03.56	NZHPT	Support in part	19. Network utilities	NU-R30	That NU-R30 is retained and amended such that " New network utilities not otherwise provided for in Table 1 ", in a Heritage buildings and structures, is also a non-complying activity.	Reject
03.57	NZHPT	Oppose in part	19. Network utilities	NU-R33	That NU-R33 is amended to a discretionary activity for earthworks in Sites and areas of significance to <b>Māori</b> and significant archaeological sites.	Accept in part

FS05.08	Federated Farmers	Oppose			Decline the relief sought	Accept in part
FS23.04	Te Nehenehenui	Oppose			Earthworks in sites and areas of significance to <b>Māori including Māori archaeological sites</b> should be classified as a non-complying activity at a minimum as earthworks do not align to Maniapoto cultural values. Ensuring mechanisms and protocols are in place before conducting earthworks in/ on these areas are critical	Accept in part
03.58	NZHPT	Support	19. Network utilities	NU-R34, NU-35 and NU- 36	That NU-R34/NU-R35 is retained.	Accept
09.03	Chorus New Zealand Limited, Connexa Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited	Support	19. Network utilities	NU-O1 and NU-O2	Retain Objectives NU-O1 and NU-O2.	Accept
09.04	Chorus New Zealand Limited, Connexa Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited	Support	19. Network utilities	NU-P1, NU-P2, NU-P7, NU-P9, NUP14, NU-P16 and NU-P1	Retain Policies: NU-P1, NU-P2, NU-P7, NU-P9, NU-P14, NU-P16 and NU- P19.	Accept Accept Reject Accept in part Accept Accept Accept
09.05	Chorus New Zealand Limited, Connexa Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited	Oppose in part	19. Network utilities	NU-P8	Amend Policy NU-P8 as follows or a change of like effect:  Enable clearance of indigenous vegetation outside of overlays, scheduled sites and features, cave entrances and sinkholes, coastal and water body margins, <u>and manage indigenous vegetation clearance in other locations to minimise adverse effects on the values and attributes of these more sensitive environments.</u>	Reject
FS03.08	Director-General of Conservation	Oppose			Disallow	Accept
09.06	Chorus New Zealand Limited, Connexa Limited,	Oppose	19. Network utilities	NU-P10	Amend Policy NU-P10 as follows or a change of like effect:	Accept in part

	Spark New Zealand Limited and Vodafone New Zealand Limited				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 practicable, <u>including by:</u> <del>1. Maintaining required separation distances to ensure reverse sensitivity effects are minimised</del> + and 2. Ensuring sites are sufficiently landscaped and screened <u>where appropriate</u> ; and 3. Ensuring that <del>industrial</del> buildings <u>to house network utilities</u> are designed as far as practicable to not overshadow or overly dominate the wider surrounding area.	
09.07	Chorus New Zealand Limited, Connexa Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited	Oppose in part	19. Network utilities	NU-P11 NU-P12	Delete the word <b>"Hazards"</b> from the sub heading above Policies NU-P11 and NU-P12.	Accept in part
09.08	Chorus New Zealand Limited, Connexa Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited	Support	19. Network utilities	New Policy Natural Hazards	Add a new Policy as follows (or wording of like effect):  <u>NU-PX</u> <u>Enable network utilities in natural hazard overlays that:</u> 1. <u>Do not increase the risk from the natural hazard to people, other property or other infrastructure;</u> 2. <u>Have a functional need or operational need to be located within the area</u> <u>subject to the hazard; and</u> 3. <u>Where necessary and appropriate include design measures to reduce the potential for damage in a natural hazard event.</u>	Accept
FS24.04	The Lines Company	Support			Allow	Accept
09.09	Chorus New Zealand Limited,	Oppose in part	19. Network utilities	NU-P15	Amend Policy NU-P15 such that clauses 1-6 are all disjunctive.	Accept



	Connexa Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited					
09.10	Chorus New Zealand Limited, Connexa Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited	Support	19. Network utilities	Introductory statement on how the network utilities rules work	Retain the introductory statement on how the networks utilities rules in Chapter 19 work.	Accept
09.11	Chorus New Zealand Limited, Connexa Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited	Oppose in part	19. Network utilities	NU-R2	Amend Rule NU-R2 such the that following is exempt from default DIS or RDIS status in overlays and scheduled sites and features listed in columns 3, 4 and 5 of the rule table:  Customer connections, cabinets in roads, and poles and antennas in roads (otherwise meeting NESTF Regulations 26-29) other than in an Outstanding Natural Feature.	Accept in part
FS16.27	NZHPT	Oppose			That the submission is declined	Accept in part
09.12	Chorus New Zealand Limited, Connexa Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited	Support	19. Network utilities	NU-R3, NU- R4, NU-R5, NU-R6, NUR7, NU-R11, NU- R12, NU-R17, NU- R19, NU- R22, NU-R30 and NU-R37	Retain: Rule NU-R3, NU-R4, NU-R5, NU-R6, NU-R7, NU-R11, NU-R12, NU-R17, NU-R19, NU-R22, NU-R30 and NU-R37 as notified.	Accept Accept in part Accept Accept in part Accept Accept in part Accept Accept in part Accept Accept in part Accept
09.13	Chorus New Zealand Limited, Connexa Limited,	Oppose	19. Network utilities	Rule NU-R13	Amend Rule NU-R13 such that it does not restrict:	Addressed in the TRAN chapter

	Spark New Zealand Limited and Vodafone New Zealand Limited				<ul style="list-style-type: none"> <li>• Network utility structures within rail corridors;</li> <li>• Lines within roads from any indicative road or rail corridor setbacks;</li> <li>• Customer connections from inductive road setbacks</li> </ul>	
09.14	Chorus New Zealand Limited, Connexa Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited	Oppose in part	19. Network utilities	Rule NU-R14	Amend Rule NU-R14 or NU-R43 such that realigning underground infrastructure permitted by NU-R14 is not subject to a 5m restriction on realignment/relocation.	Accept
09.15	Chorus New Zealand Limited, Connexa Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited	Oppose in part	19. Network utilities	Rule NU-R15	Amend Rule NU-R15 to make it clear that permitted activity status in roads applies even where the road traverses an overlay where it is otherwise not permitted.	Reject
FS16.28	NZHPT	Oppose			That the submission is declined	Accept
09.16	Chorus New Zealand Limited, Connexa Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited	Oppose	19. Network utilities	Rule NU-R21	Amend Rule NU-R21 such that poles and attached antennas are a permitted activity in the Rural Residential Zone, Commercial Zone (COMZ) and Te Kuiti CBD Precinct PREC5. Proposed standards are included in the submission on Table 2 (NU-R48).	Accept
FS16.29	NZHPT	Oppose			That the submission is declined	Reject
09.17	Chorus New Zealand Limited, Connexa Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited	Support	19. Network utilities	New rule	<p>Add a new NU Rule that provides for poles and attached antennas in roads not regulated by or complying with the NESTF as a controlled activity subject to the following standards:</p> <ul style="list-style-type: none"> <li>• 15m or the permitted height limit for poles and attached antennas in the adjacent zone, whichever is the greater.</li> <li>• 700mm maximum width for antennas, antenna headframe and any shroud mounted on the pole.</li> </ul>	Reject

FS16.30	NZHPT	Oppose			That the submission is declined	Accept
09.18	Chorus New Zealand Limited, Connexa Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited	Oppose	19. Network utilities	Rule NU-R33	Amend Rule NU-R33, clause (3)(i), as follows: .... PER and RDIS activities must: .... 3. Earthworks are permitted within 5m from the edge of a water body where:  (i) The works are for maintenance or installation purposes on or within 2m of existing roads, driveways, tracks, fences or water intake structure; or .....	Reject
FS23.46	Te Nehenehenui	Oppose			Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as <b>guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan.</b>  Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, the taiao and all taonga within TNN area of interest, TNN opposes and requests that Waitomo District Council consider this when finalising the review.	Accept
09.19	Chorus New Zealand Limited, Connexa Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited	Oppose	19. Network utilities	Rule NU-R38	Amend Rule NU-R38 such that the 200m set back from the open coast does not apply to customer connections, and network utility structures in existing roads.	Accept
FS23.47	Te Nehenehenui	Oppose			Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as <b>guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan.</b>  Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, the taiao and all taonga within TNN area of interest,	Reject

					TNN opposes and requests that Waitomo District Council consider this when finalising the review.	
09.20	Chorus New Zealand Limited, Connexa Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited	Oppose in part	19. Network utilities	Rule NU-R39	Amend Rule NU-R38 such that the setbacks from Kawhia Harbour or any river in the Coastal Marine Area do not apply to customer connections, and network utility structures in existing roads.	Accept
FS23.48	Te Nehenehenui	Oppose			<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as <b>guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan.</b></p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, the taiao and all taonga within TNN area of interest, TNN opposes and requests that Waitomo District Council consider this when finalising the review.</p>	Reject
09.21	Chorus New Zealand Limited, Connexa Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited	Oppose in part	19. Network utilities	Rule NU-R40	<p>Amend Rule NU-R40 as follows:</p> <p>...</p> <p>. O R</p> <p>2. Be a minor utility structure, a pole, tower, <u>line</u>, antennas attached to poles or streetlight; or</p> <p>....</p>	Accept
09.22	Chorus New Zealand Limited, Connexa Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited	Oppose	19. Network utilities	Table 2 Performance Standards Rule NU-R43	Delete Clause 1 of Rule NU-R43.	Accept
FS24.05	The Lines Company	Support			Allow	Accept
09.23	Chorus New Zealand Limited,	Oppose in part	19. Network utilities	NU-R44	<p>Amend Rule NU-44 as follows:</p> <p>....</p>	Accept

	Connexa Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited				12. In all locations: Page 11 (i) A replacement panel antenna must not increase the <u>largest</u> face area by more than 20 percent; and ....	
09.24	Chorus New Zealand Limited, Connexa Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited	Oppose	19. Network utilities	NU-45	Amend Rule NU-R45 by adding an additional clause as follows:  4. <u>Except that the excavation volumes in (1) and depth in (3) shall not apply to backfilled network utility trenches, excavation by trenchless means (e.g. directional drilling) or pole foundations.</u>	Reject
FS24.06	The Lines Company	Support			Allow	Reject
FS23.49	Te Nehenehenui	Oppose			Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as <b>guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan.</b>  Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, the taiao and all taonga within TNN area of interest, TNN opposes and requests that Waitomo District Council consider this when finalising the review.	Accept
09.25	Chorus New Zealand Limited, Connexa Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited	Oppose	19. Network utilities	NU-47	Amend Rule NU-R47, clause 2 as follows: ..... 2. Every site for a network utility <u>that is permanently staffed</u> must be provided with a vehicle access point to a road	Accept
09.26	Chorus New Zealand Limited, Connexa Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited	Oppose	19. Network utilities	NU-48	Amend Rule NU-R48 such that the scope of the rule includes the Rural Residential Zone, COMZ and PREC5. Amend the standards such that the height limits are: <ul style="list-style-type: none"> <li>Industrial, general rural, rural production and rural residential zones,</li> </ul>	Accept

	Zealand Limited				<ul style="list-style-type: none"> <li>PREC3 and PREC5: 25m</li> <li>COMZ: 20m</li> <li>An additional 5m allowance above the maximum height limits where the antennas of two different operators are sited on the same pole.</li> </ul>	
10.04	WRC	Amend	9. Definitions	Upgrading (in relation to a network utility)	Add a definition for ' <b>upgrading</b> ' (in relation to a network utility) in the definitions chapter	Reject
FS05.29	Federated Farmers	Support			Grant the relief sought	Reject
10.05	WRC	Amend	9. Definitions	Telecommunications kiosk	Add a definition for ' <b>telecommunications kiosk</b> '.	Accept
10.16	WRC	Amend	19. Network utilities	General Comment	Remove identical or near identical duplicates from different chapters. (e.g., Rule NU-R8 regarding electric vehicle charging, Rule NU-R9 regarding new public walkways and cycleways, and Rule NU-R10 regarding new stock underpasses).	Accept in part
FS03.15	Director-General of Conservation	Support			Allow	Accept in part
10.17	WRC	Amend	19. Network utilities	General Comment	Amend Chapter 19 – Network Utilities by moving provisions relating specifically to transport to Chapter 20 – Transport (excluding provisions relating to the co-location of network utilities within the transport corridors).	Accept in part
10.18	WRC	Amend	19. Network utilities	General Comment	Relocate the provisions in the Network Utilities Chapter that are not necessarily specific to network utilities to other more appropriate chapters (e.g., Rule NU-R33 regarding earthworks generally and NU- R45 regarding Earthworks in a hazard area or coastal area).	Reject
10.19	WRC	Amend	19. Network utilities	General Comment	Add objectives and policies that explicitly refer to mitigation of and adaptation to climate change.	Reject
FS27.10	Waka Kotahi	Support in part			Waka Kotahi considers more information is required. Waka Kotahi seeks to be involved with the development of the policies due to the implications it may have to carry out their statutory obligations.	Accept in part
10.20	WRC	Amend	19. Network utilities	NU-P5 and NU-P6	Move these provisions to the Transport Chapter.	Accept in part

10.21	WRC	Amend	19. Network utilities	NU-P7	Remove NU-P7.	Accept
10.22	WRC	Oppose	19. Network utilities	NU-P8	Reword rewording the policy to, <u>"Manage/restrict clearance of indigenous vegetation within/near overlays, scheduled sites ..."</u> .  And in line with other submission points, WRC recommends moving NU-P8 to the natural environment section of the plan.	Reject
FS03.16	Director-General of Conservation	Support in part			Allow	Reject
10.23	WRC	Amend	19. Network utilities	General Comment on NU-P4 to NU-P8.	Relocate policies NU-O4, NU-O5, NU-O7, NU-O7 and NU-O8 to the chapters that they more directly relate to e.g., Signs, Earthworks and Indigenous Vegetation.	Accept
FS03.17	Director-General of Conservation	Support in part			Allow	Accept
10.24	WRC	Amend	19. Network utilities	NU-P9	Amend the wording of the policy as follows: <del>"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:</del> <u>Manage the adverse effects of network utilities in roads and other land outside of overlays, by..."</u> .	Accept in part
FS03.18	Director-General of Conservation	Support			Allow	Accept in part
10.25	WRC	Amend	19. Network utilities	NU-R4, NU-R12 and NU-R15	Provide an explanation regarding the difference in activity status levels or amend these rules so that the activity status levels are consistent. Further, we suggest adding a heading for column 4 of the table in NU- R12. NU-R4 NU-R12 NU-R15	Accept Accept in part Reject
FS03.19	Director-General of Conservation	Support			Allow	Accept in part
10.26	WRC	Amend	19. Network utilities	NU-R4, NU-R8 to NU-R10, NU-R13.	Reassess the rules and delete if appropriate. NU-R4 NU-R8 NU-R9	Reject Accept Accept

					NU-R10 NU-R13	Accept Accept
FS03.21	Director-General of Conservation	Support			Allow	Accept in part
10.27	WRC	Amend	19. Network utilities	NU-R19 and NU- R23	Provide a justification regarding the difference in activity status levels or amend these rules so that the activity status levels are consistent, by changing the coastal environment, karst overlay and landscapes of high amenity value to Restricted Discretionary or Discretionary.	Accept in part
FS03.20	Director-General of Conservation	Support			Allow	Accept in part
10.28	WRC	Amend	19. Network utilities	NU-R27 and NU- R29	Relocate these rules to the Transport chapter.	Reject
FS22.04	Telcos	Oppose			Disallow the submission	Accept
10.29	WRC	Amend	19. Network utilities	NU-R31 and NU- R32	Relocate these rules to the Signs chapter.	Reject
FS22.05	Telcos	Oppose			Disallow the submission	Accept
10.30	WRC	Amend	19. Network utilities	NU-R33 to NU- R36	Relocate these rules from this chapter to the earthworks chapter or the natural environment values chapter.	Reject
FS22.06	Telcos	Oppose			Disallow the submission	Accept
10.31	WRC	Amend	19. Network utilities	NU-R37	Relocate these rules to the ecosystems and biodiversity chapter.	Reject
FS22.07	Telcos	Oppose			Disallow the submission	Accept
10.32	WRC	Amend	19. Network utilities	NU-R38	Relocate this rule to the coastal environment chapter.	Reject
FS22.08	Telcos	Oppose			Disallow the submission	Accept
10.33	WRC	Amend	19. Network utilities	NU-R39	Relocate this rule to the coastal environment chapter.	Reject
FS22.09	Telcos	Oppose			Disallow the submission	Accept
10.34	WRC	Amend	19. Network utilities	NU-R40	Relocate this rule to the chapters within the Natural Environment Values section as appropriate.	Reject
FS22.10	Telcos	Oppose			Disallow the submission	Accept
10.35	WRC	Amend	19. Network utilities	NU-R46	Relocate this rule to the noise chapter.	Reject
FS22.11	Telcos	Oppose			Disallow the submission	Accept



10.36	WRC	Amend	19. Network utilities	NU-R47	Relocate this rule to the transport chapter.	Reject
FS22.12	Telcos	Oppose			Disallow the submission	Accept
10.37	WRC	Amend	19. Network utilities	NU-R51	Relocate this rule to the signs chapter.	Reject
FS22.13	Telcos	Oppose			Disallow the submission	Accept
10.38	WRC	Amend	19. Network utilities	NU-R52	Relocate relocating this rule to the light chapter.	Reject
FS22.14	Telcos	Oppose			Disallow the submission	Accept
17.09	Waka Kotahi	Support		Maintenance (in relation to network utilities)	Retain as notified.	Accept
17.28	Waka Kotahi	Support	19. Network utilities	NU-O2	Retain as notified.	Accept
17.29	Waka Kotahi	Support in part	19. Network utilities	NU-O4	Waka Kotahi seeks an amendment to the objective as follows:  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 <u>anticipated</u> land use and development.	Accept in part
17.30	Waka Kotahi	Support	19. Network utilities	NU-P1	Retain as notified.	Accept
17.31	Waka Kotahi	Support	19. Network utilities	NU-P5	Retain as notified.	Reject
17.32	Waka Kotahi	Support	19. Network utilities	NU-P6	Retain as notified.	Reject
17.33	Waka Kotahi	Support	19. Network utilities	NU-P13	Retain as notified.	Accept
17.34	Waka Kotahi	Support	19. Network utilities	NU-P16	Retain as notified.	Accept
17.35	Waka Kotahi	Support	19. Network utilities	NU-P19	Retain as notified.	Accept
17.36	Waka Kotahi	Support in part	19. Network utilities	NU-R8	Waka Kotahi seeks an amendment to the rule as follows:  Where the activity is RDIS, the matters over which discretion is restricted are: (a) Adverse effects on the safe, efficient and effective operation of the road transport network <u>including outcomes from consultation with Waka Kotahi New Zealand</u>	Addressed in the TRAN chapter

					<p><u>Transport Agency</u>; 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> <p><u>Note: Any electric vehicle charging device to be located within the State Highway road reserve requires approval from Waka Kotahi New Zealand Transport Agency.</u></p>	
FS23.61	Te Nehenehenui	Oppose in part			<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and <b>taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan.</b></p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, the taiao and all taonga within TNN area of interest, TNN opposes and requests that Waitomo District Council consider this when finalising the review.</p>	Accept in part
17.37	Waka Kotahi	Support in part	19. Network utilities	NU-R13	<p>Waka Kotahi seeks an amendment to the rule as follows:</p> <p>2. The structure (excluding signs, temporary structures, and vehicle access points) is located within 20 m of the edge of an indicative road <u>or designation boundary</u>:</p> <p><i>Note: KiwiRail and/or Waka Kotahi New Zealand Transport Agency 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>(g) The outcome of consultation with KiwiRail and Waka Kotahi New Zealand Transport Agency.</p>	Addressed in the TRAN chapter
FS23.61	Te Nehenehenui	Oppose in part			<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within <b>the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan.</b></p>	Addressed in the TRAN chapter

					Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, the taiao and all taonga within TNN area of interest, TNN opposes and requests that Waitomo District Council consider this when finalising the review.	
17.38	Waka Kotahi	Support	19. Network utilities	NU-R27	Retain as notified.	Accept in part
17.39	Waka Kotahi	Support	19. Network utilities	NU-R28	Retain as notified.	Accept
FS26.02	WRC	Support with amendment			<b>Amend activity status for “the construction of new public roads, state highways, service lanes and any road widening outside of the road reserve or designation” in the coastal environment and landscapes of high amenity value to discretionary, in line with the discretionary activity status for outstanding natural landscapes, outstanding natural character, SNAs and high/very high natural character areas.</b>	Reject
17.40	Waka Kotahi	Support	19. Network utilities	NU-R28 (b), (d), (e), (h) and (i).	Retain as notified.	Accept
17.41	Waka Kotahi	Support in part	19. Network utilities	NU-R32	Waka Kotahi seek to add an additional matter of discretion as below:  (h) The outcome of consultation with Waka Kotahi New Zealand Transport Agency if signs are visible from the state highway network.	Accept in part
17.42	Waka Kotahi	Support	19. Network utilities	NU-R33	Retain as notified.	Accept in part
17.43	Waka Kotahi	Support	19. Network utilities	NU-R37	Retain as notified.	Accept
17.44	Waka Kotahi	Support	19. Network utilities	NU-R40	Retain as notified.	Accept in part
17.45	Waka Kotahi	Support in part	19. Network utilities	NU-R46	Waka Kotahi seek correction of the references to other rules in NU-R46.1.	Accept
24.13	MoE	Support	19. Network utilities	NU-R9	Retain NU-R9 as notified.	Addressed in the TRAN chapter
25.07	TLC	Support	9. Definitions	Network utility operator	Retain as notified	Accept
25.09	TLC	Support with amendment	9. Definitions	Maintenance (in relation to	Amend the definition of ‘ <b>maintenance (in relation to network utilities)</b> ’	

				network utilities)	as follows: ... another of the same or <u>lesser</u> <del>similar</del> height, <b>size</b> ...	
25.10	TLC	New	9. Definitions	Infrastructure	Amend the definition for 'infrastructure' as follows:  <u>Infrastructure:</u> <u>has the same meaning as in section 2 of the RMA: means-</u> ...	Reject
FS10.06	King Country Energy	Support			Allow	Reject
25.11	TLC	New	9. Definitions	Line	Add a new definition for 'Line' as follows:  <u>Line</u> <u>means line as defined in section 2 of the Electricity Act 1992:</u> <u>a) means works that are used or intended to be used for the conveyance of electricity.</u>	Reject
25.12	TLC	Neutral	19. Network Utility	NU-O3	No specific decision sought, although submitter suggests Objective NU- O3 be removed from Chapter 19 Network Utility as the objective is already contained within Chapter 18.	Reject
25.13	TLC	Support with amendment	19. Network Utility	NU-R19	Amend NU-R19 as follows:  New overhead lines and associated <u>equipment</u> poles or towers.	Accept
25.14	TLC	Oppose	19. Network Utility	NU-R43	Delete NU-R43(1).	Accept
25.15	TLC	Support with amendment	19. Network Utility	NU-R44	Amend NU-R44 as follows: 1. <u>Where not otherwise identified as a permitted activity,</u> <del>the</del> realignment, relocation, ...	Reject
25.16	TLC	Support	19. Network Utility	NU-R44(3)	Retain NU-R44(3) as notified.	Accept in part
25.17	TLC	Support	19. Network Utility	NU-R44(8)	Retain NU-R44(8) as notified.	Accept
25.18	TLC	Support	19. Network Utility	NU-R11	Retain NU-R11 as notified.	Accept in part
25.19	TLC	Support	19. Network	NU-R46	Retain NU-R46 as notified.	Accept in part

			Utility			
25.26	The Lines Company	Support with amendment		9. Definitions	Add a definition for ' <b>Infrastructure</b> ' in Chapter 9  Or  Amend APP-5.1 to explicitly provide for non-Council owned infrastructure (as well as <b>Council's</b> three waters and transportation infrastructure).	Reject
27.08	Hort NZ	Support with amendment	9. Definitions	Minor upgrade (in relation to existing energy activities)	Amend the definition of ' <b>Minor upgrade</b> ' to include the following wording: <u>But does not increase the voltage beyond that for which the line was designed</u>	Reject
31.04	Transpower	Support	9. Definitions	Maintenance (in relation to network utilities)	Retain as notified.	Accept
31.05	Transpower	Support	9. Definitions	Minor upgrade (in relation to existing energy activities)	Retain as notified.	Accept
31.09	Transpower	Support	9. Definitions	Network utility operator	Retain as notified	Accept
31.14	Transpower	Amend	9. Definitions	Transmission line	Add a definition for ' <b>Transmission line</b> ' as follows:  <u>has the same meaning as provided in the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009.</u> And Any consequential amendments.	Accept
FS24.08	The Lines Company	Oppose			Disallow	Reject
31.32	Transpower	Support	19. Network utilities	Overview	Retain the Overview to Chapter 19. Network Utilities as it relates to the National Grid and the NPSET.	Accept

31.33	Transpower	Support	19. Network utilities	NU-01	Retain NU-01.	Accept
31.34	Transpower	Support	19. Network utilities	NU-02	Retain NU-02.	Accept
31.35	Transpower	Amend	19. Network utilities	NU-03	<p>Retain the intent of NU-03 but separate the National Grid into its own specific objective as follows:  NU-03.  The national significance and benefits of the National Grid <del>and gas transmission</del> network are recognised and provided for.</p> <p><u>NU-03a.</u>  The national significance and benefits of the <del>National Grid and gas transmission</del> network are recognised and provided for.</p> <p>And</p> <p>Any consequential amendments.</p>	Accept in part
31.36	Transpower	Support	19. Network utilities	NU-P1	Retain NU-P1.	Accept
31.37	Transpower	Support	19. Network utilities	NU-P2	Retain NU-P2.	Accept
31.38	Transpower	Support	19. Network utilities	NU-P7	Retain NU-P7 on the basis of the provision of specific National Grid policies (NU-P20-22).	Reject
31.39	Transpower	Support	19. Network utilities	NU-P8	Retain NU-P8 on the basis of the provision of specific National Grid policies (NU-P20-22).	Reject
31.40	Transpower	Amend	19. Network utilities	NU-P9	<p>Amend NU-P9 as follows:  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:  1. Controlling the height, bulk and location of network utilities in a manner that minimises <u>to the smallest amount reasonably practicable</u> 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. ....</p> <p>And</p>	Accept

					Any consequential amendments.	
FS23.114	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for	Reject
31.41	Transpower	Amend	19. Network utilities	NU-P10	Amend NU-P10 as follows:  Ensure the location, scale and operation of <u>new</u> network utilities and their ancillary activities avoid, remedy or mitigate adverse effects on nearby sensitive activities as far as <u>reasonably</u> practicable by: ... AND  Any consequential amendments.	Accept in part
FS23.115	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for	Accept in part
31.42	Transpower	Support	19. Network utilities	NU-P11	Retain NU-P11 on the basis of the provision of specific National Grid policies (NU-P20-22).	Reject
31.43	Transpower	Support	19. Network utilities	NU-P12	Retain NU-P12.	Accept in part
31.44	Transpower	Support	19. Network utilities	NU-P13	Retain NU-P13.	Accept
31.45	Transpower	Support	19. Network utilities	NU-P14	Retain NU-P14.	Accept
31.46	Transpower	Support	19. Network utilities	NU-P19	Retain NU-P19.	Accept
31.47	Transpower	Amend	19. Network utilities	NU-P20	Amend NU-P20 as follows: Enable the operation, maintenance and minor upgrade and repair of the National Grid. <u>In the event of any conflict with any other policies within the plan, NUP20, NU-P21 and NU-P22 take precedence.</u>  And  Any consequential amendments.	Accept

FS03.59	Director-General of Conservation	Oppose			Disallow	Reject
FS09.06	Kainga Ora	Oppose			Disallow	Reject
FS23.116	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for	Reject
31.48	Transpower	Amend	19. Network utilities	NU-P21	<p>Add a new clause to NU-P2 as follows: Provide for the upgrading of the National Grid by:</p> <p>...</p> <p><u>6. In the event of any conflict with any other policies within the plan, NUP20, NUP21 and NU-P22 take precedence.</u></p> <p>And</p> <p>Any consequential amendments.</p>	Accept
FS03.60	Director-General of Conservation	Oppose			Disallow	Reject
FS16.14	NZHPT	Oppose			That the submission point is declined	Reject
FS23.117	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for	Reject
31.49	Transpower	Amend	19. Network utilities	NU-P22	<p>Amend NU-P22 as follows: Provide for the development of the National Grid:</p> <p>...</p> <p>3(iii) Seeking to avoid significant adverse effects on:</p> <p>i. <del>SCHED11 — areas of high/very high natural character, SCHED9 — landscapes of high amenity value and SCHED12 — karst overlay;</del> <u>other areas of natural character in the coastal environment and</u></p> <p>ii. <del>SCHED1 — heritage buildings and structures, SCHED2 — significant archaeological sites, SCHED3 and SCHED 4 — sites of significance to</del></p>	Accept



					<p><del>Māori; natural attributes and characteristics of other natural features and landscapes in the coastal environment;</del></p> <p>iii. indigenous biodiversity values that meet the criteria in Policy 11(b) of the NZCPS 2010; and</p> <p>iv. <del>Avoiding, remedying or mitigating other adverse effects to the extent practicable; and</del></p> <p>4. <del>Remedying or mitigating other adverse effects to the extent practicable; and</del></p> <p>...</p> <p>6. <del>Other than policies relating to the coastal environment,</del> in the event of any conflict with any other policies within the plan, NUP20, NU-P21 and NU-P22 take precedence.</p> <p>And</p> <p>Any consequential amendments.</p>	
FS03.61	Director-General of Conservation	Oppose			Disallow	Reject
FS16.15	NZHPT	Oppose			That the submission point is declined	Reject
FS23.118	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for	Reject
31.50	Transpower	Support	19. Network utilities	Overview (rules)	Retain the introductory text to the rules in NU-Rules.	Accept
31.51	Transpower	Support and amend	19. Network utilities	NU-R1 National Grid existing electricity transmission lines	Retain NU-R1.	Accept
31.52	Transpower	Support	19. Network utilities	NU-R4 Ne w and extended  or	Retain NU-R4.	Accept in part

				upgraded access tracks		
31.53	Transpower	Support	19. Network utilities	NU-R19  New overhead lines and associated poles or towers	Retain NU-R19.	Accept in part
31.54	Transpower	Support	19. Network utilities	NU-R20	Retain NU-R20.	Accept
31.55	Transpower	Support and amend	19. Network utilities	NU-R30	Amend NU-R30 to clarify the activities anticipated to be subject to NU-R30, and amend the activity status to discretionary should it apply to any National Grid activities.  Or  Amend NU-R30 to clearly state it does not apply  to the National Grid. And  Any consequential amendments.	Reject
FS03.62	Director-General of Conservation	Oppose			Disallow	Accept
FS23.119	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for	Accept
31.56	Transpower	Support and amend	19. Network utilities	NU-R33	Amend NU-R33 to make earthworks associated with the National Grid no worse than a discretionary activity.  And  Any consequential amendments.	Accept
FS03.63	Director-General of Conservation	Oppose			Disallow	Reject
FS23.120	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this	Reject

					submission that are not aligned to our Taiao and cultural values, or those we have noted support for.	
31.57	Transpower	Support and amend	19. Network utilities	NU-R37	Amend NU-R37 to make the activity status to make removal of indigenous vegetation associated with the National Grid no worse than a Discretionary activity.  And  Any consequential amendments.	Accept
FS03.64	Director-General of Conservation	Oppose			Disallow	Reject
FS23.121	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for.	Reject
31.58	Transpower	Support	19. Network utilities	NU-R38	Retain NU-R38.	Accept in part
31.59	Transpower	Support	19. Network utilities	NU-R39	Retain NU-R39.	Accept in part
31.60	Transpower	Support	19. Network utilities	NU-R40	Retain NU-R40.	Accept in part
33.02	KCE	Support	9. Definitions	Minor upgrade (in relation to existing energy activities)	Retain as notified.	Accept
39.03	Firstgas	Support	9. Definitions	Minor utility structure	Retain as notified.	Accept
39.18	Firstgas	Support	19. Network utilities	NU-O1	Retain NU-O1 as notified.	Accept
39.19	Firstgas	Support	19. Network utilities	NU-O2	Retain NU-O2 as notified.	Accept
39.20	Firstgas	Support	19. Network utilities	NU-O3	Retain NU-O3 as notified.	Accept in part
39.21	Firstgas	Support	19. Network utilities	NU-P1	Retain NU-P1 as notified.	Accept
39.22	Firstgas	Support	19. Network utilities	NU-P2	Retain NU-P2 as notified.	Accept
39.23	Firstgas	Support	19. Network utilities	NU-P3	Retain NU-P3 as notified.	Accept

39.24	Firstgas	Support	19. Network utilities	NU-P7	Retain NU-P7 as notified.	Reject
39.25	Firstgas	Support	19. Network utilities	NU-P8	Retain NU-P8 as notified.	Reject
39.26	Firstgas	Support	19. Network utilities	NU-P9	Retain NU-P9 as notified.	Accept in part
39.27	Firstgas	Support	19. Network utilities	NU-P10	Retain NU-P10 as notified.	Accept in part
39.28	Firstgas	Support	19. Network utilities	NU-P11	Retain NU-P11 as notified.	Reject
39.29	Firstgas	Support	19. Network utilities	NU-P12	Retain NU-P12 as notified.	Accept in part
39.30	Firstgas	Support	19. Network utilities	NU-P13	Retain NU-P13 as notified.	Accept
39.31	Firstgas	Support	19. Network utilities	NU-P14	Retain NU-P14 as notified.	Accept
39.32	Firstgas	Support	19. Network utilities	NU-P15	Retain NU-P15 as notified.	Accept in part
39.33	Firstgas	Support	19. Network utilities	NU-P16	Retain NU-P16 as notified.	Accept
39.34	Firstgas	Support	19. Network utilities	NU-P17	Retain NU-P17 as notified.	Accept
39.35	Firstgas	Support	19. Network utilities	NU-P19	Retain NU-P19 as notified.	Accept
39.36	Firstgas	Support	19. Network utilities	NU-R3	Retain NU-R3 as notified.	Accept
39.37	Firstgas	Support	19. Network utilities	NU-R4	Retain NU-R4 as notified.	Accept in part
39.38	Firstgas	Support	19. Network utilities	NU-R5	Retain NU-R5 as notified.	Accept
39.39	Firstgas	Support	19. Network utilities	NU-R6	Retain NU-R6 as notified.	Accept
39.40	Firstgas	Support	19. Network utilities	NU-R7	Retain NU-R7 as notified.	Accept
39.41	Firstgas	Support	19. Network utilities	NU-R12	Retain NU-R12 as notified.	Accept in part
39.42	Firstgas	Support	19. Network utilities	NU-R15	Retain NU-R15 as notified.	Accept
39.43	Firstgas	Support	19. Network utilities	NU-R16	Retain NU-R16 as notified.	Accept
39.44	Firstgas	Support	19. Network utilities	NU-R17	Retain NU-R17 as notified.	Accept
39.45	Firstgas	Support	19. Network utilities	NU-R18	Retain NU-R18 as notified.	Accept
39.46	Firstgas	Support	19. Network utilities	NU-R20	Retain NU-R20 as notified.	Accept

39.47	Firstgas	Support	19. Network utilities	NU-R23	Retain NU-R23 as notified.	Accept
39.48	Firstgas	Support	19. Network utilities	NU-R33	Retain NU-R33 as notified.	Accept in part
39.49	Firstgas	Support with amendment	19. Network utilities	NU-R14	Amend NU-R14 to read:  Per activities must: 1. Comply with all the provisions in NU - Table 2; 2. <del>Not exceed 2,000 kilopascals for any gas pipeline.</del>  ... Or  Similar relief to achieve this submission.	Reject
42.15	VE	Support	19. Network utilities	NU-P1	Retain NU-P1 as notified.	Accept
42.16	VE	Support	19. Network utilities	NU-R19	Retain NU-R19 as notified.	Accept in part
42.17	VE	Support	19. Network utilities	NU-R20	Retain NU-R20 as notified.	Accept
42.18	VE	Support with amendments	19. Network utilities	NU-R17	Amend NU-R17 Table 2 and in particular NU-R44 by reducing the number of performance standards required to be complied with to retain permitted activity status.	Reject
FS16.07	NZHPT	Oppose			That the submission point is declined	Accept
FS23.167	Te Nehenehenui	Oppose			Oppose where the activity impacts sites and <b>areas of significance to Māori and significant</b> archaeological sites, iwi, hapu and mana whenua cultural values must be provided for	Accept
46.20	FF	Support	19. Network utilities	NU-O2	Retain NU-O2 as notified.	Accept
46.21	FF	Support with amendment	19. Network utilities	NU-P10	Amend NU-P10 to include an explanation of what is a sensitive activity within the scope of the policy.  OR  Add a definition for the <b>term 'sensitive activity'</b> .  And  Any consequential Amendments required as a result of the relief sought.	Reject
46.22	FF	Oppose with	19. Network utilities	NU-P22.3	Amend NU-P22.3 to include a clause that specifically refers to avoiding adverse effects	Reject

		amendment			on rural activities lawfully established in the rural environment.  And  Any consequential amendments required as a result of the relief sought.	
FS16.16	NZHPT	Oppose			That the submission point is declined as are any related changed	Accept
46.23	FF	Support with amendment	19. Network utilities	NU rules	Amend the rules for Network Utilities to reconsider the permitted activity classification for rules which allow network utility activities to occur which will adversely impact on existing rural activities and operations.  And  Add a new matter of discretion for restricted discretionary and discretionary activities in the Network Utilities chapter that reads (or with wording to similar effect):  <u>the potential adverse effects on the operation of existing farming and rural activities located in the general rural and rural production zones</u>  And  Any consequential amendments required as a result of the relief sought.	Reject
FS27.02	Waka Kotahi	Oppose			Waka Kotahi seeks the submission point be disallowed.	Accept
FS19.162	PF Olsen	Support			Allow submission point	Reject
47.44	F&B	Support with amendment	19. Network utilities	General	Add to chapter 19 Network Utilities objectives and policies that explicitly refer to climate change mitigation and adaptation.  And  Any consequential changes or alternative relief to achieve the relief sought.	Reject
47.45	F&B	Support with	19. Network utilities	NU-P7	Amend NU-P7 as follows: Enable earthworks where they maintain the	Reject

		amendment			<p>stability of land, are setback from caves, sinkholes and water bodies and <del>minimise avoid</del>:...</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	
FS24.10	The Company Lines	Oppose			Disallow	Accept
47.46	F&B	Support with amendment	19. Network utilities	NU-P8	<p>Amend NU-P8 as follows:</p> <p><del>Manage the Enable</del>—clearance of indigenous vegetation outside of overlays, scheduled sites and features, cave entrances and sinkholes, <u>the coastal environment and water body margins to maintain indigenous biodiversity.</u></p> <p>And</p> <p>Make amendments to the ECO policies to provide direction on the maintenance of indigenous biodiversity.</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	Reject
FS24.11	The Company Lines	Oppose			Disallow	Accept
47.47	F&B	Support with amendment	19. Network utilities	NU-P9	<p>Add the following clauses to NU-P9:</p> <p>...</p> <p><u>4.Managing adverse effects on indigenous biodiversity in accordance with ECO chapter provisions"</u></p> <p><u>5.Managing adverse effects on natural character, landscapes and features in the coastal environment in accordance with the EC chapter provisions</u></p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	Reject

FS24.12	The Company	Lines	Oppose			Disallow	Accept
47.48	F&B		NEW	19. Network utilities	NEW	<p>Add the following new policy in the Adverse Effects section of the Network Utilities chapter:</p> <p><u>NU-PX Ensure the location, scale and operation of RSI and network utilities and their ancillary activities protect the significant habitat of indigenous species.</u></p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	Reject
FS24.13	The Company	Lines	Oppose			Disallow	Accept
47.49	F&B		Support with amendment	19. Network utilities	NU-P11	<p>Amend NU-P11 as follows:</p> <p>Ensure <del>consideration</del> <u>the protection</u> of the values, qualities and characteristics of overlays, scheduled sites and features when proposing new infrastructure or undertaking significant upgrades to existing infrastructure.</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	Reject
FS16.09	NZHPT		Support			That the submission point is allowed	Reject
FS24.14	The Company	Lines	Oppose			Disallow	Accept
47.50	F&B		Oppose with amendment	19. Network utilities	NU-P12	<p>Amend NU-P12 as follows:</p> <p><del>Consider provisions</del> <u>Provisions</u> for regionally significant infrastructure within overlays, scheduled sites and features <b>where:...</b></p> <p>2 having particular regard to the financial implications, social, cultural and environmental effects of the preferred option, <del>compared to alternative options</del>, <u>and</u></p> <p><u>Adverse effects can be managed in accordance with overlay provisions including those in the ECO and CE chapters.</u></p> <p>And</p>	Accept in part



					Any consequential changes or alternative relief to achieve the relief sought.	
FS24.15	The Lines Company	Oppose			Disallow	Accept in part
FS22.15	Telcos	Oppose			Disallow the submission	Accept in part
47.51	F&B	Support with amendment	19. Network utilities	NU-P13	<p>Amend NU-P13 as follows:</p> <p>In assessing the effects of any application and the directions contained in Policy NU-P1 to Policy NU-P12, <u>in addition to other relevant matters</u>, have regard to: ...</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	Reject
47.52	F&B	Oppose with amendment	19. Network utilities	NU-P21	<p>Amend NU-P21 to clarify that the considerations in this policy are in addition to other policies above.</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	Reject
47.53	F&B	Oppose with amendment	19. Network utilities	NU-P22	<p>Amend NU-P22 as follows:</p> <p>Provide for the development of the national grid: ...</p> <p>2. Outside the coastal environment, <del>Seek</del> to avoid the adverse effects of the national grid within overlays, scheduled sites and features <u>and otherwise manage adverse effects in accordance with ECO provisions;</u> and</p> <p>3. <del>In the coastal environment where</del> the national grid has a functional need or operational need to locate within the coastal environment, <u>in accordance with specific overlay provisions and CE chapter provisions; manage adverse effects by: ... extent practicable; and"</u></p> <p>And</p> <p>Retain NU-P22(4)</p> <p>And</p> <p>Retain NU-P22(5) subject to Amendments to policies 21 and 22 sought above.</p> <p>And</p>	Accept in part

					Any consequential changes or alternative relief to achieve the relief sought.	
FS16.10	NZHPT	Oppose in part			That the submission point is declined	Accept in part
47.54	F&B	Support with amendment	19. Network utilities	Rules general	Retain the statement in the Network Utilities chapter that the rules in this chapter only apply to network utilities.	Accept
47.55	F&B	Oppose with amendment	19. Network utilities	Rules general	Amend the wording in NU policies that refers to regionally significant infrastructure to refer to network utilities for consistency.  And  Any consequential changes or alternative relief to achieve the relief sought.	Reject
47.56	F&B	Oppose with amendment	19. Network utilities	Rules general	Amend the third point with respect to Part 2 District-Wide Matters in the NU chapter as follows: <u>Part 2 District-Wide Matters unless specifically stated otherwise in a rule.</u>  Or  Alternatively use the same wording and ENGY Rules that to undertake any activity it must comply with all the rules listed in ENGY Table 1 and 2, and <u>Any relevant provision in Part 2 District-Wide Matters.</u>  And  Any consequential changes or alternative relief to achieve the relief sought.	Reject
47.57	F&B	Oppose with amendment	19. Network utilities	Rules general	Add the following words for all permitted activities: <u>PER activities must: Comply with ECO chapter rules and any relevant overlay rules with respect to vegetation clearance and earthworks.</u>  And  Any consequential changes or alternative relief to achieve the relief sought.	Reject
47.58	F&B	Oppose with amendment	19. Network utilities	Rules general	Add the following matter of discretion for all RDIS activities in the Network Utilities chapter:	Reject

					<u>effects on</u> <u>indigenous</u> <u>biodiversity</u> And Any consequential changes or alternative relief to achieve the relief sought.	
47.59	F&B	Oppose with amendment	19. Network utilities	NU-R9	Amend NU-R9 to remove provision for new walkways and cycleways within SNAs as a permitted activity. And Any consequential changes or alternative relief to achieve the relief sought.	Reject
51.02	KRH	Support	9. Definitions	Maintenance (in relation to network utilities)	Retain as notified.	Accept
51.03	KRH	Support	9. Definitions	Network Utility Operator	Retain as notified.	Accept
51.10	KRH	Support	9. Definitions	Maintenance (in relation to network utilities)	Retain as notified.	Accept
51.16	KRH	Support	19. Network utilities	NU-P1	Retain as proposed.	Accept
51.17	KRH	Support	19. Network utilities	NU-P5	Retain as proposed.	Reject
51.18	KRH	Support	19. Network utilities	NU-P12	Retain as proposed.	Accept in part
51.19	KRH	Support	19. Network utilities	NU-P19	Retain as proposed.	Accept
51.20	KRH	Seek amendment	19. Network utilities	NU-R3	Amend NU-R3 as follows:  Operation, maintenance, <u>repair</u> , and removal of existing network utilities and existing ancillary access tracks.	Reject
51.21	KRH	Seek amendment	19. Network utilities	NU-R4	Amend table as follows:  Outstanding natural features, heritage buildings and structures, sites and areas of	Accept

					significance to <b>Māori</b> and significant archaeological sites <del>DIS</del> <u>RDIS</u> .	
FS03.122	Director-General of Conservation	Oppose			Disallow	Reject
FS23.248	Te Nehenehenui	Support in part			Support in part, where the activity impacts the <b>sites and areas of significance to Māori and significant archaeological sites</b> , Maniapoto cultural values must be considered	Accept in part
51.22	KRH	Support	19. Network utilities	NU-R12	Retain as proposed.	Accept in part
51.23	KRH	Seek amendment	19. Network utilities	NU-R13	Amend NU-R13 as follows:  RDIS New structures <del>on or</del> adjacent to a railway corridor or an indicative road	Addressed in the TRAN chapter
51.24	KRH	Support	19. Network utilities	NU-R17	Retain as proposed.	Reject
53.19	DOC	Oppose in part	19. Network utilities	Indigenous Vegetation NU-P8	I seek the following or relief to like effect:  Indigenous vegetation NU-P8. <del>Enable the effects of clearance of</del> Indigenous vegetation <u>clearance</u> outside of overlays, scheduled sites and features, cave entrances and sinkholes, coastal and water body margins <u>is managed by applying the effects management hierarchy.</u>	Reject
FS24.16	The Lines Company	Oppose			Disallow	Accept
FS25.23	Ventus Energy	Oppose			Disallow	Accept
FS23.255	Te Nehenehenui	Support in part			Include to consider cultural values	Reject
53.20	DOC	Oppose	19. Network Utilities	NU-P11	I seek the following or relief to like effect:  Delete: <del>NU-P11</del> 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	Accept
FS24.17	The Lines Company	Oppose			Disallow	Reject
FS22.18	Telcos	Oppose			Disallow the submission	Reject
53.21	DOC	Oppose in part	19. Network Utilities	NU-P12	I seek the following or relief to like effect:  <del>Provide for</del> <u>Avoid the adverse effects of</u>	Reject

					<p>regionally significant infrastructure within overlays, scheduled sites and features <del>where</del> <u>unless</u>:</p> <ol style="list-style-type: none"> <li>1. There is a demonstrated functional or operational need for the infrastructure to be located within the overlay, scheduled site or feature; and</li> <li>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 <del>financial implications</del>, social, cultural and environmental effects of the preferred option, compared to alternative options; and</li> <li>3. <u>It is managed by applying the effects management hierarchy.</u></li> </ol>	
FS24.18	The Lines Company	Oppose			Disallow	Accept
FS25.24	Ventus Energy	Oppose			Disallow	Accept
FS22.19	Telcos	Oppose			Disallow the submission	Accept
53.22	DOC	Support in part	19. Network Utilities	NU-P21	<p>I seek the following or relief to like effect:</p> <p>Provide for the upgrading of the national grid by:</p> <ol style="list-style-type: none"> <li>1. <del>Seeking to avoid</del> <u>Avoiding</u> adverse effects on areas identified in SCHED1  - heritage buildings and structures, SCHED2 - significant archaeological sites, SCHED3 and SCHED 4 - sites of significance to <b>Māori</b>, SCHED6 - significant natural areas, and SCHED8 - outstanding natural features; <u>and SCHEDx bat protection area; and SCHEDx light sensitive areas.</u></li> <li>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</li> <li>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</li> </ol>	Reject

					<p>4. Recognising the potential benefits of upgrades to the national grid to people and communities; and</p> <p>5. Where appropriate, substantial upgrades should be used as an opportunity to reduce existing effects of the national grid.</p>	
FS23.256	Te Nehenehenui	Support in part			<b>Include provide for Māori/ mana whenua cultural values</b>	Accept in part
53.23	DOC	Oppose in part	19. Network Utilities	NU-P22	<p>I seek the following or relief to like effect:</p> <ol style="list-style-type: none"> <li>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</li> <li>2. <del>Seek to avoid</del> Avoid the adverse effects of the national grid within overlays, scheduled sites and features; and</li> <li>3. Where the national grid has a functional need or operational need to locate within the coastal environment, manage adverse effects by: <ul style="list-style-type: none"> <li>(i) <del>Seeking to avoid</del> <u>Avoiding</u> 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; <u>and SCHEDx bat protection areas; SCHEDx light sensitive areas; and any indigenous biodiversity values that meet the criteria in Policy 11 (a) of the NZCPS 2010; and</u></li> <li>(ii) 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 functional needs or operational needs of the national grid, remedy or mitigate adverse effects on those values; and</li> <li>(iii) <del>Seeking to avoid</del> <u>Avoid</u> significant adverse effects on:</li> </ul> </li> </ol>	Reject

					<p>i. SCHED11 – areas of high/very high natural character, SCHED9 – landscapes of high amenity value and SCHED12 – karst overlay; and</p> <p>ii. SCHED1 – heritage buildings and structures, SCHED2 – significant archaeological sites, SCHED3 and SCHED 4 – sites of significance to <b>Māori</b>; and</p> <p>iii. indigenous biodiversity values that meet the criteria in Policy 11(b) of the NZCPS 2010; and</p> <p>iv. Avoiding, remedying or mitigating other adverse effects <del>to the extent practicable</del>; and</p> <p>4. When considering the adverse effects in respect of NU-P22.1 – NU-P22.3 above;</p> <p>(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</p> <p>(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.</p> <p><del>5. Other than policies relating to the coastal environment, in the event of any conflict with any other policies within the plan, NUP20, NU-P21 and NU-P22 take precedence.</del></p>	
53.24	DOC	Support with amendment	19. Network Utilities	NU-R4, NU-R12, NU-R15, NU-R16, NU-R20, NU-R23, NU-R37 Matters of discretion	<p>I seek the following words or relief to like effect</p> <p>Extend the matters of discretion for RDIS activities under rules NU- R4, NU-R12, NU-R15, NU-R16, NU-R20, NU-R23, NU-R37 to:</p> <p><u>Any adverse effects on indigenous vegetation and habitats of indigenous fauna and proposed mitigation measures and the extent to which any adverse effect can be avoided, remedied or mitigated by applying the effects management hierarchy.</u></p>	Reject
FS25.25	Ventus Energy	Oppose			Disallow	Accept
53.25	DOC	Oppose in part	19. Network Utilities	NU-R20	<p>I seek the following or relief to like effect:</p> <p>NU-R20 New substations, ground mounted</p>	Reject

					transformers, compressor/scrapper stations, gas regulation valves and/or take off stations and ancillary energy storage batteries  <del>RDIS-DIS</del> : Significant natural areas	
FS24.19	The Lines Company	Oppose			Disallow	Accept
53.26	DOC	Oppose in part	19. Network Utilities	NU-R37	<p>I seek the following or relief to like effect:</p> <p>NU-37 Removal of indigenous vegetation PER activities must (except for SNA):</p> <p><del>Note: There are no rules in this plan that control the removal of exotic vegetation other than in relation to plantation forestry. PER- Significant Natural Area</del></p> <p>PER activities in an SNA must:</p> <ol style="list-style-type: none"> <li>2. Not exceed <del>50m</del> <sup>2</sup> <del>150</del> per holding, per calendar year <u>or 250m<sup>2</sup></u> of clearance per holding <u>in any five-year period</u></li> <li>AND</li> <li>3. Be required by statute or regulations, including the Electricity (Hazards from Trees) Regulations 2003 and the Telecommunications Act 2001; or</li> <li>4. Be undertaken because indigenous vegetation is threatening or damaging a network utility; or</li> <li>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</li> </ol>	Reject
FS24.20	The Lines Company	Oppose			<p>Disallow</p> <p> **errors in the further submission as FS states rule R20 but primary submission is R37. Explanation in FS refers to vegetation clearance****</p>	Accept



FS23.257	Te Nehenehenui	Support in part			Where the SNA is also culturally significant to iwi and mana whenua, consultation must occur	Accept in part
53.27	DOC	Oppose	19. Network utilities	NU-R52	Delete NU-R52  Any other similar, alternative, additional, or consequential relief which will address the matters position and reasoning.	Reject
56.05	The Fuel Companies	Support in part	19. Network utilities	NU-R8	Amend the title and performance standards of Rule NU-R8 as follows: NU-R8. New electric vehicle charging <del>facilities</del> <u>devices</u> 1. Be installed in an existing, permitted or consented vehicle parking space, vehicle depot or garage structure, or installed on the road reserve; and 2. Not exceed a height of <del>4.8</del> <u>3.0 m</u> and an area of <del>1.5</del> <u>3.0 m²</u> .  <u>This rule does not apply to poles, cables and cable support systems associated with the electric vehicle charging device.</u>  Use 'electric vehicle charging <b>devices</b> ' in all other instances in the Plan which currently use other terms to refer to electric vehicle charging infrastructure. These terms include, but are not limited to, 'electric vehicle charging <b>stations</b> ' or 'electric vehicle charging <b>facilities</b> '.	Addressed in the TRAN chapter
FS23.263	Te Nehenehenui	Oppose			Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko <b>Tā Maniapoto Mahere Taiao – Maniapoto's</b> Environmental Management Plan.  Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes and requests that Waitomo District Council consider this when finalising the review.	Addressed in the TRAN chapter



## 2. Appendix 2 – Decisions Version of the Chapter

## 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 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*

- NU-O1. 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-O2. 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-O3. The national significance and benefits of the National Grid network are recognised and provided for.
- NU-O4. The regional significance of the gas transmission network is recognised.
- NU-O5. 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 land use and development.
- NU-O6. Resilient, efficient and safe water, wastewater and stormwater treatment systems are enabled.

## Policies

*Refer also to the relevant policies in Part 2 District - Wide 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.

## Adverse effects

- NU-P4. 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:
1. Controlling the height, bulk and location of network utilities in a manner that minimises to the smallest amount reasonably practicable 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-P5. Ensure the location, scale and operation of network utilities and their ancillary activities avoid, remedy or mitigate adverse effects on nearby sensitive activities 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 buildings to house network utilities are designed to not overshadow or overly dominate the wider surrounding area.
- NU-P6. Manage the adverse effects of the development of new land transport infrastructure on the physical and natural environment by:
1. Considering alternative sites, routes or methods.

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.

Hazard areas, coastal hazard areas, overlays, scheduled sites and features

NU-P7. Consider regionally significant infrastructure within overlays, scheduled sites and features where:

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-P8. 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.

Integration

NU-P9. In assessing the effects of any application and the directions contained in Policy NU-P1 to Policy NU-P8, have regard to:

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:
  - (a) The need to quickly repair and restore disrupted services; and
  - (b) 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:
  - (a) The complexity and connectedness of the networks and services; and

- (b) The potential for co-location and shared use of network utility corridors.

NU-P10. 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-P11. Support network utility operators in adopting new technologies that:

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

NU-P12. 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-P13. 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-P14. The flightpath height restrictions for the Te Kūiti Aerodrome must be complied with.

NU-P15. 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

NU-P16. 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, NU-P16, NU-P17 and NU-P18 take precedence.

NU-P17. Provide for the upgrading of the National Grid by:

1. Seeking to avoid adverse effects on areas identified in [SCH ED1 - heritage buildings and structures](#), [SCH ED2 - significant archaeological sites](#), [SCH ED3](#) and [SCH ED 4 - sites of significance to Māori](#), [SCH ED6 - significant natural areas](#), and [SCH ED8 - 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, NU-P16, NU-P17 and NU-P18 take precedence.

NU-P18. 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 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. other areas of natural character in the coastal environment; and
    - ii. 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
4. Avoiding, remedying or mitigating other adverse effects to the extent practicable; and
5. When considering the adverse effects in respect of NU-P18.1 - NU-P18.3 above:
  - (a) 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
  - (b) 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.
6. in the event of any conflict with any other policies within the plan, NU-P16, NU-P17 and NU-P18 take precedence.

## 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 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](#), [hāpori 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.

## 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 means the [site or surroundings](#) (of any building or structure listed in [SCHED1](#))*

# Roads

## National Standards

NU-R1.	National Grid existing electricity transmission lines
<p>All zones and all precincts. All overlays, scheduled sites and features</p> <p>All roads and new roads approved as part of a resource consent</p>	
<p>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)).</p> <p><i>Note: This rule is not subject to any other rule in this plan.</i></p> <p>Activity status where compliance is not achieved with the regulations: Refer to NESETA.</p>	

NU-R2.	National Environmental Standards for Telecommunication Facilities (NESTF) 2016				
Residential, future urban, rural lifestyle, settlement, commercial, <b>Māori purpose, tourism, open space</b> 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 <b>Māori and significant</b> 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	DIS: Heritage buildings and structures, sites and areas of <b>significance to Māori and</b> significant archaeological sites, outstanding natural features Category A, C and D	DIS	RDIS	PER - See below

		NC: Outstanding natural features Category B, E and F			
<p>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 where resource consent is otherwise required:</p> <ol style="list-style-type: none"> <li>Telecommunication cabinets (Regulation 19 to 25): <ol style="list-style-type: none"> <li>Outside the road reserve</li> <li>On buildings outside the road reserve</li> </ol> </li> <li>Antennas (Regulation 26 to 37): <ol style="list-style-type: none"> <li>Replacement, upgrading and co-location of existing poles and antennas outside road reserve (with different conditions in residential and non-residential areas)</li> <li>New poles and antennas in rural zones</li> <li>Antennas on buildings outside the road reserve (above a permitted height in residential areas)</li> </ol> </li> <li>Small-cell units on existing structures outside the road reserve (Regulation 38)</li> <li>Telecommunication lines underground, on the ground and overhead outside the road reserve (Regulations 39 to 43)</li> </ol> <p>NU-R2.5 to NU-R2.8 are permitted by NESTF in the road reserve where the relevant standards in NESTF are complied with:</p> <ol style="list-style-type: none"> <li>Telecommunication cabinets (Regulation 19 to 24): <ol style="list-style-type: none"> <li>In the road reserve</li> <li>On buildings</li> </ol> </li> <li>Antennas (Regulation 26 to 29): <ol style="list-style-type: none"> <li>On existing poles</li> <li>On new poles</li> <li>Replacement, upgrading and co-location of existing poles and antennas (with different conditions in residential and non-residential areas)</li> </ol> </li> <li>Small-cell units on existing structures (Regulation 38)</li> <li>Telecommunication lines underground, on the ground and overhead (Regulations 39 to 43)</li> </ol> <p>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).</p> <p>NC: Where the standards in NESTF are not complied with or <b>the activity cannot comply with the Te Kūiti Aerodrome flightpath height restrictions.</b></p>					

Where the activity is RD1 S, 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, <b>Māori purpose, tourism, open</b> 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 <b>Māori and significant archaeological</b> 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	
		RDIS: Outstanding natural features, sites and areas of <b>significance to Māori and</b> significant archaeological sites for the removal of existing underground network utilities only				
<p>PER and RDIS activities must:</p> <ol style="list-style-type: none"><li>1. Comply with all the provisions in NU - Table 2; and</li><li>2. For all roads, the works must not extend beyond the road reserve or designation boundary; and</li><li>3. For all roads except state highways, the works must comply with the standards set out in the Regional Infrastructure Technical Specifications (Waikato).</li></ol> <p>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-S11 and NU-S12 is a NC activity.</p> <p><i>Note: for upgrading of existing above ground and underground network utilities see NU-R10 and NU-R13.</i></p>						
<p>Where the activity is RDIS, the matters over which discretion is restricted are:</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) For roads: The effects on the environment of not complying with the standards set out in the Regional Infrastructure Technical Specifications (Waikato); and</li><li>(d) Whether the works or actions will result in public health and/or safety risks; 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></ol>						

NU-R3. Operation, maintenance and removal of existing network utilities and existing ancillary access tracks						
Residential, future urban, rural lifestyle, settlement, commercial, <b>Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3</b>	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to <b>Māori and significant archaeological sites</b>	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	
<p>(f) For removal of underground network utilities, effects on the relationship of mana whenua and their culture and traditions with the scheduled site, any <b>wāhi tapu</b> or any other taonga; and</p> <p>(g) For removal of underground network utilities, outcomes from consultation with mana whenua regarding protection of the scheduled <b>site's values including provision for tikanga Māori, kaitiakitanga and mātauranga Māori; and</b></p> <p>(h) For removal of underground utilities, measures to avoid, remedy, or mitigate damage to ecological, hydrological and geological values of the karst system.</p>						

NU-R4.	New and extended or upgraded access tracks				
Residential, future urban, rural lifestyle, settlement, commercial, <b>Māori</b> 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 <b>significance to Māori and</b> 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	RDI S	RDI S	PER: Coastal environment, landscapes of high amenity value	PER
				RDI S: Karst overlay	
PER activities must: 1. Comply with all the provisions in NU - Table 2; and 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 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					

NU-R4.	New and extended or upgraded access tracks				
Residential, future urban, rural lifestyle, settlement, commercial, <b>Māori</b> 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 <b>significance to Māori and</b> 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
<p>4. Not create a dust nuisance.</p> <p>PER activities that do not comply with NU-R4.1 through to NU-R4.4 are RDIS activities, except any activity that does not comply with the provisions in NU-S11 and NU-S12 is a NC activity.</p> <p>RDIS and DIS activities that do not comply with the provisions in NU-S11 and NU-S12 are a NC activity.</p>					
<p>Where the activity is a RDIS activity, the matters over which discretion is restricted are:</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) 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></ul>					



NU-R5.	New <b>network utilities</b> in existing <b>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	
PER	
<p>PER activities must:</p> <ol style="list-style-type: none"> <li>1. Comply with the noise standards in NU-S4 and with NU-S11 and NU-S12 in NU - Table 2.</li> </ol> <p>PER activities that do not comply with the noise standards in NU-S4 are RDIS activities.</p> <p>PER activities that do not comply with the provisions in NU-S11 and NU-S12 are a NC activity.</p>	
<p>Where the activity is RDIS, the matters over which discretion is restricted are:</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>	

NU-R6.	New customer connections
All zones and all precincts. All overlays, scheduled sites and features All roads and new roads approved as part of a resource consent	
PER	
<p>PER activities must:</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>PER activities that do not comply with NU-R6.1 through to NU-R6.3 are RDIS activities, except any activity that does not comply with the provisions in NU-S11 and NU-S12 is a NC activity.</p>	
<p>Where the activity is RDIS, the matters over which discretion is restricted are:</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> </ol>	

- (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*

NU-R7.	New <b>minor utility structures</b> , including energy storage batteries, and telecommunication cabinets that are not regulated by NESTF				
	Residential, future urban, rural lifestyle, settlement, <b>commercial, Māori purpose</b> , 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 <b>Māori and significant</b> 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
	PER	PER	RDIS	PER	PER
<p>PER activities must:</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>PER activities that do not comply with NU-R7.1 through to NU-R7.2 are RDIS activities, except any activity that does not comply with the provisions in NU-S11 and NU-S12 is a NC activity.</p>					
<p>Where the activity is RDIS, the matters over which discretion is restricted are:</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) 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) <b>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</b></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> </ol>					

(j)	The potential visual effects, particularly on the visual amenity of the locality and streetscape; 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 effects on amenity values.

NU-R8.	Electricity generators and self-contained power units for the supply of a <a href="#">network utility</a>	
All zones and all precincts. All other 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>
PER		RDIS
<p>PER activities must:</p> <ol style="list-style-type: none"> <li>1. Comply with the noise standards in NU-S4 and with NU-S11 and NU-S12 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>PER activities that do not comply with NU-R8.1 through to NU-R8.3 are RDIS activities, except any activity that does not comply with the provisions in NU-S11 and NU-S12 is a NC activity.</p>		
<p>Where the activity is RDIS, the matters over which discretion is restricted are:</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; 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;</li> <li>(e) The potential to contribute to cumulative effects on amenity values; and</li> <li>(f) Effects on the values of any overlay or scheduled site or feature.</li> </ol>		

NU-R9.		Temporary <a href="#">network utilities</a>			
Residential, future urban, rural lifestyle, settlement, <b>commercial, Māori purpose,</b> 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 <b>Māori and significant</b> 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	PER: Outstanding natural landscapes, outstanding natural character, high/very high natural character	PER	PER
			RDIS: Significant natural areas		
<p>PER activities must:</p> <ol style="list-style-type: none"><li>1. Comply with all the provisions in NU - Table 2; and</li><li>2. Operate for no longer than 12 months; and</li><li>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</li><li>4. Be removed from the site within one calendar month of completion of the temporary works.</li></ol> <p>PER activities that do not comply with NU-R9.1 through to NU-R9.4 are RDIS activities, except any activity that does not comply with the provisions in NU-S11 and NU-S12 is a NC activity.</p> <p>RDIS and DIS activities that do not comply with the provisions in NU-S11 and NU-S12 are a NC activity</p>					
<p>Where the activity is RDIS, the matters over which discretion is restricted are:</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 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></ol>					

NU-R9.		Temporary <a href="#">network utilities</a>				
Residential, future urban, rural lifestyle, settlement, <b>commercial, Māori purpose,</b> 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 <b>Māori and significant</b> 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
<div><div>(g)</div><div>The duration, timing and frequency of adverse effects; and</div></div> <div><div>(h)</div><div>The effect on the safety and efficiency of the adjacent road network including intersections and proximity to existing driveways; and</div></div> <div><div>(i)</div><div>Any measures to avoid, remedy or mitigate adverse effects including on nearby sensitive activities; and</div></div> <div><div>(j)</div><div>The potential to contribute to cumulative effects on amenity values.</div></div>						

### Underground utilities only

NU-R10.	Upgrading including realignment of existing underground <a href="#">network utilities</a>				
Residential, future urban, rural lifestyle, settlement, <b>commercial, Māori purpose</b> , 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 <b>Māori and significant</b> 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	PER	PER
		RDI S: Outstanding natural features, sites and areas of <b>significance to Māori and</b> significant archaeological sites			
PER activities must: 1. Comply with all the provisions in NU - Table 2; and 2. Not exceed 2,000 kilopascals for any gas pipeline.					

NU-R10.	Upgrading including realignment of existing underground <a href="#">network utilities</a>					
Residential, future urban, rural lifestyle, settlement, <b>commercial, Māori purpose,</b> 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 <b>Māori and significant</b> 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	
<p>PER activities that do not comply with NU-R10.1 through to NU-R10.2 are RDIS activities, except any activity that does not comply with the provisions in NU-S11 and NU-S12 is a NC activity.</p> <p>RDIS activities that do not comply with the provisions in NU-S11 and NU-S12 are a NC activity</p> <p><i>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</i></p> <p><i>Note: An archaeological authority from Heritage New Zealand Pouhere Taonga may be required</i></p>						
<p>Where the activity is RDIS, the matters over which discretion is restricted are:</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) <b>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</b></li><li>(e) For any significant archaeological sites, outcomes from consultation with mana whenua and Heritage New Zealand Pouhere Taonga; and</li><li>(f) For any outstanding natural features, measures to avoid, remedy, or mitigate damage to landscape and geological values.</li></ul>						

NU-R11.		New underground <b>network utilities</b> , except for gas pipelines where the gauge pressure exceeds 2,000 kilopascals			
Residential, future urban, rural lifestyle, settlement, <b>commercial, Māori purpose</b> , 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 <b>Māori and significant</b> 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
		RDI S: Sites and areas of <b>significance to Māori</b> , significant archaeological sites, outstanding natural features Category A, C and D	RDI S: Outstanding natural character, significant natural areas, high/very high natural character	RDI S: Karst overlay	
		NC: Outstanding natural features Category B, E and F			
<p>PER activities must:</p> <p>1. Comply with all the provisions in NU – Table 2.</p> <p>PER activities that do not comply with NU-R11.1 are RDI S activities, except any activity that does not comply with the provisions in NU-S11 and NU-S12 is a NC activity.</p> <p>RDI S activities that do not comply with the provisions in NU-S11 and NU-S12 are a NC activity.</p> <p><i>Note: Where the activity is located is on the bed of or within a water body, resource consent from <b>Waikato Regional Council</b> or <b>Manawatū-Wanganui Regional Council</b> may be required.</i></p> <p><i>Note: An archaeological authority may be required from Heritage New Zealand Pouhere Taonga.</i></p>					
<p>Where the activity is RDI S, the matters over which discretion is restricted are:</p> <p>(a) The extent and effect of non-compliance with any rule and any matters of discretion in the rule; and</p>					

- (b) The technical and operational constraint of the network utility; and
- (c) The local, regional and national benefits of the work; and
- (d) Whether the works or actions will result in public health and/or safety risks; and
- (e) Effects on the values of the overlay, scheduled site or feature; and
- (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**
- (g) For any significant archaeological sites, outcomes from consultation with mana whenua and Heritage New Zealand Pouhere Taonga; and
- (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-R12.	New underground gas pipelines exceeding 2000 kilopascals				
Residential, future urban, rural lifestyle, settlement, <b>commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3</b>	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to <b>Māori and significant</b> 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	PER	DIS	DIS	DIS	DIS
<p>PER activities must:</p> <p>1. Comply with all the provisions in NU - Table 2.</p> <p>PER activities that do not comply with NU-R12.1 are RDIS activities, except any activity that does not comply with the provisions in NU-S11 and NU-S12 is a NC activity.</p> <p>DIS activities that do not comply with the provisions in NU-S11 and NU-S12 are a NC activity.</p>					



NU-R12.	New underground gas pipelines exceeding 2000 kilopascals					
Residential, future urban, rural lifestyle, settlement, <b>commercial, Māori purpose,</b> 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 <b>Māori and significant</b> 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	
<p><i><b>Note:</b> 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>						
Where the activity is RD1 S, the matter over which discretion is restricted is:						
(a) The extent and effect of non-compliance with any relevant rule and any relevant matters of discretion in the rule.						

## Above ground utilities only

NU-R13.	Upgrading of existing above ground <a href="#">network utilities</a>
All zones and all precincts. All overlays, scheduled sites and features All roads and new roads approved as part of a resource consent	
PER	
<p>PER activities must:</p> <p>1. Comply with all the provisions in NU - Table 2.</p> <p>PER activities that do not comply with NU-R13.1 are RDIS activities, except any activity that does not comply with the provisions in NU-S11 and NU-S12 is a NC activity.</p> <p><i>Note: For operation, maintenance, repair and road widening of existing public roads, state highways and service lanes see NU-R23</i></p>	

NU-R14. New above ground pipes					
Residential, future urban, rural lifestyle, settlement, <b>commercial, Māori purpose,</b> 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 <b>Māori and significant</b> 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	PER	DIS	DIS	DIS	DIS
<p>PER activities must:</p> <ol style="list-style-type: none"> <li>Not exceed a diameter of 600 mm and/or a length of 100 m; and</li> <li>When above a water body, must be attached to an existing bridge or structure or located within an existing conduit or duct.</li> </ol> <p>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-S11 and NU-S12 is a NC activity.</p> <p>DIS activities that do not comply with the provisions in NU-S11 and NU-S12 are a NC activity</p>					
<p>Where an activity is RDIS, the matters over which discretion are restricted are:</p> <ol style="list-style-type: none"> <li>The technical, functional and operational needs and benefits from the network utility and the works proposed; and</li> <li>Whether the actions will result in additional public health and/or safety risks; and</li> <li>The location, bulk, height and design of the network utility; and</li> <li>The potential visual effects, particularly on the visual amenity of the locality and streetscape; 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>Any measures to avoid, remedy or mitigate adverse effects including site reinstatement and replanting; and</li> <li>The potential to contribute to cumulative effects on amenity values.</li> </ol>					

NU-R15. New overhead lines and associated equipment, poles or towers						
Residential, future urban, rural lifestyle, settlement, <b>commercial, Māori purpose,</b> 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 <b>Māori and significant</b> 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: Up to 12 m in residential, rural lifestyle, settlement, commercial, <b>Māori purpose, tourism,</b> open space and natural open space zones, all precincts except PREC3 and PREC5	PER: Up to 15 m in industrial zone PER: Up to 25 m general rural and rural production zones and PREC3	DIS	DIS	PER: Up to 15 m	Refer to the height requirements of the adjacent zone. Where there are two or more zones the most restrictive applies.	
RDIS: Future urban and PREC5						
<p>PER activities must:</p> <p>1. Comply with all the provisions in NU - Table 2.</p> <p>PER activities that do not comply with NU-R15.1 are RDIS activities, except any activity that does not comply with the provisions in NU-S11 and NU-S12 is a NC activity.</p> <p>RDIS and DIS activities that do not comply with the provisions in NU-S11 and NU-S12 are a NC activity</p>						
<p>Where the activity is RDIS, the matter over which discretion is restricted is:</p> <p>(a) The extent and effect of non-compliance with any rule and any matters of discretion in the rule.</p>						

NU-R16.	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, <b>commercial, Māori purpose,</b> 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 <b>Māori and significant</b> 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>PER activities must:</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 m<sup>2</sup>, except in the industrial, rural production and general rural zones and the aerodrome precinct (PREC3) where the maximum area is 30 m<sup>2</sup>; 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>PER activities that do not comply with NU-R16.1 through to NU-R16.3 are RDIS activities, except any activity that does not comply with the provisions in NU-S11 and NU-S12 is a NC activity.</p> <p>RDIS and DIS activities that do not comply with the provisions in NU-S11 and NU-S12 are a NC activity</p>					
<p>Where the activity is RDIS, the matters over which discretion is restricted are:</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></ol>					

NU-R16.	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, <b>commercial, Māori purpose,</b> 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 <b>Māori and significant</b> 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	
<div>(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</div> <div>(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</div> <div>(h) The potential to contribute to cumulative effects on amenity values.</div>						

## Telecommunications

NU-R17.	New telecommunication poles and new antennas attached to poles that are not a regulated activity under the NESTF				
Residential, future urban, <b>settlement, Māori purpose,</b> tourism, open space and natural open space zones, all precincts except PREC3 and PREC5	Industrial, commercial, rural lifestyle zone, general rural and rural production zones, PREC3 and PREC5	Outstanding natural features, heritage buildings and structures, sites and areas of significance to <b>Māori and significant</b> 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	PER: Industrial, and rural production zones and PREC3	DIS	DIS	DIS	Refer to NESTF
	Refer to NESTF: All rural zones				
PER activities must: 1. Comply with all the provisions in NU - Table 2.					

NU-R17.	New telecommunication poles and new antennas attached to poles that are not a regulated activity under the NESTF				
Residential, future urban, <b>settlement, Māori purpose,</b> tourism, open space and natural open space zones, all precincts except PREC3 and PREC5	Industrial, commercial, rural lifestyle zone, general rural and rural production zones, PREC3 and PREC5	Outstanding natural features, heritage buildings and structures, sites and areas of significance to <b>Māori and significant</b> 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 activities that do not comply with NU-R17.1 are RDIS activities, except any activity that does not comply with the provisions in NU-S11 and NU-S12 is a NC activity.					
DIS activities that do not comply with the provisions in NU-S11 and NU-S12 are a NC activity					
Where the activity is RDIS, the matter over which discretion is restricted is:					
(a) The extent and effect of non-compliance with any rule and any matters of discretion in the rule.					

NU-R18. New telecommunications kiosks	
<p>All zones and all precincts. All overlays, scheduled sites and features</p> <p>All roads and new roads approved as part of a resource consent</p>	
PER	
<p>PER activities must:</p> <ol style="list-style-type: none"> <li>Not exceed a maximum height of 3.5 m; and</li> <li>Not exceed a maximum area of 1.5 m<sup>2</sup>.</li> </ol> <p>PER activities that do not comply with NU-R18.1 through to NU-R18.2 are RDIS activities, except any activity that does not comply with the provisions in NU-S11 and NU-S12 is a NC activity.</p>	
<p>Where an activity is RDIS, the matters over which discretion is restricted are:</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 location of the kiosk; 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> </ol>	

(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-R19.	Sensing and environmental monitoring equipment including air quality and meteorological equipment				
Residential, future urban, rural lifestyle, settlement, <b>commercial, Māori purpose,</b> 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 <b>Māori and significant</b> 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>PER activities must:</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 m<sup>2</sup>, except in the industrial, general rural and rural production zones and PREC3, where the maximum area is 30 m<sup>2</sup>; 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, except for meteorological and air quality monitoring structures/devices that must comply with the following:<ol style="list-style-type: none"><li>(i) 12 m maximum height; and</li><li>(ii) One air quality monitoring structure/device per site; and</li></ol></li></ol>					

<p>(iii) The air quality monitoring structure/device must not be installed on a road, or unformed road.</p> <p>PER activities that do not comply with NU-R19.1 through to NU-R19.3 are RDIS activities, except any activity that does not comply with the provisions in NU-S11 and NU-S12 is a NC activity.</p> <p>RDIS and DIS activities that do not comply with the provisions in NU-S11 and NU-S12 are a NC activity</p>
<p>Where the activity is RDIS, the matters over which discretion is restricted are:</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, functional and operational needs and benefits from the network utility and the works proposed; and</p> <p>(c) Whether the works or actions will result in additional public health and/or safety risks; and</p> <p>(d) The bulk, height and design of the network utility; and</p> <p>(e) The effect on the safety and efficiency of the adjacent road network including intersections and proximity to existing driveways; and</p> <p>(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</p> <p>(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</p> <p>(h) The potential to contribute to cumulative effects on amenity values.</p>

## Three waters

NU-R20.	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	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 RDIS: Karst overlay	PER



<p>PER activities must:</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 standards and requirements set out in the Regional Infrastructure Technical Specifications (Waikato).</li> </ol> <p>PER activities that do not comply with NU-R20.1 through to NU-R20.2 are RDIS activities, except any activity that does not comply with the provisions in NU-S11 and NU-S12 is a NC activity.</p> <p>RDIS and DIS activities that do not comply with the provisions in NU-S11 and NU-S12 are a NC activity</p>
<p>Where the activity is RDIS, the matters over which discretion is restricted are:</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 stormwater pond or artificial wetland and the works proposed; and</li> <li>(c) The extent and effect of non-compliance with the standards set out in the Regional Infrastructure Technical Specifications (Waikato); and</li> <li>(d) Whether the works or actions will result in public health and/or safety risks; and</li> <li>(e) Within the karst overlay, measures to avoid, remedy, or mitigate damage to ecological, hydrological and geological values of the karst system; and</li> <li>(f) The design of the pond or wetland and whether there will be any actual or potential effects on adjacent properties; and</li> <li>(g) The planting and rehabilitation of the pond or wetland and associated positive effects on biodiversity; and</li> <li>(h) The amenity values of the zone or adjacent zone and the extent to which the amenity values have been avoided, remedied, or mitigated.</li> </ol>

NU-R21.	Water, wastewater and stormwater pump stations, water reservoirs and water treatment plants that do not meet the definition of a minor utility structure				
Residential, future urban, rural lifestyle, settlement, <b>commercial, Māori purpose,</b> 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 <b>Māori and significant</b> 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	PER	DIS	DIS	PER	DIS
<p>PER activities must:</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>					

NU-R21.	Water, wastewater and stormwater pump stations, water reservoirs and water treatment plants that do not meet the definition of a minor utility structure				
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
<p>PER activities that do not comply with NU-R21.1 through to NU-R21.2 are RDIS activities, except any activity that does not comply with the provisions in NU-S11 and NU-S12 is a NC activity.</p> <p>DIS activities that do not comply with the provisions in NU-S11 and NU-S12 are a NC activity</p>					

NU-R22.	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>DIS activities must:</p> <ol style="list-style-type: none"> <li>1. Comply with all the provisions in NU- Table 2.</li> </ol> <p>DIS activities that do not comply with the provisions in NU-S11 and NU-S12 are a NC activity</p>					

## Roads

NU-R23.	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, <b>commercial, Māori purpose,</b> 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 <b>Māori and significant</b> 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>PER activities must:</p> <ol style="list-style-type: none"> <li>1. Not extend beyond the extent of the road reserve or designation boundary; and</li> <li>2. Other than works on state highways, comply with the standards and requirements set out in the Regional Infrastructure Technical Specifications (Waikato); and</li> <li>3. Comply with all the provisions in NU- Table 2; and</li> <li>4. Comply with all the provisions in TRAN - Table 2.</li> </ol> <p>PER activities that do not comply with NU-R23.1 through to NU-R23.4 are DIS activities.</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-R24.</i></p> <p><i>Note: An archaeological authority may be required from Heritage New Zealand Pouhere Taonga.</i></p>					

NU-R24.	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, <b>commercial, Māori purpose,</b> 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 <b>Māori and significant</b> 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
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 <b>significance to Māori</b> , significant archaeological sites, outstanding natural features Category B, E and F		RDIS: Karst overlay	
<p>RDIS activities must:</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>RDIS activities that do not comply with NU-R24.1 through to NU-R24.5 are DIS activities.</p> <p><i>Note: All new roads that intersect a state highway require the approval of the New Zealand Transport Agency under the Government Roding Powers Act 1989</i></p>					
<p>Where the activity is RDIS, the matters over which discretion is restricted are:</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></ol>					

- (c) 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
- (d) The extent to which the proposal has provided for connectivity, including access to a range of transport modes; and
- (e) The outcome of consultation with the road controlling authority; and
- (f) The effect of any severance and changes to drainage patterns; and
- (g) The effects on the streetscape, pedestrian and cyclist safety and the amenity of the area; and
- (h) Alternative options and routes considered to overcome site and topographical constraints without compromising the safe, efficient and effective functioning of the transport network; and
- (i) Integration and coordination with the transport network including proposed transport infrastructure and service improvements; and
- (j) Effects on public health and safety.

NU-R25. Streetlights within roads					
Residential, future urban, rural lifestyle, settlement, <b>commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3</b>	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to <b>Māori and significant</b> 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>PER activities must:</p> <ol style="list-style-type: none"> <li>On roads adjacent to the residential, future urban, <b>rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones</b> 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>PER activities that do not comply with NU-R25.1 through to NU-R25.6 are RDIS activities, except any activity that does not comply with the provisions in NU-S11 and NU-S12 is a NC activity.</p>					

NU-R25. Streetlights within roads						
Residential, future urban, rural lifestyle, settlement, <b>commercial, Māori purpose,</b> 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 <b>Māori and significant</b> 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	
<p>Where an activity is RDIS, the matters over which discretion is restricted are:</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) The extent and effect of non-compliance with the standards set out in the Regional Infrastructure Technical Specifications (Waikato); 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) 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>(h) The effect on the safety and efficiency of the adjacent road network including intersections and proximity to existing driveways; and</li><li>(i) The potential to contribute to cumulative effects on amenity values.</li></ul>						

NU-R26. New <b>network utilities</b> not otherwise provided for in Table 1						
Residential, future urban, rural lifestyle, settlement, <b>commercial, Māori purpose,</b> 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 <b>Māori and significant</b> 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,	

NU-R26. New <a href="#">network utilities</a> not otherwise provided for in Table 1						
Residential, future urban, rural lifestyle, settlement, <b>commercial, Māori purpose,</b> 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 <b>Māori and significant</b> 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	
		NC: Sites and areas of <b>significance to Māori,</b> significant archaeological sites, outstanding natural features Category B, E and F			the most restrictive provision applies.	
RDIS activities must: <div>1. Comply with all the provisions in NU - Table 2; and</div> <div>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.</div> RDIS activities that do not comply with NU-R26.1 through to NU-R26.2 are DIS activities, except any activity that does not comply with the provisions in NU-S11 and NU-S12 is a NC activity. DIS activities that do not comply with the provisions in NU-S11 and NU-S12 are a NC activity.						
Where an activity is RDIS, the matters over which discretion are restricted are: <div>(a) The extent and effect of non-compliance with any rule and any matters of discretion in the rule; and</div> <div>(b) The functional and operational needs of, and benefits derived from, the network utility and the works proposed; and</div> <div>(c) Whether the works or actions will result in additional public health and/or safety risks; and</div> <div>(d) The purpose and necessity of the network utility; and</div> <div>(e) The location, bulk, height and design of the network utility; and</div> <div>(f) The effect on the safety and efficiency of the adjacent road network including intersections and proximity to existing driveways; and</div> <div>(g) Any measures to avoid, remedy, or mitigate adverse effects including on the streetscape; and</div> <div>(h) The potential to contribute to cumulative effects on amenity values.</div>						

## Signs

NU-R27.	Official Signs				
Residential, future urban, rural lifestyle, settlement, <b>commercial, Māori purpose,</b> 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 <b>Māori and significant</b> 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 Refer to SIGN-R1 for traffic and railway signs
<i>Note: This rule is not subject to any other rule in this plan.</i>					

NU-R28.	Signs
All zones and all precincts. All overlays, scheduled sites and features All roads and new roads approved as part of a resource consent	
PER	
<p>PER activities must:</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>PER activities that do not comply with NU-R28.1 through to NU-R28.2 are RDIS activities.</p> <p><i>Note: Signs within the road reserve require approval from the relevant road controlling authority.</i></p>	
<p>Where the activity is a RDIS activity, the matters over which discretion is restricted are:</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> </ol>	



(c)	The effect on the safety and efficiency of the adjacent road network including intersections and proximity to existing driveways; and
(d)	The effects from any flashing lights and lasers, including the potential for driver distraction and road safety issues; and
(e)	The actual and potential effects on traffic safety from any sign that could be mistaken for a traffic sign; and
(f)	The potential visual effects, particularly on the visual amenity of the locality and streetscape; and
(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.

## Earthworks, caves, removal of indigenous vegetation

NU-R29.	Earthworks				
Residential, future urban, rural lifestyle, settlement, <b>commercial, Māori purpose, tourism, open space and natural open space zones, all precincts except PREC3</b>	Industrial, general rural and rural production zones and PREC3	Outstanding natural features, heritage buildings and structures, sites and areas of significance to <b>Māori and significant</b> 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: less than or equal to 2000m <sup>3</sup> in a single activity/project in any one calendar year	PER: less than or equal to 2000m <sup>3</sup> in a single activity/project in any one calendar year	Heritage buildings and structures: refer to zone rules	PER: In outstanding natural landscapes: where less than or equal to 250m <sup>3</sup> per holding per calendar year	Coastal environment: refer to zone rules unless in an overlay, scheduled site or feature	PER: 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>
		PER: 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	PER: Outstanding natural character, high/very high natural character: where less than or equal to 100m <sup>3</sup> per holding per calendar year	PER: Karst overlay: where less than or equal to 250m <sup>3</sup> per holding per calendar year	Indicative and unformed roads: refer to zone rules unless in an overlay, scheduled site or feature
		RDIS: Sites and areas of significance to Māori		PER: Landscapes of high amenity value:	

		DIS: Significant archaeological sites	Significant natural areas: refer to NU-R33	where less than or equal to 500m <sup>3</sup> per holding per calendar year	
		DIS: Earthworks related to the National Grid in Outstanding natural features Category B and E			
		NC: 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-S3) or within 20 m radius of an entry or opening into any cave or sinkhole (refer to NU-R31); 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-R29.1 through to NU-R29.3 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.

RDIS activities that do not comply with NU-R29.1 through to NU-R29.3 are DIS activities.

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

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.

NU-R30.	Creation of new entrances into caves, <b>structures</b> within caves or other modifications to cave features				
NU-R31.	Any <b>earthworks</b> 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				
Residential, future urban, rural lifestyle, settlement, <b>commercial, Māori purpose,</b> 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 <b>Māori and significant</b> 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 <b>significance to Māori and</b> significant archaeological sites	DIS: Outstanding natural character, high/very high natural character	DIS: Coastal environment, landscapes of high amenity value	DIS
		NC: Outstanding natural features	NC: Outstanding natural landscapes, significant natural areas	NC: Karst overlay	

NU-R32.	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, <b>commercial, Māori purpose,</b> 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 <b>Māori and significant</b> 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 <b>significance to Māori and</b> 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-R33.	Removal of indigenous vegetation				
Residential, future urban, rural lifestyle, settlement, <b>commercial, Māori purpose,</b> 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 <b>Māori and significant</b> 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

		<p>PER: Heritage buildings and structures, sites and areas of <b>significance to Māori</b>.</p>	<p>RDIS: Outstanding natural landscapes: where greater than 5000m<sup>2</sup> per holding per calendar year.</p> <p>RDIS: High/very high natural character: where less than or equal to 5000m<sup>2</sup> per holding per calendar year.</p>	<p>PER: Karst overlay: where less than or equal to 5000m<sup>2</sup> per holding per calendar year.</p>	
		<p>RDIS: Outstanding natural features.</p>	<p>DIS: High/very high natural character: where greater than 5000m<sup>2</sup> per calendar year.</p> <p>NC: Outstanding natural character.</p> <p>DIS: Removal of indigenous vegetation related to the National Grid in Outstanding natural character</p>	<p>RDIS: Karst overlay: where greater than 5000m<sup>2</sup> per holding per calendar year.</p>	

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-R33 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.*

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

NU-R34.	New <a href="#">structures adjacent</a> to the open coast
All zones and all precincts. All overlays, scheduled sites and features All roads and new roads approved as part of a resource consent	
PER	
<p>PER activities must:</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> <li>3. Rules NU-R34.1 and NU-R34.2 does not apply to: <ol style="list-style-type: none"> <li>(i) Customer connections, or</li> <li>(ii) Network utilities located within a road reserve where there is an existing formed road.</li> </ol> </li> </ol> <p>PER activities that do not comply with NU-R34.1 through to NU-R34.2 are RDIS activities and a site-specific coastal hazard assessment is required.</p>	
<p>Where an activity is RDIS, the matters over which discretion is restricted are:</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>	
NU-R35.	<a href="#">Structures adjacent</a> to Kawhia harbour or <a href="#">adjacent</a> to a <a href="#">river</a> in the <a href="#">coastal marine area</a>
All zones and all precincts. All overlays, scheduled sites and features All roads and new roads approved as part of a resource consent	
PER	

NU-R35.	Structures adjacent to Kawhia harbour or adjacent to a river in the coastal marine area
All zones and all precincts. All overlays, scheduled sites and features All roads and new roads approved as part of a resource consent	
<p>PER activities must:</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> <li>3. Rules NU-R35.1 and NU-R35.2 does not apply to: <ol style="list-style-type: none"> <li>(i) Customer connections, or</li> <li>(ii) Network utilities located within a road reserve where there is an existing formed road.</li> </ol> </li> </ol> <p>PER activities that do not comply with NU-R35.1 through to NU-R35.2 are RDIS activities and a site-specific coastal hazard assessment is required.</p>	
<p>Where an activity is RDIS, the matters over which discretion is restricted are:</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>	

NU-R36.	Buildings and structures adjacent to a water body
All zones and all precincts. All overlays, scheduled sites and features All roads and new roads approved as part of a resource consent	
PER	
<p>PER activities must:</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</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>	

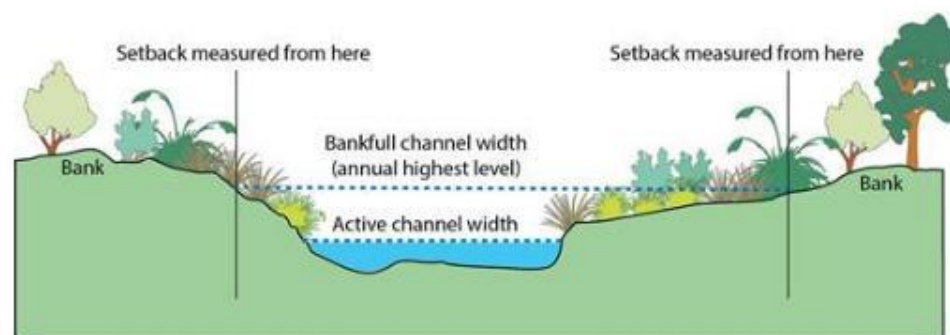


5. Be the operation and maintenance of existing district roads, bridges and state highways;
- AND
6. A water body is deemed to be:
- (i) A perennial watercourse with a bankfull channel width of 3 m or more; or
  - (ii) In the Upper Waipa River sub-catchments, as identified on the Planning Maps, a perennial 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-R36.1 through to NU-R36.6 are DIS activities

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

NU - Figure 1



## Subdivision

NU-R37.	Subdivision
All zones and all precincts. All overlays, scheduled sites and features All roads and new roads approved as part of a resource consent	
See SUB-R4	

## Te Kūiti Aerodrome flightpath restrictions

NU-R38.	<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-S1	Upgrading including realignment of existing underground <a href="#">network utilities</a>	
All zones, all roads, all overlays, scheduled sites & scheduled features	<ol style="list-style-type: none"> <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>The upgrading, realignment/relocation or removal of existing underground network utilities in outstanding natural features, sites and areas of significance <b>to Māori and significant archaeological sites</b> is a restricted discretionary activity. See NU-R3 and NU-R10.</li> </ol>	<p>Matters over which discretion is restricted:</p> <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-S2.	Upgrading of existing above ground <a href="#">network utilities</a>	
All zones, all roads, all overlays, scheduled sites & scheduled features	<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 significance to <b>Māori and significant archaeological sites</b> where it is 10 percent; and</li> </ol> </li> <li>The diameter or width of a replacement pole:</li> </ol>	<p>Matters over which discretion is restricted:</p> <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>

- (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

	<p>11. The addition of an above-ground line or pipe to a bridge, culvert or similar structure; and</p> <p>12. In all locations:</p> <ul style="list-style-type: none"> <li>(i) A replacement panel antenna must not increase the largest 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>	
NU-S3.	Earthworks in a hazard area or coastal hazard area	
All zones, all roads, all overlays, scheduled sites & scheduled features	<p>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</p> <p>2. Earthworks must not exceed a maximum height of 0.2 m of filling above natural ground level; and</p> <p>3. Earthworks must not exceed a maximum depth of excavation of 0.5 m below natural ground level. The maximum depth of excavation shall not apply to network utility poles in Flood and Coastal Hazard Areas.</p>	<p>Matters over which discretion is restricted:</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> </ul>

		<p>(g) The findings of any site-specific hazard assessment undertaken by an appropriately qualified and experienced person; and</p> <p>(h) Consideration of the projected effects of climate change.</p>
NU-S4.	Noise	
All zones, all roads, all overlays, scheduled sites & scheduled features	<ol style="list-style-type: none"> <li>The rules in the <a href="#">noise chapter</a> must be complied with, unless provided for in NU-S4.2 to NU-S4.6 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</li> </ol> </li> </ol>	<p>Matters over which discretion is restricted:</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><b>Effects on people and communities'</b> 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>

	any noise sensitive activity in the general rural, tourism, rural lifestyle, settlement, future urban or Māori purpose zones.	
NU-S5.	Parking and access	
All zones, all roads, all overlays, scheduled sites & scheduled features	<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>Where a network utility is permanently staffed, 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.</li> </ol>	<p>Matters over which discretion is restricted:</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</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-S6.	New telecommunication poles and new antennas attached to poles that are not a regulated activity under NESTF	
Industrial, general rural, commercial, rural lifestyle zone, rural production zones, PREC3 and PREC5	<ol style="list-style-type: none"> <li>The maximum height of any pole must not exceed: <ol style="list-style-type: none"> <li>Industrial, general rural, rural lifestyle 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; or</li> <li>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</li> </ol> </li> <li>The pole must be located at least 50 m from any building used for residential or educational purposes; 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> </ol>	<p>Matters over which discretion is restricted:</p> <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>

	<ol style="list-style-type: none"> <li>4. Panel antenna must not exceed a width of 0.8 m; and</li> <li>5. Dish antennae must not exceed a diameter of 1.2 m; and</li> <li>6. <b>Omni directional 'whip' or dipole</b> antennas must not exceed: <ol style="list-style-type: none"> <li>(i) 1.6 m in vertical length; and</li> <li>(ii) 60 mm in diameter; and</li> <li>(iii) 1.5 m in horizontal length.</li> </ol> </li> </ol>	
NU-S7.	New substations, ground mounted transformers, compressor/scrapper stations, gas regulation valves and/or take off stations and ancillary energy storage batteries	
NU-S8.	Screening of sensing and environmental monitoring equipment including air quality and meteorological equipment	
All zones, all roads, all overlays, scheduled sites & scheduled features	<ol style="list-style-type: none"> <li>1. Boundaries of the area occupied must be landscaped by trees so that a solid screen is formed; and</li> <li>2. The trees must be a minimum height of 1.5 m at the time of planting.</li> </ol>	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> <li>(a) The number, species and type of landscaping; and</li> <li>(b) The potential visual effects, particularly on the visual amenity of the locality and streetscape; and</li> <li>(c) In the event another type of screening is proposed the effectiveness of the proposed screening.</li> </ol>
NU-S9.	<b>Signs</b>	
All zones, all roads, all overlays, scheduled sites & scheduled features	<ol style="list-style-type: none"> <li>1. No sign must be located in, or project over the railway corridor; and</li> <li>2. 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>3. No sign must obstruct the line of sight of any corner, bend, intersection, or vehicle or rail crossing; and</li> </ol>	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> <li>(a) The extent to which the sign may be an obstruction to sight distances, official signs or unnecessarily intrude <b>into a driver's field of vision or cause a distraction that affects safety for road users</b>; and</li> <li>(b) 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, not 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) <b>The visibility of the sign(s); and</b></li> <li>(ii) <b>The length of the road frontage;</b> 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>
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NU-R10.	Maximum level of light overspill	
All zones, all roads, all overlays, scheduled sites & scheduled features	<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> <li>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               <ol style="list-style-type: none"> <li>(i) The following activities are exempt from the provisions of this rule:</li> <li>(ii) Streetlights, navigation lights and traffic signals; and</li> <li>(iii) Lights of vehicles, trains and aircraft; and</li> <li>(iv) Temporary lighting for the purpose of emergency response.</li> </ol> </li> </ol>	<p>Matters over which discretion is restricted:</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>
NU-S11.	Emission of radiofrequency fields	
All zones, all roads, all overlays, scheduled	<ol style="list-style-type: none"> <li>1. The radiofrequency emission complies with the maximum exposure level for the general public in NZS 27721:1999</li> </ol>	Activity status where compliance is not achieved: NC

sites & scheduled features	Radiofrequency Fields – Maximum Exposure Levels – 3KHz to 300GHz.	
NU-S12.	Emission of electric and magnetic fields	
All zones, all roads, all overlays, scheduled sites & scheduled features	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).	Activity status where compliance is not achieved: NC

### 3. Appendix 3 – Section 32AA Evaluation

#### Network utilities near the open coast and Kawhia Harbour

A section 32AA evaluation is only required for any changes that are proposed to the provisions of this plan since the original section 32 evaluation report for the proposal was completed. The section 32AA evaluation must be undertaken at a level of detail that corresponds to the scale and significance of the changes.

This section 32AA evaluation relates to the amendments to NU-R38 and NU-R39 to exempt customer connections, and network utilities within the road reserve where there is an existing formed road.

In accordance with the requirements of section 32, the tests for objectives are different from provisions.

#### Appropriateness of Objectives

The objective of the proposal is to enable network utilities to connect communities, particularly in remote coastal locations and along Kawhia Harbour.

Evaluation of objectives	
Part 2 RMA	Comment
Section 5 Purpose	<p>Network utilities consist of the physical structures and networks that support and provide essential services to the communities of the district. The efficient use and management of <b>network utilities as a physical resource is critical to the District's</b> economic productivity, environmental outcomes and wellbeing of the community. The benefits of network utilities to the functioning of the district are therefore substantial.</p> <p>Connected and reliable network utilities is vital to the functioning of the District. It enables people and communities to provide for their social, economic and cultural wellbeing in accordance with Section 5(2) of the Act.</p> <p>The efficient development, maintenance and operation of the physical resources of network utilities is fundamental to both present and future communities. In this respect the Objective achieves Section 5(2)(a) of the Act.</p> <p>The continuing use of network utilities through enabling the development enables people and communities to provide for their health and well-being in accordance with Section 5(2) of the Act. An example is the electric distribution network which enables people to stay warm and cook, and therefore stay healthy.</p> <p>The integration and co-ordination of land uses with network utilities will enable people and communities to provide for their social, economic and cultural well-being in accordance with Section 5(2) of the Act. This objective ensures that the network is appropriate (both existing and future) to service the current and</p>

Evaluation of objectives	
Part 2 RMA	Comment
	future land uses. It also ensures that development is in appropriate and accessible locations to be serviced.
Section 7 Other matters	The objective specifically provides for the management of network utilities, which is a physical resource, and which in turn allows people and communities to provide for their wellbeing. This is through the supply of water, electricity and telecommunications, and management of stormwater. The objectives assist with achieving s7(b) the efficient use and development of physical resources by identifying network utilities and the distribution of services as essential.

The objective is the most appropriate way to achieve the purpose of the Act.

## Identification of Options to Achieve the Objective

The following reasonably practicable options have been identified to achieve the objective.

Option 1 – Retain rules NU-R38 and NU-R39 as notified. This requires all network utilities to be located some distance away from the open coast, Kawhia Harbour and rivers that are located within the coastal marine area.

Option 2 – Amend Rules NU-R38 and NU-R39 so they do not apply to customer connections, and network utility structures in existing roads. Exempting customer connections and network utility structures in existing roads would enable network utilities to manage the risk to their structures and network as they see fit in those environments.

Option 2 is the preferred option. Where an existing road is already in place, there is no need for additional controls on network utility structures within the road reserve in close proximity to the coast or Kawhia Harbour. Network utility operators are unlikely to place their structures in locations with high risk from natural hazards. Customer connections are important to keeping people and communities connected.

## Evaluation of Preferred Option Against Objective

This section contains an evaluation of the preferred option identified above.

Evaluation of Preferred Option Against Objective(s)		
	Costs	Benefits
Environmental	The construction of network utility structures may have adverse effects on the natural character of the open coast and Kawhia Harbour.	Recognises that development in the form of roads is already existing.

Economic	Increased risk of damage from natural hazards.	Lowers the cost of consenting for network utility operators.  More cost effective to get connections to remote communities.
Social	May increase the risk of reverse sensitivity effects with primary production activities next to RLZ land.	Provides electrical and telecommunication connections to remote communities.
Cultural	The coastal and harbour edges may be culturally sensitive locations. Placing network utility structures may affect the cultural values.	Provides electrical and telecommunication connections to <b>remote Māori communities.</b>
Economic growth provided or reduced	While the provision of network utilities does not provide economic growth, it is needed to support economic growth.	
Employment opportunities	This option is unlikely to result in additional employment opportunities, although the provision of network utilities supports employment.	
Uncertain or insufficient information	There is no uncertain or insufficient information.	
Risk of acting or not acting	Not applicable.	
Effectiveness		
The amendments to NU-R38 and NU—R39 will enable network utility structures within the road reserve close to the coast or Kawhia Harbour as a permitted activity. It will also allow customer connections as a permitted activity.		
Efficiency		
The amendments are an efficient way to enable network utilities and customer connections in close proximity to the coast and Kawhia Harbour. The proposed provisions have considerably more benefits, they implement the requirements of the relevant NESTF and RPS. The provisions clearly set out the permitted activities as well as those which require closer assessment through the consenting process. The approach efficiently enables operation of network utilities as a permitted activity within an existing road, while establishing a framework for further development and new structure in other coastal and harbour locations.		
Summary		
The amendments to NU-R38 and NU-R39 will enable network utility structures and networks to be carried out without further regulation through consents. Clearer direction in the PDP will		

assist Council staff having to balance competing objectives for provision of infrastructure with protecting key environmental values.

## Telecommunication Poles and Antennas in the Rural lifestyle zone

A section 32AA evaluation is only required for any changes that are proposed to the provisions of this plan since the original section 32 evaluation report for the proposal was completed. The section 32AA evaluation must be undertaken at a level of detail that corresponds to the scale and significance of the changes.

This section 32AA evaluation relates to the amendments to increase the height of telecommunication poles and antennas in the Rural lifestyle zone to 25m in rules NU-R21 and NU-R48 to match Regulation 35 of the NESTF. The amendments also include adopting a 50m set back requirement from the façade of any dwelling on another site to align with the NESTF.

In accordance with the requirements of section 32, the tests for objectives are different from provisions.

### Appropriateness of Objectives

The objective of the proposal is to match the NESTF provisions for telecommunication poles and antennas in the Rural lifestyle zone.

Evaluation of objectives	
Part 2 RMA	Comment
Section 5 Purpose	<p>Network utilities consist of the physical structures and networks that support and provide essential services to the communities of the district. The efficient use and management of <b>network utilities as a physical resource is critical to the District's</b> economic productivity, environmental outcomes and wellbeing of the community. The benefits of network utilities to the functioning of the district are therefore substantial.</p> <p>Connected and reliable network utilities are vital to the functioning of the District. It enables people and communities to provide for their social, economic and cultural wellbeing in accordance with Section 5(2) of the Act.</p> <p>The efficient development, maintenance and operation of the physical resources of network utilities is fundamental to both present and future communities. In this respect the Objective achieves Section 5(2)(a) of the Act.</p> <p>The continuing use of network utilities through enabling the development enables people and communities to provide for their health and well-being in accordance with Section 5(2) of the Act. Connectivity is important for the health and well-being of communities.</p> <p>The integration and co-ordination of land uses with network utilities will enable people and communities to provide for their social, economic and cultural well-</p>

Evaluation of objectives	
Part 2 RMA	Comment
	being in accordance with Section 5(2) of the Act. This objective ensures that the network is appropriate (both existing and future) to service the current and future land uses. It also ensures that development is in appropriate and accessible locations to be serviced.
Section 7 Other matters	The objective specifically provides for the management of telecommunication structures, which is a physical resource, and which in turn allows people and communities to provide for their wellbeing. This is through the supply of telecommunications. The objectives assist with achieving s7(b) the efficient use and development of physical resources by identifying network utilities and the distribution of services as essential.

The objective is the most appropriate way to achieve the purpose of the Act.

## Identification of Options to Achieve the Objective

The following reasonably practicable options have been identified to achieve the objective.

Option 1 – Retain rules NU-R21 and NU-R48 as notified. This means that new telecommunication poles and new antennas in the Rural lifestyle zone would be a discretionary activity.

Option 2 – Amend Rules NU-R21 and NU-R48 so that new telecommunication poles and new antennas in the Rural lifestyle zone would be a permitted activity with a 25m height limit. The amendments also include adopting a 50m set back requirement from any building used for residential or educational purposes to align with the NESTF.

Option 2 is the preferred option as it aligns with the NESTF.

## Evaluation of Preferred Option Against Objective

This section contains an evaluation of the preferred option identified above.

Evaluation of Preferred Option Against Objective(s)		
	Costs	Benefits
Environmental	The construction of poles in the Rural lifestyle zone structures may have adverse effects on the character.	
Economic	May decrease the value of the site on which the pole is located and adjoining sites.	Lowers the cost of consenting for telecommunications operators.



		More cost effective to get telecommunication connections to remote communities.  Better cell phone reception supports economic development.
Social	Opposition to the presence of an antenna and electro-magnetic emissions.	Provides telecommunication connections to people and communities.
Cultural	No cultural costs associated with this option.	Provides telecommunication <b>connections to remote Māori</b> communities.
Economic growth provided or reduced	While the provision of telecommunication structures does not provide economic growth, it is needed to support economic growth.	
Employment opportunities	This option is unlikely to result in additional employment opportunities, although the provision of good telecommunication networks supports employment.	
Uncertain or insufficient information	There is no uncertain or insufficient information.	
Risk of acting or not acting	Not applicable.	
Effectiveness		
The amendments to Rules NU-R21 and NU-R48 will be effective at permitting telecommunication poles in the Rural lifestyle zone.		
Efficiency		
The amendments will align with the NESTF.		
Summary		
The amendments to Rules NU-R21 and NU-R48 will enable telecommunication poles in the Rural lifestyle zone and expanding telecommunication networks without further regulation through consents. Clearer direction in the PDP will assist Council staff having a PDP that is inconsistent with the NESTF.		

