

**Before the Hearings Panel  
At Porirua City Council**

**Under** Schedule 1 of the Resource Management Act 1991

**In the matter of** the Proposed Porirua District Plan

**Between** **Various**

**Submitters**

**And** **Porirua City Council**

**Respondent**

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**Council reply on Infrastructure, Three Waters, Renewable Electricity  
Generation, Transport, Earthworks, Noise, Light and Amateur Radio  
Rory Smeaton on behalf of Porirua City Council**

**Date: 8 March 2021**

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**INTRODUCTION:**

1 My full name is Rory McLaren Smeaton. I am employed as a Senior Policy Planner for Porirua City Council.

2 I have read the evidence and tabled statements provided by submitters relevant to the Section 42A Report Part B:

- Amateur Radio;
- Earthworks;
- Infrastructure;
- Light;
- Noise;
- Renewable Electricity Generation;
- Three Waters; and
- Transport.

3 I have prepared this Council reply on behalf of the Porirua City Council **(Council)** in respect of matters raised through Hearing Stream 4.

4 Specifically, this statement of evidence relates to the matters in the Section 42A Reports listed in paragraph 2 above.

5 I am authorised to provide this evidence on behalf of the Council.

## **QUALIFICATIONS, EXPERIENCE AND CODE OF CONDUCT**

6 Appendix C of my Section 42A Report Part B - Earthworks sets out my qualifications and experience.

7 I confirm that I am continuing to abide by the Code of Conduct for Expert Witnesses set out in the Environment Court's Practice Note 2014.

## **SCOPE OF REPLY**

8 This reply follows Hearing Stream 4, held on 8, 9, 11, 14, and 15 February 2022. Minute 20 allows for s42A report authors to submit a written reply within 15 working days of the adjournment of Hearing Stream 4.

9 The main topics addressed in this reply include:

- Answers to questions posed by the Panel;
- Matters remaining in contention; and
- Changes to recommendations in the s42A reports.

2 Due to the number of chapters addressed, these include a wide range of topics.

10 Appendix 1 sets out my list of materials provided by submitters including expert evidence, legal submissions, and submitter statements. This information is all available on the hearing portal.<sup>1</sup>

11 Appendix 2 sets out my recommended amendments to the PDP provisions following the hearing. I have differentiated my updated recommendations to the proposed recommendations made in my section 42A reports.

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<sup>1</sup> <https://pdportal.poriruacity.govt.nz/hearings-information/hearing-stream-4/>

- 12 Appendix 3 sets out an updated table of recommended responses to submissions and further submissions following the hearing. I have differentiated my updated recommendations to the proposed recommendations made in my section 42A reports.
- 13 Appendices 4 to 7 contain additional information requested by the Panel in Minute 26 that was not able to be set out in the main body of this report.

## **ANSWERS TO QUESTIONS POSED BY THE PANEL**

### **Amateur Radio**

***Assuming the MDRS is incorporated into the PDP pursuant to Section 77G of the Act by variation before the Hearing Panel delivers its decisions on submissions, what relevance (if any) does that have to determining the appropriate standards applying to YAGI aerials. In particular, will it set up a permitted baseline, or something akin to that in relation to height limits?***

- 14 The Medium Density Residential Standards (MDRS) set out in Schedule 3A of the RMA have some relevance to the standards in the PDP related to Yagi aerials, due to the AR – Amateur Radio standards referring to the relevant zone standards for height and setbacks. This includes AR-S3 relating to setbacks, and AR-S4 -1 relating to maximum height. I note that recession plane standards are only relevant to dish aerials under the chapter.
- 15 When the zone standards are amended to give effect to the MDRS, the new standards will inform the standards in the AR – Amateur Radio chapter.
- 16 I do not consider that this creates any issues for the implementation of the AR – Amateur Radio chapter. This is because the MDRS standards are very similar to the relevant standards in the Medium Density Residential

Zone (MRZ). Implementing the MDRS will effectively expand the MRZ across the General Residential Zone. As the standards in the AR - Amateur Radio provisions cross reference to the standards in the relevant zones any changes to the zone standards will flow through to the AR standards.

17 Following the hearing, Mr Andrew Cameron provided supplementary material to the Panel on behalf of the Titahi Bay Amateur Radio Club Incorporated (submitter 224), dated 21 February 2022. In that statement Mr Cameron proposes an overall height of 15 metres (including elements) for Yagi aerials provided the boom length and/or element length does not exceed 7 metres. He states that this 'provides enhanced alignment with the amended legislation as opposed to the provisions in the Proposed Plan'.

18 I see no relevance of the amendments proposed by Mr Cameron and the changes to the residential zones that will be introduced through the implementation of the MDRS.

19 Specifically, I note that the MDRS relate only to 'buildings'. Amateur radio configurations would not be considered to be a building under the National Planning Standards definition. As such, there would be no permitted baseline created for amateur radio configurations under the MDRS.

20 While AR-S4 allows for building-mounted aerials to exceed the building height by five metres, I note that the MDRS sets a height limit of 11 metres with an additional one metre for pitched roofs. This is the same height limit as set in MRZ-S1-1.a. I consider that the existing 15 metre height limit for one support structure under AR-S4-3.a provides adequate clearance for Yagi aerials above nearby buildings within residential zones.

21 I note that I have considered further the amendments sought to the AR – Amateur Radio chapter, including a definition of Yagi aerials below.

## Earthworks

### ***What caselaw was the Section 42A author referring to at paragraph 248 of his report?***

22 At paragraphs 247- 248 of my section 42A Report on Earthworks I opposed the inclusion of a non-notification clause as sought by Kāinga Ora. To support its position, Kāinga Ora had argued that adverse effects of earthworks can be managed using conditions.

23 At paragraph 248 of my Section 42A Report Part B – Earthworks I stated that:

*Case law is clear that a consent authority may not impose conditions of consent to avoid, remedy or mitigate effects on an adjacent property so that no one would not be adversely affected, the latter being a section 95 assessment and the former a section 104 assessment, unless that condition is offered by the applicant in the first instance.*

24 I acknowledge that the manner in which I framed that argument was somewhat confusing. For clarity, as set out in the case law below, I understand that the Council is limited in its ability to consider potential conditions when it makes a notification decision.

25 The Court of Appeal in Bayley v Manukau City Council [1999] 1 NZLR 568 stated that:

*...whilst a balancing exercise of good and bad effects is entirely appropriate when a consent authority comes to make its substantive decision, it is not to be undertaken when non-notification is being considered, save to the extent that the possibility of an adverse effect can be excluded because the presence of some countervailing factor eliminates any such concern, for example, extra noise being nullified by additional sound proofing.*

26 In Auckland Regional Council v Rodney District Council [2009] NZCA 99, the Court of Appeal answered the question ‘in making its decision on a notification can a consent authority take into account prospective conditions of consent as mitigating the effects of the activity?’ at paragraph 53 finding the answer was yes ‘*in respect of conditions that are inherent in the application, and no, in respect of those which are not.*’ As such, the Court concluded that in deciding whether to notify the application, the consent authority was entitled to take into account the conditions which it proposed to impose as part of the consent. I note that this position was a refinement of the position expressed by the same Judge in *Montessori Pre-School Charitable Trust v Waikato District Council* [2007] NZRMA 55 (HC).

27 These cases have been referred to in more recent cases by courts considering the appropriateness of reliance on conditions in making notification decisions, including for example *Norman v Tūpuna Maunga o Tāmaki Makaurau Authority* [2020] NZHC 3425, where the Court stated:

*I agree with the Council that it would be artificial to consider the effects of the vegetation removal separately from the planting that has been proposed and indeed is required by the conditions of the consent. This is a case, like Auckland Regional Council, where it can properly be said that the condition was inherent in the Application. It is clearly distinguishable from Bayley.*

*Mr Kaye was entitled to take into account prospective mitigating conditions inherent in the Application when considering its potential adverse effects. He was also entitled to consider the practical reality of the Application as a whole.*

28 The effect of this caselaw, as I understand it, is that prospective conditions of consent to mitigate effects of an activity can only be considered at the notification decision stage where these are inherent in the application, including where conditions have been proposed or adopted by the applicant. I understand these cases do not allow the

Council to take into account prospective conditions that may be imposed on a resource consent (that are not put forward as part of the application) to be relevant to making a notification decision. Therefore, I do not consider that it would be appropriate to include a preclusion on the notification (or limited notification) of resource consent applications made in accordance with the earthworks provisions.

***What explanation can the Section 42A author provide for the difference in arial triggers applying to earthworks in the Open Space and Recreation Zone compared to the Commercial Zones that have a 400m<sup>2</sup> standard?***

29 The Section 32 Evaluation Report Part 2 – Earthworks provides a general explanation of the earthworks area limit standards in the PDP at page 52 stating:

*Permitted activity standards (including maximum area of earthworks per site) are set at a level that ensures earthworks are of a type, scale and form that is appropriate for the activity and location.*

30 As I noted at the hearing, the ODP earthworks area limits contained in the zone rules and standards chapters of the ODP provides some illumination. Table 1 below sets out the general earthworks area limits in the ODP.

**Table 1: ODP zone earthworks area limits**

<b>Zone<sup>2</sup></b>	<b>Earthworks area limit<sup>3</sup></b>
City Centre	Earthworks, in a 12 month period, shall not exceed... <b>400m<sup>2</sup></b> in area...
Industrial	Earthworks, in a 12 month period, shall not exceed... <b>400m<sup>2</sup></b> in area...

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<sup>2</sup> Judgeford Hills Zone and Aotea Supermarket Zone are not included in this table.

<sup>3</sup> I have not included the requirements relating to riparian setback areas or any other overlays within this table.



Suburban	Earthworks, in a 12 month period, shall not exceed... <b>100m2</b> in area
Rural	Earthworks, except earthworks as part of any dwelling or building shall not exceed, in a 12 month period... <b>1000m2</b> in area
Recreation	...earthworks, in a 12 month period, shall not exceed <b>100m2</b> in area...
Public Open Space	...earthworks within Battle Hill Farm Forest Park and Belmont Regional Park, in a 12 month period, shall not exceed <b>500m2</b> in area ... In all other areas earthworks, in a 12 month period, shall not exceed <b>100m2</b> in area...

31 The commercial zones in the PDP managed under EW-S1-2 generally align with Industrial and City Centre zones under the ODP. As shown in Table 1, those zones have a 400 square metre earthworks area limit under the ODP.

32 Noting that earthworks in Recreation and Public Open Space Zones of the ODP are generally limited to 100 square metres, the earthworks area limit for Battle Hill Farm Forest Park and Belmont Regional Park of 500 square metres in the ODP Public Open Zone aligns with the PDP's Open Space and Recreation Zones limit of 500 square metres under EW-S1-3.

33 Therefore, in response to the question posed by the Panel, I believe the difference in permitted area for Open Space and Recreation Zones compared to the Commercial Zones that have a 400m2 standard is because of the existing difference in the ODP standards.

34 Further, I consider that it is appropriate to continue to maintain that difference, as the reasons put forward by Kāinga Ora [81.492] were in relation to Plan administration, which I disagreed with in my section 42A report. No evidence was provided by Kāinga Ora to support the increase in area threshold sought for the commercial zones.

### Three Waters

***What is the relative cost to retrofit water meters compared to installing them on potable water supplies at time of installation?***

35 The Section 32 Evaluation Report Part B – Three Waters states at page 60 that the requirement to add a water meter adds \$120 to the cost of development.

36 As a comparison, the published costs from Watercare for the addition of a water meter to an existing 20 millimetre service lead is \$516.35.<sup>4</sup> It is my assumption that costs in Wellington would not significantly differ.

37 Therefore, while the absolute cost is still relatively low, the cost to retrofit a water meter is likely to be significantly more than installing one at the time of site development.

***Is there scope and merit to widen the focus of the provisions in the Three Waters Chapter to more directly address the adverse effect of poor infrastructure (particularly stormwater infiltration into the wastewater system and inadequate wastewater system capacity) on 'mauri' as an appropriate response to the concerns expressed by Ngāti Toa and the requirements of the NPSFM to give effect to Te Mana o te Wai? If so, what changes to the Three Waters Chapter would Council recommend in that regard?***

38 Te Rūnanga o Toa Rangatira's submission on the Three Waters chapter is broadly expressed. In terms of scope, the submission from Te Rūnanga o Toa Rangatira [264.105] stated the following as a "remedy sought":

*Amend this chapter to include:*

*The mauri of the waterways within the Porirua catchment Te Awarua-o-Porirua, and Te Moana-o-Raukawa continues to be compromised. The infrastructure network must be:*

- *Effective, resilient, efficient and safe*

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<sup>4</sup> <https://www.watercare.co.nz/Water-and-wastewater/Building-and-developing/Fees-and-charges>

- *Development must incorporate suitable on-site stormwater retention capacity to not increase stormwater runoff from the site at peak periods.*
- *Water-sensitive techniques are incorporated into new subdivision and development to reduce demand on water supplies, wastewater disposal and to manage stormwater.*
- *Wastewater is treated and disposed of in a way that minimises effect on public health, the environment and cultural values.*

39 The submission also sought a substantive rewrite of the Three Waters Chapter to ‘appropriately acknowledge the role and responsibility of Council in managing and maintaining the Three Waters Network’. Although no specific amendments were sought to the provisions in relation to mauri, the broad nature of the submission indicates that there would be scope to acknowledge the effects on mauri caused by infrastructure.

40 In addition to its primary submission, the further submission from Te Rūnanga o Toa Rangatira (FS70) supported Greater Wellington Regional Council’s submission point [137.2] seeking amendments to give effect to the National Policy Statement for Freshwater Management 2020 (NPS-FM).

41 Despite the above, I consider the recognition of mauri and the implementation of the NPS-FM to be linked, and both should be considered in a more holistic manner.

42 The NPS-FM is addressed in the PDP under ‘National Direction Instruments’, which states that:

*This national policy statement comes into force on the 3rd September 2020. The Council will undertake a subsequent review to determine to what extent it needs to give effect to the NPSFM in*

*the Proposed District Plan. This may require a variation or plan change to implement those parts relevant to a district plan.*

- 43 While I consider that there may be merit in including provisions relevant to mauri within the THWT – Three Waters chapter of the PDP to give effect to the NPS-FM, this should be considered in a wider context of the PDP giving effect to the NPS-FM as a whole, which will be undertaken as part of the review signalled in the statement above.
- 44 As identified in Mr McDonnell’s right of reply in Hearing Stream 1, there are important actions required to be undertaken by the Greater Wellington Regional Council to give effect to the NPS-FM. This includes setting contaminant load limits in the PNRP, and for the Wellington Regional Policy Statement to be amended to give effect to the NPS-FM. These actions will be important to inform any amendments required to the PDP to achieve the integrated management requirements of section 3.5 of the NPS-FM.
- 45 I also note that the regulation of the treatment and disposal of wastewater and stormwater are matters that fall within the Greater Wellington Regional Council’s functions under section 30 of the RMA, and as I stated at the hearing, are already addressed through the provisions contained in the PNRP.
- 46 Given the above context, I do not consider that it would be appropriate for me to recommend any amendments to the objectives, policies and rules that would address the mauri of freshwater, at this stage. To achieve a more robust and integrated approach within the PDP this should be informed directly by Ngāti Toa Rangatira as part of the broader implementation of the NPS-FM.
- 47 Therefore, I do not recommend any amendments to the THWT – Three Waters chapter to address the effects of poor infrastructure on the mauri of freshwater.

## Renewable Electricity Generation

***To what extent do the standards in this Chapter preclude the use of 'off-the-shelf' domestic wind turbines on residential properties as a permitted activity under the PDP? If the answer is that domestic wind turbines cannot practicably be utilised on residential properties, is that result consistent with the NPSREG 2011?***

48 There are a range of 'off-the-shelf' wind turbines that could be installed as a permitted activity on a standard urban zone allotment. These are normally either horizontal or vertical axis turbines. Vertical axis turbines are simpler but are usually less efficient.<sup>5</sup>

49 I note that there appear to be many smaller wind turbines available that could be installed on a residential site that would easily meet the permitted activity standards in the PDP. For example, a horizontal axis turbine with a rotor diameter of approximately 0.51 metres is commercially available. However, that turbine is marketed as only producing up to 80 watts. The New Zealand Wind Energy Association states that:

*...the average grid connected household uses about 20 kilowatt hours (kWh) of electricity per day. A 5 kilowatt (kW) wind turbine is often able to supply the power needs for such a home.<sup>6</sup>*

50 As such, to provide usable domestic scale renewable electricity, a higher power rating would likely be required. In relation to small scale roof-mounted wind turbines, there are vertical axis turbines that are available with a power rating of one kilowatt that are specifically marketed as being able to be mounted on a roof, and with a height of 2.7 metre and

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<sup>5</sup> Wind Energy Association, 2004, Wind Energy - Introduction to domestic/small wind systems, page 4.

<sup>6</sup> Ibid

width of 1.8 metres would likely be able to fit within the REG-S2 size limits. Based on the technical information provided, these would also likely meet the noise limits for the General Residential Zone. As such, I consider that such turbines provide a practical method of providing small-scale renewable electricity generation, within the permitted activity framework of the PDP.

51 Such small-scale turbines would also be able to be mounted on a tower. However, as identified by the Panel at the hearing, REG-S3-2 requires freestanding turbines to be located the greater of 60 metres from a habitable building on an adjacent site or 10 times the turbine's height from any site boundary that is not held in the same record of title. This requires either a large allotment, or a turbine of limited height. Assuming a common rectangular residential allotment of 600 square metres with dimensions of 15 metres by 40 meters, the requirement of REG-S3-2.a is not likely to be complied with unless surrounding allotments were not occupied by habitable buildings. If that were the case, REG-S3-2.b would mean that the height would be limited to 0.75 metres, which is not practical.

52 In relation to the NPS-REG, Policy E3 relates to wind resources, and Policy F states that:

*As part of giving effect to Policies E1 to E4, regional policy statements and regional and district plans shall include objectives, policies, and methods (including rules within plans) to provide for the development, operation, maintenance and upgrading of small and community-scale distributed renewable electricity generation from any renewable energy source to the extent applicable to the region or district.*

53 As such, the need to provide for small scale renewable electricity generation is to the extent applicable to the district. I note that there are many factors that influence the size and placement of a wind turbine. In particular, as I understand it, the power output of a turbine is highly

dependent on the average wind speed of an area and the rotor size of the turbine. Additionally, the presence of obstructions to wind flow can impede the performance of a turbine. Because of this the Ministry of Business, Innovation and Employment (MBIE) 'Smarter Homes' website states that:

*Rooftop-mounted or wall-mounted micro wind turbines are becoming more common. However, the wind in urban areas can be turbulent and erratic, affected by buildings, trees and other obstacles – this can result in poor energy generation. Careful siting can make a difference, but as a general rule, it is difficult to get wind power performing well in urban areas.<sup>7</sup>*

- 54 Therefore, the benefits of more permissive provisions for small-scale wind generation within urban environments are somewhat questionable. While potentially technically achievable from a planning perspective, at a practical level the benefits may not materialise.
- 55 Additionally, I note that the South Taranaki District Plan includes very similar standards for small-scale freestanding wind turbines. The Christchurch District Plan provides for wind turbines as a permitted activity only within Rural or Industrial Zones. The Auckland Unitary Plan limits freestanding wind turbines within residential zones to 12 metres in height and 2.5 metre rotor diameter, which is more restrictive in terms of turbine size than the PDP. These district plans were developed after the NPS-REG came into effect.
- 56 Considering these matters, and that the PDP provides for small-scale freestanding wind turbines which do not comply with REG-S3 as a restricted discretionary activity (therefore allowing for a resource consent process to consider any proposal in detail), I consider that overall the intent of the NPS-REG is given effect to by the PDP.

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<sup>7</sup> <https://www.smarterhomes.org.nz/smart-guides/power-lighting-and-energy-saving/wind-power/>

**Noise**

***Can Council please provide a copy of the conditions on the designations for state highways and rail infrastructure within Porirua District relating to production of noise and vibration, and/or requiring mitigation of same. If there are none, please advise that too;***

*Rail corridor*

57 There are no conditions relating to designation K0101, which is KiwiRail Holdings Limited’s designation for railway purposes.

*State Highways*

58 There are noise related conditions for Waka Kotahi’s designations. The conditions for Waka Kotahi’s designations are set out in appendices A, B, C, F and G to Section K of the ODP, and are attached at Appendix 7. I have reviewed these appendices and summarised the relevant noise conditions in Table 2 below.

**Table 2: Waka Kotahi noise conditions summary**

<b>Waka Kotahi Designation</b>	<b>Conditions</b>	<b>Summary</b>
K0407 Public Road (Harris Road)	NOR3.4 Traffic Noise Mitigation (NOR3.4.1 to NOR3.4.6)	Requirements to achieve noise guidelines for a ten-year design period for existing dwellings.
K0410 SH 58 (Mt Cecil Road to 750m north of Harris Road)		
K0408 Transmission Gully Main Alignment	NZTA.71 to NZTA.81	Implementation of road-traffic noise mitigation measures, including building modification mitigation if required, detailed through a Noise Mitigation Plan.
K0409 Kenepuru Link Road		
K0411 SH 1 (Pukerua Bay to Plimmerton)	17 and 18	Requires design to comply with Transit’s “Guidelines for the Management of Road Traffic Noises-State Highway



Waka Kotahi Designation	Conditions	Summary
		Improvement" dated November 1994 in relation to dwelling noise levels. Requirements for noise from road surface in the vicinity of the Airlie Road intersection.
K0412 SH 1 (Plimmerton to Paremata)	21 to 27	Requirements for operational noise mitigation, compliance monitoring and acoustic treatment of residential dwellings.

59 I note that the extent of the various designations can be viewed on the online district plan map viewer.

***Is a realistic possibility of an existing activity being constrained a critical element of a reverse sensitivity effect, as contended by Kāinga Ora? If so, what evidence is there before us of such a possibility arising in future either in relation to the State Highway Network or the North Island Main Trunk Line?***

60 Policy 8 of the RPS requires policies and rules in the district plan to protect regionally significant infrastructure from incompatible new subdivision, use and development occurring under, over, or adjacent to the infrastructure. I note that the relevant objective in the PDP is NOISE-O2, which is:

*The function and operation of existing and permitted noise generating activities are not compromised by adverse effects, including reverse sensitivity effects, from noise-sensitive activities.*

61 The definition of 'compromised' is to be made vulnerable, or impaired or diminished in function.<sup>8</sup>

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<sup>8</sup> Merriam-Webster dictionary.

62 The PDP includes the following definition of reverse sensitivity:

*means the vulnerability of an existing lawfully established activity to other activities in the vicinity which are sensitive to adverse environmental effects that may be generated by such existing activity, thereby creating the potential for the operation of such existing activity to be constrained.*

63 The purpose of the PDP provisions that seek to manage reverse sensitivity effects is to manage the possibility that those activities may be constrained in the future by the later establishment of more sensitive activities.

64 I consider that a 'realistic possibility' of the State Highway or North Island Main Trunk line (NIMT) being constrained will depend substantially on the context of future development being established in proximity of that infrastructure. The PDP provides for intensification of residential activities in proximity of State Highways and the NIMT, including through the introduction of a Medium Density Residential Zone adjacent to that infrastructure. This will mean that there is the possibility of a greater number of people living close to the infrastructure. I therefore consider that it is appropriate for the PDP to include provisions seeking to manage the potential reverse sensitivity effects on that infrastructure. It is the 'potential' for an existing activity to be constrained that needs to be considered.

65 As to the evidence before the Panel of such a possibility arising in future, either in relation to the State Highway Network or the NIMT line, I note that Ms Jones on behalf of Waka Kotahi states in her Rebuttal evidence that:

*In regard to Ms Williams' statement that there is no evidence to demonstrate that there are reverse sensitivity effects occurring on the state highway and rail networks; this is addressed within Dr Stephen Chiles evidence (section 5) which concludes that where adverse noise and vibration effects are not adequately managed,*

*consequential reverse sensitivity effects on Waka Kotahi may arise in addition to health effects on residents. The Waka Kotahi complaints register shows a number of complaints are received annually regarding the effects of noise and vibration from the state highway network.*

66 In addition to Ms Jones' evidence, I also note that the evidence of Mr Styles on behalf of Kāinga Ora identifies at paragraph 1.7 that, in his opinion:

*... the road traffic volumes, vehicle speeds and rail volumes in the Porirua district are such that noise levels are likely to exceed the WHO Guidelines for a significant number of existing noise sensitive activities that are close to the transport infrastructure. I expect that the WHO Guidelines will be exceeded by significant margins in some cases.*

67 Mr Styles clarified through questioning at the hearing that he considers that the WHO Guidelines are 'being exceeded now'. The PDP provisions enabling intensification of residential activity in proximity to the State Highway and NIMT may result in an increase in the number of people living within the areas where Mr Styles considers that the WHO Guidelines are already being exceeded.

68 As such, I consider that there is a potential for reverse sensitivity effects to be experienced by the State Highways and NIMT line from increased residential development adjacent to that infrastructure, and that consequently there is the potential for the infrastructure to be constrained in some way in the future. What the level of those reverse sensitivity effects, or possibility for consequential constraints may be, is uncertain.

69 I also note that RPS Policy 8 provides clear direction in relation to incompatible new subdivision, use and development occurring under, over, or adjacent to the infrastructure. I consider that new residential development that does not mitigate the potential reverse sensitivity

effects would not be compatible with the State Highways and NIMT line infrastructure. Therefore, a district planning framework which allowed such development would not give effect to Policy 8 of the RPS.

***Ms Williams (for Kāinga Ora) estimated that 1368 land parcels were affected by the recommended setbacks from the State Highway Corridor. Mr Boffa separately gave evidence of his calculation of some 1667 buildings within 100 metres of either the State Highway Network or the Rail Corridor. Can Council verify these figures? Further, if possible can they be broken down to identify in respect of each of the State Highway Network and the Rail Corridor:***

***(i) How many land parcels are located within the recommended setbacks?***

70 Based on GIS analysis undertaken by Mr Michael Bricker (GIS Manager, PCC), there is a total of 2,444 parcels located within the Noise Corridor as identified on the Planning Maps. This includes both the State Highways and the NIMT. Please note that as identified below, the Noise Corridor for the NIMT is mapped as being 100 metres from the rail parcels, rather than the centre of the rail tracks. This will slightly overestimate the number of parcels.

71 Excluding Road, Railway and Hydro parcels to provide a more accurate picture of 'usable' land, there are 2,050 parcels within the area. This still includes several parcels that are part of the Transmission Gully project but have not yet been declared road reserve.

72 As Ms Williams' estimate was only for the State Highway, that estimate is likely to correlate well with Mr Bricker's analysis.

***(ii) How many buildings are already located within those setbacks? And what proportion of those buildings are residential in character?***

73 A total of 1,575 existing buildings are located within the 100 metre setbacks. This figure excludes footprints that are less than 50 square metres to provide a more accurate picture of habitable buildings. This figure correlates reasonably well with Mr Botha’s estimate. The total is broken down by zone in Table 3 below.

**Table 3: Buildings in 100m area by zone**

<b>Zone</b>	<b>Frequency</b>
<b>Residential</b>	
General Residential Zone	957
Medium Density Zone	262
<b>Commercial and Mixed Use</b>	
City Centre Zone	15
Large Format Retail Zone	1
Mixed Use Zone	94
Neighbourhood Centre	2
Local Centre Zone	36
<b>Rural</b>	
Future Urban Zone	45
General Rural Zone	83
Rural Lifestyle Zone	31
Settlement Zone	7
<b>Open Space and Recreation</b>	
Open Space Zone	18
Sport and Active Recreation Zone	22
<b>Total</b>	
	1,575 <sup>9</sup>

74 Assuming that all counted buildings within residential and rural zones are residential in character, there are approximately 1,385 buildings residential in character within the areas.

***(iii) How many of those existing buildings/residential buildings are located within 30 metres of the State Highway Network or the Rail Corridor?***

75 The number of existing buildings within 30 metres of the NIMT railway reserve, 20 metres of a State Highway where the speed limit is less than

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<sup>9</sup> There are 2 additional buildings within the Plimmerton Farm area

70 kilometres per hour, or 40 metres of a State Highway where the speed limit is greater than 70 kilometres per hour, is set out in Table 4 below. I note that while the Panel asked the question in relation to 30 metres for both rail and State Highway infrastructure, I assumed that the intention was to reflect the vibration areas included in NOISE-R5 of the PDP.

**Table 4: Existing buildings within vibration area**

<b>Zone</b>	<b>Within 30m of Railway Reserve/Parcels</b>	<b>Within 20m of &lt;70kph or 40m of &gt;70kph speed limit on State Highway.</b>	<b>Total within 30m of NIMT or 20/40m of State Highway</b>
<b>Residential</b>			
General Residential Zone	123	162	271
Medium Density Zone	57	107	146
<b>Commercial and Mixed Use</b>			
Mixed Use Zone	18	20	38
Neighbourhood Centre		2	2
Local Centre Zone	19	10	23
<b>Rural</b>			
Future Urban Zone	1	21	21
General Rural Zone	2	38	40
Rural Lifestyle Zone	2	13	15
Settlement Zone		5	5
<b>Open Space and Recreation</b>			
Open Space Zone	3	7	9
Sport and Active Recreation Zone	9	2	11
<b>Total</b>			
	234	387	581

76 Please note that the number in the right-most column will not be a sum of the other two columns, as some buildings will be within both the NIMT and State Highway setback areas.

*(iv) How many land parcels within the proposed setbacks have not been built on and what proportion of those land parcels are currently the subject of a Residential Zoning?*

77 A total of 382 parcels that have not been built on are located within the 100 metre setbacks. This represents approximately 19 percent of the total figure noted above. This figure is broken down into zones in Table 5 below. Approximately 98 are located in residential zones.

**Table 5: Non-developed parcels**

<b>Zone</b>	<b>Frequency</b>
<b>Residential</b>	
General Residential Zone	85
Medium Density Residential Zone	13
<b>Commercial and Mixed Use</b>	
City Centre Zone	1
Mixed Use Zone	31
Neighbourhood Centre	1
Local Centre Zone	11
<b>Rural</b>	
Future Urban Zone	8
General Rural Zone	32
Rural Lifestyle Zone	38
Settlement Zone	6
<b>Open Space and Recreation</b>	
Open Space Zone	141
Sport and Active Recreation Zone	15

*(v) Please also provide A3 plans showing the location of the parcels/buildings identified as above.*

78 The A3 maps are attached at Appendix 4. I have also attached separate maps showing the location of vacant lots with in Appendix 4.

*Can Mr Lloyd please comment on Mr Botha's evidence that the 70dB specified by the acoustic experts as being the appropriate assumed noise generated on the Rail Network for the purposes of the Rules is based on data derived from two freight trains passing per hour in South Taranaki and that the comparable figure in Porirua, given Mr Lloyd's evidence of 10.5 freight trains per day on the Rail Network, should be both different and lower.*

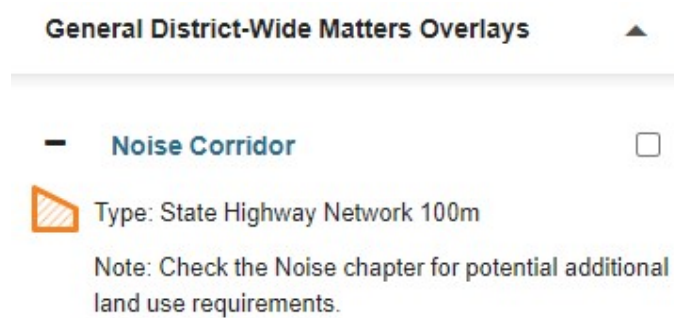
79 Mr Lloyd’s response to this question is attached at Appendix 5.

***If there is a vibration limit specified, what should it be, and why?***

80 Mr Lloyd’s response to this question is attached at Appendix 5.

***Does there need to be a link between the Noise Chapter (especially the rules) and the PDP maps?***

81 The planning maps already provide a link to the NOISE – Noise chapter through a note on the Noise Corridor. When a property is selected, the planning maps identify whether the property is within the mapped Noise Corridor as shown in Figure 1 below.



**Figure 1: Noise Corridor note linking it to the NOISE - Noise Chapter**

82 In relation to the NOISE – Noise chapter, I consider that it would be appropriate to include a note in NOISE-R5 to link the rule to the Noise Corridor included on the planning maps, to assist plan users. I have recommended a note within the amendments contained in Appendix 2.

***If the PDP maps do not show the recommended noise setbacks from State Highways and the Rail corridor correctly, what amendments are required to them?***

83 In relation to this question, I note that both the South Taranaki District Plan and Proposed New Plymouth District Plan contain similar provisions to the PDP and rely on the rule text without any corresponding mapped



overlay. Therefore, I consider that it is a legitimate option to delete the Noise Corridor from the planning maps. There would be scope for this option, as Kāinga Ora [81.498] sought deletion of the Noise Corridor overlay.

84 However, as noted in my section 42A report I consider that the Noise Corridor overlay provided on the planning maps provides assistance to plan users, by identifying that there are additional land use rules within the NOISE – Noise chapter that may affect properties within proximity to the relevant infrastructure. While it could be argued that any plan users should read the plan as a whole, I consider that it is likely that where activities are proposed which are unlikely to generate noise, such as residential activities, plan users may not be aware that the requirements exist.

85 The State Highway Noise Corridor is mapped as 100 metres from the edge of the State Highways. Given that I recommended the distance from State Highways in NOISE-R5-1.a.i be increased to 100 metres consistent with the recommendation in the Joint Witness Statement of the noise experts, I do not consider that any amendments are required to the Noise Corridor relating to the State Highways where the speed limit is more than 70 kilometres per hour. However, there are sections of State Highway with speed limits at or lower than 70 kilometres per hour, and therefore the 50 metre extent under NOISE-R5-1.a.ii would apply. As such, I consider that the Noise Corridor should be reduced to 50 metres in these areas.

86 In relation to the NIMT railway, as pointed out by Mr Botha, the mapped extent appears to reflect a 100 metre setback from the KiwiRail's designation boundary. This should be amended to reflect a 100 metre setback from the tracks.

## Transport

***Can the Council Reporting Officer please explain the interrelationship between mobility access standards and the gradient/minimum width standards specified in the chapter?***

87 I note that in response to my query regarding the scope of this question, the Chair clarified that this relates specifically to TR-S1, which reads:

- 1. Access to a single site must have a direct legal road frontage width of at least 1.8m.*
- 2. Access to two or more sites must have pedestrian and cycling access provided from legal road with a:
  - i. Minimum legal width of 1.8m;*
  - ii. Minimum formed width of 1.5m;*
  - iii. Maximum average gradient of 1:20; and*
  - iv. Maximum gradient of 1:13 for any length as long as it does not exceed 9m.**

88 My section 42A report discusses the width and gradient requirements included in TR-S1 at section 3.10.1.2. Ms Fraser also discusses this in her evidence at paragraphs 82 and 83.

89 At the hearing, the Panel identified *NZS 4121:2001 Design for access and mobility: Buildings and associated facilities* as the relevant mobility access standards. NZS 4121 is identified in the Building Act 2004 as providing an acceptable solution. Under the Building Act 1991 access to buildings for people with disabilities relates to any building to which members of the public are to be admitted, which is further detailed in Schedule 2 of that Act. This does not include private residential dwellings.

90 Section 6 of NZS 4121 address footpaths, ramps and landings. This requires a minimum clear width of 1.2 metres. Footpaths with a gradient of between one in 33 and one in 20 require rest areas at least every 18 metres. Gradients greater than one in 20 are treated as ramps, and must

have a maximum gradient of one in 12, with a maximum length of nine metres between landings. Crown or banked footpaths must have a maximum transverse gradient of one in 50.

- 91 Therefore, there is relatively good alignment of the maximum gradients in TR-S1 with NZS 4121, other than the maximum gradient of 1:13 in clause 2.iv rather than 1:12. This was likely to be based on the eight percent value provided in the Waka Kotahi Pedestrian Planning and Design Guide (a 1:12 gradient is in fact 8.3 percent). While I do not consider that it is critical, an amendment to this to 1:12 would better align the standards with NZS 4121 and would be within scope of the submission from Survey+Spatial [72.12].
- 92 In relation to the minimum widths, while the minimum legal and formed widths are wider than the 1.2 metres required by NZS 4121, that minimum relates to minimum clear width. Obstructions such as handrails may need to be located within the formed width required by TR-S1-2.ii, while other obstacles may also be required to be located within the legal width. As discussed by Ms Fraser, her evidence is that these widths provide a balanced approach to the various requirements, while ensuring that NZS 4121 can be achieved.
- 93 I note that an 'accessible route' under NZS 4121 is required from the point of arrival on a site. As such, this integrates with the separate requirements specified in TR-S1 for a single site, or where two or more sites are connected to a road via the pedestrian and cycling access. Where a single site is connected directly to a road, the 1.8 metre road frontage requirement will ensure that NZS 4121 can be achieved from that point. Where two or more sites are connected by the access, the width and gradient requirements will mean that the access itself provides no additional obstructions to people with disabilities than will be experienced on sites which comply with NZS 4121.

## Infrastructure

***Can Council please provide a A3 colour copy of the planning map showing the Plimmerton Farm area, the adjacent State Highway and the PDP Zones;***

94 A copy of the planning map showing the Plimmerton Farm area is attached at Appendix 6.

***Can the Council Reporting Officer please address the consistency of the position he recommended in his Section 42A Report as regards provisions addressing indigenous biodiversity outside SNAs with Ms Sweetman's reply evidence provided in Stream 2, identifying any recommended further changes he wishes to make as a result;***

95 I have read Ms Sweetman's reply evidence provided in Stream 2, and agree with her analysis, proposed amendments, and her section 32AA analysis. I have included the amendments proposed by Ms Sweetman at paragraph 71 and 86 of her reply evidence in the amendments contained in Appendix 2.

96 As Ms Sweetman has provided detailed analysis of the necessary amendments to give effect to her proposed NE-O2, I do not consider any further amendments are necessary.

97 I have included amendments to my recommendations on specific submissions in Appendix 3 to reflect Ms Sweetman's proposed recommendations.

***Do the Plan PDP provisions require amendment to provide greater clarity as to the difference between an upgrade and development of different infrastructure? If so, what amendments does the Section 42A author recommend?***

98 I note that in my section 42A report I recommended that the definition of 'upgrading' be amended as below:

*As it applies to infrastructure, means the improvement, relocation, replacement, or increase in carrying capacity, operational efficiency, size, pressure, security or safety of existing infrastructure, but excludes maintenance and repair.*

99 At the hearing, the Chair questioned whether a development such as Transmission Gully would be considered 'upgrading' as it seemingly provides an upgrade to the State Highway network as a whole. Similar arguments could be made in relation to other linear infrastructure.

100 I do not consider that such development would be considered upgrading, as the definition refers specifically to existing infrastructure. While a line could be drawn from the development of a new road, pipe or line improving the operational efficiency of the wider infrastructure network, I consider that the wording of the definition is such that, if the new infrastructure is replacing the existing section it would be upgrading, while if it were in addition to the existing infrastructure it would be considered a new section.

101 I note that the standard for upgrading (INF-S1) includes clauses relating to the realignment, relocation or replacement of infrastructure, with a five metre limit placed on upgrading subject to that standard.

102 As such, I do not consider that any further amendments are required to the PDP to address this matter.

***Is it appropriate for the PDP to seek to preserve Transpower Limited's physical access to the National Grid?***

103 I consider that it is appropriate for the PDP to seek to preserve Transpower Limited's physical access to the National Grid, in some circumstances. The ability to physically access the National Grid is required for operation, maintenance and upgrading activities. The NPS-ET Policy 10 sets out that, to the extent reasonably possible, decision makers must manage activities to ensure that these activities are not compromised.

104 I note that the rules in the PDP, or as recommended to be amended in my section 42A reports, do not address physical access to the National Grid. On this point, I note that my recommendation on Transpower's submission point [60.135], at paragraph 93 of the Section 42A Report Part B – Earthworks, I disagreed with the amendment sought to include a permitted activity rule compliance requirement to ensure physical or practical access to National Grid support structures is not compromised. This was due to the workability of such a requirement. I remain of that view.

105 However, clause 2.a of my recommended new INF-P6 is:

*The impact of subdivision layout and design on the operation and maintenance, and potential upgrade and development of the National Grid, **including reasonable access requirements**;*  
[Emphasis added]

106 The inclusion of 'reasonable access requirements' was in response to submission [60.134] from Transpower, and simplified from the wording sought which was 'including the ability for continued reasonable access to existing transmission assets for maintenance, inspections and upgrading'. I acknowledge that my discussion on INF-P6 as recommended, did not specifically address this matter.

107 I consider that it is appropriate for INF-P6 (as recommended) to include a matter relating to reasonable access requirements, as the matters the policy includes will be used as matters of discretion for subdivision consents under SUB-R15-1. This is similar to the inclusion of access in EW-P5-1.

108 Additionally, there is somewhat of an overlap with property matters through subdivision processes. Section 220(f) of the RMA provides for conditions on subdivision consents requiring that any easements be duly granted or reserved. Subdivision processes may be one of the few opportunities to ensure access is not compromised through the inclusion of conditions to grant an easement.

109 I also note that under the Auckland Unitary Plan the purpose of the National Grid Corridor Overlay is set out in the introduction of chapter D26, and includes the preservation of line access for inspection and maintenance. This is reinforced by the relevant policies which include:

*D26.3. Policies*

*(1) Require subdivision, use and development within the National Grid Corridor Overlay to be undertaken so that it:*

*[...]*

*(c) does not compromise ongoing access to conductors and support structures for maintenance and upgrading works;*

110 Additionally, in relation to the AUP; Table D26.4.1 sets out at (A2) that any activity including land disturbance that permanently physically impedes existing vehicular access to a national grid support structure is a non-complying activity; standard D26.6.2.1 requires controlled activity subdivision to maintain vehicular access to any National Grid support structure, and; assessment criteria for restricted discretionary activities D26.8.1(1A)(a) include vehicular access to a National Grid support structure.

111 Similarly, matters of discretion for earthworks activities under 8.9.4.2 of the Christchurch District Plan include at (iv), 'the effects on the ability of the utility operator to operate and upgrade and develop the National grid and/or electricity distribution lines, *including on-going safe and direct access*'. Under the subdivision provisions, the impacts of subdivision on ongoing operation, development and maintenance are addressed more broadly in matter of discretion 8.8.6(i).

112 Therefore, I consider that the inclusion of policy clauses referring to access to the National Grid are appropriate as they give effect to Policy 10 of the NPS-ET and reflect planning practice in other major population centres.

***What is the basis for the 20 metre vegetation clearance standard within SNAs as regards the maintenance of walkways and shared pathways?***

113 In relation to walkways, cycleways and shared paths, my section 42A report included a recommended amendment to INF-R9 (renumbered to R10) to specify that it was applicable to new, and extensions or upgrades to, walkways, cycleways and shared paths. This clarifies that INF-R5 would be applicable to maintenance of that infrastructure once constructed, rather than INF-R9.

114 Clause 1.b of INF-R5 requires compliance with INF-S18 and INF-S20 where the activity is located within an area identified in SCHED7 - Significant Natural Areas. INF-S18 includes clause 1.c which is preceded by an 'or' after clause 1.b which sets the 20 square metre limit. Clause 1.c sets out that trimming, pruning or removal of indigenous vegetation within an SNA is limited to:

*2.5m in total width with no maximum area except that no tree is removed with a tree trunk greater than 15cm in diameter measured 1.4m above ground, and where the activities are associated with the structures required for development of new or maintenance of existing walkways, cycleways and shared paths*



*that are located on public land other than a road and undertaken by Porirua City Council, Greater Wellington Regional Council, Department of Conservation or a nominated contractor or agent.*

115 Similarly, an exemption to INF-S20 is included for earthworks no more than 2.5 metres wide for walkways, cycleways and shared paths.

116 As such, the maintenance of walkways, cycleways and shared paths is not limited to '20 metres' (as set out in the question posed), but rather 2.5 metres in width, where it meets certain other criteria.

117 Appendix F of the Section 32 Evaluation Report Part 2 – Infrastructure sets out detailed rationales for standards for infrastructure in the PDP. In relation to INF-S18, the stated rationale is:

*These standards ensure that indigenous vegetation within SNAs is not lost due to cumulative earthworks or direct vegetation removal. The standards enable ongoing operational requirements for removal / earthworks within 2m of the infrastructure or either side of associated track or fence.*

*The limit of 20m<sup>2</sup> in a 12 month period is intended to provide a practical level of indigenous vegetation removal allowing for some removal for ongoing operational requirements, while not resulting in more than minor adverse ecological effects.*

*The standard regarding walkways, cycleways and shared paths enables these to be developed and maintained while ensuring larger trees within an affected SNA are retained.*

118 I note that the under the ODP, earthworks for walkways, footpaths, bridle paths and cycleways within the Recreation Zone and Open Space Zone have no area limit other than within a riparian setback, and are limited to six metres in width and 1.5 metres in height and depth. This includes activities within a Landscape Protection Area under that plan.

## General

*More generally, is the date/version of all plans referred to (eg Waka Kotahi guidance documents, Wellington Regional Land Transport, Wellington Public Transport Plan, Wellington Water Service agreements) specified? If not please provide same?*

119 I have tabulated the external plans referenced in the chapters in Table 6 below, where these do not already have a date or version number included in the PDP.

**Table 6: External referenced plans date and version**

Provision	Document	Date/Version
<b>Infrastructure</b>		
INF-S23-5	Pedestrian Planning and Design Guidance	2009, reference number ISBN 978-0-478-35228 <sup>10</sup>
<b>Transport</b>		
TR-S3-3.b	Waka Kotahi NZ Transport Agency List of M30 Approved Luminaires	25 August 2021
<b>Definitions</b>		
Planned network Upgrade	Wellington Regional Land Transport Plan	2021
	Wellington Regional Public Transport Plan	2021 - 31
	Porirua City Council Infrastructure Strategy	2021 - 51
Regionally significant infrastructure	Wellington Regional Land Transport Plan	2021

120 In relation to Waka Kotahi NZ Transport Agency List of M30 Approved Luminaires, I note that INF-S23-11.b includes the date as 2020, which was the version as at the date of PDP notification.

121 In relation to the definition of 'planned network upgrade', as I noted at the hearing, this term is used in INF-P13 which relates to the integration of proposed upgrades to or development of the transport network.

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<sup>10</sup> As provided by Waka Kotahi in the Memorandum of Counsel dated 16 February 2022.

## OTHER MATTERS

### Overarching

#### *Kāinga Ora general submissions*

122 The Panel raised a concern in relation to the reliance on the submission from Kāinga Ora for amendments made to the transport provisions of the PDP. The Panel noted the Hearing Stream 1 legal submission from Kāinga Ora which stated at section 4 that a submission point [81.940] was not a submission point but rather a summary point and was misconstrued by Council.

123 The Panel suggested, based on the legal submission from Kāinga Ora, that submissions at the front end of the Kāinga Ora submission were all to be taken as summary points, with the relief sought by the submitter itemised in the second part of the submission. The Panel raised the question as to whether they are valid submissions.

124 On this point, I note that Mr McDonnell addressed the validity of submissions in his right of reply to Hearing Stream 1. At paragraph 30 of that reply, he noted that:

*As provided by the High Court in Albany North Landowners v Auckland Council [2017] NZHC 138, amendments should be reasonably and fairly raised in submissions, but that assessment should be approached in a realistic and workable fashion. The council is required to take into account the whole relief package in each submission, and consider whether any amendments are foreseeable consequences of the submission. Underlying this analysis is the principle that all parties should be sufficiently informed about what is proposed.*

125 I consider that both the body of the Kāinga Ora submission, and the table attached as Attachment 1, provide scope to make amendments to the PDP. The Council took the submission at face value, reading the

submission as a whole in a fair and reasonable manner. The amendments described in paragraph 34 of the submission should therefore be treated as submission points on their own and as providing scope to propose changes to the PDP. While Kāinga Ora's legal submissions sought to clarify what was meant by its submission, that does not alter the scope of the submission itself. I also note that there is also a general catch-all submission point in paragraph 54 of the submission, which confers relatively broad scope to address the matters raised in the submission.

126 In any case, I note that Kāinga Ora included submission points in Attachment 1 to its submission which requested complete reconsideration of the transport related provisions. In relation to the overarching submission point [81.240] against the entire INF – Infrastructure chapter, Kāinga Ora sought 'Complete reconsideration of the road and access design standards'. This was supported by the submission points on the relevant standards. Against most of the standards and associated tables and figures for transport infrastructure the submission stated 'Consistent with its overall submission Kāinga Ora seeks full reconsideration of the transport provisions'.

127 Similarly, Kāinga Ora included an overarching submission point against the TR – Transport chapter [81.372], which included that:

*Kāinga Ora seeks the full package of transport related provisions (objectives, policies, rules and standards) are reviewed and amended so that they appropriately manage the safety and efficiency of the transport network, while recognising and providing for residential intensification.*

128 Unfortunately, this submission point was not responded to in my section 42A report. I have included a response in Appendix 3 to accept this submission point in part, consistent with the response to [81.930]. A number of standards were submitted on in the TR – Transport chapter which reiterated the same point, particularly the access design standards.

129 Given that the broad submission points confer the ability to amend the PDP, as noted above, I consider that these submission points provide broad ambit to reconsider and make amendments to the transport provisions in the PDP to appropriately manage the safety and efficiency of the transport network and particularly in relation to providing for residential intensification. Additionally, I note that as these submission points are contained in the table attached as Appendix 1 to Kāinga Ora’s submission, they are not similar to submission point [81.940] addressed by Kāinga Ora’s legal submission.

130 For completeness, I have reviewed the amendments recommended in my section 42A reports for INF - Infrastructure and TR – Transport where I noted that I was relying on Kāinga Ora’s general submission point [81.930] to assess whether they were within scope. This review is recorded in Table 7 below.

**Table 7: Assessment of recommended amendments relying on general Kāinga Ora submission [81.930]**

Provision	Specific KO subs on provision	Within scope of submissions?
<b>INF - Infrastructure</b>		
INF-R22	[81.325] and [81.326]	Within scope of [81.325] and [81.326] as a new rule and standard framework was sought.
INF-O4	[81.245]	Within scope, as [81.930] sought the appropriate management of the safety of the transport network.
INF-R23 / TR-R2	[81.295]	Within scope as Kāinga Ora sought relocation of INF-R23. This necessitated consequential amendment to the TR chapter.
INF-R27/8/9 R30/1	[81.299] [81.300] [81.301] [81.302] [81.303]	Potentially not within scope, as specific submission points sought retention as notified and point [81.240] related specifically to design standards.
INF-S23, INF-Table 1, INF-Table 2 and INF-Table 3	[81.240] [81.340], [81.341], [81.342] and [81.343]	All within scope of [81.340], [81.341], [81.342] and [81.343].

<b>Provision</b>	<b>Specific KO subs on provision</b>	<b>Within scope of submissions?</b>
New standard within INF-S23 requiring roads to achieve the design standards within the zones specified in INF-Table 1		
INF-S24 INF-Table 4	[81.344] [81.345] [81.346] [81.347] and [81.348]	Within scope, as the amended standard slightly reduced the parking dimension width requirement, providing more efficient use of land resources.
INF-S25	[81.349] [81.350] and [81.351] o	Within scope, as the amendments better manage the safety and efficiency of the transport network.
New definition of 'carriageway'	-	Within scope, as the definition assists with interpretation of amendments to INF-S23.
<b>TR – Transport</b>		
TR-O2	[81.375]	Within scope of [81.372], as the amendments address the appropriate management of the safety of the transport network.
TR-P3	[81.378]	
TR-S1	[81.384]	
TR-S2 and TR-S3	[81.385] [81.386] [81.387] [81.388] and [81.389]	Within scope of the specific submission points from KO.
TR-S5 and TR-Table 4	[81.391] [81.392]	Within scope of [81.372], as the amendments are less restrictive in relation to residential activities. Amendment relating to non-residential activities within scope as this better manages the safety and efficiency of the transport network.
TR-S6 and TR-Figure 4	[81.396] [81.397]	Within scope, as the amendment to TR-S6-1 responds directly to [81.396]. Addition of TR-S6-5 within scope, as this better manages the safety and efficiency of the transport network.
TR-S7 and TR-Table 5	[81.398] [81.399]	Within scope of [81.372], as the amendments better manage the

Provision	Specific KO subs on provision	Within scope of submissions?
		safety and efficiency of the transport network.
TR-S8	[81.904]	Within scope of [81.372], as the amendments better manage the safety and efficiency of the transport network, while recognising the need for residential intensification.

131 As such, I consider that the amendments proposed are all within scope of the relevant submission points, except potentially the deletion of the section 88 requirements for road safety audits in respect of INF-R27/8/9 R30/1. However, I note that Kenepuru Limited Partnership [59.27] submitted on the section 88 requirement for INF-R27, seeking amendment to include the wording ‘or other assessment guidelines suitable for the land use environment that the road is serving’. It appears that while I intended to address this submission point in my section 42A report at section 3.5.6, I did not do so. I consider that the deletion of the section 88 requirements from the rules achieves the outcome sought by Kenepuru Partnership Limited and is therefore within scope of that submission.

#### *Designations*

132 The Panel questioned whether RMA sections 16 and 17 are applicable to designations.

133 In relation to section 17, as identified by counsel for Kāinga Ora, Mr Allan, section 17(1) was amended to include the word ‘a designation’ which fixed the issue that section 17 did not apply to a designation prior to that point.<sup>11</sup>

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<sup>11</sup> I note that while Mr Allan referred to the Resource Management (Simplifying and Streamlining) Amendment Act 2009, it was in fact the Resource Management Amendment Act 2003 that made this amendment.

134 In relation to section 16, I have taken legal advice on this issue and have been provided the following by Simpson Grierson (the Council's legal advisors):

Unlike section 17 of the Resource Management Act 1991 (RMA), section 16 does not explicitly refer to designations. There is also case law which is somewhat contradictory as to whether section 16 applies where there is a designation.

In *Dunedin City Council v Tranz Rail Ltd*<sup>12</sup> the Environment Court found that the section 16 duty does not apply to designations, stating:

*It appears to us that if the designation does not specifically make provision for limitations then provided the requiring authority is acting within the terms of the designation they are not susceptible to the provisions of sections 16, 17 and 314 to 319 of the Act.*

Despite making this statement the Court imposed a noise condition reflecting section 16.

This is contrary to the comments made in *Re Queenstown Airport Corp Ltd*<sup>13</sup>, which appear to find that those occupying and responsible for activities on designated land are subject to section 16:

*In Ngataringa 2000 Inc the Planning Tribunal held that those occupying designated land and responsible for activities on designated land are subject to section 16 of the Act. Notwithstanding subsequent amendments to section 16, we accept that this interpretation remains correct.*

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<sup>12</sup> Environment Court, Christchurch, 20/12/2000, Smith J.

<sup>13</sup> Environment Court, Wellington, 25/9/2012



However, the *Re Queenstown* case dealt with a situation where the designation had not yet been confirmed. In opposition to the notice of requirement to extend the airport, it was submitted that the Airport had not used the best practical option approach required by section 16. The main issue was whether section 16 was an additional criterion to section 171. The Court found that it was not.

*Re Queenstown* was appealed to the High Court.<sup>14</sup> On appeal to the High Court, Whata J considered the Environment Court's application of section 16. The Court stated:

*The refusal to apply s 16 as an additional criterion must be read together with the observation that "in some cases adopting the best practicable option may be useful check for the decision-maker". Plainly the Court considered whether the s 16 duty and BPO was relevant to the evaluative exercise and decided that it was not. For my part this is an orthodox approach to the assessment of effects. Moreover, the s 16 duty imposes a minimum BPO requirement in circumstances where the effects of the noise are not reasonable. It is not a duty that applies where the noise effects are reasonable to their context. Whether or not noise levels can be mitigated to reasonable levels is a matter for the Court to assess, and whether BPO is required to achieve those levels is an assessment of fact, in each case, for the Court. Accordingly, the Court made no error of law by not insisting on adopting a BPO approach to the assessment of alternatives.*

The application of section 16 where there is a designation therefore appears to be context driven. Where a designation manages noise in

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<sup>14</sup> *Queenstown Airport Corporation Ltd v Queenstown Lakes DC* [2013] NZV 2347

a specific way, for example through conditions, assuming a requiring authority is acting in compliance with those conditions it cannot be prosecuted under section 16.

This interpretation is supported by section 16(2) which states that a plan may prescribe noise emission standards, and that section 16(1) does not limit its ability to do so. Although it does not explicitly refer to designations, a designation is to be included within a district plan as if it were a rule (section 175(2)).

Section 325(5) of the RMA is also consistent with this position, as it states that the Environment Court must not confirm an abatement notice if the person was acting in accordance with a designation – and the effects were appropriately considered at the time the designation was approved.

Where a designation does not regulate noise, for example where there is a lack of any noise condition(s), the case law suggests that section 16 will apply.

*Use of the term 'adjacent'*

135 The Panel questioned the use of the term 'adjacent' in INF-P5, stating that if the intention is for it to mean 'near' then the policy could be simplified through the use of plain English.

136 Specifically in relation to the use of the term in INF-P5, I note that Policy 8 of the RPS, to which INF-P5 is giving effect, uses the term 'adjacent':

*District and regional plans shall include policies and rules that protect regionally significant infrastructure from incompatible new subdivision, use and development occurring under, over, or **adjacent** to the infrastructure. (emphasis added)*

137 While I acknowledge that giving effect to the policy does not require direct repetition of the words, I consider that the use of the term 'adjacent' is appropriate in the context of INF-P5.

138 More broadly, I note that the term 'adjacent' is used throughout the PDP, with the understanding of its meaning being close to, but not necessarily adjoining another site. While the use of plain English in plan drafting is supported, and was considered during the preparation of the PDP, I do not consider that a review of the PDP to potentially reduce the use of the term 'adjacent' to be a useful exercise as the alternative wording such as 'near' or 'in proximity of' may in fact be less clear, and is likely not within the scope of submissions received.

### **Amateur Radio**

#### *Yagi aerials definition*

139 The Chair questioned whether a definition of 'Yagi aerial' would be beneficial. At the hearing, I responded that this would provide benefits. It was suggested that the Titahi Bay Amateur Radio Club Inc (TBARC) may be able to provide input into a definition.

140 Mr Cameron, on behalf of the TBARC, provided on 21 February 2022 a proposed definition, being:

*A Yagi antenna is an antenna which has no less than two elements mounted on a boom where the elements are perpendicular to the boom.*

141 With respect, I do not consider that this definition quite provides the certainty for plan users sought by the Panel. I consider that a more useful definition would include reference to amateur radio configurations and be more descriptive of the aerial structure and use.

142 I discussed the definition with Mr Cameron and Mr Murray Milner on 28 February 2022. Based on the outcome of this discussion, I recommend the definition be included as set out in Appendix 2.

143 I consider that there is some scope to include the definition in response to the submission from the TBARC, specifically point [224.12] which relates to amending the provisions for Yagi aerials. Additionally, I note that the reasons in submissions point [102.1] from Craig Crawford includes questioning the applicability of PDP provisions to Yagi antennas, which may also provide scope.

*Alignment with the Kapiti Coast District Plan*

144 The Panel raised a question as to the alignment of the PDP with the Kapiti Coast District Plan. The PDP is somewhat more permissive than the Operative Kapiti Coast District Plan 2021 (KCDP) in relation to the size of Yagi aerials. I also consider that the PDP standards provide a somewhat simpler framework than that set out in the KCDP.

145 The KCDP provides for Yagi aerials up to 14.9 metres (element length) by 13 metres (boom length) within only the Rural Production Zone under AR-R2-2.b, where these are attached to ground-mounted support structures. Within the General Rural Zone, Rural Lifestyle Zone and Working Zones this is reduced to a maximum dimension of two metres, and within more sensitive zones (including Residential Zones) this is reduced further to 1.2 metres if mounted above five metres in height. More restrictive sizes apply to building-mounted aerials.

146 In comparison, the PDP allows for Yagi aerials with an element length of 14.9 metres and a boom length of 13 metres within the General Rural Zone, Rural Lifestyle Zone and Future Urban Zone, and a two metre

maximum within all other relevant zones.<sup>15</sup> The PDP does not differentiate between ground-mounted or building mounted Yagi aerials or in relation to the height of the Yagi aerial.

147 In relation to the number of aerials in rural zones, the KCDP under AR-S2 allows for four aerials attached to ground mounted support structures (clause two), and four aerials mounted on buildings (clause three). The KCDP does not differential between rural and urban zones on this matter. Similarly, AR-S7 of the PDP allows for four aerials attached to ground mounted support structures and four aerials attached to buildings, with this standard applying across all zones.

*Yagi aerials standards*

148 In his memorandum to the Panel provided on 21 February 2022, Mr Cameron on behalf of the TBARC suggested that Yagi aerials could be provided for where they do not exceed a seven-metre dimension.

149 I agree in principle with Mr Cameron’s suggestion. In my opinion, a seven-metre limit for Yagi boom and element length provides an appropriate balance of enabling amateur radio configurations while ensuring the amenity of the surrounding environment is not inappropriately adversely affected.

150 Consequently, I have included amendments to AR-S6 reflecting the suggestion of Mr Cameron in the amendments to the AR – Amateur Radio chapter contained in Appendix 2.

151 In terms of section 32AA, for the reasons provided in the assessment above, I consider that these amendments to the rule noted above will better achieve AR-O1 through providing certainty for the establishment

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<sup>15</sup> Noting that all amateur radio configurations within Open Space and Recreation Zones and the Hospital Zone are discretionary under AR-R1-3.

of amateur radio configurations while not resulting in unacceptable adverse effects on the residential amenity values of Residential Zones in the City. The amendments will therefore be more efficient and effective.

## **Earthworks**

### *'Repair' of Fuel Storage Systems*

- 152 The Chair questioned whether the term 'repair' should be included in the EW-S1 exclusion for the removal and replacement of fuel storage systems I recommended in my Section 42A Report. At the hearing I noted that from my experience, a retail fuel operator would generally not seek to repair a fuel storage system but instead replace the system, but that I would check the NES-CS to ensure consistency with that document. I can confirm that the NES-CS does not contain the word 'repair' anywhere in the regulations, and that regulation 8(1) refers specifically to '[r]emoving or replacing [a] fuel storage system'. As such, my opinion continues to be that there is no need to include the word 'repair' within the exclusion.

### *Vertical holes*

- 153 Based on an issue raised by Milmac Homes, the Panel questioned whether driving a fence post would be captured by the terms 'vertical holes' or 'land disturbance'. In my opinion, 'vertical holes' would not capture this activity, as there is no physical hole created during the activity. However, I consider that the definition of 'land disturbance' would capture this activity, as the land is being disturbed, but the profile, contour or height of the land is not being permanently altered.
- 154 The Panel identified that the third bullet point in the exemptions to EW-R4 still used the term 'vertical holes'. I have included a recommended amendment to change to the term 'land disturbance' for consistency.

*Introductory note*

155 The Panel requested that the introductory note relating to archaeological sites and waahi tapu be clarified so that plan users are not led to believe that an Archaeological Authority is a council process.

156 While I consider that the note is reasonably clear, I have recommended the addition of wording to clarify that the Heritage New Zealand Pouhere Taonga Act 2014 is administered by Heritage New Zealand Pouhere Taonga.

*Removal of large trees*

157 In response to the discussion of the Kāinga Ora [81.488] submission on exclusions to EW-R1, specifically tree planting and removal, and the matter submitted on by the Oil Companies related to landscaping within one metre of a site boundary, the Chair posed a question regarding the definition of 'earthworks' and the application to the removal of large trees.

158 For completeness I note the definition of earthworks is:

*means the alteration or disturbance of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand and rock); but excludes gardening, cultivation, and disturbance of land for the installation of fence posts.*

159 I note that 'gardening' is not defined in the National Planning Standards. The term 'gardening' was considered in *Director-General of Conservation v Thames-Coromandel District Council* [2021] NZEnvC 168. At paragraph 66 the Court stated:

*We accept the submission of Mr Sangster that the provision should simply refer to gardening using the ordinary meaning of the word and direct the placing of an appropriate definition into Section 3 of*

*the PDP. It would be “all aspects of gardening such as laying out gardens including paths, walls, fences, garden structures”.*

160 The Merriam-Webster dictionary defines ‘gardening’ as ‘the act, activity, or pastime of planning and cultivating gardens’.

161 In my opinion, reading the definition of ‘earthworks’ as a whole, the planting and removal of trees would be considered ‘gardening’, and therefore excluded from earthworks, where this is undertaken by hand and without the aid of machinery.

162 Taking this interpretation of ‘gardening’, I maintain my position that the definition provides an appropriate exclusion for the works referred to by Kāinga Ora and the Oil Companies. That is, where landscape planting involves the removal of trees and requires the use of machinery to undertake the works, this would likely be of a scale that it would be appropriate for the standards in the PDP for earthworks to be applied.

#### *Play equipment*

163 The Panel questioned whether the exemption for earthworks associated with the laying of a safety surface for children’s play equipment in EW-S1-3 was appropriate. I note that no submissions were received on this matter, other than Kāinga Ora seeking to shift the exemption to EW-R1.

164 Within the Recreation Zone rules and standard under the ODP, the maximum earthworks limits include the following:

*(ii) In all other areas earthworks, in a 12 month period, shall not exceed 100m<sup>2</sup> in area or 1.5 metres in height or depth. Clause (ii) does not apply to:*

*[...]*

*(d) earthworks associated with the laying of a safety surface for children’s play equipment;*



165 The Public Open Space Zone rules and standards chapter includes a similar exemption.

166 Therefore, as the exemption in EW-S1-3 is essentially rolling over a similar exemption under the ODP, and the activity provided for through the exemption would be limited in extent in the context of public open space and recreational areas, I do not consider that there are any issues that need to be addressed.

*Test pits*

167 The Panel questioned the use of the phrase, 'upon completion' in my recommended wording for an exemption for test pits under EW-S2. The Chair suggested the use of the phrase 'as soon as practicable' to avoid potential issues regarding compliance with the exemption. I agree with this suggestion and have recommended additional wording in Appendix 2.

*EW-S1 matters of discretion 6 and 7*

168 The Panel acknowledged the submission point [81.492] from Kāinga Ora regarding the matter of discretion six under EW-S1. While noting my section 42A report identified that there is a difference in matter of discretion six and seven, it was suggested that matter seven could be amended to read '...total area, including staging'.

169 I continue to be of the mind that these should remain as separate matters of discretion, for the reasons stated in paragraph 264 of my section 42A report.

*EW-S1-3*

170 The Panel identified that I used the term 'views' in paragraph para 267 of my section 42A report and questioned whether this was an RMA matter. On this point, I agree that my phrasing should have been more

precise; I meant to acknowledge in that sentence that earthworks may have temporary adverse visual amenity effects on surrounding sites which may be able to view the earthworks site.

*Stability of the site*

- 171 In relation to the matter of discretion relating to the stability of land or structures in or on the site, the Panel questioned whether the stability of the site itself is a problem for the land owner, rather than an RMA matter. Mr Andreas Giannakogiorgos, Geotechnical Engineer at Miyamoto International NZ Ltd, provided verbal evidence on behalf of Council, and noted that instability on the site itself may have implications for surrounding sites. I agree with this and consider that the stability of the site itself is a relevant consideration, in particular as slope stability can have an adverse environmental effect. In coming to this conclusion, I have also conferred with the resource consents team at Council who agreed with my conclusion.

**Light**

*LIGHT-P2*

- 172 The Panel questioned the inclusion of the sub-clauses to LIGHT-P2 when the main body of the policy includes the minimisation of adverse effects. The Chair noted that if the definition of 'minimise' is to reduce as far as practicable there may be use for the sub-clauses, but if the definition is 'as far as possible', it is unclear how the clauses would feed into the enquiry.
- 173 I note that the right of reply provided by Ms Sweetman recommends that, should the Panel wish to include a definition of 'minimise', it should be "*seek to reduce to the most extent possible*", as has been used by the Chapter authors.

174 I consider that the points in sub-clauses of LIGHT-P7 provide a clear linkage to the matters of discretion included with the standards within the chapter, and therefore support the cascade of provisions. Additionally, the clauses would provide clear direction for a discretionary resource consent process under LIGHT-R1-3. While the consideration of adverse effects of a discretionary activity is not limited, the guidance provided by the policy would be useful for both applicants and processing officers.

175 As such, I make no recommendations as to any further changes to these sub-clauses.

*LIGHT-S2-3.b*

176 The Panel questioned whether there is sufficient scope to make my recommended amendment to LIGHT-S2-3.b, to increase this from four to five Lux. I recommended the amendment to provide consistency with the final version of AS/NZS 4282:2019.

177 Mr Wright provided verbal evidence that the amendment would make an insignificant difference at very low levels. As such, this amendment may be able to be considered under Clause 16 of Schedule 1 as a minor amendment.

178 However, I also consider there is scope for the change arising from Kāinga Ora's submission point [81.939 and 81.497] which seeks amendments to the LIGHT – Light chapter as a whole.

*Exemptions*

179 The Panel raised a question as to the legal robustness of the exemptions being located within the introduction.

180 While I consider that the exemptions are clear for plan users, to ensure consistency with the location of exemptions elsewhere in the PDP, I

recommend that the exemptions are moved to be within LIGHT-R1. I also consider there is scope for this change arising from Kāinga Ora's submission point [81.939 and 81.497] which seeks amendments to the LIGHT – Light chapter as a whole.

- 181 Additionally, the Panel questioned whether 'helicopter lighting' needs to be included in the exemption, as this would likely be addressed by other legislation or regulations. I agree, and consider that lighting on aircraft would likely need to comply with Civil Aviation Authority requirements. I therefore have not included this in the exemption I recommend be shifted to LIGHT-R1.

## **Noise**

### *Objective NOISE-O2*

- 182 The Panel questioned whether NOISE-O2 should be amended to limit its application to new and expanded noise sensitive activities. While I disagreed with Kāinga Ora [81.501] in that the objective should be limited to only new activities (see section 3.2.3 of my section 42A report), my reasons were that expansion of existing activities may also result in reverse sensitivity effects. As such, including both new and expanded activities addresses this concern. I therefore agree with the suggestion of the Panel and have recommended an amendment to the objective in Appendix 2.

### *NOISE-P1 and P2*

- 183 The Panel questioned whether NOISE-P1-1 should refer to the 'anticipated' amenity values of the receiving environment. I note that I considered this in section 3.4.1 of my section 42A report in relation to the submission from Kāinga Ora [81.503]. However, I have reconsidered this position, and agree that the addition of the word 'anticipated' would benefit the implementation of the policy, without compromising the policy in terms of giving effect to section 7(c) of the RMA. Its inclusion in

the policy would also better give effect to NOISE-O1 which refers to the anticipated purpose, character and amenity values of the relevant zones. I have therefore recommended an amendment to the policy in Appendix 2. The submission from Kāinga Ora [81.503] gives scope for this amendment.

184 The Panel also questioned the headings for NOISE-P1 and NOISE-P2, noting that both policies are dealing with identifying appropriate noise activities. It was suggested that NOISE-P1 be amended to 'Enabling appropriate noise activities', with NOISE-P2 amended to 'Identifying other appropriate noise activities'. I agree that NOISE-P1 should be 'Enable appropriate noise activities', as this would align with my recommended amendment to the heading of INF-P4. I consider that while there are no relevant submissions, this is a minor amendment. However, while I agree the heading for NOISE-P2 should be similarly amended, I consider that this can be achieved by changing 'inappropriate' to 'appropriate'. The submission from Kāinga Ora [81.504] provides scope for this amendment.

#### *NOISE-P4*

185 I agree with the evidence of Ms Williams on behalf of Kāinga Ora on NOISE-P4 in as far as the policy should include wording to enable 'new and expanded' noise-sensitive activities, and address the 'adverse effects on the health and wellbeing of people and communities'. The inclusion of 'new and expanded' is consistent with my recommended amendment to NOISE-O2 above. Inclusion of the 'adverse effects on the health and wellbeing of people and communities' gives effect to the changes I recommended to NOISE-O1 in my section 42A report and is consistent with NOISE-P5. Scope for these amendments is provided by Kāinga Ora [81.506].

*Design certificates*

186 The Panel asked whether the terminology used in NOISE-S5 and NOISE-S6 was correct, noting that 'confirm' may be more appropriate than 'demonstrate'.

187 I agree that 'confirm' would be a more appropriate term to use in the standard than 'demonstrate'. I note that Mr Lloyd's verbal evidence identified that such a certificate would detail how the building design would achieve the noise reduction required.

188 I also consider that the standard should include the words 'The building must be constructed and maintained in accordance with the design certificate'. While this is generally addressed by the requirement in the standard for the habitable rooms to be designed, constructed and maintained to meet the specified internal noise level, I consider that the additional wording strengthens the standard to ensure that the design certificate is implemented through construction of the building. I also consider that these amendments should be incorporated in all standards in the NOISE – Noise chapter that require design certificates. The submissions from Kāinga Ora [81.513, 81.514, 81.515, 81.517, 81.518, 81.937 and 81.938] provide scope for these amendments.

*NOISE-P4 and matters of discretion*

189 The Panel questioned whether additional wording was required in my recommended additional clause to NOISE-P4 relating to topographical and other features on the site or surrounding sites and the associated matters of discretion in the standards. The Panel noted that these may need to state what those features do.

190 I agree with the Panel on this point and consider that the NOISE-P4 clause and matters of discretion should be amended to include the phrase 'mitigation of noise provided by'.

*Reverse sensitivity – existing buildings*

191 In response to various submitters, there were questions from the Panel relating to existing activities that may be affected by noise from State Highways and the NIMT railway line.

192 I note that the data provided in Table 3 above identifies approximately 1,575 buildings, with the vast majority of these likely to be residential in character.

193 As I noted at the hearing the 50 square metre threshold was selected as providing a balanced approach to the costs and benefits of requiring the noise mitigation standards to be implemented for the expansion of existing activities.

194 As also noted at the hearing, the amendments to Schedule 1 of the Building Act 2004, which sets out building work for which building consent is not required, introduced in August 2020 clauses 3A and 3B which exempted single-storey detached buildings up to 30 square metres which met certain conditions.

195 I continue to be of the opinion that 50 square metres provides an appropriate threshold for the expansion of existing noise-sensitive activities. I consider that the submission from Waka Kotahi to require any alteration or addition to an existing activity to require compliance with the noise mitigation standards to be overly onerous.

*Exemptions in Noise chapter*

196 The NOISE – Noise chapter includes exemptions in the introduction. As identified in relation to the LIGHT – Light chapter above, the Panel identified a concern in relation to the location of the exemptions within the introduction of chapters.

197 As discussed above, I agree that the location within the introduction is not ideal and may result in implementation issues. I therefore recommend that the exemptions be moved to the permitted activity rule, as included in my recommended amendments in Appendix 2. I consider that the amendment can be made as a minor amendment under Clause 16 of Schedule 1 of the RMA, as it does not affect the intent or operation of the provisions in the PDP but clarifies a potential implementation issue.

## **Transport**

### *Transport JWS clarifications*

198 As noted at the hearing, there were some amendments recommended through the transport JWS that were not picked up through my supplementary evidence. These were:

- In TR-Table 7 (now recommended to be TR-Table 11) I recommended deletion of the words 'per day'. This was an error, and 'per day' should remain in the table;
- In Appendix C of my supplementary evidence I reproduced Figure 3.2 from Austroads Guide to Road Design Part 4A (2021) as a replacement for TR-Figure 4. As identified by Ms Fraser, this will need to be amended to be consistent with the graphic design of figures in the PDP, remove reference to 'SSID', include labels of minor and major roads, and set point X as 5m. Additionally, I did not include the three bullet points at the end of the note.

### *Transport JWS areas of disagreement:*

199 The JWS recorded that there was disagreement in relation to TR-S6 which requires the ability for vehicles to turn around within a site. I note that NZS 4404:2010 requires a turning head in a common area where



three or more rear lots or dwelling units are served. Ms Fraser raised concerns about the safety of shared driveways when vehicles are unable to exit in a forward direction. Ms Crafer on behalf of Kāinga Ora sought allowance for three or fewer residential units or four or fewer parking spaces to be excluded from requiring the ability to turn around within the site. I have not changed my position on this matter from that expressed in my section 42A report.

200 Disagreement was also recorded in relation to referencing of external web-based documents. I have also not changed my position on this matter, as stated in paragraph 231 of my section 42A report.

201 In relation to Table 1, the JWS recorded areas of disagreement in relation to target operating speeds for rural roads, road gradients, parking on both sides of collector roads, and minimum legal widths.

202 In relation to target operating speeds for rural roads, I prefer the rationale of Ms Fraser stated in her verbal evidence that the 60 kilometre per hour target operating speed is more appropriate as this is generally the case in Porirua currently, and achieving speed reduction through road design measures would be difficult in the rural context.

203 In relation to road gradients, again I prefer the verbal evidence of Ms Fraser, where a low volume access road can be set at 12.5 percent, while the rest of the roads should have a maximum of 10 percent. I consider that this strikes an appropriate balance between the use of road corridors by pedestrians and cyclists, safety of road users, and the topography of Porirua.

204 In relation to parking on both sides of collector roads, both Ms Fraser and Mr Swears agreed on the need for parking on both sides of the road, while Ms Crafer sought an amendment to only one side of the road. I have reflected on the discussion at the hearing with Ms Fraser on the NPS-UD, and I consider that with the removal of minimum on-site parking requirements, there is likely to be an increase in demand for on-

road parking. As Ms Fraser noted, if a developer wanted to provide parking only on one side, this could be considered through a resource consent process. I also note that as all three experts agreed that the minimum parking width be reduced from 2.5 metres to 2.1 metres, I have also included this amendment in my recommendation set out in Appendix 2.

205 In terms of minimum legal widths, I note that the JWS recorded that Ms Crafer recommended narrower minimum legal widths for collector roads. This relates to the requirements for parking as discussed above. Consistent with my recommendation on that point, and as both Ms Fraser and Mr Swears agreed on the wider minimum widths (noting that these recommendations are narrower than set out in the PDP), I recommend that the minimum widths be included in the table as recommended by those two experts.

*Legal status of other documents*

206 As identified at the hearing Ms Fraser’s evidence analysed a number of external transport policy related documents for alignment with the PDP objectives and policies. The Panel raised a question as to the legal status of these documents in relation to the RMA.

207 I have identified the National and Regional documents analysed by Ms Fraser in Table 8 below.

**Table 8: National and Regional Transport Priorities**

Document	Who	Developed under which Act
Government Policy Statement on land transport 2021	Ministry of Transport	Land Transport Management Act 2003
New Zealand Road Safety Strategy 2020-2030	Ministry of Transport	No specific Act identified. The strategy is referenced in the GPS on land transport 2021 as implementing that document.

Wellington Regional Transport Plan 2021	Greater Wellington Regional Council	Land Transport Management Act 2003
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208 Under section 74(2)(b)(i), when preparing or changing a district plan, a territorial authority shall ‘have regard to’ any management plans and strategies prepared under other Acts. As such, the Panel must ‘have regard to’ these documents.

*Healthy Streets Design Indicators*

209 The Panel questioned what the Healthy Streets Indicators are. I note that the Healthy Streets Indicators were addressed in paragraph 107 of my section s42A report. These indicators were developed by Lucy Saunders, a public health specialist in United Kingdom, and describe ‘an aspect of the human experience of being on streets’ which ‘must be prioritised and balanced to improve social, economic and environmental sustainability through how streets are designed and managed’.<sup>16</sup> The ten Healthy Street Indicators are:

- Everyone feels welcome;
- Easy to cross;
- Shade and shelter;
- Places to stop and rest;
- Not too noisy;
- People choose to walk and cycle;
- People feel safe;
- Things to see and do;
- People feel relaxed; and
- Clean air.

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<sup>16</sup> <https://www.healthystreets.com/what-is-healthy-streets>

210 As noted in my section 42A report, while I consider the Healthy Street Indicators are admirable, they are broader than the scope of the functions of the Council under section 31 of the RMA.

*High Trip Generating Activities*

211 The Panel questioned whether there would be any impact of the NPS-UD in relation to the inclusion of residential activities in the standards for High Trip Generating Activities in TR-Table 7. I responded at the hearing that it is likely that as the NPS-UD removes the minimum car parking requirements from district plans, there will need to be a greater emphasis on high trip generating activities to manage potential effects on the transport network. I remain of that view.

212 In relation to this, the rationale for equivalent car movements for residential activities was discussed. I noted at the hearing that the Waka Kotahi Policy Planning Manual sets an estimate of around 10 equivalent car movements per day for a single residential unit. The actual figure stated in that document is 9 equivalent car movements per day. Ms Fraser informs me that 8 equivalent car movements per day per unit is more typical, especially where there are smaller houses and greater density. The threshold in the PDP of 60 residential units therefore results in approximately 480 equivalent car movements, which equates well with the 'Any other activity' threshold of 500 equivalent car movements per day.

*Right-of-way*

213 The definition of right-of-way was discussed, with the correct wording for my recommended addition relating to vehicle access suggested as 'a common area used for vehicle access'.

214 On reflection of this discussion, I consider that the clause should read 'a common area used for access as identified...'. The reason for this is that

the right-of-way may be used for pedestrian and cycling access, and therefore should not be restricted to just vehicle access.

#### *Cycle parking*

215 The Panel questioned whether my recommended amendment to require short-stay bicycle parking at industrial activities was too onerous considering the standards as a package. I recommended this amendment in response to the submission from Waka Kotahi [82.106]. I note that there were no further submissions received on this point.

216 As I noted at the hearing, I do not consider the requirement to be particularly onerous. I continue to hold that opinion.

217 I note that within Porirua there is a large industrial area in Elsdon located in relatively close proximity to the central city area, and another just south in Kenepuru. These areas are easily accessible by bicycle from the city centre, or from the surrounding residential areas. As such I consider that it is perfectly feasible that a visitor (for example a bicycle courier) may choose to cycle to an industrial activity within these areas, if there are appropriate facilities to support this.

218 In terms of cost, while the standard is relatively prescriptive it does not require anything particularly complex in order to comply. I consider that 25 metres distance from the main entrance of the building provides ample flexibility for the location of the bicycle park and does not impose an unreasonable cost, including for industrial activities.

#### *Firefighting*

219 The Panel questioned where the four metre width was specified in relation to the unobstructed width for firefighting access I recommended be included in TR-S4.

220 I note that the four metre clear width was recommended in response to the submission from Fire and Emergency New Zealand [119.26], which sought that the formed width be increased to four metres. SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice provides some guidance for firefighting access, and at page 23 states:

*Roading widths, surface, and gradients where hydrants are located should support the operational requirements of Fire Service appliances. The Compliance Documents for the New Zealand Building Code specify these requirements and have final authority, but in general the roading gradient should not exceed 16%. The roading surface should be sealed, and trafficable at all times. **The minimum roading width should not be less than 4 m.** The height clearance along access ways (for example trees, hanging cables, and overhanging eaves) must exceed 4 m. (emphasis added)*

221 In its submitter statement, Fire and Emergency New Zealand strongly supported my recommendation for the inclusion of the standard requiring a four metre unobstructed access width.

### **Three waters**

#### *Mauri*

222 The Panel questioned my recommended addition to the THWT – Three Waters chapter introduction relating to the mauri of waterways being compromised, with elaboration on what was compromising the waterways sought. I agreed that my recommended sentence was incomplete, and consequently recommend that the sentence be expanded to refer to the discharge of contaminants to freshwater including stormwater and wastewater overflows. This additional wording is based on the verbal evidence provided by Ms Naomi Solomon at the hearing.

### *External documents*

223 The Panel questioned the approach of the PDP in relation to referencing external documents within permitted activity rules. This was particularly in relation to the referencing of Wellington Water's Regional Standard for Water Services in the THWT – Three Waters chapter.

224 At the hearing I noted that while permitted activity standards have generally been drafted to avoid referencing external documents, this has been done in some cases, particularly where the external standards are not able to be effectively incorporated into the plan provisions themselves, and therefore meet the criteria under clause 30(1)(c) of Schedule 1 of the RMA.

225 Examples include external standards for construction noise and vibration in NOISE-R2, measurement of light under LIGHT-S1-1, and the design of cycleways, shared paths and pedestrian walkways on public land other than roads in INF-S27.

### *Hydraulic neutrality*

226 The Panel asked what the cost implications to include the requirement for hydraulic neutrality up to the 100-year event would be. As I noted at the hearing, this would be highly dependent on the site and the proposed development. However, I note that in relation to residential development the requirement (as recommended in my section 42A report) is to have a hydraulic neutrality device installed, with the relevant standard referring to Wellington Water's Managing Stormwater Runoff Document. That document includes a standard size of retention tank based on roof area, which presumably provides for hydraulic neutrality up to the 100-year event. The Section 32 Evaluation Report Part 2: Three Waters estimated the cost to purchase and install a detention tank for a dwelling to be around \$5,000 plus GST.

227 In terms of the definition of hydraulic neutrality, the Panel questioned whether this could be simplified. On this point, I note that the Plimmerton Farm Zone in the ODP defines hydraulic neutrality as:

*means post-development peak flow does not exceed pre-development peak flow in all flood events up to and including the 1 in 100-year event, quantitatively assessed against the 1 in 10 year and 1 in 100 year design event as a minimum.*

228 Additionally, the Kapiti Coast District Plan defines hydraulic neutrality as:

*means a nil increase in the peak stormwater runoff discharged from new subdivision, new buildings or new land use activities undertaken on the property.*

229 Compared with the definition in the Kapiti Coast District Plan I prefer the proposed PDP definition. Without any specificity in the definition the plan provisions must include the technical requirements for measuring hydraulic neutrality, as is included in the Kapiti Coast District Plan. I consider that this is less efficient plan drafting. Additionally, the definition as included in my section 42A report is consistent with the Plimmerton Farm Zone in the ODP.

230 I therefore do not recommend any further amendments to the definition of hydraulic neutrality.

#### *THWT-O2*

231 In relation to the discussion on THWT-O2 at paragraph 160 of my section 42A report, the Panel requested additional information on the 'levels of service' referred to in the THWT – Three Waters chapter.

232 The 'levels of service' refer to the levels of service (LOS) set out in the Wellington Water Regional Standard for Water Services May 2019. These are specifically referred to in THWT-R4-1 and THWT-R5-1 as:



- For stormwater — The level of service in Chapter 4 Stormwater Table 4.1, Table 4.2 and 4.3 of the Wellington Water Regional Standard for Water Services May 2019;
- For wastewater — The level of service in Chapter 5 Wastewater, section 5.2.3 of the Wellington Water Regional Standard for Water Services May 2019; and
- For water supply — The level of service in Chapter 6 Water Supply Tables 6.1 and 6.2 of the Wellington Water Regional Standard for Water Services May 2019.

233 As an example, for stormwater, Table 4.1 sets out the primary LOS with an annual exceedance probability (AEP) event specified, with the stormwater system required to be designed to accommodate the design storm to the set LOS as defined by the AEP. Secondary system (comprising secondary flow paths) LOS are then set in Table 4.2, and the maximum stormwater flow depths and velocities in Table 4.3.

234 Where the LOS set out in the Wellington Water Regional Standard for Water Services May 2019 is not complied with, the activity becomes a restricted discretionary activity under THWT-R4-2 and THWT-R5-2. These rules refer to THWT-P3 as the matters of discretion.

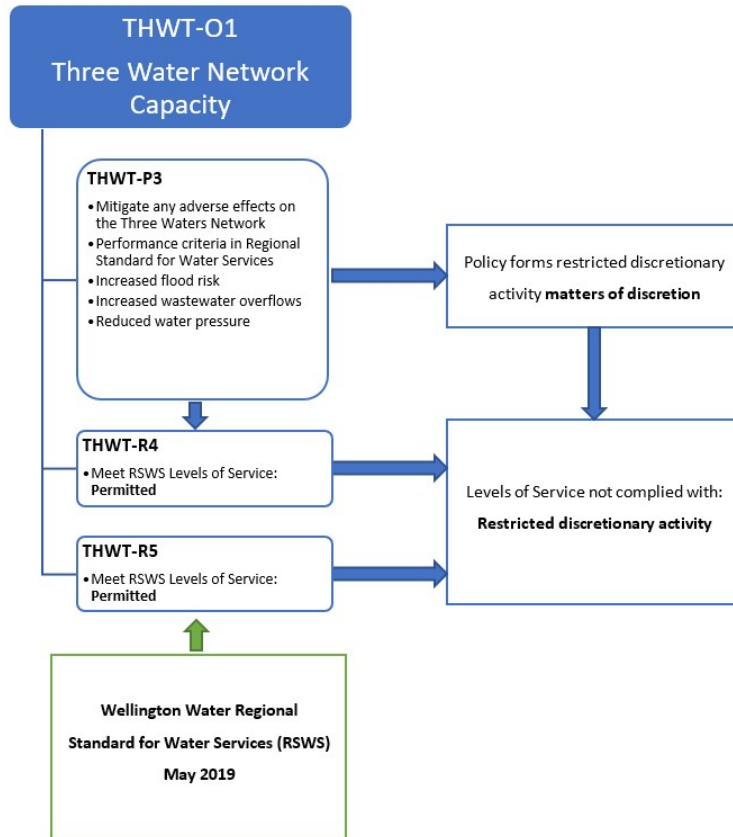
235 THWT-P3 sets out two matters to be considered where the level of service is insufficient to service the use or development, being:

- The incorporation of measures that appropriately mitigate any adverse effects on the Three Waters Network and meet the performance criteria of the Wellington Water Regional Standard for Water Services May 2019; and
- Flood risk, increased wastewater overflows, or reduced water pressure.

236 The performance criteria referred to in THWT-P3-1 of the Wellington Water Regional Standard for Water Services May 2019 are set out in

chapters 4.2 (stormwater), 5.2 (wastewater) and 6.2 (water supply) of that document. These performance criteria include the LOS, but additionally set out a range of other matters that need to be considered.

237 This framework is summarised in the chart in **Figure 2** below.



**Figure 2: Three Waters Network Capacity Framework**

238 I note that the Wellington Water Regional Standard for Water Services May 2019 was updated in December 2021 to version 3.0. This will require a variation or plan change to update the references in the PDP.

*THWT-P3-2*

- 239 The Panel raised an issue of the wording of THWT-P3-2, in that it was suggested that it should read ‘, or reduced water pressure’. I agree with this suggestion, and consider that this could be amended under Clause 16 of Schedule 1 of the RMA.

*THWT-R1*

- 240 The Panel questioned the use of the term ‘development’ and suggested that it should it relate back to the amended heading by instead referring to the ‘building or addition’. I agree with this suggestion, and I also consider that the word ‘extensions’ in my recommended amendments to THWT-Ra-1.a should be replaced with ‘additions’.

- 241 The use of the word ‘approved’ in my recommended amendments for THWT-R1-1.b and THWT-R2-1.b was also discussed, with further refinement of what this means being suggested. I consider that additional wording should be included to clarify this term, being ‘through any required resource and/or building consents’.

- 242 I have included these recommended amendments in Appendix 2.

**Renewable Electricity Generation**

*Introduction*

- 243 The Panel questioned whether the introduction should be amended to include an additional clause to identify that adverse effects are dependent on the nature and scale of the proposal and its location. I agree with this inclusion. Scope for this inclusion is provided by the submission from Housing Action Porirua [67.4], which identifies that the effects of different electricity generation can be different.

*Noise standard as trigger*

- 244 The Panel questioned whether the use of external noise standards as an activity status trigger was appropriate where private agreements and written approvals had been obtained by the consent applicant. The Panel noted the argument put forward by other council officers that where the policies are clear enough, the difference between discretionary and non-complying is marginal.
- 245 I considered the question of the noise standard as an activity status trigger in some detail at section 3.6 of the section 42A report. This included consideration of removal of the non-complying activity status and reliance on the discretionary activity rule.
- 246 I also note that the Christchurch City Plan includes a similar elevation of a discretionary activity status for large scale renewable electricity generation activities involving a wind turbine to non-complying where NZS6808:2010 is not complied with.
- 247 While I can see that if a situation were to occur where a proposed wind farm did not technically comply with NZS6808:2010 and all affected parties had provided written consent, it may appear to be onerous to be subject to a non-complying activity status consent process. However, if that were the case, the potential effects of noise would be addressed and in that respect the proposal would likely meet the gateway test under section 104D in terms of the effects on the environment being minor under subsection (1)(a). I also consider that this is no different to a range of other activities that may be proposed, for example an industrial activity within a residential zone (which I consider to be a more likely scenario).
- 248 For these reasons, I do not recommend any amendments in respect of the use of NZS6808:2010 as a trigger for elevation to non-complying activity status under REG-R5-1.

### *SNA vegetation clearance*

- 249 The Panel questioned the standard for clearance of vegetation within SNAs, specifically in relation to the consistency with the right of reply from Mr McDonnell on Ecosystems and Indigenous Biodiversity.
- 250 I note that in REG-S7 trimming, pruning or removal of indigenous vegetation is provided for within two metres either side of the existing renewable electricity generation activity and any associated access track or fence. In my section 42A report, I recommended this be amended slightly to make it clearer in response to the submission from Ryan Family Trust [138.5].
- 251 This is slightly less than the allowance under the ECO - Ecosystems and Indigenous Biodiversity chapter which allows for clearance of three metres from the external wall or roof of a building under ECO-R1-1.a.iii. However, it is consistent with the two metre limit for fences under ECO-R1-1.a.v as well as INF-S18. I note that Mr McDonnell has not recommended amendments to ECO-R1-1.a.v.
- 252 I consider that the two metre limit is sufficient for renewable electricity generation activities and that no further amendment is required to the standard.

### *Overlays*

- 253 The Panel questioned whether the Coastal Environment was a 'specified overlay' for the purpose of the rules, particularly in relation to giving effect to NZCPS.
- 254 Mr McDonnell discussed the Coastal Environment Inland Extent at section 3.6 of his section 42A report in relation to the Coastal Environment chapter. In that report, he recommended amending the definition of 'Overlay' and inserting a new definition of 'Specified

overlay'. The new definition of 'Specified overlay' did not include the Coastal Environment Inland Extent.

255 As I noted at the hearing, the PDP includes a number of overlays, including Coastal High Natural Character Areas, that are included in the new definition of 'Specified overlays' as recommended by Mr McDonnell. The REG – Renewable Electricity Generation policies include reference to these overlays, and where relevant include cross-reference to policies within the overlay chapters. These overlay chapters generally include separate policies or policy wording relating to where the overlays are located within the Coastal Environment, for example NFL-P8 for Special Amenity Landscapes in the coastal environment. In this way, the PDP gives effect to the requirements of the NZCPS, and I do not consider that there is any need to include the Coastal Environment itself as a 'specified overlay'.

*Policy wording*

256 The Panel questioned whether the phrase 'having regard to' was strong enough in relation to the cross-references to policies in other chapters, as explained above in relation to overlay policies.

257 The phrase 'having regard to' is used throughout the PDP when cross-referencing other policies as well as when listing a range of matters within a policy.

258 I consider that this is strong enough, as, while it is not as strong as 'give effect to', it provides a directive to consider the matter being referred to while giving some flexibility to the decision maker to implement the policies as relevant to the situation. In some cases, this may be dependent on the wording of the cross-referenced policies themselves.

## Infrastructure

### *Regionally Significant Infrastructure*

259 The Panel question why the Wellington Regional Policy Statement is more favourable in terms of provisions relating to Regionally Significant Infrastructure. On this, I note that section 59 of the RMA sets out the purpose of a regional policy statement as:

*The purpose of a regional policy statement is to achieve the purpose of the Act by providing an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region.*

260 Additionally, section 62(1)(a) requires a regional policy statement to state the significant resource management issues for the region. It therefore follows that a regional policy statement should be focussed on the regionally significant resource management issues, and consequently in relation to infrastructure, infrastructure that is regionally significant.

261 The RPS subsequently includes policies 7 and 8 which require the district plan to recognise the benefits of and protect regionally significant infrastructure. I note that is no specific 'provide for' or other similar direction in these policies.

262 Additionally, the Panel raised a question relating to whether SNAs should be differentiated in relation to regionally significant infrastructure. Policy 24 also sets out the need for protecting indigenous ecosystems and habitats with significant indigenous biodiversity values. In reconciling the policies of the RPS, I do not see a need to differentiate regionally significant infrastructure from other infrastructure in the PDP provisions giving effect to Policy 24 of the Wellington Regional Policy Statement.

*Planned urban built environment*

263 The Panel questioned my recommended inclusion of the phrase 'planned urban built environment' in the policies in response to submissions from Kāinga Ora. As discussed at the hearing, this reflects language the Council is currently working on in relation to a variation to give effect to the NPS-UD. The NPS-UD uses the term 'planned urban built form'. The Panel suggest wording be included to clarify that it is the district plan that the phrase is referring to.

264 I do not consider that any additional wording is required, as the policies in which the phrase has been included refer to the zones the infrastructure is located within. As such, I consider that when read as a whole, the policy is clearly referring to the planned urban built environment anticipated in the PDP.

*Telecommunication reverse sensitivity*

265 The Panel questioned whether the additional matter of discretion to zone height standards sought by the Telcos was in fact addressing a reverse sensitivity issue as stated, and additionally if there a scope issue in my recommended acceptance of the revised matter of discretion.

266 At the hearing I agreed that the potential effects on the efficacy of the telecommunication infrastructure would not be considered reverse sensitivity effects. However, I note that the reasons put forward in the Telcos original submission were:

*The permitted height is supported, however infringing the height can create reverse sensitivity effects on telecommunications through changing the efficacy of any nearby antennas, and also can create potential health and safety effects on the occupants of the building propose to extend through the permitted height through radiofrequency exposure. As such, a matter of discretion should be effects on regionally significant network utility operators.*



267 As the reasons for the matter of discretion sought clearly included reference to the efficacy of the nearby antennas, and the relief sought was for the matter of discretion to refer to effects on regionally significant network utility operators, I consider that there is scope to amend my recommended matter of discretion to refer to 'Any adverse effects, including reverse sensitivity effects,...'. This will therefore address the matters of concern of the Telcos in relation to buildings exceeding the permitted height standard.

#### *NESETA*

268 The Chair questioned the use of the phrase 'not permitted by the National Environmental Standards for Electricity Transmission Activities' in relation to the new INF-P7 I recommended in my Section 42A Report. It was suggested that, as there are a range of activity statuses under those regulations, it may be clearer to use the phrase 'not a permitted activity under the National Environmental Standards for Electricity Transmission Activities'. I agreed with the suggestion in my verbal response to the Chair. I have subsequently included the amendment in both my recommended new INF-P7 (for which Transpower New Zealand Ltd [60.36] provides scope) and INF-P6 (recommended to be amended to INF-P8, for which Transpower New Zealand Ltd [60.37] provides scope).

#### *Hazardous substances*

269 Ms Meghan Barrett provided additional information following the hearing on behalf of FirstGas relating to the use of explosives near gas transmission pipelines. In that information, Ms Barrett refers to the Health and Safety at Work (Hazardous Substances) Regulations 2017, specifically Part 9. Ms Barrett states that her understanding is that '*there are no controls around the use of explosives within proximity to gas pipelines*'.

270 While Ms Barrett may be correct that there are no specific controls in relation to the use of explosives near new gas pipelines, I note that there are a range of generic controls set out in the regulations that must be complied with under those regulations. This includes, for example, the requirement under 9.3(1) for a PCBU to ensure that a class 1 substance is under the personal control of a certified handler. I also note that regulation 9.3 relates to the duty of PCBU to control adverse effects of intended detonation or deflagration. This states that:

*9.30 Duty of PCBU to control adverse effects of intended detonation or deflagration*

*(1) A PCBU with management or control of a class 1 substance must limit the quantity of any class 1 substances to be detonated or deflagrated at any place within a workplace, so as to ensure that—*

*(a) no place where a person may legally be present is,—*

*(i) for a vulnerable facility, subject to a blast overpressure more than 2 kPa, and for an area of high intensity land use, to a blast overpressure of more than 5 kPa; or*

*[...]*

271 A 'vulnerable facility' is defined in the regulations as:

*vulnerable facility means any of the following facilities:*

*[...]*

*(f) major public utilities whose service could be disrupted by a blast of 5 kPa:*

*(g) any similar facilities.*

272 In addition, regulation 9.30(1)(b) and (c) specifies a maximum peak particle velocity for ground vibration of low rise residential buildings, and commercial and industrial buildings, outside the designated use zone. Regulation 9.30(1)(d) also enables WorkSafe to specify a maximum peak particle velocity for ground vibration for other buildings.

273 Based on the above information, I consider that the Health and Safety at Work (Hazardous Substances) Regulations 2017 do control the adverse effects of detonation or deflagration of a class 1 (explosive) substance. The relevant clauses appear to include controls relating specifically to utilities. Additionally, there appears to be the ability for WorkSafe to specify more specific ground vibration controls for buildings not already covered by the regulations.

274 As such, I remain of the view that there is not a compelling case for additional controls regulating the use of explosives within the district plan framework. Even if there is a regulatory gap for the use of explosives near gas pipelines, I consider that that would be an issue which should be addressed through the existing regulations, rather than through the district plan framework.

*Policy INF-P15*

275 The Panel questioned whether the wording of the policy should refer to 'the' One Network Road Classification. I note that the wording in the policy refers to the heading of Schedule 1. I agree that this would be improved by reading 'SCHED1 - Roads Classified According to the One Network Road Classification. I consider that this amendment could be made under Clause 16 of Schedule 1 of the RMA.

*National Grid*

276 In relation to my proposed new INF-P7, the Panel questioned whether the wording of clause 2, being 'does not adversely impact', set the bar too high, and whether 'compromise' might be a better term. This was in the context of the policy being a 'provide for' policy.

277 I have reconsidered my position as articulated at the hearing, and agree that the word 'compromise' would better fit with the intent of the policy. This is primarily as the policy would be implemented through consideration of activities that did not comply with the permitted activity

standards of the NES-ETA and therefore require resource consent. I note that this approach is also used in other policies with the INF – Infrastructure chapter, including INF-P18-3 and INF-P22-2. I have included this amendment in Appendix 2.

*Gas transmission pipeline*

278 The Panel questioned whether the clearance of indigenous vegetation within SNAs within six metres of gas transmission pipeline would be acceptable if the associated designation was not accepted.

279 I note that at the hearing I stated that there was not a large area of SNA within the proposed gas transmission pipeline designation (which represents a six-metre distance from the gas transmission pipeline). However, this is incorrect. At the time, I failed to take into account the area within the Pāuatahanui Wildlife Reserve in the Pāuatahanui Inlet. Approximately 14,533 square metres of SNA is located within the designation in this area. There is approximately an additional 533 square metres of SNA within the designation outside of this area. A such, in total, there is approximately 15,085 square metres of SNA within the designation boundary for the gas transmission pipeline.

280 Because of this large extent of SNA within the proposed gas transmission pipeline designation, and noting that the permitted activity standard in the INF-Infrastructure chapter allows for clearance of 20 square metres per 12 month period, I do not consider that it would be appropriate to enable clearance within six metres of the pipeline as this may have very significant adverse ecological effects.

281 Additionally, the Panel asked whether it is more efficient for a gas transmission pipeline to be protected by designation or a corridor, in relation to an analysis required under section 32 of the RMA.

282 As I noted at the hearing, I am somewhat uncomfortable commenting on the relative merits of the two approaches, as the decision to issue a

notice of requirement and the ultimate decision on its confirmation sits with the relevant requiring authority. Additionally, I note that the consideration of designations in the PDP is scheduled for Hearing Stream 6. However, I do note that under section 171 and 168A, consideration of a requirement includes any relevant provisions of a plan or proposed plan, assessment of alternatives, and whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority.

283 In consideration of this question, I refer back to my section 42A report for Infrastructure, which referred to the ‘stepped’ approach set out in the PDP for the gas transmission pipelines. Paragraph 611 of that report stated:

*To give effect to Policy 8, the Plan establishes a stepped approach to activities within proximity of the pipelines. The proposed designation (FGL-01), which generally aligns with the existing easements, protects the pipeline through the requirements of section 176(1)(b) of the RMA. The Gas Transmission Pipeline Corridor, at 10 metres either side of the pipeline, is associated with rules for subdivision, earthworks and sensitive activities (as defined in the Plan) being located within the corridor. Additional rules also control habitable buildings and structures within 10 metres of the corridor itself. In this way, the Plan framework is more restrictive for subdivision, use and development the closer it is to the pipeline.*

284 To further illustrate this approach, I have summarised the various components in Table 9 below.

**Table 9: Gas transmission pipeline protection**

	<b>Designation</b>	<b>Gas Transmission Pipeline Corridor</b>	<b>Area 10m from the Corridor</b>
<b>Applicable distance from pipeline</b>	6m	10m	10 - 20m
<b>Relevant provisions</b>	S176(1)(b) RMA	SUB-R16 EW-R3	Various zone rules

	<b>Designation</b>	<b>Gas Transmission Pipeline Corridor</b>	<b>Area 10m from the Corridor</b>
		Various zone rules	
<b>Land use controlled</b>	<ul style="list-style-type: none"> <li>• Undertaking any use of the land</li> <li>• Subdivision</li> <li>• Changing the character, intensity, or scale of the use of the land</li> </ul>	<ul style="list-style-type: none"> <li>• Subdivision</li> <li>• Earthworks</li> <li>• Sensitive activities</li> </ul>	<ul style="list-style-type: none"> <li>• Habitable buildings and structures</li> </ul>

285 Taking the approach shown in Table 9 into account, I consider that the efficiency of the designation is not directly comparable to the framework for controlling activities within the Gas Transmission Pipeline Corridor. The designation covers a smaller area but affects a wider range of activities. The Gas Transmission Pipeline Corridor affects a wider area but controls a more limited range of land use activities. The two therefore work in conjunction with one another, with the restrictions on land use being proportional to the distance from (and therefore the risk to) the infrastructure. This approach is somewhat comparable to the risk approach applied through the natural hazard provisions within the PDP.

*INF-P25-2*

286 The Panel noted my response to the submission from Hamish Tunley [52.8] at section 3.9.2 of my section 42A report. The Chair questioned in relation to INF-P25-2 whether access is a property issue or RMA issue.

287 I have addressed this question in relation to the National Grid from paragraph 103 above. I note specifically in relation to gas transmission pipelines, the Proposed New Plymouth District Plan includes subdivision provisions, including matters of control and discretion, relating to the 'ability for continued reasonable access for inspections, maintenance and upgrading' of a gas pipeline.

### *Introduction*

288 The Chair raised an issue in relation to the use of the phrase ‘contained in the following chapters’, as this may be confusing for plan users. It was suggested that this should be amended to the ‘chapters listed below’. I agree with this amendment, and consider that this can be made under Clause 16 of Schedule 1 as a minor amendment.

### *INF-05*

289 The Panel raised a question as to whether the wording in INF-05 required more direction than avoiding, remedying or mitigating adverse effects to provide a stronger linkage to the policies. It was suggested that the word ‘appropriately’ could be included to achieve this. I agree with this suggestion and have included the addition in my recommended amendments in Appendix 2. I consider that this amendment can be made through the scope provided by Waka Kotahi [82.40] which sought that the objective be amended to provide clarity on its intent.

### *Recognising benefits*

290 The Panel questioned the purpose of INF-P10, particularly in relation to what ‘recognising the benefits’ means and whether it could be improved to provide more direction.

291 The purpose of policies that use the phrase ‘recognise the benefits of’ is primarily through resource consent processes. I note the Policy 7 of the RPS requires the benefits of regionally significant infrastructure to be recognised in the district plan.

292 Specifically in relation to INF-P10, this policy allows for certain positive effects to be more defined that may otherwise be enabled through methods. It gives greater direction to consent processing officers to have regard to those positive effects under section 104(1)(b)(iv).

293 I do not consider that any amendments are required to INF-P10 to provide greater direction.

*INF-P11*

294 At the hearing, the Panel questioned whether there was scope to introduce reference to international standards as I had through my section 42A recommendations in response to Radio New Zealand Limited [121.23].

295 In note that the reasons provided by Radio New Zealand Limited [121.23] included:

*RNZ is concerned that the Policy is uncertain in its application and in particular the reference to “other nationally recognised standards” is unclear. It is unclear what would be required for a standard that may on occasion be used in New Zealand to become “nationally recognised”. There may also be situations where “nationally recognised standards” potentially conflict with any relevant National Environmental Standards.*

296 As the amendment to ‘international guidelines’ directly relates to the International Commission on Non-ionising Radiation Protection Guidelines for limiting exposure to time-varying electric and magnetic fields (1 Hz – 100 Hz), I consider that the amendment provides greater certainty, and therefore responds to the issue raised by the submitter. As such, I consider that the submission provided sufficient scope to make the amendment. I note that no communication from the submitter has been received on the recommendation in my section 42A report, and the submitter did not appear at the hearing.



## **MATTERS REMAINING IN CONTENTION**

### **Noise**

#### *Reverse sensitivity*

- 297 For completeness, I note that significant disagreement remains between submitters in relation to the reverse sensitivity provisions contained in the NOISE – Noise chapter. I continue to support the provisions contained in my supplementary evidence. I consider that there is sufficient evidence on which to base these provisions, and that they provide an appropriate balance between protecting significant infrastructure from reverse sensitivity effects and giving effect to the Wellington Regional Policy Statement, while not overly constraining development.

### **Infrastructure**

#### *National Grid policy wording*

- 298 A joint memorandum of counsel was provided on 11 February 2022 on behalf of the Director-General of Conservation and Transpower New Zealand Limited.
- 299 While I acknowledge and support the submitters working collaboratively to resolve differences, I disagree with the wording of the National Grid policies as put forward in the memorandum.
- 300 In relation to my proposed new INF-P7, I do not agree with the deletion of the two clauses and reliance on the addition of ‘while managing the adverse effects of these activities’. Without further elaboration of what is meant by the term ‘managing’, I consider that it provides no real policy direction to plan users.

301 In relation to INF-P6 (recommended to be INF-P8), I disagree with the deletion of the reference to Open Space and Recreation zones. This appears to be due to Transpower's assertion that Policy 7 of the NPS-ET is not applicable to upgrades. As stated in my supplementary evidence, I see no reason why Policy 7 should not apply to upgrades.

302 In relation to INF-P7 (recommended to be INF-P9), I continue to support the policy as set out in my section 42A report.

*Rail corridor setback*

303 In my section 42A report I recommended in response to the submission of KiwiRail [86.70] a rail corridor setback of 1.5 metres. In my supplementary evidence I noted that I continued to support that setback having read the evidence of Kāinga Ora and KiwiRail. Having listened to the evidence of Kāinga Ora and KiwiRail on this matter at the hearing, I continue to maintain this position.

304 I note for clarity that the specific zones for which amendments have been included in Appendix 2 have been identified, as the remaining zones which interface with the rail corridor have existing side or rear boundary setbacks greater than 1.5 metres. For example, in the General Rural Zone, the existing standards require a setback of at least five metres from a side or rear boundary.

**Transport**

*Notification preclusion*

305 Ms Crafer appeared on behalf of Kāinga Ora and stated that public or limited notification of applications is unlikely to be required when transport standards are not met as transport experts will be able to identify any safety issues. Ms Williams supported this view.

306 I continue to be of the opinion that limited notification may be appropriate in some cases, as set out in my supplementary evidence and supported by Ms Fraser and Mr Swears as recorded in the Transport JWS.

**Date:** 8 March 2021



.....  
Rory Smeaton

**APPENDIX 1. LIST OF MATERIALS PROVIDED BY SUBMITTERS**

<b>Statements of supplementary planning evidence</b>	Ben Cartwright for Transpower [60] Pauline Whitney For Transpower [60] (11 Feb 22) Pauline Whitney For Transpower [60] (14 Feb 22) Pauline Whitney For Transpower [60]
<b>Submitter evidence</b>	Alex Gifford (Planning) For NZ Defence Force [124] Angie Crafer (Transport) For Kāinga Ora [81] Ben Cartwright for Transpower [60] Brendon Liggett (Corporate - Noise and Vibration) For Kāinga Ora [81] Cath Heppelthwaite (Noise) For Waka Kotahi - Attachment C [82] Cath Heppelthwaite (Noise) For Waka Kotahi [82] Chris Horne For Powerco [83] Claudia Jones (Planning) For Waka Kotahi [82] Darran Humpheson (Acoustic) for NZ Defence Force [124] Dean Raymond On Behalf of Heritage NZ Pouhere Taonga [65] Dr Stephen Chiles (Noise and Vibration) for KiwiRail [86] Dr Stephen Chiles (Noise) for Waka Kotahi [82] Gary Scholfield for Powerco [83] Graeme Mccarrison For Spark, Andrew Kantor For Chorus, Colin Clune for Vodafone Jon Styles (Noise and Vibration) for Kāinga Ora [81] Karen Williams (Planning) for Kāinga Ora [81] Luke Braithwaite (Lighting and Signage) for Waka Kotahi [82] Meghan Barrett for Firstgas Ltd [84] Michelle Grinlinton-Hancock (Planning) For KiwiRail [86] Nicola Hine For Firstgas Ltd [84] Rebecca Davies For NZ Defence Force [124] Rebecca Eng For Transpower [60] Robert Swears for Waka Kotahi [82] Timothy Lester for Wellington Electricity [85] Tom Anderson on Behalf of Chorus, Spark and Vodafone [51] Submitter Rebuttal Evidence - Claudia Jones For Waka Kotahi [82] Submitter Rebuttal Evidence - Jon Styles for Kāinga Ora [81] Submitter Rebuttal Evidence - Karen Williams For Kāinga Ora [81] Submitter Rebuttal Evidence - Michelle Grinlinton-Hancock (Planning) For Kiwirail [86] Submitter Rebuttal Evidence - Pauline Whitney For Transpower NZ [60]
<b>Legal submissions</b>	Christina Sheard For Waka Kotahi [82] - Noise and Vibration D A Allan And A K Devine For Kāinga Ora [81] - Noise Ezekiel Hudspith For Transpower NZ [60] - Outline L J Rapley For Kiwirail [86] Nick Whittington For Kāinga Ora [81] - Notification, Earthworks, Rail Corridor

	<p>Rosemary Broad And Katherine Anton For Director General Of Conservation [135]</p> <p>Transpower Attachment - Environmental Defence Society Inc V New Zealand King Salmon Company Ltd 2014 NZCA 38</p> <p>Transpower Attachment - Port Otago Ltd V Environmental Defence Society Inc [2021] NZCA 638</p> <p>Transpower Attachment - Taranaki Energy Watch Inc V South Taranaki District Council [2018] NZEnvC 227</p> <p>Transpower Attachment - Taranaki Energy Watch Inc V South Taranaki District Council [2020] NZEnvC 165</p> <p>Transpower Attachment - Taranaki Energy Watch Inc V South Taranaki District Council [2020] NZEnvC 18</p> <p>Transpower Attachment - Tauranga Environmental Protection Society V Tauranga City Council [2021] NZHC 1201</p> <p>Transpower Attachment - Transpower New Zealand Ltd V Auckland Council [2017] NZHC 281</p>
<b>Submitter presentations</b>	<p>Summary of Evidence Karen Williams For Kāinga Ora [81]</p> <p>Summary of Evidence Robert Swears for Waka Kotahi [82]</p> <p>Counsel Speaking Notes for Transpower [60]</p> <p>Mike Arnold [175] (Attachment 1)</p> <p>Mike Arnold [175] (Attachment 2 - Photo of Parabolic Dish)</p> <p>Mike Arnold [175]</p> <p>Powerco [83]</p> <p>Speaking Notes Tom Anderson for Telcos [51]</p> <p>Summary of Evidence Alex Gifford For NZ Defence Force [124]</p> <p>Summary of Evidence Cath Heppelthwaite For Waka Kotahi [82]</p> <p>Summary of Evidence Claudia Jones For Waka Kotahi [82]</p> <p>Summary of Evidence Dr Stephen Chiles (Noise and Vibration) For Kiwirail [86] And Waka Kotahi [82]</p> <p>Summary of Evidence John Styles for Kāinga Ora [81]</p> <p>Summary of Evidence Luke Braithwaite For Waka Kotahi [82]</p> <p>Summary of Evidence of Ben Cartwright for Transpower [60]</p> <p>Summary of Evidence of Rebecca Eng For Transpower [60]</p> <p>Summary Statement Michelle Grinlinton-Hancock For KiwiRail [86]</p> <p>Survey and Spatial NZ (Wellington Branch) [72]</p> <p>TROTR [264]</p>
<b>Submitter statements</b>	<p>Greater Wellington Regional Council [137]</p> <p>Milmac Homes Ltd [258] - Earthworks Chapter</p> <p>Paul Botha [118]</p> <p>Robyn Smith [168]</p> <p>Carrus Corporation Ltd [68]</p> <p>FENZ [119]</p> <p>Ministry of Education [134]</p> <p>Oil Companies [123] (Updated 20 Jan 2022)</p> <p>Z Energy Ltd [92] - Noise Chapter</p>
<b>Submitter memos</b>	<p>Joint Memorandum of Counsel for Hearing Stream 4 - KiwiRail And Waka Kotahi (27 Jan 22)</p>


	<p>Joint Memorandum of Counsel Regarding Hearing Stream 4 Infrastructure Policies - Transpower And Director General of Conservation</p> <p>Memo to Panel - Alex Gifford For NZ Defence [124] (15 Feb 22)</p> <p>Memo to Panel - Andrew Cameron For Titahi Bay Amateur Radio Club [224] (21 Feb 22)</p> <p>Memo to Panel - Hs4 Additional Information - Firstgas [84]</p> <p>Memorandum of Counsel - Transpower NZ Regarding Filing of Hearing Stream 4 Submissions (2 Feb 2022)</p> <p>Memorandum of Counsel - Waka Kotahi [82] (16 Feb 22) - Attachment 1 - Ports of Auckland V Auckland City Council</p> <p>Memorandum of Counsel - Waka Kotahi [82] (16 Feb 22)</p> <p>Memorandum of Counsel for Transpower [60] - Hearing Stream 4 (15 Feb 22)</p>
<b>Joint Witness Statements</b>	<p>Noise - PCC and NZ Defence Force</p> <p>Road and Rail Noise - experts for Kāinga Ora, KiwiRail, PCC and Waka Kotahi</p> <p>Transport - experts for Kāinga Ora, PCC and Waka Kotahi</p>

## APPENDIX 2. RECOMMENDED AMENDMENTS TO PDP PROVISIONS

In order to distinguish between the recommendations made in the s42A report and the recommendations that arise from this report:

- s42A recommendations are shown in red text (with underline and ~~strike out~~ as appropriate); and
- Recommendations from my supplementary evidence and this report in response to evidence are shown in blue text (with underline and ~~strike out~~ as appropriate).

# INF - Infrastructure

This chapter contains provisions that have legal effect. They are identified with a  to the right hand side of the provision. To see more about what legal effect means please click here.

Infrastructure, as defined in the RMA, generally encompasses physical services and facilities which enable society to function, such as the Three Waters Network, transport, communications, energy generation and distribution networks, and any other network utilities undertaken by network utility operators.

Infrastructure is critical to the social and economic wellbeing of people and communities, including providing for their health and safety, and has national, regional and local benefits. Network utility operators provide the infrastructure services that enable a community to undertake its everyday activities and functions. The Regional Policy Statement for the Wellington Region requires specific recognition and protection of Regionally Significant Infrastructure. The National Policy Statement for Electricity Transmission requires specific recognition and protection of the National Grid.

While infrastructure is ~~often seen as~~<sup>1</sup> a necessary and normal part of urban and rural environments, it can also have adverse effects on surrounding land uses and the environment. The sustainable management of natural and physical resources requires a balance between the effects of different land uses. However, Regionally Significant Infrastructure also needs to be protected, where possible, from encroachment by incompatible activities that may result in reverse sensitivity effects. Some infrastructure has specific operational and functional needs that need to be accommodated for its operation.

This chapter also manages infrastructure within Overlays, which require management in a different manner from underlying zone provisions.

Infrastructure includes facilities for the generation of electricity. This would include renewable electricity generation facilities, where these facilities supply power to other people (i.e. community or large-scale activities). However, these activities are addressed separately under the Renewable Electricity Generation chapter. Similarly, provisions relevant to site access, high trip generating activities, and onsite transport facilities are addressed within the Transport Chapter.<sup>2</sup>

Meteorological devices are similar to infrastructure and are also managed in this chapter. This chapter also contains provisions relating to roads. All roads are zoned with the same zoning as the adjacent site generally applying up to the centreline of the road. In some cases, there are contextual reasons for a different approach. Refer to the Plan maps to determine the correct zone applying to a road.<sup>3</sup>

Note: Except as specifically identified in an objective, policy or rule, the objectives, policies and rules in this chapter and the Strategic Direction objectives, and those contained in the following chapters listed below<sup>4</sup> where relevant, are the only objectives, policies and rules that apply to infrastructure activities and no objectives, policies and rules in other chapters apply:

1. Contaminated land;
2. Hazardous substances;
3. Renewable Electricity Generation; and

<sup>1</sup> WELL [85.13]

<sup>2</sup> Kāinga Ora [81.241]

<sup>3</sup> Porirua City Council [11.4]

<sup>4</sup> [Clause 16 minor amendment](#)



#### 4. Noise.<sup>5</sup>

Note: Noise from backup emergency generators at Radio New Zealand's Titahi Bay facilities is exempt from the noise limits in the Noise chapter. All other infrastructure must comply with the noise rules for the underlying zone.<sup>6</sup>

#### **Objectives**

##### **INF-O1 The benefits of Regionally Significant Infrastructure**

The national, regional and local benefits of Regionally Significant Infrastructure are recognised and provided for.

##### **INF-O2 The protection of Regionally Significant Infrastructure**

The function and operation of Regionally Significant Infrastructure is protected from the adverse effects, including reverse sensitivity effects, of subdivision, use and development.

##### **INF-O3 Availability of infrastructure to meet existing and planned needs**

~~Safe, efficient, and resilient~~ infrastructure that is safe, efficient, resilient and accessible<sup>7</sup> is available to meet the needs of, and is well integrated with, existing and plan-~~enabled~~<sup>8</sup> subdivision, use and development.

##### **INF-O4 Transport network**

The transport network is safe,<sup>9</sup> effective, accessible, connected<sup>10</sup> and integrated with other land uses, including contributing to the amenity of public spaces, and provides for all transport modes and users to move efficiently and safely<sup>11</sup> within and beyond the City.

##### **INF-O5 Providing for infrastructure**

Infrastructure provides benefits to people and communities and is established, operated, maintained and repaired, and upgraded efficiently, securely and sustainably, while the adverse effects of infrastructure on the environment<sup>12</sup> are appropriately<sup>13</sup> avoided, remedied or mitigated, including effects on:

1. The anticipated planned urban built environment,<sup>14</sup> character and amenity values of the relevant zone;
2. The identified<sup>15</sup> values and qualities of Significant Natural Areas identified in SCHED7 – Significant natural Areas, and the identified values and qualities of any other<sup>16</sup> specified<sup>17</sup> Overlay; and
3. The change in risk to people's lives and damage to adjacent property and other infrastructure from natural hazards.

#### **Policies**

##### **INF-P1 The benefits of Regionally Significant Infrastructure**

<sup>5</sup> Telcos [51.36]

<sup>6</sup> Telcos [51.33]

<sup>7</sup> Kāinga Ora [81.244]

<sup>8</sup> Forest and Bird [225.104]

<sup>9</sup> Kāinga Ora [81.930]

<sup>10</sup> Waka Kotahi [82.39]

<sup>11</sup> Ibid

<sup>12</sup> Te Awarua-O-Porirua Harbour and Catchments Community Trust and Guardians of Pauatahanui Inlet [77.8]

<sup>13</sup> [Waka Kotahi \[82.40\]](#)

<sup>14</sup> Kāinga Ora [81.246]

<sup>15</sup> Forest and Bird [225.106]

<sup>16</sup> Forest and Bird [225.106]

<sup>17</sup> Forest and Bird [225.188]

<p>Recognise the social, economic, environmental and cultural benefits of Regionally Significant Infrastructure, including:</p> <ol style="list-style-type: none"> <li>1. The safe, secure and efficient transmission and distribution of gas and electricity that gives people access to energy to meet their needs;</li> <li>2. An integrated, efficient and safe transport network, including the rail network and the state highways, that allows for the movement of people and goods;</li> <li>3. Effective, reliable and future-proofed communications networks and services, that gives people access to telecommunication and radiocommunication services; and</li> <li>4. Safe and efficient <u>potable</u><sup>18</sup> water, wastewater and stormwater treatment systems, networks and services, which maintains public health and safety.</li> </ol>	
<b>INF-P2</b>	<b>The benefits of infrastructure other than Regionally Significant Infrastructure</b>
<p>Recognise the benefits that infrastructure not defined as Regionally Significant Infrastructure provides to the economic, social and cultural functioning of the City and health, <u>resilience</u><sup>19</sup> and wellbeing of people and communities.</p>	
<b>INF-P3</b>	<b>Infrastructure for planned future growth</b>
<p>Enable infrastructure to be provided in a manner that is safe, efficient, integrated, accessible and available to provide sufficient capacity for existing and plan-<u>enabled</u><sup>20</sup> subdivision, use and development.</p>	
<b>INF-P4</b>	<b><u>Enable Appropriate infrastructure</u></b> <sup>21</sup>
<p>Enable new infrastructure and the maintenance and repair, upgrading and removal of existing infrastructure, including <u>associated</u><sup>22</sup> earthworks, that:</p> <ol style="list-style-type: none"> <li>1. Is of a form, location and scale that minimises adverse effects on the environment;</li> <li>2. <u>For any new or upgrading of existing infrastructure, it is</u><sup>23</sup> compatible with the anticipated <u>planned urban built environment</u>,<sup>24</sup> character and amenity values of the zone in which the infrastructure is located; and</li> <li>3. For any maintenance and repair, or removal of existing infrastructure in any <u>specified</u><sup>25</sup> Overlay, it is of a nature and scale that does not adversely impact on the <u>identified</u><sup>26</sup> values and characteristics <u>of an area identified in SCHED7 – Significant Natural Areas, or the identified values and characteristics of any other specified</u><sup>27</sup> Overlay that it is located within.</li> </ol>	
<b>INF-P5</b>	<b><u>Adverse effects on Regionally Significant Infrastructure other than the National Grid</u></b> <sup>28</sup>
<p>Protect the safe and efficient operation, maintenance and repair, upgrading, removal and development of Regionally Significant Infrastructure <u>other than the National Grid</u><sup>29</sup> from being unreasonably compromised by:</p> <ol style="list-style-type: none"> <li>1. <u>Considering any potential adverse effects of subdivision, use or development</u><sup>30</sup> <u>of a site that contains or is adjacent to any Regionally Significant Infrastructure, including:</u></li> </ol>	

<sup>18</sup> Forest and Bird [225.107]

<sup>19</sup> WELL [85.16]

<sup>20</sup> Forest and Bird [225.109]

<sup>21</sup> [Powerco \[83.31\]](#)

<sup>22</sup> Forest and Bird [225.110]

<sup>23</sup> Waka Kotahi [82.44]

<sup>24</sup> Kāinga Ora [81.250]

<sup>25</sup> Forest and Bird [225.188]

<sup>26</sup> Forest and Bird [225.110]

<sup>27</sup> Forest and Bird [225.106]

<sup>28</sup> Transpower New Zealand Ltd [60.134]

<sup>29</sup> Ibid

<sup>30</sup> Waka Kotahi [82.45]

- a. ~~The impact of subdivision layout and design on the operation, maintenance and repair, and potential upgrade and development of the infrastructure;~~
  - b. ~~The extent to which the design and layout of the subdivision demonstrates that a suitable building platform(s) for a dwelling can be provided;~~
  - c. ~~The extent to which the subdivision design and consequential development will minimise avoid the potential for significant reverse sensitivity effects, and avoid, remedy or mitigate other reverse sensitivity effects on and amenity and nuisance effects of the infrastructure; and~~
2. ~~Requiring subdivision, use or development<sup>31</sup> of a site that contains or is adjacent to any Regionally Significant Infrastructure to be designed to avoid or mitigate any adverse effects on access to, and the safe and efficient operation and maintenance and repair of, that infrastructure;<sup>32</sup>~~
- 1. ~~Avoiding sensitive activities and building platforms located within the National Grid Yard;~~
  - 2. ~~Only allowing subdivision within the National Grid Corridor where it can be demonstrated that any adverse effects on and from the National Grid, including public health and safety, will be avoided, remedied or mitigated, taking into account:~~
    - a. ~~The impact of subdivision layout and design on the operation and maintenance, and potential upgrade and development of the National Grid;~~
    - b. ~~The ability of any potential future development to comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances;~~
    - c. ~~The extent to which the design and layout of the subdivision demonstrates that a suitable building platform(s) for a dwelling can be provided outside of the National Grid Yard for each new lot;~~
    - d. ~~The risk to the structural integrity of the National Grid;~~
    - e. ~~The extent to which the subdivision design and consequential development will minimise the risk of injury and/or property damage from the National Grid and the potential reverse sensitivity on and amenity and nuisance effects of the National Grid assets;~~
  - 3. ~~Only allowing sensitive activities within the Gas Transmission Pipeline Corridor where these are of a scale and nature that will not compromise the Gas Transmission Network;~~
  - 4. ~~Requiring sensitive activities to be located and designed so that potential adverse effects of ~~and on~~<sup>33</sup> the Rail Corridor and State Highways are avoided, remedied or mitigated;~~
  - 5. ~~Requiring any buildings or structures to be of a nature and scale and to be located and designed to maintain safe distances ~~within from~~<sup>34</sup> the ~~National Grid and~~<sup>35</sup> Gas Transmission Network;~~
  - 6. ~~Considering any potential adverse effects of subdivision of a site that contains or is adjacent to any Regionally Significant Infrastructure other than the National Grid, including:~~
    - a. ~~The impact of subdivision layout and design on the operation, maintenance and repair, and potential upgrade and development of the infrastructure;~~
    - b. ~~The extent to which the design and layout of the subdivision demonstrates that a suitable building platform(s) for a dwelling can be provided;~~
    - c. ~~The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity effects on and amenity and nuisance effects of the infrastructure; and~~
  - 7. ~~Requiring subdivision of a site that contains or is adjacent to any Regionally Significant Infrastructure other than the National Grid to be designed to avoid or mitigate any adverse effects on access to, and the safe and efficient operation and maintenance and repair of, that infrastructure.~~

<sup>31</sup> Ibid

<sup>32</sup> Telcos [51.52]

<sup>33</sup> Waka Kotahi [82.45]

<sup>34</sup> Clause 16 minor amendment

<sup>35</sup> Transpower New Zealand Ltd [60.134]

**INF-P6 Adverse effects on the National Grid<sup>36</sup>**

Protect the safe and efficient operation, maintenance and repair, upgrading, removal and development of the National Grid from being compromised by:

1. Avoiding sensitive activities and building platforms located within the National Grid Yard;
2. Requiring any buildings or structures to be of a nature and scale to minimise adverse effects on the National Grid and to be located and designed to maintain safe distances within the National Grid;
23. Only allowing subdivision within the National Grid Subdivision Corridor or the National Grid Pāuatahanui Substation Yard where it can be demonstrated that any reverse sensitivity effects will be avoided, and any other adverse effects on and from the National Grid, including public health and safety, will be avoided, remedied or mitigated, taking into account:
  - a. The impact of subdivision layout and design on the operation and maintenance, and potential upgrade and development of the National Grid, including reasonable access requirements;
  - b. The ability of any potential future development to comply with NZECP 34:2001 New Zealand Electricity<sup>37</sup> Code of Practice for Electricity<sup>38</sup> Safe Distances;
  - c. The extent to which the design and layout of the subdivision demonstrates that a suitable building platform(s) for a principal building or dwelling can be provided outside of the National Grid Yard for each new lot;
  - d. The risk to the structural integrity of the National Grid;
  - e. The extent to which the subdivision design and consequential development will minimise the risk of injury and/or property damage from the National Grid and the potential reverse sensitivity on and amenity and nuisance effects of the National Grid assets;
  - f. The nature and location of any proposed vegetation to be planted within the National Grid Yard; and
  - g. The outcome of any consultation with, and technical advice from, Transpower.

**INF-P7 Operation and maintenance and repair of the National Grid<sup>39</sup>**

Provide for the operation and the maintenance and repair of the National Grid that is not a permitted activity under by the National Environmental Standards for Electricity Transmission Activities, that:

1. Minimises adverse effects on the environment; and
2. Where located within a specified Overlay, is of a nature and scale that does not adversely impact on compromise the values and characteristics of the areas identified by the specified overlays that it is located within.

**INF-P68 Upgrading of the National Grid**

Provide for the upgrading of the National Grid that is not a permitted activity under by<sup>40</sup> the National Environmental Standards for Electricity Transmission Activities, while:

1. Having regard to the extent to which adverse effects have been avoided, remedied or mitigated;
2. 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;
3. Applying the mitigation hierarchy in ECO-P2 and assessing the matters in ECO-P4, ECO-P11 and ECO-P12 when considering any upgrade within an area identified in SCHED7 - Significant Natural Areas;
4. Recognising the potential benefits of upgrades to existing transmission lines to people and communities;

<sup>36</sup> Ibid

<sup>37</sup> Clause 16 minor amendment

<sup>38</sup> Clause 16 minor amendment

<sup>39</sup> Transpower New Zealand Ltd [60.36]

<sup>40</sup> Transpower New Zealand Ltd [60.37]

5. In urban areas, minimising adverse effects on urban amenity and avoiding adverse effects on the City Centre Zone, Open Space and Recreation Zones and existing sensitive activities;
6. Seeking to avoid adverse effects on areas identified in SCHED9 - Outstanding Natural Features and Landscapes, SCHED11 - Coastal High Natural Character Areas, SCHED7 - Significant Natural Areas, SCHED10 - Special Amenity Landscapes and Open Space and Recreation Zones; and
7. Considering opportunities to reduce existing adverse effects of the National Grid as part of any substantial upgrade.

**INF-P79 Development of the National Grid**

Provide for the development of the National Grid, while:

1. In urban areas, minimising adverse effects on urban amenity and avoiding adverse effects on the City Centre Zone, Open Space and Recreation Zones and existing sensitive activities;
2. Seeking to avoid the adverse effects of the National Grid within areas identified in SCHED9 - Outstanding Natural Features and Landscapes outside of the Coastal Environment, [SCHED11 - Coastal High Natural Character Areas](#),<sup>41</sup> SCHED10 - Special Amenity Landscapes and Open Space and Recreation Zones;
3. Avoiding the adverse effects of the National Grid within areas identified in SCHED9 - Outstanding Natural Features and Landscapes in the Coastal Environment;
4. Applying the mitigation hierarchy in ECO-P2 and assessing the matters in ECO-P4, ECO-P11 and ECO-P12 when considering the effects of the National Grid in an area identified in SCHED7 - Significant Natural Areas; and
5. When considering the adverse effects in respect of 1-4 above;
  - a. Having 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. Considering 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.

**INF-P810 [Provide for Regionally Significant Infrastructure and other infrastructure outside of Overlays Potentially acceptable infrastructure](#)<sup>42</sup>**

Provide for Regionally Significant Infrastructure and other infrastructure, [other than the National Grid](#),<sup>43</sup> where it can be demonstrated that the following matters can be achieved:

1. Compatibility with the site, existing built form and landform;
2. Compatibility with the anticipated [planned urban built environment](#),<sup>44</sup> character and amenity values of the zone it is located in;
3. Any adverse effects on amenity values are minimised, taking into account:
  - a. The bulk, height, size, colour, reflectivity of the infrastructure;
  - b. Any proposed associated earthworks;
  - c. The time, duration or frequency of any adverse effects; and
  - d. Any proposed mitigation measures;
4. Any adverse effects on the health, wellbeing and safety of people, communities and the environment, including nuisance from noise, dust, odour emissions, light spill and sedimentation are avoided, remedied or mitigated;
5. Any adverse effects on the natural character and amenity of water bodies, the coast and riparian margins and coastal margins are minimised;
6. Public access to and along the coastal marine area and water bodies is maintained or enhanced;

<sup>41</sup> Transpower New Zealand Ltd [60.38]

<sup>42</sup> Telcos [51.50]

<sup>43</sup> Transpower New Zealand Ltd [60.39]

<sup>44</sup> [Kāinga Ora](#) [81.254]

7. Any adverse effects on any values and qualities of any adjacent specified<sup>45</sup> Overlays are minimised;
8. The safe and efficient operation of any other infrastructure, including the transport network, is not compromised; ~~and~~
9. Any adverse effects on indigenous biodiversity are minimised;<sup>46</sup>
10. Any adverse cumulative effects are minimised; ~~and~~
11. Consistency with any relevant provisions of INF-P18 to INF-P24 where the infrastructure is located within a specified overlay.<sup>47</sup>

**INF-P911 Recognise operational needs and functional needs of infrastructure**

Recognise the operational needs and functional needs of Regionally Significant Infrastructure and other infrastructure by having regard to the following matters when making decisions on new infrastructure and the maintenance and repair and upgrading of existing infrastructure:

1. The extent to which;
  - a. The infrastructure integrates with, and is necessary to support, planned urban development;
  - b. The potential for significant adverse effects have been minimised through site, route or method selection; and
  - c. Functional and operational needs constrain ~~the~~ ability to avoid, remedy or mitigate adverse effects of infrastructure ~~is constrained by functional and operational needs~~<sup>48</sup>;
2. The time, duration or frequency of adverse effects;
3. The necessity of the infrastructure including;
  - a. The need to quickly repair and restore disrupted services; and
  - b. The impact of not operating, repairing, maintaining, upgrading, removing or developing infrastructure;
4. The location and operational needs and functional needs of existing infrastructure including;
  - a. The complexity and connectedness of networks and services; and
  - b. The potential for co-location and shared use of infrastructure corridors; and
5. Anticipated outcomes for the receiving environment and the purpose, character and amenity values of the zone in which it is located.

**INF-P120 New technology**

Recognise the benefits of new technology in infrastructure that:

1. Improves access to, and efficient use of, networks and services;
2. Allows for the re-use of redundant services and structures;
3. Increases resilience or reliability of networks and services;
4. Protects the on-going safety of the community and the integrity of the network; or
5. Results in environmental benefits or enhancements.

**INF-P143 Electric and magnetic fields and radiofrequency fields**

Avoid infrastructure that does not meet any applicable New Zealand standards or national environmental standards, and/or other internationally recognised standards or guidelines, for electric and magnetic fields and radiofrequency fields.<sup>49</sup>

**INF-P124 Operation of the transport network**

Enable the safe, resilient, effective and efficient operation, maintenance and repair of the transport network to meet local, regional and national transport needs.

**INF-P135 Upgrading and development of the transport network**

<sup>45</sup> Forest and Bird [225.188]

<sup>46</sup> Forest and Bird [225.42]

<sup>47</sup> Telcos [51.50]

<sup>48</sup> Waka Kotahi [82.47]

<sup>49</sup> Radio New Zealand Limited [121.23]

Provide for the upgrade and development of the transport network where, ~~as far as is practicable~~,<sup>50</sup> it:

1. Integrates with the existing transport network and any other planned network upgrades or development;
2. Does not compromise the safe, efficient and effective functioning of the transport network;
3. Responds to site and topographical constraints including opportunities to reduce the effects of earthworks on landscape and ecological values;
4. Provides for high levels of connectivity within and between transport modes;
5. Provides for pedestrian and cycling safety and connectivity including access to and usability of public open spaces; and
6. Provides roads which:
  - a. Allocate adequate space in the road corridor, taking into account the classification of the road and the communities and land uses it will serve,<sup>51</sup> for:
    - i. walking;
    - ii. cycling;
    - iii. public transport;<sup>52</sup>
    - iv. network utility<sup>53</sup> infrastructure;
    - v. refuse and recycling collection;<sup>54</sup>
    - vi. streetlighting; and
    - vii. street trees; as well as
    - viii. vehicles; and
    - ix. on-street parking;
  - b. ~~Avoid permanent no-exit streets unless~~ Only include no-exit roads where:
    - i. ~~There is no practicable alternative due to site and topographical constraints; and~~
    - ii. Connectivity for pedestrians and cyclists is maintained through provision of high-quality and convenient access from any part of a no-exit road to the wider transport network; and
    - iii. The no-exit road will serve a low volume of traffic and will have a length that minimises the adverse effects on the connectivity of the transport network, including for pedestrians and cyclists; or
    - iv. Provision is included within the subdivision design for connection of the no-exit road to the wider transport network, through future development or subdivision, that is consistent with any relevant structure plan.<sup>55</sup>
  - c. Include street trees that are suitable for their specific locations in the road reserve, where these:
    - i. Are a species appropriate to the site's growing conditions including soil, slope, aspect, wind, drought and salt tolerance;
    - ii. Contribute to high quality public amenity through species diversity, habitat and food source value and appearance (mature height, stem girth and form);
    - iii. Have low maintenance requirements and high tolerance to pruning;
    - iv. Are sited to avoid compromising traffic safety sightlines in respect of traffic lights, signs, intersections, bus stops, pedestrian crossings and vehicle crossings; and
    - v. Are sited and planted to avoid compromising buildings, structures or infrastructure.

**INF-  
P14**      **Connections to Roads**<sup>56</sup>

<sup>50</sup> Forest and Bird [225.117]

<sup>51</sup> Kenepuru Limited Partnership [59.11]

<sup>52</sup> GWRC [137.25]

<sup>53</sup> Ibid

<sup>54</sup> PCC [11.5]

<sup>55</sup> Carrus Corporation Ltd [68.12] and Kenepuru Limited Partnership [59.11]

<sup>56</sup> Kāinga Ora [81.260]

~~Provide for safe and efficient connections between the transport network and on-site transport facilities by requiring connections to roads to address:~~

- ~~1. The classification, characteristics and operating speed of the road and the number and types of vehicles accessing the site;~~
- ~~2. Opportunities to share and minimise the number of connections;~~
- ~~3. Public health and safety including the safe functioning of the transport network and the safety of pedestrians and cyclists; and~~
- ~~4. Site or topography constraints including reduced visibility.~~

**INF-P156 Road classification**

Classify roads according to their function and anticipated volume of traffic, based on the New Zealand Transport Agency's One Network Road Classification, as set out in SCHED1 - Roads Classified According to One Network Road Classification.

**INF-P167 Roads as infrastructure corridors**

Encourage the use of roads as infrastructure corridors in accordance with the National Code of Practice for Utility Operators' Access to Transport Corridors 2019.

**INF-P178 Upgrades to existing infrastructure and new infrastructure within or on heritage items, heritage settings and historic heritage sites, and sites and areas of significance to Māori**

Only allow upgrades to existing infrastructure and new infrastructure on or within heritage items, heritage settings and historic heritage sites, identified in SCHED2 - Historic Heritage Items (Group A), SCHED3 - Historic Heritage Items (Group B), SCHED4 - Historic Heritage Sites or sites or areas identified in SCHED6 - Sites and Areas of Significance to Māori where it can be demonstrated that:

1. There is an operational need or functional need that means the infrastructure's location cannot be avoided; and
2. The upgrade to existing infrastructure and new infrastructure will protect and maintain the particular heritage and/or cultural values of that building, site, area, item and/or feature.

**INF-P189 Trimming, pruning and activities within the root protection area of notable trees**

Enable the trimming, pruning and activities within the root protection area of a tree identified in SCHED5 - Notable Trees for the purpose of operating, maintaining and repairing, upgrading and removing existing infrastructure and any new infrastructure where:

1. For existing infrastructure, the work is required to comply with the Electricity (Hazards from Trees) Regulations 2003 or the Telecommunications Act 2001; or
2. For new infrastructure, there is an operational need or functional need that means the infrastructure's location cannot be avoided; and
3. For both new and existing infrastructure, the work will not compromise the long-term health, natural life or identified values of the notable tree.

**INF-P1920 Removal of Notable trees**

Only allow the removal of a tree identified in SCHED5 - Notable Trees for the purpose of operating, maintaining and repairing, upgrading and removing existing infrastructure and any new infrastructure where the criteria in TREE-P5 are met, or<sup>57</sup> it can be demonstrated that:

1. There is an operational need or functional need that means the infrastructure's location cannot be avoided; and
2. There are no feasible alternatives.

**INF-P210 Upgrades to and new infrastructure in Significant Natural Areas**

<sup>57</sup> Forest and Bird [225.121]



Except as provided for by INF-P6 and INF-P7, only allow for upgrades to existing infrastructure and for new infrastructure in areas identified in SCHED7 - Significant Natural Areas where it can be demonstrated that:

1. There is an operational need or functional need that means the infrastructure's location cannot be avoided; and
2. Any adverse effects on indigenous biodiversity values within areas identified in SCEHD7 - Significant Natural Areas are addressed in accordance with ECO-P2 and the matters in ECO-P4, ECO-P11 and ECO-P12.

**INF-P224 Upgrades to and new infrastructure in Special Amenity Landscapes**

Except as provided for by INF-P6 and INF-P7, only allow for upgrades to existing infrastructure and for new infrastructure within Special Amenity Landscapes where:

1. Any significant adverse effects are avoided, and any other adverse effects are avoided, remedied or mitigated and the identified characteristics and values of the Special Amenity Landscapes described in SCHED10 - Special Amenity Landscapes are maintained; and
2. There is an operational need or functional need that means the infrastructure's location cannot be avoided;
3. There are feasible methods to mitigate the adverse effects of the activity on the landscape and reduce the visual impact, including through:
  - a. Grouping or dispersing structures;
  - b. Undergrounding; and
  - c. Locations that reduce visibility.
4. The design methods used minimise the adverse visual effects of the infrastructure, including:
  - a. Landscaping and screening;
  - b. Design, location, height, bulk and colour;
  - c. Any light spill effects;
  - d. Reflectivity effects; and
5. The scale of earthworks and indigenous vegetation removal is minimised and any exposed areas are treated to minimise adverse off-site effects.

**INF-P232 Upgrades to and new infrastructure in an Outstanding Natural Features and Landscapes or Coastal High Natural Character Area**

Except as provided for by INF-P6 and INF-P7, only allow upgrades to existing infrastructure where, and avoid new infrastructure in areas identified in SCHED9 - Outstanding Natural Feature and Landscape or SCHED11 - Coastal High Natural Character Area, unless it can be demonstrated that:

1. There is an operational need or functional need that means the infrastructure's location cannot be avoided, and there are no reasonable alternatives;
2. The design and location of the infrastructure is subordinate to and does not compromise the identified characteristics and values of the Outstanding Natural Feature or Landscape described in SCHED9 - Outstanding Natural Features or Landscapes or Coastal High Natural Character Area described in SCHED11 - Coastal High Natural Character Areas;
3. The natural components of the Outstanding Natural Feature or Landscape or Coastal High Natural Character Area will continue to dominate over the influence of human activity; and
4. Any significant adverse effects are avoided, and any other adverse effects are avoided, remedied or mitigated, while also having regard to the matters in NFL-P3 and NFL-P6 and CE-P3.

**INF-P243 Upgrades to and new infrastructure in Natural Hazard Overlays and Coastal Hazard Overlays**

Only allow for upgrades to existing and new infrastructure in Natural Hazard Overlays and Coastal Hazard Overlays where the infrastructure:

1. Does not increase the risk from the natural hazard to people, or other property or infrastructure;

2. Has a functional need or operational need that means the infrastructure's location cannot be avoided and there are no reasonable alternatives;
3. Is **not vulnerable designed to be resilient**<sup>58</sup> to the natural hazard;
4. Does not result in a reduction in the ability of people and communities to recover from a natural hazard event; and
5. Is designed to maintain reasonable and safe operation during and in the immediate period after a natural hazard event.

#### **INF-P254 The National Grid Pāuatahanui Substation Yard**

Consider the following matters when assessing any buildings, structures and activities proposed within the National Grid Pāuatahanui Substation Yard:

1. Where located in the Settlement Zone:
  - a. The extent to which the proposed development design and layout enables appropriate separation distances between sensitive activities and the substation; and
  - b. The extent to which the proposed development will avoid the potential reverse sensitivity effects on and amenity and nuisance effects of the National Grid Pāuatahanui Substation.
2. Where located in any zone, including the Settlement Zone:
  - a. The risk of electrical hazards affecting public or individual safety, and the risk of property damage;
  - b. Measures proposed to mitigate other adverse effects on the operation, maintenance, upgrading and development of the substation;
  - c. Technical advice from an electrical engineer specialising in electricity transmission;
  - d. The outcome of any consultation with Transpower; and
  - e. Whether the building, structure or sensitive activity could be located further from the substation.

#### **INF-P265 The Gas Transmission Pipeline Corridor**

Consider the following matters when assessing any buildings, structures and activities proposed within **and habitable buildings near**<sup>59</sup> the Gas Transmission Pipeline Corridor:

1. The extent to which the proposed development design and layout avoids or mitigates any conflict with the Gas Transmission Network, including construction-related activities;
2. The extent to which any building or structure may compromise, restrict or prevent legal or physical access to the Gas Transmission Network;
3. Risks relating to health or public safety, including the risk of property damage;
4. The extent to which the development will avoid the potential reverse sensitivity effects on the Gas Transmission Network; and
5. Technical advice provided by the owner and operator of the Gas Transmission Network.

#### **INF-P276 Official**<sup>60</sup> **Signs**

Enable **official**<sup>61</sup> signs associated with the construction, operation, maintenance and repair or upgrading of infrastructure.

#### **Rules**

Note: Rule headings may identify whether the rule applies to areas outside of any **specified**<sup>62</sup> Overlay, to all **specified**<sup>63</sup> Overlay areas, or to areas within specific Overlays.

<sup>58</sup> Kenepuru Partnership Limited [59.12]

<sup>59</sup> PCC [11.7]

<sup>60</sup> Waka Kotahi [82.55]

<sup>61</sup> Ibid

<sup>62</sup> Forest and Bird [225.188]

<sup>63</sup> Forest and Bird [225.188]

Where rules do not specifically identify this, they apply across all specified<sup>64</sup> Overlays and areas outside of any specified<sup>65</sup> Overlay.

Note: Except as specifically identified in a rule in the following table, the rules in this chapter are the only rules that apply to infrastructure activities and no rules in other chapters apply. The exception to this is renewable electricity generation activities defined as infrastructure which are addressed in the Renewable Electricity Generation chapter.

Note: National Environmental Standards

The operation, maintenance, upgrading, relocation or removal of an electricity transmission line and ancillary structures that existed prior to 14 January 2010 and remain part of the National Grid is largely controlled by the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (NESETA). Except as provided for by these Regulations, no rules in the Plan apply to activities regulated by the NESETA. Where an activity is not regulated by the NESETA (for example the activity ~~does not~~ relates to an ~~existing~~ transmission line that is part of the National Grid but which was developed after the gazettal of the NESETA, or where new National Grid transmission lines and associated structures are proposed), the rules and standards in the District Plan apply. The operation, maintenance, upgrade and development of sub-transmission lines that carry electricity from the National Grid to the local distribution network are also subject to the rules and standards in the District Plan.<sup>66</sup>

The installation and operation of telecommunications facilities (such as cabinets, antennas, poles, small cell-units and telecommunications lines) undertaken by a facility operator are controlled by the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 (NESTF), separate to this District Plan. The following District Plan scheduled areas are considered NESTF subpart 5 matters, and as such, under the mechanism of the NESTF the District Plan continues to apply where these applies if<sup>67</sup> telecommunications facilities are located within the following:

- SCHED2 - Historic Heritage Items (Group A)
- SCHED3 - Historic Heritage Items (Group B)
- SCHED4 - Historic Heritage Sites
- SCHED5 - Notable Trees
- SCHED6 - Sites and Areas of Significance to Māori
- SCHED7 - Significant Natural Areas
- SCHED9 - Outstanding Natural Features and Landscapes
- SCHED10 - Special Amenity Landscapes
- SCHED11 - Coastal High Natural Character Areas

~~Note: Noise from backup emergency generators at Radio New Zealand's Titahi Bay facilities is exempt from the noise limits in the Noise chapter. All other infrastructure must comply with the noise rules for the underlying zone.~~<sup>68</sup>

Note: The mountings of any antenna and any radiofrequency equipment or similar device are not included in the measurement of area or diameter of each antenna, provided that the radiofrequency unit or similar device is smaller in area or diameter than the antenna itself. Any antenna only needs to meet the area or diameter measurement appropriate to the type of antenna and the measurement is of each individual antenna and is not a cumulative measurement.

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<sup>64</sup> Forest and Bird [225.188]

<sup>65</sup> Forest and Bird [225.188]

<sup>66</sup> WELL [85.23]

<sup>67</sup> Telcos [51.33]

<sup>68</sup> Ibid

Note: An activity may require consent for more than one rule in this table. Plan users are required to review all rules in this table to determine the status of an activity.

INF-R1	Infrastructure involving radiofrequency fields and electric and magnetic fields
All zones	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. The maximum exposure levels do not exceed the levels specified in NZS 2772:1999 'Radiofrequency Fields – Maximum exposure levels – 3kHz to 300 GHz.'; and</li> <li>b. Infrastructure that emits electric and magnetic fields complies with the International Commission on Non-ionising Radiation Protection Guidelines for limiting exposure to time-varying electric and magnetic fields (1 Hz – 100 Hz), Health Physics 99(6):818-836; 2010.</li> </ul> <p>Note: An activity may require consent for more than one rule in this table. Plan users are required to review all rules in this table to determine the status of an activity.</p>
All zones	<p>2. Activity status: <b>Non-complying</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. Compliance is not achieved with INF-R1-1.a or INF-R1-1.b.</li> </ul> <p><b>Notification:</b> <del>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.<sup>69</sup></del></p>
INF-R2	Noise from construction of new infrastructure and the maintenance and repair, upgrading and removal of existing infrastructure
All zones	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. The noise <del>must be</del> <u>is</u> measured, assessed, managed and controlled in accordance with <u>the requirements and meets the relevant noise limits in Tables 2 and 3 of</u> NZS 6803:1999 Acoustics – Construction noise; and</li> <li><u>b. Vibration received by any building on any other site complies with the provisions of and is measured and assessed in accordance with</u> DIN 4150-3:1999 Structural Vibration – Part 3: Effects of Vibration on Structures.<sup>70</sup></li> </ul>
All zones	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. Compliance is not achieved with INF-R2-1.a <u>or INF-R2-1.b.</u><sup>71</sup></li> </ul> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>1. The matters in NOISE-P3.</li> </ul> <p><b>Notification:</b></p>

<sup>69</sup> Kāinga Ora [81.273]

<sup>70</sup> Powerco Limited [83.48]


<sup>71</sup> Ibid

	An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.
<b>INF-R3</b>	<b>The <u>Infrastructure</u><sup>72</sup> maintenance and repair, and removal of existing infrastructure, including any existing ancillary vehicle access tracks, outside of any <u>specified</u><sup>73</sup> Overlay</b>
<b>All zones</b>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <p>i. INF-S14; and</p> <p>ii. INF-S15.</p> <p>Note: The operation of legally established existing infrastructure may rely on existing use rights or any resource consent obtained for that infrastructure.</p>
<b>All zones</b>	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with INF-S14 or INF-S15.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of any infringed standard.</p> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>
<b>INF-R4</b>	<b>Upgrading of existing infrastructure, excluding roads, gas transmission pipelines and transmission lines over 110kV, outside of any <u>specified</u><sup>74</sup> Overlay</b>
<b>All zones</b>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <p>i. INF-S1;</p> <p>ii. INF-S11;</p> <p>iii. INF-S14;</p> <p>iv. INF-S15; and</p> <p>v. The noise rule(s) applying to the zone.</p>
<b>All zones</b>	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with INF-S1, INF-S11, INF-S14, INF-S15 or the noise rule(s) applying to the zone.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of any infringed standard or rule.</p> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>

<sup>72</sup> Kāinga Ora [81.101]

<sup>73</sup> Forest and Bird [225.188]

<sup>74</sup> Forest and Bird [225.188]

<b>INF-R5</b> 	<b>The <u>Infrastructure</u><sup>75</sup> maintenance and repair, and removal of existing infrastructure including any existing ancillary vehicle access tracks, within any <u>specified</u><sup>76</sup> Overlay</b>
<b>All zones</b>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. Compliance is achieved with: <ul style="list-style-type: none"> <li>i. INF-S14;</li> <li>ii. INF-S15; and</li> </ul> </li> <li>b. Compliance is achieved with INF-S18 and INF-S20 where the activity is located within an area identified in SCHED7 - Significant Natural Areas <del>and the infrastructure is not located within a wetland;</del><sup>77</sup></li> <li>c. Compliance is achieved with INF-S17 where the activity is located within an area identified in: <ul style="list-style-type: none"> <li>i. SCHED9 - Outstanding Natural Features and Landscapes; or</li> <li>ii. SCHED10 - Special Amenity Landscapes; or</li> <li>iii. SCHED11 - Coastal High Natural Character Areas;</li> </ul> </li> <li>d. Compliance is achieved with INF-S19 where the activity involves trimming, pruning, removal or activities within the root protection area of a notable tree identified in SCHED5 - Notable Trees and the trimming, pruning, removal or activities are required: <ul style="list-style-type: none"> <li>i. To comply with the Electricity (Hazards from Trees) Regulations 2003;</li> <li>ii. To comply with the Telecommunications Act 2001; or</li> <li>iii. For maintenance and repair purposes;</li> </ul> </li> <li>e. Compliance is achieved with INF-S16 where the activity is located on or within a heritage item, heritage setting, historic heritage site, or an area identified in SCHED2 - Historic Heritage Items (Group A), SCHED3 - Historic Heritage Items (Group B), SCHED4 - Historic Heritage Sites and SCHED6 - Sites of Significance to Māori;</li> <li>f. The activities do not result in a permanent change to the ground level where the activity is located in the Flood Hazard Overlays of the Natural Hazard Overlay, or the Coastal Hazard Overlay.</li> </ul> <p>Note: The operation of legally established existing infrastructure may rely on existing use rights or any resource consent obtained for that infrastructure.</p>
<b>All zones</b>	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. Compliance is not achieved with INF-S14, INF-S15, INF-S17, INF-S18, or INF-S20.</li> </ul> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>1. The matters of discretion of any infringed standard.</li> </ul> <p><b>Notification:</b></p>


<sup>75</sup> Kāinga Ora [81.101]

<sup>76</sup> Forest and Bird [225.188]

<sup>77</sup> GWRC [137.69] and Forest and Bird [225.21]

	An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.
<b>All zones</b>	<p>3. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>The works involve trimming, pruning or works within the root protection area of a notable tree identified in SCHED5 - Notable Trees; and</li> <li>Compliance is not achieved with INF-R5-1.d.</li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The matters in INF-P198.</li> </ol>
<b>All zones</b>	<p>4. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>The works involve the removal of a notable tree identified in SCHED5 - Notable Trees; and</li> <li>Compliance is not achieved with INF-R5-1.d.</li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The matters in INF-P2019.</li> </ol>
<b>All zones</b>	<p>5. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>Compliance is not achieved with INF-S16.</li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The matters in HH-P6; and</li> <li>The matters in SASM-P4.</li> </ol>
<b>All zones</b>	<p>6. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>Compliance is not achieved with INF-R5-1.f.</li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The matters in INF-P243.</li> </ol>
<b>All zones</b>	<p><del>7. Activity status: <b>Discretionary</b></del></p> <p><del>Where:</del></p> <p><del>a. The works involve infrastructure located within a wetland within an area identified in SCHED7 - Significant Natural Areas.</del></p> <p><del>Section 88 information requirements for applications:</del></p> <p><del>1. Applications for activities within SNAs must provide, in addition to the standard information requirements, an Ecological Assessment provided by a suitably qualified and experienced ecologist:</del></p> <p><del>a. Identifying the biodiversity values and potential impacts from the proposal; and</del></p> <p><del>b. Demonstrating that the ECO-P2 hierarchy has been applied.<sup>78</sup></del></p>

<sup>78</sup> GWRC [137.69] and Forest and Bird [225.21]

<p><b>INF-R6</b></p> 	<p><b>Upgrading of existing infrastructure, <u>excluding walkways, cycleways and shared paths</u>,<sup>79</sup> which is located on or within a heritage item, heritage setting, or historic heritage site identified in SCHED2 - Historic Heritage Items (Group A), SCHED3 - Historic Heritage Items (Group B), SCHED4 - Historic Heritage Sites or sites and areas identified in SCHED6 - Sites and Areas of Significance to Māori</b></p>
<p><b>All zones</b></p>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. The infrastructure is an antenna; and</li> <li>b. Compliance is achieved with INF-S2.</li> </ol>
<p><b>All zones</b></p>	<p>2. Activity status: <b>Discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is not achieved with INF-R6-1.a or INF-S2.</li> </ol>
<p><b>INF-R7</b></p>	<p><b>Upgrading of infrastructure, excluding roads, gas transmission pipelines, <u>walkways, cycleways and shared paths</u>,<sup>80</sup> and transmission lines <u>at or</u><sup>81</sup> over 110kV,<sup>82</sup> located in an area identified in SCHED10 - Special Amenity Landscapes or SCHED11 - Coastal High Natural Character Areas</b></p>
<p><b>All zones</b></p>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. The infrastructure is: <ol style="list-style-type: none"> <li>i. Located underground; or</li> <li>ii. Located above ground and is located within an existing road reserve <u>or rail corridor</u><sup>83</sup>; and</li> </ol> </li> <li>b. Compliance is achieved with; <ol style="list-style-type: none"> <li>i. INF-S1;</li> <li>ii. INF-S17; and</li> <li>iii. The noise rule(s) applying to the zone.</li> </ol> </li> </ol>
<p><b>All zones</b></p>	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is not achieved with INF-S1, INF-S17 or the noise rule(s) applying to the zone.</li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The matters of discretion of any infringed standard or rule.</li> </ol>
<p><b>All zones</b></p>	<p>3. Activity status: <b>Discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is not achieved with INF-R7-1.a.</li> </ol>
<p><b>INF-R8</b></p>	<p><b>Upgrading of infrastructure, excluding roads, gas transmission pipelines, <u>walkways, cycleways and shared paths</u>,<sup>84</sup></b></p>

<sup>79</sup> Forest and Bird [225.133]

<sup>80</sup> Ibid

<sup>81</sup> Transpower [60.52]

<sup>82</sup> Clause 16 minor amendment

<sup>83</sup> KiwiRail [86.37]

<sup>84</sup> Forest and Bird [225.133]




<b>and transmission lines <u>at or</u><sup>85</sup> over 110kV, in a Natural Hazard Overlay or Coastal Hazard Overlay</b>	
<b>All zones</b>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <ol style="list-style-type: none"> <li>i. INF-S1;</li> <li>ii. INF-S14;</li> <li>iii. INF-S15; and</li> <li>iv. The noise rule(s) applying to the zone; <b>and</b></li> </ol> <p>b. The infrastructure upgrade:</p> <ol style="list-style-type: none"> <li><del>i. D</del>does not result in a permanent change to the ground level once the upgrade is completed; and</li> <li><del>ii. c.</del> Any addition to existing infrastructure, structure or building located above ground level <u>within a Flood Hazard Overlay or Coastal Hazard Overlay:</u> <ol style="list-style-type: none"> <li><del>i. D</del>does not increase the footprint of the existing infrastructure, structure or building <u>within a High or Medium Hazard area.;</u></li> <li><del>ii. Does not increase the footprint of the existing infrastructure, structure or building by more than 10m<sup>2</sup> within a Low Hazard area.</del><sup>86</sup></li> </ol> </li> </ol>
<b>All zones</b>	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with INF-S1, INF-S14, INF-S15 or the noise rule(s) applying to the zone.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The matters of discretion of any infringed standard or rule.</li> </ol> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>
<b>All zones</b>	<p>3. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with INF-R8-1.b <u>or INF-R8-1.c.</u><sup>87</sup></p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The matters in INF-P2<del>4</del><u>3</u>.</li> </ol> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p>
<b>INF-R9</b>	<b><u>Upgrading of infrastructure, excluding roads, gas transmission pipelines, walkways, cycleways and shared paths, and transmission lines at or over 110kV, located in the root protection area of a tree listed in SCHED5 - Notable Trees</u></b> <sup>88</sup>

<sup>85</sup> Transpower [60.53]

<sup>86</sup> Powerco [83.54]

<sup>87</sup> Powerco [83.54]

<sup>88</sup> Powerco [83.63]

	<p><b><u>All zones</u></b>      <b><u>1. Activity status: Permitted</u></b></p> <p><u>Where:</u></p> <p><u>a. Compliance is achieved with:</u></p> <p><u>i. INF-S1;</u></p> <p><u>ii. INF-S14;</u></p> <p><u>iii. INF-S15;</u></p> <p><u>iv. INF-S19; and</u></p> <p><u>v. The noise rule(s) applying to the zone; and</u></p>
	<p><b><u>All zones</u></b>      <b><u>2. Activity status: Restricted discretionary</u></b></p> <p><u>Where:</u></p> <p><u>a. Compliance is not achieved with INF-S1, INF-S14, INF-S15 or the noise rule(s) applying to the zone</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>1. The matters of discretion of any infringed standard or rule.</u></p> <p><b><u>Notification:</u></b></p> <p><u>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</u></p>
	<p><b><u>All zones</u></b>      <b><u>3. Activity status: Restricted discretionary</u></b></p> <p><u>Where:</u></p> <p><u>a. The works involve trimming, pruning or works within the root protection area of a notable tree identified in SCHED5 - Notable Trees; and</u></p> <p><u>b. Compliance is not achieved with INF-S19.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>1. The matters in INF-P19.</u></p> <p><b><u>Notification:</u></b></p> <p><u>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</u></p>
	<p><b><u>All zones</u></b>      <b><u>4. Activity status: Restricted discretionary</u></b></p> <p><u>Where:</u></p> <p><u>a. The works removal of a notable tree identified in SCHED5 - Notable Trees; and</u></p> <p><u>b. Compliance is not achieved with INF-S19.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>1. The matters in INF-P20.</u></p> <p><b><u>Notification:</u></b></p> <p><u>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</u></p>
<p><b><u>INF-R910</u></b></p> 	<p><b><u>New, extensions to, and upgrading of Walkways, cycleways and shared paths that are located on public land other than a road<sup>89</sup></u></b></p>
	<p><b><u>All zones</u></b>      <b><u>1. Activity status: Permitted</u></b></p>

<sup>89</sup> Forest and Bird [225.133]

Where:

- a. The walkway, cycleway or shared path is in a reserve administered by the Greater Wellington Regional Council or Department of Conservation and is located outside of any specified<sup>90</sup> Overlay;
- b. The walkway, cycleway or shared path is in a reserve administered by Porirua City Council and is located outside of any specified<sup>91</sup> Overlay; and
  - i. The activity is undertaken by Porirua City Council; and
  - ii. Compliance is achieved with INF-S14, INF-S15, and<sup>92</sup> INF-S27;
- c. The walkway, cycleway or shared path is within a reserve administered by Porirua City Council and the activity is undertaken by Porirua City Council, and is located within or partly within any specified<sup>93</sup> Overlay; and:
  - i. It is not located within a heritage item, heritage setting, historic heritage site or site or area identified in SCHED2 - Historic Heritage Items (Group A), SCHED3 - Historic Heritage Items (Group B), SCHED4 - Historic Heritage Sites or SCHED6 - Sites and Areas of Significance to Māori;
  - ii. It is not within an area identified as a Flood Hazard - Stream Corridor or Flood Hazard - Overland Flow in the Natural Hazard Overlay;

iii. Compliance is achieved with INF-S18 and INF-S20 where the activity is upgrading of an existing walkway, cycleway or shared path<sup>94</sup> located within an area identified in SCHED7 - Significant Natural Areas and the infrastructure is not located within a wetland;<sup>95</sup>

- iv. Compliance is achieved with INF-S17 where the activity is located within an area identified in SCHED9 - Outstanding Natural Features and Landscapes; SCHED10 - Special Amenity Landscapes or SCHED11 - Coastal High Natural Character Areas;
- v. Compliance is achieved with INF-S19 where the activity involves trimming, pruning, removal or activities within the root protection area of a notable tree identified in SCHED5 - Notable Trees; and
- vi. Compliance is achieved with:
  - 1. INF-S14;
  - 2. INF-S15; and
  - 3. INF-S27; or
- d. The walkway, cycleway or shared path is in a reserve administered by the Greater Wellington Regional Council or Department of Conservation, and is located within or partly within any specified<sup>96</sup> Overlay; and:
  - i. It is not within a heritage item, heritage setting, historic heritage site, or site or area identified in SCHED2 - Historic Heritage Items (Group A), SCHED3 - Historic Heritage

<sup>90</sup> Forest and Bird [225.188]

<sup>91</sup> Forest and Bird [225.188]

<sup>92</sup> Clause 16 minor amendment

<sup>93</sup> Forest and Bird [225.188]

<sup>94</sup> Ibid

<sup>95</sup> GWRC [137.69] and Forest and Bird [225.21]

<sup>96</sup> Forest and Bird [225.188]

	<p>Items (Group B), SCHED4 - Historic Heritage Sites or SCHED6 - Sites and Areas of Significance to Māori;</p> <p>ii. It is not within an area identified as a Flood Hazard - Stream Corridor or Flood Hazard - Overland Flow the Natural Hazard Overlay;</p> <p>iii. Compliance is achieved with INF-S18 and INF-S20 where the activity is <u>upgrading of an existing walkway, cycleway or shared path</u><sup>97</sup> located within an area identified in SCHED7 - Significant Natural Areas <del>and the infrastructure is not located within a wetland</del>;<sup>98</sup></p> <p>iv. Compliance is achieved with INF-S17 where the activity is located within an area identified in SCHED9 - Outstanding Natural Features and Landscapes; SCHED10 - Special Amenity Landscapes or SCHED11 - Coastal High Natural Character Areas;</p> <p>v. Compliance is achieved with INF-S19 where the activity involves trimming, pruning, removal or activities within the root protection area of a notable tree identified in SCHED5 - Notable Trees; and</p> <p>vi. Compliance is achieved with:</p> <ol style="list-style-type: none"> <li>1. INF-S14; and</li> <li>2. INF-S15.</li> </ol>
	<p><b><u>All zones</u></b>      <b><u>2. Activity status: Controlled</u></b></p> <p><u>Where:</u></p> <p><u>a. The walkway, cycleway or shared path is a new, or an extension to an existing, walkway, cycleway or shared path located within an area identified in SCHED7 - Significant Natural Areas; and</u></p> <p><u>b. Compliance is achieved with:</u></p> <ol style="list-style-type: none"> <li><u>i. INF-S14;</u></li> <li><u>ii. INF-S15;</u></li> <li><u>iii. INF-S18;</u></li> <li><u>iv. INF-S20; and</u></li> <li><u>v. INF-S27.</u></li> </ol> <p><u>Matters of control are reserved to:</u></p> <ol style="list-style-type: none"> <li><u>1. The matters in INF-P21.</u><sup>99</sup></li> </ol>
	<p><b><u>All zones</u></b>      <b><u>23. Activity status: Restricted discretionary</u></b></p> <p><u>Where:</u></p> <p><u>a. Compliance is not achieved with INF-S14, INF-S15, INF-S17, INF-S18, INF-S20 or INF-S27.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <li><u>1. The matters of discretion of any infringed standard.</u></li> </ol>
	<p><b><u>All zones</u></b>      <b><u>34. Activity status: Restricted discretionary</u></b></p> <p><u>Where:</u></p> <p><u>a. The walkway, cycleway or shared path is within an area identified as a Flood Hazard - Stream Corridor or Flood Hazard - Overland Flow in the Natural Hazard Overlay.</u></p>

<sup>97</sup> Ibid

<sup>98</sup> GWRC [137.69] and Forest and Bird [225.21]

<sup>99</sup> GWRC [137.74], QEII [216.48] and Forest and Bird [225.133]

	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The matters in INF-P2<del>43</del>.</li> </ol> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p>
<b>All zones</b>	<p><del>45</del>. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>The walkway, cycleway or shared path is within a heritage item, heritage setting, historic heritage site, or site or area identified in: <ol style="list-style-type: none"> <li>SCHED2 - Historic Heritage Items (Group A);</li> <li>SCHED3 - Historic Heritage Items (Group B);</li> <li>SCHED4 - Historic Heritage Sites; or</li> <li>SCHED6 - Sites and Areas of Significance to Māori.</li> </ol> </li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The matters in INF-P1<del>87</del>.</li> </ol>
<b>All zones</b>	<p><del>56</del>. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>The walkway, cycleway or shared path involves trimming, pruning or activities within the root protection area of a notable tree identified in SCHED5 - Notable Trees; and</li> <li>Compliance is not achieved with INF-S19.</li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The matters in INF-P1<del>98</del>.</li> </ol>
<b>All zones</b>	<p><del>67</del>. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>The walkway, cycleway or shared path involves removal of a notable tree identified in SCHED5 - Notable Trees; and</li> <li>Compliance is not achieved with INF-S19.</li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The matters in INF-P<del>2049</del>.</li> </ol>
<b>All zones</b>	<p><del>7</del>. Activity status: <b>Discretionary</b></p> <p><del>Where:</del></p> <p><del>a. The walkway, cycleway or shared path is within a wetland within an area identified in SCHED7— Significant Natural Areas.<sup>100</sup></del></p>
<b>INF-R1<del>10</del></b>	<b>New and extensions to existing vehicle access tracks ancillary to infrastructure, outside of any <u>specified</u><sup>101</sup> Overlay</b>
<b>All zones</b>	<ol style="list-style-type: none"> <li>Activity status: <b>Permitted</b></li> </ol> <p>Where:</p> <ol style="list-style-type: none"> <li>Compliance is achieved with: <ol style="list-style-type: none"> <li>INF-S14; and</li> <li>INF-S15.</li> </ol> </li> </ol>

<sup>100</sup> GWRC [137.69] and Forest and Bird [225.21]

<sup>101</sup> Forest and Bird [225.188]

	<p><b>All zones</b>      2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p style="padding-left: 20px;">a. Compliance is not achieved with INF-S14 or INF-S15.</p> <p>Matters of discretion are restricted to:</p> <p style="padding-left: 20px;">1. The matters of discretion of any infringed standard.</p> <p><b>Notification:</b></p> <p>An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p>
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<b>INF-R124</b>	<p><b>New infrastructure located within a Natural Hazard Overlay or Coastal Hazard Overlay, excluding roads, walkways, cycleways and shared paths, gas transmission pipelines and transmission lines and new transformers, substations, switching station and ancillary buildings for the electricity network, and water and wastewater treatment plants</b></p>
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	<p><b>All zones</b>      1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p style="padding-left: 20px;">a. Compliance is achieved with:</p> <p style="padding-left: 40px;">i. INF-S3;</p> <p style="padding-left: 40px;">ii. INF-S4;</p> <p style="padding-left: 40px;">iii. INF-S5;</p> <p style="padding-left: 40px;">iv. INF-S6;</p> <p style="padding-left: 40px;">v. INF-S7;</p> <p style="padding-left: 40px;">vi. INF-S8;</p> <p style="padding-left: 40px;">vii. INF-S9;</p> <p style="padding-left: 40px;">viii. INF-S10;</p> <p style="padding-left: 40px;">ix. INF-S11;</p> <p style="padding-left: 40px;">x. INF-S12;</p> <p style="padding-left: 40px;">xi. INF-S13;</p> <p style="padding-left: 40px;">xii. INF-S14;</p> <p style="padding-left: 40px;">xiii. INF-S15; and</p> <p style="padding-left: 40px;">xiv. The noise rule(s) applying to the zone; and</p> <p style="padding-left: 20px;">b. The infrastructure is contained within or attached to an existing building or structure, and:</p> <p style="padding-left: 40px;">i. Does not result in a permanent change to the ground level once the upgrade is completed; and</p> <p style="padding-left: 40px;">ii. Does not increase the footprint of the existing structure or building; or</p> <p style="padding-left: 20px;">c. The infrastructure is located underground and does not result in a permanent change to the ground level within the:</p> <p style="padding-left: 40px;">i. Low, Medium or High Hazard Areas of the Flood Hazard Overlays in a Natural Hazard Overlay;</p> <p style="padding-left: 40px;">ii. Low Hazard Area of the Pukerua Fault or Ohariu Fault Rupture Zones of the Natural Hazard Overlay;</p> <p style="padding-left: 40px;">iii. Low or Medium Hazard Areas of the Coastal Hazard - Future Erosion area and Coastal Hazard - Future Inundation area of the Coastal Hazard Overlay; or</p> <p style="padding-left: 40px;">iv. Low, Medium or High Hazard Area of the Tsunami Hazard Inundation Extents of the Coastal Hazard Overlay; or</p> <p style="padding-left: 20px;">d. The infrastructure is above ground and is located <del>above ground</del><sup>102</sup> within the:</p> <p style="padding-left: 40px;">i. Low Hazard Area of the Flood Hazard Overlays in a Natural Hazard Overlay;</p>
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<sup>102</sup> Powerco [83.55]

	<ul style="list-style-type: none"> <li>ii. Low Hazard Area of the Pukerua Fault or Ohariu Fault Rupture Zones of the Natural Hazard Overlay;</li> <li>iii. Low or Medium Hazard Areas of the Coastal Hazard - Future Erosion area and Coastal Hazard - Future Inundation area of the Coastal Hazard Overlay;<sup>103</sup> or</li> <li>iv. Low or Medium Hazard Area of the Tsunami Hazard Inundation Extents of the Coastal Hazard Overlay.</li> </ul> <p>Note: INF-R11-1.d relates to physical structures located within the Natural Hazard or Coastal Hazard Overlays. This rule is not triggered by lines that may span over an overlay area, but whose support structures are not located either within a Natural Hazard or Coastal Hazard Overlay.</p>
	<p><b>All zones</b>      2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. Compliance is not achieved with INF-S3, INF-S4, INF-S5, INF-S6, INF-S7, INF-S8, INF-S9, INF-S10, INF-S11, INF-S12, INF-S13, INF-S14, INF-S15 or the noise rule(s) applying to the zone.</li> </ul> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>1. The matters of discretion of any infringed standard or rule; and</li> <li>2. The matters in INF-P2<sup>43</sup>.</li> </ul> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p>
	<p><b>All zones</b>      3. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. The infrastructure is located underground and results in a permanent change to the ground level within the: <ul style="list-style-type: none"> <li>i. Low, Medium or High Hazard Areas of the Flood Hazard Overlays in a Natural Hazard Overlay;</li> <li>ii. Low Hazard Area of the Pukerua Fault or Ohariu Fault Rupture Zones of the Natural Hazard Overlay;</li> <li>iii. Low or Medium Hazard Areas of the Coastal Hazard - Future Erosion area and Coastal Hazard - Future Inundation area of the Coastal Hazard Overlay; or</li> <li>iv. Low, Medium or High Hazard Area of the Tsunami Hazard Inundation Extents of the Coastal Hazard Overlay; or</li> </ul> </li> <li>b. The infrastructure is located underground within the: <ul style="list-style-type: none"> <li>i. Medium or High Hazard Areas of the Pukerua Fault or Ohariu Fault Hazard Extents of the Natural Hazard Overlay; <sup>or</sup><sup>104</sup></li> <li>ii. High Hazard Areas of the Coastal Hazard - Current Erosion area and Coastal Hazard - Current Inundation area<sub>105</sub></li> </ul> </li> </ul> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>1. The matters in INF-P2<sup>43</sup>.</li> </ul> <p><b>Notification:</b></p>

<sup>103</sup> Clause 16 minor amendment

<sup>104</sup> Clause 16 minor amendment

<sup>105</sup> Clause 16 minor amendment

	An application under this rule is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.
<b>All zones</b>	<p>4. Activity status: <b>Discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. The infrastructure is located above ground within: <ol style="list-style-type: none"> <li>i. Medium and High Hazard Areas of the Flood Hazard Overlays in a Natural Hazard Overlay;</li> <li>ii. Medium or High Hazard Areas of the Pukerua Fault or Ohariu Fault Rupture Zones of the Natural Hazard Overlay;</li> <li>iii. High Hazard Areas of the Coastal Hazard - Current Erosion area and Coastal Hazard - Current Inundation area; or</li> <li>iv. High Hazard Area of the Tsunami Hazard Inundation Extents of the Coastal Hazard Overlay.</li> </ol> </li> </ol>
<b>INF-R132</b>	<b>Cabinets (not regulated by the NESTF) located outside of any specified<sup>106</sup> Overlay</b>
<b>All zones</b>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is achieved with: <ol style="list-style-type: none"> <li>i. INF-S8;</li> <li>ii. INF-S9;</li> <li>iii. INF-S11</li> <li>iv. INF-S13;</li> <li>v. INF-S14;</li> <li>vi. INF-S15; and</li> <li>vii. The noise rule(s) applying to the zone.</li> </ol> </li> </ol>
<b>All zones</b>	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is not achieved with INF-S8, INF-S9, INF-S11 INF-S13, INF-S14, INF-S15 or the noise rule(s) applying to the zone.</li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The matters of discretion of any infringed standard or rule.</li> </ol> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p>
<b>INF-R143</b>	<b>Infrastructure located within existing buildings</b>
<b>All zones</b>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is achieved with the noise rule(s) applying to the zone.</li> </ol>
<b>All zones</b>	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is not achieved with the noise rule(s) applying to the zone.</li> </ol>

<sup>106</sup> Forest and Bird [225.188]



	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The matters of discretion of any infringed standard or rule.</li> </ol> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p>
<b>INF-R154</b>	<b>Infrastructure located on or within existing bridges and structures across streams</b>
<b>All zones</b>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is achieved with: <ol style="list-style-type: none"> <li>i. INF-S14;</li> <li>ii. INF-S15; and</li> <li>iii. The noise rule(s) applying to the zone.</li> </ol> </li> </ol>
<b>All zones</b>	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is not achieved with INF-S14, INF-S15 or the noise rule(s) applying to the zone.</li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The matters of discretion of any infringed standard or rule.</li> </ol> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p>
<b>INF-R165</b>	<b>Underground infrastructure, excluding gas transmission pipelines and transmission lines over 110kV, outside of any <u>specified</u><sup>107</sup> Overlay</b>
<b>All zones</b>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is achieved with: <ol style="list-style-type: none"> <li>i. INF-S14;</li> <li>ii. INF-S15; and</li> <li>iii. The noise rule(s) applying to the zone.</li> </ol> </li> </ol>
<b>All zones</b>	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is not achieved with INF-S14, INF-S15 or the noise rule(s) applying to the zone.</li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The matters of discretion of any infringed standard or rule.</li> </ol> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p>
<b>INF-R176</b>	<b>Antenna attached to a building and associated support structures (not regulated by the NESTF) outside of any <u>specified</u><sup>108</sup> Overlay</b>

<sup>107</sup> Forest and Bird [225.188]

<sup>108</sup> Forest and Bird [225.188]

	<p><b>All zones</b></p> <p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <p>i. INF-S5;</p> <p>ii. INF-S7; and</p> <p>iii. INF-S12.</p>
	<p><b>All zones</b></p> <p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with INF-S5, INF-S7 or INF-S12.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of any infringed standard.</p> <p><b>Notification:</b></p> <p>An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p>
<p><b>INF-R187</b>      <b>Telecommunication poles, with or without associated antenna, and antenna attached to telecommunication poles (not regulated by the NESTF) outside of any <u>specified</u><sup>109</sup> Overlay</b></p>	
	<p><b>City Centre Zone</b></p> <p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <p>i. INF-S3;</p> <p>ii. INF-S4;</p> <p>iii. INF-S6;</p> <p>iv. INF-S11;</p> <p>v. INF-S12;</p> <p>vi. INF-S14; and</p> <p>vii. INF-S15.</p> <p><b>Large Format Retail Zone</b></p> <p><b>General Industrial Zone</b></p> <p><b>Mixed Use Zone</b></p> <p><b>Local Centre Zone</b></p> <p><b>Rural Zones</b></p> <p><b>Future Urban Zone</b></p> <p><b>Sport and Active Recreation Zone</b></p> <p><b>Hospital Zone</b></p> <p><b>Special Purpose Zone (BRANZ)</b></p>

<sup>109</sup> Forest and Bird [225.188]

<b>Māori Purpose Zone (Hongoeka)</b>	
<b>City Centre Zone</b>	2. Activity status: <b>Restricted discretionary</b>
<b>Large Format Retail Zone</b>	Where: a. Compliance is not achieved with INF-S3; INF-S4, INF-S5, INF-S6, INF-S11; INF-S12; INF-S14 or INF-S15.
<b>General Industrial Zone</b>	Matters of discretion are restricted to: 1. The matters of discretion of any infringed standard.
<b>Mixed Use Zone</b>	<b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.
<b>Local Centre Zone</b>	
<b>Rural Zones</b>	
<b>Future Urban Zone</b>	
<b>Sport and Active Recreation Zone</b>	
<b>Hospital Zone</b>	
<b>Special Purpose Zone (BRANZ)</b>	
<b>Māori Purpose Zone (Hongoeka)</b>	
<b>Residential Zones</b>	3. Activity status: <b>Restricted discretionary</b>
<b>Neighbourhood Centre Zone</b>	Matters of discretion are restricted to: 1. Where the antenna is associated with Regionally Significant Infrastructure: a. The matters in INF-P1; b. The matters in INF-P <del>108</del> ; and c. The matters in INF-P <del>119</del> .
<b>Open Space Zone</b>	2. Where the antenna is for infrastructure other than Regionally Significant Infrastructure: a. The matters in INF-P <del>108</del> ; and b. The matters in INF-P <del>119</del> .
	<b>Notification:</b>

	An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.
<b>INF-R198</b>	<b>Above ground lines including associated support structures, excluding transmission lines over 110kV (not regulated by the NESTF or NESETA), outside of any <u>specified</u><sup>110</sup> Overlay</b>
<b>Rural Zones</b> <b>Future Urban Zone</b> <b>Open Space and Recreation Zones</b> <b>Māori Purpose Zone (Hongoeka)</b> <b>Special Purpose Zone (BRANZ)</b>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <ul style="list-style-type: none"> <li>i. INF-S3;</li> <li>ii. INF-S4;</li> <li>iii. INF-S11;</li> <li>iv. INF-S12;</li> <li>v. INF-S14; and</li> <li>vi. INF-S15.</li> </ul>
<b>Rural Zones</b> <b>Future Urban Zone</b> <b>Open Space and Recreation Zones</b> <b>Māori Purpose Zone (Hongoeka)</b> <b>Special Purpose Zone (BRANZ)</b>	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with INF-S3, INF-S4, INF-S11, INF-S12, INF-S14 or INF-S15.</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>1. The matters of discretion of any infringed standard.</li> </ul> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p>
<b>Residential Zones</b> <b>Commercial and Mixed Use Zones</b> <b>General Industrial Zone</b>	<p>3. Activity status: <b>Discretionary</b></p>

<sup>110</sup> Forest and Bird [225.188]

<b>Hospital Zone</b>	
<b>INF-R1920</b>	<b>Customer connections <u>lines</u><sup>111</sup> outside of any <u>specified</u><sup>112</sup> Overlay</b>
<b>All zones</b>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. <del>Customer</del>The connection <u>lines</u>:</p> <p>i. <del>d</del>Does not include a new tower;</p> <p>ii. <del>b. The connection d</del>Does not exceed three additional poles;</p> <p>iii. <del>c. The diameter of Do not include</del> conductors, lines or cables <del>does not that</del> exceed 30mm <u>in diameter</u>; and</p> <p>db. Compliance is achieved with:</p> <p>i. INF-S14; and</p> <p>ii. INF-S15.</p>
<b>All zones</b>	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with INF-S14 or INF-S15.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of any infringed standard.</p> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p>
<b>All zones</b>	<p>3. Activity status: <b>Discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with INF-R19-1.a, <del>INF R19 1.b or INF R19.1.c.</del></p>
<b>INF-R210</b>	<b>Temporary infrastructure and temporary electricity generators and self-contained power units to supply existing infrastructure, excluding roads and ancillary access tracks, outside of any <u>specified</u><sup>113</sup> Overlay</b>
<b>All zones</b>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. The temporary infrastructure or temporary electricity generator and self-contained power unit:</p> <p>i. Operate for a maximum of 12 months; and</p> <p>ii. Is removed from the site when the operation ceases or is no longer required, within the period set in INF-R20-1.a.i; and</p> <p>b. Compliance is achieved with:</p> <p>i. INF-S8;</p> <p>ii. INF-S9;</p> <p>iii. INF-S14;</p> <p>iv. INF-S15; and</p> <p>v. The noise rule(s) applying to the zone or activity.</p>

<sup>111</sup> Powerco Limited [83.56]

<sup>112</sup> Forest and Bird [225.188]

<sup>113</sup> Forest and Bird [225.188]

	<p><b>All zones</b>      2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with INF-S8, INF-S9, INF-S14, INF-S15 or the noise rule(s) applying to the zone or activity.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of any infringed standard or rule.</p> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p>
	<p><b>All zones</b>      3. Activity status: <b>Discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with INF-R20-1.a.</p>
<p><b>INF-R224</b>      <b>Meteorological activities and extreme adverse weather warning devices outside of any <u>specified</u><sup>114</sup> Overlay</b></p>	
	<p><b>All zones</b>      1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <ul style="list-style-type: none"> <li>i. INF-S3;</li> <li>ii. INF-S4;</li> <li>iii. INF-S5;</li> <li>iv. INF-S6;</li> <li>v. INF-S7;</li> <li>vi. INF-S10;</li> <li>vii. INF-S11;</li> <li>viii. INF-S12;</li> <li>ix. INF-S14;</li> <li>x. INF-S15; and</li> <li>xi. The noise rule(s) applying to the zone.</li> </ul>
	<p><b>All zones</b>      2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with INF-S3, INF-S4, INF-S5, INF-S6, INF-S7, INF-S10, INF-S11, INF-S12, INF-S14, INF-S15 or the noise rule(s) applying to the zone.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of any infringed standard or rule.</p> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p>
<p><b>INF-R232</b>      <b>Ancillary transport network infrastructure</b></p>	
	<p><b>All zones</b>      1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <ul style="list-style-type: none"> <li>i. INF-S3;</li> <li>ii. INF-S4;</li> </ul>

<sup>114</sup> Forest and Bird [225.188]

		<ul style="list-style-type: none"> <li>iii. INF-S6;</li> <li>iv. INF-S814; and</li> <li>v. INF-S23; and</li> <li>vi. INF-S26.<sup>115</sup></li> </ul>
	<b>All zones</b>	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. Compliance is not achieved with INF-S3, INF-S4, INF-S6, INF-S814, or INF-S23 or INF-S26<sup>116</sup>.</li> </ul> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>1. The matters of discretion of any infringed standard; and</li> <li>2. The matters in INF-P153.</li> </ul>
<b>INF-R23 Connections to roads for vehicle access to sites<sup>117</sup></b>		
	<del>All zones</del>	<p><del>1. Activity status: <b>Permitted</b></del></p> <p><del>Where:</del></p> <ul style="list-style-type: none"> <li><del>a. The road is an Arterial Road, Collector Road or Access Road as identified in SCHED1 – Roads Classified According to One Network Road Classification; and</del></li> <li><del>b. Compliance is achieved with:</del> <ul style="list-style-type: none"> <li><del>1. INF-S25 for a Vehicle Access Level 4 classified in accordance with TR-S2; or</del></li> <li><del>2. INF-S26 for Vehicle Access Levels 1, 2 and 3 classified in accordance with TR-S2.</del></li> </ul> </li> </ul>
	<del>All zones</del>	<p><del>2. Activity status: <b>Restricted discretionary</b></del></p> <p><del>Where:</del></p> <ul style="list-style-type: none"> <li><del>a. Compliance is not achieved with INF-R23-1.a; or</del></li> <li><del>b. Compliance is not achieved with INF-S25 for Vehicle Access Level 4, or INF-S26 for Vehicle Access Levels 1, 2 and 3.</del></li> </ul> <p><del>Matters of discretion are restricted to:</del></p> <ul style="list-style-type: none"> <li><del>1. The matters in INF-P14.</del></li> </ul>
<b>INF-R24 Signs associated with the construction, operation, maintenance and repair, or upgrading of infrastructure</b>		
	<b>All zones</b>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. Compliance is achieved with <ul style="list-style-type: none"> <li>i. INF-S21; and</li> <li>ii. SIGN-S6.</li> </ul> </li> </ul>
	<b>All zones</b>	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. Compliance is not achieved with INF-S21 or SIGN-S6.</li> </ul> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>1. The matters of discretion of any infringed standard.</li> </ul>

<sup>115</sup> Kāinga Ora [81.325]

<sup>116</sup> Kāinga Ora [81.325]

<sup>117</sup> Kāinga Ora [81.352]

	<p><b>Notification:</b></p> <ul style="list-style-type: none"> <li>• An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</li> <li>• When deciding whether any person is affected in relation to this rule for the purpose of section 95E of the RMA, the Council will give specific consideration to any adverse effects on any road controlling authority.</li> </ul>
<b>INF-R25</b>	<p><b>Infrastructure and the operation, maintenance and repair, upgrading and removal of existing infrastructure and associated earthworks in the National Grid Yard and Gas Transmission Pipeline Corridor</b></p>
<b>All zones</b>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>Within the National Grid Yard the infrastructure is not for the reticulation and storage of water for irrigation purposes; and</li> <li>Any earthworks within the National Grid Yard do not: <ol style="list-style-type: none"> <li>Exceed 300mm in depth within 6m of the outer visible edge of a tower support structure;</li> <li>Exceed 3m in depth between 6m and 12m of the outer visible edge of a tower support structure; and</li> <li>Result in a reduction of the existing conductor clearance distances.</li> </ol> </li> <li>Any earthworks within the Gas Transmission Pipeline Corridor do not exceed 400mm in depth.</li> </ol> <p>Notes:</p> <ol style="list-style-type: none"> <li>To avoid doubt, all other rules in this table also apply to any infrastructure within the National Grid Yard and Gas Transmission Pipeline Corridor.</li> <li><u>This rule does not apply to:</u> <ol style="list-style-type: none"> <li><u>Transpower in respect of activities within the National Grid Yard; or</u></li> <li><u>The owner and operator of the gas transmission network in respect of activities within the Gas Transmission Pipeline Corridor.</u><sup>118</sup></li> </ol> </li> </ol>
<b>All zones</b>	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>Compliance is not achieved with INF-R25-1.c.</li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The matters in EW-P5.</li> </ol> <p><b>Notification:</b></p> <ul style="list-style-type: none"> <li>• An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</li> <li>• When deciding whether any person is affected in relation to this rule for the purpose of section 95E of the RMA, the Council will give specific consideration to any adverse effects on First Gas Limited.</li> </ul>
<b>All zones</b>	<p>3. Activity status: <b>Non-complying</b></p>

<sup>118</sup> Firstgas [84.20]



	<p>Where:</p> <p>a. Compliance is not achieved with INF-R25-1.a or INF-R25-1.b.</p> <p><b>Notification:</b></p> <ul style="list-style-type: none"> <li>• <del>An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</del></li> <li>• <del>When deciding whether any person is affected in relation to this rule for the purpose of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower.</del><sup>119</sup></li> </ul>
<b>INF-R26</b>	<b>Infrastructure not otherwise provided for or subject to any other rule in this table</b>
<b>All zones</b>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <ol style="list-style-type: none"> <li>i. INF-S8;</li> <li>ii. INF-S9;</li> <li>iii. INF-S11;</li> <li>iv. INF-S12;</li> <li>v. INF-S13;</li> <li>vi. INF-S14;</li> <li>vii. INF-S15; and</li> <li>viii. The noise rule(s) applying to the zone.</li> </ol>
<b>All zones</b>	<p>2. Activity status: <b>Discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with INF-S8, INF-S9, INF-S11, INF-S12, INF-S13, INF-S14, INF-S15 or the noise rule(s) applying to the zone.</p>
<b>INF-R27</b>	<b>New roads and upgrading of roads outside of any <u>specified</u><sup>120</sup> Overlay</b>
<b>All zones</b>	<p>1. Activity status: <b>Controlled</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. The road is a new road that provides access for a subdivision that creates vacant allotments under SUB-R3; and</li> <li>b. The road is classified as a Collector Road or Access Road in INF-S22; and</li> <li>c. Compliance is achieved with: <ol style="list-style-type: none"> <li>i. INF-S14;</li> <li>ii. INF-S15;</li> <li>iii. INF-S23;</li> <li>iv. INF-S24; and</li> <li>v. INF-S25.</li> </ol> </li> </ol> <p>Matters of control are reserved to:</p> <ol style="list-style-type: none"> <li>1. The matters in INF-P13.</li> </ol> <p><b>Section 88 information requirements for applications:</b></p> <ol style="list-style-type: none"> <li>1. <del>Applications under this rule must provide, in addition to the standard information requirements, a road safety audit in accordance with NZTA's Road Safety Audit Procedures for</del></li> </ol>

<sup>119</sup> Kāinga Ora [81.297]

<sup>120</sup> Forest and Bird [225.188]

**All zones**

2. Activity status: **Controlled**

Where:

- a. The road is an upgrade to an existing road that does not result in the road being classified as a higher order road under INF-S22; and
- b. The road is classified as a Collector Road or Access Road in INF-S22; and
- c. Compliance is achieved with:
  - i. INF-S14;
  - ii. INF-S15;
  - iii. INF-S23;
  - iv. INF-S24; and
  - v. INF-S25.

Matters of control are reserved to:

1. The matters in INF-P1~~53~~.

~~Section 88 information requirements for applications:~~

- ~~1. Applications under this rule must provide, in addition to the standard information requirements, a road safety audit in accordance with NZTA's Road Safety Audit Procedures for Projects – Guidelines, Transfund New Zealand Manual No. TFM9 2013.~~<sup>122</sup>

**All zones**

3. Activity status: **Restricted discretionary**

Where:

- a. The road is:
  - i. A new road other than a road that provides access for a subdivision that creates vacant allotments under SUB-R3; or
  - ii. An upgrade to an existing road that results in the road being classified as a higher order road;
- b. The road is classified as a Collector Road or Access Road in INF-S22; and
- c. Compliance is achieved with:
  - i. INF-S14;
  - ii. INF-S15;
  - iii. INF-S23;
  - iv. INF-S24; and
  - v. INF-S25.

Matters of discretion are restricted to:

1. The matters in INF-P1~~08~~; and
2. The matters in INF-P1~~53~~.

~~Section 88 information requirements for applications:~~

- ~~1. Applications under this rule must provide, in addition to the standard information requirements, a road safety audit in accordance with NZTA's Road Safety Audit Procedures for Projects – Guidelines, Transfund New Zealand Manual No. TFM9 2013.~~<sup>123</sup>

<sup>121</sup> Kenepuru Limited Partnership [59.27] and Kāinga Ora [81.930]

<sup>122</sup> Ibid


<sup>123</sup> Kāinga Ora [81.930]

	<p><b>All zones</b>      4. Activity status: <b>Discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. The road is a National Road, Regional Road or Arterial Road; or</li> <li>b. Compliance is not achieved with INF-S14; INF-S15; INF-S23; INF-S24 or INF-S25.</li> </ol>
<p><b>INF-R28      New roads and upgrading of roads within a Natural Hazard Overlay or Coastal Hazard Overlay</b></p>	
	<p><b>All zones</b>      1. Activity status: <b>Controlled</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. The works are an upgrade to an existing road;</li> <li>b. The road is classified as a Collector Road or Access Road in INF-S22;</li> <li>c. The upgrade does not result in the road being classified as a higher order road;</li> <li>d. The upgrade does not result in a permanent change to the ground level or footprint of the road once the upgrade is completed; and</li> <li>e. Compliance is achieved with: <ol style="list-style-type: none"> <li>i. INF-S14;</li> <li>ii. INF-S15;</li> <li>iii. INF-S23;</li> <li>iv. INF-S24; and</li> <li>v. INF-S25.</li> </ol> </li> </ol> <p>Matters of control are reserved to:</p> <ol style="list-style-type: none"> <li>1. The matters in INF-P1<del>53</del>; and</li> <li>2. The matters in INF-P2<del>43</del>.</li> </ol> <p><del>Section 88 information requirements for applications:</del></p> <ol style="list-style-type: none"> <li>1. <del>Applications under this rule must provide, in addition to the standard information requirements, a road safety audit in accordance with NZTA's Road Safety Audit Procedures for Projects—Guidelines, Transfund New Zealand Manual No. TFM9-2013.<sup>124</sup></del></li> </ol>
	<p><b>All zones</b>      2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. The road is a new road; or</li> <li>b. The works are an upgrade to an existing road that results in: <ol style="list-style-type: none"> <li>i. A permanent change to the ground level or footprint of the road; or</li> <li>ii. The road being classified as a higher order road; and</li> </ol> </li> <li>c. The road is classified as a Collector Road or Access Road in INF-S22; and</li> <li>d. Compliance is achieved with: <ol style="list-style-type: none"> <li>i. INF-S14;</li> <li>ii. INF-S15;</li> <li>iii. INF-S23;</li> <li>iv. INF-S24; and</li> <li>v. INF-S25.</li> </ol> </li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The matters in INF-P1<del>53</del>; and</li> </ol>

<sup>124</sup> Kāinga Ora [81.930]

	<p>2. The matters in INF-P2<del>4</del><u>3</u>.</p> <p><del>Section 88 information requirements for applications:</del>  <del>1. Applications under this rule must provide, in addition to the standard information requirements, a road safety audit in accordance with NZTA's Road Safety Audit Procedures for Projects—Guidelines, Transfund New Zealand Manual No. TFM9 2013.</del><sup>125</sup></p>
<b>All zones</b>	<p>3. Activity status: <b>Discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>The road is a National Road, Regional Road or Arterial Road; or</li> <li>Compliance is not achieved with INF-S14, INF-S15, INF-S23, INF-S24 or INF-S25.</li> </ol>
<b>INF-R29</b>	<b>Upgrading of roads within an area identified in SCHED10 - Special Amenity Landscapes or SCHED11 - Coastal High Natural Character Areas</b>
<b>All zones</b>	<p>1. Activity status: <b>Controlled</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>The road is classified as a Collector Road or Access Road in INF-S22;</li> <li>The upgrade does not result in the road being classified as a higher order road;</li> <li>Compliance is achieved with INF-S17 for areas outside of the existing road reserve; and</li> <li>Compliance is achieved with: <ol style="list-style-type: none"> <li>INF-S14;</li> <li>INF-S15;</li> <li>INF-S23;</li> <li>INF-S24; and</li> <li>INF-S25.</li> </ol> </li> </ol> <p>Matters of control are reserved to:</p> <ol style="list-style-type: none"> <li>The matters in INF-P1<del>5</del><u>3</u>;</li> <li>The matters in INF-P2<del>2</del><u>4</u>; and</li> <li>The matters in INF-P2<del>3</del><u>2</u>.</li> </ol> <p><del>Section 88 information requirements for applications:</del>  <del>1. Applications under this rule must provide, in addition to the standard information requirements, a road safety audit in accordance with NZTA's Road Safety Audit Procedures for Projects—Guidelines, Transfund New Zealand Manual No. TFM9 2013.</del></p>
<b>All zones</b>	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>Compliance is not achieved with INF-S17 for areas outside of the existing road reserve;</li> <li>The road is classified as a Collector Road or Access Road in INF-S22;</li> <li>The upgrade does not result in the road being classified as a higher order road; and</li> <li>Compliance is achieved with:</li> </ol>

<sup>125</sup> Ibid

	<ul style="list-style-type: none"> <li>i. INF-S14;</li> <li>ii. INF-S15;</li> <li>iii. INF-S23;</li> <li>iv. INF-S24; and</li> <li>v. INF-S25.</li> </ul> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The matters of discretion for any infringed standard;</li> <li>2. <u>The matters in INF-P15;</u></li> <li>3. <u>The matters in INF-P22; and</u></li> <li>4. <u>The matters in INF-P23.</u><sup>126</sup></li> </ol> <p><del>Section 88 information requirements for applications:</del></p> <ol style="list-style-type: none"> <li>1. <del>Applications under this rule must provide, in addition to the standard information requirements, a road safety audit in accordance with NZTA's Road Safety Audit Procedures for Projects – Guidelines, Transfund New Zealand Manual No. TFM9 2013.</del><sup>127</sup></li> </ol>
All zones	<p>3. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. The upgrade results in the road being classified as a higher order road;</li> <li>b. The road is classified as a Collector Road or Access Road in INF-S22; and</li> <li>c. Compliance is achieved with: <ul style="list-style-type: none"> <li>i. INF-S14;</li> <li>ii. INF-S15;</li> <li>iii. INF-S23;</li> <li>iv. INF-S24; and</li> <li>v. INF-S25.</li> </ul> </li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The matters in INF-P1<u>5</u>3;</li> <li>2. The matters in INF-P2<u>2</u>4; and</li> <li>3. The matters in INF-P2<u>3</u>2.</li> </ol> <p><del>Section 88 information requirements for applications:</del></p> <ol style="list-style-type: none"> <li>1. <del>Applications under this rule must provide, in addition to the standard information requirements, a road safety audit in accordance with NZTA's Road Safety Audit Procedures for Projects – Guidelines, Transfund New Zealand Manual No. TFM9 2013.</del><sup>128</sup></li> </ol>
All zones	<p>4. Activity status: <b>Discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. The road is a National Road, Regional Road or Arterial Road; or</li> <li>b. Compliance is not achieved with INF-S14, INF-S15, INF-S23, INF-S24 or INF-S25.</li> </ol>
<b>INF-R30</b> 	<b>Upgrading of roads located in an area identified in SCHED7 - Significant Natural Areas</b>
All zones	1. Activity status: <b>Restricted Discretionary</b>

<sup>126</sup> Kāinga Ora [81.930]

<sup>127</sup> Kāinga Ora [81.930]

<sup>128</sup> Ibid

	<p>Where:</p> <ol style="list-style-type: none"> <li>a. The road is classified as a Collector Road or Access Road in INF-S22;</li> <li>b. Compliance is achieved with: <ol style="list-style-type: none"> <li>i. INF-S14;</li> <li>ii. INF-S15;</li> <li>iii. INF-S18 for areas outside of the existing road reserve;</li> <li>iv. INF-S20;</li> <li>v. INF-S23;</li> <li>vi. INF-S24; and</li> <li>vii. INF-S25;<del>;</del> <del>and</del></li> </ol> </li> <li><del>c. The road is not located within a wetland.</del><sup>129</sup></li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The matters in INF-P13; and</li> <li>2. The matters in INF-P20.</li> </ol> <p>Section 88 information requirements for applications:</p> <ol style="list-style-type: none"> <li>1. Applications under this rule must provide, in addition to the standard information requirements: <ol style="list-style-type: none"> <li><del>a. A road safety audit in accordance with NZTA's Road Safety Audit Procedures for Projects—Guidelines, Transfund New Zealand Manual No. TFM9 2013.</del><sup>130</sup></li> <li><del>b.</del> An Ecological Assessment provided by a suitably qualified and experienced ecologist; <ol style="list-style-type: none"> <li>i. Identifying the biodiversity values and potential impacts from the proposal; and</li> <li>ii. Demonstrating that the ECO-P2 hierarchy has been applied.</li> </ol> </li> </ol> </li> </ol>
<p><b>All zones</b></p>	<p>2. Activity status: <b>Discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. The road is a National Road, Regional Road or Arterial Road;</li> <li><del>b. The road is within a wetland;</del> or<sup>131</sup></li> <li><del>cb.</del> Compliance is not achieved with INF-S14, INF-S15, INF-S18, INF-S20, INF-S23, INF-S24 or INF-S25.</li> </ol> <p>Section 88 information requirements for applications:</p> <ol style="list-style-type: none"> <li>1. Applications under this rule must provide, in addition to the standard information requirements an Ecological Assessment provided by a suitably qualified and experienced ecologist; <ol style="list-style-type: none"> <li>a. Identifying the biodiversity values and potential impacts from the proposal; and</li> <li>b. Demonstrating that the ECO-P2 hierarchy has been applied.</li> </ol> </li> </ol>
<p><b>INF-R31</b></p>	<p><b>New roads and upgrading of roads located in the root protection area of a tree listed in SCHED5 - Notable Trees</b></p>
<p><b>All zones</b></p>	<p>1. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. The road is classified as a Collector Road or Access Road in INF-S22;</li> </ol>

<sup>129</sup> GWRC [137.69] and Forest and Bird [225.21]

<sup>130</sup> Kāinga Ora [81.930]

<sup>131</sup> GWRC [137.69] and Forest and Bird [225.21]

	<p>b. Compliance is achieved with:</p> <ol style="list-style-type: none"> <li>i. INF-S14;</li> <li>ii. INF-S15;</li> <li>iii. INF-S19;</li> <li>iv. INF-S23;</li> <li>v. INF-S24; and</li> <li>vi. INF-S25.</li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The matters in INF-P1<del>53</del>;</li> <li>2. The matters in INF-P1<del>98</del>; and</li> <li>3. The matters in INF-P<del>2019</del>.</li> </ol> <p><del>Section 88 information requirements for applications:</del></p> <ol style="list-style-type: none"> <li><del>1. Applications under this rule must provide, in addition to the standard information requirements, a road safety audit in accordance with NZTA's Road Safety Audit Procedures for Projects—Guidelines, Transfund New Zealand Manual No. TFM9-2013.<sup>132</sup></del></li> </ol>
<b>All zones</b>	<p>2. Activity status: <b>Discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. The road is a National Road, Regional Road or Arterial Road; or</li> <li>b. Compliance is not achieved with INF-S14, INF-S15, INF-S19, INF-S23, INF-S24 or INF-S25.</li> </ol>
<b>INF-R32</b>	<p><b>Telecommunication poles, antennas and cabinets regulated by the NESTF that do not meet the permitted activity standards in Regulations 20, 21, 22, 27, 29, 31, 33, 35 or 37 of the NESTF, outside of any <u>specified</u><sup>133</sup> Overlay <u>other than any Natural Hazard Overlay or Coastal Hazard Overlay</u><sup>134</sup></b></p>
<b>All zones</b>	<p>1. Activity status: <b>Restricted discretionary</b></p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The matters in INF-P1;</li> <li>2. The matters in INF-P<del>108</del>; and</li> <li>3. The matters in INF-P<del>119</del>.</li> </ol>
<b>INF-R33</b>	<p><del>Telecommunication poles, antennas and cabinets regulated by the NESTF that do not meet the permitted activity standards in Regulations 20, 21, 22, 27, 29, 31, 33, 35 or 37 of the NESTF within any Natural Hazard Overlay or Coastal Hazard Overlay<sup>135</sup></del></p>
<b>All zones</b>	<p><del>1. Activity status: <b>Restricted discretionary</b></del></p> <p><del>Matters of discretion are restricted to:-</del></p> <ol style="list-style-type: none"> <li><del>1. The matters in INF-P1;</del></li> <li><del>2. The matters in INF-P<del>108</del>;</del></li> <li><del>3. The matters in INF-P<del>119</del>; and</del></li> <li><del>4. The matters in INF-P<del>243</del>.</del></li> </ol>
<b>INF-R34<del>3</del></b>	<p><b>Upgrading of transmission lines <u>at or</u><sup>136</sup> above 110kV that are not regulated by the NESETA</b></p>

<sup>132</sup> Kāinga Ora [81.930]

<sup>133</sup> Forest and Bird [225.188]

<sup>134</sup> Telcos [51.26]

<sup>135</sup> Telcos [51.26]


<sup>136</sup> Transpower [60.56]

<b>All zones</b>	<p>1. Activity status: <b>Restricted discretionary</b></p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The matters in INF-P1; and</li> <li>2. The matters in INF-P<del>86</del>.</li> </ol>
<b>INF-R354</b>	<b>Water reservoirs outside of any <u>specified</u><sup>137</sup> Overlay</b>
<b>All zones</b>	<p>1. Activity status: <b>Restricted discretionary</b></p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The matters in INF-P1;</li> <li>2. The matters in INF-P<del>108</del>; and</li> <li>3. The matters in INF-P<del>119</del>.</li> </ol>
<b>INF-R365</b>	<b>Upgrading and development of the Gas Transmission Network outside of any <u>specified</u><sup>138</sup> Overlay</b>
<b>All zones</b>	<p>1. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Any gas transmission pipeline is located underground.</li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The matters in INF-P1;</li> <li>2. The matters in INF-P<del>108</del>; and</li> <li>3. The matters in INF-P<del>119</del>.</li> </ol>
<b>All zones</b>	<p>2. Activity status: <b>Discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is not achieved with INF-R36-1.a.</li> </ol>
<b>INF-R376</b>	<b>Upgrading of the Gas Transmission Network within an area identified in SCHED10 - Special Amenity Landscapes or SCHED11 - Coastal High Natural Character Area</b>
<b>All zones</b>	<p>1. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Any gas transmission pipeline is located underground.</li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The matters in INF-P<del>224</del>; and</li> <li>2. The matters in INF-P<del>232</del>.</li> </ol>
<b>All zones</b>	<p>2. Activity status: <b>Discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is not achieved with INF-R37-1.a.</li> </ol>
<b>INF-R387</b>	<b>Upgrading and development of the Gas Transmission Network within a Natural Hazard Overlay or Coastal Hazard Overlay</b>
<b>All zones</b>	<p>1. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Any gas transmission pipeline is located underground.</li> </ol>

<sup>137</sup> Forest and Bird [225.188]

<sup>138</sup> Forest and Bird [225.188]



	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The matters in INF-SP<sup>139</sup>243.</li> </ol>
<b>All zones</b>	<p>Activity status: <b>Discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is not achieved with INF-R38-1.a.</li> </ol>
<b>INF-R398</b> 	<p><b>Upgrading of infrastructure, excluding roads and walkways, cycleways and shared paths, located in an area identified in SCHED7 - Significant Natural Areas</b></p>
<b>All zones</b>	<ol style="list-style-type: none"> <li>1. Activity status: <b>Restricted discretionary</b></li> </ol> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is achieved with: <ol style="list-style-type: none"> <li>i. INF-S1;</li> <li>ii. INF-S14;</li> <li>iii. INF-S15;</li> <li>iv. INF-S18;</li> <li>v. INF-S20; and</li> <li>vi. The noise rule(s) applying to the zone;</li> </ol> </li> <li>b. Any gas transmission pipeline is located underground; <del>and</del> <del>c. The infrastructure is not located within a wetland.</del><sup>140</sup></li> </ol> <p>1. Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>a. The matters in INF-P2<sup>10</sup>.</li> </ol> <p>Section 88 information requirements for applications:</p> <ol style="list-style-type: none"> <li>1. Applications for activities within SNAs must provide, in addition to the standard information requirements, an Ecological Assessment provided by a suitably qualified and experienced ecologist: <ol style="list-style-type: none"> <li>a. Identifying the biodiversity values and potential impacts from the proposal; and</li> <li>b. Demonstrating that the ECO-P2 hierarchy has been applied.</li> </ol> </li> </ol>
<b>All zones</b>	<ol style="list-style-type: none"> <li>2. Activity status: <b>Discretionary</b></li> </ol> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is not achieved with INF-S1, INF-S14, INF-S15, INF-S18, INF-S20 or the noise rule(s) applying to the zone; or</li> <li>b. Compliance is not achieved with INF-R39-1.b <del>or INF-R39-1.c.</del><sup>141</sup></li> </ol> <p>Section 88 information requirements for applications:</p> <ol style="list-style-type: none"> <li>1. Applications for activities within SNAs must provide, in addition to the standard information requirements, an Ecological Assessment provided by a suitably qualified and experienced ecologist: <ol style="list-style-type: none"> <li>a. Identifying the biodiversity values and potential impacts from the proposal; and</li> <li>b. Demonstrating that the ECO-P2 hierarchy has been applied.</li> </ol> </li> </ol>

<sup>139</sup> Clause 16 minor amendment

<sup>140</sup> GWRC [137.69] and Forest and Bird [225.21]

<sup>141</sup> GWRC [137.69] and Forest and Bird [225.21]

<b>INF-R4039</b>	<b>Upgrading of infrastructure and nNew<sup>142</sup> infrastructure including any ancillary vehicle access tracks, excluding roads, walkways, cycleways and shared paths, located in the root protection area of a tree listed in SCHED5 - Notable Trees</b>
<b>All zones</b>	<p>1. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <ul style="list-style-type: none"> <li><del>i. INF-S1 for any upgrading;</del></li> <li>ii. INF-S3<sub>7.1</sub>;</li> <li>iii. INF-S4<sub>7.1</sub>;</li> <li>iv. INF-S5<sub>7.1</sub>;</li> <li>v. INF-S6<sub>7.1</sub>;</li> <li>vi. INF-S7<sub>7.1</sub>;</li> <li>vii. INF-S8<sub>7.1</sub>;</li> <li>viii. INF-S9<sub>7.1</sub>;</li> <li>ix. INF-S10<sub>7.1</sub>;</li> <li>x. INF-S11<sub>7.1</sub>;</li> <li><del>xi. INF-S12; and</del></li> <li><del>xii. INF-S13 for any new infrastructure;</del></li> <li>xiii. INF-S14;</li> <li>xiiii. INF-S15;</li> <li>xv. INF-S19; and</li> <li><del>xvi. The noise rule(s) applying to the zone; and<sup>143</sup></del></li> </ul> <p>b. Any gas transmission pipeline is located underground.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in INF-P198.</p>
<b>All zones</b>	<p>2. Activity status: <b>Discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with <del>INF-S1<sup>144</sup></del>, INF-S3, INF-S4, INF-S5, INF-S6, INF-S7, INF-S8, INF-S9, INF-S10, INF-S11, INF-S12, INF-S13, INF-S14, INF-S15, INF-S19 or the noise rule(s) applying to the zone; or</p> <p>b. Compliance is not achieved with INF-R40-1.b.</p>
<b>INF-R401</b>	<b>New Ttransmission lines and new transformers, substations, switching stations and ancillary buildings for the electricity network, including any ancillary access tracks<sup>145</sup></b>
<b>All zones</b>	1. Activity status: <b>Discretionary</b>
<b>INF-R412</b>	<b>Water and wastewater treatment plants</b>
<b>All zones</b>	1. Activity status: <b>Discretionary</b>
<b>INF-R423</b>	<b>New Iinfrastructure<sup>146</sup>, including any ancillary access tracks, excluding walkways, cycleways and shared paths, located in an area identified in SCHED7 - Significant Natural Areas</b>
<b>All zones</b>	1. Activity status: <b>Discretionary</b>

<sup>142</sup> Powerco [83.63]

<sup>143</sup> Powerco [83.63]

<sup>144</sup> Ibid

<sup>145</sup> Transpower [60.58]

<sup>146</sup> Transpower [60.59]

<p>Section 88 information requirements for applications:</p> <ol style="list-style-type: none"> <li>1. Applications for activities within SNAs must provide, in addition to the standard information requirements, an Ecological Assessment provided by a suitably qualified and experienced ecologist: <ol style="list-style-type: none"> <li>a. Identifying the biodiversity values and potential impacts from the proposal; and</li> <li>b. Demonstrating that the ECO-P2 hierarchy has been applied.</li> </ol> </li> </ol>		
<p><b>INF-R434</b>      <b>Upgrading of infrastructure and new infrastructure, including any ancillary vehicle access tracks, excluding walkways, cycleways and shared paths, which is located in an area identified in SCHED 9 - Outstanding Natural Features and Landscapes</b></p>		
<p><b>All zones</b>      1. Activity status: <b>Discretionary</b></p>		
<p><b>INF-R445</b>      <b>New infrastructure, including any ancillary vehicle access tracks, excluding walkways, cycleways and shared paths, which is located on or within a heritage item, heritage setting, historic heritage site, or an area identified in SCHED2 - Historic Heritage Items (Group A), SCHED3 - Historic Heritage Items (Group B), SCHED4 - Historic Heritage Sites, SCHED6 - Sites and Areas of Significance to Māori,</b></p>		
<p><b>SCHED10 - Special Amenity Landscapes or SCHED 11 - Coastal High Natural Character Areas</b></p>		
<p><b>All zones</b>      1. Activity status: <b>Discretionary</b></p>		
<p><b>Standards</b></p>		
<p><b>INF-S1      Upgrading</b></p>		
<p><b>All zones</b></p>	<ol style="list-style-type: none"> <li>1. The realignment, relocation or replacement of a telecommunication line, any pipe (excluding a gas transmission pipeline), pole, tower, conductor, cross arm, switch, transformer or ancillary structure must be within 5m of the existing alignment or location.</li> <li>2. A pole must not be replaced with a tower.</li> <li>3. The height of a replacement pole, tower or telecommunication pole must not exceed whichever is the <b>greater of lesser-of:</b> <ol style="list-style-type: none"> <li>a. <del>25m; or The relevant maximum height in INF-S3;</del> <b>or</b></li> <li>b. The height of the replaced pole or tower or telecommunication pole <b>as of 28 August 2020 plus 30%;</b></li> </ol> <p><b>Except that, if the existing pole, tower or telecommunication pole is greater than 25m in height, the</b></p> </li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Local, regional and national benefits of the infrastructure;</li> <li>2. Any adverse effects on the streetscape and the amenity values of the area;</li> <li>3. The amenity of adjoining sites;</li> <li>4. Design and siting of the infrastructure;</li> <li>5. Any operational or functional needs of the infrastructure; and</li> <li>6. Any topographical and other site constraints make compliance with the permitted standard impractical.</li> </ol>

~~height of the replacement pole, tower or telecommunication pole must be no higher than the existing pole, tower or telecommunication pole.~~<sup>147</sup>

4. The diameter or width of a replacement pole or telecommunication pole:

- a. Must not exceed twice that of the replaced pole at its widest point as of 28 August 2020; or
- b. Where a single pole is replaced with a pi pole, the width of the pi pole structure must not exceed three times the width of the replaced pole as of 28 August 2020 at its widest point.

5. A replacement tower's footprint must not exceed the width of the tower as of 28 August 2020 by more than 25%.

6. The diameter of a replacement conductor or line, either singular or bundled,<sup>148</sup> must not exceed the diameter of the replaced conductor or line or 50mm, whichever is the greater.

7. Additional conductors or lines:

- a. Must not increase the number of conductors or lines as of 28 August 2020 by more than 100%; and
- b. Must not exceed a 50mm diameter.

8. There must be no additional towers.

9. The number of additional poles required to achieve the conductor clearances required by NZECP 34:2001 must not exceed two.

10. Additional cross arms on a single pole support structure<sup>149</sup> must not exceed the length of the existing cross arm as of 28

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<sup>147</sup> Telcos [51.39]

<sup>148</sup> WELL [85.25]

<sup>149</sup> WELL [85.28]

	<p>August 2020 by more than 100%, up to a maximum of 4m.</p> <p>11. The diameter of replacement pipes located aboveground must not exceed the diameter of the replaced pipe by more than 300mm.</p> <p>12. The realignment, relocation or replacement of any other infrastructure structure or building:</p> <ol style="list-style-type: none"> <li>a. Must be within 5m of the alignment or location of the original structure or building;</li> <li>b. Must not increase the footprint of structure or building as of 28 August 2020 by greater than 30%.</li> </ol> <p>13. A replacement panel antenna must not increase the face area as of 28 August 2020 by more than 20%.</p> <p>14. A replacement dish antenna must not increase in diameter as of 28 August 2020 by more than 20%.</p>	
<b>INF-S2</b>	<b>Upgrading – In relation to historic heritage and sites and areas of significance to Māori</b>	
<b>All zones</b>	<ol style="list-style-type: none"> <li>1. The colour of a replacement antenna must be the same colour as the building or structure.</li> <li>2. A replacement panel antenna must not increase the face area as of 28 August 2020 by more than 20%.</li> <li>3. A replacement dish antenna must not increase in diameter as of 28 August 2020 by more than 20%.</li> </ol>	There are no matters of discretion for this standard.
<b>INF-S3</b>	<b>Height – Masts, antennas, lines and single pole support structures, anemometers and extreme weather devices (not regulated by the NESTF)</b>	
<b>Large Format Retail Zone</b>	<ol style="list-style-type: none"> <li>1. It must not exceed a maximum height above ground level of 20m (single provider).</li> <li>2. It must not exceed a maximum height above ground level of 25m (two or more providers).</li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Local, regional and national benefits of the infrastructure;</li> <li>2. Any adverse effects on the streetscape and the amenity values of the area;</li> </ol>

		<ul style="list-style-type: none"> <li>3. The amenity of adjoining sites;</li> <li>4. The extent to which co-location of the infrastructure is technically or practicably possible to minimise their visual impact;</li> <li>5. Design and siting of the mast, pole or support structure;</li> <li>6. Any operational or functional needs of the infrastructure; and</li> <li>7. Any topographical and other site constraints make compliance with the permitted standard impractical.</li> </ul>
<p><b>City Centre Zone</b></p>	<ul style="list-style-type: none"> <li>3. It must not exceed a maximum height above ground level of 35m (single provider).</li> <li>4. It must not exceed a maximum height above ground level of 40m (two or more providers).</li> </ul>	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>1. Local, regional and national benefits of the infrastructure;</li> <li>2. Any adverse effects on the streetscape and the amenity values of the area;</li> <li>3. The amenity of adjoining sites;</li> <li>4. The extent to which co-location of the infrastructure is technically or practicably possible to minimise their visual impact;</li> <li>5. Design and siting of the mast, pole or support structure;</li> <li>6. Any operational or functional needs of the infrastructure; and</li> <li>7. Any topographical and other site constraints make compliance with the permitted standard impractical.</li> </ul>
<p><b>General Industrial Zone</b></p>	<ul style="list-style-type: none"> <li>5. It must not exceed a maximum height above ground level of 25m (single provider).</li> <li>6. It must not exceed a maximum height above ground level of 30m (two or more providers).</li> </ul>	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>1. Local, regional and national benefits;</li> <li>2. The effect on the streetscape and amenity of the area;</li> <li>3. The extent to which co-location of the infrastructure is technically or practicably possible to minimise their visual impact;</li> </ul>

		<ul style="list-style-type: none"> <li>4. Design and siting of the mast, pole or support structure;</li> <li>5. Any operational or functional needs of the infrastructure; and</li> <li>6. Any topographical and other site constraints make compliance with the permitted standard impractical.</li> </ul>
<b>Local Centre Zone</b>  <b>Mixed Use Zone</b>  <b>Hospital Zone</b>  <b>Special Purpose Zone (BRANZ)</b>	<p>7. It must not exceed a maximum height above ground level of 15m (single provider).</p> <p>8. It must not exceed a maximum height above ground level of 18m (two or more providers).</p>	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>1. Local, regional and national benefits of the infrastructure;</li> <li>2. Any adverse effects on the streetscape and the amenity values of the area;</li> <li>3. The amenity of adjoining sites;</li> <li>4. The extent to which co-location of the infrastructure is technically or practicably possible to minimise their visual impact;</li> <li>5. Design and siting of the mast, pole or support structure;</li> <li>6. Any operational or functional needs of the infrastructure; and</li> <li>7. Any topographical and other site constraints make compliance with the permitted standard impractical.</li> </ul>
<b>Residential Zones</b>  <b>Neighbourhood Centre Zone</b>  <b>Open Space and Recreation Zones</b>	<p>9. It must not exceed a maximum height above ground level of 12m (single provider).</p> <p>10. It must not exceed a maximum height above ground level of 15m (two or more providers).</p>	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>1. Local, regional and national benefits of the infrastructure;</li> <li>2. Any adverse effects on the streetscape and the amenity values of the area;</li> <li>3. The amenity of adjoining sites;</li> <li>4. The extent to which co-location of the infrastructure is technically or practicably possible to minimise their visual impact;</li> <li>5. Design and siting of the mast, pole or support structure;</li> </ul>

		<ul style="list-style-type: none"> <li>6. Any operational or functional needs of the infrastructure; and</li> <li>7. Any topographical and other site constraints make compliance with the permitted standard impractical.</li> </ul>
<b>Rural Zones</b> <b>Future Urban Zone</b> <b>Māori Purpose Zone (Hongoeka)</b>	<p>11. It must not exceed a maximum height above ground level of 25m (single provider).</p> <p>12. It must not exceed a maximum height above ground level of 30m (two or more providers).</p>	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>1. Local, regional and national benefits of the infrastructure;</li> <li>2. Any adverse effects on the streetscape and the amenity values of the area;</li> <li>3. The amenity of adjoining sites;</li> <li>4. The extent to which co-location of the infrastructure is technically or practicably possible to minimise their visual impact;</li> <li>5. Design and siting of the mast, pole or support structure;</li> <li>6. Any operational or functional needs of the infrastructure; and</li> <li>7. Any topographical and other site constraints make compliance with the permitted standard impractical.</li> </ul>
<b>INF-S4</b>	<b>Size – Ground mounted support structures (not regulated by the NESTF)</b>	
<b>Residential Zones</b> <b>Rural Zones</b> <b>Commercial and Mixed Use Zones</b> <b>Open Space and Recreation Zones</b> <b>Special Purpose Zone (BRANZ)</b> <b>Future Urban Zone</b>	<p>1. A support structure must not exceed a maximum width of 1.3m (single provider).</p> <p>2. A support structure must not exceed a maximum width of 1.5m (two or more providers).</p>	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>1. Local, regional and national benefits of the infrastructure;</li> <li>2. Any adverse effects on the streetscape and the amenity values of the area;</li> <li>3. The amenity of adjoining sites;</li> <li>4. The extent to which co-location of the infrastructure is technically or practicably possible to minimise their visual impact;</li> <li>5. Design and siting of the mast, pole or support structure;</li> <li>6. Any operational or functional needs of the infrastructure; and</li> </ul>



<p><b>Hospital Zone</b></p> <p><b>Māori Purpose Zone (Hongoeka)</b></p>		<p>7. Any topographical and other site constraints make compliance with the permitted standard impractical.</p>
<p><b>General Industrial Zone</b></p>	<p>3. A support structure must not exceed a maximum width of 1.5m.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Local, regional and national benefits of the infrastructure;</li> <li>2. Any adverse effects on the streetscape and the amenity values of the area;</li> <li>3. The amenity of adjoining sites;</li> <li>4. The extent to which co-location of the infrastructure is technically or practicably possible to minimise their visual impact;</li> <li>5. Design and siting of the mast, pole or support structure;</li> <li>6. Any operational or functional needs of the infrastructure; and</li> <li>7. Any topographical and other site constraints make compliance with the permitted standard impractical.</li> </ol>
<p><b>INF-S5      Height – Building mounted antennas and associated support structures (not regulated by the NESTF)</b></p>		
<p><b>Large Format Retail Zone</b></p> <p><b>City Centre Zone</b></p> <p><b>General Industrial Zone</b></p>	<ol style="list-style-type: none"> <li>1. It must not exceed a maximum height above the highest point of the roof of 5m (single provider).</li> <li>2. It must not exceed a maximum height above the highest point of the roof of 8m (two or more providers).</li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Local, regional and national benefits of the infrastructure;</li> <li>2. Any adverse effects on the streetscape and the amenity values of the area;</li> <li>3. The amenity of adjoining sites;</li> <li>4. The extent to which co-location of the infrastructure is technically or practicably possible to minimise their visual impact;</li> <li>5. Design and siting of the antenna or support structures;</li> <li>6. Any operational or functional needs of the infrastructure; and</li> </ol>

		7. Any topographical and other constraints make compliance with the permitted standard impractical.
<b>Residential Zones</b> <b>Rural Zones</b> <b>Future Urban Zone</b> <b>Neighbourhood Centre Zone</b> <b>Local Centre Zone</b> <b>Mixed Use Zone</b> <b>Open Space and Recreation Zones</b> <b>Special Purpose Zone (BRANZ)</b> <b>Hospital Zone</b> <b>Māori Purpose Zone (Hongoeaka)</b>	3. It must not exceed a maximum height above the highest point of the roof of 3.5m (single provider).  4. It must not exceed a maximum height above the highest point of the roof of 5m (two or more providers).	Matters of discretion are restricted to: 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the amenity values of the area; 3. The amenity of adjoining sites; 4. The extent to which co-location of the infrastructure is technically or practicably possible to minimise their visual impact; 5. Design and siting of the antenna or support structures; 6. Any operational or functional needs of the infrastructure; and 7. Any topographical and other constraints make compliance with the permitted standard impractical.
<b>INF-S6</b>	<b>Size and diameter – Antenna attached to a telecommunication pole (not regulated by the NESTF)</b>	
<b>General Rural Zone</b> <b>Future Urban Zone</b> <b>Large Format Retail Zone</b> <b>General Industrial Zone</b> <b>Māori Purpose Zone (Hongoeaka)</b>	1. It must be contained within a horizontal circle with a maximum diameter of 5m.  2. If a panel antenna it must not exceed: a. A width of 0.7m; and b. A length of 3.5m.  3. If a dish antenna it must not exceed a diameter of 1.2m.  4. If an omni directional 'whip' antenna or dipole antenna it must not exceed: a. A vertical length of 1.6m; b. A horizontal length of 1.5m; and c. A diameter of 60mm.	Matters of discretion are restricted to: 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the amenity values of the area; 3. The amenity of adjoining sites; 4. Design and siting of the telecommunication pole and/or antenna; 5. Any operational or functional needs of the infrastructure; and 6. Any topographical and other site constraints make compliance with the

		permitted standard impractical.
<b>Residential Zones</b>	5. It must be contained within a horizontal circle with a maximum diameter of 750mm.	Matters of discretion are restricted to: 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the amenity values of the area; 3. The amenity of adjoining sites; 4. Design and siting of the telecommunication pole and/or antenna; 5. Any operational or functional needs of the infrastructure; and 6. Any topographical and other site constraints make compliance with the permitted standard impractical.
<b>Rural Lifestyle Zone</b>	6. If a panel antenna it must not exceed: a. A width of 0.7m; and b. A length of 3.5m.	
<b>Settlement Zone</b>		
<b>Neighbourhood Centre Zone</b>	7. If a dish antenna it must not exceed a diameter of 0.38m.	
<b>Local Centres Zone</b>	8. If an omni directional 'whip' antenna or dipole antenna it must not exceed: a. A vertical length of 1.6m; and b. A diameter of 60mm.	
<b>Mixed Use Zone</b>		
<b>City Centre Zone</b>		
<b>Open Space and Recreation Zones</b>		
<b>Special Purpose Zone (BRANZ)</b>		
<b>Hospital Zone</b>		
<b>INF-S7</b>	<b>Size and diameter – Antenna attached to buildings (not regulated by the NESTF)</b>	
<b>Large Format Retail Zone</b>	1. It must not exceed a maximum of: a. 2m in diameter if a dish antenna; b. 1.8m <sup>2</sup> in <b>face</b> <sup>150</sup> area if a panel antenna; or c. 60mm in diameter and a horizontal length of 1.5m if an omni directional 'whip' antenna or dipole antenna.	Matters of discretion are restricted to: 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the amenity values of the area; 3. The amenity of adjoining sites; 4. Design and siting of the antenna; 5. Any operational or functional needs of the infrastructure; and 6. Any topographical and other site constraints make compliance with the permitted standard impractical.
<b>City Centre Zone</b>		
<b>General Industrial Zone</b>		

<sup>150</sup> Telcos [51.56]

<p><b>Local Centres Zone</b></p> <p><b>Mixed Use Zone</b></p> <p><b>Rural Zones</b></p> <p><b>Future Urban Zone</b></p> <p><b>Māori Purpose Zone (Hongoeke)</b></p> <p><b>Hospital Zone</b></p> <p><b>Special Purpose Zone (BRANZ)</b></p>	<p>2. It must not exceed a maximum of:</p> <ol style="list-style-type: none"> <li>1.5m in diameter if a dish antenna;</li> <li>1.25m<sup>2</sup> in <b>face</b><sup>151</sup> area if a panel antenna; or</li> <li>60mm in diameter and a horizontal length of 1.5m if an omni directional 'whip' antenna or dipole antenna.</li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>Local, regional and national benefits of the infrastructure;</li> <li>Any adverse effects on the streetscape and the amenity values of the area;</li> <li>The amenity of adjoining sites;</li> <li>Design and siting of the antenna;</li> <li>Any operational or functional needs of the infrastructure; and</li> <li>Any topographical and other site constraints make compliance with the permitted standard impractical.</li> </ol>
<p><b>Residential Zones</b></p> <p><b>Neighbourhood Centre Zone</b></p>	<p>3. If attached to the building at a point equal to or above 15m from the ground it must not exceed a maximum of:</p> <ol style="list-style-type: none"> <li>1.5m in diameter if a dish antenna; or</li> <li>1.25m<sup>2</sup> in <b>face</b><sup>152</sup> area if a panel antenna.</li> </ol> <p>4. If attached to the building at a point less than 15m from the ground it must not exceed a maximum of:</p> <ol style="list-style-type: none"> <li>1m in diameter if a dish antenna; or</li> <li>0.8m<sup>2</sup> in area if a panel antenna.</li> </ol> <p>5. If an omni directional 'whip' antenna or dipole antenna:</p> <ol style="list-style-type: none"> <li>60mm in diameter; and</li> <li>A horizontal length of 1.5m.</li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>Local, regional and national benefits of the infrastructure;</li> <li>Any adverse effects on the streetscape and the amenity values of the area;</li> <li>The amenity of adjoining sites;</li> <li>Design and siting of the antenna;</li> <li>Any operational or functional needs of the infrastructure; and</li> <li>Any topographical and other site constraints make compliance with the permitted standard impractical.</li> </ol>
<p><b>Open Space and Recreation Zones</b></p>	<p>6. It must not exceed a maximum of:</p> <ol style="list-style-type: none"> <li>1m in diameter if a dish antenna;</li> <li>1m<sup>2</sup> in <b>face</b><sup>153</sup> area if a panel antenna; or</li> <li>60mm diameter and 1.5m in horizontal length if an omni</li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>Local, regional and national benefits of the infrastructure;</li> <li>Any adverse effects on the streetscape and the amenity values of the area;</li> </ol>

<sup>151</sup> Ibid

<sup>152</sup> Ibid

<sup>153</sup> Telcos [51.56]

	directional 'whip' antenna or dipole antenna.	<ol style="list-style-type: none"> <li>3. The amenity of adjoining sites;</li> <li>4. Design and siting of the antenna;</li> <li>5. Any operational or functional needs of the infrastructure; and</li> <li>6. Any topographical and other site constraints make compliance with the permitted standard impractical.</li> </ol>
<b>INF-S8</b>	<b>Cabinets, electric vehicle charging stations, temporary infrastructure and temporary electricity generators and self-contained power units to supply existing infrastructure, and any other infrastructure structure or building not otherwise listed (excluding ancillary transport network infrastructure)<sup>154</sup>, which are located within the road reserve or rail corridor</b>	
<b>Rural Zones</b> <b>Future Urban Zone</b> <b>Large Format Retail Zone</b> <b>City Centre Zone</b> <b>General Industrial Zone</b> <b>Open Space and Recreation Zones</b> <b>Māori Purpose Zone (Hongoeke)</b>	<ol style="list-style-type: none"> <li>1. It must not exceed a maximum height above ground level of 2m.</li> <li>2. It must not exceed a maximum area of 2m<sup>2</sup>.</li> </ol>	Matters of discretion are restricted to: <ol style="list-style-type: none"> <li>1. Local, regional and national benefits of the infrastructure;</li> <li>2. Any adverse effects on the streetscape and the amenity values of the area;</li> <li>3. The amenity of adjoining sites;</li> <li>4. Traffic and pedestrian safety including sightlines and visibility of traffic signage;</li> <li>5. Design and siting of the infrastructure;</li> <li>6. Any operational or functional needs of the infrastructure; and</li> <li>7. Any topographical and other site constraints make compliance with the permitted standard impractical.</li> </ol>
<b>Residential Zones</b> <b>Neighbourhood Centre Zone</b> <b>Local Centres Zone</b> <b>Mixed Use Zone</b> <b>Hospital Zone</b>	<ol style="list-style-type: none"> <li>3. It must not exceed a maximum height above ground level of 1.8m.</li> <li>4. It must not exceed a maximum area of 1.4m<sup>2</sup>.</li> </ol>	Matters of discretion are restricted to: <ol style="list-style-type: none"> <li>1. Local, regional and national benefits of the infrastructure;</li> <li>2. Any adverse effects on the streetscape and the amenity values of the area;</li> <li>3. The amenity of adjoining sites;</li> <li>4. Traffic and pedestrian safety including sightlines</li> </ol>

<sup>154</sup> Kāinga Ora [81.325] and Kiwirail [86.42]

<p><b>Special Purpose Zone (BRANZ)</b></p>		<p>and visibility of traffic signage;</p> <ol style="list-style-type: none"> <li>5. Design and siting of the infrastructure;</li> <li>6. Any operational or functional needs of the infrastructure; and</li> <li>7. Any topographical and other site constraints make compliance with the permitted standard impractical.</li> </ol>
<p><b>INF-S9 Cabinets, electric vehicle charging stations and temporary infrastructure and temporary electricity generators and self-contained power units to supply existing infrastructure, and any other infrastructure structure or building not otherwise listed, which are not located within the road reserve or rail corridor</b></p>		
<p><b>All zones</b></p>	<ol style="list-style-type: none"> <li>1. It must not exceed a maximum height above ground level of 4m.</li> <li>2. It must not exceed a maximum area of 15m<sup>2</sup>.</li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Local, regional and national benefits of the infrastructure;</li> <li>2. Any adverse effects on the streetscape and the amenity values of the area;</li> <li>3. The amenity of adjoining sites;</li> <li>4. Design and siting of the cabinet;</li> <li>5. Whether there are difficult ground conditions or any technological, operational or topographical reasons why the network utility cannot be placed underground;</li> <li>6. Any operational or functional needs of the infrastructure; and</li> <li>7. Any topographical and other site constraints make compliance with the permitted standard impractical.</li> </ol>
<p><b>INF-S10 Meteorological enclosures and buildings</b></p>		
<p><b>All zones</b></p>	<ol style="list-style-type: none"> <li>1. It must not exceed a maximum height above ground level of 4m.</li> <li>2. It must not exceed a maximum area of 30m<sup>2</sup>.</li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Local, regional and national benefits of the infrastructure;</li> <li>2. Any adverse effects on the streetscape and the amenity values of the area;</li> <li>3. The amenity of adjoining sites;</li> </ol>

		<ul style="list-style-type: none"> <li>4. Design and siting of the infrastructure;</li> <li>5. Any operational or functional needs of the infrastructure; and</li> <li>6. Any topographical and other site constraints make compliance with the permitted standard impractical.</li> </ul>
<b>INF-S11</b>	<b>Setbacks – Infrastructure that is not located in the road reserve or rail corridor, excluding infrastructure that crosses a river along a bridge or structure</b>	
<b>All zones</b>	<ul style="list-style-type: none"> <li>1. It must not be located within a riparian margin or coastal margin.</li> </ul>	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>1. Local, regional and national benefits of the infrastructure;</li> <li>2. The natural character and amenity values of the waterbody or coast and their margins;</li> <li>3. Any increase the risk of natural hazards;</li> <li>4. Impacts on public access to and along the waterbody or coast; and</li> <li>5. Any operational or functional needs of the infrastructure.</li> </ul>
<b>INF-S12</b>	<b>Setbacks – Support structures and antenna not located in the road reserve or rail corridor</b>	
<b>General Industrial Zone</b>	<ul style="list-style-type: none"> <li>1. It must not be located within a 10m setback from a site boundary that adjoins a General Residential Zone or Medium Density Residential Zone.</li> </ul> <p>This standard does not apply to the boundary of the road or rail corridor.</p>	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>1. Local, regional and national benefits of the infrastructure;</li> <li>2. Any adverse effects on the streetscape and the amenity values of the area;</li> <li>3. The amenity of adjoining sites;</li> <li>4. Design and siting of the infrastructure;</li> <li>5. Any operational or functional needs of the infrastructure; and</li> <li>6. Any topographical and other site constraints make compliance with the permitted standard impractical.</li> </ul>
<b>Rural Zones</b> <b>Future Urban Zone</b>	<ul style="list-style-type: none"> <li>2. It must not be located within: <ul style="list-style-type: none"> <li>a. A 10m setback from any site boundary that adjoins a General Residential Zone or</li> </ul> </li> </ul>	<p>Matters of discretion are restricted to:</p>

<p><b>Māori Purpose Zone (Hongoeka)</b></p>	<p>Medium Density Residential Zone;</p> <p>b. A 20m setback from the closest wall of any residential unit located on an adjacent site, where the support structure or antenna is under 25m in height;</p> <p>c. A 50m setback from the closest wall of any residential unit located on an adjacent site, where the support structure or antenna is over 25m in height.</p> <p>This standard does not apply to the boundary of the road reserve or rail corridor.</p>	<ol style="list-style-type: none"> <li>1. Local, regional and national benefits of the infrastructure;</li> <li>2. Any adverse effects on the streetscape and the amenity values of the area;</li> <li>3. The amenity of adjoining sites;</li> <li>4. Design and siting of the infrastructure;</li> <li>5. Any operational or functional needs of the infrastructure; and</li> <li>6. Any topographical and other site constraints make compliance with the permitted standard impractical.</li> </ol>
<p><b>Residential Zones</b></p>	<p>3. It must not be located within a 10m setback from any site boundary.</p> <p>This standard does not apply to the boundary of the road or rail corridor.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Local, regional and national benefits of the infrastructure;</li> <li>2. Any adverse effects on the streetscape and the amenity values of the area;</li> <li>3. The amenity of adjoining sites;</li> <li>4. Design and siting of the infrastructure;</li> <li>5. Any operational or functional needs of the infrastructure; and</li> <li>6. Any topographical and other site constraints make compliance with the permitted standard impractical.</li> </ol>
<p><b>Open Space and Recreation Zones</b></p> <p><b>Neighbourhood Centre Zone</b></p> <p><b>Local Centres Zone</b></p> <p><b>Mixed Use Zone</b></p> <p><b>Hospital Zone</b></p> <p><b>Special Purpose Zone (BRANZ)</b></p>	<p>4. It must not be located within a 10m setback from a site boundary that adjoins any of the following zones:</p> <ol style="list-style-type: none"> <li>a. General Residential Zone;</li> <li>b. Medium Density Residential Zone;</li> <li>c. Rural Lifestyle Zone;</li> <li>d. Settlement Zone;</li> <li>e. General Rural Zone; or</li> <li>f. Future Urban Zone.</li> </ol> <p>This standard does not apply to the boundary of the road or rail corridor.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Local, regional and national benefits of the infrastructure;</li> <li>2. Any adverse effects on the streetscape and the amenity values of the area;</li> <li>3. The amenity of adjoining sites;</li> <li>4. Design and siting of the infrastructure;</li> <li>5. Any operational or functional needs of the infrastructure; and</li> <li>6. Any topographical and other site constraints make compliance with the</li> </ol>



		permitted standard impractical.
<b>INF-S13</b>	<b>Setbacks – Cabinets, electric vehicle charging stations and temporary infrastructure and temporary electricity generators and self-contained power units to supply existing infrastructure, meteorological enclosures and buildings and any other infrastructure structure or building <u>located above ground</u><sup>155</sup> not otherwise listed, which is not located within the road reserve or rail corridor</b>	
<b>All zones</b>	1. It must not be located within a 2m setback from any <a href="#">site side or rear</a> <sup>156</sup> boundary.	Matters of discretion are restricted to: <ol style="list-style-type: none"> <li>1. Local, regional and national benefits of the infrastructure;</li> <li>2. Any adverse effects on the streetscape and the amenity values of the area;</li> <li>3. The amenity of adjoining sites;</li> <li>4. Design and siting of the infrastructure;</li> <li>5. Any operational or functional needs of the infrastructure; and</li> <li>6. Any topographical and other site constraints that make compliance with the permitted standard impractical.</li> </ol>
<b><u>Residential zones</u></b>	<a href="#">2. It must not be located within a 1.5m setback from any road boundary.</a>	<a href="#">Matters of discretion are restricted to:</a> <ol style="list-style-type: none"> <li><a href="#">1. Local, regional and national benefits of the infrastructure;</a></li> <li><a href="#">2. Any adverse effects on the streetscape and the amenity values of the area;</a></li> <li><a href="#">3. The amenity of adjoining sites;</a></li> <li><a href="#">4. Design and siting of the infrastructure;</a></li> <li><a href="#">5. Any operational or functional needs of the infrastructure; and</a></li> <li><a href="#">6. Any topographical and other site constraints that make compliance with the permitted standard impractical.</a></li> </ol>
<b><u>Rural Zones Open Space and Recreation Zones</u></b>	<a href="#">3. It must not be located within a 2m setback from any road boundary.</a>	<a href="#">Matters of discretion are restricted to:</a> <ol style="list-style-type: none"> <li><a href="#">1. Local, regional and national benefits of the infrastructure;</a></li> </ol>

<sup>155</sup> Powerco [83.71]

<sup>156</sup> Telcos [51.43]

<p><u>SPZ - Special Purpose Zone (BRANZ)</u></p> <p><u>FUZ - Future Urban Zone</u></p> <p><u>HOSZ - Hospital Zone</u></p>		<ol style="list-style-type: none"> <li>2. <u>Any adverse effects on the streetscape and the amenity values of the area;</u></li> <li>3. <u>The amenity of adjoining sites;</u></li> <li>4. <u>Design and siting of the infrastructure;</u></li> <li>5. <u>Any operational or functional needs of the infrastructure; and</u></li> <li>6. <u>Any topographical and other site constraints that make compliance with the permitted standard impractical.</u></li> </ol>
<b>INF-S14 Earthworks – Slope, height, depth and location</b>		
<p><b>All zones</b></p>	<ol style="list-style-type: none"> <li>1. Earthworks must not be undertaken on an existing slope with an angle of 34° or greater.</li> <li>2. Earthworks must not exceed 1.5m in cut height or fill depth, except: <ol style="list-style-type: none"> <li>a. Where the earthworks are for trenching, <u>directional drilling or augured holes</u><sup>157</sup> for the construction, operation, maintenance and repair, removal or upgrade of <u>underground</u><sup>158</sup> infrastructure; <u>and/or</u><sup>159</sup></li> <li>b. Where the earthworks are associated with switchback sections for the <u>development of new and construction, maintenance or upgrade</u> of <u>existing</u><sup>160</sup> walkways, cycleways and shared paths that are located on public land other than a road.</li> </ol> </li> <li>3. Earthworks must not be located within 1.0m of the site boundary, measured on a horizontal plane except: <ol style="list-style-type: none"> <li>a. Where the earthworks are for trenching, <u>directional drilling or augured holes</u><sup>161</sup> for the construction, operation, maintenance and</li> </ol> </li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Local, regional and national benefits of the infrastructure;</li> <li>2. The natural character of any riparian margin or coastal margin;</li> <li>3. Design and siting of the infrastructure;</li> <li>4. Any operational or functional needs of the infrastructure;</li> <li>5. Retention of silt and sediment on the site;</li> <li>6. Any topographical and other site constraints that make compliance with the permitted standard impractical; and</li> <li>7. The matters in EW-P1.</li> </ol>

<sup>157</sup> Powerco [83.72]

<sup>158</sup> Ibid

<sup>159</sup> Ibid

<sup>160</sup> PCC [11.8]

<sup>161</sup> Powerco [83.73]

repair, removal or upgrade of underground<sup>162</sup> infrastructure; or

b. Where the site boundary separates adjoining sites which are both within the area of land subject to the proposed works.

4. Trenching for the construction, operation, maintenance and repair, removal or upgrade of underground infrastructure undertaken within 1.0m of a the site boundary must not:

i. Exceed 1.50m in depth; or

ii. Be undertaken within 1.5m of a foundation of a building or structure on any adjacent sites.<sup>163</sup>

5. Earthworks associated with the development of new and construction, maintenance or upgrade of existing<sup>164</sup> walkways, cycleways and shared paths that are located on public land other than a road must not exceed 1.8m cut height or fill depth on switchback sections of the pathway, measured vertically, where the activities are undertaken by:

- a. Porirua City Council;
- b. Greater Wellington Regional Council;
- c. Department of Conservation; or
- d. A nominated contractor or agent of an organisation listed in (a) to (c).

6. Earthworks must not be carried out within 5m of a river, except:

- a. Where the earthworks are for the installation, maintenance and repair, removal or upgrade of infrastructure located on or within existing bridges or structure crossing a stream; or

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<sup>162</sup> Powerco [83.72]

<sup>163</sup> Kāinga Ora [81.331]

<sup>164</sup> PCC [11.8]

	<p><u>b. Where the earthworks are for the installation of infrastructure by directional drilling.</u><sup>165</sup></p> <p>7. As soon as practical, but no later than three months after the completion of the works, the earthworks area must be stabilised with vegetation or sealed, paved, metaled or built over.</p> <p>8. All silt and sediment must be retained on the site.</p> <p>9. Silt and sediment devices must be installed in accordance with APP15 - Silt and Sediment Devices prior to the commencement of earthworks and must be retained for the duration of the earthworks.</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> <li>• Earthworks undertaken by Transpower to achieve the ground to conductor clearance required by NZECP34:2001;</li> <li>• Any earthworks associated with any maintenance and repair works <u>for roads within the formed road width or</u><sup>166</sup> walkways, cycleways and shared paths within road reserves;</li> <li>• Any earthworks associated with any building or structure used for infrastructure purposes that are within 2m of the exterior walls of the building or structure, measured in plan view; or</li> <li>• Any piling associated with a support structure that is within 2m of an existing support structure or necessary to install a support structure.</li> </ul>	
<b>INF-S15</b>	<b>Earthworks – Area limit in a 12 month period per site, excluding the road reserve and rail corridor</b>	
<b>All zones</b>	1. No area limits apply to earthworks required for trenching for the construction, operation, maintenance and repair, removal	Matters of discretion are restricted to: 1. Local, regional and national benefits of the infrastructure;

<sup>165</sup> Powerco [83.75]

<sup>166</sup> Kāinga Ora [81.331]

	<p>or upgrade of <b>underground</b><sup>167</sup> infrastructure where the trenching:</p> <ol style="list-style-type: none"> <li>a. Is undertaken by Porirua City Council or a network utility operator, or a nominated contractor or agent;</li> <li>b. Does not result in an increase in height of the ground level upon completion of the works; and</li> <li>c. Is progressively closed so that no more than 120m of trench is open at any time.</li> </ol> <p>2. No area limits apply to earthworks associated with the development of new and maintenance of existing walkways, cycleways and shared paths that are located on public land other than a road where the activities are undertaken by:</p> <ol style="list-style-type: none"> <li>a. Porirua City Council;</li> <li>b. Greater Wellington Regional Council;</li> <li>c. Department of Conservation; or</li> <li>d. A nominated contractor or agent of an organisation listed in (a) to (c).</li> </ol>	<ol style="list-style-type: none"> <li>2. The natural character and amenity values of any riparian margin or coastal margin;</li> <li>3. The matters of discretion in EW-S1;</li> <li>4. Design and siting of the infrastructure;</li> <li>5. Any operational or functional needs of the infrastructure;</li> <li>6. Any topographical and other site constraints make compliance with the permitted standard impractical; and</li> <li>7. Any adverse effects from traffic movements on the transport network and amenity values.</li> </ol>
<p><b>Riparian Margins</b></p> <p><b>Coastal Margins</b></p>	<ol style="list-style-type: none"> <li>1. The maximum area must be no greater than 25m<sup>2</sup>.</li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Local, regional and national benefits of the infrastructure;</li> <li>2. The natural character and amenity values of any riparian margin or coastal margin;</li> <li>3. The matters of discretion in EW-S1;</li> <li>4. Design and siting of the infrastructure;</li> <li>5. Any operational or functional needs of the infrastructure;</li> <li>6. Any topographical and other site constraints make compliance with the permitted standard impractical; and</li> <li>7. Any adverse effects from traffic movements on the</li> </ol>

<sup>167</sup> Powerco [83.77]

		transport network and amenity values.
<b>Residential Zones</b>  <b>Settlement Zone</b>  <b>Neighbourhood Centre Zone</b>	2. The maximum area must be no greater than 250m <sup>2</sup> .	Matters of discretion are restricted to: <ol style="list-style-type: none"> <li>1. Local, regional and national benefits of the infrastructure;</li> <li>2. The matters of discretion in EW-S1;</li> <li>3. Design and siting of the infrastructure;</li> <li>4. Any operational or functional needs of the infrastructure;</li> <li>5. Any topographical and other site constraints make compliance with the permitted standard impractical; and</li> <li>6. Any adverse effects from traffic movements on the transport network and amenity values.</li> </ol>
<b>General Rural Zone</b>  <b>Rural Lifestyle Zone</b>  <b>Future Urban Zone</b>  <b>Special Purpose Zone (BRANZ)</b>  <b>Māori Purpose Zone (Hongoeaka)</b>	4. The maximum area must be no greater than 1000m <sup>2</sup> .	Matters of discretion are restricted to: <ol style="list-style-type: none"> <li>1. Local, regional and national benefits of the infrastructure;</li> <li>2. The matters of discretion in EW-S1;</li> <li>3. Design and siting of the infrastructure;</li> <li>4. Any operational or functional needs of the infrastructure;</li> <li>5. Any topographical and other site constraints make compliance with the permitted standard impractical; and</li> <li>6. Any adverse effects from traffic movements on the transport network and amenity values.</li> </ol>
<b>Local Centre Zone</b>  <b>Large Format Retail Zone</b>  <b>Mixed Use Zone</b>  <b>City Centre Zone</b>	5. The maximum area must be no greater than 400m <sup>2</sup> .	Matters of discretion are restricted to: <ol style="list-style-type: none"> <li>1. Local, regional and national benefits of the infrastructure;</li> <li>2. The matters of discretion in EW-S1;</li> <li>3. Design and siting of the infrastructure;</li> <li>4. Any operational or functional needs of the infrastructure;</li> </ol>

<p><b>General Industrial zone</b></p> <p><b>Hospital Zone</b></p>		<p>5. Any topographical and other site constraints make compliance with the permitted standard impractical; and</p> <p>6. Any adverse effects from traffic movements on the transport network and amenity values.</p>
<p><b>Open Space and Recreation Zones</b></p>	<p>6. The maximum area must be no greater than 500m<sup>2</sup>.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Local, regional and national benefits of the infrastructure;</li> <li>2. The matters of discretion in EW-S1;</li> <li>3. Design and siting of the infrastructure;</li> <li>4. Any operational or functional needs of the infrastructure;</li> <li>5. Any topographical and other site constraints make compliance with the permitted standard impractical; and</li> <li>6. Any adverse effects from traffic movements on the transport network and amenity values.</li> </ol>
<p><b>INF-S16 Earthworks – In relation to Historic Heritage and Sites and Areas of Significance to Māori</b></p>		
<p><b>All zones</b></p>	<p>1. The earthworks <u>must not exceed are limited to trenching less than 600mm in width.</u><sup>168</sup></p> <p>2. The earthworks must be <u>located</u><sup>169</sup> directly above existing underground infrastructure.<sup>170</sup></p>	<p>There are no matters of discretion for this standard.</p>
<p><b>INF-S17 Earthworks <u>and indigenous vegetation removal</u> – In relation to Outstanding Natural Features and Landscapes, Special Amenity Landscapes and Coastal High Natural Character Areas</b></p>		
<p><b>All zones</b></p>	<p>1. The earthworks must not exceed:</p> <ol style="list-style-type: none"> <li>a. A maximum cut height or fill depth greater than 1.0m measured from existing ground level; or</li> <li>b. Where the earthworks are associated with the <u>development of new and construction,</u> maintenance</li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Local, regional and national benefits of the infrastructure;</li> <li>2. Design and siting of the infrastructure;</li> <li>3. Any operational or functional needs of the infrastructure;</li> </ol>

<sup>168</sup> Telcos [51.59]

<sup>169</sup> Ibid

<sup>170</sup> Clause 16 minor amendment

or upgrade of existing<sup>171</sup> walkways, cycleways and shared paths that are located on public land other than a road and undertaken by Porirua City Council, Greater Wellington Regional Council, Department of Conservation or a nominated contractor or agent:

- i. 1.5m cut height or fill depth; or
- ii. 1.8m cut height or fill depth on switchback sections of the pathway, measured vertically; and
- iii. 2.5m in width.

2. The earthworks must not exceed within a continuous five year period, a maximum disturbance area of:

- a. 50m<sup>2</sup> within an area identified in SCHED9 - Outstanding Natural Features and Landscapes; or
- b. 50m<sup>2</sup> within an area identified in SCHED11 - Coastal High Natural Character Areas; or
- c. 350m<sup>2</sup> within an area identified in SCHED10 - Special Amenity Landscapes; or
- d. 250m<sup>2</sup> within an area identified in SCHED10 - Special Amenity Landscapes within the General Rural Zone.

3. Removal of indigenous vegetation must not exceed, in total area:

- a. 50m<sup>2</sup> within any five year continuous period per site within an Outstanding Natural Features and Landscape; or
- b. 100m<sup>2</sup> within any five year continuous period per site within a Special Amenity Landscape.

4. Any topographical and other site constraints make compliance with the permitted standard impractical;
5. The matters in EW-P1; and
6. The matters in NFL-P6.

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<sup>171</sup> PCC [11.10]



	<p><u>4. Within a Coastal High Natural Character Area, removal of indigenous vegetation must only be undertaken:</u></p> <p><u>a. Within the formed width of a road;</u></p> <p><u>b. Within 2m of the footprint of existing infrastructure and either side of an associated access track or fence; or</u></p> <p><u>c. For the purpose of addressing an imminent threat to people or property represented by deadwood, diseased or dying vegetation.</u><sup>172</sup></p> <p>Except that:</p> <ul style="list-style-type: none"> <li>Where the earthworks are associated with the <del>development of new and construction</del>, maintenance or <del>upgrade</del> of <del>existing</del><sup>173</sup> walkways, cycleways and shared paths that are located on public land other than a road and undertaken by Porirua City Council, Greater Wellington Regional Council, Department of Conservation or a nominated contractor or agent, no maximum disturbance area applies.</li> </ul>	
<b>INF-S18      Trimming, pruning or removal of indigenous vegetation within an area identified in SCHED7 - Significant Natural Areas</b>		
<b>All zones</b>	<p>1. Any trimming, pruning or removal of indigenous vegetation must be limited to:</p> <p>a. Within 2m of the footprint of the existing infrastructure and either side of an associated access track or fence; and</p> <p>b. No more than 20m<sup>2</sup> of indigenous vegetation within any 12 month period; or</p> <p>c. 2.5m in total width with no maximum area <del>except that no tree is removed with a tree trunk greater than 15cm in diameter measured 1.4m above ground, and</del></p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>Local, regional and national benefits of the infrastructure;</li> <li>Design and siting of the infrastructure;</li> <li>Any operational or functional needs of the infrastructure.;</li> <li>Any topographical and other site constraints make compliance with the standard impractical;</li> <li>The matters in ECO-P2; and</li> <li>The matters in ECO-P4.</li> </ol>

<sup>172</sup> Forest and Bird [225.142]

<sup>173</sup> PCC [11.10]

~~where the activities are associated with the structures required<sup>174</sup> for development of new or construction, maintenance, or upgrade of existing<sup>175</sup> walkways, cycleways and shared paths that are located on public land other than a road and:~~

~~i. The works are undertaken by Porirua City Council, Greater Wellington Regional Council, Department of Conservation or a nominated contractor or agent-; and~~

~~ii. No tree is removed with a tree trunk greater than 15cm in diameter measured 1.4m above ground.<sup>176</sup>~~

This standard does not apply to:

- Indigenous vegetation to be trimmed, pruned or removed located within the formation width of an existing road; or
- Works that are being undertaken in accordance with the Electricity (Hazards from Trees) Regulations 2003 or the Telecommunications Act 2001.
- ~~Indigenous vegetation to be trimmed, pruned or removed where the works are controlled by regulation 31 of the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009.<sup>177</sup>~~

<b>INF-S19</b>	<b>Trimming, pruning, removal or works within the root protection area of a tree identified in SCHED5 - Notable Trees</b>	
<b>All zones</b>	<ol style="list-style-type: none"> <li>1. Any trimming or pruning:             <ol style="list-style-type: none"> <li>a. Must not exceed a branch diameter of 50mm at severance unless it is the removal of deadwood;</li> <li>b. Retains the natural shape, form and branch habitat of the tree; and</li> </ol> </li> </ol>	There are no matters of discretion for this standard.

<sup>174</sup> Waka Kotahi [82.79]

<sup>175</sup> PCC [11.11]

<sup>176</sup> Waka Kotahi [82.79]

<sup>177</sup> Transpower [60.50]

- c. Is undertaken or supervised by a works arborist.

2. Works within the root protection area must only undertaken where:

- a. The works are undertaken or supervised by a technician arborist;
- b. Any machinery associated with undertaking the earthworks is operated on top of paved surfaces and/or ground protection measures;
- c. Any excavation is undertaken by:
  - i. Hand-digging, air spade, or hydro vac where it is an open cut excavation; or
  - ii. Directional drilling machine where the excavation is at a depth of 1m or greater;<sup>178</sup>
- d. The pruning of roots is limited to roots 35mm in diameter or less at the point of severance; and
- e. The works do not create new impermeable surfaces (including sealing, paving, soil compaction), buildings or structures within the root protection area; and
- f. The works will affect less than 10% of the protected root ~~zone~~ area<sup>179</sup>.

3. Removal of a tree must only be undertaken where:

- a. It is essential due to a serious imminent threat to the safety of people or property;
- b. The tree is confirmed to be dead ~~or in terminal decline~~<sup>180</sup> by a technician arborist;
- c. Porirua City Council is advised as soon as reasonably practicable prior to work commencing;

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<sup>178</sup> Jeremy Partridge [103.9] consequential amendment

<sup>179</sup> Clause 16 minor amendment

<sup>180</sup> Jeremy Partridge [103.8] consequential amendment

	<p>d. The works are undertaken or supervised by a technician arborist; and</p> <p>e. Porirua City Council is provided with written documentation by a technician arborist confirming that the works were necessary and undertaken in accordance with good arboricultural practice no more than 10 working days after the works have been completed.</p> <p><u>Note: Works essential due to a serious imminent threat to the safety of people or property under INF-S19-3.a includes those works required under and carried out in accordance with regulation 14 of the Electricity (Hazards from Trees) Regulations 2003.</u><sup>181</sup></p>	
<p><b>INF-S20 Earthworks within an area identified in SCHED7 - Significant Natural Areas</b></p>		
<p><b>All zones</b></p>	<p>1. The earthworks do not result in the removal of more than 20m<sup>2</sup> of indigenous vegetation within any 12 month period.</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> <li>• Earthworks required for the operation or maintenance of the formed width of existing access tracks or existing underground infrastructure where the earthworks are limited to within 2m either side of the existing infrastructure, or associated access track or fence; or</li> <li>• Earthworks associated with the development of new and maintenance of existing walkways, cycleways and shared paths that are located on public land other than a road and undertaken by Porirua City Council, Greater Wellington Regional Council, Department of Conservation or a nominated contractor or agent where the</li> </ul>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Local, regional and national benefits of the infrastructure;</li> <li>2. Design and siting of the infrastructure;</li> <li>3. Any operational or functional needs of the infrastructure;</li> <li>4. Any topographical or other site constraints that make compliance with the permitted standard impractical;</li> <li>5. Erosion and sediment controls and treatment of earthworks areas;</li> <li>6. The matters in ECO-P11; and</li> <li>7. The matters in ECO-P4.</li> </ol>

<sup>181</sup> WELL [85.33]

	earthworks are limited to a total width of 2.5m.	
<b>INF-S21</b>	<b>Signs</b>	
<b>All zones</b>	<p>1. All signs associated with construction, maintenance and repair, or upgrading of infrastructure on a site visible from outside the site must:</p> <ol style="list-style-type: none"> <li>Be installed no sooner than three months prior to any works commencing;</li> <li>Be removed no later than 1 month after completion of the works; and</li> <li>Not exceed a combined area of 3m<sup>2</sup>.</li> </ol> <p>2. All signs associated with operation of infrastructure on a site visible from outside the site, other than traffic signs, railway signs or directional signs, must not exceed a combined area of 3m<sup>2</sup>.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The functional and operational needs of the infrastructure;</li> <li>The benefits of the infrastructure;</li> <li>The purpose and necessity of the sign;</li> <li>Illumination;</li> <li>Location; and</li> <li>The impact on the safe and efficient operation of other infrastructure.</li> </ol>
<b>INF-S22</b>	<b>Classification of roads</b>	
<b>All zones</b>	<p>1. National, Regional and Arterial roads must be classified according to the Waka Kotahi New Zealand Transport Agency One Network Road Classification.</p> <p>2. Collector and Access Roads must be classified according to INF-Table 1 (Road design standards).</p>	There are no matters of discretion for this standard.
<b>INF-S23</b>	<b>Design of roads</b>	
<b>All zones</b>	<p>1. <del>Access</del> Roads must not be permanent no-exit roads- <u>except where:</u></p> <ol style="list-style-type: none"> <li><u>The anticipated AADT of the road is less than 200;</u></li> <li><u>The length of the road is less than 100m; and</u></li> <li><u>The no-exit road does not connect to a road that is itself a no-exit road.</u><sup>182</sup></li> </ol> <p>2. Roads must provide for two-way traffic in accordance with INF-Table 1 (Road design standards).</p>	There are no matters of discretion for this standard.

<sup>182</sup> Kāinga Ora [81.930]

3. Roads must be designed to achieve design target operating<sup>183</sup> speeds in accordance with INF-Table 1 (Road design standards).

4. The width of any road must comply with the minimum widths in accordance with INF-Table 1 (Road design standards):

- a. Minimum ~~total~~, legal width; ~~and~~
- b. Minimum carriageway width to provide for:
  - i. Vehicles;
  - ii. Parking; and
  - iii. Cycles;
- c. Minimum berm width to provide for
  - iv. Pedestrians;
  - iiiv. Infrastructure; and
  - viii. Street trees.<sup>184</sup>

5. Pedestrian walkways, cycleways and shared paths within a road reserve<sup>185</sup> must be designed in accordance with the Austroads Guide to Road Design Part 6A: Paths for Walking and Cycling (2017) or Waka Kotahi Pedestrian Planning and Design Guide (2009).<sup>186</sup>

6. No-exit roads must have a turning head with a The minimum radius of 9.5m design vehicle used for a road turning head must be a 4.91m x 1.87m vehicle (85th percentile vehicle).<sup>187</sup>

7. The maximum gradient of roads must be ±0% in accordance with INF-Table 1 (Road design standards) in accordance with INF-Table 1.<sup>188</sup>

~~8. Curves in roads must meet the following minimum values:~~

- ~~a. K Values for crest vertical curves and sag vertical curves must be in~~

<sup>183</sup> Ibid

<sup>184</sup> Ibid

<sup>185</sup> Ibid

<sup>186</sup> Waka Kotahi [82.82]

<sup>187</sup> Kāinga Ora [81.930]

<sup>188</sup> Ibid

~~accordance with INF-Table 3; and  
b. R-Values for horizontal curves must be in accordance with INF-Table 3.~~<sup>189</sup>

8. Roads must be designed to achieve the standards in INF-Table 1 (Road design standards) within the zones specified in INF-Table 1 (Road design standards).<sup>190</sup>

9. Retaining structures must not be constructed within the roads reserve.<sup>191</sup>

10. Street trees must be provided in accordance with:

- a. The requirements of INF-Table 1 (Road design standards);
- b. Street trees must not be planted in the infrastructure berm;
- c. When street trees are required in accordance with INF-Table 1, they must be provided in accordance with the number of trees per size class at maturity set out in INF-Table 2;
- d. Street tree planting must meet the requirements set out in INF-Table 2 for the following:
  - i. Horizontal setback distances from underground infrastructure;
  - ii. Horizontal setback distances from structures;
  - iii. Minimum berm width;
  - iv. Minimum topsoil depth;
  - v. Minimum soil volume;

~~e. Planting of road gardens other than street trees, mown grass or stormwater management planting must occur only in the City Centre Zone, Local Centre~~

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<sup>189</sup> Ibid

<sup>190</sup> Ibid

<sup>191</sup> Kāinga Ora [81.930] and Carrus Corporation Ltd [68.19]

~~Zone, Neighbourhood  
Centre Zone or Mixed Use  
Zone.~~<sup>192</sup>

11. Streetlighting must be provided in accordance with the following:

- a. Streetlighting must be designed in accordance with NZ Transport Agency document M30 Specification and Guidelines for Road Lighting Design (2014);
- b. Streetlighting bulbs must be on the NZ Transport Agency List of M30 Approved Luminaires (2020);
- c. Streetlighting columns must be in accordance with the NZ Transport Agency M26:2012 and M26A:2017 Specification for Lighting Columns; and
- d. Streetlighting columns in Access Roads and Collector Roads must be a minimum of 8m in height.

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<sup>192</sup> Kenepuru Limited Partnership [59.16] and Kāinga Ora [81.340]



INF-Table 1 Road design standards										
Classification		Access Road					Collector Road			
Classification criteria (must meet all criteria)	Typical daily traffic (annual average daily traffic movements)	<u>1-200</u>	1- <del>4</del> 2,000			<u>1-1,000</u>	<u>2,000-8,000</u>	<u>4</u> 2,000- <u>5</u> 8,000		<u>1,000-2,500</u>
	<u>Residential units</u>	<u>20</u>	<u>200</u>	-		<u>150</u>	<u>800</u>	-		<u>250</u>
	<u>Heavy commercial vehicles</u> (annual average daily traffic movements)		<u>4-25</u>	<u>4-25</u>				<u>25-300</u>		
	<u>Buses</u> (urban peak)		<u>0</u>	<u>0</u>				<u>1-15 buses; or 1-750 people per hour</u>		
	<u>Maximum length</u>	<u>100m where the road is a no-exit road</u>	-	-		-	-	-		-
Zone		<u>General Residential Zone, Medium Density Residential Zone</u>	<u>General Residential Zone, Medium Density Residential Zone</u>	<u>General Industrial Zone</u>	<u>All other Urban Zones</u>	General Rural Zone, Rural Lifestyle Zone, Settlement Zone, Open Space Zone, Māori Purpose Zone (Hongoeaka) and Special Purpose Zone (BRANZ)	<u>General Residential Zone, Medium Density Residential Zone, General Industrial Zone</u>	<u>All other zones except General Rural Zone and Rural Lifestyle Zone</u>	<u>General Rural Zone and Rural Lifestyle Zone</u>	<u>General Rural Zone and Rural Lifestyle Zone</u>
<u>Design Target operating speed (km/h)</u>		<u>20</u> <sup>1</sup>	<u>30 40</u> <sup>1</sup>	<u>30 40</u> <sup>1</sup>	<u>30 40</u> <sup>1</sup>	<u>460</u>	<u>50</u>	50	<u>80</u>	<u>60</u>
<u>Maximum gradient-</u>		<u>12.5%</u>	<u>10%</u>	<u>10%</u>	<u>10%</u> or <u>12.5%</u> for maximum 85m in any one length	<u>10%</u> or <u>12.5%</u> for maximum 85m in any one length	<u>10%</u>	<u>10%</u> or <u>12.5%</u> for maximum 85m in any one length	<u>10%</u> or <u>12.5%</u> for maximum 85m in any one length	<u>10%</u>
Minimum width (m)	<u>Parking</u> <sup>4</sup>	<u>1 x 2.1</u>	<u>1 x 2.1</u>	<u>2 x 2.1</u>	1 x <u>2.1</u> <sup>5</sup>	-	<u>2 x 2.5</u> <sup>1</sup>	<u>2 x 2.5</u> <sup>1</sup>	<u>2 x 2.5</u>	-
	Traffic (must provide unhindered vehicle access)	<u>2 x 3.0</u> <sup>2</sup>	<u>2 x 3.0</u> <sup>2</sup>	<u>2 x 3.5 4.2</u>	2 x 3.0 <sup>2</sup>	<u>2 x 3.0 + 2 x 0.5 sealed shoulders</u>	<u>2 x 3.5 4.2</u>	<u>2 x 3.0 3.5 4.2</u>	<u>2 x 3.0</u>	<u>2 x 3.5 + 2 x 0.75 sealed shoulders</u>
	<u>Cycles</u>	<u>Shared in traffic lane</u>	<u>Shared in traffic lane</u>	<u>Shared in traffic lane 2 x 1.8</u>	<u>2 x 1.5 Shared in traffic lane</u>	<u>2 x 1.5</u>	<u>1 x 2.5 Shared path</u>	<u>2 x 1.8</u>	<u>2 x 1.5</u> <sup>8</sup>	<u>4 x 3.0</u>

	Footpath	<u>1 x 1.8</u>	<u>2 x 1.8</u>	<u>2 x 2.5 shared path</u>	2 x <u>4.2.5</u> <sup>3</sup>	<del>2 x</del> <u>4.5</u>		<u>2 x 2.0</u>	2 x <u>2.50</u> <sup>3</sup>	-	
	Infrastructure berm	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	1.0	1.0		<u>1.0</u>	1.0	<del>4.0</del>	<u>1.0</u>
	Street tree berm	<u>2.0</u>	<u>2.5</u>	<u>2.5</u>	<del>3.0</del> <u>2.5</u>	-		<u>3.0</u>	3.0	-	
	<b>Total berm width</b>	<u>1 x 2.5</u>	<u>1 x 2.8</u>	<u>1 x 2.8 3.5</u>	<u>1 x 3.5</u>			<u>1 x 3.0</u>	<u>1 x 3.5</u>		
		<u>1 x 2.8</u>	<u>1 x 4.3</u>	<u>1 x 4.3 5.0</u>	<u>1 x 5.0</u>	<u>2 x 3.5</u>		<u>1 x 5.0</u>	<u>1 x 5.5</u>		<u>2 x 3.5</u>
	Legal width	<u>14.0 13.4</u>	<u>16.0 15.2</u>	<u>20.0 19.7</u>	<u>21.0 16.6</u>	<u>21.5.0 14.0</u>		<u>25.0 22.8</u>	<u>26.3.0 23.8</u>	<del>23.0</del>	<u>20.0 15.5</u>
	Number of street trees	<u>As per INF-Table 2</u>	<u>As per INF-Table 2</u>	<u>As per INF-Table 2</u>	As per INF-Table 2	-		<u>As per INF-Table 2</u>	As per INF-Table 2	-	=

**Notes:**

<sup>1</sup> Speed management measures may be required to achieve the specified target operating speed

<sup>2</sup> The carriageway width must be widened to 6.7 metres for bends where the outer radius of the traffic lane is 50 metres or less

<sup>3</sup> The footpath width must be a minimum of 3.5 metres within Commercial and Mixed Use Zones identified with an Active Street Frontage control shown on the planning maps.

<sup>4</sup> Indented parking bays are encouraged to help achieve target operating speed

INF-Table 2 Street trees <sup>193</sup>				
Size class at maturity (stem diameter at 1.5m above ground)		<300mm	300-600mm	>600mm
<b>Height at maturity</b>		8	10	25
<b>Minimum number of trees per 1000m<sup>2</sup> of road reserve</b>		8.0	6.0	4.0
<b>Horizontal setback distances from underground infrastructure (m)</b>	<ul style="list-style-type: none"> <li>Manholes, drainage catchments, surface openings for underground infrastructure</li> <li>Trunk water mains</li> <li>Stormwater pipes &gt;300mm diameter</li> <li>Sewer pipes &gt;300mm diameter</li> <li><del>Distribution gas pipelines</del></li> <li><u>Telecommunication and electricity</u> Distribution or customer connection <del>electricity</del> lines<sup>194</sup></li> </ul>	1.0.50	1.5	3.0
	<ul style="list-style-type: none"> <li><u>Gas distribution pipelines</u></li> </ul>	3.0	3.0	3.0 <sup>195</sup>
	<ul style="list-style-type: none"> <li><del>Gas</del> Transmission gas pipelines</li> <li><del>Electricity</del> Transmission <del>electricity</del> lines</li> </ul>	43.0	43.0	43.0
<b>Horizontal setback distances from structures (m)</b>	<ul style="list-style-type: none"> <li>Hard surfaces (footpaths etc)</li> <li>Road curbs</li> <li><del>Vehicle crossings</del></li> <li><del>Masonry walls</del></li> <li><u>Block paving, cobbles and paving slabs</u></li> </ul>	0.675	1.0	1.5
	<ul style="list-style-type: none"> <li><u>Vehicle crossings</u></li> <li><u>Masonry walls</u></li> </ul>	1.0	1.0	1.5
	<ul style="list-style-type: none"> <li><u>Pedestrians crossings and ramps</u></li> </ul>	2.5	2.5	2.5
	<ul style="list-style-type: none"> <li><del>Pavers</del></li> <li>Lightly loaded structures (bus shelters, garages etc)</li> <li>Heavily loaded structures (houses etc)</li> </ul>	1.0.7	1.5	3.0
	<ul style="list-style-type: none"> <li>Street lights</li> </ul>	5.0	5.0	8.0
<b>Minimum berm width (m)</b>		1.5	2.0	3.0

<sup>193</sup> PCC [11.13] (all amendments in table, unless otherwise identified)

<sup>194</sup> Telcos [51.63]

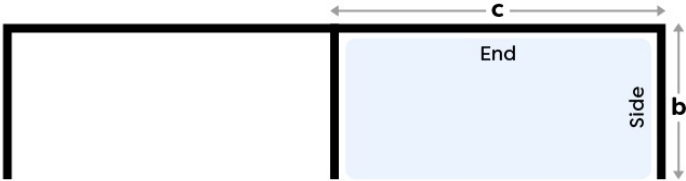
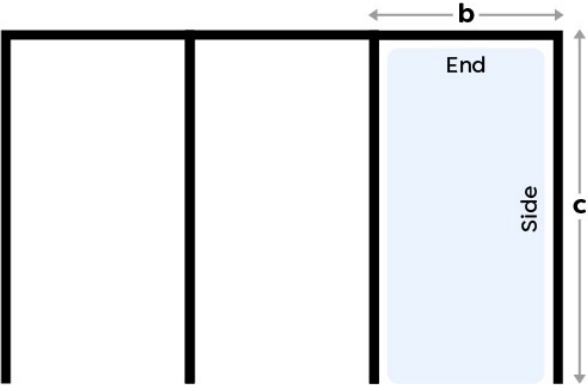
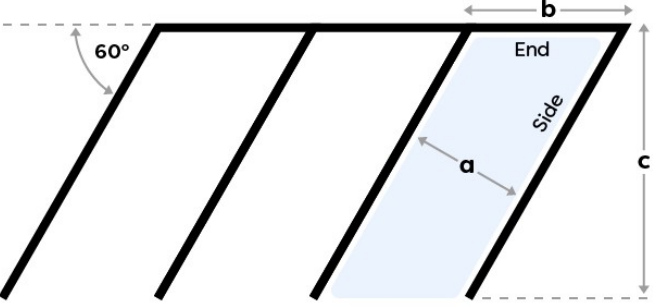
<sup>195</sup> Powerco [83.83]

Minimum topsoil depth (m)	0.56	0.6	0.6
Minimum soil volume (m <sup>3</sup> )	10.0	12.0	20.0
<b>INF-Table 3 Road vertical curves and horizontal curves<sup>196</sup></b>			
<b>Operating speed (km/h)</b>	<b>Minimum K-value for crest vertical curves</b>	<b>Minimum K-value for sag vertical curves</b>	<b>Minimum R-value for horizontal curves</b>
<20	45	3	20
21-30	47	3	30
31-40	20	3	40
41-50	33	4	50
51-60	50	6	Specific design
61-70	71	8	Specific design
71-80	100	10	Specific design
<b>INF-S24 Parking spaces in roads</b>			
<b>All zones</b>	1. Car parking spaces in roads must <u>be parallel to the traffic lane and meet the following minimum dimensions of INF-Table 4:</u> <u>a. Width of 2.1m; and</u> <u>b. Length of:</u> <u>i. 5m for an unobstructed end space;</u> <u>ii. 6.3m for an intermediate space (between other car spaces); or</u> <u>iii. 6.6m for an end obstructed space.<sup>197</sup></u>	There are no matters of discretion for this standard.	
<b>INF-Table 4 Parking space dimensions<sup>198</sup></b>			
<b>Parking space type</b>	<b>Dimension a* (m)</b>	<b>Dimension b* (m)</b>	<b>Dimension c* (m)</b>
<b>Parallel</b> (permanently unobstructed sides and ends)	-	2.2	6.0
Additional clearance requirement for each obstructed side or end (e.g. fence, wall, column)	-	+0.3	+0.3
<b>Perpendicular</b> (permanently unobstructed sides and ends)	-	2.5	5.0
Additional clearance requirement for each obstructed side or end (e.g. fence, wall, column or inside garage)	-	+0.3	+0.3
Additional clearance requirement both ends obstructed (e.g. inside garage)	-	-	+0.6

<sup>196</sup> Kāinga Ora [81.930]

<sup>197</sup> Kāinga Ora [81.930]

<sup>198</sup> Kāinga Ora [81.930]

<b>Angle – 60°</b> (permanently-unobstructed sides)	2.6	3.0	5.6
Additional clearance requirement for each obstructed side (e.g. fence, wall, column)	+0.3	+0.33	-
- * Dimensions a, b and c are shown in INF-Figure 1, INF-Figure 2 and INF-Figure 3.			
<b>INF-Figure 1 Parallel parking</b>			
			
<b>INF-Figure 2 Perpendicular parking</b>			
			
<b>INF-Figure 3 Angle parking</b>			
			
<b>INF-S25</b>	<b>Intersections involving roads or a Vehicle Access Level 4<sup>199</sup></b>		
<b>All zones</b>	1. Intersections must be designed to ensure safe connectivity of roads for all road users and must take into account	There are no matters of discretion for this standard.	

<sup>199</sup> Kāinga Ora [81.930]

the expected traffic flows once development is complete.

2. Intersections must be formed at 90°.

3. Intersections must not be located within the intersection separation distances set out in INF-Table 4.<sup>200</sup>

43. Minimum sight distances at intersections must be in accordance with Distance X and Distance Y as shown in INF-Figure 41 and INF-Table 53.

4. Intersections must not have more than three approaches.

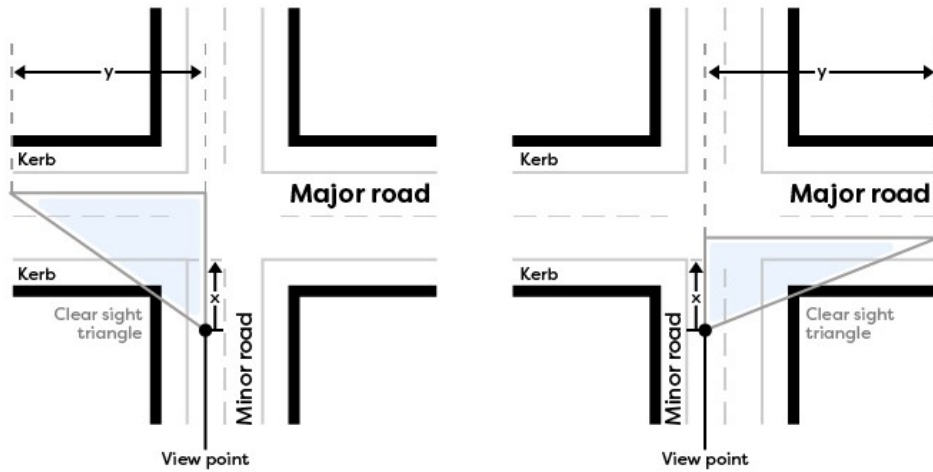
5. Intersections must not include roundabouts or be signalised.

**INF-Figure 41** Minimum sight distances at intersections

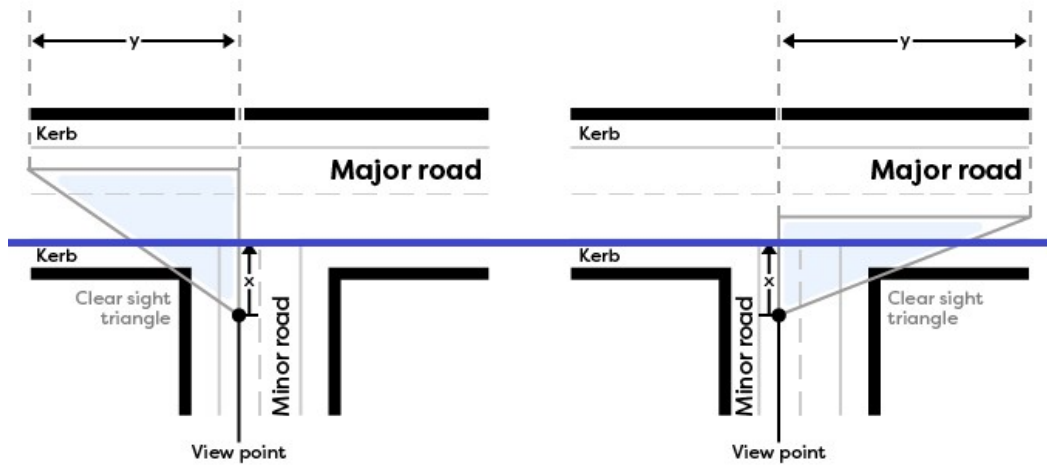
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<sup>200</sup> Kāinga Ora [81.930]

Delete:



Insert:



[Insert designed version of Figure 3.2 from Austroads Guide to Road Design Part 4A (2021) with the following note]

Note: “x” is measured from the closest position to the major road determined from the prolongation, across the minor road, of the feature listed below that positions the minor road sight distance observation 5 m back from the:

- [Edgeline](#)
- [Kerbline](#)
- [Edge of seal<sup>201</sup>](#)

INF-Table 53 Minimum sight distances at intersections			
Operating speed (km/h) of major road	Distance X (m) (see INF-Figure 4)	Distance Y (m) (see INF-Figure 4)	
		Access-road	Collector road

<sup>201</sup> Kāinga Ora [81.240]

<u>≤30</u>	<u>5</u>	<u>55</u>	
<del>≤</del> <sup>202</sup> <u>31 - 40</u>	5	<del>35</del>	<u>75</u>
41-50	5	<del>45</del>	<u>90 100</u>
51-60	<del>65</del>	<del>65</del>	<u>115 125</u>
61-70	<del>65</del>	<del>85</del>	<u>140 155</u>
71-80	<del>75</del>	<del>105</del>	<u>175 185</u>
81-90	<del>75</del>	<del>130</del>	<u>240 245 230</u>
91-100	<del>75</del>	<del>160</del>	<u>250 265</u>
<u>101-110</u>	<u>5</u>		<u>285</u> <sup>203</sup> <u>300</u>

Note 1: Where a measured operating speed value cannot be measured, the operating speed is assumed to be 10 km/h greater than the target operating speed.

Note 2: Adjustments to these values will be required for locations where the grade of the major road is not 0%<sup>204</sup>.

**INF-Table 4 Intersection separation distances**

<b>Intersection types</b>	<b>Distance (m) (centreline to centreline)</b>
<u>An access/access road intersection to any access/access road intersection</u>	<u>40</u>
<u>An access/access road intersection to any intersection involving a higher order road</u>	<u>80</u>
<u>Any intersections involving any collector/arterial/regional/national road to any other intersections involving any collector/arterial/regional/national road</u>	<u>150</u>

**INF-S26 Connections to Roads for Vehicle Access Levels 1, 2 and 3<sup>205</sup>**

<b>All zones</b>	<del>1. The number of vehicle crossings per site must not exceed one.</del> <del>-</del> <del>2. The length of a vehicle crossing parallel to the road must be no more than 6m.</del> <del>-</del> <del>3. The vehicle crossing for a site with frontage to two or more roads must be to the lower road classification.</del>	There are no matters of discretion for this standard.
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<sup>202</sup> Clause 16 minor amendment

<sup>203</sup> Waka Kotahi [82.85]

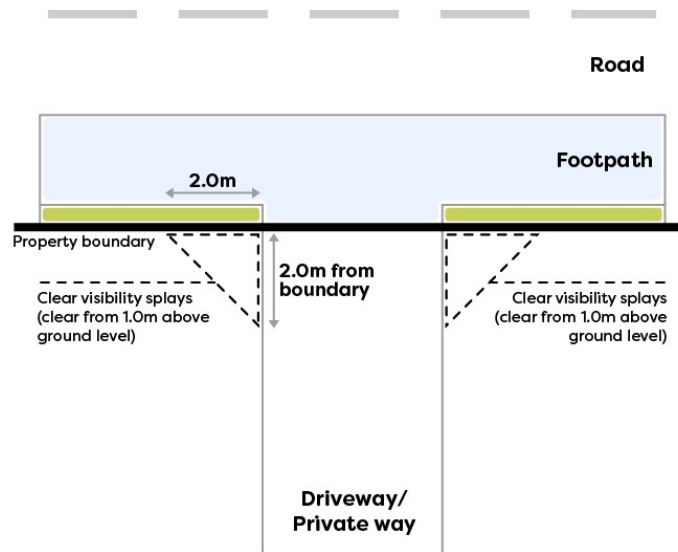
<sup>204</sup> Kāinga Ora [81.240]

<sup>205</sup> Kāinga Ora [81.352]



- 4. The minimum design vehicle used for a vehicle crossing must be a 4.91m x 1.87m vehicle (85<sup>th</sup> percentile vehicle).
- 5. The distance from vehicle crossings to road intersections and railway crossings must be in accordance with INF-Table 6.
- 6. Connections to roads must provide clear visibility splays for pedestrian safety from 1.0m above ground level as shown in INF-Figure 5.
- Note: Limited Access Roads may have additional or different requirements under the Government Roading Powers Act 1989.

**INF-Figure 5** Clear visibility splays for pedestrian safety<sup>206</sup>



**INF-Table 6** Vehicle crossing distances<sup>207</sup>

Operating speed of road (km/h)	Minimum distance between vehicle crossing and road intersection (m) (measured from the legal boundary of the intersecting	Minimum distance between vehicle crossing and railway crossing (m) (measured from the closest rail track to the edge	Minimum sight distances from vehicle crossing (m)

<sup>206</sup> Kāinga Ora [81.353]

<sup>207</sup> Kāinga Ora [81.354]

	road to the edge of the seal of the vehicle crossing)	of the seal of the vehicle crossing)	
<40	40	30	35
41-50	40	30	45
51-60	45	30	65
61-70	20	30	85
71-80	20	30	105
81-90	30	30	130
91-100	30	30	160

**INF-S26**

**Ancillary transport network infrastructure**

**All zones**

1. A telecommunication kiosk (excluding any associated antenna) must not exceed a maximum height of 2.5m.
2. A telecommunication kiosk must not exceed a maximum volume of 2.4m<sup>3</sup>.
3. A small cell or antenna attached to a telecommunication kiosk must not exceed 1m in height or a horizontal dimension greater than the horizontal dimensions of the communication kiosk.
4. Buildings must not be located within the minimum sight distance areas described in:
  - a. INF-Figure 1 and INF-Table 3 for intersections; or
  - b. TR-Table 4 and TR-Figure 2 for vehicle crossing.
5. Buildings must comply with the relevant height in relation to boundary standards for the underlying zone.

**Matters of discretion are restricted to:**

1. Local, regional and national benefits of the infrastructure;
2. Any adverse effects on the streetscape and the amenity values of the area;
3. The amenity of adjoining sites;
4. Vehicle, cyclist and pedestrian safety including sightlines of vehicles exiting driveways and side roads and visibility of traffic signage;
5. Vehicle safety and the avoidance of collision hazards;
6. Design and siting of the infrastructure;
7. Any operational or functional needs of the infrastructure; and
8. Any topographical and other site constraints make compliance with the permitted standard impractical.

**Rural Zones**

**Future Urban Zone**

**Large Format Retail Zone**

**City Centre Zone**

6. Buildings must not exceed a maximum height above ground level of 10m.

**Matters of discretion are restricted to:**

1. Local, regional and national benefits of the infrastructure;
2. Any adverse effects on the streetscape and the amenity values of the area;
3. The amenity of adjoining sites;
4. Vehicle, cyclist and pedestrian safety including sightlines of vehicles exiting driveways and


<p><u>General Industrial Zone</u></p> <p><u>Hospital Zone</u></p> <p><u>Māori Purpose Zone (Hongoeaka)</u></p> <p><u>Special Purpose Zone (BRANZ)</u></p>		<p><u>side roads and visibility of traffic signage;</u></p> <p>5. <u>Vehicle safety and the avoidance of collision hazards;</u></p> <p>6. <u>Design and siting of the infrastructure;</u></p> <p>7. <u>Any operational or functional needs of the infrastructure; and</u></p> <p>8. <u>Any topographical and other site constraints make compliance with the permitted standard impractical.</u></p>
<p><u>Residential Zones</u></p> <p><u>Neighbourhood Centre Zone</u></p> <p><u>Local Centres Zone</u></p> <p><u>Mixed Use Zone</u></p> <p><u>Open Space and Recreation Zones</u></p>	<p>7. <u>Buildings must not exceed a maximum height above ground level of 5m.</u></p> <p>8. <u>Buildings must not exceed a maximum gross floor area of 5m<sup>2</sup>.</u></p>	<p>Matters of discretion are restricted to:</p> <p>1. <u>Local, regional and national benefits of the infrastructure;</u></p> <p>2. <u>Any adverse effects on the streetscape and the amenity values of the area;</u></p> <p>3. <u>The amenity of adjoining sites;</u></p> <p>4. <u>Vehicle, cyclist and pedestrian safety including sightlines of vehicles exiting driveways and side roads and visibility of traffic signage;</u></p> <p>5. <u>Vehicle safety and the avoidance of collision hazards;</u></p> <p>6. <u>Design and siting of the infrastructure;</u></p> <p>7. <u>Any operational or functional needs of the infrastructure; and</u></p> <p>8. <u>Any topographical and other site constraints make compliance with the permitted standard impractical.</u></p>
<p><b>INF-S27      Cycleways, shared paths and pedestrian walkways on public land other than roads</b></p>		
<p><b>All zones</b></p>	<p>1. Pedestrian walkways on public land other than a road must be designed in accordance with the Porirua City Council Track Standards Manual (Version 1.2, 2014).</p> <p>2. Cycleways and shared paths on public land other than a road must be designed in accordance with:</p> <p><u>a. The Austroads Guide to Road Design Part 6A: Paths for Walking and Cycling (2017); or</u></p> <p><u>b. For paths associated with Ngā Haerenga New Zealand</u></p>	<p>Matters of discretion are restricted to:</p> <p>1. Walking and cycling connectivity;</p> <p>2. Access to and usability of public open spaces;</p> <p>3. The safe, resilient, efficient and effective functioning of the transport network; and</p> <p>4. Public health and safety.</p>

[Cycle Trails, the NZ Cycle Trail Design Guide \(2019\).](#)<sup>208</sup>

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<sup>208</sup> Waka Kotahi [82.89]

# REG - Renewable Electricity Generation

This chapter contains provisions that have legal effect. They are identified with a  to the right hand side of the provision. To see more about what legal effect means please click [here](#).

Energy is essential to the efficient and effective functioning of New Zealand, and the City. Energy demand is growing overall, and there is a shift to electrification of energy uses such as transportation.

Development and use of renewable energy resources [has a number of environmental and economic benefits and](#)<sup>1</sup> is becoming increasingly important as a way of meeting future energy demand in an environmentally sustainable manner. [Benefits of renewable electricity generation include increasing electricity generation capacity and security and reducing the use of finite resources, irreversible effects on the environment and reliance on imported fuels.](#)<sup>2</sup>

The primary use of renewable energy resources is for electricity generation. The most feasible forms of renewable electricity generation within the City are currently wind power and small-scale solar. Other forms of energy, such as biofuels, also have the potential to contribute to meeting future energy demands.

The location of renewable electricity generation facilities is often driven by their functional and operational need to access renewable energy resources. These activities can only occur where renewable energy resources are found, limiting the geographic areas where renewable electricity generation activities can occur. Logistical or technical practicalities, and the need to integrate with existing supporting infrastructure, may also place constraints on the location of these activities.

[Dependent on the nature and scale of the proposal and its location](#), [The](#)<sup>3</sup> investigation, development and operation of renewable electricity generation activities can cause adverse effects on the environment, particularly in relation to amenity, landscape, ecology, cultural values, and traffic. Renewable electricity generation structures may need to locate in visually prominent locations and produce other amenity effects such as noise. Significant earthworks may also be required to enable the required structures.

Where renewable electricity generation facilities exist, subdivision, use and development in close proximity to these facilities requires careful management as they can lead to adverse effects on the operation, maintenance and upgrading of these facilities.

## Objectives

### REG- O1 Recognising the benefits of renewable electricity generation

The significant local, regional and national benefits from the use and development of renewable electricity generation activities, and their operational needs and functional needs, are recognised.

### REG- O2 Providing for renewable electricity generation activities

<sup>1</sup> Paul and Julie Botha [118.15]

<sup>2</sup> Paul and Julie Botha [118.15]

<sup>3</sup> [Housing Action Porirua \[67.4\]](#)

<p>Renewable electricity generation activities are able to establish and operate within the City, while:</p> <ol style="list-style-type: none"> <li>1. Minimising adverse effects on the anticipated amenity and character of the zone and the surrounding environment; and</li> <li>2. Protecting the values and qualities of any Overlay.</li> </ol>	
<b>Policies</b>	
<b>REG-P1</b>	<b>Recognise the benefits of renewable electricity generation</b>
<p>Provide for the local, regional and national benefits of renewable electricity generation activities, including the contribution to:</p> <ol style="list-style-type: none"> <li>1. Central Government energy policy objectives and renewable energy targets;</li> <li>2. The security of supply and increased energy independence for the City and Region;</li> <li>3. Economic benefits for the regional and local economy; and</li> <li>4. Any other positive benefits.</li> </ol>	
<b>REG-P2</b>	<b>Enable existing activities</b>
<p>Enable the ongoing maintenance and repair of existing renewable electricity generation activities.</p>	
<b>REG-P3</b>	<b>Reverse sensitivity</b>
<p>Require new sensitive activities to be designed and located to avoid conflict with, including reverse sensitivity effects on, any established or consented renewable electricity generation activities.</p>	
<b>REG-P4</b>	<b>Small-scale renewable electricity generation and investigation activities outside of <u>specified</u><sup>4</sup> Overlays</b>
<p>Enable small-scale renewable electricity generation activities and activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation activities, where:</p> <ol style="list-style-type: none"> <li>1. The activity is of a form, location and scale that avoids, remedies or mitigates any adverse effects on the environment; and</li> <li>2. The activity is consistent with the anticipated amenity and character of the zone.</li> </ol>	
<b>REG-P5</b>	<b>Small-scale renewable electricity generation activities and investigation activities within <u>specified</u><sup>5</sup> Overlays</b>
<p>Only allow small-scale renewable electricity generation activities and activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation activities within any Overlay, where:</p> <ol style="list-style-type: none"> <li>1. If located within or on any sites, areas, items and/or features identified in SCHED2 - Historic Heritage Items (Group A), SCHED3 - Historic Heritage Items (Group B), SCHED4 - Historic Heritage Sites and/or SCHED6 - Sites and Areas of Significance to Māori: <ol style="list-style-type: none"> <li>a. Its form and location is sympathetic to the identified values; and</li> <li>b. Any structure is not visible from any adjacent public areas and is aligned with the plane of the roof where located on a roof;</li> </ol> </li> <li>2. If located within the root protection area of a tree identified in SCHED5 - Notable Trees the work will not compromise the long term health, natural life or values of the notable tree;</li> <li>3. If located within an area identified in SCHED7 - Significant Natural Areas or SCHED10 - Special Amenity Landscapes, any significant adverse effects are avoided and any other adverse effects are avoided, remedied or mitigated, while having</li> </ol>	

<sup>4</sup> Forest and Bird [225.188]

<sup>5</sup> Forest and Bird [225.188]

regard to the matters in ECO-P4, ECO-P11, and ECO-P12 and NFL-P3, NFL-P6 and NFL-P8;

4. If located within an area identified in SCHED9 - Outstanding Natural Features and Landscapes or SCHED11 - Coastal High Natural Character Areas:
  - a. Any significant adverse effects are avoided and any other adverse effects are avoided, remedied or mitigated, while having regard to the matters in NFL-P3, NFL-P6 and NFL-P8<sup>6</sup> and CE-P3; and
  - b. The design and location of the activity is subordinate to and does not compromise the identified characteristics and values of the Outstanding Natural Feature and Landscape or Coastal High Natural Character Area; and
5. If located within an area in a Natural Hazard Overlay or Coastal Hazard Overlay it:
  - a. Does not increase the risk from the natural hazard to people, or other property or infrastructure;
  - b. Has a functional need or operational need that means its location cannot be avoided and there are no reasonable alternatives;
  - c. Is not vulnerable to the natural hazard; and
  - d. Is designed to maintain reasonable and safe operation during and in the immediate period after a natural hazard event.

**REG- P6 Community-scale renewable electricity generation activities in the General Rural, Rural Lifestyle, General Industrial and Māori Purpose Zones, outside of specified<sup>7</sup> Overlays**

Provide for community-scale renewable electricity generation activities in the General Rural, Rural Lifestyle, General Industrial and the Māori Purpose zones, where any adverse effects on the anticipated character and amenity of the zone and on the surrounding environment are avoided, remedied or mitigated, having regard to:

1. The scale of the activity and the effects on the surrounding area;
2. The design and site layout of the activity and its ability to internalise effects;
3. The capacity of the roading and infrastructure network to accommodate the activity;
4. Any potential adverse amenity effects from scale, shading, lighting and noise; and
5. The location of the activity and whether there is adequate separation from residential activities to ensure conflict between activities, including potential adverse reverse sensitivity effects, are minimised; and
6. Ecological effects, including effects on terrestrial ecology and avifauna, where not located in the General Industrial Zone or Māori Purpose Zone.<sup>8</sup>

**REG- P7 Community-scale renewable electricity generation activities in other locations and within specified<sup>9</sup> Overlays**

Only allow community-scale renewable energy generation activities in other locations where any significant adverse effects are avoided and any other adverse effects are avoided, remedied or mitigated, while having regard to:

1. If located within or on heritage items, heritage settings, or historic heritage sites, or sites and areas identified in SCHED2 - Historic Heritage Items (Group A), SCHED3 - Historic Heritage Items (Group B) or SCHED4 - Historic Heritage Sites, the matters in HH-P11;
2. If located on a site identified in SCHED6 - Sites and Areas of Significance to Māori, the matters in SASM-P6;
3. If located on a site identified in SCHED7 - Significant Natural Areas, the matters in ECO-P4, ECO-P11 and ECO-P12;
4. If located on a site identified in SCHED9 - Outstanding Natural Features and Landscapes, the matters in NFL-P3, and NFL-P6 and NFL-P7<sup>10</sup>;

<sup>6</sup> Director-General of Conservation [126.5]

<sup>7</sup> Forest and Bird [225.188]

<sup>8</sup> Forest and Bird [225.42]

<sup>9</sup> Forest and Bird [225.188]

<sup>10</sup> Director-General of Conservation [126.5]

5. If located on a site identified in SCHED10 - Special Amenity Landscapes, the matters in NFL-P3, NFL-P6 and NFL-P8;
6. If located on a site identified in SCHED11 - Coastal High Natural Character Areas, the matters in CE-P3;
7. If located within the Natural Hazard Overlay or Coastal Hazard Overlay, the activity:
  - a. Does not increase the risk from the natural hazard to people, other properties or infrastructure;
  - b. Has a functional need or operational need to be located in the area and there are no reasonable alternatives;
  - c. Is not vulnerable to the natural hazard; and
  - d. Is designed to maintain reasonable and safe operation during and in the immediate aftermath of a natural hazard event; and
8. Whether there is an operational need or functional need for the identified location;
9. Any adverse cumulative effects;
10. The scale, intensity, duration or frequency of the activity's effects;
11. Any adverse effects on visual amenity, including colour, size, dominance and shading of any structures associated with the activity;
12. Any light spill or reflectivity effects;
13. The design and site layout of the activity and its ability to internalise effects;
14. Traffic generation, earthworks and construction effects, lighting and noise and the potential to cause sleep disturbance or annoyance;
15. Whether there is adequate separation from residential activities to ensure conflict between activities, including potential adverse reverse sensitivity effects, are minimised;
16. Ecological effects, including effects on terrestrial ecology and avifauna; and
17. The extent to which the proposed activity recognises and provides for tangata whenua cultural and spiritual values and practices.

**REG-P8 Large-scale renewable electricity generation activities in the General Rural Zone, outside of specified<sup>11</sup> Overlays**

Only allow for large-scale renewable electricity generation activities in the General Rural Zone where:




1. They have a particular operational need or functional need to locate where the renewable energy resources are available;
2. There is or will be sufficient roading and infrastructure capacity to accommodate the activity;
3. They avoid any significant adverse effects and avoid, remedy or mitigate any other adverse effect on the identified values and qualities of any adjacent Overlay;
4. For an activity involving wind generation, it complies with NZS 6808:2010 Acoustics - Wind farm noise;
5. They minimise any adverse effects on:
  - a. Amenity values of the site and surrounding area, having regard to:
    - i. The scale, intensity, duration or frequency of the activity's effects;
    - ii. The size and shading of any structures associated with the activity;
    - iii. The design and site layout of the activity and its ability to internalise effects, including and blade or shadow flicker;
    - iv. Traffic generation, earthworks and construction, and lighting and the potential to cause sleep disturbance or annoyance;
  - b-v.**<sup>12</sup> Whether there is adequate separation from residential activities to ensure conflict between activities, including potential adverse reverse sensitivity effects, are minimised; and
  - eb**<sup>13</sup>. Ecology, including effects on terrestrial ecology and avifauna; having regard to any offsetting measures or environmental compensation which may benefit the local environment and community affected; and

<sup>11</sup> Forest and Bird [225.188]

<sup>12</sup> Clause 16

<sup>13</sup> Clause 16



<p><del>dc</del><sup>14</sup>. Any existing navigation and telecommunication facilities. while having regard to any adaptive management measures proposed.</p>	
<b>REG-P9</b>	<b>Large-scale renewable electricity generation activities in other zones and within <del>specified</del><sup>15</sup> Overlays</b>
<p>Avoid locating large-scale renewable energy generation activities within:</p> <ol style="list-style-type: none"> <li>1. Any zone, other than the General Rural Zone; and</li> <li>2. Any Overlay.</li> </ol>	
<b>REG-P10</b>	<b>Decommissioning of renewable electricity generation activities</b>
<p>Require that during or following decommissioning of any renewable electricity generation activity that all renewable electricity generation structures are remediated including, but not limited to, the removal of all surface equipment, all concrete surfacing, steel and cables.</p>	
<b>Rules</b>	
<p>Note: Except as specifically identified in a rule in the following table, the rules in this chapter are the only rules that apply to Renewable Electricity Generation activities and no rules in other chapters apply.</p>	
<b>REG-R1</b>	<b>Maintenance and repair of renewable electricity generation activities</b>
	<p><b>All zones</b>      1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. When it is located within an area within SCHED7 - Significant Natural Areas: <ol style="list-style-type: none"> <li><del>i. Compliance is achieved with REG-S7; and</del></li> <li><del>ii. It is not located within a wetland<sup>16</sup>.</del></li> </ol> </li> </ol> <p>Note:</p> <p>The maintenance and repair of existing renewable electricity generation activities outside of Significant Natural Areas is a permitted activity. The operation of legally established existing renewable electricity generation activities may rely on existing use rights or any resource consent obtained for those activities.</p>
	<p><b>All zones</b>      2. Activity status: <b>Restricted discretionary</b></p> <p>Where</p> <ol style="list-style-type: none"> <li>a. Compliance is not achieved with REG-S7.</li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The matters of discretion of any infringed standard.</li> </ol>
	<p><del>3. Activity status: <b>Discretionary</b></del></p> <p><del>Where:</del></p> <ol style="list-style-type: none"> <li><del>a. It is located within a wetland in an area identified in SCHED7 - Significant Natural Areas.<sup>17</sup></del></li> </ol>

<sup>14</sup> Clause 16


<sup>15</sup> Forest and Bird [225.188]

<sup>16</sup> Director-General of Conservation [126.7]

<sup>17</sup> Director-General of Conservation [126.7]

REG-R2	Small-scale renewable electricity generation activities
All zones	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <ul style="list-style-type: none"> <li>i. REG-S1;</li> <li>ii. REG-S2;</li> <li>iii. REG-S3;</li> <li>iv. The earthworks standards applying to the underlying zone; and</li> <li>v. The noise standards applying to the underlying zone.</li> </ul>
All zones	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where</p> <p>a. Compliance is not achieved with REG-S1, REG-S2, REG-S3 or the earthworks or noise standards applying to the underlying zone.</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>1. The matters of discretion of any infringed standard.</li> </ul> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p>
All zones	<p>3. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. The activity is located:</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> <p>i. Within or on any sites, areas, items and/or features identified in SCHED2 - Historic Heritage Items (Group A), SCHED3 - Historic Heritage Items (Group B), SCHED4 - Historic Heritage Sites or SCHED6 - Sites and Areas of Significance to Māori; or</p> </div> <p>ii. Within an area identified in SCHED9 - Outstanding Natural Features and Landscape, SCHED10 - Special Amenity Landscapes or SCHED11 - Coastal High Natural Character Areas;</p> <p>b. The activity is freestanding and located:</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> <p>i. Within an area identified in SCHED7 - Significant Natural Areas <del>but is not located within a wetland</del><sup>18</sup>; or</p> </div> <p>ii. Within the Natural Hazard Overlay or Coastal Hazard Overlay.</p> <div style="border: 1px solid black; padding: 5px;"> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>1. The matters in REG-P1; and</li> <li>2. The matters in REG-P5.</li> </ul> </div>
All zones	<p>4. Activity status: <b>Discretionary</b></p> <p>Where:</p> <p>a. The activity is located within the root protection area of a tree identified in SCHED5 - Notable Trees; <del>or</del></p>

<sup>18</sup> Director-General of Conservation [126.7]


	<del>b. The activity is located within a wetland in an area identified in SCHED7 – Significant Natural Areas<sup>19</sup>.</del>
<b>REG-R3</b> 	<b>Activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation activities</b>
<b>All zones</b>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <ol style="list-style-type: none"> <li>REG-S4;</li> <li>The earthworks standards applying to the underlying zone; and</li> <li>The noise standards applying to the underlying zone.</li> </ol>
<b>All zones</b>	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance not achieved with REG-S4 or the earthworks or noise standards applying to the underlying zone.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The matters of discretion of any infringed standard.</li> </ol> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p>
<b>All zones</b>	<p>3. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. The activity is located:</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> <p>i. Within or on any sites, areas, items and/or features identified in SCHED2 - Historic Heritage Items (Group A), SCHED3 - Historic Heritage Items (Group B), SCHED4 - Historic Heritage Sites or SCHED6 - Sites and Areas of Significance to Māori;</p> </div> <p>ii. Within an area identified in SCHED9 - Outstanding Natural Features and Landscapes, SCHED10 - Special Amenity Landscapes or SCHED11 - Coastal High Natural Character Areas;</p> <p>iii. Within the root protection area of a tree identified in SCHED5 - Notable Trees;</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> <p>iv. Within an area identified in SCHED7 - Significant Natural Areas <del>but is not located within a wetland<sup>20</sup></del>; or</p> </div> <p>v. Within the Natural Hazard Overlay or Coastal Hazard Overlay.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The matters in REG-P1; and</li> <li>The matters in REG-P5.</li> </ol>
<b>All zones</b>	<del>4. Activity status: <b>Discretionary</b></del>

<sup>19</sup> Director-General of Conservation [126.7]

<sup>20</sup> Director-General of Conservation [126.7]

<p style="color: red;">Where:</p> <p style="color: red;">a. It is located within a wetland in an area identified in SCHED7– Significant Natural Areas.<sup>21</sup></p>	
<b>REG-R4</b>	<b>Community-scale renewable electricity generation activities</b>
<p><b>General Rural Zone</b></p> <p><b>Rural Lifestyle Zone</b></p> <p><b>General Industrial Zone</b></p> <p><b>Māori Purpose Zone (Hongoeka)</b></p>	<p>1. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <p style="padding-left: 20px;">i. REG-S5; and</p> <p style="padding-left: 20px;">ii. REG-S6; and</p> <p>b. Compliance is achieved with NZS 6808:2010 Acoustics - Wind farm noise for any proposal involving wind generation.</p> <p>Matters of discretion are restricted to:</p> <p style="padding-left: 20px;">1. The matters in REG-P1; and</p> <p style="padding-left: 20px;">2. The matters in REG-P6.</p> <p><b>Notification:</b></p> <p>An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p>
<p><b>General Rural Zone</b></p> <p><b>Rural Lifestyle Zone</b></p> <p><b>General Industrial Zone</b></p> <p><b>Māori Purpose Zone (Hongoeka)</b></p>	<p>2. Activity status: <b>Discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with REG-S5 or REG-S6.</p>
<p><b>Residential Zones</b></p> <p><b>Settlement Zone</b></p> <p><b>Commercial and Mixed Use Zones</b></p> <p><b>Open Space and Recreation Zones</b></p>	<p>3. Activity status: <b>Discretionary</b></p>

<sup>21</sup> Director-General of Conservation [126.7]

	<p><b>Special Purpose Zone (BRANZ)</b></p> <p><b>Future Urban Zone</b></p> <p><b>Hospital Zone</b></p>
	<p><b>All zones</b>      4. Activity status: <b>Discretionary</b></p> <p>Where:</p> <p>a. The activity is located:</p> <div data-bbox="500 621 1372 783" style="border: 1px solid black; padding: 5px;"> <p>i. Within or on any sites, areas, items and/or features identified in SCHED2 - Historic Heritage Items (Group A), SCHED3 - Historic Heritage Items (Group B), SCHED4 - Historic Heritage Sites or SCHED6 - Sites and Areas of Significance to Māori;</p> </div> <p>ii. Within an area identified in SCHED9 - Outstanding Natural Features and Landscapes, SCHED10 - Special Amenity Landscapes or SCHED11 - Coastal High Natural Character Areas;</p> <p>iii. Within the root protection area of a tree identified in SCHED5 - Notable Trees;</p> <div data-bbox="500 974 1372 1052" style="border: 1px solid black; padding: 5px;"> <p>iv. Within an area identified in SCHED7 - Significant Natural Areas; or</p> </div> <p>v. Within the Natural Hazard Overlay or Coastal Hazard Overlay.</p>
	<p><b>All zones</b>      5. Activity status: <b>Non-complying</b></p> <p>Where:</p> <p>a. Compliance is not achieved with NZS 6808:2010 Acoustics - Wind farm noise for any proposal involving wind generation.</p>
<p><b>REG-R5</b></p> 	<p><b>Large-scale renewable electricity generation activities</b></p>
	<p><b>General Rural Zone</b>      1. Activity status: <b>Discretionary</b></p> <p>Where:</p> <p>a. Compliance is achieved with NZS 6808:2010 Acoustics - Wind farm noise for any proposal involving wind generation.</p>
	<p><b>General Rural Zone</b>      2. Activity status: <b>Non-complying</b></p> <p>Where:</p> <p>a. Compliance is not achieved with REG-R5-1.a; or</p> <p>b. The activity is located:</p> <div data-bbox="500 1703 1372 1864" style="border: 1px solid black; padding: 5px;"> <p>i. Within or on any sites, areas, items and/or features identified in SCHED2 - Historic Heritage Items (Group A), SCHED3 - Historic Heritage Items (Group B), SCHED4 - Historic Heritage Sites or SCHED6 - Sites and Areas of Significance to Māori;</p> </div>

	<ul style="list-style-type: none"> <li>ii. Within an area identified in SCHED9 - Outstanding Natural Features and Landscapes, SCHED10 - Special Amenity Landscapes or SCHED11 - Coastal High Natural Character Areas;</li> <li>iii. Within the root protection area of a tree identified in SCHED5 - Notable Trees;</li> </ul>	
	<ul style="list-style-type: none"> <li>iv. Within an area identified in SCHED7 - Significant Natural Areas; or</li> </ul>	
	<ul style="list-style-type: none"> <li>v. Within the Natural Hazard Overlay or Coastal Hazard Overlay.</li> </ul>	
<b>All other zones</b>	3. Activity status: <b>Non-complying</b>	
<b>REG-R6</b>	<b>Renewable electricity generation activities not otherwise provided for</b>	
<b>All zones</b>	1. Activity status: <b>Discretionary</b>	
<b>Standards</b>		
<b>REG-S1</b>	<b>Small-scale solar panels mounted to any building or structure</b>	
<b>All zones</b>	<ul style="list-style-type: none"> <li>1. The panel must not exceed the permitted building height standard for the underlying zone by more than 1m measured vertically.</li> <li>2. The panel must not exceed the permitted height in relation to boundary standard for the underlying zone by more than 1m measured vertically.</li> </ul>	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>1. Any local, regional and national benefits;</li> <li>2. The form and location of the panel; and</li> <li>3. The visual amenity of adjacent properties.</li> </ul>
<b>REG-S2</b>	<b>Small-scale roof-mounted wind turbines</b>	
<b>All zones</b>	<ul style="list-style-type: none"> <li>1. The turbine must not exceed the permitted building height standard of the underlying zone by more than 3m measured vertically.</li> <li>2. The turbine must not exceed the permitted height in relation to boundary standard for the underlying zone by more than 1m measured vertically.</li> <li>3. The turbine must not exceed a maximum rotor diameter of 2.5m.</li> <li>4. There must be no more than one turbine per site.</li> </ul>	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>1. Any local, regional and national benefits;</li> <li>2. Health and safety;</li> <li>3. Any cumulative effects;</li> <li>4. The type, scale, form and location of any turbine;</li> <li>5. The visual amenity of adjacent properties;</li> <li>6. Whether there are topographical or other site constraints that make compliance with the standard impractical; and</li> <li>7. The values and characteristics of any adjacent <u>specified</u><sup>22</sup> Overlay.</li> </ul>
<b>REG-S3</b>	<b>Small-scale freestanding wind turbines</b>	

<sup>22</sup> Forest and Bird [225.188]

<b>All zones</b>	<ol style="list-style-type: none"> <li>1. The turbine must not exceed the permitted height in relation to boundary standard for the underlying zone.</li> <li>2. The turbine must not be located within the greater of: <ol style="list-style-type: none"> <li>a. 60m of a habitable building on an adjacent site; or</li> <li>b. A distance of 10 times the <u>wind turbine /mast/pole's tower height above ground level</u><sup>23</sup> from any site boundary that is not held in the same record of title.</li> </ol> </li> <li>3. The turbine must not exceed a maximum height above ground level of 20m (including the full vertical extent of the blades).</li> <li>4. The turbine must not exceed a maximum rotor diameter of 7.2m.</li> <li>5. There must be no more than: <ol style="list-style-type: none"> <li>a. One turbine per site on a site of less than 20ha; or</li> <li>b. Three turbines on a site greater than 20ha.</li> </ol> </li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Any local, regional and national benefits;</li> <li>2. Health and safety;</li> <li>3. Any cumulative effects;</li> <li>4. The type, scale, form and location of any turbine;</li> <li>5. The visual amenity of adjacent properties;</li> <li>6. Whether there are topographical or other site constraints that make compliance with the standard impractical; and</li> <li>7. The values and characteristics of any adjacent <u>specified</u><sup>24</sup> Overlay.</li> </ol>
<b>REG-S4 Renewable electricity generation investigation activities</b>		
<b>All zones</b>	<ol style="list-style-type: none"> <li>1. An anemometer must not exceed a maximum height above ground level of 90m.</li> <li>2. Any structure must not exceed the permitted height in relation to boundary and setback standards for the underlying zone.</li> <li>3. All masts must be removed at the end of investigation period.</li> <li>4. The site must be restored to pre-works condition after removal of the investigation activities.</li> <li>5. Investigation activities must not be undertaken on a site for a total period of more than five years.</li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Any local, regional and national benefits;</li> <li>2. Traffic generation;</li> <li>3. The suitability of the site for the proposed activity;</li> <li>4. Noise, including sleep disturbance or public health;</li> <li>5. The type, scale, form and location of any structure;</li> <li>6. The amenity of adjacent properties;</li> <li>7. Health and safety;</li> <li>8. Any adverse cumulative effects; and</li> <li>9. The values and characteristics of any adjacent <u>specified</u><sup>25</sup> Overlays.</li> </ol>
<b>REG-S5 Community-scale wind turbine towers (either freestanding or supported by guyed ropes)</b>		

<sup>23</sup> Paul and Julia Botha [118.18]

<sup>24</sup> Forest and Bird [225.188]

<sup>25</sup> Forest and Bird [225.188]

<b>All zones</b>	<p>1. Any structure must not exceed the permitted height in relation to boundary standard for the underlying zone.</p> <p>2. Any structure must not be located within a distance of three times the <u>wind turbine /mast/pole's tower height above ground level</u> from:<sup>26</sup></p> <ol style="list-style-type: none"> <li>A habitable building on an adjacent site; or</li> <li>Any site boundary that is not held in common ownership.</li> </ol>	There are no matters of discretion for this standard.
<b>REG-S6 Community-scale freestanding solar panels</b>		
<b>All zones</b>	<p>1. Any structure must not exceed the permitted height in relation to boundary standard for the underlying zone.</p> <p>2. Any structure must not exceed the permitted setback standards for the underlying zone.</p> <p>3. Any structure must not exceed a maximum height above ground level of 6m.</p> <p>4. Any structure must not exceed a maximum area of 150m<sup>2</sup>.</p>	There are no matters of discretion for this standard.
<b>REG-S7 Trimming, pruning or removal of indigenous vegetation within an area identified in SCHED7 - Significant Natural Areas</b>		
<b>All zones</b>	<p>1. Any trimming, pruning or removal of indigenous vegetation must be limited to:</p> <ol style="list-style-type: none"> <li>Within: <ol style="list-style-type: none"> <li>2m <del>either side</del> of the existing renewable electricity generation activity <u>building or structure, measured at ground level;</u><sup>27</sup> and</li> <li><u>2m either side of</u><sup>28</sup> any associated access track or fence; and</li> </ol> </li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>Any local, regional and national benefits;</li> <li>Design and siting of the renewable electricity generation activities;</li> <li>Any operational or functional needs of the renewable electricity generation activities;</li> <li>Any topographical and other site constraints make compliance with the standard impractical;</li> <li>The matters in ECO-P3; and</li> <li>The matters in ECO-P4.</li> </ol>

<sup>26</sup> Paul and Julia Botha [118.18]

<sup>27</sup> Ryan Family Trust [138.5]

<sup>28</sup> Ryan Family Trust [138.5]



b. No more than 20m<sup>2</sup> of indigenous vegetation within any 12 month period;

This standard does not apply to:

- Indigenous vegetation to be trimmed, pruned or removed located within the formation width of an existing road; or
- Works that are being undertaken in accordance with the Electricity (Hazards from Trees) Regulations 2003 or the Telecommunications Act 2001.

# THWT - Three Waters

Development in Urban Zones, areas of the Settlement Zone and the Māori Purpose Zone (Hongoeka) are serviced by reticulated water supply, reticulated wastewater and stormwater management systems (the Three Waters Network). The demand that urban development places on the Three Waters Network needs to be considered to ensure that appropriate levels of service are maintained. When demand on the Three Waters Network exceeds capacity this can result in poor network performance and adverse environmental effects.

~~Parts of Porirua are subject to flooding risk experiences flooding due to the number of streams within the City<sup>1</sup>~~, which is exacerbated by the changing climate. Hydraulic neutrality measures assist with managing peak stormwater runoff from development sites so the risk of downstream flooding is not increased. They also assist with prolonging the life of existing stormwater management systems.

~~The mauri of Porirua's waterways, Te Awarua-o-Porirua, and Te Moana-o-Raukawa continues to be compromised by a range of matters including discharges of contaminants to freshwater. These discharges include stormwater runoff, and wastewater overflows as a result of infiltration of stormwater to wastewater network.<sup>2</sup>~~ The Greater Wellington Regional Council has the primary role in respect of maintaining and improving water quality, although by requiring hydraulic neutrality the District Plan can assist in minimising the discharge of stormwater contaminants into water bodies. The Proposed Natural Resources Plan for the Wellington Region includes provisions for stormwater treatment and discharge, and resource consent may be required.

## Objectives

### THWT-01 Hydraulic neutrality

There is no increase in ~~the peak demand on stormwater management systems and increase in flooding from flood risk as a result of use and<sup>3</sup>~~ development within Urban Zones, Settlement Zone, and the Māori Purpose Zone (Hongoeka).

### THWT-02 Three Waters Network capacity

~~Use and development within Urban Zones, and the areas of the Settlement Zone and Māori Purpose Zone (Hongoeka) serviced by all or part of the Three Waters Network, have sufficient Three Waters Network capacity to accommodate the resulting demand.~~

~~The Three Waters Network can accommodate use and development within Urban Zones, and the areas of the Settlement Zone and Māori Purpose Zone (Hongoeka) serviced by all or part of the Three Waters Network.<sup>4</sup>~~

## Policies

### THWT-P1 Hydraulic Neutrality in Urban Zones, Settlement Zone and the Māori Purpose Zone (Hongoeka)

Enable new development in the Urban Zones, Settlement Zone and the Māori Purpose Zone (Hongoeka) where it achieves hydraulic neutrality.

### THWT-P2 Integration with the Three Waters Network

<sup>1</sup> Te Rūnanga o Toa Rangatira [264.104] and Porirua City Council [11.16]

<sup>2</sup> Te Rūnanga o Toa Rangatira [264.105]

<sup>3</sup> Porirua City Council [11.17]

<sup>4</sup> Porirua City Council [11.18]

Require all new ~~residential and non-residential~~<sup>5</sup> buildings in Urban Zones and the areas of the Settlement Zone and Māori Purpose Zone (Hongoeka) serviced by the Three Waters Network to:

1. ~~Be serviced by reticulated water supply, reticulated wastewater and stormwater management networks that:~~
  - a. ~~Meet the Council standards for the provision of water supply, wastewater and stormwater management;~~
  - b. ~~Have the capacity to accommodate the development or anticipated future development of the site in accordance with the anticipated purpose of the zone;~~
  - c. ~~Is in place at the time of building construction;~~ and:<sup>6</sup>
2. Be connected to a water metering device when connecting to the reticulated water network, unless it can be demonstrated that:
  - a. There are physical constraints that prevent a meter ~~to be~~<sup>7</sup> provided; or
  - b. The water demand generated is so low that a meter is not warranted.

**THWT-P3 Three Waters Network capacity**

Where the level of service of the reticulated water supply, reticulated wastewater and stormwater management networks is insufficient to service the ~~number of residential units proposed use or development, or is insufficient to service the size of the building and associated activity proposed,~~<sup>8</sup> only allow use and development when it can be demonstrated that:

1. It incorporates measures that appropriately mitigate any adverse effects on the Three Waters Network and meet the performance criteria of the Wellington Water Regional Standard for Water Services May 2019; and
2. ~~The additional demand generated can be accommodated by the Three Waters Network, without resulting~~ It will not result<sup>9</sup> in increased flood risk, increased wastewater overflows, or reduced water<sup>10</sup> pressure in the reticulated water network.

**Rules**

Note: There may be a number of provisions that apply to an activity, building, structure or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.

**THWT-R1 Rainwater tanks for nNew buildings and additions to existing buildings (excluding residential accessory buildings)<sup>11</sup>**

<b>Residential Zones</b>	1. Activity status: <b>Permitted</b>
<b>Māori Purpose Zone (Hongoeka)</b>	Where: a. <del>A rainwater tank is provided that</del> <u>The stormwater management system servicing new buildings and extensions additions to existing buildings</u> <sup>12</sup> complies with THWT-S1; <u>or</u> b. <u>The development building or addition achieves hydraulic neutrality through an alternative means that has been approved through any required resource and/or building consents and constructed as part of a previous stage of development.</u> <sup>13</sup>
<b>Settlement Zone</b>	

<sup>5</sup> Porirua City Council [11.19]

<sup>6</sup> Ibid

<sup>7</sup> Ibid

<sup>8</sup> Porirua City Council [11.20]

<sup>9</sup> Ibid

<sup>10</sup> [Clause 16 minor amendment](#)

<sup>11</sup> Porirua City Council [11.21] and Robyn Smith [168.87]

<sup>12</sup> Porirua City Council [11.21]

<sup>13</sup> Ibid

		Note: <del>Where a development achieves hydraulic neutrality through a</del> <u>An approved alternative means to achieve hydraulic neutrality may include (for example an a catchment-sized engineered wetland or on-site detention pond), that has already been approved and constructed (for example as part of a subdivision), then this rule can be considered to be complied with.</u> <sup>14</sup>
	<b>Residential Zones</b>  <b>Māori Purpose Zone (Hongoeka)</b>  <b>Settlement Zone</b>	2. Activity status: <b>Restricted discretionary</b>  Where: a. Compliance is not achieved with THWT-R1- <u>1.a</u> <u>or THWT-R1-1.b.</u> <sup>15</sup>  Matters of discretion are restricted to: 1. The matters of discretion in THWT-S1.
	<b>THWT-R2</b>	<b>Increases in the impervious surface area of a site</b>
	<b>Commercial and Mixed Use Zones</b>  <b>General Industrial Zone</b>  <b>Hospital Zone</b>  <u><b>Special Purpose Zone (BRANZ)</b></u> <sup>16</sup>	1. Activity status: <b>Permitted</b>  Where: a. Compliance is achieved with THWT-S2-; <u>or b. The development achieves hydraulic neutrality by an alternative means that has been approved through any required resource and/or building consents and constructed as part of a previous stage of development.</u> <sup>17</sup>
	<b>Commercial and Mixed Use Zones</b>  <b>General Industrial Zone</b>  <b>Hospital Zone</b>  <b>Special Purpose Zone (BRANZ)</b>	2. Activity status: <b>Restricted discretionary</b>  Where: a. Compliance is not achieved with THWT- <del>SR2-1.a</del> <u>or THWT-R2-1.b.</u> <sup>18</sup>  Matters of discretion are restricted to: 1. The matters of discretion in <u>THWT-S2 of the infringed standard.</u> <sup>19</sup>

<sup>14</sup> Ibid

<sup>15</sup> Ibid (Consequential)

<sup>16</sup> Kāinga Ora [81.365]

<sup>17</sup> Porirua City Council [11.22]

<sup>18</sup> Ibid (Consequential)

<sup>19</sup> Porirua City Council [11.22] (Consequential)

<b>THWT-R3</b>		<b>Water metering device for nNew buildings connected to the a reticulated public water supply systems<sup>20</sup></b>
<b>Residential Zones</b>  <b>Commercial and Mixed Use Zones</b>  <b>General Industrial Zone</b>  <b>Hospital Zone</b>  <b>Māori Purpose Zone (Hongoeka)</b>  <b>Settlement Zone</b>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. <del>All new buildings that are connected to the reticulated water network must be fitted with a</del> water metering device <u>is installed</u> that meets the requirements of Sections 6.4.10.2 and Section 6.4.11 of the Wellington Water Regional Standard for Water Services May 2019.<sup>21</sup></p>	
<b>Residential Zones</b>  <b>Commercial and Mixed Use Zones</b>  <b>General Industrial Zone</b>  <b>Hospital Zone</b>  <b>Māori Purpose Zone (Hongoeka)</b>  <b>Settlement Zone</b>	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with THWT-R3-1.a.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in THWT-P2.</p> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified or limited notified in accordance with sections 95A and 95B of the RMA.</p>	
<b>THWT-R4</b>		<b>Connection of nNew buildings to the Three Waters Network<sup>22</sup></b>
<b>Commercial and Mixed Use Zones</b>  <b>General Industrial Zone</b>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. <del>The building is serviced by reticulated water supply, reticulated wastewater and stormwater management networks; and</del></p>	

<sup>20</sup> Porirua City Council [11.23]

<sup>21</sup> Ibid

<sup>22</sup> Porirua City Council [11.24]

	<p><b>Hospital Zone</b></p>	<p>b. Compliance is achieved with the following <u>where the building is serviced by reticulated water supply, reticulated wastewater or stormwater management networks</u>:</p> <ul style="list-style-type: none"> <li>i. For stormwater — The level of service in Chapter 4 Stormwater Table 4.1, Table 4.2 and 4.3 of the Wellington Water Regional Standard for Water Services May 2019;</li> <li>ii. For wastewater — The level of service in Chapter 5 <u>Wastewater</u>, section 5.2.3 of the Wellington Water Regional Standard for Water Services May 2019; and</li> <li>iii. For water supply — The level of service in Chapter 6 <u>Water Supply</u> Tables 6.1 and 6.2 of the Wellington Water Regional Standard for Water Services May 2019; <u>or</u></li> </ul> <p><u>b. The development provides on-site measures that comply with the levels of service set out in THWT-R4-1.a that have already been constructed.</u></p> <p>Note: <u>Chapter 4 Stormwater, Chapter 5 Wastewater and Chapter 6 Water Supply of the Wellington Water Regional Standards for Water Services May 2019 provide additional context for determining compliance with the tables specified above. Where a development relies on site-specific measures to achieve compliance with the performance standards (for example an engineered wetland, on-site detention, booster pumps, or wastewater detention), that has already been approved and constructed (for example as part of a subdivision) and is considered fit for purpose, then this rule can be considered to be complied with.</u></p>
	<p><b>Commercial and Mixed Use Zones</b></p> <p><b>General Industrial Zone</b></p> <p><b>Hospital Zone</b></p>	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. Compliance is not achieved with THWT-R4-1.a or THWT-R4-1.b.</li> </ul> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>1. The matters in THWT-P3.</li> </ul>
<p><b>THWT-R5</b></p>		<p><b>Connection of non-residential buildings, retirement villages, papakāinga, and multi-unit housing to the Three Waters Network<sup>23</sup></b></p>
	<p><b>Residential Zones</b></p> <p><b>Māori Purpose Zone (Hongoeka)</b></p> <p><b>Settlement Zone</b></p>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. <del>The building(s) is connected to the reticulated water supply, reticulated wastewater and stormwater management networks; and<sup>24</sup></del></li> <li>b. Compliance is achieved with the following <u>where the building(s) is connected to the reticulated water supply, reticulated wastewater or stormwater management networks</u>: <ul style="list-style-type: none"> <li>i. For stormwater — The level of service in Chapter 4 Stormwater Table 4.1, Table 4.2 and 4.3 of the</li> </ul> </li> </ul>

<sup>23</sup> Porirua City Council [11.25]

<sup>24</sup> Ibid

	<p>Wellington Water Regional Standard for Water Services May 2019;</p> <p>ii. For wastewater — The level of service in Chapter 5 <a href="#">Wastewater</a>, section 5.2.3 of the Wellington Water Regional Standard for Water Services May 2019; and</p> <p>iii. For water supply — The level of service in Chapter 6 <a href="#">Water Supply</a>, Tables 6.1 and 6.2 of the Wellington Water Regional Standard for Water Services May 2019;<sup>25</sup></p> <p><u>b. The development provides on-site measures that comply with the levels of service set out in THWT-R5-1.a that have already been constructed.</u><sup>26</sup></p> <p>Note:</p> <ul style="list-style-type: none"> <li><del>Where a development relies on site specific measures to achieve compliance with the performance standards (for example an engineered wetland, on-site detention, booster pumps, or wastewater detention), that has already been approved and constructed (for example as part of a subdivision) and is considered fit for purpose, then this rule can be considered to be complied with.</del><sup>27</sup></li> <li>This rule only applies to sites in the Māori Purpose Zone (Hongoeka) that are serviced by the three waters network.</li> <li><u>Chapter 4 Stormwater, Chapter 5 Wastewater and Chapter 6 Water Supply of the Wellington Water Regional Standards for Water Services May 2019 provide additional context for determining compliance with the tables specified above.</u><sup>28</sup></li> </ul>
<p><b>Residential Zones</b></p> <p><b>Māori Purpose Zone (Hongoeka)</b></p> <p><b>Settlement Zone</b></p>	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with THWT-R5-1.a or THWT-R5-1.b.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in THWT-P3.</p>
<b>Standards</b>	
<b>THWT-S1</b> <b><u>Stormwater detention tanks Hydraulic neutrality devices</u></b> <sup>29</sup>	
<p><b>Residential Zones</b></p> <p><b>Māori Purpose Zone (Hongoeka)</b></p> <p><b>Settlement Zone</b></p>	<p>1. <u>The stormwater management system servicing buildings and extensions to existing buildings exceeding 40m<sup>2</sup> in area must have a hydraulic neutrality device installed. Any rainwater tank must be sized in accordance with the minimum requirements in THWT-Table-1:</u></p> <p>Matters of discretion are restricted to:</p> <p>1. Any potential impacts on any downstream flooding hazard;</p> <p>2. The size and scale of the development and the additional stormwater that the proposal will generate</p>

<sup>25</sup> Ibid

<sup>26</sup> Ibid

<sup>27</sup> Porirua City Council [11.25]

<sup>28</sup> Ibid

<sup>29</sup> Porirua City Council [11.26] (Consequential)

	<p><del>a. Where the roof area of the building is between 40m<sup>2</sup> and 99.9m<sup>2</sup> — a 2000L capacity rainwater tank.</del></p> <p><del>b. Building roof area of <math>\geq</math> 100m<sup>2</sup> &lt; 200m<sup>2</sup> — 3000L capacity rainwater tank.</del></p> <p><del>c. Building roof area <math>\geq</math> 200m<sup>2</sup> — 5000L capacity rainwater tank.<sup>30</sup></del></p> <p>2. The <del>tank</del> hydraulic neutrality device must meet the specifications <del>of</del>, and be installed in accordance with <del>an</del> Acceptable Solution #1 from the Wellington Water guide Managing Stormwater Runoff; <del>_</del> The use of <del>rain tanks approved solutions</del> for hydraulic neutrality, <del>Acceptable solution #1 version 3</del> dated <del>June 2019 August 2020</del>.<sup>31</sup></p>	<p>compared to the existing situation;</p> <p>3. The capacity of the local stormwater network; and</p> <p>4. Whether there are any site-specific constraints or opportunities within the local area that mean that hydraulic neutrality is not required.</p>
<b>THWT-S2</b>	<b>Hydraulic neutrality</b>	
<p><b>Commercial and Mixed Use Zones</b></p> <p><b>General Industrial Zone</b></p> <p><b>Hospital Zone</b></p> <p><b><u>Special Purpose Zone (BRANZ)</u></b><sup>32</sup></p>	<p>1. <u>Either:</u></p> <p><u>a. The increase in impervious surface on the site must not exceed 40m<sup>2</sup> within any 12 month period; or</u><sup>33</sup></p> <p><u>b. A hydraulic neutrality device must be installed, which must be:</u></p> <p><u>ai.</u> Designed and built in accordance with the design parameters in Section 4.4.3-<del>3</del><sup>34</sup> of the Wellington Water Regional Standard for Water Services May 2019; and</p> <p><u>bii.</u> Fully operational prior to the use of the impervious area.</p>	<p>Matters of discretion are restricted to:</p> <p>1. The access and on-going maintenance of the hydraulic neutrality devices;</p> <p>2. Any potential impacts on any downstream flooding hazard;</p> <p>3. The size and scale of the development and the additional stormwater that the proposal will generate compared to the existing situation;</p> <p>4. The preference for one central hydraulic neutrality device over numerous individual hydraulic neutrality devices;</p> <p>5. The capacity of the local stormwater network; and</p> <p>6. Whether there are any site-specific constraints or opportunities within the local area that mean that hydraulic neutrality is not required.</p>
<b>THWT-Table 4</b>	-	

<sup>30</sup> Porirua City Council [11.26]

<sup>31</sup> Ibid

<sup>32</sup> Kāinga Ora [81.365]

<sup>33</sup> Kāinga Ora [81.370]

<sup>34</sup> Survey + Spatial [72.26]



Area of the roof	Size of tank
40m <sup>2</sup> —99.9m <sup>2</sup>	2,000l
100m <sup>2</sup> —199.9m <sup>2</sup>	3,000l
200m <sup>2</sup> and above	5,000l <sup>35</sup>

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<sup>35</sup> Kāinga Ora [81.371]

# TR - Transport

The Transport chapter contains provisions that deal with on-site transport facilities and access and the effects of high trip generating use and development. The transport network itself is defined as infrastructure under the RMA. The rules for the operation, maintenance and repair, and upgrading and development of ~~and connections to~~<sup>1</sup> the transport network are located in the Infrastructure chapter.

Activities that generate high volumes of traffic may have significant adverse effects on the transport network and adversely affect the amenity of adjacent land use activities. As such, high trip generating activities warrant case-by-case assessment.

Land use and development can adversely affect the safety and efficiency of the transport network and people's health and wellbeing if on-site transport facilities (vehicle access, parking, manoeuvring and loading facilities) or access ways are inappropriately designed or linked to the transport network.

All new roads and vehicle access points that intersect a state highway require the approval of Waka Kotahi NZ Transport Agency under the Government Rounding Powers Act 1989.

## Objectives

### TR-O1 High trip generating use and development

Use and development that generates high numbers of vehicle trips:

1. Does<sup>2</sup> not compromise the safety and efficiency of the transport network; and
2. Is located where it is accessible by a range of transport modes.

### TR-O2 On-site transport facilities and access

Use and development has safe and effective on-site transport facilities and site access for all users<sup>3</sup> which do not compromise the safety and efficiency of the transport network.

## Policies

### TR-P1 High trip generating use and development

Provide for high vehicle trip generating activities where it can be demonstrated that any adverse effects on the transport network will be minimised, having regard to:

1. The extent to which it integrates and co-ordinates with the transport network, including proposed or planned network upgrades and service improvements;
2. The location of the proposed activity and the purpose of the zone it is located in;
3. The transport network's capacity, level of service, form and function;
4. The effect of the proposed activity on the transport network and its users;
5. The effect of the proposed activity on the character and amenity values of the surrounding area;
6. The provision for pedestrians, cyclists, public transport users, freight and motorists, as appropriate;
7. Any alternative site access and / or routes available;
8. Any traffic management and travel planning mechanisms;
9. The staging of the activity;
10. Any improvements to the transport network proposed as part of a high trip generating activity development;
11. Any cumulative adverse effects; and
12. Any positive effects.

### TR-P2 Appropriate on-site transport facilities and site access

<sup>1</sup> Kāinga Ora [81.373]

<sup>2</sup> Clause 16(2) minor amendment

<sup>3</sup> Kāinga Ora [81.930]

<p>Enable on-site transport facilities and site access that:</p> <ol style="list-style-type: none"> <li>1. Provide for the safe and efficient use of the site and functioning of the transport network;</li> <li>2. Meet the reasonable demands of site users; and</li> <li>3. Promote the uptake and use of public and active transport modes.</li> </ol>	
<p><b>TR-P3 Potentially appropriate on-site transport facilities and site access</b></p>	
<p>Provide for on-site transport facilities and site access that do not meet standards where it can be demonstrated that the safety and efficiency of the transport network and the health, <u>safety</u><sup>4</sup> and wellbeing of people <u>within the site and the road reserve</u><sup>5</sup> is not compromised, having regard to:</p> <ol style="list-style-type: none"> <li>1. Whether the projected demand for loading spaces or cycle spaces will be lower than that required in the standards or can be accommodated by shared or reciprocal arrangements;</li> <li>2. Whether the site is adequately serviced by public and active transport networks;</li> <li>3. Whether the proposed activities are conducive with, and the facilities support and promote the uptake and use of, public and active transport modes;</li> <li>4. Whether the facilities are effective in meeting the operational needs and functional needs of the activity on the site;</li> <li>5. Whether activities have safe and effective access for firefighting purposes;</li> <li>6. Whether there are site and topographical constraints that make compliance unreasonable; <u>and</u></li> <li>7. The extent to which public health and safety, including the safety of pedestrians walking through any parking areas, will not be compromised; <u>and</u></li> <li>8. <u>Any positive effects.</u><sup>6</sup></li> </ol>	
<p><b>TR-P4 <u>Connections to Roads</u></b><sup>7</sup></p>	
<p><u>Provide for safe and efficient connections between the transport network and on-site transport facilities by requiring connections to roads to address:</u></p> <ol style="list-style-type: none"> <li>1. <u>The classification, characteristics and operating speed of the road and the number and types of vehicles accessing the site;</u></li> <li>2. <u>Opportunities to share and minimise the number of connections;</u></li> <li>3. <u>Public health and safety including the safe functioning of the transport network and the safety of pedestrians and cyclists;</u></li> <li>4. <u>Site or topography constraints including reduced visibility.</u></li> </ol>	
<p><b>Rules</b></p>	
<p>Note: There may be a number of provisions that apply to an activity, building, structure or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.</p> <p>Rules relating to subdivision, including minimum allotment sizes for each zone, are found in the Subdivision chapter.</p>	
<p><b>TR-R1 <u>Site access for All</u></b><sup>8</sup><b>activities with no on-site vehicle parking or loading spaces</b></p>	
	<p><b>All zones</b></p> <ol style="list-style-type: none"> <li>1. Activity status: <b>Permitted</b></li> </ol> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is achieved with:</li> </ol>

<sup>4</sup> Kāinga Ora [81.378]

<sup>5</sup> Kāinga Ora [81.930]

<sup>6</sup> Waka Kotahi [82.97]

<sup>7</sup> Kāinga Ora [81.260]

<sup>8</sup> Porirua City Council [11.27]

	<p>i. <del>TR-S1;</del> and ii. <del>TR-S4.</del><sup>9</sup></p>
<b>All zones</b>	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with TR-S1 <del>or TR-S4.</del><sup>10</sup></p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of any infringed standard.</p> <p><b>Notification:</b></p> <ul style="list-style-type: none"> <li>• <u>An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</u></li> <li>• <u>When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on any road controlling authority and Fire and Emergency New Zealand.</u><sup>11</sup></li> </ul>
<b>TR-R2</b>	<b><del>Vehicle access for All</del><sup>12</sup> activities with on-site vehicle parking or loading spaces or where a vehicle access is otherwise provided</b>
<b>All zones</b>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. Vehicle access is provided to and within the site for movement of vehicles from the legal road, including to any vehicle parking and loading spaces on the site;</p> <p>b. The vehicle access is classified as a Vehicle Access Level 1, 2, <del>or 3 or 4</del> in accordance with TR-S2; <u>and connects to a road that is classified as an Access Road, Collector Road or Arterial Road as identified in SCHED1 - Roads Classified According to One Network Road Classification; or</u><sup>13</sup></p> <p>c. <u>The vehicle access is classified as a Vehicle Access Level 4 in accordance with TR-S2 and connects to a road that is classified as an Access Road or Collector Road as identified in SCHED1 - Roads Classified According to One Network Road Classification; and</u></p> <p><del>ed.</del> Compliance is achieved with:</p> <p>i. TR-S3; and</p> <p>ii. <del>TR-S4;</del> <u>and</u></p> <p>iii. <u>TR-S5.</u><sup>14</sup></p> <p><del>Note: Connections to roads for vehicle access to sites are addressed by rule INF-R23 in the Infrastructure chapter.</del></p> <p><u>Note: All new vehicle access points that intersect a state highway require the approval of Waka Kotahi NZ Transport Agency under the Government Roading Powers Act 1989. Waka Kotahi NZ Transport Agency may require a different vehicle access construction standard from TR-S3.</u><sup>15</sup></p>

<sup>9</sup> Kāinga Ora [81.379]

<sup>10</sup> Ibid

<sup>11</sup> Ibid

<sup>12</sup> Porirua City Council [11.28]

<sup>13</sup> Porirua City Council [11.6]

<sup>14</sup> Kāinga Ora [81.295]

<sup>15</sup> Waka Kotahi [82.66]

	<p><b>All zones</b>      2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with TR-S3, <del>or</del> TR-S4 <u>or TR-S5</u>.<sup>16</sup></p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of any infringed standard; <u>and</u>  <u>2. The matters in TR-P4</u>.<sup>17</sup></p> <p><del>Section 88 information requirements for applications:</del>  <del>1. Applications under this rule for a Vehicle Access Level 4 must provide, in addition to the standard information requirements:</del>  <del>a. A road safety audit in accordance with the NZTA Road Safety Audit Procedures for Project Guidelines.</del><sup>18</sup></p> <p><b>Notification:</b>  An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>
	<p><b>All zones</b>      <u>3. Activity status: <b>Restricted discretionary</b></u><sup>19</sup></p> <p><u>Where:</u></p> <p><u>a. The connection is to a Regional or National road as identified in SCHED1 – Roads Classified According to One Network Road Classification; or</u>  <u>b. For a Vehicle Access Level 4, the connection is to an Arterial road as identified in SCHED1 – Roads Classified According to One Network Road Classification.</u></p> <p><u>Matters of discretion are restricted to:</u>  <u>1. The matters in TR-P4.</u></p> <p><del>Section 88 information requirements for applications:</del>  <del>1. Applications under this rule for a Vehicle Access Level 5 must provide, in addition to the standard information requirements:</del>  <del>a. A road safety audit in accordance with the NZTA Road Safety Audit Procedures for Project Guidelines.</del></p>
	<p><b>All zones</b>      <u>34. Activity status: <b>Restricted D</b>iscretionary</u><sup>20</sup></p> <p>Where:</p> <p>a. Compliance not achieved with TR-S2.</p> <p><u>Matters of discretion are restricted to:</u>  <u>1. The matters in TR-P4.</u></p> <p>Section 88 information requirements for applications:</p> <p>1. Applications under this rule must provide, in addition to the standard information requirements:</p> <p>a. A <u>detailed design</u><sup>21</sup> road safety audit in accordance with the NZTA Road Safety Audit Procedures for Project Guidelines.</p>

<sup>16</sup> Kāinga Ora [81.295]

<sup>17</sup> Ibid

<sup>18</sup> Kāinga Ora [81.930]

<sup>19</sup> Porirua City Council [11.6]

<sup>20</sup> Kāinga Ora [81.380]

<sup>21</sup> Ibid

	<p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>
<b>TR-R3</b>	<p><b><u>Parking space dimensions and manoeuvring for All activities with on-site parking or loading spaces – dimensions and manoeuvring</u></b><sup>22</sup></p>
<b>All zones</b>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <p>i. TR-S<del>56</del>; and</p> <p>ii. TR-S<del>67</del>; <sup>23</sup></p>
<b>All zones</b>	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with TR-S<del>56</del> or TR-S<del>67</del>.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of any infringed standard.</p> <p><b>Notification:</b></p> <ul style="list-style-type: none"> <li>• <u>An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</u></li> <li>• <u>When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on any road controlling authority.</u><sup>24</sup></li> </ul>
<b>TR-R4</b>	<p><b><u>On-site loading, waste and bicycle facilities for aAll activities - On-site loading, waste and bicycle facilities</u></b><sup>25</sup></p>
<b>All zones</b>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <p>i. TR-S<del>78</del>;</p> <p>ii. TR-S<del>89</del>; and</p> <p>iii. TR-S<del>910</del>.</p>
<b>All zones</b>	<p><del>23</del><sup>26</sup>. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with TR-S<del>78</del>, TR-S<del>89</del> or TR-S<del>910</del>.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of any infringed standard.</p> <p><b>Notification:</b></p> <ul style="list-style-type: none"> <li>• <u>An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</u></li> </ul>

<sup>22</sup> Porirua City Council [11.29]

<sup>23</sup> Clause 16(2) minor amendment

<sup>24</sup> Kāinga Ora [81.379 and 81.381]

<sup>25</sup> Porirua City Council [11.30]

<sup>26</sup> Clause 16(2) minor amendment

	<ul style="list-style-type: none"> <li><u>When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on any road controlling authority.</u><sup>27</sup></li> </ul>
<b>TR-R5</b>	<b><u>All activities</u></b> <sup>28</sup> <b>Trip generation</b>
<b>All zones</b>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. Compliance is achieved with TR-S1<sup>10</sup>.</p>
<b>All zones</b>	<p><del>3</del><sup>29</sup>. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with TR-S1<sup>10</sup>.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in TR-P1.</p> <p>Section 88 information requirements for applications:</p> <p>1. Applications under this rule must provide, in addition to the standard information requirements:</p> <p>a. An Integrated Transport Assessment by a suitably qualified transport engineer or transport planner. The Waka Kotahi NZ Transport Agency guidelines “Research Report 422: Integrated Transport Assessment Guidelines, November 2010” should be used to inform any Integrated Transport Assessment.</p>
<b>TR-R6</b>	<b><u>All Activities – Sight distances at railway level crossings</u></b> <sup>30</sup>
<b>All zones</b>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. <u>Compliance is achieved with TR-S12.</u></p>
<b>All zones</b>	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. <u>Compliance is not achieved with TR-S12.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p>1. <u>The matters of discretion of any infringed standard.</u></p> <p><b><u>Notification:</u></b></p> <ul style="list-style-type: none"> <li><u>An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</u></li> <li><u>When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on KiwiRail Holdings Limited.</u></li> </ul>

<sup>27</sup> Kāinga Ora [81.382]

<sup>28</sup> Porirua City Council [11.31]

<sup>29</sup> Clause 16 minor amendment

<sup>30</sup> KiwiRail [86.45]

Standards					
<b>TR-S1</b>		<b>Pedestrian and cycling access</b>			
<b>All zones</b>		<p>1. Access to a single site must have a direct legal road frontage width of at least 1.8m.</p> <p>2. Access to two or more sites must have pedestrian and cycling access provided from legal road with a:</p> <ul style="list-style-type: none"> <li>i. Minimum legal width of 1.8m;</li> <li>ii. Minimum formed width of 1.5m;</li> <li>iii. Maximum average gradient of 1:20; and</li> <li>iv. Maximum gradient of 1:12<sup>31</sup> for any length as long as it does not exceed 9m.</li> </ul> <p><u>3. A fully reticulated water supply system including hydrants must be available within the road corridor to which the access connects.</u><sup>32</sup></p> <p><u>4. The pedestrian and cycling access must be no more than 75m in length measured from the road boundary to any existing building or proposed building platform on the site.</u><sup>33</sup></p>	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>1. The safe, efficient and effective functioning of the access, including the safety of pedestrians and cyclists <u>and people with disabilities</u><sup>34</sup>;</li> <li>2. <u>The safe, efficient and effective access to the site for firefighting purposes.</u><sup>35</sup></li> <li>23. Site and topographical constraints; and</li> <li>34. The suitability of any alternative design options.</li> </ul>		
<b>TR-S2</b>		<b>Classification of vehicle access</b>			
<b>All zones</b>		Vehicle access must be classified according to TR-Table 1.	There are no matters of discretion for this standard.		
<b>TR-Table 1</b>		<b>Vehicle access classification</b> <sup>36</sup>			
<b>Classification</b>		<b>Vehicle Access Level 1</b>	<b>Vehicle Access Level 2</b>	<b>Vehicle Access Level 3</b>	<b>Vehicle Access Level 4</b>
<b>Classification criteria — Non-residential</b> (must meet all criteria)	<b>Typical daily traffic</b> (annual average daily traffic movements)	1- <del>6</del> 30	<del>6</del> 31-1260	<del>126</del> 1-200	201- <del>500</del>

<sup>31</sup> Survey+Spatial [72.12]

<sup>32</sup> Ibid

<sup>33</sup> Kāinga Ora [81.379]

<sup>34</sup> Kāinga Ora [81.930]

<sup>35</sup> Ibid

<sup>36</sup> Kāinga Ora [81.930]



	<b>Heavy commercial vehicles</b> (annual average daily traffic movements)	<del>12</del>	<del>13-4</del>	<del>2-10</del> <del>5-8</del>	<del>119</del> or more
	<b>Classification criteria — Residential</b>	1-3 residential <del>sites</del> units	4-6 residential <del>sites</del> units	<del>7-10</del> <u>up to 20</u> residential <del>sites</del> units	<del>11</del> <u>or more up to 100</u> residential <del>sites</del> units
<b>TR-S3 Design of vehicle access</b>					
<b>All zones</b>	<p>1. The vehicle access must be designed to achieve the design speeds, minimum widths, maximum gradients and seal requirements in TR-Table 2.</p> <p><u>2. Provision for turning in a common area must be designed in accordance with TR-Figure 1.</u></p> <p><del>2. The vehicle access must be designed to comply with the minimum K-Values for crest vertical curves, and sag vertical curves, and R-Value for horizontal curves, in TR-Table 3.</del></p> <p>3. A Vehicle Access Level 4 must include streetlighting provided in accordance with the following:</p> <ol style="list-style-type: none"> <li>Streetlighting must be designed in accordance with NZ Transport Agency document M30 Specification and Guidelines for Road Lighting Design (2014);</li> <li>Streetlighting bulbs must be on the Waka Kotahi NZ Transport Agency List of M30 Approved Luminaires.</li> <li>Streetlighting columns must comply with the Waka Kotahi NZ Transport Agency M26:2012 and M26A:2017 Specification for Lighting Columns.</li> <li>Streetlighting columns in Private Ways Level 4 must be a minimum of 8m in height.</li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li><u>The safe, resilient, efficient and effective functioning of the transport network;</u><sup>38</sup></li> <li><del>12.</del> The safe, efficient and effective functioning of the vehicle access, including the safety of pedestrians and cyclists;</li> <li><del>23.</del> Site and topographical constraints; and</li> <li><del>34.</del> The suitability of any alternative design options.</li> </ol>			

<sup>38</sup> Kāinga Ora [81.930]

4. Pedestrian walkways, cycleways and shared paths in vehicle access areas must comply with the

-  
Austroads Guide to Road Design Part 6A: Paths for Walking and Cycling (2017).

Note: All new roads and vehicle access points that intersect a Limited Access Road requires the approval of Waka Kotahi-NZ Transport Agency under Section 91 of the Government Roading Powers Act 1989. Waka Kotahi NZ Transport Agency may require a different vehicle access construction standard from TR-S3.<sup>37</sup>

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<sup>37</sup> Waka Kotahi [82.102]

TR-Table 2 Vehicle access design standards <sup>39</sup>					
Classification	Vehicle Access Level 1	Vehicle Access Level 2	Vehicle Access Level 3	Vehicle Access Level 4	
<b>Zones</b>	All zones	All zones	All zones	Urban Zones	Rural Zone, Rural Lifestyle Zone, Settlement Zone, Open Space Zone, Māori Purpose Zone (Hongoeka), Special Purpose Zone (BRANZ)
<b>Design Target operating speed (km/h)</b>	210	210	20	430	40
<b>Maximum gradient</b>	20% <sup>2,3</sup> 2m transition area for changes in grade >12.5%	20% <sup>2,3</sup> 2m transition area for changes in grade >12.5%	16% <sup>2,3</sup> 2m transition area for changes in grade >12.5%	10% or 12.5% <sup>3</sup> for maximum 85m in any one length	10% or 12.5% for maximum 85m in any one length
<b>Minimum width (m)</b>	<b>Parking, <u>passing, loading and shoulder</u></b>	- <u>Passing bays at least every 50m (100m in Rural Zones)</u>	- <u>Passing bays at least every 50m (100m in Rural Zones)</u>	4 x 2.5 <u>Shared in movement lane</u>	4 x 2.5 <u>Shared in movement lane</u>

<sup>39</sup> Kāinga Ora [81.930]

<p><b>Traffic</b> (must provide unhindered vehicle access)</p> <p><b>Movement Lane</b></p>	<p>1 x <u>2.75-3.0</u></p> <p>Passing bays at 50m maximum spacing</p> <p>-</p> <p>Clear line of sight between passing bays</p>	<p><u>5.5m for first 6m from road boundary</u></p> <p>1 x <u>2.75-3.0</u></p> <p>Passing bays at 50m maximum spacing</p> <p>-</p> <p>Clear line of sight between passing bays</p>	<p><u>2 x 3.0</u></p> <p><u>5.5-5.7<sup>1</sup></u></p>	<p><u>2 x 3.0</u></p> <p><u>5.5-5.7<sup>1</sup></u></p>	<p><u>2 x 3.0</u></p>
<p><b>Provision for turning in common area</b></p>	<p><u>Required when access to 3 residential units</u></p>	<p><u>Required</u></p>	<p><u>Required</u></p>	<p><u>Required</u></p>	
<p><b>Cycles</b></p>	<p>-</p> <p><u>Shared in movement lane</u></p>	<p>-</p> <p><u>Shared in movement lane</u></p>	<p>-</p> <p><u>Shared in movement lane</u></p>	<p><u>2 x 1.5 Shared in movement lane</u></p>	<p><u>2 x 1.5</u></p>
<p><b>Footpath</b></p>	<p><u>Shared in movement lane</u></p>	<p>-</p> <p><u>1 x 1.2</u></p>	<p>1 x <u>1.5<sub>2</sub></u></p>	<p>2 x 1.5</p>	<p><u>2 x 1.5</u></p>
<p><b>Infrastructure berm</b></p>	<p>-</p> <p><u>Shared in movement lane</u></p>	<p>-</p> <p><u>Shared in movement lane</u></p>	<p>-</p> <p><u>1 x 1.0</u></p>	<p>1 x 1.0</p>	<p><u>1.0</u></p>

<b>Minimum berm width</b> (can include footpath and infrastructure berm)	=	=	<u>2 x 2.5</u>	<u>2 x 2.5</u>	
<b>Legal width</b>	<u>4.0</u> <u>3.6 + allowance for passing bays</u>	<u>6.0</u> <u>4.5 + allowance for passing bays</u>	<u>11.0</u>	<u>21.0</u>	<u>24.0</u>
<b>Seal</b>	Where the gradient exceeds 1 in 10 (10%) the vehicle access must be sealed				
<b>Passing bays</b>	<u>Must have a minimum formed width of 5.5m for a minimum of 7m with 45 degree tapers</u> <u>Must have clear line of sight between passing bays</u> <u>The first passing bay for a Vehicle Access Level 2 must be at the site road boundary with a minimum length of 6m and 45 degree tapers<sup>40</sup></u>				
<b>Note:</b> <sup>1</sup> <u>The movement lane width must be a minimum of 6.7 metres wide on bends with an outside radius of 50 metres or less.</u> <sup>2</sup> <u>2m transition length for changes in grade &gt;12.5%</u> <sup>3</sup> <u>Where an access rises to road, the maximum gradient must be 5% within 6m of road boundary</u>					

<sup>40</sup> Kāinga Ora [81.930]

TR-Table 3 Vehicle access vertical curves and horizontal curves <sup>41</sup>			
Operating speed (km/h)	Minimum K value for crest vertical curves	Minimum K value for sag vertical curves	Minimum R value for horizontal curves
≤20	15	3	20
21-30	17	3	30
31-40	20	3	40
41-50	33	4	50

TR-Figure 1 Turning facilities	
[insert figures replicating 3.3 and 3.4 from NZS 4404]	

TR-S4 Firefighting access		
<b>All zones</b>	<p><u>1.42</u> Any <u>vehicle</u><sup>43</sup> access to a site located in an area where no fully reticulated water supply system is available, or having a length greater than 75m when connected to a road that has a fully reticulated water supply system including hydrants, must:</p> <ol style="list-style-type: none"> <li>a. <del>Be designed to achieve the vehicle access design standards in TR-Table 2 for:</del> <ol style="list-style-type: none"> <li><del>i. The relevant vehicle access classification level in accordance with TR-S2 for activities with vehicle parking or loading spaces provided on-site; or</del></li> <li><del>ii. Vehicle Access Level 1 for any other activities; and</del><sup>44</sup></li> </ol> <p><u>Have a minimum unobstructed width of 4m;</u><sup>45</sup></p> </li> <li>b. Have a minimum formed width of 3.5m;</li> <li>c. Have a <u>minimum</u><sup>46</sup> height clearance of 4m; and</li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li><u>1. The safe, resilient, efficient and effective functioning of the transport network;</u><sup>48</sup></li> <li><del>42.</del> The safe, efficient and effective functioning of the vehicle access including firefighting access; and</li> <li><del>23.</del> Site and topographical constraints.</li> </ol>

<sup>41</sup> Kāinga Ora [81.930]

<sup>42</sup> Clause 16(2) minor amendment

<sup>43</sup> Kāinga Ora [81.379]

<sup>44</sup> Kāinga Ora [81.390]

<sup>45</sup> Fire and Emergency New Zealand [119.26]

<sup>46</sup> Ibid

<sup>48</sup> Kāinga Ora [81.930]

	<p>d. Be designed to be free of obstacles that could hinder access for emergency service vehicles.</p> <p><u>Note: When the circumstances set out in this standard are triggered, the width requirements in this standard override those for Vehicle Access Levels 1 and 2 set out in TR-Table 2.<sup>47</sup></u></p>	
<b>TR-S5</b>	<b>Vehicle Crossings<sup>49</sup></b>	
<b>All zones</b>	<p><u>1. There must be no more than one vehicle crossing per site. The spacing of vehicle crossings along a road frontage must not be less than the dimensions in TR - Table 4. The number of vehicle crossings along any one road frontage must not exceed the number in TR-Table 5.</u></p> <p><u>2. The length of a vehicle crossing parallel to the road must be no more than:</u></p> <ul style="list-style-type: none"> <li><u>i. 3m for Vehicle Access Level 1;</u></li> <li><u>ii. 6m for a Vehicle Access Level 2, 3 or 4; or</u></li> <li><u>iii. 9m if heavy vehicles are to be accommodated on the site.</u></li> </ul> <p><u>3. A vehicle crossing for a site with frontage to two or more roads must connect to the road with the lower road classification.</u></p> <p><u>4. The minimum design vehicle used for a vehicle crossing must be a 5.2m x 1.94m vehicle (99th percentile vehicle).</u></p> <p><u>5. A vehicle crossing must not be located within 6m of an intersection tangent point as shown in INF-Figure 3. A Vehicle Access Level 1 is exempt from the exclusion in respect of the kerb section marked XY.</u></p> <p><u>6. A vehicle crossing must provide a clear visibility splay for pedestrian safety from 1.0m above ground level as shown in TR-Figure 2.</u></p>	<u>There are no matters of discretion for this standard.</u>

<sup>47</sup> Kāinga Ora [81.390]

<sup>49</sup> Kāinga Ora [81.352 and 81.930]

Where two-way access is provided at the vehicle crossing, the visibility splay is only required on the side adjacent to the exiting vehicle.

7. The minimum sight distances at a vehicle crossing must be in accordance with TR-Table 46 and measured in accordance with TR-Figure 4.

8. A vehicle crossing must not be located within 30m of a railway crossing, measured from the nearest edge of the vehicle crossing to the nearest railway track.

9. A vehicle crossing located within a Rural Zone must be formed in accordance with TR-Figure 5.

10. A vehicle crossing that crosses a footpath, cycleway or shared path must not exceed a crossfall gradient of 2.5%.

11. There must be a minimum separation of 2m along the footpath between crossings serving adjacent sites. Where two crossings on adjacent sites can be combined and where the combined crossings do not exceed a total width of 6m at the property boundary, no minimum separation distance will apply.

Note: State Highways may have additional or different requirements under the Government Roding Powers Act 1989.

**TR-Table 4**                      **Minimum spacing of vehicle crossings**

<b><u>Speed limit of road (km/h)</u></b>	<b><u>Collector and Access roads</u></b>	<b><u>Arterials</u></b>
<u>&lt;70</u>	<u>1 per 25m</u>	<u>1 per 40m</u>
<u>70</u>	<u>1 per 40m</u>	<u>1 per 40m</u>
<u>80</u>	<u>1 per 50m</u>	<u>1 per 100 m</u>
<u>100</u>	<u>1 per 80m</u>	<u>1 per 200m</u>

**TR-Table 5**                      **Maximum number of vehicle crossings**

<b><u>Frontage length (m)</u></b>	<b><u>Collector and Access roads</u></b>	<b><u>Arterials</u></b>
<u>0 - 16</u>	<u>1</u>	<u>1</u>
<u>&gt;16 - 60</u>	<u>2</u>	<u>1</u>



>60 - 100

2

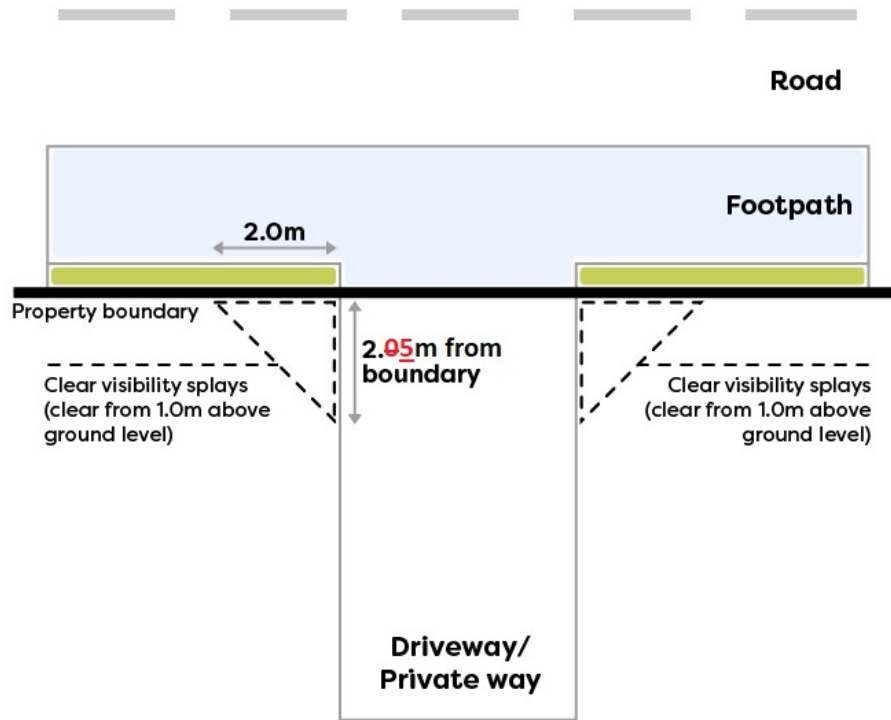
2

>100

3

2

**TR-Figure 2** Clear visibility splays for pedestrian safety<sup>50</sup>



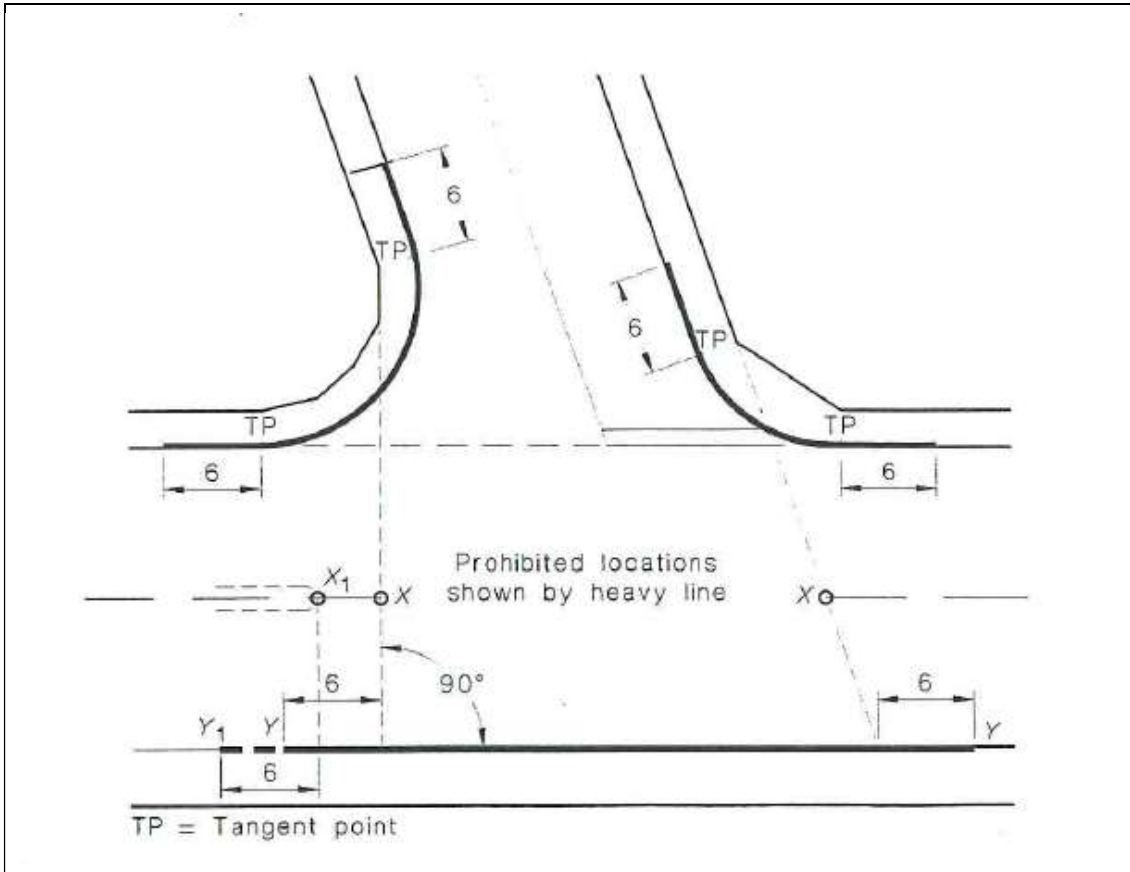
51

**TR-Figure 3** Vehicle crossing distances from intersections<sup>52</sup>

<sup>50</sup> Kāinga Ora [81.353]

<sup>51</sup> Kāinga Ora [81.930]

<sup>52</sup> Ibid



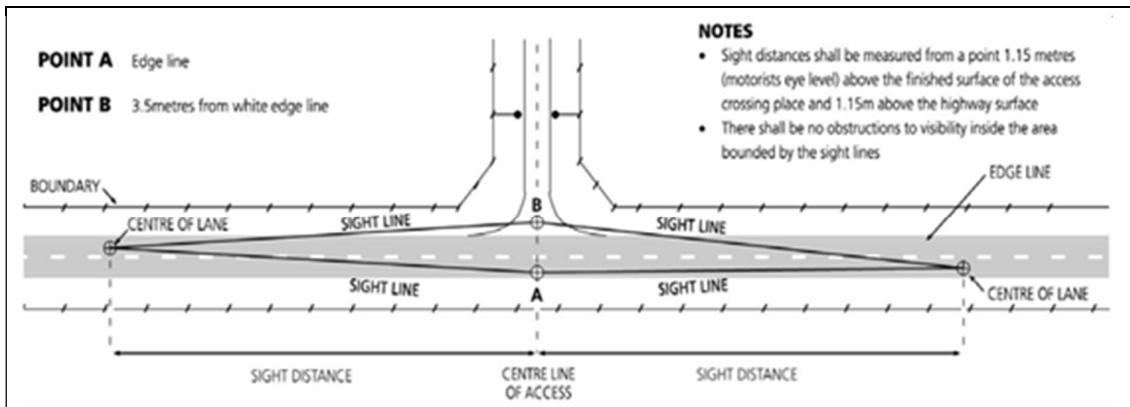
**TR-Table 46** **Vehicle crossing sight distances**<sup>53</sup>

<b>Speed limit of road (km/h)</b>	<b>Minimum sight distances from vehicle crossing (m)</b>		
	<b>Vehicle Access level 1</b>	<b>Vehicle Access Level 2</b>	<b>Vehicle Access Level 3 or 4</b>
<u>30</u>	<u>25</u>	<u>25</u>	<u>25</u>
<u>40</u>	<u>30</u>	<u>35</u>	<u>55</u>
<u>50</u>	<u>40</u>	<u>45</u>	<u>70</u>
<u>60</u>	<u>55</u>	<u>65</u>	<u>85</u>
<u>70</u>	<u>70</u>	<u>85</u>	<u>100</u>
<u>80</u>	<u>95</u>	<u>105</u>	<u>115</u>
<u>90</u>	-	<u>130</u>	<u>125</u>
<u>100</u>	-	<u>160</u>	<u>140</u>
<u>110</u>	-	<u>190</u>	<u>155</u>

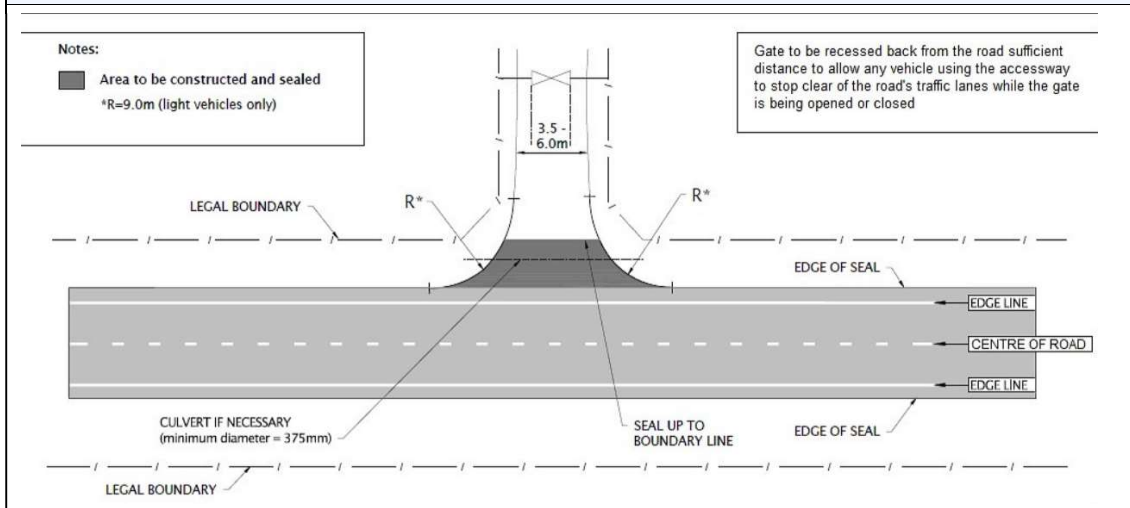
**TR-Figure 4** **Measurement of sight distances**<sup>54</sup>

<sup>53</sup> Kāinga Ora [81.354, 81.930]

<sup>54</sup> Porirua City Council [11.15]



**TR-Figure 5 Rural vehicle crossings<sup>55</sup>**



**TR-S56 Design of on-site car parking spaces**

**All zones**

1. Where provided on a site, car parking spaces must:

- a. Be designed to accommodate a 4.91m x 1.87m vehicle (85th percentile vehicle) as the minimum design vehicle;
- ba. Comply with the minimum dimensions of TR-Table 457;
- cb. Have a maximum gradient of:
  - i. 5% (1 vertical to 20 horizontal) for surfaces parallel to the angle of parking for non-residential activities;
  - ii. 10% (1 vertical to 10 horizontal) for surfaces parallel to the angle of

Matters of discretion are restricted to:

1. The safe, resilient, efficient and effective functioning of the transport network; and
2. The safety and movement of pedestrians, cyclists, public transport and general traffic.
3. Accessibility of the site by active transport and public transport;
4. Public health and safety;
5. The safety and usability of the parking spaces; and
6. Site limitations, configuration of buildings and activities.

<sup>55</sup> Kāinga Ora [81.930]

parking for residential activities; and<sup>56</sup>

iii. 6.25% (1 vertical to 16 horizontal) for surfaces at any other direction to the angle of parking<sup>57</sup>; and

dc. Have a minimum height clearance of 2.23m.<sup>58</sup>

2. For any blind aisle, the aisle must extend 1m beyond the last parking space the aisle provides access to.<sup>59</sup>

Note: Where parking is provided, the New Zealand Building Code D1/AS1 New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS: 4121-2001) sets out requirements for parking spaces for people with disabilities and accessible routes from the parking spaces to the associated activity or road.

<b>TR-Table 457 Parking space dimensions</b>				
<b>Parking space type</b>	<b>Dimension a* (m)</b>	<b>Dimension b* (m)</b>	<b>Dimension c* (m)</b>	<b>Min Aisle Width (m)</b>
<b>Parallel</b> (permanently unobstructed sides and ends)	-	<u>2.21</u>	<u>6.0 5.4</u>	<u>3.0</u>
Additional clearance requirement for each obstructed side or end (e.g. fence, wall, column)	-	+0.3	+0.39 (between spaces)  +1.2 (obstructed end space)	
<b>Perpendicular</b> (permanently unobstructed sides and ends)	-	<u>2.54</u> (residential)  <u>2.6</u> (other)	<u>5.0 4.8</u>	<u>5.8</u>
Additional clearance requirement for each obstructed side or end (e.g. fence, wall,	-	+0.3	+0.36	

<sup>56</sup> Kāinga Ora [81.930]

<sup>57</sup> Kāinga Ora [81.930]

<sup>58</sup> Kāinga Ora [81.930]

<sup>59</sup> Kāinga Ora [81.930]

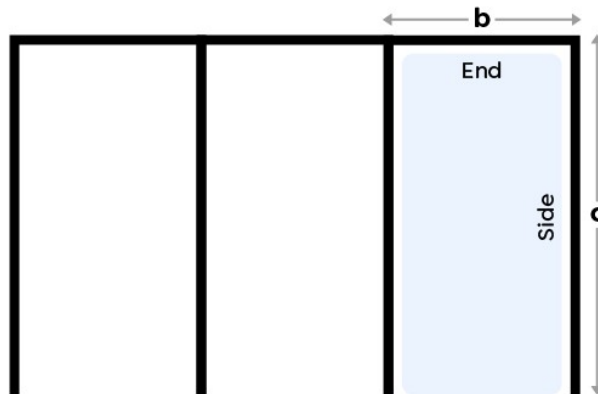
column or inside garage)				
Additional clearance requirement both ends obstructed (e.g. inside garage)	-	- <u>+0.6</u>	+0.6	<u>7.0 (2.4 wide garage door)</u> <u>6.3 (2.7 wide garage door)</u>
<b>Angle – 60°</b> (permanently unobstructed sides)	<u>2.4 (residential)</u> 2.6 (other)	<u>3.0 2.8 (residential)</u> <u>3.0 (other)</u>	5.6 <u>1</u>	<u>4.9 (residential)</u> <u>4.3 (other)</u>
Additional clearance requirement for each obstructed side (e.g. fence, wall, column)	+0.3	+0.33	- <u>+0.6</u>	

\* Dimensions a, b and c are shown in TR-Figure 16, TR-Figure 27 and TR-Figure 38

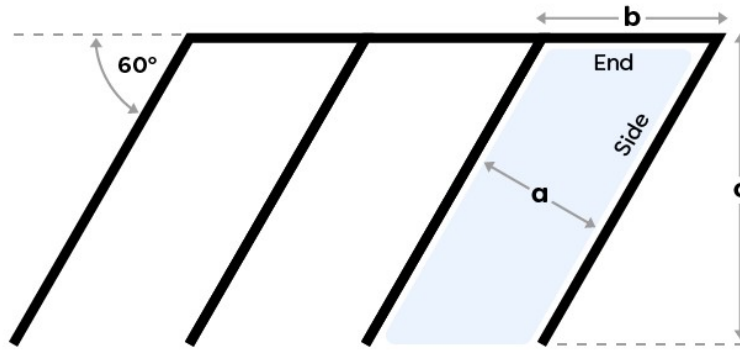
**TR-Figure 16** Parallel parking



**TR-Figure 27** Perpendicular parking



**TR-Figure 38** Angle parking



**TR-S67**

**On-site vehicle manoeuvring areas for sites with vehicle access**

**All zones**

1. Where a site has vehicle access provided, on-site manoeuvring areas must be provided so that vehicles ~~to~~<sup>60</sup> can enter and exit the site in a forward direction, except where:
  - a. The site access<sup>61</sup> serves a single residential unit; ~~and~~
  - b. The road is an Access Road ~~or Collector Road~~<sup>62</sup>; ~~and~~
  - c. The distance to or from the road frontage where a vehicle is required to reverse is no more than 30m.<sup>63</sup>
2. On-site vehicle manoeuvring areas must provide for a 4.91 m x 1.87m vehicle (85<sup>th</sup> percentile vehicle) as shown in TR-Figure 49 Manoeuvring, including additional width of ~~4530~~<sup>64</sup>mm per affected side ~~to allow for wing mirrors when manoeuvring areas are bordered by walls, fences or obstructions~~<sup>65</sup>.
3. On-site manoeuvring areas must not be located on:
  - a. The public road reserve; or
  - b. Areas provided for parking, servicing, loading or storage purposes.

- Matters of discretion are restricted to:
1. The number of vehicle trips generated by the activity on site;
  2. Site and topographical constraints;
  3. The classification and characteristics of the road in the vicinity of the site;
  4. The safe, resilient, efficient and effective functioning of the transport network; and
  5. The safety and movement of pedestrians, cyclists, public transport and general traffic.

<sup>60</sup> Clause 16(2) minor amendment

<sup>61</sup> Kāinga Ora [81.930]

<sup>62</sup> Kāinga Ora [81.396]

<sup>63</sup> Kāinga Ora [81.930]

<sup>64</sup> Porirua City Council [11.32]

<sup>65</sup> Clause 16(2) minor amendment

5. On-site manoeuvring areas must not include ramps, turntables, car lifts, or stackers.<sup>66</sup>

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<sup>66</sup> Kāinga Ora [81.930]

**TR-Figure 49**    **Manoeuvring<sup>67</sup>**

Insert:

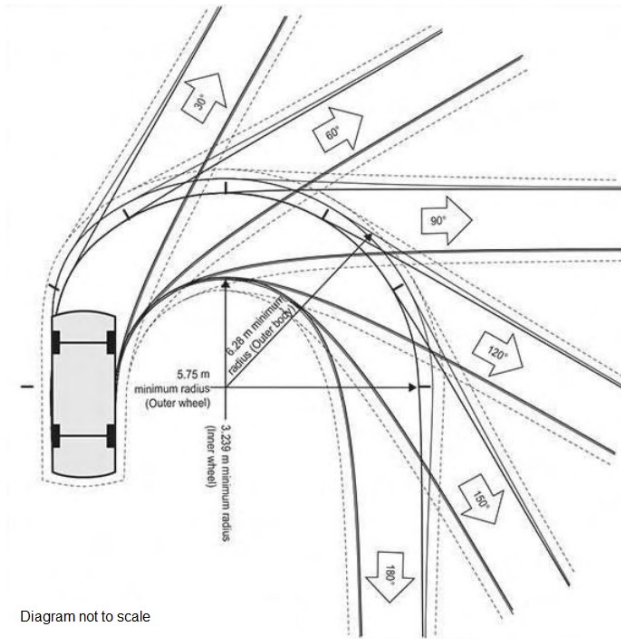
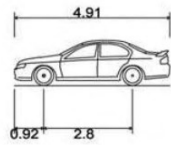


Diagram not to scale

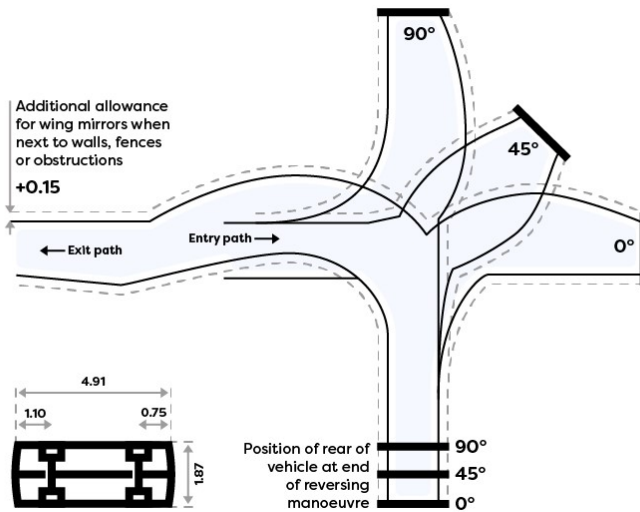
Note The dotted line about the vehicle depicts a 300mm clearance about the vehicle.



**B85 Vehicle (Realistic min radius) (2004)**

Overall length	4.910m
Overall width	1.870m
Overall body height	1.421m
Min body ground clearance	0.159m
Track width	1.770m
Lock to lock time	4.00sec
Curb to curb turning radius	5.750m

Delete:



<sup>67</sup> Kāinga Ora [81.930]



TR-S78	On-site loading spaces for non-residential or mixed-use buildings <sup>68</sup>	
<p><b>All zones</b></p>	<p><u>1. Loading spaces for non-residential or mixed-use buildings must be provided on-site and comply with TR-Table 568 and TR-Table 79.</u></p> <p><u>2. Loading spaces must include sufficient additional width where the service vehicle is loaded or unloaded from the ground, including by forklift, to provide for the anticipated loading and unloading requirements of the activity.</u></p> <p><u>3. Loading spaces must provide for loading and unloading to occur within the site and in a manner that does not impede access to parking spaces or areas within the site required for vehicle manoeuvring and circulation.</u></p> <p><u>4. On-site manoeuvring areas must be provided so that vehicles can enter and exit the site in a forward direction to and from National, Regional, Arterial and Collector Roads.</u></p> <p><u>5. Loading spaces must have a maximum gradient of 1:25.</u></p> <p><u>6. Where access to a loading area is restricted by a gate, sufficient space must be provided to:</u></p> <ul style="list-style-type: none"> <li><u>i. Accommodate the largest truck visiting the site within the site; and</u></li> <li><u>ii. Allow for queuing between the site's vehicle crossing and the gate.</u></li> </ul> <p><u>7. Where there are multiple tenants on a site, each tenant must provide the number of loading spaces required by their activities, except where:</u></p> <ul style="list-style-type: none"> <li><u>i. The site is under single ownership or management; and</u></li> </ul>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The loading and vehicle space needs of the activity;</li> <li>2. Opportunities to share loading spaces;</li> <li>3. The safe, resilient, efficient and effective functioning of the transport network; and</li> <li>4. The safety and movement of pedestrians, cyclists, public transport and general traffic.</li> </ol>

<sup>68</sup> Kāinga Ora [81.930]

<a href="#">ii. Shared facilities or equivalent capacity is provided.</a>			
<b>TR-Table 568 On-site loading spaces for non-residential activities or buildings that accommodate both residential and non-residential activities<sup>69</sup></b>			
<b>Area of non-residential activity or footprint GFA of building that accommodates both residential and non-residential activities</b>	<b>Minimum number of loading spaces</b>	<b>Minimum design vehicle</b>	
Up to 450m <sup>2</sup>	0	n/a	
<a href="#">Greater than 450m<sup>2</sup> - 1000 m<sup>2</sup></a>	1	<a href="#">12.5m x 2.5m Small Rigid Truck</a> <a href="#">Clearance height 4.5m</a> <a href="#">Design turning radius 12.5m</a>	
<a href="#">1001 m<sup>2</sup> – 3000 m<sup>2</sup></a>	1	<a href="#">Medium Rigid Truck</a>	
<a href="#">Greater than 3000 m<sup>2</sup></a>	1	<a href="#">Heavy Rigid Truck</a>	
<b>TR-Table 79 On-site Loading Space Dimensions<sup>70</sup></b>			
<b><a href="#">Vehicle type</a></b>	<b><a href="#">Min Width</a></b>	<b><a href="#">Min Length</a></b>	<b><a href="#">Min Vertical Clearance</a></b>
<a href="#">Small Rigid Truck</a>	<a href="#">3.5</a>	<a href="#">6</a>	<a href="#">3.5</a>
<a href="#">Medium Rigid Truck</a>	<a href="#">3.5</a>	<a href="#">8</a>	<a href="#">4.5</a>
<a href="#">Heavy Rigid Truck</a>	<a href="#">3.5</a>	<a href="#">11.5</a>	<a href="#">4.5</a>
<b>TR-S8 On-site waste storage and loading facilities for rubbish collection from residential apartments of seven or more residential units</b>			
<b>All zones</b>	<p>1. Residential apartment buildings with seven or more residential units must provide an on-site waste storage and loading facility for rubbish collection vehicles.</p> <p>2. The on-site waste storage and loading facility must accommodate a minimum design vehicle of <a href="#">a Medium Rigid Truck in accordance with AS 2890.2:2002 Parking facilities Part 2: Off-street commercial vehicle facilities 6.4m x 2.3m rigid truck with a clearance</a></p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The safe, resilient, efficient and effective functioning of the transport network;</li> <li>2. The safety and movement of pedestrians, cyclists, public transport and general traffic.</li> <li>3. The loading and vehicle space needs of the activity; and</li> <li>4. Alternative methods of waste storage and collection.</li> </ol>	

<sup>69</sup> Kāinga Ora [81.930]

<sup>70</sup> Kāinga Ora [81.930]

	<p>height of 3.5m and a design turning radius of 7.4m;<sup>71</sup> and</p> <p>3. Sufficient area must be provided on-site to allow the minimum design vehicle to enter and exit the site in a forward direction <u>to and from National, Regional, Arterial and Collector Roads</u><sup>72</sup>.</p>	
<p><b>TR-S910</b>      <b>On-site bicycle parking spaces</b></p>		
<p><b>All zones</b></p>	<p>1. New buildings and activities must provide bicycle parking in accordance with TR-Table <del>6</del><u>8</u><sup>10</sup> below.</p> <p>2. Bicycle parking spaces must meet the following minimum specifications:</p> <ul style="list-style-type: none"> <li>a. Bicycle stands must be sized and spaced to accommodate bicycle dimensions of 1200mm high, 1800mm long and 600mm wide.</li> <li>b. Stands must be securely anchored to an immovable object.</li> <li>c. Stands must allow the bicycle frame and at least one wheel to be secured.</li> <li>d. Bicycle parking facilities must be available during the activity's hours of operation and must not be impeded by any structure, storage of goods, landscape planting or other use.</li> <li>e. Bicycle parking facilities must be located: <ul style="list-style-type: none"> <li>i. To be easily accessible for users;</li> <li>ii. To not impede pedestrian thoroughfares including areas used by people whose mobility or vision is restricted; and</li> <li>iii. To be clear of vehicle parking or manoeuvring areas;<sup>i</sup> <u>and</u></li> </ul> </li> </ul>	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>1. The availability of alternative, safe and secure bicycle parking that meet the needs of the intended users, in a nearby accessible location;</li> <li>2. Whether bicycle parking can be provided and maintained in a shared bicycle parking area;</li> <li>3. Site limitations, configuration of buildings and activities, demonstrated user requirements and operational requirements; and</li> <li>4. The safety of <del>pedestrians and cyclists</del> <u>people</u> using the road, pedestrian accessways, <u>and</u> walkways, <u>cycleways and shared paths</u><sup>74</sup>.</li> </ul>

<sup>71</sup> Ibid

<sup>72</sup> Ibid

<sup>74</sup> Ibid

iv. No more than 25m from the main public entrance to the main building on the site, when the facilities are for public use.<sup>73</sup>

- f. Bicycle parking facilities for staff must be located:
- i. In a covered area; and
  - ii. In an area where public access is excluded.

**TR-Table 6810 Minimum number of on-site bicycle parking spaces**

Activity	Minimum number of on-site bicycle parking spaces (both short stay and long stay must be provided)	
	Short stay (visitors)	Long stay (staff*)
<b>Any activity in City Centre Zone or Local Centre Zone</b>	0	In accordance with the rest of this table
<b>Commercial activity</b>	Minimum 1, 0.05 per 100m <sup>2</sup> GFA, unless otherwise specified below	Minimum 1, 0.1 per 100m <sup>2</sup> GFA unless otherwise specified below
Entertainment and hospitality activity	0.1 per person that the site is designed to accommodate, unless otherwise specified below	Minimum 1, 0.1 per staff member* unless otherwise specified below
Visitor accommodation	Minimum 1	Minimum 1, 0.1 per staff member*
Retail Activity and Large Format Retail Activity	Minimum 1, 0.1 per 100m <sup>2</sup> GFA	Minimum 1, 0.1 per 100m <sup>2</sup> GFA
<b>Community facility</b>	0.1 per person that the site is designed to accommodate	Minimum 1, 0.1 per staff member*
<b>Educational facility</b>	As per specific activities below	As per specific activities below
Childcare services	Minimum 1	Minimum 1, 0.1 per staff member*
Primary and intermediate school Secondary school; and Tertiary education facility	Minimum 1	Minimum 1, 0.1 per student and 0.1 per staff member*
<b>Emergency service facilities</b>	Minimum 1	Minimum 1, 0.1 per staff member*
<b>Healthcare activity</b>	Minimum 1, 1 per 100m <sup>2</sup> GFA	Minimum 1, 0.1 per staff member*

<sup>73</sup> Waka Kotahi [82.105]

<b>Industrial activity</b>	$\varnothing$ <u>Minimum 1, 1 per 2000m<sup>2</sup> GFA<sup>75</sup></u>	Minimum 1, 0.1 per 100m <sup>2</sup> GFA
<b>Sport and recreation facility and major sports facility</b>	0.1 per person that the site is designed to accommodate	Minimum 1, 0.1 per staff member*
* The number of staff members is the maximum number of full-time or part-time staff members on the site at any one time		
<b>TR-S1<sup>10</sup> Trip generation</b>		
<b>All zones</b>	An activity must not exceed the trip generation thresholds set out in TR-Table <a href="#">7911</a> .	There are no matters of discretion for this standard.
<b>TR-Table <a href="#">7911</a> Trip generation thresholds</b>		
<b>Activity</b>	<b>Threshold</b>	
<b>Any activity not listed below</b>	500 <del>vehicle trips per day</del> <u>equivalent car movements per day<sup>76</sup></u>	
<b><u>Any activity accessing a national high-volume road or a regional road</u></b>	<u>100 vehicle trips per day equivalent car movements per day<sup>77</sup></u>	
<b>Any combination of healthcare activity and commercial activity</b>	1,000m <sup>2</sup> GFA	
<b>Commercial activity</b>	1,000m <sup>2</sup> GFA, unless otherwise specified below	
Motor vehicle sales	2,000m <sup>2</sup> site area	
Drive-through activities including service stations	0	
Commercial service activity	2,000m <sup>2</sup> GFA, unless otherwise specified below	
Motor vehicle repair and servicing	350m <sup>2</sup> GFA	
Veterinary clinics	500m <sup>2</sup> GFA	
Entertainment and hospitality activity	500m <sup>2</sup> GFA, unless otherwise specified below	
Visitor accommodation	50 beds	
<b>Community facility</b>	A design occupancy of 200 persons on the site at any one time	
<b>Educational facilities</b>	As per specific activities below	
Childcare services	30 children (in addition to any children who are normally resident at the site or who are otherwise guests of the occupants of the site)	

<sup>75</sup> Waka Kotahi [82.106]

<sup>76</sup> Kāinga Ora [81.372]

<sup>77</sup> Waka Kotahi [82.107]

Primary, <u>Intermediate</u> <sup>78</sup> and secondary schools	150 students		
Tertiary education services	250 full-time equivalent students		
<b>Emergency service facilities</b>	1,000m <sup>2</sup> GFA		
<b>Hospital and healthcare activity</b>	500m <sup>2</sup> GFA		
<b>Industrial activities</b>	5,000m <sup>2</sup> GFA unless otherwise specified below		
Storage and lock-up facility and warehouses	10,000m <sup>2</sup> GFA		
<b>Residential activity</b>	60 residential units enabled by any residential development or subdivision		
<b>Sport and recreation activity and major sports facility</b>	A design occupancy of 200 persons on the site at any one time		
<b><u>TR-S12</u>      <u>Railway level crossing sight lines</u><sup>79</sup></b>			
<b><u>All zones</u></b>	1. <u>Buildings, structures and planting must not be located within the sight distance areas defined in TR-Table 102 and shown in TR-Figure 10 and TR-Figure 11.</u>		<u>Matters of discretion are restricted to:</u> 1. <u>The safe and efficient functioning of the transport network;</u> 2. <u>The safety of people using the road and railway crossing; and</u> 3. <u>Site limitations, configuration of buildings and activities, demonstrated user requirements and operational requirements.</u>
<b><u>TR-Table 102</u>      <u>Approach and Restart Sight Distances at Railway Level Crossings</u><sup>80</sup></b>			
	<b><u>Distance (m)</u></b>		
	<b><u>A*</u></b>	<b><u>B* (single track)</u></b>	<b><u>B* (multiple tracks)</u></b>
<b><u>Approach sight distances</u></b>			
<u>Crossings with “stop” or “Give Way” signs</u>	<u>30</u>	<u>320</u>	<u>+25 for each additional track set</u>
<b><u>Restart sight distances</u></b>			
<u>Crossing control type</u>	<u>Signs only</u>	<u>5</u>	<u>677</u>
	<u>Alarms only</u>	<u>5</u>	<u>677</u>
	<u>Alarms and barriers</u>	<u>5</u>	<u>60</u>
<u>* Distances A and B are shown in TR-Figure 710 and TR-Figure 811</u>			

<sup>78</sup> Ministry of Education [134.13]

<sup>79</sup> KiwiRail [86.45]

<sup>80</sup> KiwiRail [86.45]

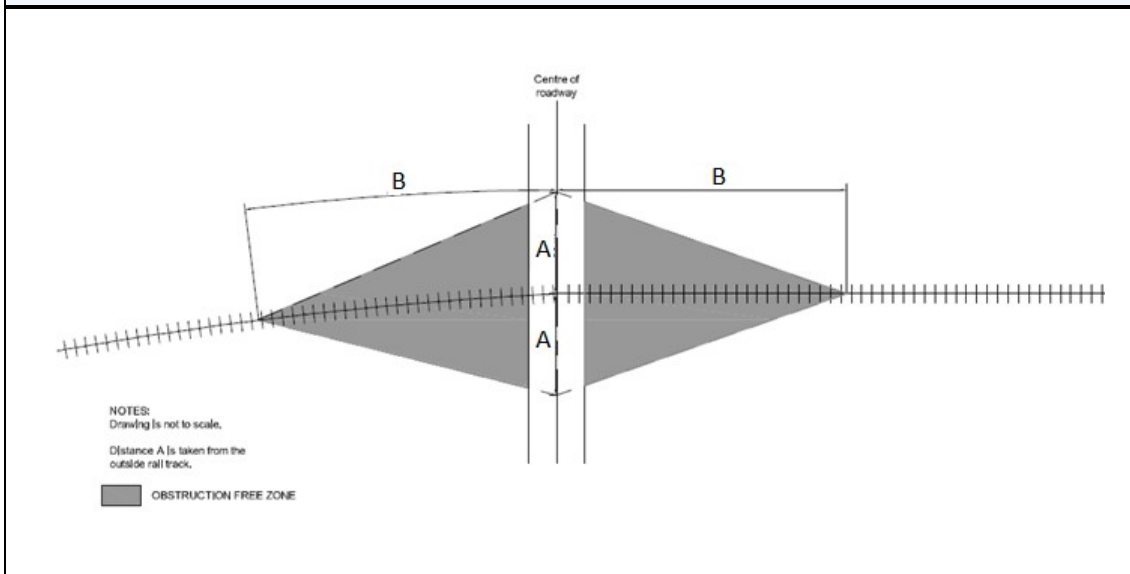
Distance A is measured from the outside track  
Distance B is measured from the centre of the road

Advice note:

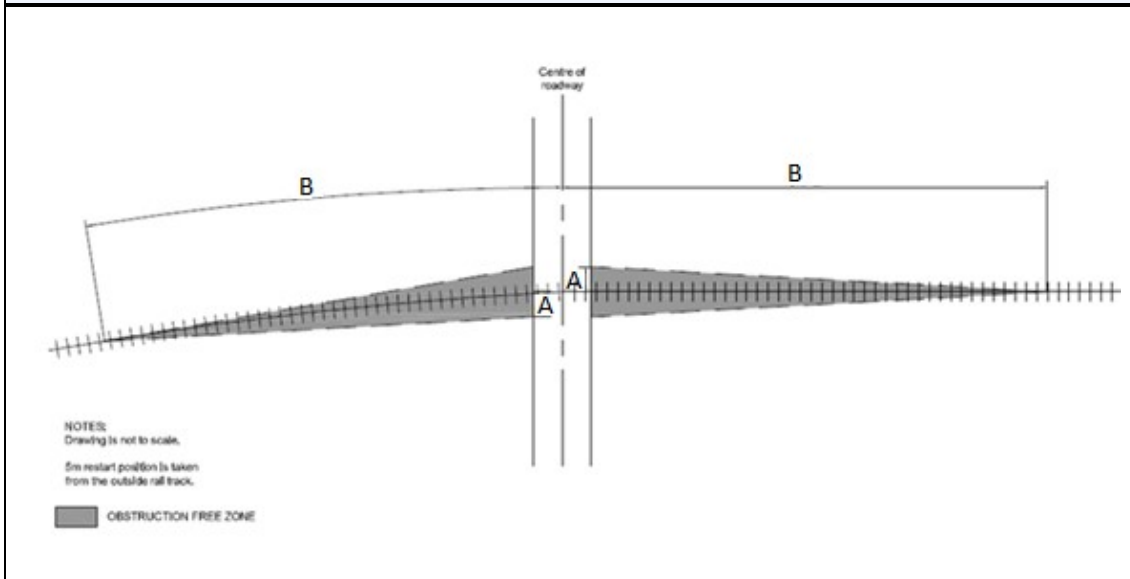
All figures in TR-Table 10 are based on the sighting distance formula used in NZTA Traffic Control Devices 8 Manual 2008, Part 9 Level Crossings. The formulae in that document are performance based; however, TR-Table 10 is based on fixed parameters to enable easy application. Approach and restart distances are derived from a:

- Train speed of 110 km/h
- Vehicle approach speed of 20 km/h
- Fall of 8 % on the approach to the level crossing and a rise of 8 % at the level crossing
- 25 m design truck length
- 90° angle between road and rail

**TR-Figure 10** Approach Sight Triangles for Level Crossings with “Stop” or “Give Way” Signs<sup>81</sup>



**TR-Figure 11** Restart Sight Triangles for all Level Crossings<sup>82</sup>



<sup>81</sup> KiwiRail [86.45]

<sup>82</sup> KiwiRail [86.45]



# AR - Amateur Radio

Amateur radio is a personal recreational and technical activity that encourages experimentation in radio technology and related topics, self-training, and personal communications across wide geographic areas.

Amateur radio operators do not fit within the definition of network utility operators under the RMA and the structures they use are not defined as infrastructure under the RMA. However, their activities involve radio-communication and amateur radio configurations involve masts, aerials and supporting structures similar to some infrastructure.

Amateur radio structures are most commonly located in residential or rural areas, in the backyard of an operator's property, but may also occur in commercial areas. Both the location and size of some configurations means that they may cause adverse effects on the character and amenity values of the surrounding environment.

## Objectives

### AR- Amateur radio O1

Amateur radio configurations are able to be efficiently established within the City while avoiding unacceptable adverse effects on the surrounding environment.

## Policies

### AR- Appropriate amateur radio P1

Enable amateur radio configurations within the Rural, Residential, and Commercial and Mixed Use Zones, General Industrial Zone, Future Urban Zone, Māori Purpose Zone (Hongoeka), and Special Purpose Zone (BRANZ), where:

1. They are of a size and scale that is compatible with the character and amenity values of the zone; and
2. Any adverse effects on the health and safety of people and communities are avoided, remedied or mitigated.

### AR- Potentially inappropriate amateur radio P2

Only allow amateur radio configurations within Open Space Zone, Sport and Active Recreation Zone or Hospital Zone, and any other zones where it can be demonstrated that:

1. They are not incompatible with the character and amenity values of the zone; and
2. Any adverse effects are avoided, remedied or mitigated.

### AR- Inappropriate amateur radio P3

Avoid amateur radio configurations which have unacceptable adverse effects on the health and safety of people and communities.

## Rules

Note: There may be a number of provisions that apply to an activity, building, structure or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.

The plan provisions in the following chapters also apply to amateur radio configurations and must be complied with, or a resource consent sought for any relevant non-compliance:

1. NH - Natural Hazards
2. HH - Historic Heritage
3. TREE - Notable Trees
4. SASM - Sites and Areas of Significance to Māori
5. ECO - Ecosystems and Indigenous Biodiversity
6. NATC - Natural Character
7. NFL - Natural Features and Landscapes
8. CE - Coastal Environment
9. EW - Earthworks
10. LIGHT - Light
11. NOISE - Noise
12. SIGN - Signs
13. TEMP - Temporary Activities

The rules in any zone chapter do not apply to amateur radio configurations unless specifically stated in a rule or standard in this chapter.

Rules relating to subdivision, including minimum allotment sizes for each zone, are found in the Subdivision chapter.

#### **AR-R1 Amateur radio configurations**

<b>Residential Zones</b>	1. Activity status: <b>Permitted</b>
<b>Rural Zones</b>	Where:
<b>Commercial and Mixed Use Zones</b>	a. Compliance is achieved with:
	i. AR-S1;
	ii. AR-S2;
	iii. AR-S3;
<b>General Industrial Zone</b>	iv. AR-S4;
	v. AR-S5;
	vi. AR-S6;
<b>Future Urban Zone</b>	vii. AR-S7; and
<b>Māori Purpose Zone (Hongoeka)</b>	viii. AR-S8.
<b>Special Purpose Zone (BRANZ)</b>	
<b>Residential Zones</b>	2. Activity status: <b>Restricted discretionary</b>
<b>Rural Zones</b>	Where:
<b>Commercial and Mixed Use Zones</b>	a. Compliance is not achieved with AR-S1, AR-S3, AR-S4, AR-S5, AR-S6, AR-S7 or AR-S8.
	Matters of discretion are restricted to:

<b>General Industrial Zone</b>	1. The matters of discretion of any infringed standard.		
<b>Future Urban Zone</b>	<b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.		
<b>Māori Purpose Zone (Hongoeke)</b>			
<b>Special Purpose Zone (BRANZ)</b>			
<b>Open Space and Recreation Zones</b>	3. Activity status: <b>Discretionary</b>		
<b>Hospital Zone</b>			
<b>All zones</b>	4. Activity status: <b>Non-complying</b>  Where: a. Compliance is not achieved with AR-S2.		
<b>Standards</b>			
<b>AR-S1</b>	<b>General standard</b>		
<b>All zones</b>	<table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;">1. The amateur radio configuration must be owned and operated by a licensed amateur radio operator.</td> <td style="width: 50%; vertical-align: top;">Matters of discretion are restricted to: 1. Any positive effects of the activity; 2. Health and safety of people and communities in the surrounding area; and 3. The ongoing management of the amateur radio configuration and its effects.</td> </tr> </table>	1. The amateur radio configuration must be owned and operated by a licensed amateur radio operator.	Matters of discretion are restricted to: 1. Any positive effects of the activity; 2. Health and safety of people and communities in the surrounding area; and 3. The ongoing management of the amateur radio configuration and its effects.
1. The amateur radio configuration must be owned and operated by a licensed amateur radio operator.	Matters of discretion are restricted to: 1. Any positive effects of the activity; 2. Health and safety of people and communities in the surrounding area; and 3. The ongoing management of the amateur radio configuration and its effects.		
<b>AR-S2</b>	<b>Radiofrequency</b>		
<b>All zones</b>	<table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;">1. All amateur radio configurations must be designed and operated in compliance with New Zealand Standards 2772.1:1999 Radiofrequency fields - Maximum exposure levels - 3 kHz to 300 GHz.</td> <td style="width: 50%; vertical-align: top;">There are no matters of discretion for this standard.</td> </tr> </table>	1. All amateur radio configurations must be designed and operated in compliance with New Zealand Standards 2772.1:1999 Radiofrequency fields - Maximum exposure levels - 3 kHz to 300 GHz.	There are no matters of discretion for this standard.
1. All amateur radio configurations must be designed and operated in compliance with New Zealand Standards 2772.1:1999 Radiofrequency fields - Maximum exposure levels - 3 kHz to 300 GHz.	There are no matters of discretion for this standard.		
<b>AR-S3</b>	<b>Setbacks</b>		
<b>All zones</b>	<table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;">1. The relevant zone setback standards must be complied with.</td> <td style="width: 50%; vertical-align: top;">Matters of discretion are restricted to: 1. Any positive effects of the activities;</td> </tr> </table>	1. The relevant zone setback standards must be complied with.	Matters of discretion are restricted to: 1. Any positive effects of the activities;
1. The relevant zone setback standards must be complied with.	Matters of discretion are restricted to: 1. Any positive effects of the activities;		

		<ol style="list-style-type: none"> <li>2. Any adverse effects on the character and amenity values of the surrounding area;</li> <li>3. Any adverse visual amenity effects on adjoining sites; and</li> <li>4. The location of the structures and any alternative options.</li> </ol>
<b>Residential Zones</b>  <b>Commercial and Mixed Use Zones</b>	<ol style="list-style-type: none"> <li>2. Any part of an amateur radio configuration, including support structures, must not be located within the area of a site located between: <ol style="list-style-type: none"> <li>a. A boundary of a site that adjoins a road; and</li> <li>b. A line parallel to a boundary defined in AR-S3-2.a, located at the point of the closest part of any building on the site to the boundary defined in AR-S3-2.a.</li> </ol> </li> </ol>	Matters of discretion are restricted to: <ol style="list-style-type: none"> <li>1. Any positive effects of the activities;</li> <li>2. Any adverse effects on the character, streetscape and amenity values of the surrounding area;</li> <li>3. Any adverse visual amenity effects on adjoining sites;</li> <li>4. Any topographical or other site constraints that make compliance with the standard impractical; and</li> <li>5. The location of the structures and any alternative options.</li> </ol>
<b>AR-S4                      Height</b>		
<b>All zones</b>	<ol style="list-style-type: none"> <li>1. The maximum height of aerials and associated support structures attached to buildings must not exceed the permitted building height for the relevant zone by more than 5m.</li> </ol>	Matters of discretion are restricted to: <ol style="list-style-type: none"> <li>1. Any positive effects of the activities;</li> <li>2. Any adverse effects on the amenity values of the surrounding area;</li> <li>3. Any adverse visual amenity effects on adjoining sites;</li> <li>4. The location of the structures and any alternative options; and</li> <li>5. Cumulative effects associated with multiple devices and structures.</li> </ol>
<b>General Rural Zone</b>	<ol style="list-style-type: none"> <li>2. The maximum height of support structures and associated aerials mounted to the ground must not exceed:</li> </ol>	Matters of discretion are restricted to: <ol style="list-style-type: none"> <li>1. Any positive effects of the activities;</li> </ol>

<p><b>Rural Lifestyle Zone</b></p> <p><b>Future Urban Zone</b></p>	<p>a. 20m for one support structure and associated aerals per site; and</p> <p>b. The permitted building height for the relevant zone for any support structures and associated aerals in addition to that allowed under AR-S4-2.a.</p>	<p>2. Any adverse effects on the character and amenity values of the surrounding area;</p> <p>3. Any adverse visual amenity effects on adjoining sites;</p> <p>4. The location of the structures and any alternative options; and</p> <p>5. Cumulative effects associated with multiple devices and structures.</p>
<p><b>Residential Zones</b></p> <p><b>Commercial and Mixed Use Zones</b></p> <p><b>General Industrial Zone</b></p> <p><b>Settlement Zone</b></p> <p><b>Special Purpose Zone (BRANZ)</b></p> <p><b>Māori Purpose Zone (Hongoeka)</b></p>	<p>3. The maximum height of support structures and associated aerals mounted to the ground must not exceed:</p> <p>a. 15m for one support structure and associated aerals per site; and</p> <p>b. The permitted building height for the relevant zone for any support structures and associated aerals in addition to that allowed under AR-S4-3.a.</p>	<p>Matters of discretion are restricted to:</p> <p>1. Any positive effects of the activities;</p> <p>2. Any adverse effects on the character and amenity values of the surrounding area;</p> <p>3. Any adverse visual amenity effects on adjoining sites;</p> <p>4. The location of the structures and any alternative options; and</p> <p>5. Cumulative effects associated with multiple devices and structures.</p>
<p><b>AR-S5 Dish aerals</b></p>		
<p><b>All zones</b></p>	<p>1. Dish aerals located less than 5m above ground level must not exceed a diameter of 4m.</p> <p>2. Dish aerals located more than 5m above ground level must not exceed a diameter of 1.2m.</p> <p>3. There must not be more than two dish aerals per site.</p>	<p>Matters of discretion are restricted to:</p> <p>1. Any positive effects of the activities;</p> <p>2. Any adverse effects on the character and amenity values of the surrounding area;</p> <p>3. Any adverse visual amenity effects on adjoining sites;</p> <p>4. The location of the structures and any alternative options;</p>

	4. The relevant zone height in relation to boundary standards must be complied with.	5. The finish of the material used on the structures; and 6. Cumulative effects associated with multiple devices.
<b>AR-S6</b>	<b>Yagi aerials</b>	
<b>All zones</b>	1. Any element making up an aerial must not exceed 80mm in diameter.	Matters of discretion are restricted to: 1. Any positive effects of the activities; 2. Any adverse effects on the character and amenity values of the surrounding area; 3. Any adverse visual amenity effects on adjoining sites; 4. The location of the structures and any alternative options; 5. The finish of the material used on the structures; and 6. Cumulative effects associated with multiple devices.
<b>General Rural Zone</b> <b>Rural Lifestyle Zone</b> <b>Future Urban Zone</b>	2. The element length must not exceed 14.9m.  3. The boom length must not exceed 13m.	Matters of discretion are restricted to: 1. Any positive effects of the activities; 2. Any adverse effects on the character and amenity values of the surrounding area; 3. Any adverse visual amenity effects on adjoining sites; 4. The location of the structures and any alternative options; 5. The finish of the material used on the structures; and 6. Cumulative effects associated with multiple devices.
<b>Residential Zones</b>	4. The element length must not exceed <u>27</u> <sup>1</sup> m.	Matters of discretion are restricted to:

<sup>1</sup> TBARC and NZART [224.1 and 224.12]

<p><b>Commercial and Mixed Use Zones</b></p> <p><b>General Industrial Zone</b></p> <p><b>Settlement Zone</b></p> <p><b>Special Purpose Zone (BRANZ)</b></p> <p><b>Māori Purpose Zone (Hongoeka)</b></p>	<p>5. The boom length must not exceed <a href="#">27<sup>2</sup>m</a>.</p>	<ol style="list-style-type: none"> <li>1. Any positive effects of the activities;</li> <li>2. Any adverse effects on the character and amenity values of the surrounding area;</li> <li>3. Any adverse visual amenity effects on adjoining sites;</li> <li>4. The location of the structures and any alternative options;</li> <li>5. The finish of the material used on the structures; and</li> <li>6. Cumulative effects associated with multiple devices.</li> </ol>
<p><b>AR-S7                      Number of aerials</b></p>		
<p><b>All zones</b></p>	<ol style="list-style-type: none"> <li>1. There must be no more than four aerials attached to ground mounted support structures per site; and</li> <li>2. There must be no more than four aerials attached to buildings per site.</li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Any positive effects of the activities;</li> <li>2. Any adverse effects on the character and amenity values of the surrounding area;</li> <li>3. Any adverse visual amenity effects on adjoining sites;</li> <li>4. The location of the structures and any alternative options;</li> <li>5. The finish of the material used on the structures; and</li> <li>6. Cumulative effects associated with multiple devices and structures.</li> </ol>
<p><b>AR-S8                      Support structures</b></p>		
<p><b>All zones</b></p>	<ol style="list-style-type: none"> <li>1. There must be no more than one supporting structure per site that exceeds 120mm in diameter.</li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Any positive effects of the activities;</li> <li>2. Any adverse effects on the character and</li> </ol>

<sup>2</sup> [TBARC and NZART \[224.1 and 224.12\]](#)

~~32~~. The maximum horizontal diameter of a pole or other supporting structure allowed under AR-S8-1 must not exceed 800mm.

3. There must be no more than six supporting structures per site with a horizontal diameter less than 120mm.

4. Guy wires must not exceed 10mm in diameter.

amenity values of the surrounding area;

3. Any adverse visual amenity effects on adjoining sites;

4. The location of the structures and any alternative options;

5. The finish of the material used on the structures; and

6. Cumulative effects associated with multiple devices and structures.



# EW - Earthworks

Earthworks are often an essential prerequisite for development. Earthworks are the physical works that modify land so that it can be used for living, business, and recreation purposes, farming and forestry and the construction and maintenance of infrastructure. The scope and scale of earthworks range from large greenfield bulk earthworks, which can alter the landform and its topography, to small and discrete areas of works most often associated with minor [suburban residential](#)<sup>1</sup> development.

Earthworks can adversely affect amenity values (visual, dust nuisance, noise and traffic) and result in changes to natural landforms. Earthworks can cause changes to the appearance and character of the neighbourhoods they are located in and can impact on people's experience of their environment.

Earthworks can also result in land instability, increasing risk to people and property. Poorly engineered excavations or areas of earthworks fill can cause landslips on the site, on neighbouring properties or on roads.

All earthworks have the potential to increase erosion and generate sediment loss. While the Greater Wellington Regional Council has the primary role in respect of managing discharges to air and into waterbodies, the District Plan can assist by ensuring the effects of earthworks are minimised beyond the site where works are occurring. The Proposed Natural Resources Plan for the Wellington Region and the Regional Soil Plan for the Wellington Region include provisions for earthworks, and consent may be required from Greater Wellington Regional Council. The [Porirua City Council Bylaw 1991, Part 24 Silt and Sediment Control, and Part 26 Stormwater](#) [Porirua City Council Stormwater \(Pollution Prevention\) Bylaw 2021](#) also apply to silt, sediment, and stormwater run-off from earthworks and must be complied with.

The earthworks provisions of this chapter provide for earthworks at a scale that is appropriate for the anticipated development of the underlying zone. It applies standards relating to the area, height, location and slope of earthworks, the amount of earthworks material being transported to or from the site and the reinstatement of the site. ~~Any earthworks activities that do not comply with these standards will require more specific assessment as restricted discretionary activities to ensure that any adverse effects are adequately addressed.~~<sup>2</sup>

This Earthworks chapter covers general earthworks provisions in all zones. Additional earthworks provisions may apply within Overlays. These earthworks provisions have been included in the respective Overlay chapters because they address the Overlay related effects of earthworks on the identified values, characteristics, risks or features. The earthworks provisions within Overlays apply in addition to the provisions of this chapter. However, all provisions relating to earthworks associated with infrastructure are contained in the Infrastructure chapter.

The following chapters contain provisions for earthworks:

1. Infrastructure;
2. Natural Hazards;
3. Historic Heritage;
4. Notable Trees;
5. Sites and Areas of Significance to Māori;
6. Ecosystems and Indigenous Biodiversity;
7. Natural Character;
8. Natural Features and Landscapes;
9. Public Access; and
10. Coastal Environment.

<sup>1</sup> Kāinga Ora - Homes and Communities [81.481]

<sup>2</sup> Kāinga Ora - Homes and Communities [81.481]

Note: Earthworks have the potential to destroy, damage or modify unidentified archaeological sites or wāhi tapu sites within the City that are not managed by the Historic Heritage and/or Sites and Areas of Significance to Māori chapters. These sites associated with human activity that occurred before 1900 are protected under the Heritage New Zealand Pouhere Taonga Act 2014 [which is administered by Heritage New Zealand Pouhere Taonga](#)<sup>3</sup>. Should an archaeological site or wāhi tapu site be discovered as a result of earthworks (either as a permitted activity or via a resource consent) an archaeological authority will be required from ~~the~~<sup>4</sup> Heritage New Zealand Pouhere Taonga, and in the case of a wāhi tapu site Ngāti Toa will need to be contacted. [The Archaeological Authority Process under the Heritage New Zealand Pouhere Taonga Act 2014 is outlined in Appendix 16.](#)<sup>5</sup>

## Objective

### EW-01 Earthworks

Earthworks are undertaken in a manner that:

1. Is consistent with the anticipated scale and form of development for the zone;
2. Minimises adverse effects on visual amenity values, including changes to natural landforms;
3. Minimises erosion and sediment effects beyond the site and assists to protect receiving environments, including Te Awarua-o-Porirua Harbour;
4. Protects the safety of people, ~~and~~ property ~~and~~ infrastructure<sup>6</sup>; and
5. ~~Minimises adverse effects on~~ [Does not compromise](#) the National Grid ~~and or~~ the Gas Transmission Pipeline.<sup>7</sup>

## Policies

### EW-P1 Appropriate earthworks

Enable earthworks associated with subdivision, use and development, where:

1. They occur in a coordinated and integrated manner;
2. The scale of the earthworks is consistent with the scale and form of development anticipated within that zone;
3. The stability of land is maintained, including the stability of adjoining land, infrastructure, buildings and structures;
4. The area, height or depth, location and slope of the earthworks are of an appropriate scale that will ensure the following potential adverse effects are minimised:
  - a. Visual amenity as a result of cut or fill faces and retaining structures;
  - b. Silt and sediment loss from the site;
  - c. The alteration of natural landforms and features;
  - d. Dust and vibration beyond the site; and
  - e. The safe and efficient operation of the transport network and on local amenity values as a result of traffic movements; ~~and~~
5. [The area of earthworks minimises the loss of indigenous biodiversity in Rural Zones, Future Urban Zone and Open Space Zone, which is not identified as a Significant Natural Area in SCHED7 – Significant Natural Areas; and](#)<sup>8</sup>
56. The area where earthworks have occurred is reinstated in a timely manner to minimise adverse effects on land stability, ~~erosion~~<sup>9</sup> and the visual amenity of the surrounding area.

### EW-P2 Earthworks for recreational and community activities

<sup>3</sup> Clause 16 Minor Amendment

<sup>4</sup> Clause 16 Minor Amendment

<sup>5</sup> Heritage New Zealand Pouhere Taonga [65.54]

<sup>6</sup> New Zealand Transport Agency (Waka Kotahi) [82.164]

<sup>7</sup> New Zealand Transport Agency (Waka Kotahi) [82.164] and Transpower New Zealand Ltd [60.92]

<sup>8</sup> Forest and Bird [225.42]

<sup>9</sup> Kāinga Ora - Homes and Communities [81.483]

Recognise the benefits of and enable earthworks required for the development, repair and maintenance of, play equipment and recreational parks, particularly within the Open Space Zone and the Sport and Active Recreation Zone.	
<b>EW-P3</b>	<b>Earthworks required for the installation of rainwater tanks</b>
Enable earthworks for the installation of rainwater tanks, recognising the benefits of rainwater tanks to achieving hydraulic neutrality measures.	
<b>EW-P4</b>	<b>Appropriate earthworks within the National Grid Yard and the Gas Transmission Pipeline Corridor</b>
Enable earthworks within the National Grid Yard and the Gas Transmission Pipeline Corridor where they are of a scale and nature that will not compromise the safe and efficient functioning, operation, maintenance and repair, upgrading and development of the National Grid or the Gas Transmission Network.	
<b>EW-P5</b>	<b>Other earthworks <u>or land disturbance</u><sup>10</sup> within the National Grid Yard and the Gas Transmission Pipeline Corridor</b>
<p>Only allow earthworks <u>or land disturbance</u><sup>11</sup> within the National Grid Yard and the Gas Transmission Pipeline Corridor where it can be demonstrated that the safe and efficient functioning, operation, maintenance and repair, upgrading and development of the National Grid or the Gas Transmission Network will not be compromised, taking into account:</p> <ol style="list-style-type: none"> <li>1. The extent to which the earthworks may compromise the safe access to and operation, maintenance and repair, upgrading and development of the National Grid or the Gas Transmission Pipeline;</li> <li>2. The stability of land within and adjacent to the National Grid or the Gas Transmission Pipeline Corridor;</li> <li>3. Risks relating to health or public safety, including the risk of property damage; and</li> <li>4. Technical advice provided by the owner and operator of the National Grid or the Gas Transmission Network.</li> </ol>	
<b>Rules</b>	
<p>Note: There may be a number of provisions that apply to an activity, building, structure or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.</p> <p>Rules relating to earthworks for infrastructure activities are found in the Infrastructure chapter.</p> <p><u><a href="#">The Resource Management (National Environmental Standard for Plantation Forestry) Regulations 2017 ("NESPF") prevails over the rules (including standards) in this chapter for earthworks regulated by the NESPF.</a></u><sup>12</sup></p>	
<b>EW-R1</b>	<b>General Earthworks</b>
<b>All zones</b>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is achieved with: <ol style="list-style-type: none"> <li>i. EW-S1;</li> <li>ii. EW-S2;</li> </ol> </li> </ol>

<sup>10</sup>Transpower New Zealand Ltd [60.94]

<sup>11</sup> Transpower New Zealand Ltd [60.94]

<sup>12</sup> Kāinga Ora [81.488]

	<p>iii. EW-S3; iv. EW-S4; and v. EW-S5.</p> <p><b>Note:</b> For the avoidance of doubt this rule applies to all earthworks, except EW-R2 <del>and EW-R3</del>.<sup>13</sup></p>
	<p><b>All zones</b>      2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with EW-S1, EW-S2, EW-S3, <del>or</del> EW-S4 <del>or EW-S5</del>.<sup>14</sup></p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of any infringed standard.</p> <p><b>Notification:</b> <u>An application under this rule that results from non-compliance with only EW-S1, EW-S3, EW-S4 or EWS5 is precluded from being publicly notified in accordance with section 95A of the RMA.</u><sup>15</sup></p>
<p><b>EW-R2      Earthworks required for the installation and construction of rainwater tanks</b></p>	
	<p><b>All zones</b>      1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <p>i. EW-S2; and ii. EW-S4.</p>
	<p><b>All zones</b>      2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with EW-S2 or EW-S4.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of any infringed standard.</p> <p><b>Notification:</b> An application under this rule is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</p>
<p><b>EW-R3      Earthworks within the Gas Transmission Pipeline Corridor</b></p>	
	<p><b>All zones</b>      1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. Earthworks undertaken within the Gas Transmission Pipeline Corridor do not exceed a depth of 400mm.</p>
	<p><b>All zones</b>      2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with EW-R3-1.a.</p> <p>Matters of discretion are restricted to:</p>

<sup>13</sup> Ibid

<sup>14</sup> Survey and Spatial New Zealand [72.17]

<sup>15</sup> [Kāinga Ora \[81.488\]](#)

1. The matters in EW-P5.

**Notification**

- An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.
- When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on First Gas Limited.

**EW-R4**

**Earthworks and land disturbance<sup>16</sup> within the National Grid Yard**

**All zones**

1. Activity status: **Permitted**

Where:

- a. Earthworks and land disturbance must do<sup>17</sup> not:
- i. Exceed 300mm in depth within 6m of the outer visible edge of a National Grid<sup>18</sup> ~~tower~~ support structure;
  - ii. Exceed 3m in depth between 6m and 12m of the outer visible edge of a National Grid<sup>19</sup> ~~tower~~ support structure; **and**
  - iii. Result in a reduction of the existing ground to conductor clearance distances as required in Table 4 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001; or
  - iv. Compromise the stability of any National Grid support structures.

Earthworks and land disturbance for the following activities are exempt from compliance with EW-R4-1.a:

- Agricultural or domestic cultivation;
- The repair, sealing or resealing of a vehicle access or farm track;
- Vertical holes Land disturbance not exceeding 500mm in diameter that ~~are~~ is more than 1.5m from the outer edge of a National Grid pole or stay wire, or ~~are~~ is a post hole for a farm fence or horticulture structure more than 6m from the visible outer edge of a National Grid tower foundation; and
- Any other activities subject to a dispensation from Transpower under New Zealand NZECP 34:2001.<sup>20</sup>

**All zones**

2. Activity status: **Restricted discretionary**

Where:

- a. Compliance is not achieved with EW-R4-1.a.

Matters of discretion are restricted to:

1. The matters in EW-P5.

**Notification**

- An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.

<sup>16</sup> Transpower New Zealand Ltd [60.135]

<sup>17</sup> Transpower New Zealand Ltd [60.135]

<sup>18</sup> Transpower New Zealand Ltd [60.135]

<sup>19</sup> Transpower New Zealand Ltd [60.135]

<sup>20</sup> Transpower New Zealand Ltd [60.135]

- When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower New Zealand Limited.

## Standards

EW-S1		Earthworks – Area
<b>Residential Zones</b>  <b>Settlement Zone</b>  <b>Neighbourhood Centre Zone</b>	<p>1. The area of earthworks must not exceed 250m<sup>2</sup> in any 12 month period per site.</p> <p>The following are exempt from the maximum area standard:</p> <ul style="list-style-type: none"> <li>• Earthworks for a swimming pool which do not extend further than 2m from the edge of the swimming pool; and</li> <li>• Earthworks for interments within existing cemeteries or urupā; <u>and</u></li> <li>• <u>Earthworks up to 400m<sup>2</sup> in any 12 month period per site associated with the removal or replacement of a fuel storage system.</u><sup>21</sup></li> </ul>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The stability of land or structures in or on the site or adjacent sites;</li> <li>2. The visual amenity values and character of the surrounding area;</li> <li>3. The natural landform and the extent to which the finished site will reflect and be sympathetic to the surrounding landform;</li> <li>4. Dust and vibration beyond the site;</li> <li>5. The retention of silt and sediment on the site;</li> <li>6. <a href="#">The maintenance of indigenous biodiversity where located in the Settlement Zone;</a><sup>22</sup></li> <li>7. The staging of earthworks; and</li> <li>8. The total area of exposed soils at any point in time.</li> </ol>
<b>Local Centre Zone</b>  <b>Large Format Retail Zone</b>  <b>Mixed Use Zone</b>  <b>City Centre Zone</b>  <b>General Industrial Zone</b>  <b>Hospital Zone</b>	<p>2. The area of earthworks must not exceed 400m<sup>2</sup> in any 12 month period per site.</p> <p>The following are exempt from the maximum area standard:</p> <ul style="list-style-type: none"> <li>• Earthworks for a swimming pool which do not extend further than 2m from the edge of the swimming pool; and</li> <li>• Earthworks for interments within existing cemeteries or urupā.</li> </ul>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The stability of land or structures in or on the site or adjacent sites;</li> <li>2. The visual amenity values and character of the surrounding area;</li> <li>3. The natural landform and the extent to which the finished site will reflect and be sympathetic to the surrounding landform;</li> <li>4. Dust and vibration beyond the site;</li> <li>5. The retention of silt and sediment on the site;</li> <li>6. The staging of earthworks; and</li> <li>7. The total area of exposed soils at any point in time.</li> </ol>

<sup>21</sup> Z Energy, BP Oil NZ Ltd And Mobil Oil NZ Ltd [123.20]

<sup>22</sup> [Forest and Bird](#) [225.42]

<p><b>Open Space Zone</b></p> <p><b>Sport and Active Recreation Zone</b></p>	<p>3. The area of earthworks must not exceed 500m<sup>2</sup> in any 12 month period per site.</p> <p>The following are exempt from the maximum area standard:</p> <ul style="list-style-type: none"> <li>• Topdressing of grassed areas with topsoil;</li> <li>• Earthworks associated with the laying of a safety surface for children’s play equipment;</li> <li>• Earthworks for a swimming pool which do not extend further than 2m from the edge of the swimming pool; and</li> <li>• Earthworks for interments within existing cemeteries or urupā.</li> </ul>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The stability of land or structures in or on the site or adjacent sites;</li> <li>2. The visual amenity values and character of the surrounding area;</li> <li>3. The natural landform and the extent to which the finished site will reflect and be sympathetic to the surrounding landform;</li> <li>4. Dust and vibration beyond the site;</li> <li>5. The retention of silt and sediment on the site;</li> <li>6. <a href="#">The maintenance of indigenous biodiversity where the site is not subject to a Reserve Management Plan;</a><sup>23</sup></li> <li>67. The staging of earthworks; and</li> <li>78. The total area of exposed soils at any point in time.</li> </ol>
<p><b>General Rural Zone</b></p> <p><b>Rural Lifestyle Zone</b></p> <p><b>Special Purpose Zone (BRANZ)</b></p> <p><b>Future Urban Zone</b></p> <p><b>Māori Purpose Zone (Hongoeke)</b></p>	<p>4. The area of earthworks must not exceed 1000m<sup>2</sup> in any 12 month period per site.</p> <p>The following are exempt from the maximum area standard:</p> <ul style="list-style-type: none"> <li>• Earthworks for a swimming pool which do not extend further than 2m from the edge of the swimming pool; and</li> <li>• Earthworks for interments within existing cemeteries or urupā.</li> </ul>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The stability of land or structures in or on the site or adjacent sites;</li> <li>2. The visual amenity values and character of the surrounding area;</li> <li>3. The natural landform and the extent to which the finished site will reflect and be sympathetic to the surrounding landform;</li> <li>4. Dust and vibration beyond the site;</li> <li>5. The retention of silt and sediment on the site;</li> <li>6. The staging of earthworks; and</li> <li>7. The total area of exposed soils at any point in time.</li> </ol>
<p><b>EW-S2 Earthworks – Height, location and slope</b></p>		
<p><b>All zones</b></p>	<p>1. Earthworks must not:</p> <ol style="list-style-type: none"> <li>a. Exceed a cut height or fill depth of 1.5m measured vertically; or</li> <li>b. Be located within 1.0m of the site boundary,</li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The stability of land or structures in or on the site or adjacent sites;</li> </ol>

<sup>23</sup> Forest and Bird [225.42]

- measured on a horizontal plane; or
- c. Be undertaken on an existing slope with an angle of 34° or greater.

The following are exempt from the cut height and fill depth standard:

- Earthworks with a cut height or fill depth no greater than 2.5m measured vertically, where it is retained by a building or structure authorised by a building consent obtained prior to any earthworks commencing.<sup>24</sup>

The following are exempt from the height, location and slope standard:

- Earthworks for interments within existing cemeteries or urupā;
- Earthworks for the construction, alteration or decommissioning of bores, including geotechnical investigation and monitoring bores, undertaken in accordance with NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock;
- Earthworks for sampling of soil permitted under Regulation 8(2) of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011; and
- Earthworks for test pits where the depth of the test pit does not exceed the distance of the test pit hole at ground level to the nearest site boundary, and the test pit is backfilled and compacted, and the surface reinstated upon as soon as reasonably practicable following completion of the sampling or investigative works.<sup>25</sup>

2. The visual amenity values and character of the surrounding area;
3. The natural landform and the extent to which the finished site will reflect and be sympathetic to the surrounding landform;
4. Dust and vibration beyond the site;
5. The retention of silt and sediment on the site;
6. The staging of earthworks; and
7. The total area of exposed soils at any point in time.

<sup>24</sup> Kāinga Ora [81.493]

<sup>25</sup> Kāinga Ora - Homes and Communities [81.488]



<b>EW-S3 Transport of cut or fill material</b>		
<b>All zones</b>	<p>1. The transport of material resulting from or required for earthworks (including earth, soil, clay, sand and rock) off or onto the site must not exceed 200m<sup>3</sup>.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The safe and efficient operation of the transport network;</li> <li>2. Any nuisance effects; and</li> <li>3. The retention of silt and sediment on the site.</li> </ol>
<b>EW-S4 Site reinstatement</b>		
<b>All zones</b>	<p>1. As soon as practical, but no later than three months after the completion of earthworks or stages of earthworks, the earthworks area must be stabilised with vegetation or sealed, paved, metalled or built over.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The timing and duration of the works;</li> <li>2. Land stability; and</li> <li>3. The visual amenity of the surrounding area.</li> </ol>
<b>EW-S5 Silt and sediment retention</b>		
<b>All zones</b>	<p>1. All silt and sediment must be retained on the site.</p> <p>2. Silt and sediment devices must be installed in accordance with APP15 - Silt and Sediment Devices prior to the commencement of earthworks and must be retained for the duration of the earthworks.</p> <p>This standard does not apply to the transport of cut and fill material.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The retention of silt and sediment on the site.</li> </ol>
<p>Advice notes:</p> <ol style="list-style-type: none"> <li>1. The Porirua City Council Bylaw 1991, Part 24 Silt and Sediment Control, and Part 26 Stormwater may apply to silt, sediment, and stormwater run-off from earthworks.</li> <li>2. The Erosion and Sediment Control Guidelines for the Wellington Region (prepared by Wellington Regional Council) provides guidance for the management of silt and sediment from earthwork activities.</li> <li>3. <del>Information on accidental discovery protocol and Archeological Authority Process under the Heritage New Zealand Pouhere Taonga Act 2014 is outlined in Appendix 16. In the event that an unidentified archaeological site or a waahi tapu site is located during works, the following applies:</del> <ol style="list-style-type: none"> <li><del>a. Work must cease immediately at that place and within 20m around the site;</del></li> <li><del>b. Heritage New Zealand Regional Archaeologist must be notified and apply for the appropriate authority if required;</del></li> <li><del>c. Appropriate iwi groups or kaitiaki representative must be notified of the discovery. Site access must be granted to enable appropriate cultural procedures and tikanga to be undertaken, as long as all statutory requirements under legislation are met (Heritage New Zealand Pouhere Taonga Act 2014);</del></li> <li><del>d. If human remains (koiwi) are uncovered then the Heritage New Zealand Regional Archaeologist, NZ Police and the appropriate iwi groups or kaitiaki representative must be notified. Remains are not to be moved until such time as iwi and Heritage New Zealand have responded; and</del></li> </ol> </li> </ol>		

~~e. Works affecting the archaeological site and any human remains (koiwi) must not resume until appropriate authority and protocols are completed<sup>26</sup>.~~

4. For works that may impact existing flood protection structures, consultation with Greater Wellington Regional Council on the appropriate placement, location and design of earthworks is encouraged.<sup>27</sup>

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<sup>26</sup> Heritage New Zealand Pouhere Taonga [65.55]

<sup>27</sup> GWRC [137.65]

# LIGHT - Light

Artificial lighting enables work, recreation and entertainment activities to occur outside of normal daylight hours. It also provides additional safety and security to sites and the activities that occur on them. However, artificial lighting can result in adverse effects on the occupiers and users of adjoining sites and the transport network if not carefully designed due to light spill and glare. [Artificial lighting also has the potential to adversely affect avifauna; for example, attracting birds and affecting bat behaviour.](#)<sup>1</sup>

The provisions for artificial lighting provide for adequate lighting that both supports activities and enables safety and security for people and communities, while minimising potential adverse effects beyond the site.

~~The following are all exempt from the rules and standards in this chapter:~~

- ~~1. Public ~~s~~Street lighting<sup>2</sup>; and~~
- ~~2. Helipad and helicopter lighting.<sup>3</sup>~~

## Objectives

### LIGHT- O1 Appropriate lighting activities

The benefits of the use of artificial lighting are recognised while any adverse effects generated:

- ~~1. a~~Are compatible with the purpose, character and amenity values of the zone and the surrounding area;
- ~~2. Minimise disruption to avifauna; and~~<sup>4</sup>
- ~~3. and d~~Do not compromise the health and safety of people and communities, including road the safety of the transport network.

### LIGHT- O2 Reverse sensitivity<sup>5</sup>

~~New activities that are sensitive to the effects of artificial lighting are designed and located to minimise conflict and reverse sensitivity effects.~~

## Policies

### LIGHT- P1 Appropriate lighting activities

Provide for the use of artificial lighting that:

- Generates positive effects for people and communities from the use of sites and facilities during nighttime hours and contributes to the security and safety of private and public spaces;
- Maintains the character and amenity values of the zone and the surrounding area; and
- Does not compromise the social, cultural and economic wellbeing or health and safety of people and communities, including road the safety of the transport network.<sup>6</sup>

<sup>1</sup> Forest and Bird [225.42]

<sup>2</sup> Waka Kotahi [82.144]

<sup>3</sup> Kāinga Ora [81.939]

<sup>4</sup> Forest and Bird [225.42]

<sup>5</sup> Kāinga Ora [81.939]

<sup>6</sup> Waka Kotahi [82.145]

<b>LIGHT- P2 Potentially inappropriate lighting activities</b>	
<p>Minimise the adverse effects of the use of artificial lighting having regard to:</p> <ol style="list-style-type: none"> <li>1. The extent to which it avoids conflict with existing sensitive activities and the transport network;</li> <li>2. Effects on other established uses and their operation;</li> <li>3. The extent to which any adverse effects can be internalised to the site within which artificial lighting is located, and minimised at site boundaries;</li> <li>4. The effects on visual observation of the night sky;</li> <li>5. The intensity, location and direction of artificial lighting;</li> <li>6. Whether it is consistent with best practice; <del>and</del></li> <li>7. Any adverse effects on the health, safety and wellbeing of people and communities in the surrounding area, including sleep disturbance.; <del>and</del></li> <li>8. <a href="#">Any adverse effects on avifauna, where located in the Rural Zones, Future Open Space and Open Space Zone.</a><sup>7</sup></li> </ol>	
<b>LIGHT- P3 Reverse sensitivity<sup>8</sup></b>	
<p><del>Require sensitive activities located within and adjacent to the Commercial and Mixed Use Zones, General Industrial Zone and Sport and Active Recreation Zone, to:</del></p> <ol style="list-style-type: none"> <li>1. <del>Ensure that habitable rooms are designed and located so as to minimise any sleep disturbance from light spill; and</del></li> <li>2. <del>Mitigate any unreasonable light spill to areas of private outdoor living area through screening, separation or topography.</del></li> </ol>	
<b>Rules</b>	
<p>Note: There may be a number of provisions that apply to an activity, building, structure or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.</p> <p>Rules relating to subdivision, including minimum allotment sizes for each zone, are found in the Subdivision chapter.</p>	
<b>LIGHT-R1 Outdoor artificial lighting</b>	
<b>All zones</b>	<p>1. Activity status: <b>Permitted</b></p> <p><a href="#">a.</a> <sup>9</sup>Where this activity complies with the following standards:</p> <ol style="list-style-type: none"> <li>i. LIGHT-S1;</li> <li>ii. LIGHT-S2;</li> <li>iii. LIGHT-S3;</li> <li>iv. LIGHT-S4;</li> <li>v. LIGHT-S5; and</li> <li>vi. LIGHT-S6.; or</li> </ol> <p><a href="#">b. The outdoor artificial lighting is:</a></p> <ol style="list-style-type: none"> <li>i. <a href="#">Public street lighting; or</a></li> <li>ii. <a href="#">Helipad lighting.</a><sup>10</sup></li> </ol>
<b>All zones</b>	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p>

<sup>7</sup> Forest and Bird [225.42]

<sup>8</sup> Kāinga Ora [81.939]

<sup>9</sup> Clause 16 minor amendment

<sup>10</sup> Kāinga Ora [81.939 and 81.497]

	<p>a. Compliance is not achieved with LIGHT-S2, LIGHT-S3, LIGHT-S4, LIGHT-S5, or LIGHT-S6.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The matters of discretion of any infringed standard.</li> </ol>		
<b>All zones</b>	<p>3. Activity status: <b>Discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is not achieved with LIGHT-S1.</li> </ol>		
<b>Standards</b>			
<b>LIGHT-S1</b>	<b>General standards</b>		
<b>All zones</b>	<table border="0" style="width: 100%;"> <tr> <td style="width: 60%; vertical-align: top;"> <ol style="list-style-type: none"> <li>1. Lighting limits must be measured and assessed in accordance with AS/NZS 4282:2019 Control of the Obtrusive Effects of Outdoor Lighting. In the event of any conflict between AS/NZS 4282:2019 Control of the Obtrusive Effects of Outdoor Lighting and the District Plan, the District Plan shall prevail.</li> <li>2. Any calculation for the purposes of these standards must be based on a maintenance factor of 1.0 (i.e. no depreciation shall be taken into account for reduction in light levels over time).</li> <li>3. Where measurements of any illuminance above background levels from the use of artificial lighting cannot be made because the artificial lighting cannot be turned off, measurements must be made in areas of a similar nature that are not affected by the artificial lighting. The result of these measurements shall be used for determining the effects of the artificial lighting.</li> <li>4. Where an activity is located on a site which adjoins or is separated by a road from a different zone, the activity on the site must meet the relevant zone standards for light for the adjoining zone at the zone boundary.</li> </ol> </td> <td style="width: 40%; vertical-align: top;"> <p>There are no matters of discretion for this standard.</p> </td> </tr> </table>	<ol style="list-style-type: none"> <li>1. Lighting limits must be measured and assessed in accordance with AS/NZS 4282:2019 Control of the Obtrusive Effects of Outdoor Lighting. In the event of any conflict between AS/NZS 4282:2019 Control of the Obtrusive Effects of Outdoor Lighting and the District Plan, the District Plan shall prevail.</li> <li>2. Any calculation for the purposes of these standards must be based on a maintenance factor of 1.0 (i.e. no depreciation shall be taken into account for reduction in light levels over time).</li> <li>3. Where measurements of any illuminance above background levels from the use of artificial lighting cannot be made because the artificial lighting cannot be turned off, measurements must be made in areas of a similar nature that are not affected by the artificial lighting. The result of these measurements shall be used for determining the effects of the artificial lighting.</li> <li>4. Where an activity is located on a site which adjoins or is separated by a road from a different zone, the activity on the site must meet the relevant zone standards for light for the adjoining zone at the zone boundary.</li> </ol>	<p>There are no matters of discretion for this standard.</p>
<ol style="list-style-type: none"> <li>1. Lighting limits must be measured and assessed in accordance with AS/NZS 4282:2019 Control of the Obtrusive Effects of Outdoor Lighting. In the event of any conflict between AS/NZS 4282:2019 Control of the Obtrusive Effects of Outdoor Lighting and the District Plan, the District Plan shall prevail.</li> <li>2. Any calculation for the purposes of these standards must be based on a maintenance factor of 1.0 (i.e. no depreciation shall be taken into account for reduction in light levels over time).</li> <li>3. Where measurements of any illuminance above background levels from the use of artificial lighting cannot be made because the artificial lighting cannot be turned off, measurements must be made in areas of a similar nature that are not affected by the artificial lighting. The result of these measurements shall be used for determining the effects of the artificial lighting.</li> <li>4. Where an activity is located on a site which adjoins or is separated by a road from a different zone, the activity on the site must meet the relevant zone standards for light for the adjoining zone at the zone boundary.</li> </ol>	<p>There are no matters of discretion for this standard.</p>		
<b>LIGHT-S2</b>	<b>Light spill</b>		

<p><b>General Rural Zone</b></p> <p><b>Rural Lifestyle Zone</b></p> <p><b>Settlement Zone</b></p> <p><b>Future Urban Zone</b></p>	<p>1. Outdoor artificial lighting must not exceed the following vertical illuminance levels:</p> <ul style="list-style-type: none"> <li>a. 7.00am – 10.00pm: 405<sup>11</sup> Lux; and</li> <li>b. 10.00pm – 7.00am: One Lux.</li> </ul> <p>The vertical illuminance shall be measured at:</p> <ul style="list-style-type: none"> <li>a. Any window of a habitable room of a building used for a sensitive activity on any adjacent site; or</li> <li>b. The minimum setback distance for buildings and structures used for residential purposes for the relevant zone of an adjacent site if that site does not contain a building used for a sensitive activity. The vertical extent of the calculation points for vertical illuminance shall be between: <ul style="list-style-type: none"> <li>i. 1.5m above ground level; and</li> <li>ii. The maximum building height permitted by the relevant zone.</li> </ul> </li> </ul>	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>1. The safety of the transport network;</li> <li>2. The number, placement, design, height, colour, orientation and screening of light fittings and light support structures;</li> <li>3. Conflict with existing sensitive activities;</li> <li>4. Effects on indoor amenity values and sleep quality of any nearby residential units;</li> </ul> <p><a href="#">5. Any adverse effects on avifauna;</a><sup>12</sup></p> <p><a href="#">56.</a> Any positive effects generated from the use of artificial lighting; and</p> <p><a href="#">76.</a> Effects on established uses and their operation.</p>
<p><b>Residential Zones</b></p> <p><b>Open Space and Recreation Zones</b></p> <p><b>Māori Purpose Zone (Hongoeke)</b></p>	<p>2. Outdoor artificial lighting must not exceed the following vertical illuminance levels at the site boundary:</p> <ul style="list-style-type: none"> <li>a. 7.00am – 10.00pm: 10 Lux; and</li> <li>b. 10.00pm – 7.00am: two Lux.</li> </ul>	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>1. The safety of the transport network;</li> <li>2. The number, placement, design, height, colour, orientation and screening of light fittings and light support structures;</li> <li>3. Conflict with existing sensitive activities;</li> <li>4. Effects on indoor amenity values and sleep quality of any nearby residential units;</li> </ul> <p><a href="#">5. Any adverse effects on avifauna, where located in Open Space Zone;</a><sup>13</sup></p> <p><a href="#">56.</a> Any positive effects generated from the use of artificial lighting; and</p>

<sup>11</sup> Waka Kotahi [82.152]

<sup>12</sup> Forest and Bird [225.42]

<sup>13</sup> Forest and Bird [225.42]

		<a href="#">76.</a> Effects on established uses and their operation.
<b>Neighbourhood Centre Zone</b> <b>Local Centre Zone</b> <b>Large Format Retail Zone</b> <b>Mixed Use Zone</b> <b>City Centre Zone</b> <b>General Industrial Zone</b> <b>Hospital Zone</b> <b>Special Purpose Zone (BRANZ)</b>	<p>3. Outdoor artificial lighting must not exceed the following vertical illuminance levels:</p> <p>a. 7.00am – 10.00pm: 25 Lux; and</p> <p>b. 10.00pm – 7.00am: <a href="#">45</a><sup>14</sup> Lux.</p> <p>The vertical illuminance shall be measured at:</p> <p>a. Any window of a habitable room of a building used for a sensitive activity on any adjacent site; or</p> <p>b. The minimum setback distance for buildings and structures for the relevant zone on an adjacent site if that site does not contain a building used for a sensitive activity. The vertical extent of the calculation points for vertical illuminance shall be between:</p> <p>i. 1.5m above ground level; and</p> <p>ii. The maximum building height permitted by the relevant zone.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The safety of the transport network;</li> <li>2. The number, placement, design, height, colour, orientation and screening of light fittings and light support structures;</li> <li>3. Conflict with existing sensitive activities;</li> <li>4. Effects on indoor amenity values and sleep quality of any nearby residential units;</li> <li>5. Any positive effects generated from the use of artificial lighting; and</li> <li>6. Effects on established uses and their operation.</li> </ol>
<b>LIGHT-S3      Glare</b>		
<b>General Rural Zone</b> <b>Rural Lifestyle Zone</b> <b>Settlement Zone</b> <b>Future Urban Zone</b>	<p>1. Outdoor artificial lighting on any site adjacent to a road, or adjacent to a site which contains a building used for a sensitive activity, must be selected, located, aimed, adjusted and/or screened so that the luminous intensity does not exceed the following:</p> <p>a. 7.00am – 10.00pm: 7,500 cd; and</p> <p>b. 10.00pm – 7.00am: 500 cd.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The safety of the transport network;</li> <li>2. The number, placement, design, height, colour, orientation and screening of light fittings and light support structures;</li> <li>3. Conflict with existing sensitive activities;</li> <li>4. Effects on indoor amenity values and sleep quality of any nearby residential units;</li> <li>5. <a href="#">Any adverse effects on avifauna.</a><sup>15</sup></li> <li>56. Any positive effects generated from the use of artificial lighting; and</li> </ol>

<sup>14</sup> Kāinga Ora [81.939 and 81.497]

<sup>15</sup> Forest and Bird [225.42]

		<a href="#">76</a> . Effects on established uses and their operation.
<b>Residential Zones</b> <b>Open Space and Recreation Zones</b> <b>Māori Purpose Zone (Hongoeka)</b>	2. Outdoor artificial lighting on any site adjacent to a road, or adjacent to a site which contains a building used for a sensitive activity, must be selected, located, aimed, adjusted and/or screened so that the luminous intensity does not exceed the following: <ol style="list-style-type: none"> <li>7.00am – 10.00pm: 10,000 cd; and</li> <li>10.00pm – 7.00am: 1000 cd.</li> </ol>	Matters of discretion are restricted to: <ol style="list-style-type: none"> <li>The safety of the transport network;</li> <li>The number, placement, design, height, colour, orientation and screening of light fittings and light support structures;</li> <li>Conflict with existing sensitive activities;</li> <li>Effects on indoor amenity values and sleep quality of any nearby residential units;</li> </ol> <a href="#">5</a> . Any adverse effects on avifauna, where located in Open Space Zone; <sup>16</sup> <a href="#">56</a> . Any positive effects generated from the use of artificial lighting; and <a href="#">76</a> . Effects on established uses and their operation.
<b>Neighbourhood Centre Zone</b> <b>Local Centre Zone</b> <b>Large Format Retail Zone</b> <b>Mixed Use Zone</b> <b>City Centre Zone</b> <b>General Industrial Zone</b> <b>Hospital Zone</b> <b>Special Purpose Zone (BRANZ)</b>	3. Outdoor artificial lighting on any site adjacent to a road, or adjacent to a site which contains a building used for a sensitive activity, must be selected, located, aimed, adjusted and/or screened so that the luminous intensity does not exceed the following: <ol style="list-style-type: none"> <li>7.00am to 10.00pm: 25,000 cd; and</li> <li>10.00pm to 7.00am: 2,500 cd.</li> </ol>	Matters of discretion are restricted to: <ol style="list-style-type: none"> <li>The safety of the transport network;</li> <li>The number, placement, design, height, colour, orientation and screening of light fittings and light support structures;</li> <li>Conflict with existing sensitive activities;</li> <li>Effects on indoor amenity values and sleep quality of any nearby residential units;</li> <li>Any positive effects generated from the use of artificial lighting; and</li> <li>Effects on established uses and their operation.</li> </ol>
<b>LIGHT-S4</b>	<b>Effects on road users</b>	
<b>General Rural Zone</b>	1. Outdoor artificial lighting must not exceed a 15% threshold increment (based on adaption luminance of <a href="#">4 0.2</a> <sup>17</sup>	Matters of discretion are restricted to: <ol style="list-style-type: none"> <li>The safety of the transport network;</li> </ol>

<sup>16</sup> Forest and Bird [225.42]

<sup>17</sup> Kāinga Ora [81.939]



<b>Rural Lifestyle Zone</b>  <b>Settlement Zone</b>  <b>Future Urban Zone</b>	<p>cd/m<sup>2</sup>) when calculated in the direction of travel within each traffic lane of any public road.</p>	<ol style="list-style-type: none"> <li>The number, placement, design, height, colour, orientation and screening of light fittings and light support structures;</li> <li>Any positive effects generated from the use of artificial lighting; and</li> <li>Effects on established uses and their operation.</li> </ol>
<b>Residential Zones</b>  <b>Open Space and Recreation Zones</b>  <b>Māori Purpose Zone (Hongoeaka)</b>	<p>2. Outdoor artificial lighting must not exceed a 15% threshold increment limit (based on adaption luminance of <del>21</del><sup>18</sup> cd/m<sup>2</sup>) when calculated in the direction of travel within each traffic lane of any public road.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The safety of the transport network;</li> <li>The number, placement, design, height, colour, orientation and screening of light fittings and light support structures;</li> <li>Any positive effects generated from the use of artificial lighting; and</li> <li>Effects on established uses and their operation.</li> </ol>
<b>Neighbourhood Centre Zone</b>  <b>Local Centre Zone</b>  <b>Large Format Retail Zone</b>  <b>Mixed Use Zone</b>  <b>City Centre Zone</b>  <b>General Industrial Zone</b>  <b>Hospital Zone</b>  <b>Special Purpose Zone (BRANZ)</b>	<p>3. Outdoor artificial lighting must not exceed a 15% threshold increment limit (based on adaption luminance of <del>105</del><sup>19</sup> cd/m<sup>2</sup>) when calculated in the direction of travel within each traffic lane of any public road.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The safety of the transport network;</li> <li>The number, placement, design, height, colour, orientation and screening of light fittings and light support structures;</li> <li>Any benefits (e.g. safety) from the artificial lighting; and</li> <li>Effects on established uses and their operation.</li> </ol>
<b>LIGHT-S5 Sky glow</b>		
<b>General Rural Zone</b>	<p>1. Outdoor artificial lighting must not exceed an upward light ratio of <del>31</del><sup>20</sup>%.</p>	<p>Matters of discretion <u>are</u><sup>21</sup> restricted to:</p>

<sup>18</sup> Waka Kotahi [82.152]

<sup>19</sup> Waka Kotahi [82.152]

<sup>20</sup> Matthew Reading [32.3]

<sup>21</sup> Clause 16 minor amendment

<p><b>Rural Lifestyle Zone</b></p> <p><b>Settlement Zone</b></p> <p><b>Future Urban Zone</b></p>		<ol style="list-style-type: none"> <li>1. The number, placement, design, height, colour, orientation and screening of light fittings and light support structures;</li> <li>2. Effects on views to the night sky;</li> <li>3. Effects on visual amenity; and</li> <li>4. Any positive effects generated from the use of artificial lighting.</li> </ol>
<p><b>Residential Zones</b></p> <p><b>Open Space and Recreation Zones</b></p> <p><b>Māori Purpose Zone (Hongoeaka)</b></p>	<p>2. Outdoor artificial lighting must not exceed an upward light ratio of <b>52<sup>22</sup></b>%.</p>	<p>Matters of discretion <b>are<sup>23</sup></b> restricted to:</p> <ol style="list-style-type: none"> <li>1. The number, placement, design, height, colour, orientation and screening of light fittings and light support structures;</li> <li>2. Effects on views to the night sky;</li> <li>3. Effects on visual amenity; and</li> <li>4. Any positive effects generated from the use of artificial lighting.</li> </ol>
<p><b>Neighbourhood Centre Zone</b></p> <p><b>Local Centre Zone</b></p> <p><b>Large Format Retail Zone</b></p> <p><b>Mixed Use Zone</b></p> <p><b>City Centre Zone</b></p> <p><b>General Industrial Zone</b></p> <p><b>Hospital Zone</b></p> <p><b>Special Purpose Zone (BRANZ)</b></p>	<p>3. Outdoor artificial lighting must not exceed an upward light ratio of <b>453<sup>24</sup></b>%.</p>	<p>Matters of discretion <b>are<sup>25</sup></b> restricted to:</p> <ol style="list-style-type: none"> <li>1. The number, placement, design, height, colour, orientation and screening of light fittings and light support structures;</li> <li>2. Effects on views to the night sky;</li> <li>3. Effects on visual amenity; and</li> <li>4. Any positive effects generated from the use of artificial lighting.</li> </ol>
<p><b>LIGHT-S6 Externally illuminated surfaces</b></p>		

<sup>22</sup> Matthew Reading [32.2]

<sup>23</sup> Clause 16 minor amendment

<sup>24</sup> Matthew Reading [32.1]

<sup>25</sup> Clause 16 minor amendment

<p><b>General Rural Zone</b></p> <p><b>Rural Lifestyle Zone</b></p> <p><b>Settlement Zone</b></p> <p><b>Future Urban Zone</b></p>	<p>1. The average surface luminance for an intentionally artificially lit building façade shall not exceed 5 cd/m<sup>2</sup>.</p> <p>Note: The limits may be determined by calculation or measurement in accordance with CIE 150:2017 Guide on the limitation of the effects of obtrusive light from outdoor lighting installations, Second Edition.</p>	<p>Matters of discretion <a href="#">are</a><sup>26</sup> restricted to:</p> <ol style="list-style-type: none"> <li>1. The safety of the transport network;</li> <li>2. The number, placement, design, height, colour, orientation and screening of light fittings and light support structures;</li> <li>3. Conflict with existing sensitive activities;</li> <li>4. Effects on indoor amenity values and sleep quality of any nearby residential units;</li> <li>5. Any positive effects generated from the use of artificial lighting; and</li> <li>6. Effects on established uses and their operation.</li> </ol>
<p><b>Residential Zones</b></p> <p><b>Open Space and Recreation Zones</b></p> <p><b>Māori Purpose Zone (Hongoeaka)</b></p>	<p>2. The average surface luminance for an intentionally artificially lit building façade shall not exceed 10 cd/m<sup>2</sup>.</p> <p>Note: The limits may be determined by calculation or measurement in accordance with CIE 150:2017 Guide on the limitation of the effects of obtrusive light from outdoor lighting installations, Second Edition.</p>	<p>Matters of discretion <a href="#">are</a><sup>27</sup> restricted to:</p> <ol style="list-style-type: none"> <li>1. The safety of the transport network;</li> <li>2. The number, placement, design, height, colour, orientation and screening of light fittings and light support structures;</li> <li>3. Conflict with existing sensitive activities;</li> <li>4. Effects on indoor amenity values and sleep quality of any nearby residential units;</li> <li>5. Any positive effects generated from the use of artificial lighting; and</li> <li>6. Effects on established uses and their operation.</li> </ol>
<p><b>Neighbourhood Centre Zone</b></p> <p><b>Local Centre Zone</b></p> <p><b>Large Format Retail Zone</b></p> <p><b>Mixed Use Zone</b></p> <p><b>City Centre Zone</b></p>	<p>3. The average surface luminance for an intentionally artificially lit building façade shall not exceed 25 cd/m<sup>2</sup>.</p> <p>Note: The limits may be determined by calculation or measurement in accordance with CIE 150:2017 Guide on the limitation of the effects of obtrusive light from outdoor lighting installations, Second Edition.</p>	<p>Matters of discretion <a href="#">are</a><sup>28</sup> restricted to:</p> <ol style="list-style-type: none"> <li>1. The safety of the transport network;</li> <li>2. The number, placement, design, height, colour, orientation and screening of light fittings and light support structures;</li> <li>3. Conflict with existing sensitive activities;</li> <li>4. Effects on indoor amenity values and sleep quality of</li> </ol>

<sup>26</sup> Clause 16 minor amendment

<sup>27</sup> Clause 16 minor amendment

<sup>28</sup> Clause 16 minor amendment

<b>General Industrial Zone</b>		any nearby residential units;
<b>Hospital Zone</b>		5. Any positive effects generated from the use of artificial lighting; and
<b>Special Purpose Zone (BRANZ)</b>		6. Effects on established uses and their operation.

# NOISE - Noise

Noise generation can be an intrinsic part of how a diverse range of activities and industries operate and function in the City. While it is important that these activities can generate a level of noise which is appropriate for their day-to-day operation, noise can cause adverse effects on the environment including on people's health and wellbeing such as sleep disturbance and annoyance. Noise effects can vary considerably depending on the frequency, time and characteristics of the noise, its duration, and the distance between the noise source and receiver. Background levels of noise and the level of acceptability or sensitivity to noise vary throughout the City depending on the receiving environment.

The noise rules and standards in this chapter and APP1 - Permitted Noise Standards provide the noise limits for each zone and for specific activities. This chapter also sets out where sound insulation and mechanical ventilation is required for noise-sensitive activities, and/or limits the location of noise-sensitive activities relative to other activities which have elevated noise levels. Other than where expressly provided for, noise levels arising from activities must be measured in accordance with NZS 6801:2008 Acoustics - Measurement of environmental sound and assessed in accordance with NZS 6802:2008 Acoustics - Environmental noise.

~~The following are all exempt from the rules and standards in this chapter:-~~

- ~~1. Aircraft being operated during flight;~~
- ~~2. Vehicles being driven on a road (within the meaning of section 2(1) of the [Land Transport Act 1998](#)), or within a site as part of or compatible with a normal residential activity;~~
- ~~3. Trains on rail lines (public or private) and crossing bells within the road reserve, including at railway yards, railway sidings or stations. This exemption does not apply to the testing (when stationary), maintenance, loading or unloading of trains;~~
- ~~4. Any warning device or siren used by emergency services for emergency purposes (and routine testing and maintenance);~~
- ~~5. The use of generators and mobile equipment (including vehicles) for emergency purposes, including load shedding purposes,<sup>2</sup> testing and maintenance not exceeding 48 hours in duration, where they are operated by emergency services or lifeline utilities, or for the continuation of radiocommunication broadcasts from Radio New Zealand's Titahi Bay facilities;~~
- ~~6. Activities at emergency service facilities associated with emergency response and emergency response training;~~
- ~~7. Farming activity, agricultural vehicles, machinery or equipment used on a seasonal or intermittent basis for primary production in the Rural Zones;~~
- ~~8. Helicopters used in emergencies or as air ambulances;~~
- ~~9. Impulsive sounds (hammerings and bangs)<sup>3</sup> and dog barking noise;~~
- ~~10. Crowd noise from activities in Open Space and Sport and Active Recreation Zones; and~~
- ~~11. Temporary Activities in the City Centre, General Rural, Rural Lifestyle, Mixed Use and Local Centre Zones on New Year's Eve until 1.00am on New Year's Day only, where in accordance with the rules and standards in the Temporary Activities chapter.<sup>4</sup>~~

Noise from temporary military training activities is addressed in the Temporary Activities chapter.

Noise from community-scale and large-scale renewable electricity generation activities is addressed in the Renewable Electricity Generation chapter.

<sup>1</sup> Clause 16 minor amendment

<sup>2</sup> Telcos [51.44]

<sup>3</sup> Kāinga Ora [81.499]

<sup>4</sup> Clause 16 minor amendment

Objectives	
<b>NOISE-O1</b>	<b>Noise generation</b>
The benefits of activities that generate noise are recognised while any adverse effects from <a href="#">the generation of</a> noise are compatible with the anticipated purpose, character and amenity values of the relevant zone(s) and do not compromise <a href="#">public the health</a> , or safety, <sup>5</sup> or <a href="#">wellbeing of people and communities</a> . <sup>6</sup>	
<b>NOISE-O2</b>	<b>Reverse sensitivity</b>
The function and operation of existing and permitted noise generating activities are not compromised by <a href="#">adverse effects, including</a> <sup>7</sup> reverse sensitivity effects, from <a href="#">the establishment of new or expanded</a> <sup>8</sup> noise-sensitive activities.	
<b>NOISE-O3</b>	<b>Construction activities</b>
Construction activities that generate noise are enabled while ensuring that any adverse effects are minimised.	
Policies	
<b>NOISE-P1</b>	<b><a href="#">Enable</a> <a href="#">Appropriate</a> noise activities<sup>9</sup></b>
Enable the generation of noise from activities that: <ol style="list-style-type: none"> <li>1. Maintains the <a href="#">anticipated</a><sup>10</sup> amenity values of the receiving environment; and</li> <li>2. Does not compromise the health, safety and wellbeing of people and communities.</li> </ol>	
<b>NOISE-P2</b>	<b>Potentially <del>in</del>appropriate<sup>11</sup> noise activities</b>
Provide for other activities that generate noise, where these avoid, remedy or mitigate any adverse effects <a href="#">of noise</a> <sup>12</sup> , having regard to: <ol style="list-style-type: none"> <li>1. The extent to which it avoids conflict with existing noise-sensitive activities;</li> <li>2. Effects on other established uses and their operation;</li> <li>3. Potential effects on activities permitted within the receiving zone;</li> <li>4. The compatibility of the noise with other noises generated from permitted zone activities, and other activities not controlled by the Plan, within the receiving zone;</li> <li>5. The degree to which the noise breaches the permitted noise standards for the receiving zone(s);</li> <li>6. Whether adverse effects can be internalised to the site where the noise is generated and the extent to which they can be minimised at site boundaries;</li> <li>7. The frequency, intensity, duration and offensiveness of the noise generated;</li> <li>8. Any management plans for managing noise;</li> <li>9. Whether the activity adopts the best practicable option to avoid, remedy or mitigate adverse effects and the appropriateness of potential mitigation measures to control and monitor the noise levels in addition or as alternatives to the best practicable option; and</li> <li>10. Any adverse effects on the health, safety and wellbeing of people and communities within the surrounding area, including sleep disturbance and annoyance.</li> </ol>	
<b>NOISE-P3</b>	<b>Noise from construction activities</b>
Minimise the adverse effects of noise from construction activities on the amenity values of the surrounding area, having regard to:	

<sup>5</sup> Clause 16 minor amendment

<sup>6</sup> Kāinga Ora [81.500]

<sup>7</sup> Kāinga Ora [81.501]

<sup>8</sup> Kāinga Ora [81.501]

<sup>9</sup> [Clause 16 minor amendment](#)

<sup>10</sup> Kāinga Ora [81.503]

<sup>11</sup> Kāinga Ora [81.504]

<sup>12</sup> Kāinga Ora [81.503]

<ol style="list-style-type: none"> <li>1. The sensitivity of the receiving environment;</li> <li>2. The proposed duration and daily work hours of the construction activities; and</li> <li>3. Whether compliance with permitted noise standards can be practically achieved in consideration of site, topographical and other constraints.</li> </ol>	
<b>NOISE-P4 Reverse sensitivity from State Highways and Rail Network</b>	
<p>Enable <a href="#">new and expanded</a><sup>13</sup> noise-sensitive activities and places of worship locating adjacent to existing State Highways and the Rail Network that are designed, constructed and maintained to achieve indoor design noise levels and provide for other habitable rooms when they minimise <a href="#">any adverse effects on the health and wellbeing of people from noise and</a><sup>14</sup> the potential for reverse sensitivity effects from noise, having regard to:</p> <ol style="list-style-type: none"> <li>1. The outdoor amenity for occupants of the noise-sensitive activity;</li> <li>2. The location of the noise-sensitive activity in relation to the State Highway or Rail Network;</li> <li>3. The ability to appropriately locate the activity within the site;</li> <li>4. The ability to meet the appropriate levels of acoustic insulation through screening, alternative technologies or materials;</li> <li>5. <a href="#">The ability to mitigate any effects on buildings from vibration generated by the State Highway or Rail Network;</a><sup>15</sup></li> <li>6. <a href="#">Any mitigation of noise provided by topographical or other existing features on the site or surrounding area;</a><sup>16</sup></li> <li>57. Any adverse effects on the State Highway or Rail Network; and</li> <li>68. The outcome of any consultation with the <a href="#">Waka Kotahi</a><sup>17</sup> New Zealand Transport Agency or KiwiRail <a href="#">Holdings Limited</a>.<sup>18</sup></li> </ol>	
<b>NOISE-P5 Reverse sensitivity in the Commercial and Mixed Use Zones and Industrial Zones</b>	
<p>Require new residential activities and visitor accommodation locating within the City Centre Zone, Large Format Retail Zone Neighbourhood Centre Zone, Local Centre Zone, Mixed Use Zone or General Industrial Zone to design and locate habitable rooms to minimise any adverse effects on the health and wellbeing of people from noise and the potential for reverse sensitivity effects from noise.</p>	
<b>Rules</b>	
<p>Note: There may be a number of provisions that apply to an activity, building, structure or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.</p> <p>Rules relating to subdivision, including minimum allotment sizes for each zone, are found in the Subdivision chapter.</p>	
<b>NOISE-R1 Activities generating noise, excluding construction activities and emergency and back-up generators</b>	
<b>All zones</b>	<ol style="list-style-type: none"> <li>1. Activity status: <b>Permitted</b></li> </ol> <p>Where:</p>

<sup>13</sup> Kāinga Ora [81.506]

<sup>14</sup> Ibid

<sup>15</sup> Kāinga Ora [81.937]

<sup>16</sup> Paul and Julia Botha [118.6]

<sup>17</sup> Clause 16 Minor Amendment

<sup>18</sup> Clause 16 Minor Amendment

- a. Compliance is achieved with the permitted noise standards within the receiving zone set out in APP1 - Permitted Noise Standards;<sup>19</sup> or
- b. The noise is generated by:
  - i. Aircraft being operated during flight;
  - ii. Vehicles being driven on a road (within the meaning of section 2(1) of the Land Transport Act 1998), or within a site as part of or compatible with a normal residential activity;
  - iii. Trains on rail lines (public or private) and crossing bells within the road reserve, including at railway yards, railway sidings or stations. This exemption does not apply to the testing (when stationary), maintenance, loading or unloading of trains;
  - iv. Any warning device or siren used by emergency services for emergency purposes (and routine testing and maintenance);
  - v. The use of generators and mobile equipment (including vehicles) for emergency purposes, including load shedding purposes, testing and maintenance not exceeding 48 hours in duration, where they are operated by emergency services or lifeline utilities, or for the continuation of radiocommunication broadcasts from Radio New Zealand's Titahi Bay facilities;
  - vi. Activities at emergency service facilities associated with emergency response and emergency response training;
  - vii. Farming activity, agricultural vehicles, machinery or equipment used on a seasonal or intermittent basis for primary production in the Rural Zones;
  - viii. Helicopters used in emergencies or as air ambulances;
  - ix. Impulsive sounds and dog barking noise;
  - x. Crowd noise from activities in Open Space and Sport and Active Recreation Zones; or
  - xi. Temporary Activities in the City Centre, General Rural, Rural Lifestyle, Mixed Use and Local Centre Zones on New Year's Eve until 1.00am on New Year's Day only, where in accordance with the rules and standards in the Temporary Activities chapter.<sup>19</sup>

**All zones**

2. Activity status: **Restricted discretionary**

Where:

- a. Compliance is not achieved with NOISE-R1-1.a.

Matters of discretion are restricted to:

- 1. The matters in NOISE-P2.

**NOISE-R2**

**Noise from construction activities**

**All zones**

1. Activity status: **Permitted**

Where:

- a. The noise from construction activities must be measured, assessed, managed and controlled in accordance with the

<sup>19</sup> Clause 16 minor amendment



	requirements of NZS 6803:1999 Acoustics – Construction noise and DIN 4150-3:1999 Structural Vibration – Part 3: Effects of Vibration on Structures.
<b>All zones</b>	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with NOISE-R2-1.a.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in NOISE-P3.</p> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>
<b>NOISE-R3</b>	<b>Noise from emergency and back-up generators</b>
<b>All zones</b>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. The emergency or back-up generator is an emergency electricity generator that is not used to generate power for the National Grid; or</p> <p>b. The emergency or back-up generator is used to support maintenance activities and:</p> <p>i. Only operates between the hours of 8.00am and 5.00pm on weekdays;</p> <p>ii. Does not operate on Saturdays or Sundays; and</p> <p>iii. Will comply with the relevant daytime noise limit.</p>
<b>All zones</b>	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with NOISE-R<del>43</del>-1.a or NOISE-R<del>43</del>-1.b.<sup>20</sup></p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in NOISE-P2.</p> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>
<b>NOISE-R4</b>	<b>New buildings, change of use of existing buildings, and additions to existing buildings over 50m<sup>2</sup>, for use as residential units or visitor accommodation in Commercial and Mixed Use and Industrial Zones</b>
<b>Neighbourhood Centre Zone</b>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p>
<b>Local Centre Zone</b>	<p>a. Compliance is <del>acheived</del> <u>achieved</u><sup>21</sup> with:</p> <p>i. NOISE-S<del>45</del>; and</p> <p>ii. NOISE-S<del>56</del>.</p>
<b>Mixed Use Zone</b>	
<b>City Centre Zone</b>	

<sup>20</sup> Kāinga Ora [81.510]

<sup>21</sup> Kāinga Ora [81.511]

<b>General Industrial Zone</b>	
<b>Neighbourhood Centre Zone</b>	2. Activity status: <b>Restricted discretionary</b>
<b>Local Centre Zone</b>	Where: a. Compliance is not achieved with NOISE-S5 or NOISE-S6.
<b>Mixed Use Zone</b>	Matters of discretion are restricted to: 1. The matters of discretion of any infringed standard.
<b>City Centre Zone</b>	
<b>General Industrial Zone</b>	
<b>NOISE-R5</b>	<b>New buildings, change of use of existing buildings, and additions to existing buildings over 50m<sup>2</sup>, for use by a noise-sensitive activity or place of worship in proximity to State Highways and the North Island Main Trunk railway line</b>
<b>All zones</b>	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. The building or part of the building for use by a noise-sensitive activity or place of worship is within: <ul style="list-style-type: none"> <li>i. <b>8100m<sup>22</sup></b> of the outer painted lane marking of a State Highway with a speed limit of greater than <b>670km/h<sup>23</sup></b>;</li> <li>ii. 50m of the outer painted lane marking of a State Highway with a speed limit of <b>670km/h<sup>24</sup></b> or less; or</li> <li>iii. 100m of the centre of a track that is part of the North Island Main Trunk railway line; and</li> </ul> </li> <li>b. The building or part of the building for use by a noise-sensitive activity or place of worship is not within: <ul style="list-style-type: none"> <li>i. 40m of the outer painted lane marking of a State Highway with a speed limit greater than <b>670km/h<sup>25</sup></b>;</li> <li>ii. 20m of the outer painted lane marking of a State Highway with a speed limit of <b>670km/h<sup>26</sup></b> or less; or</li> <li>iii. 30m of the centre of a track that is part of the North Island Main Trunk railway line; and</li> </ul> </li> <li>c. Compliance is achieved with: <ul style="list-style-type: none"> <li>i. NOISE-S1;</li> <li>ii. NOISE-S2; and</li> <li>iii. NOISE-S3.</li> </ul> </li> </ul> <p><u><a href="#">Note: The Indicative Noise Corridor shown on the Planning Maps provides guidance as to properties that may be near to of State Highways and the North Island Main Trunk railway line and consequently affected by this rule.<sup>27</sup></a></u></p>

<sup>22</sup> [Waka Kotahi \[82.172\]](#)

<sup>23</sup> [Kāinga Ora \[81.937\]](#)

<sup>24</sup> [Kāinga Ora \[81.937\]](#)

<sup>25</sup> [Kāinga Ora \[81.937\]](#)

<sup>26</sup> [Kāinga Ora \[81.937\]](#)

<sup>27</sup> [Clause 16 minor amendment](#)

<b><u>Residential Zones</u></b>	<p>2. Activity status: <b>Controlled</b><sup>28</sup></p> <p>Where:</p> <p>a. <u>Compliance is not achieved with NOISE-R5-1.b.</u></p> <p>Matters of control are limited to:</p> <p>1. <u>The matters in NOISE-P4.</u></p> <p><b>Notification:</b></p> <ul style="list-style-type: none"> <li>• <u>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</u></li> <li>• <u>When deciding whether any person is affected in relation to this rule for the purpose of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Waka Kotahi New Zealand Transport Agency and KiwiRail Holdings Limited.</u></li> </ul>
<del><b>All zones</b></del>	<p><del>2. Activity status: <b>Restricted discretionary</b></del></p> <p>Where:</p> <p>a. <del>Compliance is not achieved with NOISE-S1, NOISE-S2 or NOISE-S3.</del></p> <p>Matters of discretion are restricted to:</p> <p>1. <del>The matters of discretion of any infringed standard.</del></p> <p><b>Notification:</b></p> <ul style="list-style-type: none"> <li>• <del>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</del></li> <li>• <del>When deciding whether any person is affected in relation to this rule for the purpose of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Waka Kotahi New Zealand Transport Agency and KiwiRail.</del></li> </ul>
<b><u>All zones</u></b>  <b><u>Rural Zones</u></b>  <b><u>Commercial and Mixed Use Zones</u></b>  <b><u>General Industrial Zone</u></b>  <b><u>Open Space and Recreation Zones</u></b>  <b><u>Special Purpose Zones</u></b>	<p>3. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with NOISE-R5-1.b; <del>and</del>  b. <del>Compliance is achieved with:</del></p> <p style="padding-left: 40px;"><del>i. NOISE-S1;</del>  <del>ii. NOISE-S2;</del>  <del>iii. NOISE-S3; and</del>  <del>iv. NOISE-S4.</del><sup>29</sup></p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in NOISE-P4.</p> <p><b>Notification:</b></p> <ul style="list-style-type: none"> <li>• An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</li> <li>• When deciding whether any person is affected in relation to this rule for the purpose of section 95E of the RMA, the Council will give specific consideration to any</li> </ul>

<sup>28</sup> Kāinga Ora [81.937]

<sup>29</sup> Kāinga Ora [81.937]

adverse effects on Waka Kotahi New Zealand Transport Agency and KiwiRail Holdings Limited.<sup>30</sup>

**All zones**      **4. Activity status: Restricted discretionary**<sup>31</sup>

Where:

- a. Compliance is not achieved with NOISE-S1, NOISE-S2 or NOISE-S3.

Matters of discretion are restricted to:

- 1. The matters of discretion of any infringed standard.

**Notification:**

- An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.
- When deciding whether any person is affected in relation to this rule for the purpose of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Waka Kotahi New Zealand Transport Agency and KiwiRail Holdings Limited.

**All zones**      **4. Activity status: ~~Discretionary~~**<sup>32</sup>

~~Where:~~

- ~~a. Compliance is not achieved with NOISE-R5-1.b; and~~
- ~~b. Compliance is not achieved with NOISE-S1, NOISE-S2, NOISE-S3 or NOISE-S4.~~

~~**Notification:**~~

- ~~• An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.~~
- ~~• When deciding whether any person is affected in relation to this rule for the purpose of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Waka Kotahi New Zealand Transport Agency and KiwiRail.~~

**Standards**

Note: The term  $D_{2m,nT,w} + C_{tr}$  is the description for noise insulation at the façade. This is the weighted level difference between the outside noise (measured at 2m) and the inside noise, normalised to a reference reverberation time and adjusted for road traffic noise characteristics.

**NOISE-S1      New noise-sensitive activities and places of worship near State Highways – Indoor design noise level**

<b>All zones</b>	1. Any habitable room in: <ul style="list-style-type: none"> <li>a. New buildings used for a noise-sensitive activity or place of worship;</li> <li>b. Additions exceeding 50m<sup>2</sup> to existing buildings used for a noise-sensitive activity or place of worship; or</li> <li>c. An existing building where its use is changed to</li> </ul>	Matters of discretion are restricted to: <ul style="list-style-type: none"> <li>1. The distance of the noise-sensitive activity from the State Highway or Rail Network;</li> <li>2. The effects of any non-compliance;</li> <li>3. The ability to meet the appropriate levels of insulation through</li> </ul>
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<sup>30</sup> Clause 16 minor amendment

<sup>31</sup> Consequential re-ordering as a result of Kāinga Ora [81.937]

<sup>32</sup> Kāinga Ora [81.937]

	<p>be for a noise-sensitive activity or place of worship; Must be designed, constructed and maintained:</p> <ol style="list-style-type: none"> <li>a. To achieve indoor design noise levels of: <ol style="list-style-type: none"> <li>i. For habitable room(s): 40dB LAeq(24h);</li> <li>ii. For places of worship and marae: 35dB LAeq(24h); or</li> </ol> </li> <li>b. In accordance with the construction schedule set out in SCHED12 - Building Standards for Indoor Noise Reduction where the new habitable room is located in a residential unit of single-storey framed construction.</li> </ol> <p>2. A design certificate from a suitably qualified and experienced professional must be provided to Council prior to the construction of any noise-sensitive activity or place of worship <a href="#">demonstrating confirming</a> that the standards in NOISE-S1-1 will be achieved. <a href="#">The building must be constructed and maintained in accordance with the design certificate.</a><sup>33</sup></p>	<p>screening, alternative technologies or materials;</p> <p><a href="#">4. Any mitigation of noise provided by topographical or other existing features on the site or surrounding area.</a><sup>34</sup></p> <p><a href="#">45.</a> The reverse sensitivity effects on the State Highway or Rail Network; and</p> <p><a href="#">56.</a> The outcome of any consultation with Waka Kotahi NZ Transport Agency (in relation to activities near a State Highway) or KiwiRail <a href="#">Holdings Limited</a><sup>35</sup> (in relation to activities near the Rail Network).</p>
<b>NOISE-S2</b>	<b>New noise-sensitive activities and places of worship near the North Island Main Trunk railway line – Indoor design noise level</b>	
<b>All zones</b>	<ol style="list-style-type: none"> <li>1. Any habitable room in: <ol style="list-style-type: none"> <li>a. New buildings used for a noise-sensitive activity or place of worship; or</li> <li>b. Additions exceeding 50m<sup>2</sup> to existing buildings used for a noise-sensitive activity or place of worship; or</li> <li>c. An existing building where its use is changed to be for a noise-sensitive activity or place of worship;</li> </ol> </li> </ol> <p>Must be designed, constructed and maintained:</p> <ol style="list-style-type: none"> <li>a. To achieve indoor design noise levels of: <ol style="list-style-type: none"> <li>i. For bedrooms: 35dB LAeq(1h);</li> </ol> </li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The distance of the noise-sensitive activity from the State Highway or Rail Network;</li> <li>2. The effects of any non-compliance;</li> <li>3. The ability to meet the appropriate levels of insulation through screening, alternative technologies or materials;</li> </ol> <p><a href="#">4. Any mitigation of noise provided by topographical or other existing features on the site or surrounding area.</a><sup>37</sup></p>

<sup>33</sup> [Kāinga Ora \[81.513 and 81.938\]](#)

<sup>34</sup> Paul and Julia Botha [118.6]

<sup>35</sup> Clause 16 minor amendment

<sup>37</sup> Paul and Julia Botha [118.6]

	<ul style="list-style-type: none"> <li>ii. For other habitable room(s): 40dB LAeq(1h);</li> <li>iii. For places of worship and marae: 35dB LAeq(1h); or</li> </ul> <p>b. In accordance with the construction SCHED12 - Building Standards for Indoor Noise Reduction where the new habitable room is located in a residential unit of single-storey framed construction.</p> <p>2. A design certificate from a suitably qualified and experienced professional must be provided to Council prior to the construction of any noise-sensitive activity or place of worship <a href="#">demonstrating confirming</a> that the standards in NOISE-S2-1 will be achieved. <a href="#">The building must be constructed and maintained in accordance with the design certificate.</a><sup>36</sup></p>	<p><a href="#">45</a>. The reverse sensitivity effects on the State Highway or Rail Network; and</p> <p><a href="#">56</a>. The outcome of any consultation with Waka Kotahi NZ Transport Agency (in relation to activities near a State Highway) or KiwiRail <a href="#">Holdings Limited</a><sup>38</sup> (in relation to activities near the Rail Network).</p>
<p><b>NOISE-S3      New noise-sensitive activities and places of worship near a State Highway or North Island Main Trunk railway line – Mechanical ventilation</b></p>		
<p><b>All zones</b></p>	<p>1. Where windows of a habitable room must be closed to meet the requirements for NOISE-S1.1 or NOISE-S2.1, the building must be designed, constructed and maintained with a mechanical ventilation system that achieves the following for habitable rooms:</p> <ul style="list-style-type: none"> <li>a. Provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code (Schedule 1 of the Building Regulations 1992);</li> <li>b. Achieves a minimum of 7.5 litres per second per person; and</li> <li>c. Does not generate more than 35 dB LAeq(30s) when measured 1m away from any grille or diffuser.</li> </ul> <p>2. A design certificate from a suitably qualified and</p>	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>1. The distance of the noise-sensitive activity from the State Highway or Rail Network;</li> <li>2. The effects of any non-compliance;</li> <li>3. The ability to meet the appropriate levels of insulation through screening, alternative technologies or materials;</li> </ul> <p><a href="#">4. Any mitigation of noise provided by topographical or other existing features on the site or surrounding area.</a><sup>40</sup></p> <p><a href="#">45</a>. The reverse sensitivity effects on the State Highway or Rail Network; and</p> <p><a href="#">56</a>. The outcome of any consultation with Waka Kotahi NZ Transport Agency</p>

<sup>36</sup> Kāinga Ora [81.514 and 81.938]

<sup>38</sup> Clause 16 minor amendment

<sup>40</sup> Paul and Julia Botha [118.6]

	<p>experienced professional must be provided to Council prior to the construction of any noise-sensitive activity or place of worship <a href="#">demonstrating confirming</a> that the standards in NOISE-S3-1 will be achieved. <a href="#">The building must be constructed and maintained in accordance with the design certificate.</a><sup>39</sup></p>	<p>(in relation to activities near a State Highway) or KiwiRail <a href="#">Holdings Limited</a><sup>41</sup> (in relation to activities near the Rail Network).</p>
<b>NOISE-S4</b>	<b><del>New noise sensitive activities and places of worship near a State Highway or North Island Main Trunk railway line – Vibration</del></b>	
<b>All zones</b> -	<p><del>1. Habitable rooms within any:</del></p> <ol style="list-style-type: none"> <li><del>a. New buildings used for a noise sensitive activity or place of worship; or</del></li> <li><del>b. Additions exceeding 50m<sup>2</sup> to existing buildings used for a noise sensitive activity or place of worship; or</del></li> <li><del>c. An existing building where its use is changed to be for a noise sensitive activity or place of worship;</del></li> </ol> <p><del>Must comply with class C of Norwegian Standard 8176 E:2005 (Vibration and Shock – Measurement of Vibration in Buildings from Land based Transport and Guidance to Evaluation of Its Effect on Human Beings):</del></p> <p>-</p> <p><del>2. A design certificate from a suitably qualified and experienced professional must be provided to Council prior to the construction of any noise-sensitive activity or place of worship demonstrating that the standards in NOISE-S4-1 will be achieved.</del></p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li><del>1. The distance of the noise sensitive activity from the State Highway or Rail Network;</del></li> <li><del>2. The effects of any non-compliance;</del></li> <li><del>3. The ability to meet the appropriate levels of insulation through screening, alternative technologies or materials;</del></li> <li><del>4. The reverse sensitivity effects on the State Highway or Rail Network;</del></li> <li><del>5. The outcome of any consultation with Waka Kotahi NZ Transport Agency (in relation to activities near a State Highway) or KiwiRail (in relation to activities near the Rail Network); and</del></li> <li><del>6. Special topographical, building features or ground conditions which will mitigate vibration impacts.</del></li> </ol>
<b>NOISE-S45</b>	<b>Residential units and visitor accommodation – Indoor noise design levels</b>	
<b>City Centre Zone</b>  <b>Large Format Retail Zone</b>  <b>Mixed Use Zone</b>	<p>1. Habitable rooms within any:</p> <ol style="list-style-type: none"> <li>a. New buildings used for a residential unit or visitor accommodation;</li> <li>b. Additions exceeding 50m<sup>2</sup> to existing buildings used for a residential unit or visitor accommodation; or</li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Whether there is screening by other structures or distance from noise sources;</li> <li>2. The ability to meet the appropriate levels of acoustic insulation through</li> </ol>

<sup>39</sup> Kāinga Ora [81.515, 81.937 and 81.938]

<sup>41</sup> Clause 16 minor amendment

	<p>c. An existing building where its use is changed to be for a residential unit or visitor accommodation; Must be designed, constructed and maintained to meet an internal noise level of:</p> <ul style="list-style-type: none"> <li>• For bedrooms: <math>D_{2m,nT,w} + C_{tr} &gt; 35</math> dB; and</li> <li>• For other habitable rooms: <math>D_{2m,nT,w} + C_{tr} &gt; 30</math> dB.</li> </ul> <p>2. A design certificate from a suitably qualified and experienced professional shall be provided to Council prior to the construction of any residential unit or visitor accommodation <a href="#">demonstrating confirming</a> that the standards in NOISE-S5-1 will be achieved. <a href="#">The building must be constructed and maintained in accordance with the design certificate.</a><sup>42</sup></p>	<p>alternative technologies or materials;</p> <ol style="list-style-type: none"> <li>3. The provision of a report from an acoustic specialist which provides evidence that the level of acoustic insulation is appropriate to ensure the amenity of present and future residents of the site; and</li> <li>4. The impact of any residential activity that does not provide the required noise insulation on the ability of existing or future permitted business activities to operate or establish without undue constraint.</li> </ol>
<p><b>Neighbourhood Centre Zone</b></p> <p><b>Local Centre Zone</b></p>	<ol style="list-style-type: none"> <li>3. Habitable rooms within any: <ol style="list-style-type: none"> <li>a. New buildings used for a residential unit or visitor accommodation;</li> <li>b. Additions exceeding 50m<sup>2</sup> to existing buildings used for a residential unit or visitor accommodation; or</li> <li>c. An existing building where its use is changed to be for a residential unit or visitor accommodation;</li> </ol> <p>Must be designed, constructed and maintained to meet an internal noise level of:</p> <ul style="list-style-type: none"> <li>• For bedrooms: <math>D_{2m,nT,w} + C_{tr} &gt; 30</math> dB; and</li> <li>• For other habitable rooms: <math>D_{2m,nT,w} + C_{tr} &gt; 25</math> dB.</li> </ul> </li> <li>4. A design certificate from a suitably qualified and experienced professional shall be provided to Council prior to the construction of any residential unit or visitor accommodation <a href="#">demonstrating confirming</a> that the standards in NOISE-S5-3 will be achieved. <a href="#">The building must be constructed and maintained in</a></li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Whether there is screening by other structures or distance from noise sources;</li> <li>2. The ability to meet the appropriate levels of acoustic insulation through alternative technologies or materials;</li> <li>3. The provision of a report from an acoustic specialist which provides evidence that the level of acoustic insulation is appropriate to ensure the amenity of present and future residents of the site; and</li> <li>4. The impact of any residential activity that does not provide the required noise insulation on the ability of existing or future permitted business activities to operate or establish without undue constraint.</li> </ol>

<sup>42</sup> Kāinga Ora [81.518]



	<a href="#">accordance with the design certificate.</a> <sup>43</sup>	
<b>General Industrial Zone</b>	<p>5. Habitable rooms within any:</p> <ol style="list-style-type: none"> <li>New buildings used for a residential unit ancillary to an industrial activity;</li> <li>Additions exceeding 50m<sup>2</sup> to existing buildings used for a residential unit ancillary to an industrial activity; or</li> <li>An existing building where its use is changed to be for a residential unit ancillary to an industrial activity;</li> </ol> <p>Must be designed, constructed and maintained to meet an internal noise level of <math>D_{2m,nT,w} + C_{tr} &gt; 35</math> dB.</p> <p>6. A design certificate from a suitably qualified and experienced professional must be provided to Council prior to the construction of any residential unit ancillary to an industrial activity <a href="#">demonstrating confirming</a> that the standards in NOISE-S5-5 will be achieved. <a href="#">The building must be constructed and maintained in accordance with the design certificate.</a><sup>44</sup></p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>Whether there is screening by other structures or distance from noise sources;</li> <li>The ability to meet the appropriate levels of acoustic insulation through alternative technologies or materials; and</li> <li>The provision of a report from an acoustic specialist which provides evidence that the level of acoustic insulation is appropriate to ensure the amenity of present and future residents of the worker accommodation.</li> </ol>
<b>NOISE-S56</b>	<b>Residential units and visitor accommodation – Mechanical ventilation</b>	
<b>Neighbourhood Centre Zone</b>  <b>Local Centre Zone</b>  <b>Large Format Retail Zone</b>  <b>Mixed Use Zone</b>  <b>City Centre Zone</b>  <b>General Industrial Zone</b>	<p>1. Where the internal noise insulation levels for habitable rooms in residential units or visitor accommodation required under NOISE-S5 can only be achieved with windows closed, they must be constructed and maintained with a mechanical ventilation system that achieves the following:</p> <ol style="list-style-type: none"> <li>Provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code;</li> <li>Achieves a minimum of 7.5 litres per second per person; and</li> <li>Does not generate more than 35 dB LAeq(30s)</li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>Whether there is screening by other structures or distance from noise sources;</li> <li>The ability to meet the appropriate levels of mechanical ventilation through alternative technologies or materials; and</li> <li>The impact of any residential unit that does not provide the required mechanical ventilation on the ability of existing or future permitted business activities to operate or</li> </ol>

<sup>43</sup> Kāinga Ora [81.518]

<sup>44</sup> Kāinga Ora [81.518]

	<p>when measured 1m away from any grille or diffuser.</p> <p>2. A design certificate from a suitably qualified and experienced professional must be provided to Council prior to the construction of any residential unit or visitor accommodation <a href="#">demonstrating confirming</a> that the standards in NOISE-S6-1 will be achieved. <a href="#">The building must be constructed and maintained in accordance with the design certificate.</a><sup>45</sup></p>	<p>establish without undue constraint.</p>
<p><a href="#">Advice notes:</a><sup>46</sup></p> <p><a href="#">1. For the purposes of the standards in the NOISE – Noise chapter, all areas accessible by the public or clinical staff within hospitals and healthcare activities are considered to be habitable rooms.</a></p> <p><a href="#">2. For the purpose of NOISE-R2, railway noise should be assumed to be 70 dB L<sub>Aeq</sub>(1h) at a distance of 12 metres from the track and must be deemed to reduce at a rate of 3 dB per doubling of distance, and 6 dB per doubling of distance beyond 40 metres.</a></p>		

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<sup>45</sup> Kāinga Ora [81.518]

<sup>46</sup> Kāinga Ora [81.937 and 81.938]

# Definitions

...		
<b>Ancillary activity</b>	means an activity that supports and is subsidiary to a primary activity.	NPS definition
<b>Ancillary transport network infrastructure</b>	means infrastructure located within the road reserve or railway corridor <u>by a network utility operator,<sup>1</sup></u> that supports the transport network and includes: <ul style="list-style-type: none"> <li>a. traffic control signals and devices;</li> <li>b. light poles;</li> <li>c. post boxes;</li> <li>d. landscaped gardens, artwork and sculptures;</li> <li>e. bus stops and shelters;</li> <li>f. train stations;</li> <li>g. telecommunication kiosks;</li> <li>h. public toilets; <u>and</u></li> <li>i. road or rail furniture-; <u>and</u></li> <li>j. <u>micro-mobility lock-up facilities.<sup>2</sup></u></li> </ul>	
<b>Annual average daily traffic movement (AADT)<sup>3</sup></b>	means the total yearly traffic <u>movements volume<sup>4</sup></u> in both directions divided by the number of days in the year, expressed as vehicles per day.	
<b>Antenna</b>	means a device that receives or transmits radiocommunication or telecommunication signals. It excludes: <ul style="list-style-type: none"> <li>a. small cell units; and</li> <li>b. devices used in amateur radio configuration.</li> </ul>	
...		
<b>Cabinet</b>	means a three-dimensional structure that houses radio and telecommunication equipment and electrical equipment associated with the operation of infrastructure, which includes single transformers and associated switching gear distributing electricity at a voltage up to and including 110KV.	
<b><u>Carriageway</u></b>	<u>means that part of the road that is formed and able to be used by vehicles (including cyclists). It includes areas shared with pedestrians, on-street parking areas, shoulders and auxiliary lanes, but excludes footpaths. In urban areas the carriageway is generally defined by kerbs.<sup>5</sup></u>	

<sup>1</sup> Waka Kotahi [82.4]

<sup>2</sup> Kāinga Ora [81.32]

<sup>3</sup> Waka Kotahi [82.5]

<sup>4</sup> Ibid

<sup>5</sup> Kāinga Ora [81.930]

<b>Childcare services</b>	means the care or education of children and includes: <ul style="list-style-type: none"> <li>a. creches;</li> <li>b. early childhood centres;</li> <li>c. day care centres;</li> <li>d. kindergartens;</li> <li>e. Kohanga Reo;</li> <li>f. playgroups;</li> <li>g. day nurseries; and</li> <li>h. home based childcare and education activities.</li> </ul>	
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[...]

<b>Environment</b>	has the same meaning as in section 2 of the RMA: includes— <ul style="list-style-type: none"> <li>a. ecosystems and their constituent parts, including people and communities; and</li> <li>b. all natural and physical resources; and</li> <li>c. amenity values; and</li> <li>d. the social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) or which are affected by those matters.</li> </ul>	NPS definition
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<b><u>Equivalent car movements</u></b> <sup>6</sup>	<u>means:</u> <ul style="list-style-type: none"> <li>• <u>One car / light vehicle movement is equal to one equivalent car movement.</u></li> <li>• <u>One heavy commercial vehicle movement is equal to three equivalent car movements.</u></li> <li>• <u>One combination heavy commercial vehicle movement (including truck and trailer, tractor unit and semitrailer, B-train) is equal to five equivalent car movements.</u></li> </ul>	
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<b>Esplanade reserve</b>	has the same meaning as in section 2 of the RMA: means a reserve within the meaning of the Reserves Act 1977— <ul style="list-style-type: none"> <li>a. which is either— <ul style="list-style-type: none"> <li>i. a local purpose reserve within the meaning of section 23 of that Act, if vested in the territorial authority under section 239; or</li> <li>ii. a reserve vested in the Crown or a regional council under section 237D; and</li> </ul> </li> <li>b. which is vested in the territorial authority, regional council, or the Crown for a purpose or purposes set out in section 229.</li> </ul>	NPS definition
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[...]

<b>Freshwater</b>	has the same meaning as fresh water in section 2 of the RMA:	NPS definition
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<sup>6</sup> Waka Kotahi [82.107]

	means all water except coastal water and geothermal water.	
<b><u>Fuel storage system</u></b>	<u>means a system in which at least one of the following is underground:</u> <u>(a) a storage tank for aviation kerosene, diesel, kerosene, lubricating oil, or petroleum;</u> <u>(b) the whole of the tank's ancillary equipment;</u> <u>(c) part of the tank's ancillary equipment.</u> <sup>7</sup>	
<b>Functional need</b>	means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment.	NPS definition
[...]		
<b>Healthcare activity</b>	means the use of land and/or buildings for providing physical or mental health or welfare services, including: a. medical practitioners; b. dentists and dental technicians; c. opticians; d. physiotherapists; e. medical social workers and counsellors; f. midwives; g. paramedical practitioners; h. alternative therapists; i. providers of health and wellbeing services; j. diagnostic laboratories; and k. accessory offices; l. but excluding hospitals.	
<b><u>Heavy Commercial Vehicles</u></b> <sup>8</sup>	<u>A motor vehicle (other than a motorcar that is not used, kept, or available for the carriage of passengers for hire or reward) having a gross laden weight exceeding 3500 kg</u>	
<b>Height</b>	means the vertical distance between a specified reference point and the highest part of any feature, structure or building above that point.	NPS definition
[...]		
<b>Hydraulic neutrality</b>	means managing stormwater runoff from all new <b>lots use</b> <sup>9</sup> or development <b>areas</b> through either on-site disposal or storage, so that stormwater is released from the site at a rate that <b>ensures post-development peak runoff flow</b> <sup>10</sup> does not exceed the pre-development peak stormwater runoff <b>in all flood events up to and including the 1% Annual Exceedance Probability event, quantitatively assessed</b>	

<sup>7</sup> Z Energy, BP Oil NZ Ltd and Mobil Oil NZ Ltd [123.20] [123.20]

<sup>8</sup> Waka Kotahi [82.9]

<sup>9</sup> Kāinga Ora [81.82]

<sup>10</sup> Queen Elizabeth the Second National Trust [216.2]

	<u>against the 10% and 1% rainfall Annual Exceedance probability events.</u> <sup>11</sup>	
[...]		
<b>Impervious surface</b>	means a surface which prevents or significantly constrains the soakage or filtration of water into the ground. It includes: <ul style="list-style-type: none"> <li>a. roofs;</li> <li>b. paved areas (<u>excluding areas with permeable paving</u>)<sup>12</sup> including driveways and sealed or compacted metal parking areas and patios;</li> <li>c. tennis or netball courts;</li> <li>d. sealed and compacted-metal roads; and</li> <li>e. engineered layers such as compacted clay.</li> </ul> It excludes: <ul style="list-style-type: none"> <li>a. grass or bush areas;</li> <li>b. gardens and other <u>landscaped vegetated</u><sup>13</sup> areas;</li> <li>c. permeable paving and green roofs;</li> <li>d. permeable artificial surfaces, fields or lawns;</li> <li>e. slatted decks;</li> <li>f. swimming pools, ponds and dammed water; and</li> <li>g. rain tanks.</li> </ul>	
[...]		
<b>Integrated transport assessment</b>	means an analysis to determine the impacts of a development on the transport network for all modes of travel, <u>including and</u> effects on safety, parking, efficiency, access, <u>connectivity</u> <sup>14</sup> and the capacity of the transport network.	
[...]		
<b>Maintenance and repair</b>	<u>As it applies to infrastructure,</u> <sup>15</sup> means any work or activity necessary, <u>including replacement or renewal where the effects remain the same or similar in character, intensity and scale,</u> <sup>16</sup> to continue the operation and / or functioning of existing infrastructure. It does not include upgrading.	
[...]		
<b>Minor earthworks</b>	<del>means earthworks for the installation and construction of service connections, effluent disposal systems, and interments in cemeteries or urupā.</del> <sup>17</sup>	-
<b>Minor residential unit</b>	means a self-contained residential unit that is ancillary to the principal residential unit, and is held in common ownership with the principal residential unit on the same site.	NPS definition

<sup>11</sup> Ibid

<sup>12</sup> Survey+Spatial New Zealand [72.6]

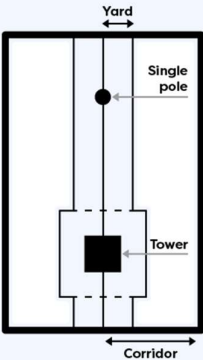
<sup>13</sup> Kāinga Ora [81.85]

<sup>14</sup> Waka Kotahi [82.13]

<sup>15</sup> Kāinga Ora [81.101]

<sup>16</sup> WELL [85.5]

<sup>17</sup> Kāinga Ora [81.106], Transpower New Zealand Ltd [60.9], Porirua City Council [11.2] and Royal Forest and Bird Protection Society [225.63]

<p><b>Multi-unit housing</b></p>	<p>means any development that will result in three or more residential units on any site.</p>
<p><b>National grid</b></p>	<p><del>has the same meaning as in section 3 of the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009: means the network that transmits high voltage electricity in New Zealand and that, at the commencement of these regulations, is owned and operated by Transpower New Zealand Limited, including—</del></p> <ul style="list-style-type: none"> <li><del>a. transmission lines; and</del></li> <li><del>b. electricity substations.</del></li> </ul> <p><u>has the same meaning as in section 3 of the National Policy Statement on Electricity Transmission 2008: means the assets used or owned by Transpower NZ Limited.</u><sup>18</sup></p>
<p><b>National grid <u>Subdivision</u><sup>19</sup> corridor</b></p>	<p>means, as depicted in Diagram 1, the area measured either side of the centre line of any above ground electricity transmission line as follows:</p> <ul style="list-style-type: none"> <li>a. 14m of a 110kV transmission line on single poles;</li> <li>b. 16m of a 110kV transmission line on pi poles;</li> <li>c. 32m of a 110kV transmission line on towers;</li> <li>d. 37m of a 220kV transmission line.</li> </ul> <p>The measurement of setback distances from National Grid transmission lines shall be undertaken from the centre line of the National Grid transmission line and the outer edge of any support structure. The centre line at any point is a straight line between the centre points of the two support structures at each end of the span.</p> <p>Note: the National Grid <u>Subdivision</u> Corridor does not apply to underground cables or any transmission lines (or sections of line) that are designated</p> <p>Diagram 1: National Grid Yard and National Grid <u>Subdivision</u> Corridor.</p> 

<sup>18</sup> Transpower [60.10]

<sup>19</sup> Transpower [60.132]

<b>National gGrid pāuatahanui substation yard<sup>20</sup></b>	means the area located within 30m of the boundary of the National Grid Pāuatahanui Substation designation TPR-01.
[...]	
<b>Noise-sensitive activity</b>	means: a. residential activity; b. marae; c. hospital; d. healthcare activity; e. educational facility; <del>or</del> f. visitor accommodation activity; <u>or</u> <u>g. retirement villages.</u> <sup>21</sup>
[...]	
<b>Pedestrian and cycling access</b>	mean an access designed and constructed for use only by pedestrians and cyclists.
<b><u>Permeable paving<sup>22</sup></u></b>	<u>means any system providing hard surfaces or areas used for vehicle access or parking, which also provides for downward percolation and retention of all stormwater runoff generated by the area.</u>
<b>Places of worship</b>	means premises used for public or private religious worship, religious ceremonies, religious meetings or instruction and social gatherings directly related to the work of the religious organisation.
<b>Planned network upgrade</b>	means any upgrade to the transport network set out in the <u>Wellington<sup>23</sup> Regional Land Transport Plan, Wellington Regional Public Transport Plan<sup>24</sup></u> or Porirua City Council Infrastructure Strategy.
<b><del>Pole<sup>25</sup></del></b>	<del>has the same meaning as given in the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009: means a structure that supports conductors as part of a transmission line and that— a. has no more than 3 vertical supports; and b. is not a steel lattice structure; and includes the hardware associated with the structure (such as insulators, cross-arms, and guy-wires) and the structure's foundations</del>

<sup>20</sup> Transpower [60.10]

<sup>21</sup> Radio New Zealand Limited [121.8]

<sup>22</sup> Survey+Spatial New Zealand [72.6]

<sup>23</sup> Waka Kotahi [82.20]

<sup>24</sup> Ibid

<sup>25</sup> Transpower [60.14]



<b>Railway sign</b>	means any sign erected by or at the direction of a railway operator or access provider to meet the requirements under the Railways Act 2005.
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[...]

<b>Rainwater tank<sup>26</sup></b>	<u>A system to temporarily store runoff from building roofs to reduce the peak runoff during a storm event, which meets the specifications of and is installed in accordance with Acceptable Solution #1 in Wellington Water's Managing Stormwater Runoff - The use of approved solutions for hydraulic neutrality, Version 3.</u>
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<b>Real estate sign</b>	means publicly visible signage that is advertising for sale, lease, rent or auction the whole or part of land or premises and includes signs giving directions for open homes.
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[...]

<b>Regionally significant infrastructure</b>	means regionally significant infrastructure including: <ul style="list-style-type: none"> <li>a. pipelines for the distribution or transmission of petroleum;</li> <li>b. the Gas Transmission Network <u>and pipelines for the distribution of natural or manufactured gas;</u><sup>27</sup></li> <li>c. the National Grid;</li> <li>d. facilities for the generation and/or<sup>28</sup> transmission of electricity where it is supplied to the network;</li> <li>e. <u>facilities for the electricity distribution network, where it is 11kV and above. This excludes private connections to the local network.</u><sup>29</sup></li> <li>ef. the local authority water supply network and water treatment plants;</li> <li>fg. the local authority wastewater and stormwater networks, systems and wastewater treatment plants;</li> <li>gh. the Strategic Transport Network, as identified in the operative Wellington Regional Land Transport Plan; and</li> <li>hi. Radio New Zealand and NZME Radio Limited's radio transmission facilities at Titahi Bay, designation unique identifier: RNZ-01; and</li> <li>ij. facilities and structures necessary for the operation of telecommunications and radiocommunications networks operated by network utility operators.</li> </ul>
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[...]

<b>Right-of-way</b>	means an easement granting rights to pass over another person's land, and for the purposes of this plan, shall include: <ul style="list-style-type: none"> <li>a. an access allotment; and</li> <li>b. a common area <u>used for (including a vehicle access)</u><sup>30</sup> as identified on a cross-lease or unit title plan.</li> </ul>
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<sup>26</sup> Porirua City Council [11.26]

<sup>27</sup> Powerco [83.9 and 83.32]

<sup>28</sup> WELL [85.6]

<sup>29</sup> Ibid

<sup>30</sup> Kāinga Ora [81.146]

[...]

<b>Structure</b>	has the same meaning as in section 2 of the RMA: means any building, equipment, device, or other facility, made by people and which is fixed to land; and includes any raft.	NPS definition
<b><u>Street lighting</u><sup>31</sup></b>	<u>Means street illumination, excluding illuminated signs within a road.</u>	
<b>Subdivision</b>	has the same meaning as “subdivision of land” in section 218 of the RMA: means— a. the division of an allotment— i. by an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of the allotment; or ii. by the disposition by way of sale or offer for sale of the fee simple to part of the allotment; or iii. by a lease of part of the allotment which, including renewals, is or could be for a term of more than 35 years; or iv. by the grant of a company lease or cross lease in respect of any part of the allotment; or v. by the deposit of a unit plan, or an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of a unit on a unit plan; or b. an application to the Registrar-General of Land for the issue of a separate certificate of title in circumstances where the issue of that certificate of title is prohibited by section 226.	NPS definition

[...]

<b>Tertiary education services</b>	means a facility used for education at a post-secondary level, and associated secondary-tertiary programs (section 31A-L of the Education Act 1989). It includes: a. universities; b. polytechnics and institutes of technology; c. teachers’ and other specialist colleges; d. any other institution within the meaning of section 159 of the Education Act 1989; and e. ancillary accommodation, administrative, cultural, health, retail and communal facilities.	
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<sup>31</sup> Waka Kotahi [82.144]

<b><u>Test pit</u></b>	<u>means a temporary hole in the ground excavated in order to investigate the conditions below the ground surface, including geological, hydrological, or soil contamination conditions.</u> <sup>32</sup>
<b>Three waters network</b>	means the reticulated water network, the reticulated wastewater network and stormwater management systems.
<b><u>Electricity transmission tower</u></b> <sup>33</sup>	has the same meaning as given in the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009:  <u>means</u> a. <del>means</del> a steel-lattice structure that supports conductors as part of a transmission line; and b. includes the hardware associated with the structure (such as insulators, cross-arms, and guy-wires) and the structure's foundations.
[...]	
<b>Traffic sign</b>	means a device erected by, or at the direction of, a road controlling authority used on a road <u>to instruct, advise, inform or guide traffic on a road for the purpose of traffic control; and includes any including but not limited to:</u> a. sign, signal, or notice; b. traffic calming device; <del>and</del> c. marking or road surface treatment; <u>d. a board, plate, screen or other device, whether or not illuminated, displaying words, figures, symbols or other material; and</u> <u>e. 'children crossing' flag, a hand-held Stop sign, a parking control sign and variable message signs.</u> <sup>34</sup>
[...]	
<b>Trenching</b>	means the <u>temporary</u> <sup>35</sup> excavation of trenches for <u>underground</u> <sup>36</sup> infrastructure, including the Three Waters Network, <u>telecommunications and radio</u> <sup>37</sup> communications, electricity and gas transmission and distribution, and any other network utilities <u>, where the trench is backfilled, compacted and closed upon completion of the works and the ground level reinstated to its pre-works level</u> <sup>38</sup> .
<b>Upgrading</b>	As it applies to infrastructure, means the improvement, <u>relocation, replacement,</u> or increase in carrying capacity, operational efficiency, <u>size, pressure,</u> security or safety of

<sup>32</sup> Kāinga Ora - Homes and Communities [81.488]

<sup>33</sup> Telcos [51.7]

<sup>34</sup> Waka Kotahi [82.25]

<sup>35</sup> Powerco [83.12]

<sup>36</sup> Ibid

<sup>37</sup> Telcos [51.13]

<sup>38</sup> Powerco [83.12]

	existing infrastructure, but excludes maintenance and repair. <sup>39</sup>	
[...]		
<b>Wetland</b>	has the same meaning as in section 2 of the RMA: includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.	NPS definition
<b>Wind turbine tower<sup>40</sup></b>	<u>means that part of a wind turbine, generally constructed from tubular steel or steel lattice, which supports the nacelle and blade assembly components</u>	
<b>Works arborist</b>	means a person who: <ul style="list-style-type: none"> <li>a. by possession of a recognised arboricultural degree, diploma or certificate and on the job experience, is familiar with the tasks, equipment and hazards involved in arboricultural operations; and</li> <li>b. has demonstrated competency to Level 4 New Zealand Certificate in Horticulture Services (Arboriculture) standard (or to an equivalent arboricultural standard).</li> </ul>	
<b>Yagi aerial<sup>41</sup></b>	<u>means, in relation to amateur radio activities, an aerial which forms part of an amateur radio configuration consisting of two or more parallel elements mounted perpendicular to a support structure.</u> <p><u>Note: The support structure may be either a solid structure, or a flexible structure such as rope or wire. A Yagi aerial always consists of at least one driven (resonant) element connected to a radio transmitter and/or receiver. Parasitic elements with no electrical connection generally include one reflector and any number of director elements. Within a single boom there may be one or more Yagi aerials, and therefore more than one driven element.</u></p>	

<sup>39</sup> Powerco [83.13]

<sup>40</sup> Paul and Julia Botha [118.18]

<sup>41</sup> Titahi Bay Amateur Radio Club [224.12]

# Zone Chapters

## All Zones

Rules
<p>Note: There may be a number of provisions that apply to an activity, building, structure or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.</p> <p>Rules relating to subdivision, including minimum allotment sizes for each zone, are found in the Subdivision chapter.</p> <p><u>The INF – Infrastructure chapter contains objectives and policies relevant to activities in proximity of near regionally significant infrastructure.<sup>1</sup></u></p>

Insert the following matter of discretion into SPZ-S1, SETZ-S1, GRZ-S1, MRZ-S1, GIZ-S1, SARZ-S1, GRUZ-S1, RLZ-S1, OSZ-S1, NCZ-S1, LCZ-S1, FUZ-S1 and HOSZ-S1:

XYZ-S1	Height
<p>1. All buildings and structures must not exceed a maximum height above ground level of [...]</p>	<p>Matters of discretion are restricted to:</p> <p>1. [...]</p> <p><u>x. Any adverse effects, including reverse sensitivity effects, on the operation of telecommunication antennas operated by network utility operators that are within 30m of the proposed building or structure.<sup>2</sup></u></p>

## Residential Zones

XYZ-Sx	Setback from boundary with a road <u>or rail corridor</u>
<p>1. Buildings and structures must not be located within a 4m setback from a boundary with a road except:</p> <ol style="list-style-type: none"> <li>1. On a site with two or more boundaries to a road, the building or structure must not be located within a 2m setback from the boundary with one road; and</li> <li>2. Where any garage and/or carport with a vehicle door or vehicle opening facing the road, it must not be located within a 5m setback from the boundary with the road.</li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The streetscape and amenity of the area;</li> <li>2. The design and siting of the building or structure;</li> <li>3. Screening, planting and landscaping of the building or structure;</li> <li>4. Pedestrian and cyclist safety (see TR-P3); and</li> <li>5. Whether topographical or other site constraints that make compliance with the standard impractical; <u>and</u></li> <li>6. <u>The safe and efficient operation of the rail network.<sup>4</sup></u></li> </ol>

<sup>1</sup> Transpower [60.96]

<sup>2</sup> Telcos [51.65, 51.66, 51.67, 51.68, 51.70, 51.71, 51.72, 51.73, 51.74, 51.75, 51.76, 51.77, 51.78]

<sup>4</sup> KiwiRail [86.70]

2. Buildings and structures must not be located within a 1.5m setback from a boundary with a rail corridor.<sup>3</sup>

This standard does not apply to:

- a. Fences and standalone walls — see GRZ-R4;
- b. Buildings and structures that are no more than 2m<sup>2</sup> in floor area and 2m in height above ground level; or
- c. Eaves up to a maximum of 600mm in width and external gutters or downpipes (including their brackets) up to an additional width of 150mm.

**Open Space and Recreation Zones, LCZ - Local Centre Zone and MUZ – Mixed Use Zone:**

<b>XYZ-R1</b>	<b>Buildings and structures, including additions and alterations</b>
	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. Compliance is achieved with:               <ul style="list-style-type: none"> <li>i. XYZ -S1;</li> <li>ii. XYZ -S2;</li> <li>iii. XYZ -S3;</li> <li>iv. XYZ -S4; <del>and</del></li> <li>v. XYZ -S5-; <del>and</del></li> <li>vi. <u>XYZ-Sx.</u><sup>5</sup></li> </ul> </li> </ul>
	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where compliance is not achieved with:</p> <ul style="list-style-type: none"> <li>a. XYZ-S1, XYZ-S2, XYZ-S3, XYZ-S4, <del>or</del> XYZ-S5 <u>or XYZ-Sx.</u></li> </ul> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>1. The matters of discretion of any infringed standard.</li> </ul> <p><b>Notification:</b></p> <p>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>

<u>XYZ-Sx</u> <sup>6</sup>	<u>Setback from boundary with a rail corridor</u>
<u>1. Buildings and structures must not be located within a 1.5m setback from a boundary with a rail corridor.</u>	<p><u>Matters of discretion are restricted to:</u></p> <ul style="list-style-type: none"> <li><u>1. Whether topographical or other site constraints that make compliance with the standard impractical; and</u></li> <li><u>2. The safe and efficient operation of the rail network.</u></li> </ul>

<sup>3</sup> KiwiRail [86.70]

<sup>5</sup> KiwiRail [86.70]

<sup>6</sup> KiwiRail [86.70]

### **APPENDIX 3. RECOMMENDED RESPONSES TO SUBMISSIONS AND FURTHER SUBMISSIONS**

In order to distinguish between the recommended responses in the s42A report and the recommended responses that arise from this report:

- Recommendations from this report in response to evidence are shown in blue text (with underline and ~~strike-out~~ as appropriate).

**AR - Amateur Radio**

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
224.12 <sup>17</sup>	Titahi Bay Amateur Radio Club Inc. (TBARC) and New Zealand Association of Radio Transmitters (NZART)	Residential zones	Amend the provisions for Yagi aerials in the Residential Zones. Otherwise, supports the provisions for Amateur Radio in the Proposed Porirua District Plan.  Short aerial dimensions proposed for Yagi aerials in the Residential Zones are beyond the laws of radio physics and are unworkable for this purpose.	3.3	<del>Reject</del> <a href="#">Accept in part</a>	<del>Disagree with submitter.</del>  See body of report	<del>No</del> Yes
224.1 <sup>18</sup>	Titahi Bay Amateur Radio Club Inc. (TBARC) and New Zealand Association of Radio Transmitters (NZART)	AR-S6	Amend AR-S6-4 and AR-S6-5 to match AR-S6-2 and AR-S6-3 respectively.	3.3	<del>Reject</del> <a href="#">Accept in part</a>	<del>Disagree with submitter.</del>  See body of report	<del>No</del> Yes
102.1	Craig Crawford	AR-S6	Amend maximum dimensions to permit the use of standard beam antennas accepted by almost all other local authorities to allow licensed amateur radio operators in residential zones to provide emergency communications (for example to apply dimensions similar to those proposed for rural zones).	3.3	<del>Reject</del> <a href="#">Accept in part</a>	<del>Disagree with submitter.</del>  See body of report	<del>No</del> Yes

<sup>17</sup> Support - John Andrews [FS01.12], Murray Milner [FS03.12], Andre Lategan [FS66.12], John Linschoten [FS05.12], Bruce Officer [FS10.12], Wellington VHF Group Incorporated [FS11.12], NZART Br 63, Upper Hutt Amateur Radio Club UHARC [FS12.12], New Zealand Association of Radio Transmitters (Inc) [FS13.12], Amateur Radio Emergency Communications [FS24.12], Malcolm Wheeler [FS25.12],

Branch 50 (Wellington) NZART [FS26.12], Ross Pedder [FS50.12].

<sup>18</sup> Support - John Andrews [FS01.1], Murray Milner [FS03.1], Andre Lategan [FS66.1], John Linschoten [FS05.1], Bruce Officer [FS10.1], Wellington VHF Group Incorporated [FS11.1], NZART Br 63, Upper Hutt Amateur Radio Club UHARC [FS12.1], New Zealand Association of Radio Transmitters (Inc) [FS13.1], Amateur Radio Emergency Communications [FS24.1], Malcolm Wheeler [FS25.1],

Branch 50 (Wellington) NZART [FS26.1], Ross Pedder [FS50.1].



EW – Earthworks

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
81.493 <sup>19</sup>	Kāinga Ora – Homes and Communities	EW-S2	<p>Amend:</p> <p>1. Earthworks must not:</p> <ol style="list-style-type: none"> <li>Exceed a cut height or fill depth of <del>2.5m</del> <u>1.5m</u> measured vertically; or</li> <li>Be located within 1.0m of the site boundary, measured on a horizontal plane; or</li> <li>Be undertaken on an existing slope with an angle of 34° or greater.</li> </ol> <p><del>The following are exempt from the height, location and slope standard:</del></p> <ul style="list-style-type: none"> <li><del>Earthworks for interments within existing cemeteries or urupā.</del></li> </ul> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>The stability of land or structures <del>in or on the site or adjacent sites;</del></li> <li><u>Visual amenity as a result of cut or fill faces and retaining structures</u> <del>The visual amenity values and character of the surrounding area;</del></li> <li>The natural landform and the extent to which the finished site will reflect and be sympathetic to the surrounding landform; <u>and</u></li> <li><u>Mitigation landscaping</u></li> <li><del>Dust and vibration beyond the site; and</del></li> <li><del>The retention of silt and sediment on the site;</del></li> <li><del>The staging of earthworks; and</del></li> <li><del>The total area of exposed soils at any point in time.</del></li> </ol>	3.12.2	<p><del>Reject</del></p> <p><u>Accept in part</u></p>	See body of the report.	<p><del>No</del></p> <p>Yes</p>
137.65	Greater Wellington Regional Council	General	<p>Amend provisions so that earthworks occurring on flood protection</p> <p>structures are required to consult with Greater Wellington prior to works occurring.</p>	3.2	<p><del>Reject</del></p> <p><u>Accept in part</u></p>	See body of the report.	<p><del>No</del></p> <p>Yes</p>

<sup>19</sup> Opposed by Greater Wellington Regional Council [FS40.85]

THWT - Three Waters

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
11.22 <sup>20</sup>	Porirua City Council	THWT-R2	<p>Amend the rule as follows:</p> <p><b>Increases in the impervious surface area of a site</b></p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance is achieved with THWT-S2; <u>or</u></p> <p><u>b. The development achieves hydraulic neutrality through an alternative means that has been approved and constructed as part of a previous stage of development.</u></p>	3.12.2	Accept <a href="#">in part</a>	See body of the report	Yes

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<sup>20</sup> Opposed in part by Kāinga Ora [FS65.178]

REG – Renewable Electricity Generation

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
67.4	Housing Action Porirua	Introduction	<p>Amend:</p> <p>The primary use of renewable energy resources is for electricity generation. The most feasible forms of renewable electricity generation within the City are currently wind power and small-scale solar. <u>However, the effects of these methods of renewable energy generation are quite different. Small-scale solar power systems using roof-mounted receptors are unlikely to have more than minor adverse effects.</u> Other forms of energy, such as biofuels, also have the potential to contribute to meeting future energy demands.</p>	3.5	<p><del>Reject</del></p> <p><u>Accept in part</u></p>	See body of the report.	<p><del>No</del></p> <p>Yes</p>

NOISE – Noise

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
81.503	Kāinga Ora – Homes and Communities	NOISE-P1	Amend: Enable the generation of noise from activities that: 1. <del>Maintains</del> <u>Are compatible with</u> the <u>anticipated</u> amenity values of the receiving environment; and 2. Does not compromise the health, safety and wellbeing of people and communities.	3.4.1	<del>Reject</del> <a href="#">Accept in part</a>	See body of the report.	<del>No</del> Yes
81.506	Kāinga Ora – Homes and Communities	NOISE-P4	Delete: <del>Enable noise-sensitive activities and places of worship locating adjacent to existing State Highways and the Rail Network that are designed, constructed and maintained to achieve indoor design noise levels and provide for other habitable rooms when they minimise the potential for reverse sensitivity effects from noise, having regard to:</del> 1. <del>The outdoor amenity for occupants of the noise-sensitive activity;</del> 2. <del>The location of the noise-sensitive activity in relation to the State Highway or Rail Network;</del> 3. <del>The ability to appropriately locate the activity within the site;</del> 4. <del>The ability to meet the appropriate levels of acoustic insulation through screening, alternative technologies or materials;</del> 5. <del>Any adverse effects on the State Highway or Rail Network as a result of the noise-sensitive activities; and</del> 6. <del>The outcome of any consultation with the New Zealand Transport Agency or KiwiRail.</del>	3.2.4	<del>Reject</del> <a href="#">Accept in part</a>	See body of the report.	<del>No</del> Yes
81.937 <sup>21</sup>	Kāinga Ora – Homes and Communities	All noise provisions relating to railway corridor	Opposes the provisions of land use controls adjacent to the Railway corridor. Opposes the associated noise provisions in its current state and seeks the full package of provisions (objectives, policies, rules and definitions) are reviewed and amended.	3.2.1	<del>Reject</del> <a href="#">Accept in part</a>	See body of the report.	<del>No</del> Yes

<sup>21</sup> Support - Paul and Julia Botha [FS27.8]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
81.938	Kāinga Ora – Homes and Communities	All noise provisions relating to state highway	Opposes the provisions of land use adjacent to the State Highway network.  Amend noise provisions and seeks the full package of provisions (objectives, policies, rules and definitions) are reviewed and amended	3.2.1	<del>Reject</del> <a href="#">Accept in part</a>	See body of the report.	<del>No</del> Yes
81.512	Kāinga Ora – Homes and Communities	NOISE-R5	Delete rule	3.2.5	<del>Reject</del> <a href="#">Accept in part</a>	See body of the report.	<del>No</del> Yes
81.513	Kāinga Ora – Homes and Communities	NOISE-S1	Delete: <ol style="list-style-type: none"> <li>1. Any habitable room in:- <ol style="list-style-type: none"> <li>a. — New buildings used for a noise sensitive activity or place of worship;</li> <li>b. — Additions exceeding 50m<sup>2</sup> to existing buildings used for a noise sensitive activity or place of worship; or</li> <li>c. — An existing building where its use is changed to be for a noise sensitive activity or place of worship;</li> </ol> </li> </ol> <p>Must be designed, constructed and maintained:</p> <ol style="list-style-type: none"> <li>a. — To achieve indoor design noise levels of: <ol style="list-style-type: none"> <li>i. — For habitable room(s): 40dB LAeq(24h);</li> <li>ii. — For places of worship and marae: 35dB LAeq(24h); or</li> </ol> </li> <li>b. — In accordance with the construction schedule set out in SCHED12 – Building Standards for Indoor Noise Reduction where the new habitable room is located in a residential unit of single-storey framed construction.</li> </ol> <ol style="list-style-type: none"> <li>2. A design certificate from a suitably qualified and experienced professional must be provided to Council prior to the construction of any noise sensitive activity or place of worship demonstrating that the standards in NOISE-S1-1 will be achieved.</li> </ol> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. — The distance of the noise sensitive activity from the State Highway or Rail Network;</li> <li>2. — The effects of any non-compliance;</li> </ol>	3.2.6.2	<del>Reject</del> <a href="#">Accept in part</a>	See body of the report.	<del>No</del> Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>3.— The ability to meet the appropriate levels of insulation through screening, alternative technologies or materials;</p> <p>4.— The reverse sensitivity effects on the State Highway or Rail Network; and</p> <p>5.— The outcome of any consultation with Waka Kotahi NZ Transport Agency (in relation to activities near a State Highway) or KiwiRail (in relation to activities near the Rail Network).</p>				
81.514	Kāinga Ora – Homes and Communities	NOISE-S2	<p>Delete:</p> <p>1. Any habitable room in:</p> <p>a.— New buildings used for a noise sensitive activity or place of worship; or</p> <p>b.— Additions exceeding 50m<sup>2</sup> to existing buildings used for a noise sensitive activity or place of worship; or</p> <p>c.— An existing building where its use is changed to be for a noise sensitive activity or place of worship;</p> <p>Must be designed, constructed and maintained:</p> <p>a.— To achieve indoor design noise levels of:</p> <p>i.— For bedrooms: 35dB LAeq(1h);</p> <p>ii.— For other habitable room(s): 40dB LAeq(1h);</p> <p>iii.— For places of worship and marae: 35dB LAeq(1h); or</p> <p>b.— In accordance with the construction SCHED12 – Building Standards for Indoor Noise Reduction where the new habitable room is located in a residential unit of single-storey framed construction.</p> <p>1.— A design certificate from a suitably qualified and experienced professional must be provided to Council prior to the construction of any noise sensitive activity or place of worship demonstrating that the standards in NOISE-S2-1 will be achieved.</p> <p><b>Matters of discretion are restricted to:</b></p> <p>1.— The distance of the noise sensitive activity from the State Highway or Rail Network;</p> <p>2.— The effects of any non-compliance;</p>	3.2.6.2	<p><del>Reject</del></p> <p><u>Accept in part</u></p>	See body of the report.	<p><del>No</del></p> <p>Yes</p>

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>3.— The ability to meet the appropriate levels of insulation through screening, alternative technologies or materials;</p> <p>4.— The reverse sensitivity effects on the State Highway or Rail Network; and</p> <p>5.— The outcome of any consultation with Waka Kotahi NZ Transport Agency (in relation to activities near a State Highway) or KiwiRail (in relation to activities near the Rail Network)</p>				
81.515	Kāinga Ora – Homes and Communities	NOISE-S3	<p>Delete:</p> <p>1. Where windows of a habitable room must be closed to meet the requirements for NOISE-S1.1 or NOISE-S2.1, the building must be designed, constructed and maintained with a mechanical ventilation system that achieves the following for habitable rooms:</p> <p>a. Provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code (Schedule 1 of the Building Regulations 1992);</p> <p>b. Achieves a minimum of 7.5 litres per second per person; and</p> <p>c. Does not generate more than 35 dB LAeq(30s) when measured 1m away from any grille or diffuser.</p> <p>2. A design certificate from a suitably qualified and experienced professional must be provided to Council prior to the construction of any noise-sensitive activity or place of worship demonstrating that the standards in NOISE-S3-1 will be achieved.</p> <p>Matters of discretion are restricted to:</p> <p>1.— The distance of the noise-sensitive activity from the State Highway or Rail Network;</p> <p>2.— The effects of any non-compliance;</p> <p>3.— The ability to meet the appropriate levels of insulation through screening, alternative technologies or materials;</p> <p>4.— The reverse sensitivity effects on the State Highway or Rail Network; and</p>	3.2.6.2	<p><del>Reject</del></p> <p><u>Accept in part</u></p>	See body of the report.	<p><del>No</del></p> <p>Yes</p>

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			5. The outcome of any consultation with Waka Kotahi NZ Transport Agency (in relation to activities near a State Highway) or KiwiRail (in relation to activities near the Rail Network).				
81.517	Kāinga Ora – Homes and Communities	NOISE-S5	<p>Amend:</p> <p><b>City Centre Zone, Large Format Retail Zone, Mixed Use Zone</b></p> <p>1. Habitable rooms within any:</p> <p>a. New buildings used for a residential unit or visitor accommodation;</p> <p>b. Additions exceeding 50m<sup>2</sup> to existing buildings used for a residential unit or visitor accommodation; or</p> <p>c. An existing building where its use is changed to be for a residential unit or visitor accommodation;</p> <p>Must be designed, constructed and maintained to meet an internal noise level of:</p> <ul style="list-style-type: none"> <li>• For bedrooms: <math>D_{2m,nT,w} + C_{tr} &gt; 35</math> dB; and</li> <li>• For other habitable rooms: <math>D_{2m,nT,w} + C_{tr} &gt; 30</math> dB.</li> </ul> <p><del>2. A design certificate from a suitably qualified and experienced professional shall be provided to Council prior to the construction of any residential unit or visitor accommodation demonstrating that the standards in NOISE-S5-1 will be achieved.</del></p> <p><b>Matters of discretion are restricted to:</b></p> <p>1. Whether there is screening by other structures or distance from noise sources;</p> <p>2. The ability to meet the appropriate levels of acoustic insulation through alternative technologies or materials;</p> <p>3. The provision of a report from an acoustic specialist which provides evidence that the level of acoustic insulation is appropriate to ensure the amenity of present and future residents of the site; and</p> <p>4. The impact of any residential activity that does not provide the required noise insulation on the ability of existing or future permitted business activities to operate or establish without undue constraint.</p>	3.5.1	<p><a href="#">Reject</a></p> <p><a href="#">Accept in part</a></p>	See body of the report.	<p><del>No</del></p> <p>Yes</p>



Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p><b>Neighbourhood Centre Zone, Local centre Zone, <u>High Density Residential Zone</u></b></p> <p>3. Habitable rooms within any:</p> <ol style="list-style-type: none"> <li>New buildings used for a residential unit or visitor accommodation;</li> <li>Additions exceeding 50m<sup>2</sup> to existing buildings used for a residential unit or visitor accommodation; or</li> <li>An existing building where its use is changed to be for a residential unit or visitor accommodation;</li> </ol> <p>Must be designed, constructed and maintained to meet an internal noise level of:</p> <ul style="list-style-type: none"> <li>For bedrooms: <math>D_{2m,nT,w} + C_{tr} &gt; 30</math> dB; and</li> <li>For other habitable rooms: <math>D_{2m,nT,w} + C_{tr} &gt; 25</math> dB.</li> </ul> <p><del>4. A design certificate from a suitably qualified and experienced professional shall be provided to Council prior to the construction of any residential unit or visitor accommodation demonstrating that the standards in NOISE S5-3 will be achieved.</del></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>Whether there is screening by other structures or distance from noise sources;</li> <li>The ability to meet the appropriate levels of acoustic insulation through alternative technologies or materials;</li> <li>The provision of a report from an acoustic specialist which provides evidence that the level of acoustic insulation is appropriate to ensure the amenity of present and future residents of the site; and</li> <li>The impact of any residential activity that does not provide the required noise insulation on the ability of existing or future permitted business activities to operate or establish without undue constraint.</li> </ol> <p><b>General Industrial Zone</b></p> <p>5. Habitable rooms within any:</p> <ol style="list-style-type: none"> <li>New buildings used for a residential unit ancillary to an industrial activity;</li> <li>Additions exceeding 50m<sup>2</sup> to existing buildings used for a residential unit ancillary to an industrial activity; or</li> </ol>				

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>c. An existing building where its use is changed to be for a residential unit ancillary to an industrial activity; Must be designed, constructed and maintained to meet an internal noise level of &gt; 35 dB.</p> <p><del>6. A design certificate from a suitably qualified and experienced professional must be provided to Council prior to the construction of any residential unit ancillary to an industrial activity demonstrating that the standards in NOISE-S5-5 will be achieved.</del></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. Whether there is screening by other structures or distance from noise sources;</li> <li>2. The ability to meet the appropriate levels of acoustic insulation through alternative technologies or materials; and</li> <li>3. The provision of a report from an acoustic specialist which provides evidence that the level of acoustic insulation is appropriate to ensure the amenity of present and future residents of the worker accommodation.</li> </ol>				
81.518	Kāinga Ora – Homes and Communities	NOISE-S6	<p>Amend</p> <p><b>Neighbourhood Centre Zone, Local centre Zone, Large Format Retail Zone, Mixed Use Zone, City Centre Zone, High Density Residential Zone General Industrial Zone</b></p> <p>1. Where the internal noise insulation levels for habitable rooms in residential units or visitor accommodation required under NOISE-S5 can only be achieved with windows closed, they must be constructed and maintained with a mechanical ventilation system that achieves the following:</p> <ol style="list-style-type: none"> <li><del>a. Provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code;</del></li> <li>b. Achieves a minimum of 7.5 litres per second per person; and</li> <li>c. Does not generate more than 35 dB LAeq(30s) when measured 1m away from any grille or diffuser.</li> </ol>	3.5.1	<p><del>Reject</del></p> <p><a href="#">Accept in part</a></p>	See body of the report.	<p><del>No</del></p> <p>Yes</p>

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>2. A design certificate from a suitably qualified and experienced professional must be provided to Council prior to the construction of any residential unit or visitor accommodation demonstrating that the standards in NOISE-S6-1 will be achieved.</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>Whether there is screening by other structures or distance from noise sources;</li> <li>The ability to meet the appropriate levels of mechanical ventilation through alternative technologies or materials; and</li> <li>The impact of any residential unit that does not provide the required mechanical ventilation on the ability of existing or future permitted business activities to operate or establish without undue constraint.</li> </ol>				
82.172 <sup>22</sup>	Waka Kotahi NZ Transport Agency	NOISE-R5	<p>Impose new noise rules in place of NOISE-R5 and NOISE-S1 to S6 as per Appendix 4 attached to the submission.</p> <p>Seeks to introduce new rules, which have been developed collaboratively with KiwiRail. This will ensure potential adverse effects (including conflicts between activities and reverse sensitivity effects) are mitigated. The rail network is 24 hours a day, 7 days a week operation, and the frequency, length and weight of trains can change without community consultation. The road network is similarly operating 24/7 with variability in traffic. Noise and vibration effects can interrupt amenity and enjoyment, as well as ability to sleep which can have significant impacts on people's health and wellbeing. Appropriate mitigation is critical to ensuring that undue restrictions are not placed on the operation of these transport networks and the health and wellbeing of those residing or otherwise occupying nearby sites is protected. Part 2 of the Act supports the efficient use and development of the road</p>	3.2.5	<p><a href="#">Reject</a></p> <p><a href="#">Accept in part</a></p>	See body of the report.	<p><a href="#">No</a></p> <p><a href="#">Yes</a></p>

<sup>22</sup> Oppose in part - Kāinga Ora [FS65.284]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>and rail network while also enabling people and communities to provide for their well-being and their health and safety. An appropriate balance needs to be achieved between ensuring the transport network is efficiently utilised and adjacent development can be facilitated, without compromising safety of people and communities.</p> <p>The proposed new rules provide for new or altered buildings within 100 m of the highway/railway boundary, which can achieve the required internal noise standard, to be permitted activities. Where windows need to be closed to achieve the desired internal noise levels then ventilation performance is prescribed. Enhancements to buildings are best achieved at the time of construction. The further removed from the road or rail corridor a building is, the less additional mitigation may be required. The noise level proposed is in accordance with World Health Organisation standards. There are no standards for outdoor road noise within the Proposed Porirua District Plan. Considers that outdoor noise can adversely affect the health, safety and wellbeing of people and communities. Considers that a new standard needs to be inserted under the noise standards that addresses outdoor noise effects. The mitigation for adverse effects on human health proposed through these provisions reflects that in some circumstances, e.g. smaller residential sites near the transport corridor, requiring a greater setback from the transport corridor boundary as a means of addressing noise and vibration effects may not always be practicable. The rules seek to ensure that building development options can still maximise the use of a site, while at the same time having standards for mitigating noise and vibration effects arising from the transport corridor</p> <p>[Refer to original submission for full decision requested, including attachments]</p>				

TR – Transport

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
<a href="#">81.372</a>	<a href="#">Kāinga Ora</a>	<a href="#">Multiple provisions</a>	<p><u>Amend:</u></p> <p><a href="#">1. Kāinga Ora requests that the Transport chapter contains all of the city-wide objectives, policies and rules/standards relevant to the transport network and all consequential amendments.</a></p> <p><a href="#">2. Kāinga Ora seeks the full package of transport related provisions (objectives, policies, rules and standards) are reviewed and amended so that they appropriately manage the safety and efficiency of the transport network, while recognising and providing for residential intensification.</a></p> <p><a href="#">3. Review and re-drafting of notification exclusion clauses.</a></p>	<a href="#">n/a</a>	<a href="#">Accept in part</a>	<a href="#">See body of the report.</a>	<a href="#">Yes</a>
72.12 <sup>23</sup>	Survey + Spatial New Zealand (Wellington Branch)	TR-S1	<p>Delete the requirement for cycling access on shared accesses.</p> <p>Allow for steps on pedestrian accesses.</p> <p>Reduce minimum widths to (say) 1.2m formed width and 1.5m legal width.</p>	<b>Error! Reference source not found.</b>	<p><del>Reject</del></p> <p><a href="#">Accept in part</a></p>	See body of the report.	<p><del>No</del></p> <p><a href="#">Yes</a></p>

<sup>23</sup> Supported by Kāinga Ora – Homes and Communities [FS65.190] and Kenepuru Limited Partnership [FS20.35], supported in part by BLAC Property [FS56.7]

INF – Infrastructure

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
82.40 <sup>24</sup>	Waka Kotahi NZ Transport Agency	INF-O5	Amend provision: Infrastructure provides benefits to people and communities and is established, operated, maintained and repaired, and upgraded efficiently, securely and sustainably, while the adverse effects of infrastructure are avoided, remedied or mitigated., including effects on: <del>1. The anticipated character and amenity values of the relevant zone;</del> <del>2. The identified values and qualities of any Overlay; and</del> <del>3. The change in risk to people's lives and damage to adjacent property and other infrastructure from natural hazards.</del>	3.15.4	<del>Reject</del> <a href="#">Accept in part</a>	See body of the report.	<del>No</del> Yes
83.31 <sup>25</sup>	Powerco Limited	INF-P4	Amend policy INF - P4 as follows: Enable new infrastructure and the maintenance and repair, upgrading and removal of existing infrastructure, including earthworks, that: 1. Is of a form, location and scale that minimises adverse effects on the environment <u>where practicable</u> ; 2. Is compatible with the anticipated character and amenity values of the zone in which the infrastructure is located; and  3. For any maintenance and repair, or removal of existing infrastructure in any Overlay, it is of a nature and scale that does not adversely impact <u>where practicable</u> on the identified values and characteristics of the Overlay that it is located within.	3.16.4	<del>Reject</del> <a href="#">Accept in part</a>	See body of the report.	<del>No</del> Yes
60.37 <sup>26</sup>	Transpower New Zealand Ltd	INF-P6	Merge INF-P6 and INF-P7 as follows: (Note, Provisions relocated from proposed INF-6 are included below). INF-P6/7 Upgrading and Development of the National Grid Provide for the upgrading of the National Grid that is not permitted by the National Environmental Standards for	3.6.5	<del>Reject</del> <a href="#">Accept in part</a>	See body of the report.	<del>No</del> Yes

<sup>24</sup> Opposed by Heritage New Zealand Pouhere Taonga [FS14.15]

<sup>25</sup> Supported by Radio New Zealand Ltd [FS60.49]; opposed by Heritage New Zealand Pouhere Taonga [FS14.17]

<sup>26</sup> Opposed in part by Director-General of Conservation [FS39.48]; opposed by Kāinga Ora [FS65.111]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>Electricity Transmission Activities, and development of the National Grid, while:</p> <ol style="list-style-type: none"> <li>1. In urban areas, minimising adverse effects on urban amenity and avoiding <u>material</u> adverse effects on the City Centre Zone, Open Space and Recreation Zones and existing sensitive activities;</li> <li>2. Seeking to avoid the adverse effects of the National Grid within areas identified in SCHED9 - Outstanding Natural Features and Landscapes <del>outside of the Coastal Environment</del>, SCHED11 - Coastal High Natural Character Areas, SCHED10 - Special Amenity Landscapes <del>and Open Space and Recreation Zones</del>;</li> <li>3. <del>Avoiding the adverse effects of the National Grid within areas identified in SCHED9 – Outstanding Natural Features and Landscapes in the Coastal Environment;</del></li> <li>4. Applying the mitigation hierarchy in ECO-P2 and assessing the matters in ECO-P4, <del>ECO-P11 and ECO-P12</del> when considering the effects of the National Grid in an area identified in SCHED7 - Significant Natural Areas; and</li> <li>5. Recognising the potential benefits of upgrades to existing transmission lines to people and communities;</li> <li>6. Considering opportunities to reduce existing adverse effects of the National Grid as part of any substantial upgrade.</li> <li>7. When considering the adverse effects in respect of 1-4 above;</li> <li>8. Having 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</li> <li>9. Considering 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.</li> <li>10. <u>Recognising there may be some areas in the coastal environment where avoidance of adverse</u></li> </ol>				

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p><u>effects is required to protect the identified special values of those areas.</u></p> <p><u>In the event of any conflict with any other landscape, natural character and Significant natural area objectives or policies in this plan, INF-P6/7 takes precedence.</u></p> <p>And</p> <p>Any consequential amendments</p>				
81.254 <sup>27</sup>	Kāinga Ora – Homes and Communities	INF-P8	<p>Amend:</p> <p>Provide for Regionally Significant Infrastructure and other infrastructure which is not located within an Overlay, where it can be demonstrated that the following matters can be achieved:</p> <ol style="list-style-type: none"> <li>1. Compatibility with the site, existing built form and landform;</li> <li>2. <del>Compatibility with the anticipated character and amenity values of the zone it is located in;</del></li> <li>3. Any adverse effects on amenity values are minimised, taking into account: <ol style="list-style-type: none"> <li>a. The bulk, height, size, colour, reflectivity of the infrastructure;</li> <li>b. Any proposed associated earthworks;</li> <li>c. The time, duration or frequency of any adverse effects; and</li> <li>d. Any proposed mitigation measures;</li> </ol> </li> <li>4. Any adverse effects on the health, wellbeing and safety of people, communities and the environment, including nuisance from noise, dust, odour emissions, light spill and sedimentation are avoided, remedied or mitigated;</li> <li>5. Any adverse effects on the natural character and amenity of water bodies, the coast and riparian margins and coastal margins are minimised;</li> <li>6. Public access to and along the coastal marine area and water bodies is maintained or enhanced;</li> <li>7. <del>Any adverse effects on any values and qualities of any adjacent Overlays are minimised;</del></li> </ol>	3.16.6	<p><del>Reject</del></p> <p><a href="#">Accept in part</a></p>	See body of the report.	<p><del>No</del></p> <p>Yes</p>

<sup>27</sup> Supported by Powerco Limited [FS37.4]; opposed by Te Rūnunga o Toa Rangatira [FS70.5]



Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			8. The safe and efficient operation of any other infrastructure, including the transport network, is not compromised; and 9. Any adverse cumulative effects are minimised.				
83.56	Powerco Limited	INF-R13	Amend the rule title for INF-R13 as follows: INF-R13 - Infrastructure located <u>on or</u> within existing buildings	3.17.9	<del>Reject</del> <a href="#">Accept in part</a>	See body of the report.	<del>No</del> Yes
51.26 <sup>28</sup>	Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited	INF-P23	Amend the policy as follows: INF-P23 Only allow for upgrades to existing and new infrastructure in Natural Hazard Overlays and Coastal Hazard Overlays where the infrastructure: 1. Does not increase the risk from the natural hazard to people, or other property or infrastructure; 2. Has a functional need or operational need that means the infrastructure's location cannot be avoided and there are no reasonable alternatives; 3. <del>Is not vulnerable to the natural hazard;</del> 4. Does not result in a reduction in the ability of people and communities to recover from a natural hazard event; and 5. <del>Is designed to maintain reasonable and safe operation during and in the immediate period after a natural hazard event.</del>	3.16.16	<del>Reject</del> <a href="#">Accept in part</a>	See body of the report.	<del>No</del> Yes

<sup>28</sup> Opposed by Greater Wellington Regional Council [FS40.17]

**APPENDIX 4. A3 MAPS OF PARCELS AND BUILDINGS WITHIN THE STATE  
HIGHWAY AND RAIL CORRIDOR SETBACKS**

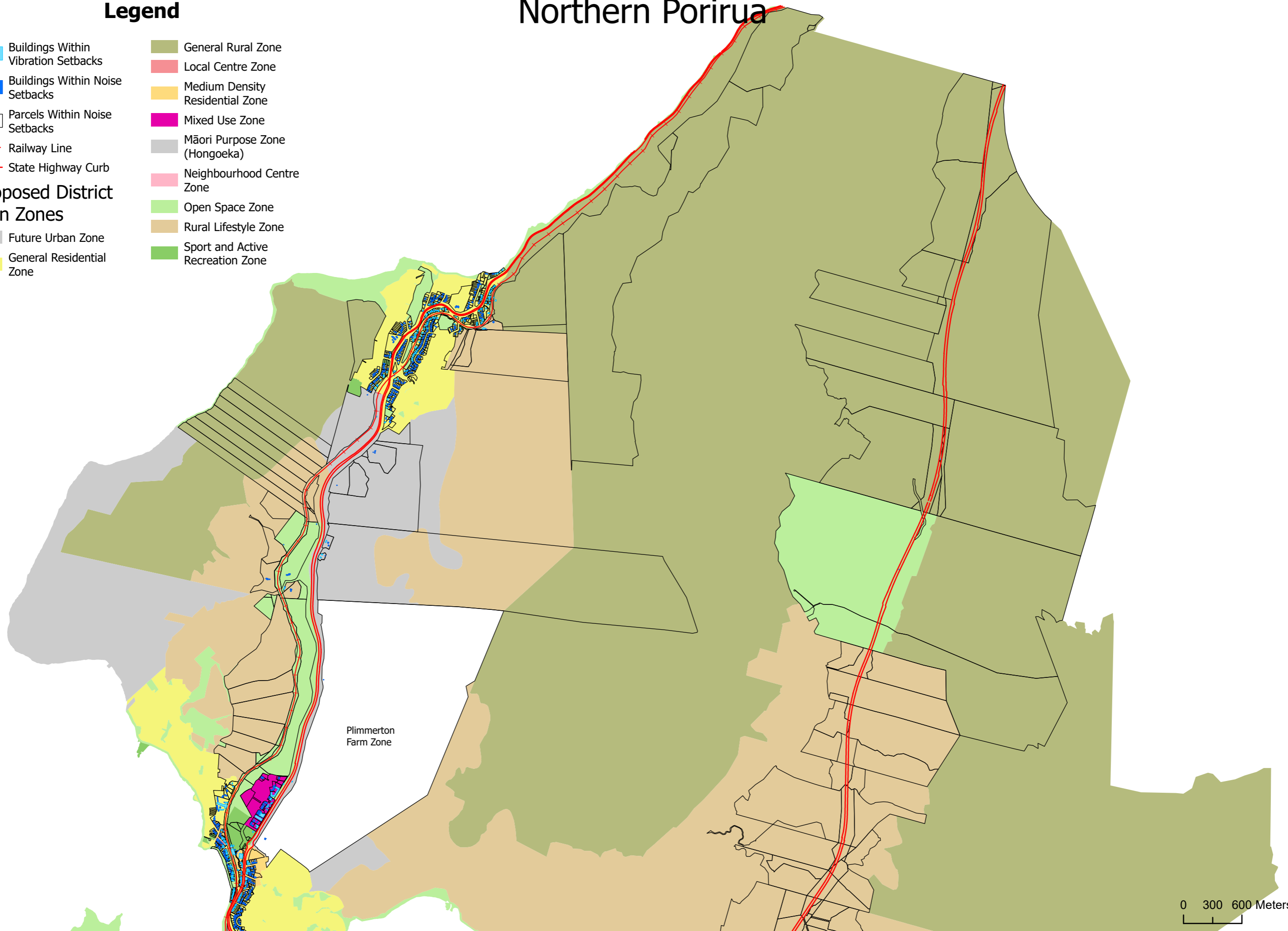
# Northern Porirua

## Legend

- Buildings Within Vibration Setbacks
- Buildings Within Noise Setbacks
- Parcels Within Noise Setbacks
- Railway Line
- State Highway Curb
- General Rural Zone
- Local Centre Zone
- Medium Density Residential Zone
- Mixed Use Zone
- Māori Purpose Zone (Hongoeka)
- Neighbourhood Centre Zone
- Open Space Zone
- Rural Lifestyle Zone
- Sport and Active Recreation Zone

## Proposed District Plan Zones

- Future Urban Zone
- General Residential Zone



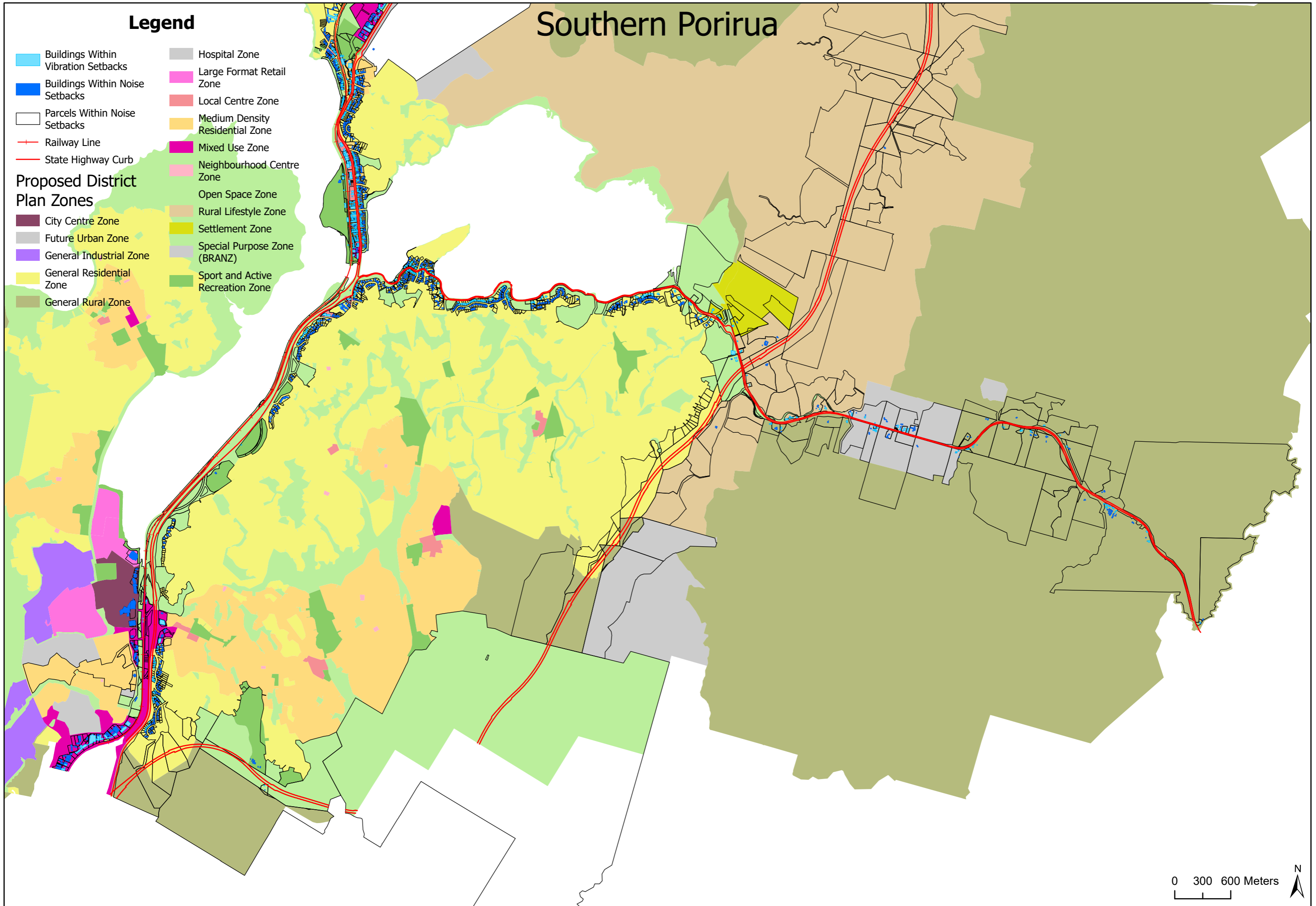
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# Southern Porirua

## Legend

- Buildings Within Vibration Setbacks
  - Buildings Within Noise Setbacks
  - Parcels Within Noise Setbacks
  - Railway Line
  - State Highway Curb
  - Hospital Zone
  - Large Format Retail Zone
  - Local Centre Zone
  - Medium Density Residential Zone
  - Mixed Use Zone
  - Neighbourhood Centre Zone
  - Open Space Zone
  - Rural Lifestyle Zone
  - Settlement Zone
  - Special Purpose Zone (BRANZ)
  - Sport and Active Recreation Zone
- ### Proposed District Plan Zones
- City Centre Zone
  - Future Urban Zone
  - General Industrial Zone
  - General Residential Zone
  - General Rural Zone



0 300 600 Meters



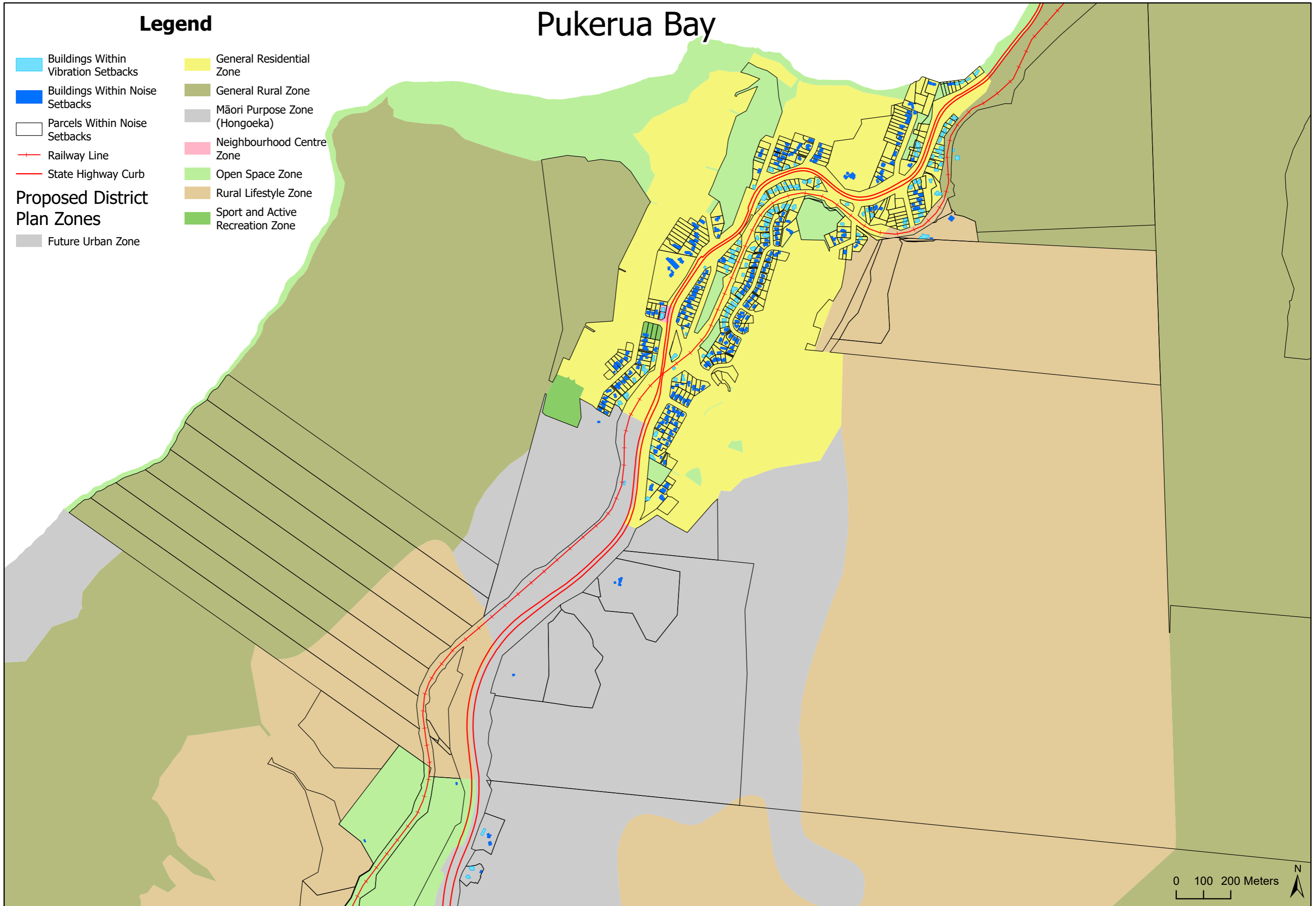
# Pukerua Bay

## Legend

- Buildings Within Vibration Setbacks
- Buildings Within Noise Setbacks
- Parcels Within Noise Setbacks
- Railway Line
- State Highway Curb
- General Residential Zone
- General Rural Zone
- Māori Purpose Zone (Hongoeka)
- Neighbourhood Centre Zone
- Open Space Zone
- Rural Lifestyle Zone
- Sport and Active Recreation Zone
- Future Urban Zone

## Proposed District Plan Zones

- Future Urban Zone



0 100 200 Meters



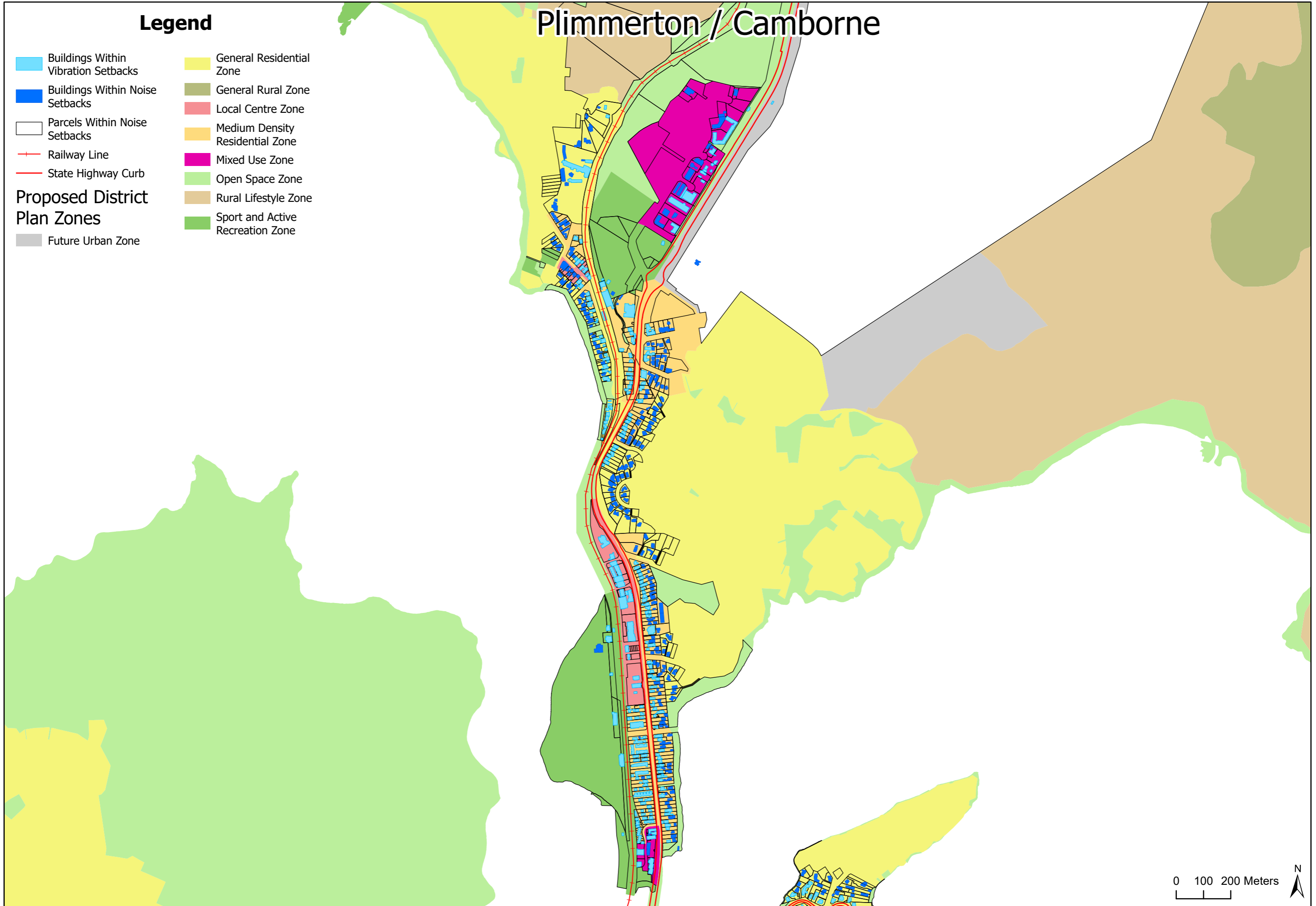
# Plimmerton / Camborne

## Legend

- Buildings Within Vibration Setbacks
- Buildings Within Noise Setbacks
- Parcels Within Noise Setbacks
- Railway Line
- State Highway Curb
- Future Urban Zone
- General Residential Zone
- General Rural Zone
- Local Centre Zone
- Medium Density Residential Zone
- Mixed Use Zone
- Open Space Zone
- Rural Lifestyle Zone
- Sport and Active Recreation Zone

## Proposed District Plan Zones

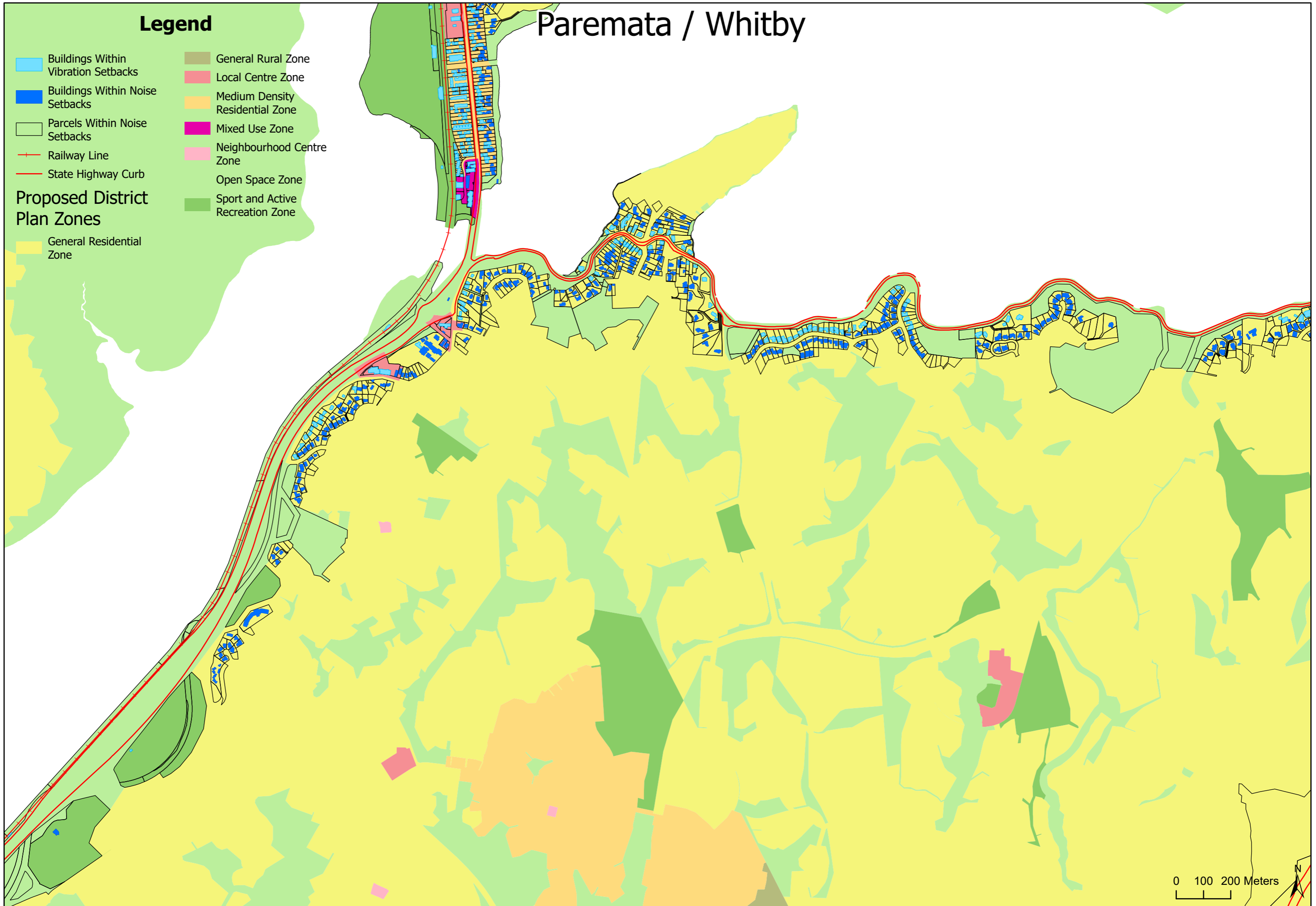
- Future Urban Zone



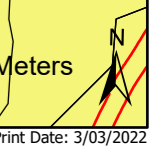
# Paremata / Whitby

## Legend

- Buildings Within Vibration Setbacks
- Buildings Within Noise Setbacks
- Parcels Within Noise Setbacks
- Railway Line
- State Highway Curb
- General Rural Zone
- Local Centre Zone
- Medium Density Residential Zone
- Mixed Use Zone
- Neighbourhood Centre Zone
- Open Space Zone
- Sport and Active Recreation Zone
- Proposed District Plan Zones
- General Residential Zone



0 100 200 Meters



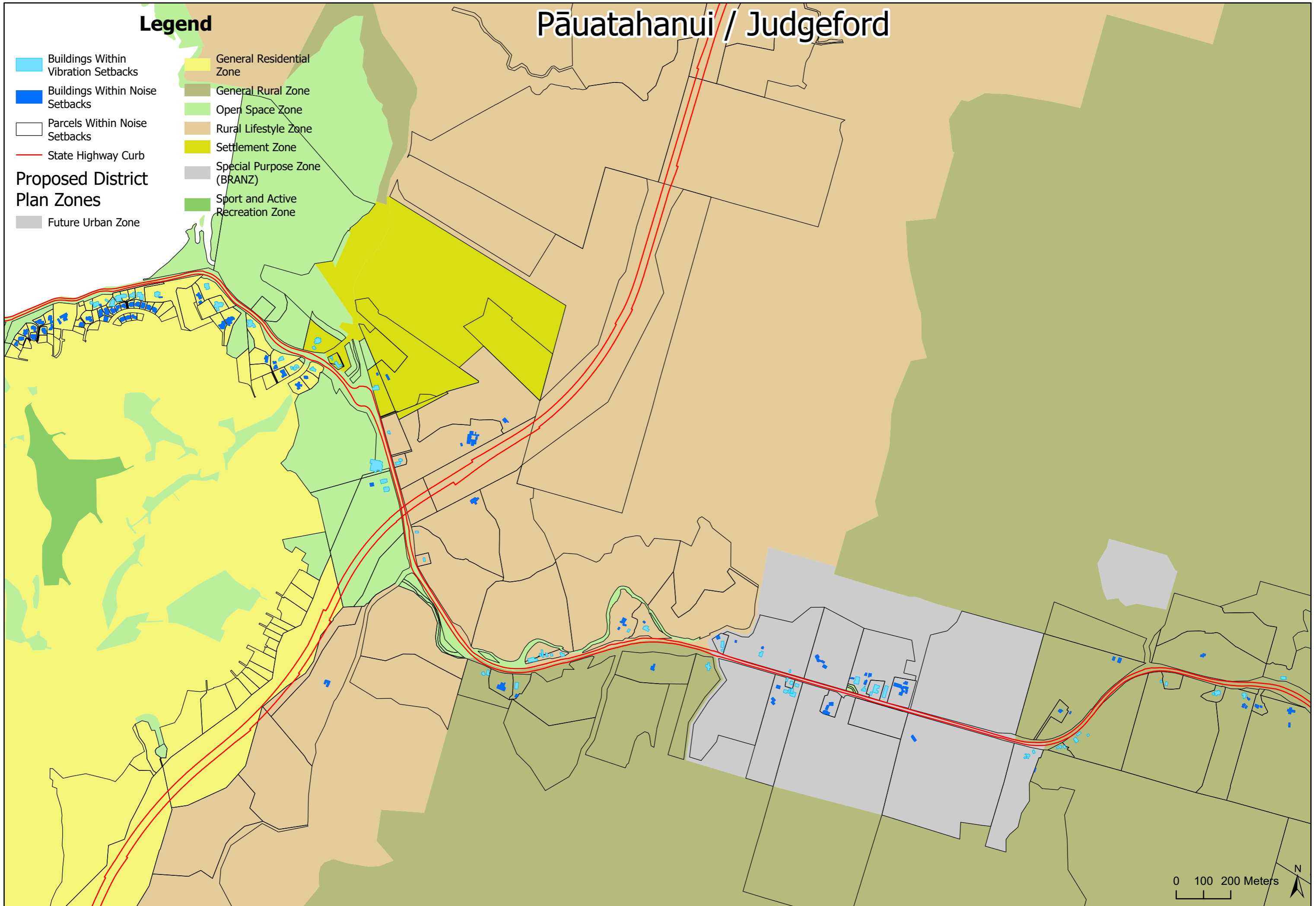
# Pāuatahanui / Judgeford

## Legend

- Buildings Within Vibration Setbacks
- Buildings Within Noise Setbacks
- Parcels Within Noise Setbacks
- State Highway Curb
- General Residential Zone
- General Rural Zone
- Open Space Zone
- Rural Lifestyle Zone
- Settlement Zone
- Special Purpose Zone (BRANZ)
- Sport and Active Recreation Zone
- Future Urban Zone

## Proposed District Plan Zones

- Future Urban Zone



0 100 200 Meters





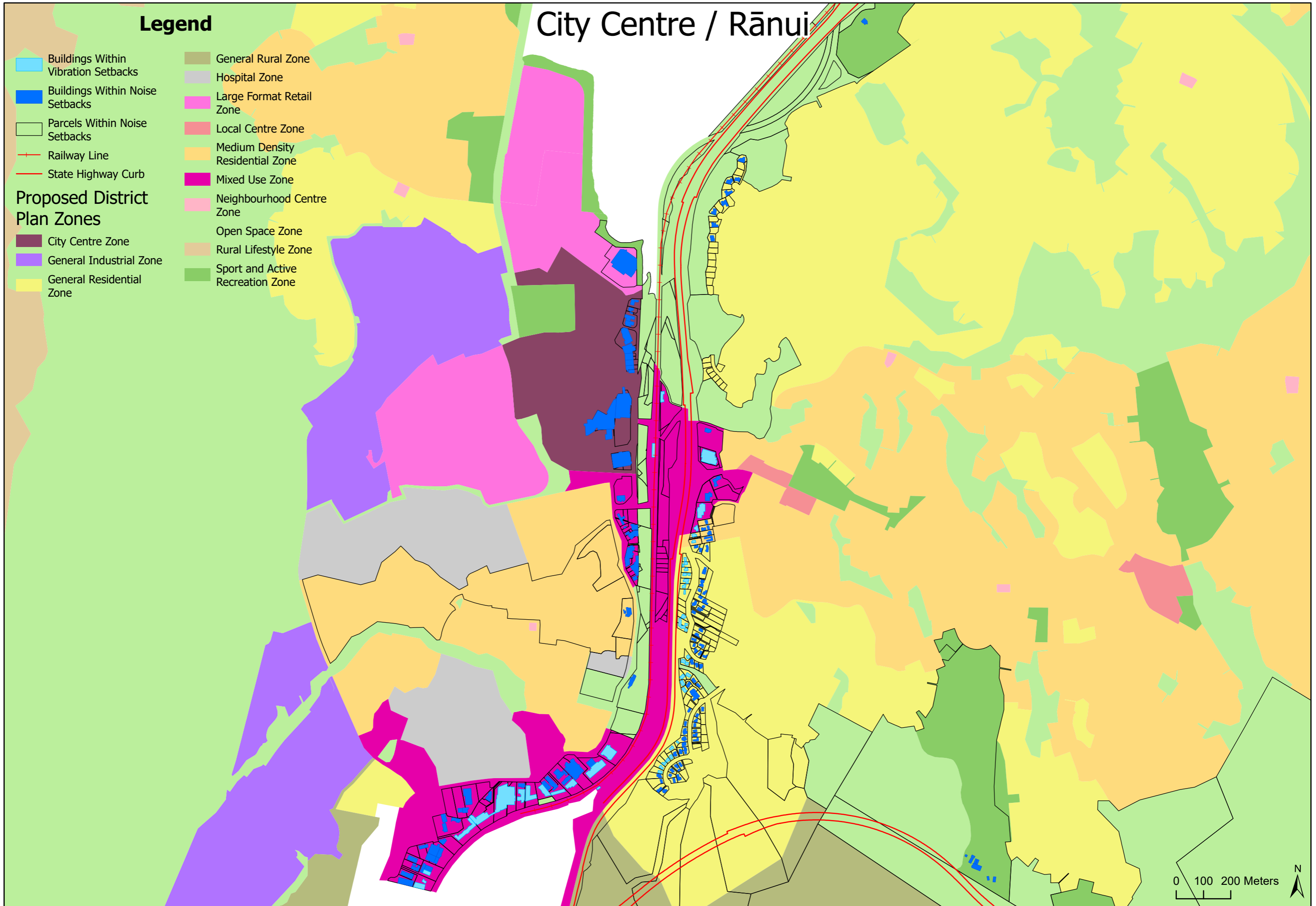
# City Centre / Rānui

## Legend

- Buildings Within Vibration Setbacks
- Buildings Within Noise Setbacks
- Parcels Within Noise Setbacks
- Railway Line
- State Highway Curb
- General Rural Zone
- Hospital Zone
- Large Format Retail Zone
- Local Centre Zone
- Medium Density Residential Zone
- Mixed Use Zone
- Neighbourhood Centre Zone
- Open Space Zone
- Rural Lifestyle Zone
- Sport and Active Recreation Zone

## Proposed District Plan Zones

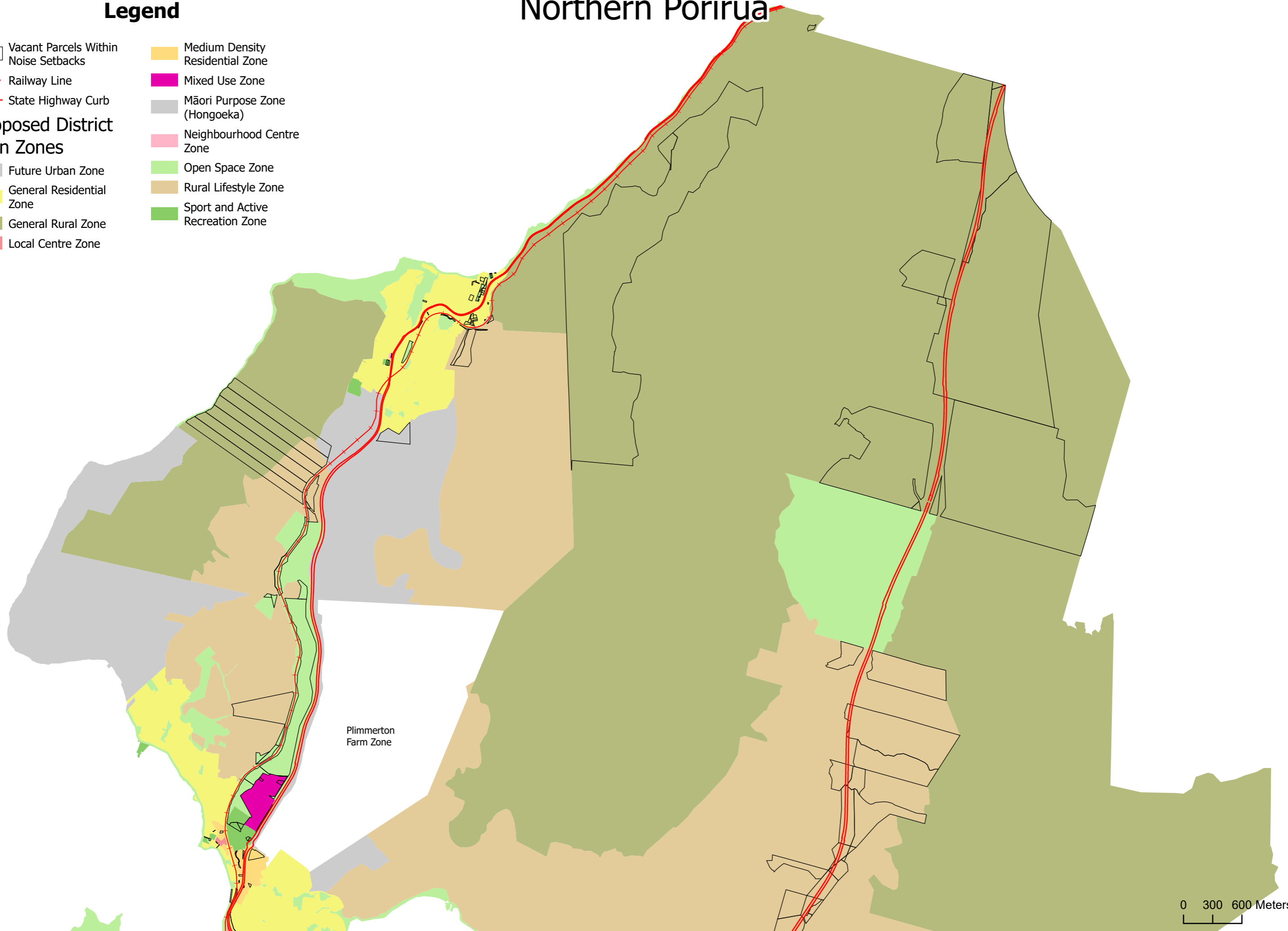
- City Centre Zone
- General Industrial Zone
- General Residential Zone



# Northern Porirua

## Legend

- Vacant Parcels Within Noise Setbacks
- Railway Line
- State Highway Curb
- Proposed District Plan Zones
  - Future Urban Zone
  - General Residential Zone
  - General Rural Zone
  - Local Centre Zone
  - Medium Density Residential Zone
  - Mixed Use Zone
  - Māori Purpose Zone (Hongoeka)
  - Neighbourhood Centre Zone
  - Open Space Zone
  - Rural Lifestyle Zone
  - Sport and Active Recreation Zone



0 300 600 Meters

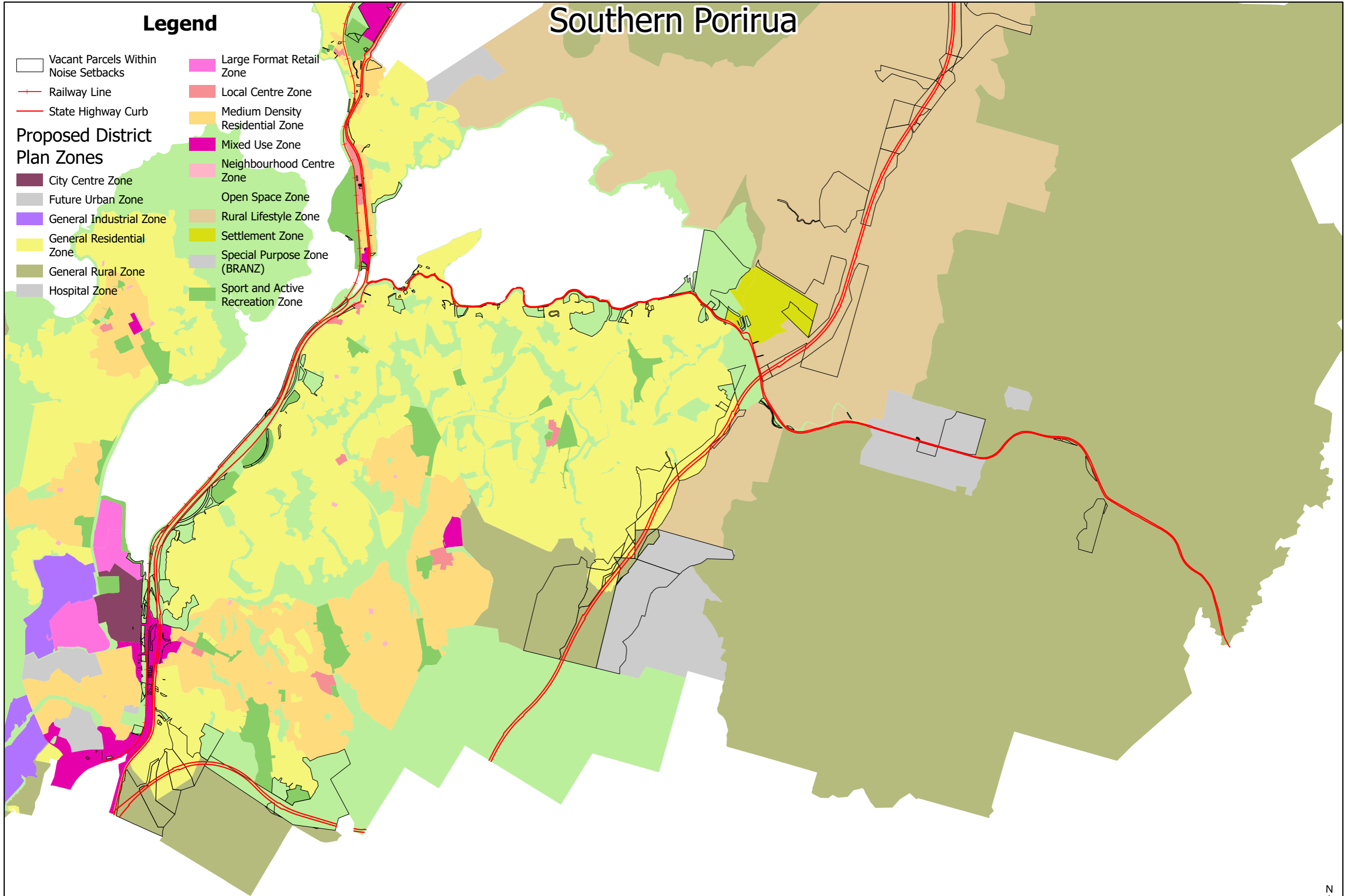


# Southern Porirua

## Legend

- Vacant Parcels Within Noise Setbacks
- Railway Line
- State Highway Curb
- City Centre Zone
- Future Urban Zone
- General Industrial Zone
- General Residential Zone
- General Rural Zone
- Hospital Zone
- Large Format Retail Zone
- Local Centre Zone
- Medium Density Residential Zone
- Mixed Use Zone
- Neighbourhood Centre Zone
- Open Space Zone
- Rural Lifestyle Zone
- Settlement Zone
- Special Purpose Zone (BRANZ)
- Sport and Active Recreation Zone

## Proposed District Plan Zones



0 300 600 Meters



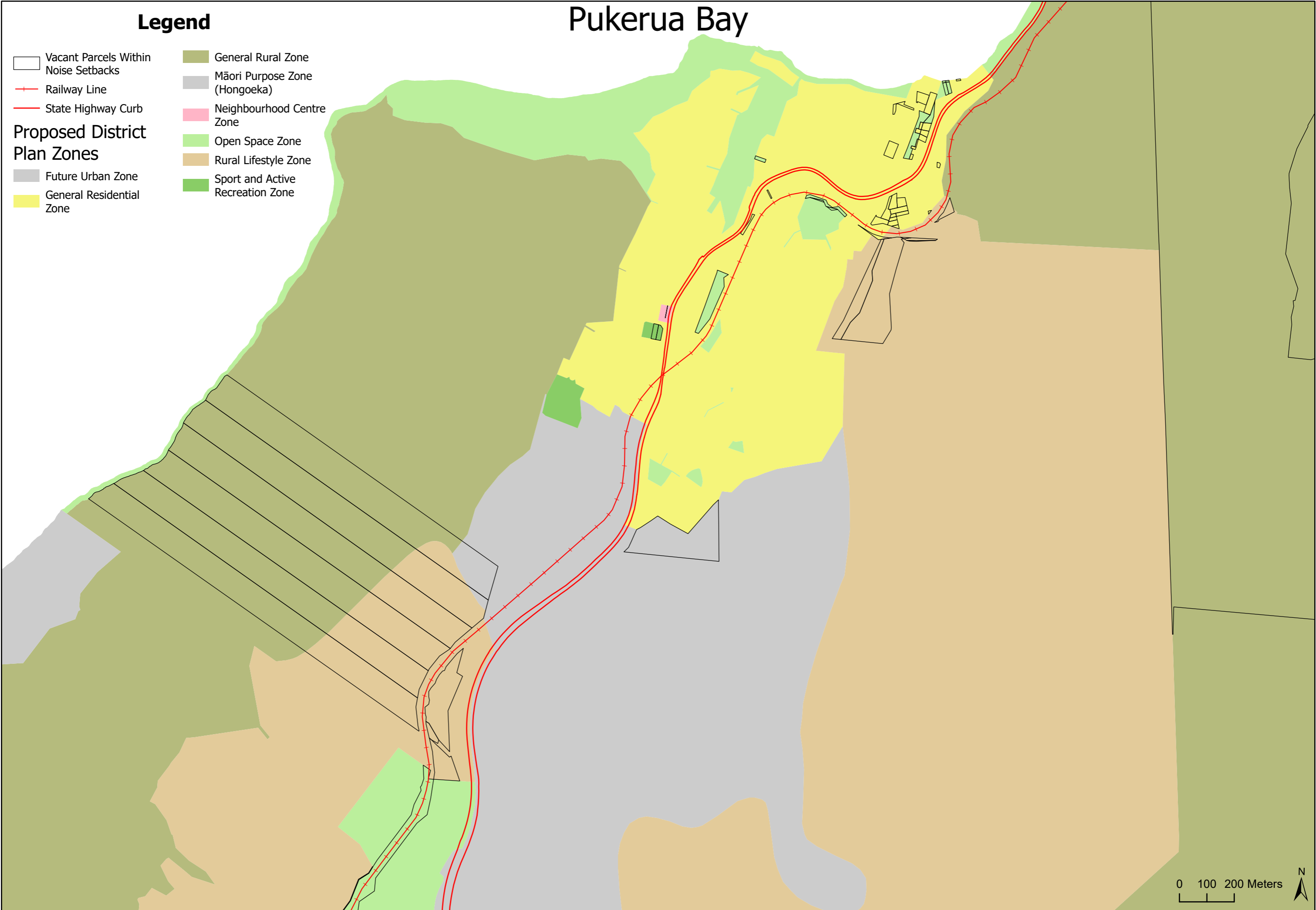
# Pukerua Bay

## Legend

- Vacant Parcels Within Noise Setbacks
- Railway Line
- State Highway Curb
- General Rural Zone
- Māori Purpose Zone (Hongoeke)
- Neighbourhood Centre Zone
- Open Space Zone
- Rural Lifestyle Zone
- Sport and Active Recreation Zone
- Future Urban Zone
- General Residential Zone

## Proposed District Plan Zones

- Future Urban Zone
- General Residential Zone



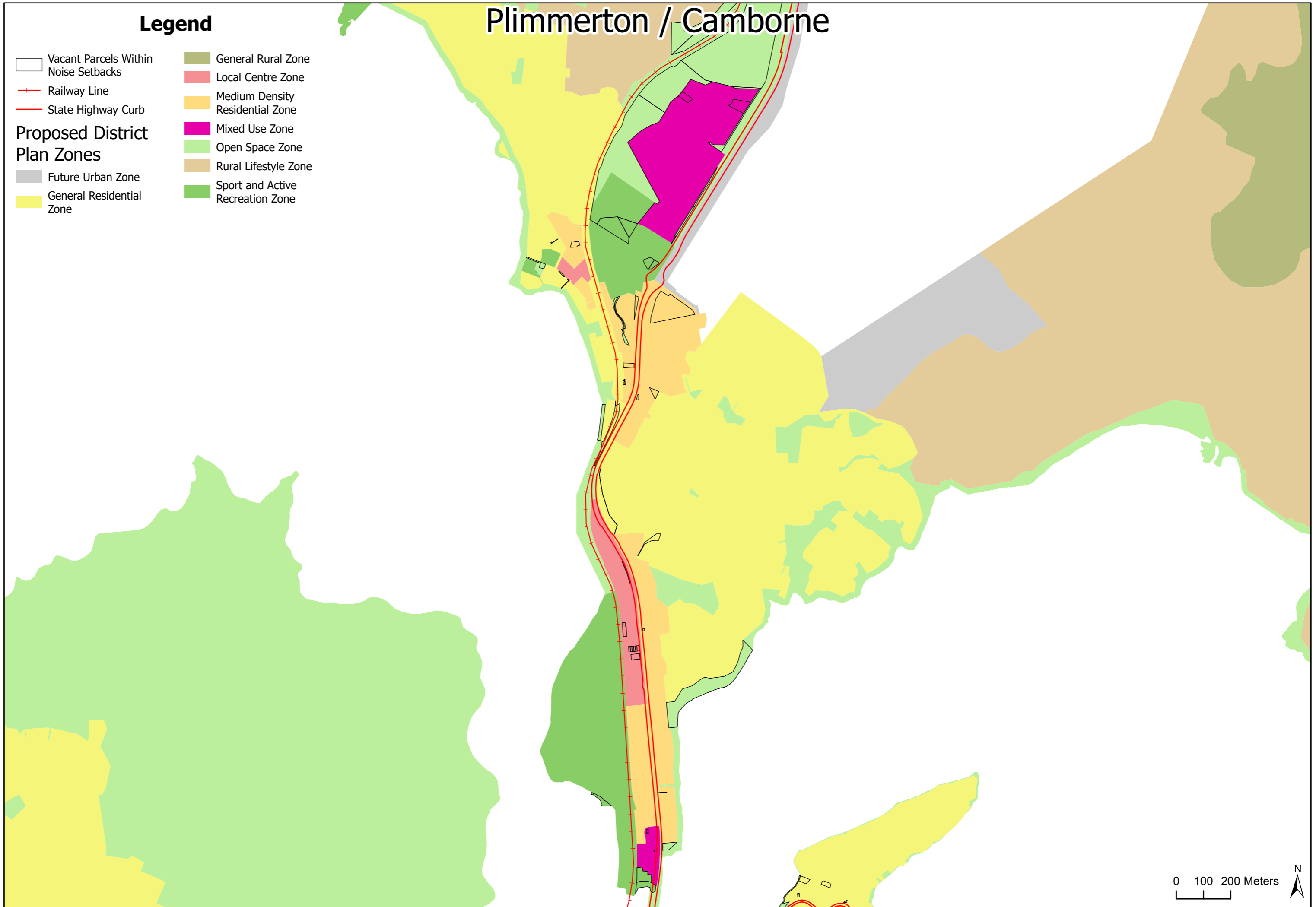
0 100 200 Meters



# Plimmerton / Camborne

## Legend

- Vacant Parcels Within Noise Setbacks
- Railway Line
- State Highway Curb
- Proposed District Plan Zones
  - Future Urban Zone
  - General Residential Zone
  - General Rural Zone
  - Local Centre Zone
  - Medium Density Residential Zone
  - Mixed Use Zone
  - Open Space Zone
  - Rural Lifestyle Zone
  - Sport and Active Recreation Zone



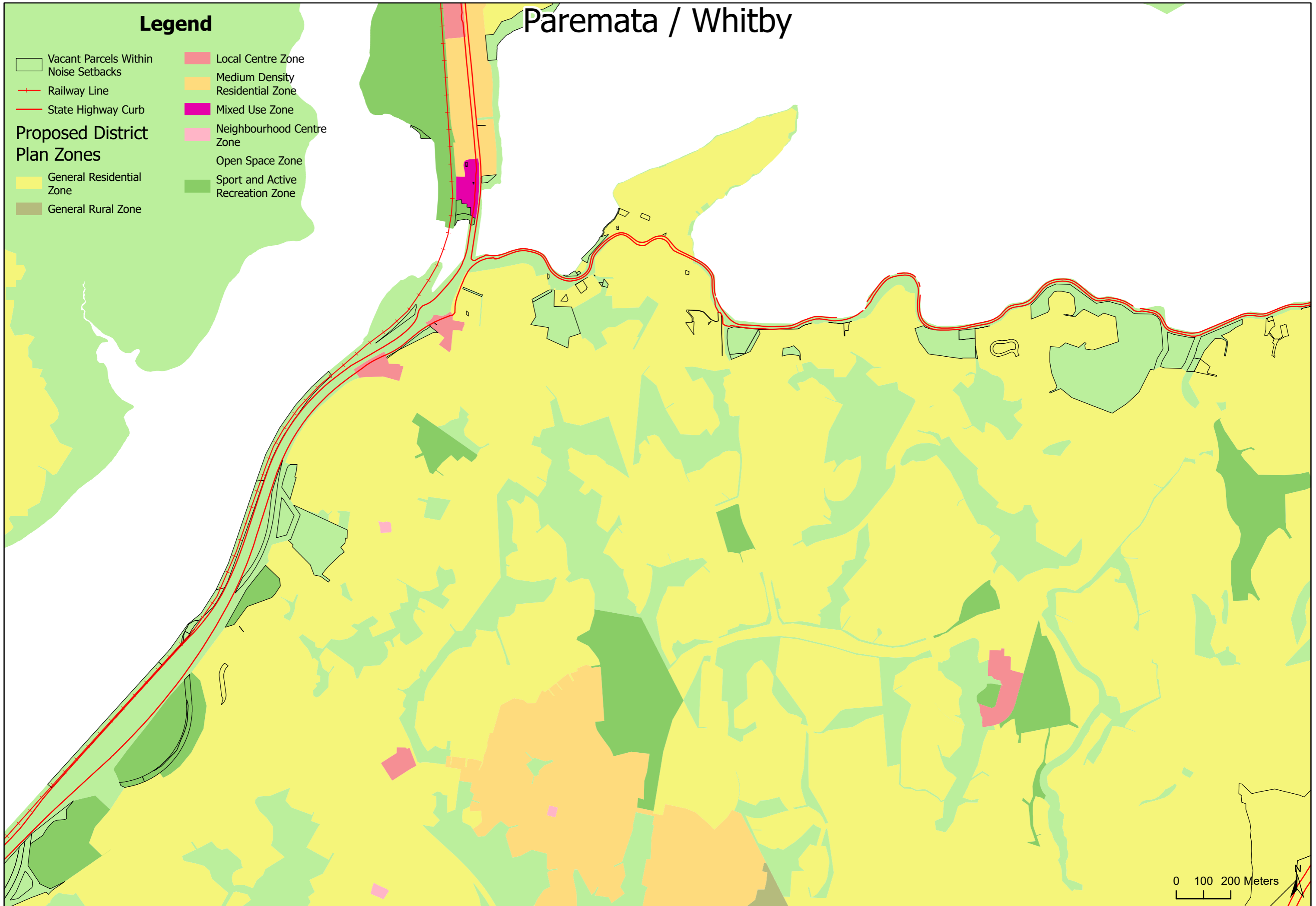
0 100 200 Meters



# Paremata / Whitby

## Legend


- Vacant Parcels Within Noise Setbacks
- Railway Line
- State Highway Curb
- Proposed District Plan Zones
  - General Residential Zone
  - General Rural Zone
  - Local Centre Zone
  - Medium Density Residential Zone
  - Mixed Use Zone
  - Neighbourhood Centre Zone
  - Open Space Zone
  - Sport and Active Recreation Zone




0 100 200 Meters


# Pāuatahanui / Judgeford


## Legend


 Vacant Parcels Within Noise Setbacks

 State Highway Curb

### Proposed District Plan Zones

 Future Urban Zone


 General Residential Zone


 General Rural Zone

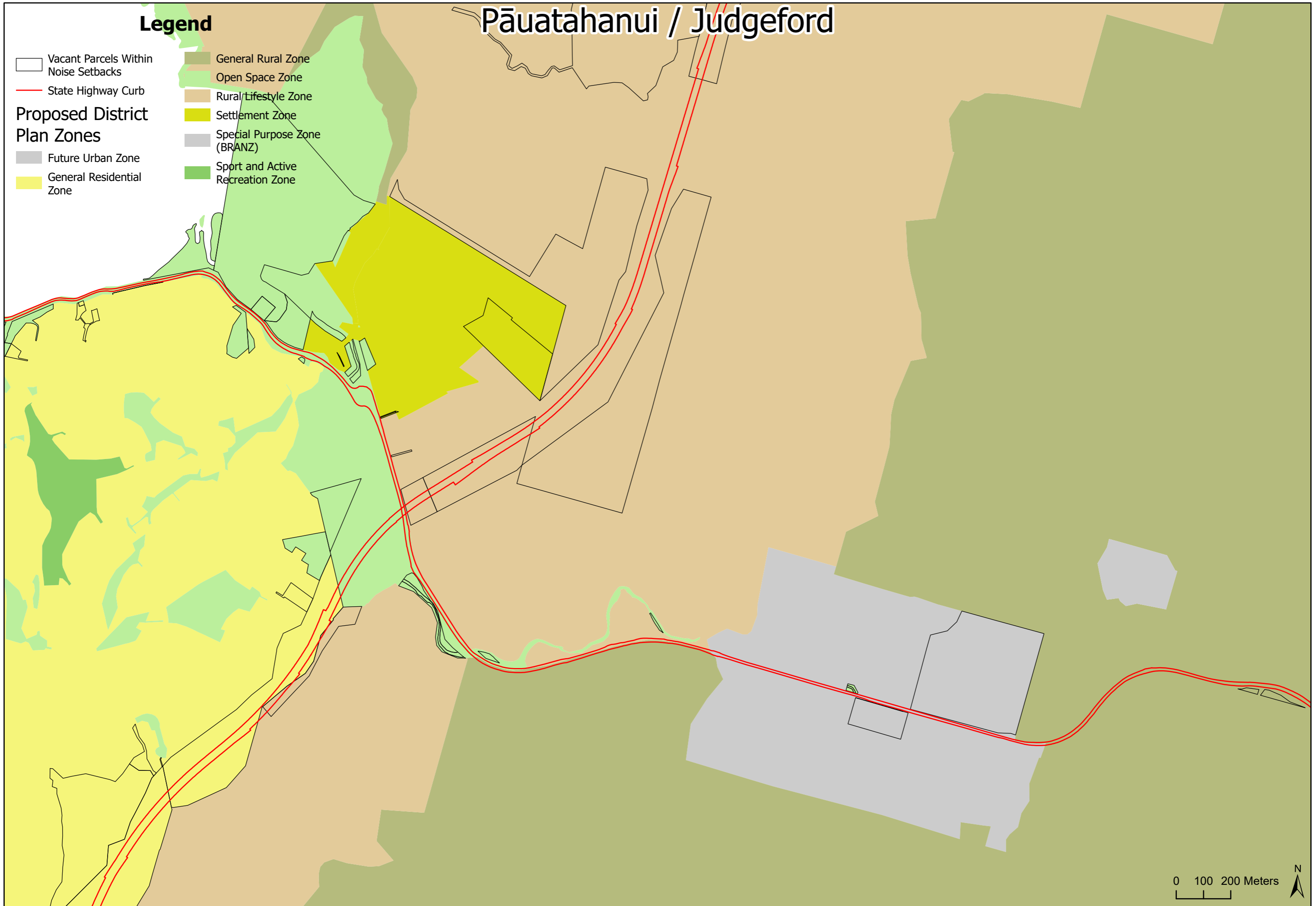
 Open Space Zone

 Rural Lifestyle Zone

 Settlement Zone

 Special Purpose Zone (BRANZ)

 Sport and Active Recreation Zone



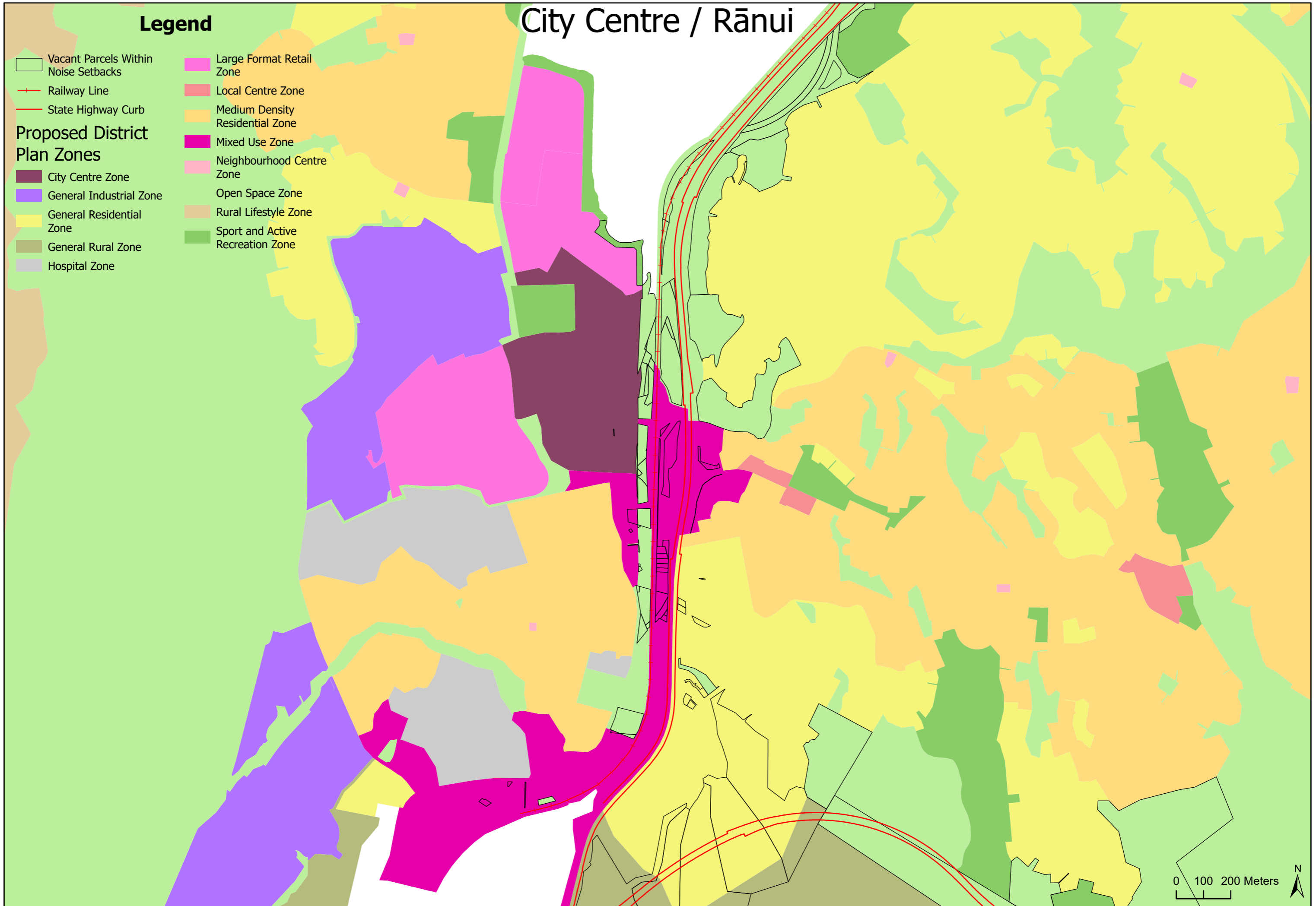
0 100 200 Meters



# City Centre / Rānui

## Legend

- Vacant Parcels Within Noise Setbacks
- Railway Line
- State Highway Curb
- Proposed District Plan Zones**
  - City Centre Zone
  - General Industrial Zone
  - General Residential Zone
  - General Rural Zone
  - Hospital Zone
  - Large Format Retail Zone
  - Local Centre Zone
  - Medium Density Residential Zone
  - Mixed Use Zone
  - Neighbourhood Centre Zone
  - Open Space Zone
  - Rural Lifestyle Zone
  - Sport and Active Recreation Zone





**APPENDIX 5. RESPONSE FROM NIGEL LLOYD**

**Before the Hearings Panel  
At Porirua City Council**

**Under** Clause 14, Schedule 1 of the Resource Management Act  
1991

**In the matter of** the Proposed Porirua District Plan

**Between** **Various**  
**Submitters**

**And** **Porirua City Council**  
**Respondent**

---

**Response to Minute 26 – Stream 4 Follow Up (2)**  
**Nigel Robert Lloyd on behalf of Porirua City Council Noise**

**Date: 2<sup>nd</sup> March 2022**

---

## INTRODUCTION:

- 1 My full name is Nigel Robert Lloyd. I am employed as an acoustic consultant.
- 2 This follow up evidence is in response to the Hearing Panel's issues/questions contained in Minute 26. I prepared my evidence in chief on technical noise matters on behalf of the Porirua City Council (**Council**) which was dated 1 December 2021.
- 3 My qualifications and experience are contained in my evidence in chief and I confirm that I continue to comply with the Code of Conduct for Expert Witnesses set out in the Environment Court's Practice Note 2014.
- 4 I am authorised to provide this follow up statement on behalf of the Council.

## HEARING PANEL QUESTIONS

- 5 The Hearing panel questions in Minute 26 that relate to me are set out in 5(d) and 5 (e) as follows:
  - (d) *Can Mr Lloyd please comment on Mr Boffa's evidence that the 70dB specified by the acoustic experts as being the appropriate assumed noise generated on the Rail Network for the purposes of the Rules is based on data derived from two freight trains passing per hour in South Taranaki and that the comparable figure in Porirua, given Mr Lloyd's evidence of 10.5 freight trains per day on the Rail Network, should be both different and lower.*
  - (e) *If there is a vibration limit specified, what should it be, and why?*

## ASSUMED RAIL NETWORK NOISE LEVEL - (d)

- 6 In his statement to the hearing, Mr Paul Botha questioned the assumptions made about the rail network noise.
- 7 Rail network noise is covered in some depth in Acousafe's Review of the District Plan Noise Provisions<sup>1</sup> and reference was made in that review to a report by Marshall Day Acoustics (**MDA**)<sup>2</sup>. That report discussed the community response to road and rail noise and vibration, reported noise measurements of rail noise and recommended noise guidelines which have since been adopted by KiwiRail.
- 8 The recommendation for the design train noise level of 70 dB  $L_{Aeq(1h)}$  at 12 metres distance (that was agreed in the JWS) can be found in 7.0 of the MDA Report Page 12 fourth bullet point.
- 9 Readings I have undertaken at various locations indicate that a single freight train passing generates a noise level of approximately 65 dB  $L_{Aeq(1h)}$  whereas two trains passing in a one hour period would generate 68 dB  $L_{Aeq(1h)}$  at a distance of 12 metres. This can vary from train to train. The noise criterion references a one hour duration (as opposed to a 24 hour average) and therefore needs to deal with the scenario of two trains passing in any one hour period. On that basis I consider the design train noise level of 70 dB  $L_{Aeq(1h)}$  at 12 metres to be conservative and appropriate.
- 10 I attach the MDA Report as Appendix A.

---

<sup>1</sup> Review of District Plan Noise provisions for Porirua City Council, by Acousafe Consulting & Engineering Ltd 17 December 2018.

<sup>2</sup> Ontrack rail noise criteria reverse sensitivity guidelines, by Marshall Day Acoustics Rp01 R04 2009031c dated 22 October 2009

## VIBRATION LIMIT - (e)

- 11 The vibration criterion set down in NOISE-S4 is class C of Norwegian Standard 8176 E:2005. The 2005 version of this Standard is now superseded by the 2017 version<sup>3</sup>.
- 12 Class C of the Norwegian Standard is the *statistical maximum value of weighted velocity,  $v_{w,95}$  0.3 mm/s*.
- 13 I agree with Dr Chiles where he states in 7.5 of his evidence (for KiwiRail):
- 14 *In my opinion the notified provision uses this standard to set a criterion appropriate to manage adverse effects on people. The criterion does not provide absolute protection but is set at a level whereby NS 8176 estimates that 20% of people would be expected to be highly or moderately annoyed by vibration.*
- 15 For the sake of completeness, I would identify that the recommendation in the MDA Report in Appendix A is expressed as Peak Particle Velocity (PPV). The  $v_{w,95}$  values are not peak velocities, and involve RMS (root-mean-square) averaging and slow time-weighting. They cannot, therefore, be directly compared.
- 16 If a vibration standard is to be specified therefore, I recommend that it should be the standard already contained in NOISE-S4 updated to the 2017 version of the Norwegian Standard. If a vibration standard is to be specified, then I recommend that the sentence in NOISE-S4 starting as "*Must comply with class C of Norwegian Standard...*" is replaced with:
- Must comply with a statistical maximum value of weighted velocity ( $v_{w,95}$ ) of 0.3 mm/s as measured and assessed in accordance with

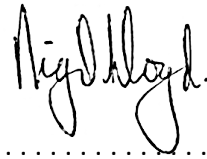
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<sup>3</sup> Norwegian Standard NS 8176:2017 Vibration and shock – Measurement of Vibration in buildings from land-based transport, vibration classification and guidance to evaluation of effects on human beings.

Norwegian Standard NS 8176:2017 *Vibration and Shock – Measurement of vibration in buildings from land-based transport, vibration classification and guidance to evaluation of effects on human beings.*

**Date:** 2/03/2022

Nigel Robert Lloyd



.....

## **Appendix A**

Marshall Day Acoustics Report - Ontrack Rail Noise Criteria

PREPARED FOR: The Land & Assets Manager  
Ontrack  
PO Box 593  
Wellington 6140


Attention: Frazer Tweedie

DATE: 22 October 2009

PROJECT: Ontrack Rail Noise Criteria  
Reverse Sensitivity Guidelines

REPORT NO.: Rp01 R04 2009031c

PREPARED BY:

  
Stuart Camp

REVIEWED BY:

  
Jon Farren



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## 1.0 INTRODUCTION

Marshall Day Acoustics has been engaged to assist Ontrack in developing draft guidelines for rail noise in New Zealand.

The development of these guidelines has been prompted by an increasing number of reverse sensitivity issues—applications for resource consents to subdivide and develop land for residential dwellings, adjacent to existing rail lines.

This report is intended as background information to provide a basis upon which Ontrack can develop policy and guidelines. The current version (R02) reflects discussion held at a workshop in Wellington on 28<sup>th</sup> May 2009, which answered a number of questions that we raised in earlier revisions.

## 2.0 COMMUNITY RESPONSE TO RAIL NOISE

The aim of any policy relating to noise is to ensure that residents are able to live in their chosen environment without suffering adverse effects of that noise.

A starting point in determining appropriate levels of rail noise in residential areas is to review guidance and research from overseas—particularly countries which have extensive rail networks. The following sections briefly summarise key points from overseas documents.

### 2.1 Overseas Noise Limits

There have been a number of documents published recently which compare existing rail noise limits in many countries. In particular, the New South Wales Government *"Interim Guideline for the Assessment of Noise from Rail Infrastructure Projects"*, published in 2006 gives a comprehensive table comparing noise levels in various countries throughout the world. Appendix A reproduces that table.

Although we have not personally reviewed all of the data summarised in Appendix A, the notes to that table state that "...criteria are generally set for new or planned developments..." and "...the criteria for existing operations are typically set at 5 decibels above those for new or planned developments...". From this, we conclude that overseas noise limits are a useful guide for reverse sensitivity issues, but may not be appropriate for noise from existing rail lines.

The New South Wales Government has also issued a document entitled *"Development Near Rail Corridors and Busy Roads—Interim Guideline"*. This sets a 2 stage process, whereby there is a "Zone A" within which a detailed noise assessment is required, and a "Zone B" where standard mitigation measures are required for the construction of any new residential dwelling. For a combined passenger/freight line such as found in New Zealand, Zone A is 25 metres and Zone B is 60 metres.

### 2.2 Noise Parameters

Surveys of rail noise criteria in other countries shows that a combination of two noise level ratings is usual. These ratings are an average (equivalent) noise level over a period of time ( $L_{eq}$  or  $L_{dn}$ ) and a maximum noise level ( $L_{AFmax}$ ). Night time penalties are applied in some cases and some countries distinguish between existing and new railway networks.

### 2.2.1 Average Noise Level

The majority of studies and existing criteria concur that the average (equivalent) noise level ( $L_{eq}$ ) closely correlates with the general annoyance of people affected. The period over which the noise level is averaged varies between countries, which may reflect the differing rail operating demands and lifestyles of different countries. In general the limits refer to levels received at the façade of a residential dwelling.

### 2.2.2 Maximum Noise Level

The maximum noise level affects the degree of speech interference and sleep disturbance. The maximum noise level of a single or concurrent train pass-by is dealt with in various ways in the countries surveyed. However the most common rating is the maximum A-weighted noise level ( $L_{AFmax}$ ) received at the façade of a residential dwelling.

Sleep disturbance is the main concern when considering maximum noise levels. Many studies have been carried out to determine the effect of intermittent maximum noise levels on sleep disturbance. In general it has been found that sleep is disturbed with a low number of events (10–15 per night) at 50–55 dB  $L_{AFmax}$  indoors (Huybregts & Marks, 2001). Most dwellings provide 25–30 decibels of sound attenuation with the windows closed, which therefore suggests an external noise level of 75–85 dB  $L_{AFmax}$ . As can be seen from Appendix A, many countries specify a limit of 80 dB  $L_{AFmax}$ , which is consistent with this analysis. Some parts of Australia specify a limit of 85 dB  $L_{AFmax}$ .

By way of contrast, the World Health Organization guidelines (Berglund et al 1999) for Community Noise suggest that an internal noise level of 45 dB  $L_{AFmax}$  (65–70 dB outside) should not be exceeded more than 10–15 times per night for a good night's sleep. This is a more stringent requirement than that stated above, although this research was primarily undertaken under laboratory conditions, and does not account for the benefits of sleeping in one's own bed in a familiar environment with expected noise events such as train passes. In our view, the WHO recommendations should therefore be considered as an ideal noise criterion rather than a realistically achievable one.

### 2.2.3 Night Time Penalty

There is considerable support for a night time penalty on environmental noise where residential areas are affected, as the protection of sleep is an important health consideration. Background noise levels from other activities are typically lower at night time, therefore increasing the intrusiveness of the noisy events during night-time hours.

Some countries specify separate criteria for night and day, whilst others (notably The United States) use the day-night level ( $L_{dn}$ ), which is an average level rating (based on  $L_{eq}$ ) that penalises noise events during night time hours (2200-0700) by 10 decibels.  $L_{dn}$  is already in common use in New Zealand for noise sources such as airports and ports, but has not been adopted for road traffic noise.

#### 2.2.4 Day-night Noise Levels ( $L_{dn}$ )

A number of studies have been carried worldwide to determine the relationship between the day-night noise level ( $L_{dn}$ ) and annoyance for various modes of transportation. The results of one such study are shown in Figure 1 .

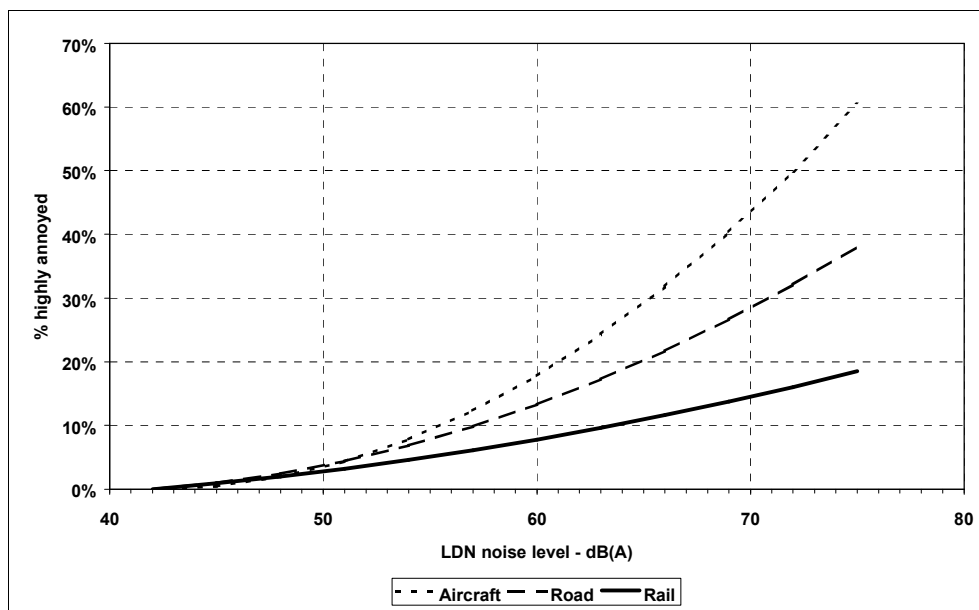


Figure 1: Relationship between average noise level and community annoyance [Miedema & Vos 1998]

The work of Miedema & Vos (Figure 1), and other studies, clearly shows that rail noise is noticeably less annoying than road noise, which in turn is less annoying than aircraft noise.

Lambert et al show that the percentage of people who are highly annoyed by rail noise, increases dramatically above a noise exposure level of 67 dB  $L_{Aeq}$  (12 hour) [Lambert et al, 1998].

Interestingly, Huybregts [2003], in discussing a large project in Australia, comments that "...community annoyance may be 2-3 times higher in Melbourne than estimated from the [Miedema & Vos] relationship...". This finding suggests that it is essential to review local expectations and experience before adopting criteria from another country.

#### 2.2.5 Absolute vs. Relative Limits

Noise limits may be set as an absolute level or the limits may be varied depending on the existing ambient noise levels. Most of the countries surveyed specify absolute noise limits. However, the United States use a procedure whereby the noise limits are varied depending on existing ambient levels, which is similar to the procedure applied to road traffic noise in New Zealand.

Marshall Day Acoustics have previously recommended a 2-stage system for the proposed Marsden Point rail link (Marshall Day Acoustics 2006), with a 65 dB  $L_{dn}$  limit for dwellings in "medium noise areas", and a 60 dB  $L_{dn}$  limit for those in "low noise areas".

#### 2.2.6 New Zealand Road Traffic Criteria

By way of comparison, the New Zealand Transport Agency (formerly Transit New Zealand) have produced reverse sensitivity guidelines for road traffic noise (Transit 2007).

In summary, these guidelines recommend that dwellings adjacent to roads are designed to achieve 35 dB ( $L_{Aeq,24hr}$ ) in bedrooms, and 40 dB ( $L_{Aeq,24hr}$ ) in other habitable rooms. There are buffer distances specified in the guidelines, outside of which applicants are deemed to comply with the guidelines with not specific acoustic treatment. These guidelines are based on compliance under predicted traffic flow rates 10 years after the date of commencement of construction of any development.

Whilst the Transit guidelines do not specifically require compliance with external noise levels, the discussion around their buffer distances confirms our experience that an external traffic noise level of 55 dB ( $L_{Aeq,24hr}$ ) is desirable.

#### 2.2.7 Internal versus External Criteria

Recent studies in the UK (NANR116, 2006) show that the noise reduction across open windows is typically 12-17 dBA for both traffic and rail noise. As such, for "normal" dwellings in New Zealand, noise limits could be applied either outside or inside the building, provided that the limits reflected this difference.

However, this is not necessarily the case in all situations. For example, it would be possible to construct apartments using a heavy wall such as concrete facing the rail line, thereby achieving much higher noise reduction than would be the case with open windows. In our view, rail noise criteria should include both exterior and interior limits to allow for this type of engineering. Exterior limits would only apply in outdoor living spaces, to ensure that residents can have a barbeque outside in an appropriate noise environment. Interior limits would apply in all cases.

#### 2.2.8 Low Volume Lines

Many rail lines in New Zealand carry very low numbers of trains, with most movements being freight rather than passengers. The primary exceptions to this are the commuter lines in Wellington and Auckland. The main "average" noise descriptors discussed above ( $L_{eq}$  and  $L_{dn}$ ) provide an average over 24 hrs per day. For a line that only handles a very

small number of movements, this approach could yield results which do not accurately represent annoyance. It is therefore important to consider how to apply appropriate noise limits in the low-volume areas.

As an example, if a rail line only had 4 train movements per day, all during daytime hours (0700 – 2200), a 65 dBA  $L_{dn}$  criterion would allow 73 dB  $L_{Aeq}$  in a 1-hour period during which a train passed.

Conversely, if a rail line had 10 movements, of which 6 were during daytime, and 4 were during night-time, the same 65 dBA  $L_{dn}$  criterion would only permit 62 dB  $L_{Aeq}$  in any 1-hour period.

Marshall Day Acoustics have previously recommended a 60 dB  $L_{Aeq,1hr}$  criterion for the possible reinstatement of the Waiareka branch line near Oamaru. This was agreed with two other acoustic consultants. However, this relates to a new track in an existing quiet residential area, and is therefore potentially more stringent than would be required if residents were choosing to move into an area with an established track.

### 2.2.9 Other Rail Noise Sources

In addition to noise from train passes, rail noise throughout New Zealand includes other sources which are essential to the efficient operation of the rail network. These include rail maintenance, loading of trains, shunting, and maintenance workshops.

Noise from shunting yards and maintenance depots varies from site to site depending on the size of the area and the activities which occur. Based on our previous experience, noise effects are likely to extend out to distances of several hundred metres.

Rail maintenance ranges from periodic ballast upgrading, to complete rail replacement and culvert/bridge reconstruction. On busy lines, such work increasingly has to be undertaken at night, to avoid disruption to scheduled services. A detailed assessment undertaken by Malcolm Hunt Associates [2006] suggests that rail construction activity can produce noise levels of 75 dB ( $L_{Aeq}$ ) at 10 metres, and 64 dB ( $L_{Aeq}$ ) at 55 metres. These levels are significantly higher than typical night-time noise limits, and would result in vigorous complaints if they occurred regularly or for extended periods of time. We therefore recommend that residents wishing to develop next to existing rail lines be made aware that night-time construction and maintenance activities will occur from time to time. It may also be appropriate for Ontrack to formalise their notification processes to ensure that residents are aware of intended works and their likely duration.

## 3.0 MEASURED TRAIN NOISE

As part of our current scope of work, we have undertaken a small number of noise measurements in Auckland, Wellington, and Christchurch, to obtain an initial indication of the level of train noise which residents are currently exposed to. The measurement positions were chosen on the basis of typical residential areas with typical train movements in each city.

We have used measurements from a number of individual trains to calculate daily average ( $L_{Aeq,24hr}$ ) noise levels based on scheduled train numbers. However, in Auckland and Wellington, we have not been able to obtain data on freight train numbers, and hence our calculations are based on passenger trains, with an estimate of freight trains. All results should be treated as indicative.

The results of our measurements show that:

- All 3 cities have a number of dwellings within 10-12 metres of existing train lines.
- In Auckland, existing residents are often exposed to noise levels 58-67 dB  $L_{Aeq,24hr}$  at the façade line of their dwelling (fences will reduce these levels slightly). The 1-hour  $L_{eq}$  values are almost identical to this, and the  $L_{dn}$  values about 2 dB higher.
- In Wellington, existing residents are similarly exposed to noise levels of up to 65 dB  $L_{Aeq,24hr}$ . As with Auckland, the 1-hour  $L_{eq}$  values are almost identical to this, and the  $L_{dn}$  values about 2 dB higher
- In Christchurch, the main northern line only handles around 2 freight trains and 2 passenger trains each day (daytime hours). We have assumed a similar number at night. Residents are currently exposed to 1-hour average noise levels ( $L_{Aeq,1hr}$ ) of about 67 dB. This is equivalent to about 62 dB  $L_{Aeq,24hr}$  and 68 dBA  $L_{dn}$ .

In summary, the closest residents are currently exposed to train noise levels of about 67 dB  $L_{Aeq}$ , with noise levels on the low-volume line in Christchurch much the same as the busier lines if assessed as a 1-hour average rather than a daily average. On high-volume lines, it makes essentially no difference whether noise levels are assessed as 1-hour  $L_{eq}$ , 24-hour  $L_{eq}$ , or  $L_{dn}$  values.

We would expect typical residential fences to reduce train noise levels by about 5 dBA, which suggests that existing noise levels within outdoor living areas are currently in the order of 60 dB  $L_{Aeq}$ .

## 4.0 VIBRATION

### 4.1 Rail Vibration

Significant levels of low frequency ground vibration can be generated by passing trains. The effects from ground borne vibration include human perception ("feelability"), damage to buildings and radiation of sound from vibrating surfaces.

We have reviewed the following standards: -

- Norwegian Standard NS 8176E Vibration and Shock: Measurement of Vibration in Buildings from Land Based Transport and Guidance to Evaluation of its Effects on Human Beings
- German Standard DIN 4150: Structural Vibrations in Buildings - Effects on Structures

These standards can briefly be summarised as follows.

#### 4.1.1 NS 8176E:2005

Annex A of Norwegian Standard NS8176E provides exposure-response curves based on an extensive study in Norway of residents' reactions to vibration levels in their homes. Figure 2 shows the average percentage of people with various degrees of annoyance due to rail or road vibration in their homes in terms of the statistical maximum weighted vibration velocity,  $v_{w,95}$ .

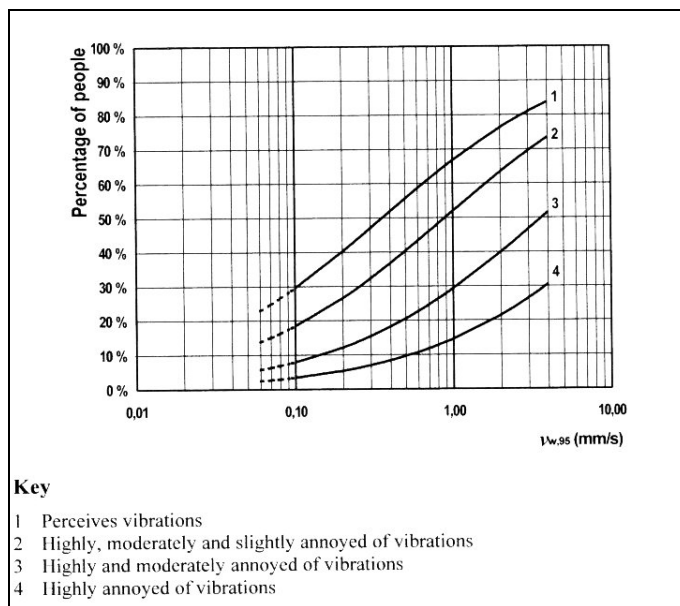


Figure 2: Community annoyance with vibration (NSF 1999)

In Figure 2, four levels of community annoyance are shown, ranging from merely being able to perceive the vibration, up to being highly annoyed about the vibration. For each of these levels, the extent of community annoyance is expressed in terms of the percentage of the exposed community that experience the given level of annoyance.

The methodology requires the measurement of maximum vibration levels from at least 15 pass-bys and requires that the results be presented in terms of the vibration level that would be exceeded 5% of the time,  $v_{w,95}$ . The recommended vibration limit when planning new transport infrastructure is  $v_{w,95}$  0.30 mm/s.

#### 4.1.2 DIN 4150

DIN 4150 provides vibration limits to avoid structural damage from intermittent and continuous vibration. These are recommended for both the operational and construction phases, and are presented in **Table 1**.



**Table 1: Vibration limits according to DIN 4150**

Type of building	Vibration limit (PPV)
Historical, ancient buildings, ruins and monuments	2mm/s
Buildings visibly damaged and cracked	4mm/s
Structurally sound buildings (technically in good order)	6mm/s
Industrial buildings, concrete buildings - without plaster	10-40mm/s

The human body is very sensitive to vibration, and this can be seen from Table 1. The limits to prevent building damage are at least 10 times greater than those already discussed for preventing annoyance.

#### 4.2 Recommended Assessment Criteria

Based on the standards reviewed, we consider vibration design limits of 2 mm/s PPV day time and 1 mm/s PPV night to be appropriate for dwellings.

As part of the Marsden Point assessment (Marshall Day Acoustics Ltd, 2006), we undertook a number of vibration measurements near rail lines. Our conclusion was that at a distance of 30 m, vibration from a goods train is in the region of 2 to 3 mm/s PPV.

At 60 m, vibration levels are in the region of 0.5 to 1 mm/s PPV. These values are only intended as an indicative guide because vibration levels vary significantly based on a large number of factors, both relating to the train and the surrounding ground.

Based on these indicative values, a buffer distance of around 60 m would be necessary to achieve a design vibration limit of 1 mm/s PPV. This is a significantly greater buffer distance than many dwellings in New Zealand currently have. During our indicative measurements, we noted many existing houses 10-12 metres from a rail line.

#### 5.0 CASE LAW

We have undertaken a detailed search of all Environment Court decisions with any mention of rail noise. Whilst there are a small number of cases where rail noise has been mentioned, these have all involved consideration of what might happen in the future as a consequence of proposed activities. As far as we are aware, rail noise has never prompted court action by residents because of adverse effects.

Two recent rail noise cases which we have been involved in are;

- Rapahoe/Rocky Creek. Solid Energy load coal trains out of a purpose built facility near Rapahoe (near Greymouth), and prior to that, trains were loaded immediately behind houses in Rapahoe. Noise from loading activity has resulted in complaints for many years, despite significant work by Solid Energy to reduce noise levels.
- Waiareka Branch Line. Ontrack recently re-designated a small branch line between Oamaru and Weston. The most likely use of this line is transportation of cement, if an application by Holcim New Zealand to build a cement plant is successful.

Ontrack reluctantly accepted noise criteria on this designation rather than appeal the decision.

## 6.0 DISTRICT PLAN NOISE RULES

District Plan noise rules do not generally apply to transportation noise. Ontrack may wish to consider developing appropriate rules for insertion into District Plans as they are revised. Transit have begun this process by including draft District Plan noise rules in their reverse sensitivity guidelines.

## 7.0 RECOMMENDED REVERSE SENSITIVITY NOISE GUIDELINES

There are three main ways in which reverse sensitivity guidelines can be drafted:

- By defining noise (and vibration) levels which must be achieved, either outside or inside buildings, and then leaving applicants to prove they can comply. This is an excellent approach for large developments, because it is possible to acoustically engineer innovative solutions. For example, it would be possible to construct apartments immediately adjacent to, or even over the top of train lines.
- By providing rules regarding building setbacks and/or construction requirements. This is a good approach for applications involving only 1 or 2 dwellings because it will often mean that the applicant doesn't incur the expense of an acoustic consultant;
- A combination of both.

We recommend a combination approach because neither of the first two methods deal with all situations. We suggest that Ontracks guidelines should consist of an "either/or" approach, along the lines of "...either new dwellings shall be located not less than... and be constructed of...", "...or they shall be designed to achieve the following noise and vibration limits...". In addition, the setback/construction requirements could be more than a single option—a large setback with typical construction, or a lesser setback with slightly better construction could achieve the same requirements.

The discussion in this report only considers criteria for residential dwellings. Commercial and industrial sites are less sensitive to noise and criteria would therefore be less stringent. Whilst there is very little guidance on appropriate limits for these sites, we have proposed criteria in line with current New Zealand standards.

Based on existing train noise levels in New Zealand, and international guidance as discussed in this report, we recommend that Ontrack should consider developing reverse sensitivity noise guidelines along the lines of the following;

- New residential areas adjacent to existing rail lines should be designed in such a way that train noise levels do not exceed 60 dB in any outdoor living space. We recommend that this criterion should be set as a 1-hour average ( $L_{Aeq,1hr}$ ) for low-volume lines. For high-volume lines, we suggest using a day-night average noise

level ( $L_{dn}$ ) to avoid night-time noise issues in the event that a line carries a large number of trains at night. As a starting point, we suggest that any line carrying fewer than 20 trains per day be considered "low flow", and above this number, "high flow".

- New dwellings being developed adjacent to existing rail lines should be designed to achieve noise levels no greater than 35 dB inside bedrooms, and 40 dB inside other habitable spaces. These criteria should be set using the same parameters as for external noise levels.
- We do not consider it necessary to add a maximum noise level requirement ( $L_{max}$ ) to the guidelines. The maximum noise level of a single train pass-by is somewhat variable, and in our view only adds extra complication without any noticeable benefit to Ontrack.
- In order for applicants to design to these noise levels, it is essential to know how noisy a given train line is. To avoid the need for extensive noise monitoring on small development projects, we propose that for the purposes of complying with these guidelines, the noise level of a train line should be standardised. On large developments, applicants should be required to measure actual train noise levels, and show that they can achieve the required noise criteria with a margin of 3 dB to allow for potential future expansion of the rail line.

We recommend wording along the lines of "...for the purposes of compliance with these guidelines, the noise level from an existing train line shall be deemed to be 70 dB ( $L_{Aeq,1hr}$ ) at a distance of 12 metres from the centreline of the nearest track. For distances of up to 30 metres, this level shall be deemed to vary at a rate of 3 dB per doubling of distance. Alternatively, applicants may measure actual train noise levels and provide a report from a recognised acoustic consultant confirming compliance with recommended criteria. Such assessment shall provide a margin of 3 dB to allow for future expansion of the rail network, and shall be based on an Internationally recognised rail noise prediction model..."

- New dwellings being developed adjacent to existing rail lines should be designed to achieve vibration levels no greater than 1 mm/s PPV inside any habitable space. This can typically be achieved with a setback distance of 60 metres.
- Standard house constructions, for single storey houses, incorporating a 1.8m high solid fence, will achieve these criteria at a distance of 40 metres from any train line (This is in the order of what is required to control vibration effects). Construction of any dwelling or noise sensitive building within this distance will require a noise and vibration assessment from a recognised acoustic consultant to show that both internal and external criteria will be achieved.
- Multi-storey houses would require a setback of at least 80 metres to achieve the recommended criteria.

- Executive offices and boardrooms should be designed to achieve internal noise levels of no greater than 45 dB. All other commercial and industrial buildings shall be designed to achieve internal noise levels no greater than the recommended maximum design levels given in AS/NZS 2107-2000: *Acoustics - Recommended design sound levels and reverberation times for building interiors*. Appendix B reproduces two of the 6 pages of Table 1 of this standard, showing typical criteria. Because of the difficulties involved in reproducing Standards, we suggest writing a rule that references the Standard rather than producing a detailed table.
- Naturally ventilated office buildings would require a setback of 80 metres. This could be reduced to 40 metres by adding a solid fence at least 1.8 metres high on the rail boundary. Air-conditioned offices (non-opening windows) require a 10 metre setback. Applications for buildings not complying with these setbacks would need to be accompanied by a report from a recognised acoustic consultant showing how the required internal noise levels will be achieved.
- Any new residential development within 400 metres of an existing shunting yard or maintenance depot should be required to provide a detailed assessment of noise effects from a recognised acoustic consultant. This assessment should measure noise from existing operations on the rail site, and allow for noise which could reasonably be expected at capacity use. Dwellings should not be exposed to noise levels beyond the applicable District Plan noise limits for residential areas, unless the acoustic assessment can demonstrate that alternative measures have been used to achieve appropriate indoor and outdoor noise levels.
- Any person wishing to develop a new residential dwelling within the defined noise buffer areas adjacent to an existing rail line should be advised that night-time maintenance and or construction work will occur at times, and that noise levels during such work is likely to result in sleep disturbance. We recommend that Ontrack outline the typical frequency and duration of such work to give residents an indication of what to expect. We also suggest giving an undertaking to notify affected residents in writing of any maintenance activity which will involve more than say 2 nights duration near their property.

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APPENDIX A: EXCERPT FROM NEW SOUTH WALES GUIDELINES

Interim Guideline for the Assessment of Noise from Rail Infrastructure Projects

Country	Existing rail line	New rail line	Alarm/priority	Comments
Denmark	na	63 $L_{Aeq(24h)}$ 85 $L_{Amax}$	68 $L_{Aeq(24h)}$ – insulation trigger	Includes 5-dB bonus. At 68 dB(A) the owner must contribute 50% to cost of insulation; 25% at 73 dB(A); 10% at < 78 dB(A)
Finland	na	58 $L_{Aeq(day)}$ 53 $L_{Aeq(night)}$	na	
France	na	63 (60) $L_{Aeq(day)}$ 58 (55) $L_{Aeq(night)}$	na	0- or 3-dB bonus; bracketed values are for TGV lines
Germany	Planning values for new dwellings: 58–63 $L_{Aeq(day)}$ 48–53 $L_{Aeq(night)}$	67 $L_{Aeq(day)}$ 57 $L_{Aeq(night)}$	na	Includes 5-dB bonus
The Netherlands	na	63 $L_{Aeq(day)}$ 58 $L_{Aeq(evening)}$ 53 $L_{Aeq(night)}$	68 $L_{Aeq}$ (at this level State is responsible for correcting noise problem) 73 $L_{Aeq}$ absolute maximum level allowed and only provided an indoor level of 40 $L_{Aeq}$ can be met	Includes 5-dB bonus
Norway	na	55–60 $L_{Aeq(24h)}$ 80 $L_{Amax}$ 45–55 $L_{Amax}$ (indoors)	Pay out at $L_{Aeq(24h)} > 65$ or $L_{Amax} > 90$ Otherwise if resident does not agree then insulation to $L_{Aeq(24h)} < 35$ and $L_{Amax} < 55$	
Sweden	na	58 $L_{Aeq(24h)}$ 45 $L_{Amax}$ (indoors)	na	
Switzerland	65 $L_{Aeq(day)}$ 55 $L_{Aeq(night)}$	60 $L_{Aeq(day)}$ 50 $L_{Aeq(night)}$	75 $L_{Aeq(day)}$ 70 $L_{Aeq(night)}$	Levels presented for residential area category only. For very sensitive subtract 5 dB, for commercial and industrial add 5 and 10 dB, respectively. Railway bonus 5 to 15 dB depending on number of trains: the higher the number the lower the bonus. The levels quoted include a 5-dB bonus.

Interim Guideline for the Assessment of Noise from Rail Infrastructure Projects

Country	Existing rail line	New rail line	Alarm/priority	Comments
United Kingdom	na	na	68 $L_{Aeq(day)}$ 63 $L_{Aeq(night)}$	Includes 2- to 3-dB bonus; criteria used to determine insulation requirements
<b>North America</b>				
Canada <sup>2</sup>	na	35 $L_{Aeq(night)}$ (bedroom) 40 $L_{Aeq(day)}$ (living areas) 55 $L_{Aeq(day)}$ (outdoor)	na	
United States <sup>3</sup>	na	52–65 $L_{Aeq(1h)}$ (serenity) 52–65 $L_{Adn}$ (residences) 57–70 $L_{Aeq(1h)}$ (schools etc.) (5-dB onset adjustment for high-speed maglev [magnetic levitation] operations)	na	Depends on existing noise levels. Criteria stated vary, as corresponding existing noise levels vary from 43–63 dB(A). Criteria represent onset of impact and also are cumulative levels (i.e. existing plus new).
<b>Asia</b>				
Hong Kong <sup>4</sup>	na	60 $L_{Aeq(30min)}$ (day and evening) 50 $L_{Aeq(30min)}$ (night) 85 $L_{Amax}$ (night)	na	Values given for residential areas not affected by other noise sources. For increasingly affected areas add 5 and 10 dB to the $L_{Aeq}$ criteria.
Japan <sup>5</sup>	na	70 $L_{Apeak}$ (residential) 75 $L_{Apeak}$ (commercial, industrial with residences)	na	For the Shinkansen Superexpress railway. Measured as the energy mean of the highest 10 out of 20 successive train measurements between 6 am and midnight (with meter set to slow response).

<sup>1</sup> UK DOT 1991; Lambert and Vallet 1994; Gottlob 1995; Ljunggren 1996; Oertli and Wassmer, 1996; Hubner 1997

<sup>2</sup> Ministry of the Environment and Energy 1997

<sup>3</sup> FTA 2006

<sup>4</sup> Environment Protection Department Hong Kong

<sup>5</sup> Ministry of the Environment 1993

APPENDIX B: RECOMMENDED DESIGN CRITERIA FROM AS/NZS 2107-2000

**TABLE 1**  
**RECOMMENDED DESIGN SOUND LEVELS FOR DIFFERENT AREAS OF**  
**OCCUPANCY IN BUILDINGS**

Type of occupancy/activity	Recommended design sound level, $L_{Aeq}$ dB(A)		Recommended reverberation time (T), s
	Satisfactory	Maximum	
<b>1 EDUCATIONAL BUILDINGS</b>			
Art/craft studios	40	45	0.6 to 0.8
Assembly halls up to 250 seats	30	40	Curve 1*
Assembly halls over 250 seats	30	35	0.6 to 0.8
Audio-visual areas	35	45	0.6 to 0.8
Computer rooms—			
Teaching	40	45	0.4 to 0.6
Laboratories	45	50	0.4 to 0.6
Conference rooms	35	40	0.6 to 0.7
Corridors and lobbies	45	50	0.6 to 0.8
Drama studios	35	40	See Note 2
Duplicating rooms/stores	45	50	0.6 to 0.8
Engineering workshops	50	60	See Note 3
Gymnasiums	45	55	See Note 2
Interview/counselling rooms	40	45	0.3 to 0.6
Laboratories—			
Teaching	35	45	0.5 to 0.7
Working	40	50	0.6 to 0.8
Lecture rooms up to 50 seats	30	35	Curve 1*
Lecture theatres—			
Without speech reinforcement	30	35	Curve 1*
With speech reinforcement	35	45	Curve 1*
Libraries—			
General areas	40	50	0.4 to 0.6
Reading areas	40	45	0.4 to 0.6
Stack areas	45	50	See Note 3
Manual arts workshops	40	45	See Note 3
Medical rooms (First Aid)	40	45	0.6 to 0.8
Music practice rooms	40	45	0.7 to 0.9
Music studios	30	35	Curve 2*
Office areas	40	45	0.4 to 0.6
Professional and administrative offices	35	40	0.6 to 0.8
Teaching spaces—			
Primary schools	35	45	0.4 to 0.5 See Note 4
Secondary schools	35	45	0.5 to 0.6 See Note 4

\* See Appendix A.

(continued)

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TABLE 1 (continued)

Type of occupancy/activity	Recommended design sound level, $L_{Aeq}$ , dB(A)		Recommended reverberation time ( $T$ ), s
	Satisfactory	Maximum	
<b>5 OFFICE BUILDINGS</b>			
Board and conference rooms	30	40	0.6 to 0.8
Cafeterias	45	50	See Note 3
Call centres	40	45	0.1 to 0.4
Computer rooms	45	50	See Note 3
Corridors and lobbies	45	50	0.4 to 0.6
Design offices	40	45	0.4 to 0.6
Draughting offices	40	50	0.4 to 0.6
General office areas	40	45	0.4 to 0.6
Private offices	35	40	0.6 to 0.8
Public spaces	40	50	0.5 to 1.0
Reception areas	40	45	See Note 3
Rest rooms and tea rooms	40	45	0.4 to 0.6
Toilets	50	55	—
Undercover car parks	55	65	—
<b>6 PUBLIC BUILDINGS</b>			
Airport terminals—			
Departure lounges	45	55	See Note 3
Luggage despatch and collection areas	45	55	See Note 3
Passenger check-in areas	45	50	See Note 3
Art galleries	40	45	See Note 3
Auditoriums—			
Cabarets and theatre restaurants	35	40	Curve 3*
Concert and recital halls	See Note 5	See Note 5	See Note 5
Conference and convention centres—			
Without sound reinforcement—			
Up to 50 persons	35	40	Curve 1*
From 50 to 250 persons	30	35	Curve 1*
With sound reinforcement	35	45	Curve 1*
Drama theatres (see Notes 5 and 8)	25	30	Curve 1*
Exhibition areas	40	50	See Note 3
Cinemas (see Notes 5 and 8)	30	35	Curve 1*
Opera halls	See Note 5	See Note 5	See Note 5
Theatres for operetta and musical plays	See Note 5	See Note 5	See Note 5

\* See Appendix A.

(continued)

## APPENDIX C: ACOUSTIC TERMINOLOGY

Commonly used noise measurement parameters and other useful definitions are provided below:

$L_{Aeq(t)}$  is the time-averaged, A-weighted sound pressure level during the sample period and effectively represents an average value. The suffix "t" represents the time period to which the noise level relates, and should be stated in all cases. A 15 minute measurement previously denoted as "55 dBA  $L_{eq}$ " is now stated as "55 dB  $L_{Aeq(15min)}$ ".

$L_{AFmax}$  is the maximum A-weighted sound level measured using fast response (hence F), during a chosen sample period. It is also used to describe intrusive sound. Previously denoted  $L_{max}$ .

$L_{AFmin}$  is the minimum A-weighted sound level measured using fast response (hence F), during a chosen sample period.

$L_{A10}$  is the A-weighted sound level that is exceeded for 10% of the sample period. Previously denoted as  $L_{10}$ , this parameter has been used for many years to describe intrusive sound. In the latest version of New Zealand standards, it has been replaced by  $L_{Aeq(t)}$ , which is numerically very similar.

$L_{90(t)}$  is the sound level that is exceeded for 90% of a chosen sample period, and is used to quantify background noise. Generally A-weighted (and denoted  $L_{A90(t)}$ ), with the suffix "t" denoting the measurement time, which should be stated,  $L_{90}$  has replaced the previous  $L_{95}$  to bring New Zealand into line with International practice.

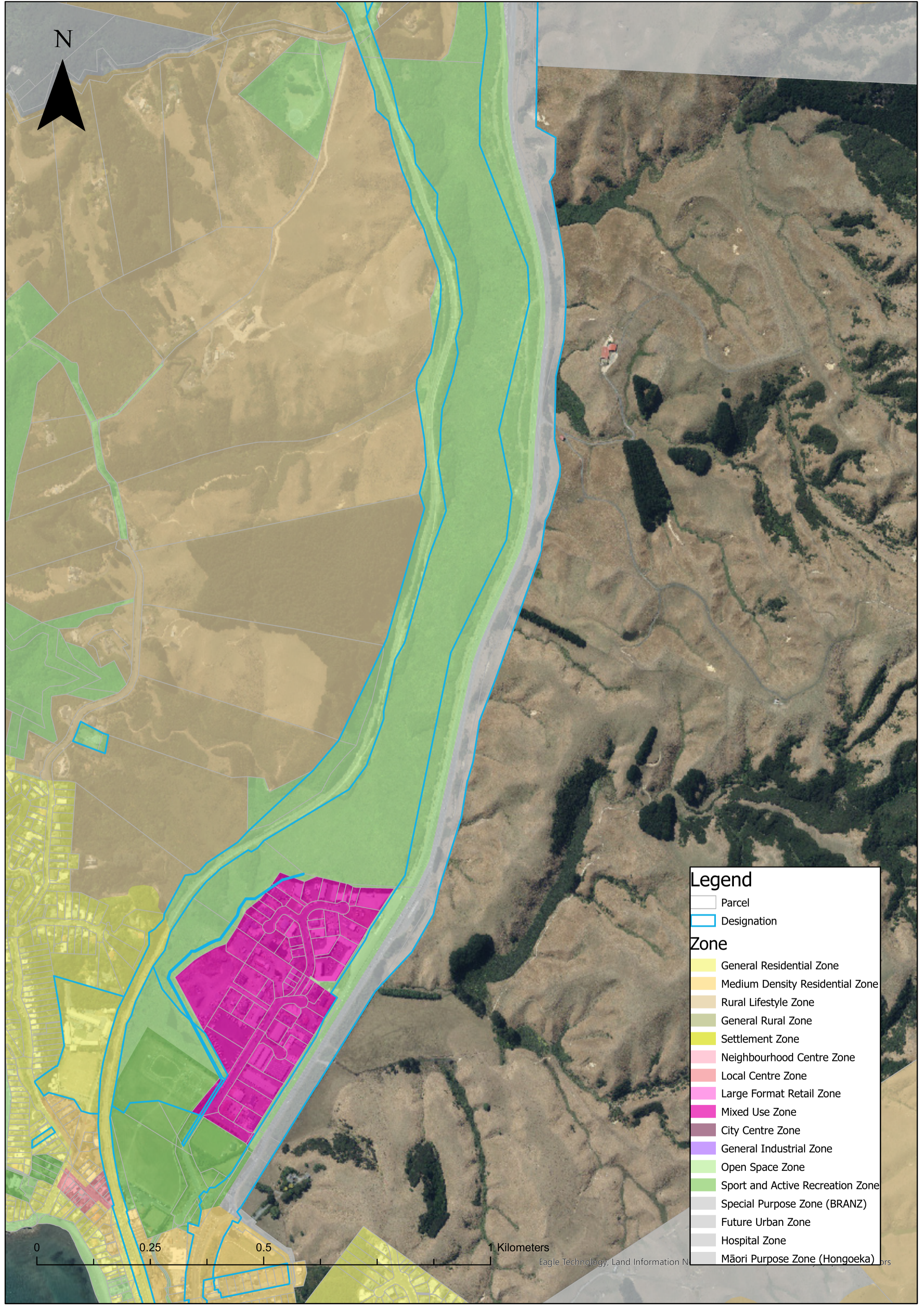
$L_{AE}$  is the A-weighted Sound Exposure Level, previously known as SEL. This is a notional parameter and is the sound level, that if maintained for a constant 1 second, contains the same energy as the varying noise level.

**A-weighting** is the process by which noise levels are corrected to account for the non-linear frequency response of the human ear.

All noise levels are quoted relative to a sound pressure of  $2 \times 10^{-5} \text{Pa}$

NZS6801	New Zealand Standard NZS 6801:2008 <i>Acoustics-Measurement of Environmental Sound</i>
NZS6802	New Zealand Standard NZS 6802:2008 <i>Acoustics-Environmental Noise</i>
dB	decibels are a logarithmic unit used to measured sound pressure. A doubling of sound pressure results in a 3dB increase in sound level.
$L_{dn}$	is a "day-night" noise level. This is an $L_{eq}$ measured over a 24hr period, where night-time noise levels are penalised by 10 dB to account for additional annoyance during sleeping hours.

**APPENDIX 6. PLANNING MAP SHOWING THE PLIMMERTON FARM AREA**



N



### Legend

- Parcel
- Designation

### Zone

- General Residential Zone
- Medium Density Residential Zone
- Rural Lifestyle Zone
- General Rural Zone
- Settlement Zone
- Neighbourhood Centre Zone
- Local Centre Zone
- Large Format Retail Zone
- Mixed Use Zone
- City Centre Zone
- General Industrial Zone
- Open Space Zone
- Sport and Active Recreation Zone
- Special Purpose Zone (BRANZ)
- Future Urban Zone
- Hospital Zone
- Māori Purpose Zone (Hongoeka)

0 0.25 0.5 1 Kilometers

**APPENDIX 7. STATE HIGHWAY DESIGNATION CONDITIONS**