

Part 3

Domains and topics

Topics

EIT – Energy, infrastructure and transport

Objectives

EIT-O1 Provide for infrastructure [DP]
Ongoing operation, maintenance, development and upgrade of infrastructure is provided for.
EIT-O2 Infrastructure facilities and networks [DP]
Infrastructure facilities and networks are sufficient to accommodate growth and development, are safe, efficient, effective and resilient to natural hazards and the effects of climate change, and provide for the health, wellbeing and safety of the Whakatū Nelson community.
EIT-O3 Adverse effects of infrastructure [DP]
Adverse effects of new infrastructure and upgrades to existing infrastructure on other activities and the environment are managed while having regard to the technical and operational requirements of infrastructure.
EIT-O4 Regionally significant infrastructure [DP]
Regionally significant infrastructure is not restricted by subdivision, use and development of other activities.
EIT-O5 Renewable sources [DP]
The amount of electricity generated from renewable sources is increased.

Policies

EIT-P1 General: Benefits and provision of infrastructure [DP]
Recognise the national, regional and local benefits of infrastructure and provide for its operation, maintenance, development and upgrade.

EIT-P2 General: Adverse effects of infrastructure [DP]

Avoid, remedy or mitigate adverse effects of new infrastructure or upgrades to existing infrastructure while recognising their functional and operational needs, on:

1. character and amenity values of the surrounding environment;
2. human health;
3. existing sensitive activities;
4. water and air quality;
5. identified sites, areas or features of outstanding or significant ecological, landscape, natural character, historic heritage values, Sites of significance to Māori or values of significance to tāngata whenua; and
6. Whakatū Nelson's resilience to natural hazards and the effects of climate change.

EIT-P3 General: Considerations for adverse effects of infrastructure [DP]

When considering measures to avoid, remedy or mitigate adverse effects of new infrastructure or upgrades to existing infrastructure, consider:

1. any functional, or operational need;
2. the benefits of co-locating infrastructure facilities and networks; and
3. the extent to which effects can be managed by route, site or method selection.

EIT-P4 General: Regionally significant infrastructure [DP]

Restrict the establishment or intensification of subdivision, use and development where it would:

1. result in reverse sensitivity effects on regionally significant infrastructure facilities or networks; or
2. compromise the operation, development, maintenance or upgrade of regionally significant infrastructure.

EIT-P5 General: Access, servicing or connectivity requirements [DP]

Ensure sufficient land and infrastructure is provided to support any access, servicing or connectivity requirements at the time of subdivision or development.

EIT-P6 General: Standard of infrastructure [DP]

Ensure that where infrastructure is provided to support a development or subdivision that it is:

1. fit for purpose; and
2. designed and constructed consistent with requirements and guidance of the Nelson Tasman Land Development Manual 2019.

EIT-P7 General: Works and services [DP]

Require the provision of works and services associated with a subdivision or development when:

1. existing services are operating at full capacity or in areas that do not have access to reticulated services;
2. the subdivision or development results in a specific and unplanned servicing need that has not otherwise been recognised or anticipated by the Nelson City Council, or provided for through other means; and
3. they are necessary to avoid, remedy or mitigate adverse off-site environmental effects, including effects on existing infrastructure facilities and networks.

EIT-P8 General: Services overlay [DP]

In the Services overlay, sufficient provision or capacity of reticulated water supply, wastewater and stormwater management networks shall be provided for subdivision and development.

EIT-P9 General: Resilient infrastructure [DP]

Ensure regionally significant and critical lifeline infrastructure to be designed, located and constructed in a manner that is resilient to natural hazards and the effects of climate change.

EIT-P10 Transport: Roading hierarchy [DP]

Establish and maintain a roading hierarchy that:

1. is responsive to meeting changing land use demands;
2. provides safe, efficient networks and connections for all transport modes;
3. recognises the different functions and design requirements for each road classification;
4. makes effective use of existing infrastructure;
5. is used to classify new or future proposed roads; and
6. ensures that buildings and structures are kept clear of proposed future roads.

EIT-P11 Transport: Public and active transport [DP]

Increase modal share of public and active transport, including through:

1. provision of safe, attractive, sufficient, and convenient on-road and off-road active transport, including walking and cycling facilities;
2. ensuring streets are designed, constructed, modified, and maintained to provide an appropriate allocation of space and infrastructure to support active travel modes and public transport; and
3. the use of travel demand management methods.

EIT-P12 Transport: Vehicle parking, access and manoeuvring [DP]

Ensure that where vehicle access, on-site manoeuvring, and on-site parking are provided, that they are located, designed, constructed and maintained to protect:

1. the efficiency of the road network and safety of road users;
2. pedestrian and active transport safety and amenity; and
3. streetscape quality, including consideration of surrounding character.

EIT-P13 Transport: CCZ – City centre zone vehicle parking [DP]

Limit the supply of on-site parking in the CCZ – City centre zone to:

1. enable efficient use of land for economic activity, growth and residential intensification;
2. recognise the existing and future accessibility of this location as the hub for public transport; and
3. support active modes of transport, including walking and cycling.

EIT-P14 Transport: Effects of subdivision, use and development [DP]

For subdivision, use and development outside the CCZ – City centre zone, adverse effects on the safe and effective operation of the transport network are to be managed through integration with the existing and future planned transport network by measures including:

1. travel planning;
2. providing alternatives to private vehicle trips;
3. staging development; and
4. undertaking improvements to the local transport network.

EIT-P15 Electricity transmission: Effects on the National Grid [DP]

Ensure the effects of subdivision, development and land use do not compromise the safe, effective and efficient operation, maintenance, upgrade and development of the National Grid by:

1. establishing safe buffer distances for managing subdivision and land use development near the National Grid;
2. preventing sensitive activities and large structures from establishing within National Grid yards and around substations;
3. ensuring subdivision around the National Grid does not enable subsequent land use to restrict the operation, maintenance, upgrade and development of the National Grid; and
4. ensuring existing activities within a National Grid yard and around National Grid substations do not further restrict the operation, maintenance, upgrade and development of the National Grid.

EIT-P16 Electricity transmission: Activities within the National Grid [DP]

When considering proposals for subdivision, use and development within the National Grid Corridor, have regard to:

1. the extent to which the proposal may restrict or inhibit the operation, access, maintenance or upgrade of the National Grid, including consideration of potential cumulative effects;
2. the nature of any proposal located near any existing or planned National Grid infrastructure, and the potential for reverse sensitivity effects or adverse safety risks; and
3. any relevant technical or operational information provided by the National Grid operator.

EIT-P17 Electricity transmission: Adverse effects of the National Grid [DP]

The planning, development and upgrade of the National Grid should:

1. minimise adverse effects on urban amenity;
2. take opportunities to reduce existing adverse effects where substantial upgrades are proposed;
3. avoid adverse effects on:
 - a. the City's commercial centres;
 - b. areas of high recreational, and amenity values; and
 - c. existing sensitive activities; and
4. in the rural area, seek to avoid adverse effects on areas of outstanding natural features and landscapes and areas of high natural character.

EIT-P18 Electricity generation: Providing for renewable electricity generation [DP]

Provide for the operation, maintenance, upgrade and construction of a range of renewable electricity generation facilities where their adverse effects are avoided, remedied or mitigated.

EIT-P19 Electricity generation: Renewable electricity enabling works [DP]

Provide for the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation.

EIT-P20 Electricity generation: Renewable electricity generation proposals [DP]

When considering proposals for renewable electricity generation facilities, have regard to:

1. the local, regional and national benefits to be derived from renewable electricity generation;
2. the practical implications of achieving national targets for renewable electricity generation;
3. the need to locate generation facilities where the renewable resource is available;
4. the extent to which adaptive management measures may be appropriate;

5. the need for, and benefits of, environmental compensation or offsetting residual effects, where the effects can not otherwise be avoided, remedied or mitigated;
6. the need to provide for ancillary works, structures and facilities and to connect with the National Grid;
7. any relevant best practice standards or guidelines, including NZS6808:2010 *Acoustics – Wind Farm Noise*; and
8. the reversibility of the adverse effects on the environment of some renewable electricity generation technologies.

EIT-P21 Electricity generation: Discouraging non-renewable electricity generation [DP]

Discourage use and development of non-renewable electricity generation, except where necessary to maintain or enhance the resilience of Whakatū Nelson to critical events.

EIT-P22 Water supply [DP]

Provide for the sustainable supply of water through:

1. the ongoing operation, maintenance, upgrade and expansion of an efficient reticulated water supply network;
2. maintaining the integrity of community water supplies; and
3. the provision of on-site potable water supplies in rural areas.

EIT-P23 Wastewater and stormwater [DP]

Ensure wastewater and stormwater management services are designed, constructed, and maintained to service the scale and type of proposed use, and to avoid, remedy or mitigate any adverse effects on:

1. water quality, water quantity, ecosystem health and associated ecological habitat;
2. identified values of significance to tāngata whenua;
3. public health and safety;
4. amenity values;
5. potential for flooding and erosion; and
6. Whakatū Nelson’s resilience to natural hazards and the effects of climate change.

EIT-P24 Telecommunication facilities [DP]

When considering proposals for new telecommunication facilities, have regard to:

1. the rapid rate of change in communication technology and associated usage by the community; and
2. any emerging best practice for the management of emerging communication facilities and technology.

EIT-P25 Amateur radio, meteorology facilities, and warning facilities [DP]

Provide for amateur radio activities and associated structures and facilities, meteorological facilities and emergency warning facilities where they do not give rise to significant adverse effects on health, safety, character and amenity.

Rules

Rule interpretation and application

EIT-R1 [DP]

The rules that apply to energy, infrastructure and transport activities are contained in the activity status table as follows:

1. EIT-R5 to EIT-R43.

EIT-R2 [DP]

The activity status tables and standards in the following chapters also apply to energy, infrastructure and transport activities:

1. EW-R1 and EW-R2; and
2. Part 3 – Domains and topics – all chapters, except where listed below in EIT-R3:
 - a. AIR – Air; and
 - b. CMA – Coastal marine area; and
 - c. CMAR – Coastal margins; and
 - d. NCFLC – Natural character, features and landscapes in the coastal environment; and
 - e. LF – Land and freshwater; and
 - f. EIT – Energy, infrastructure and transport; and
 - g. CON – Contaminated land; and
 - h. HAZS – Hazardous substances; and
 - i. NH – Natural hazards; and
 - j. HH – Historic heritage; and
 - k. TREE – Notable trees; and
 - l. SASM – Site and areas of significance to Māori; and
 - m. ECO – Ecosystems and indigenous biodiversity; and
 - n. NATC – Natural character; and
 - o. NFL – Natural features and landscapes; and
 - p. PA – Public access; and
 - q. SUB – Subdivision; and
 - r. UFD – Urban form and development; and
 - s. ASW – Activities on the surface of water; and
 - t. EW – Earthworks; and
 - u. LIGHT – Light; and

- v. NOISE – Noise; and
- 3. Part 4 – Area specific matters – all chapters:
 - a. GRZ – General residential zone; and
 - b. MRZ – Medium density residential zone; and
 - c. GRUZ – General rural zone; and
 - d. RLZ – Rural lifestyle zone; and
 - e. NCZ – Neighbourhood centre zone; and
 - f. LCZ – Local centre zone; and
 - g. MUZ – Mixed use zone; and
 - h. CCZ – City centre zone; and
 - i. LIZ – Light industrial zone; and
 - j. GIZ – General industrial zone; and
 - k. NOSZ – Natural open space zone; and
 - l. OSZ – Open space zone; and
 - m. SARZ – Sport and active recreation zone; and
 - n. HOSZ – Hospital zone; and
 - o. PORTZ – Port zone; and
 - p. PREC19 – Marina precinct; and
 - q. DEV2 – Saxton development area.

EIT-R3 [DP]

The activity status tables and standards in EW – Earthworks does not apply to energy, infrastructure and transport activities:

- 1. In relation to EIT-R5 and EIT-R6 only.

EIT-R4 [DP]

In addition to the activity status tables and standards set out above in EIT-R1 and EIT-R2, further regulations also apply to specific activities:

- 1. Existing electricity transmission activities:

The National Environmental Standards for Electricity Transmission Activities (NESETA) contain a separate code of rules for the operation, maintenance, upgrading, relocation or removal of an existing transmission line, which is part of the National Grid, as defined in the regulations. Except as provided for by the regulations, no rules in the Nelson Plan apply to such activities. Where an activity does not relate to an existing transmission line that is part of the National Grid, or where new transmission lines and associated structures are proposed, the provisions of the Nelson Plan apply.

- 2. Communication facilities – general:

The installation and operation of telecommunication facilities, including radiofrequency emissions from such facilities through specific exposure standards, are largely controlled by the National Environmental Standards for Telecommunication Facilities (NESTF). For clarification, where there is conflict or perceived conflict between the provisions of the Nelson Plan and the requirements of the NESTF, the provisions of the NESTF shall apply.

The NESTF sets out the following activity status for activities where the relevant regulations and Nelson Plan standards are met and are not met:

- a. where the facility complies with all NESTF standards and there are no applicable District or Regional Plan rules - the activity status is permitted; and
 - b. where the facility complies with all NESTF standards but consent is required under a District and/or Regional Plan; or the facility does not comply with NESTF standards and is not permitted under the District Plan - the activity status is determined by the Nelson Plan; and
 - c. where the facility does not comply with NESTF standards but is permitted under the District Plan - the activity status is controlled; and
 - d. where the facility does not comply with the radiofrequency standards in the relevant sub-part of the NESTF standards - the activity status is non-complying.
3. Communication facilities – amateur radio

Amateur radio configurations do not fit within the definition of network utilities and are not subject to the same rules. However, a specific rule (EIT-R36) for amateur radio configuration is included within this chapter.

4. Nelson Tasman Land Development Manual 2019:

The Nelson Tasman Land Development Manual 2019 (NTLDM) is a document that combines network asset design and construction requirements for both Nelson and Tasman regions. It provides consistent minimum standards and guidance for network assets that Nelson City Council will accept as part of its network, and activities affecting them including maintenance and operations. It also includes formation and construction standards for some private assets that connect to network assets.

Where a new Nelson City Council network asset is being created, maintained, or replaced, or is being connected to by a private asset, through development, such as a new road or water supply pipeline, it is the NTLDM that provides more detailed design and construction standards of what the Nelson City Council will accept and take over as a public asset. Additionally, practice notes provide comprehensive design details that can support developers and maintenance and operation contractors in carrying out their activities in a way that will meet Nelson City Council's requirements for design and construction.

Activity status

Rule	Use/Activity
General network utility	
EIT-R5	Removal of an existing network utility
EIT-R6	Access track ancillary to a network utility
EIT-R7	Underground network utility
EIT-R8	Customer connection from an existing network utility
EIT-R9	Network utility building
EIT-R10	Network utility within the coastal margin
EIT-R11	Network utility within the riparian margin
EIT-R12	Network utility within a Biodiversity corridor or Greenspace area
EIT-R13	Radiofrequency fields
Transport	
EIT-R14	Road maintenance or operation
EIT-R15	Road construction or upgrade (including associated streetlighting)
EIT-R16	Structure in road reserve
EIT-R17	Building within a proposed road
Electricity	
EIT-R18	Operation, maintenance or minor upgrade of an existing electricity line
EIT-R19	New or additional electricity line
Stormwater, wastewater and water infrastructure	
EIT-R20	Maintenance or operation of a community stormwater network
EIT-R21	Construction or upgrade of a community stormwater network
EIT-R22	Maintenance or operation of a wastewater network
EIT-R23	Construction or upgrade of a wastewater network

EIT-R24	Maintenance or operation of a community water supply
EIT-R25	Construction or upgrade of a community water supply
EIT-R26	Maintenance activity in or on a water supply reservoir or pond
EIT-R27	Construction or upgrade of a water supply reservoir or pond
EIT-R28	Maintenance activity in or on a wastewater treatment pond
EIT-R29	Construction or upgrade of a wastewater treatment pond
EIT-R30	Building in the Services overlay
Communication infrastructure and other activities	
EIT-R31	Underground telecommunication facility
EIT-R32	Relocation of an above ground telecommunication facility
EIT-R33	Maintenance, operation or replacement of an above ground telecommunication facility
EIT-R34	New above ground telecommunication facility (excluding amateur radio configuration)
EIT-R35	Telecommunication kiosk
EIT-R36	Amateur radio configuration
EIT-R37	Meteorological device
EIT-R38	Adverse weather or tsunami warning device
Energy	
EIT-R39	Equipment for assessing renewable energy generation site suitability
EIT-R40	Small-scale wind turbine
EIT-R41	Solar panel
EIT-R42	Large-scale renewable electricity generation facility
EIT-R43	Non-renewable electricity generation facility

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
General network activity			
EIT-R5 Removal of an existing network utility [DP] Legal effect on notification: No	1. The removal of an existing network utility, including any associated earthworks, is a permitted activity .	2. Not applicable.	3. Not applicable.
EIT-R6 Access track ancillary to a network utility [DP] Legal effect on notification: No	1. The construction or extension of, and maintenance to, an access track ancillary to a network utility, including any associated earthworks, is a permitted activity .	2. Not applicable.	3. Not applicable.
EIT-R7 Underground network utility [DP] Legal effect on notification: No	1. The installation, operation, maintenance and upgrade of an underground network utility, where it is not provided for under EIT-R19, EIT-R27, EIT-R29 or EIT-R31 is a permitted activity .	2. Not applicable.	3. Not applicable.
EIT-R8 Customer connection from an existing network utility [DP]	1. The installation, operation and maintenance of a customer connection to an adjacent property from an existing	2. Not applicable.	3. Not applicable.

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
Legal effect on notification: No	network utility is a permitted activity .		
<p>EIT-R9</p> <p>Network utility building</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. The construction or alteration of a network utility building is a permitted activity provided that:</p> <ul style="list-style-type: none"> a. the building is not, or does not contain, a substation; and b. the floor area of the building shall not exceed 36m² ground floor area; and c. the height of the building shall not exceed 5 metres; and d. the building complies with all other relevant zone rules for buildings. 	<p>2. Not applicable.</p>	<p>3. The construction or alteration of a network utility building that contravenes EIT-R9.1. is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. building bulk, location, design and appearance; and b. adverse effects on character and amenity, including loss of sun or daylight, building dominance, and streetscape; and c. operational considerations; and d. health and safety; and e. the risk of adverse effects associated with natural hazards to the proposed activity and the impact the proposed activity may have in relation to the

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			<p>exacerbation of the hazard or increased or prolonged need for hazard protection structures; and</p> <p>f. effects on values of significance to tāngata whenua.</p>
<p>EIT-R10</p> <p>Network utility within the coastal margin</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. The construction or extension of a network utility structure within 20 metres of the landward side of Mean High Water Springs, is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the location of any equipment, materials and structures; and b. effects on biodiversity values; and c. effects on public access and recreation; and d. effects on values of significance to tāngata whenua, including customary access; and

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			<p>e. the risk of adverse effects associated with coastal hazards to the proposed activity and the impact the proposed activity may have in relation to the exacerbation of the hazard or increased or prolonged need for hazard protection structures.</p>
<p>EIT-R11 Network utility within the riparian margin [DP] Legal effect on notification: No</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. The construction or extension of a network utility structure within the distances set out in APP25 – Esplanade requirements, is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the location of any equipment, materials and structures; and b. effects on indigenous vegetation and the habitats of indigenous fauna; and

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			<ul style="list-style-type: none"> c. effects on the identified values of the river and its riparian margin; and d. effects on public access and recreation; and e. effects on values of significance to tāngata whenua, including customary access; and f. effects on the risk from natural hazards.
<p>EIT-R12</p> <p>Network utility within a Biodiversity corridor or Greenspace area</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. The construction of a network utility within a Biodiversity corridor, where it crosses a Biodiversity corridor at right angles is a permitted activity.</p>	<p>2. Not applicable.</p>	<p>3. The construction of a network utility within a Biodiversity corridor that contravenes EIT-R12.1. is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the effect of the activity and any construction on the functioning of any identified Biodiversity corridor; and b. damage to indigenous vegetation and the habitats of

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			<p>indigenous fauna; and</p> <p>c. discharge of contaminants; and</p> <p>d. maintenance of public access; and</p> <p>e. effects on values of significance to tāngata whenua, including customary access; and</p> <p>f. remedial measures.</p>
<p>EIT-R13</p> <p>Radiofrequency fields</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. The emission of radiofrequency fields is a permitted activity provided that:</p> <p>a. the maximum exposure levels do not exceed the levels specified in NZS 2772.1:1999 Radiofrequency Fields - Part 1: Maximum Exposure Levels - 3kHz to 300GHz; and</p> <p>b. Nelson City Council is provided the following information before the source</p>	<p>2. Not applicable.</p>	<p>3. The emission of radiofrequency fields which contravenes EIT-R13.1. is a non-complying activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>facility becomes operational:</p> <ul style="list-style-type: none"> i. written or electronic notice of where the source facility is proposed to be located; and ii. a pre-commencement report that: <ul style="list-style-type: none"> A. is prepared in accordance with AS/NZS 2772.2:2011: Radiofrequency Fields Part 2: Principles and methods of measurement and computation - 3kHz to 300GHz; and B. takes account of exposures arising from other sources in the vicinity; and 		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>C. predicts whether the radiofrequency field levels at places in the vicinity of the proposed source facility that are reasonably accessible to the general public will comply with NZS 2772.1:1999 Radiofrequency Fields - Part 1: Maximum Exposure Levels - 3kHz to 300GHz; and</p> <p>iii. if the prediction referred to in condition EIT-R13.1.b.ii.C. above is that the radiofrequency field levels will reach or exceed 25% of the</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>maximum level authorised by NZS 2772.1:1999 Radiofrequency Fields - Part 1: Maximum Exposure Levels - 3kHz to 300GHz for exposure of the general public, the operator of the source facility must provide a report to Nelson City Council within 3 months of the facility or source becoming operational that:</p> <p>A. is prepared in accordance with AS/NZS 2772.2:2011: Radiofrequency Fields Part 2: Principles and methods of measurement and computation</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>n - 3kHz to 300GHz; and</p> <p>B. provides evidence that the actual radiofrequency field levels at places in the vicinity of the source facility that are reasonably accessible to the general public comply with NZS 2772.1:1999 Radiofrequency Fields - Part 1: Maximum Exposure Levels - 3kHz to 300GHz; and</p> <p>c. EIT-R13 does not apply to a telecommunication facility operated by a network utility operator</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	and controlled by the NESTF.		
Transport			
EIT-R14 Road maintenance or operation [DP] Legal effect on notification: No	1. The maintenance or operation of a road or roads is a permitted activity .	2. Not applicable.	3. Not applicable.
EIT-R15 Road construction or upgrade (including associated streetlighting) [DP] Legal effect on notification: No	1. The construction of a proposed road as shown on the Nelson Plan Maps, or the construction and upgrade of a non-classified road, and provision of associated streetlighting, is a permitted activity , provided that the following mandatory requirements of the Nelson Tasman Land Development Manual 2019 are complied with: <ul style="list-style-type: none"> a. Chapter 4 Transportation: <ul style="list-style-type: none"> i. Design Process 4.3.1; and ii. Network layout Form and Function Design 4.4.1 – 4.4.7; and 	2. Not applicable.	3. The construction of a proposed road as shown on the Nelson Plan Maps or the construction and upgrade of a non-classified road, and provision of associated streetlighting, that contravenes EIT-R15.1. is a restricted discretionary activity . Discretion is restricted to: <ul style="list-style-type: none"> a. location; and b. design and layout; and c. the relevant matters within Chapter 4 (Transportation) and Chapter 9 (Telecommunications, Electrical and

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<ul style="list-style-type: none"> iii. Design for the Speed Environment 4.5.1 – 4.5.2; and iv. Transport Cross-Sections 4.6.1 – 4.6.7; and v. Batter Slope, Bridge and Retaining Structure Design 4.7.1 – 4.7.4; and vi. Road Geometry 4.8.1 – 4.8.5; and vii. Intersection Design 4.9.1 – 4.9.3; and viii. Private Access and Crossing 4.10.1 – 4.10.7.2; and ix. Clear Zones 4.11.1; and x. Parking 4.12.1.1 – 4.12.1.8; and xi. Public Transport, Footpaths, Public Accessways and Cycle Facilities 4.13.1 – 		<p>Streetlighting) of the Nelson Tasman Land Development Manual 2019, including the stated performance outcomes; and</p> <p>d. natural hazards, including the need for natural protection structures.</p> <p>4. The construction or upgrade of a classified road is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>4.13.6; and</p> <p>xii. Road Marking Signs 4.14.1 – 1.14.2; and</p> <p>xiii. Streetscaping 4.15.1 – 4.15.5; and</p> <p>xiv. Construction General 4.16.1 – 4.16.4; and</p> <p>xv. Structural Design of Pavement 4.17.1 – 4.17.6; and</p> <p>xvi. Subgrade 4.18.1 – 4.18.2; and</p> <p>xvii. Carriageway Surfacing 4.19.1 – 4.19.9; and</p> <p>xviii. Formation of Residential Lanes, Service Lanes and Private Ways 4.20.1; and</p> <p>xix. Kerb Channelling 4.21.1 – 4.21.2; and</p> <p>xx. Paths 4.22.1 – 4.22.4; and</p> <p>b. Chapter 9 Telecommunicati</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>ons, Electrical and Streetlighting:</p> <ul style="list-style-type: none"> i. Cable Protection 9.3; and ii. Pipe and Duct Installation 9.4; and iii. Access Points 9.5; and iv. Approvals and Records 9.6.1.1 – 9.6.1.2; and v. Streetlighting 9.12.1 – 9.12.3. 		
<p>EIT-R16 Structure in road reserve [DP] Legal effect on notification: No</p>	<p>1. Construction of a structure, that is not a verandah attached to a building in a CMUZ – Commercial and mixed use zone, within the road reserve is a permitted activity provided that:</p> <ul style="list-style-type: none"> a. the structure is part of the road infrastructure (e.g. streetlighting, traffic signals), or it relates to the safe use of the road or walkway; or 	<p>2. Not applicable.</p>	<p>3. Construction of a structure within road reserve that contravenes EIT-R16.1. is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<ul style="list-style-type: none"> b. for all other structures: <ul style="list-style-type: none"> i. the maximum area shall not exceed 6m²; and ii. the maximum height above ground level shall not exceed 3.5 metres; and c. the structure does not obstruct the carriageway or footpaths. 		
<p>EIT-R17</p> <p>Building within a proposed road</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. Construction of a building within a proposed road as shown on the Nelson Plan Maps is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the need for the building to be in the intended location; and b. the potential for the building to restrict or prevent construction of the proposed road, including whether the building is temporary or

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			relocatable.
Electricity			
<p>EIT-R18</p> <p>Operation, maintenance or minor upgrade of an existing electricity line</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. The operation, maintenance or minor upgrade of an existing electricity line, cable or support structure (including incidental equipment) not provided for by the NESETA is a permitted activity, provided that</p> <p>a. the pole is relocated no greater than 2 metres from the existing structure when measured horizontally; and</p> <p>b. the relocation or widening of a tower is within a distance not exceeding 15% of the existing base width of the tower when measured horizontally; and</p> <p>c. a support structure does not exceed the following maximum heights:</p> <p>i. RESZ – Residential</p>	<p>2. Not applicable.</p>	<p>3. The operation, maintenance or minor upgrade of an existing electricity line, cable or support structure (including incidental equipment) that contravenes EIT-R18.1. is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>a. the location, design and appearance, and effects on character and amenity; and</p> <p>b. operational considerations; and</p> <p>c. health and safety; and</p> <p>d. the risk of adverse effects associated with natural hazards to the proposed activity and the impact the proposed activity may have in relation to the exacerbation of</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>zone: 15 metres; and</p> <p>ii. CMUZ – Commercial and mixed use zone: 20 metres; and</p> <p>iii. RURZ – Rural zone, INZ – Industrial zone, or OSRZ – Open space and recreation zone: 25 metres.</p>		<p>the hazard or increased or prolonged need for hazard protection structures; and</p> <p>e. effects on values of significance to tāngata whenua; and</p> <p>f. any positive effects.</p>
<p>EIT-R19</p> <p>New or additional electricity line</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. A new or additional electricity line, and associated support structure, with a voltage of less than 110kV or with design capacity less than 100MVA per circuit is a permitted activity, provided that:</p> <p>a. the following mandatory requirements of the Nelson Tasman Land Development Manual 2019 are complied with:</p> <p>i. Chapter 9 Telecommunications, Electrical and</p>	<p>2. Not applicable.</p>	<p>3. A new or additional electricity line, and associated support structure, that contravenes EIT-R19.1., is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>a. the location, design and appearance, and effects on character and amenity; and</p> <p>b. the relevant matters within Chapter 9 Telecommunications, Electrical and Streetlighting</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>Streetlighting</p> <p>A. Cable Protection 9.3; and</p> <p>B. Pipe and Duct Installation 9.4; and</p> <p>C. Access Points 9.5; and</p> <p>D. Approvals and Records 9.6.1.1 – 9.6.1.2; and</p> <p>E. Electrical Reticulation Design 9.7.1 – 9.7.4.3; and</p> <p>F. Electrical Reticulation Easements and Subdivision 9.8; and</p> <p>G. Easements 9.9; and</p> <p>H. Cabling, Ducting and Service Boxes 9.11.1 – 9.11.4.5; and</p> <p>I. Streetlighting 9.12.1 –</p>		<p>of the Nelson Tasman Land Development Manual 2019 including the stated performance outcomes; and</p> <p>c. operational considerations; and</p> <p>d. health and safety; and</p> <p>e. the risk of adverse effects associated with natural hazards to the proposed activity and the impact the proposed activity may have in relation to the exacerbation of the hazard or increased or prolonged need for hazard protection structures; and</p> <p>f. effects on values of significance to tāngata whenua; and</p> <p>g. any positive effects.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>9.12.3; and</p> <ul style="list-style-type: none"> b. they are underground; or c. when located above ground, they are: <ul style="list-style-type: none"> i. for a connection to a site, including a building within that site, from an existing above ground line; or ii. a temporary line for a period of no more than 12 consecutive months; or iii. specifically provided for in the definition of minor upgrade; and d. a support structure does not exceed the following maximum heights: <ul style="list-style-type: none"> i. RESZ – Residential zone: 15 metres; and ii. CMUZ – Commercial and mixed use 		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>zone: 20 metres; and</p> <p>iii. RURZ – Rural zone, INZ – Industrial zone, OSRZ – Open space and recreation zone, or SPZ – Special purpose zone: 25 metres</p>		
Stormwater, wastewater and water infrastructure			
<p>EIT-R20</p> <p>Maintenance or operation of a community stormwater network</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. The maintenance or operation of a community stormwater network is a permitted activity.</p>	<p>2. Not applicable.</p>	<p>3. Not applicable.</p>
<p>EIT-R21</p> <p>Construction or upgrade of a community stormwater network</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. The construction or upgrade of a community stormwater network is a permitted activity, provided that the following mandatory requirements of the Nelson Tasman Land Development Manual 2019 are complied with:</p> <p>a. Chapter 5 Stormwater</p> <p>i. Design</p>	<p>2. Not applicable.</p>	<p>3. The construction or upgrade of a community stormwater network that contravenes EIT-R21.1. is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>a. location; and</p> <p>b. design and layout; and</p> <p>c. the matters within Chapter 5</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>Approach 5.3.1 – 5.3.2.2 and 5.3.4 – 5.3.8; and</p> <p>ii. System Design 5.4.1 – 5.4.15.6 and 5.4.18 – 5.4.19; and</p> <p>iii. Design Solutions 5.5.1 – 5.5.1.5 and 5.5.3 – 5.5.16; and</p> <p>iv. Construction and Installation 5.6.1 – 5.6.8; and</p> <p>v. Inspection and Testing 5.6.9 – 5.6.12.</p>		<p>Stormwater of the Nelson Tasman Land Development Manual 2019 including the stated performance outcomes; and</p> <p>d. effects on values of significance to tāngata whenua.</p>
<p>EIT-R22 Maintenance or operation of a wastewater network [DP] Legal effect on notification: No</p>	<p>1. The maintenance or operation of a wastewater network is a permitted activity.</p>	<p>2. Not applicable.</p>	<p>3. Not applicable.</p>
<p>EIT-R23 Construction or upgrade of a wastewater network [DP] Legal effect on notification: No</p>	<p>1. The construction or upgrade of a wastewater network is a permitted activity, provided that the following mandatory requirements of the Nelson Tasman</p>	<p>2. Not applicable.</p>	<p>3. The construction or upgrade of a wastewater network that contravenes EIT-R23.1. is a restricted discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>Land Development Manual 2019 are complied with:</p> <ul style="list-style-type: none"> a. Chapter 6 Wastewater <ul style="list-style-type: none"> i. Reticulation Design 6.3.1 – 6.3.3; and ii. Layout and Alignment of Reticulation 6.4.1 – 6.4.5; and iii. Pipe Design 6.5.1 – 6.5.8; and iv. Seismic Design and Liquefaction 6.6.1; and v. Access Points 6.7.1 – 6.7.4; and vi. Pumping Stations 6.8.1 – 6.8.6; and vii. Reticulation Construction and Installation 6.9.1 – 6.9.10; and viii. Trenchless Technology 6.10.1; and ix. Manhole Construction 6.11.1 – 		<p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. location; and b. design and layout; and c. the matters within Chapter 6 Wastewater of the Nelson Tasman Land Development Manual 2019 including the stated performance outcomes; and d. effects on values of significance to tāngata whenua.

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	6.11.2; and x. Tracer Tape 6.12.1 – 6.12.3; and xi. Valve Painting 6.13; and xii. Testing 6.14.1 – 6.14.7.		
EIT-R24 Maintenance or operation of a community water supply [DP] Legal effect on notification: No	1. The maintenance or operation of a community water supply is a permitted activity .	2. Not applicable.	3. Not applicable.
EIT-R25 Construction or upgrade of a community water supply [DP] Legal effect on notification: No	1. The construction or upgrade of a community water supply is a permitted activity , provided that the following mandatory requirements of the Nelson Tasman Land Development Manual 2019 are complied with: a. Chapter 7 Water i. Reticulation Design 7.3.1 – 7.3.11; and ii. Pipe Specifications 7.4.1 – 7.4.9; and iii. Fittings 7.5.1 –	2. Not applicable.	3. The construction or upgrade of a community water supply that contravenes EIT-R25.1. is a restricted discretionary activity . Discretion is restricted to: a. location; and b. design and layout; and c. the matters within Chapter 7 Water of the Nelson Tasman Land Development Manual 2019 including the

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>7.5.14; and</p> <p>iv. Water Supply Connections 7.6.1 – 7.6.12; and</p> <p>v. Pumping and Storage 7.7.1 – 7.7.7; and</p> <p>vi. Construction and Installation 7.8.1 – 7.8.11; and</p> <p>vii. Trenchless Technology 7.9.1 – 7.9.6.4.</p>		<p>stated performance outcomes; and</p> <p>d. effects on values of significance to tāngata whenua.</p>
<p>EIT-R26</p> <p>Maintenance activity in or on a water supply reservoir or pond</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. A maintenance activity in or on a water supply reservoir or pond, is a permitted activity.</p>	<p>2. Not applicable.</p>	<p>3. Not applicable.</p>
<p>EIT-R27</p> <p>Construction or upgrade of a water supply reservoir or pond</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. Construction or upgrade of a water supply reservoir or pond, is a permitted activity provided that:</p> <p>a. it is underground; or</p> <p>b. where it is at or above ground:</p> <p>i. is not located in a RESZ –</p>	<p>2. Not applicable.</p>	<p>3. Construction or upgrade of a water supply reservoir or pond that contravenes EIT-R27.1. is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	Residential zone; and ii. it does not exceed 20m ² in area and 5 metres in height.		
EIT-R28 Maintenance activity in or on a wastewater treatment pond [DP] Legal effect on notification: No	1. A maintenance activity in or on a wastewater treatment pond is a permitted activity .	2. Not applicable.	3. Not applicable.
EIT-R29 Construction or upgrade of a wastewater treatment pond [DP] Legal effect on notification: No	1. Construction or upgrade of a wastewater treatment pond is a permitted activity provided that: a. it is underground; or b. where it is at or above ground: i. is not located in a RESZ – Residential zone; and ii. it does not exceed 20m ² in area and 5 metres in height.	2. Not applicable.	3. Construction or upgrade of a wastewater treatment pond that contravenes EIT-R29.1. is a discretionary activity .
EIT-R30 Building in the Services overlay	1. Construction of or addition to a building in the Services overlay is	2. Not applicable.	3. Construction of or addition to a building in the Services overlay

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>[DP]</p> <p>Legal effect on notification: No</p>	<p>a permitted activity, provided that:</p> <ul style="list-style-type: none"> a. existing Nelson City Council water supply, stormwater and wastewater connections are available to the building and associated development; and b. existing Nelson City Council water supply, stormwater and wastewater networks have the capacity to serve the building and associated development; and c. the building and associated development is to be connected to the Nelson City Council water supply, stormwater and wastewater networks; and d. the connection to the Nelson City Council water supply network is 		<p>that contravenes EIT-R30.1.a., EIT-R30.1.b., EIT-R30.1.d., or EIT-R30.1.e. is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the need for the building to be in this location; and b. whether there is adequate capacity and availability in the Nelson City Council’s water supply, stormwater or wastewater networks to cope with the demands of the building and associated development; and c. whether all connections to Nelson City Council networks are to gravity systems; and d. in the absence of EIT-R30.3.b. or EIT-R30.3.c. above, the ability of private infrastructure to

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>through a gravity system; and</p> <p>e. the connections to the Nelson City Council's stormwater and wastewater networks are through piped gravity outfalls.</p>		<p>ensure ongoing effectiveness, including the maintenance and monitoring of such systems.</p> <p>4. Construction of or addition to a building in the Services overlay that contravenes EIT-R30.1.c. is a non-complying activity.</p>
Communication infrastructure and other activities			
<p>EIT-R31</p> <p>Underground telecommunication facility</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. The installation or upgrade of an underground telecommunications facility is a permitted activity, provided that the following mandatory requirements of the Nelson Tasman Land Development Manual 2019 are complied with:</p> <p>a. Chapter 9 Telecommunications, Electrical and Streetlighting</p> <p>i. Cable Protection 9.3; and</p> <p>ii. Pipe and Duct Installation 9.4; and</p> <p>iii. Access Points</p>	<p>2. Not applicable.</p>	<p>3. The installation or upgrade of an underground telecommunications facility that contravenes EIT-R31.1. is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>a. location; and</p> <p>b. design and layout; and</p> <p>c. the relevant matters within Chapter 9 Telecommunications, Electrical and Streetlighting of the Nelson Tasman Land Development</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	9.5; and iv. Approvals and Records 9.6.1.1 – 9.6.1.2.		Manual 2019 including the stated performance outcomes; and d. effects on values of significance to tāngata whenua.
EIT-R32 Relocation of an above ground telecommunication facility [DP] Legal effect on notification: No	1. The relocation of an above ground telecommunication facility is a permitted activity , provided that: a. the relocation is no greater than 2 metres from the existing facility, measured horizontally.	2. Not applicable.	3. The relocation of an above ground telecommunication facility that contravenes EIT-R32.1. is a restricted discretionary activity . Discretion is restricted to: a. the design, location and effects on character and amenity; and b. health and safety; and c. operational considerations; and d. cumulative effects; and e. natural hazards, including the need for natural protection structures; and f. effects on values of significance to

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			<p>tāngata whenua; and g. any positive effects.</p>
<p>EIT-R33 Maintenance, operation or replacement of an above ground telecommunication facility [DP] Legal effect on notification: No</p>	<p>1. The maintenance, operation or replacement of an above ground telecommunication facility not permitted by the NESTF is a permitted activity, provided that:</p> <p>a. the telecommunication facility was in existence on [insert date proposed plan is notified], or was lawfully established, or has been granted resource consent; and</p> <p>b. the diameter or width of the replacement structure or mast at its widest point does not exceed twice that of the replaced structure or mast at its widest point; and</p> <p>c. the height of the replacement structure or mast does not exceed</p>	<p>2. Not applicable.</p>	<p>3. The maintenance, operation or replacement of an above ground telecommunication facility that contravenes EIT-R33.1. is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>a. the design, location and effects on character and amenity; and</p> <p>b. health and safety; and</p> <p>c. operational considerations; and</p> <p>d. cumulative effects; and</p> <p>e. natural hazards, including the need for natural protection structures; and</p> <p>f. effects on values of significance to tāngata whenua; and</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>whichever of the following is the greater height:</p> <ul style="list-style-type: none"> i. the height of the replaced structure or mast; or ii. the applicable maximum height for a structure in the relevant zone; and <p>d. the replaced structure or mast must be removed.</p>		<p>g. any positive effects.</p>
<p>EIT-R34</p> <p>New above ground telecommunication facility (excluding amateur radio configuration)</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. The installation of a telecommunication facility above ground, that is not an amateur radio configuration, is a permitted activity provided that:</p> <ul style="list-style-type: none"> a. it is provided for by the NESTF as a permitted activity; or b. the facility is located in a RESZ – Residential zone and: <ul style="list-style-type: none"> i. poles are no greater than 15 metres high; and 	<p>2. Not applicable.</p>	<p>3. The installation of a telecommunication facility above ground, that is not an amateur radio configuration, that contravenes, or is not provided for by, EIT-R34.1., is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the design, location and effects on character and amenity; and b. health and safety; and

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<ul style="list-style-type: none"> <li data-bbox="581 304 808 598">ii. antenna diameter is no greater than 1.5 metres and no greater than 2m² in total face area; and <li data-bbox="581 619 808 1218">iii. it does not penetrate the daylight recession plane of 45° from a height of 2.7 metres above finished ground level at any boundary where adjacent to a site in the RESZ – Residential zone; and <li data-bbox="581 1239 808 1680">iv. structures over 10 metres in height are no less than 5.5 metres from any site boundary (excluding any road boundary); and <li data-bbox="581 1701 808 1879">v. antennas are no greater than 3.5 metres above the highest 		<ul style="list-style-type: none"> <li data-bbox="1193 304 1421 409">c. operational considerations; and <li data-bbox="1193 430 1372 493">d. cumulative effects; and <li data-bbox="1193 514 1437 703">e. natural hazards, including the need for hazard protection structures; and <li data-bbox="1193 724 1437 871">f. effects on values of significance to tāngata whenua; and <li data-bbox="1193 892 1372 955">g. any positive effects.

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>part of the building to which they are attached or 2 metres above the highest part of the pole to which they are attached; or</p> <p>c. the facility is located in a CMUZ – Commercial and mixed use zone and:</p> <p>i. poles are no greater than 20 metres high; and</p> <p>ii. antennas are no greater than 5 metres above the highest part of the building to which they are attached or 2 metres above the highest part of the pole to which they are attached; and</p> <p>iii. structures over 10 metres in height are no less than 5.5 metres from a RESZ – Residential</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>zone site boundary (excluding any road boundary); or</p> <p>d. the facility is located in a RURZ – Rural zone, SPZ – Special purpose zone, or an INZ – Industrial zone and:</p> <p>i. poles are no greater than 25 metres high, or no greater than 30 metres high where there are antennas for 2 more telecommunication operators; and</p> <p>ii. antennas are no greater than 5 metres above the highest part of the building to which they are attached or 2 metres above the highest part of the pole to which they are attached.</p> <p>iii. structures over 10 metres in height are no less than 5.5</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	metres from a RESZ – Residential zone site boundary (excluding any road boundary).		
<p>EIT-R35</p> <p>Telecommunication kiosk</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. The installation, operation or maintenance of a telecommunication kiosk is a permitted activity provided that it is no greater than:</p> <p>a. 2m² in total floor area; and</p> <p>b. 2.5 metres in height (measured from ground level or the top of a concrete plinth if there is one), plus an additional 1 metre in height for a small cell unit or antenna.</p>	<p>2. Not applicable.</p>	<p>3. The installation, operation or maintenance of a telecommunication kiosk that contravenes EIT-R35.1. is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>a. the design, location and effects on character and amenity; and</p> <p>i. health and safety; and</p> <p>ii. operational considerations ; and</p> <p>iii. cumulative effects; and</p> <p>iv. natural hazards, including the need for hazard protection</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			structures; and v. any positive effects.
<p>EIT-R36</p> <p>Amateur radio configuration</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. The installation, operation or maintenance of an amateur radio configuration, including poles, antennas and aerials, is a permitted activity provided that:</p> <p>a. the configuration is ancillary to a residential activity on the same site; and</p> <p>b. there is a maximum of one mast per site which meets the permitted height for structures for the zone in which the site is located; and</p> <p>c. antennas attached to buildings are no greater than 7 metres above the point of attachment; and</p> <p>d. there are no more than 12 antennas per site; and</p>	<p>2. Not applicable.</p>	<p>3. The installation, operation or maintenance of an amateur radio configuration that contravenes EIT-R36.1. is a restricted discretionary activity, provided that mast height does not exceed 20 metres.</p> <p>Discretion is restricted to:</p> <p>a. the design, amenity, location, and visual effects; and</p> <p>b. health and safety; and</p> <p>c. operational considerations; and</p> <p>d. cumulative effects; and</p> <p>e. natural hazards, including the need for hazard protection structures.</p> <p>4. The installation, operation or maintenance of an</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>e. no part of an aerial, antenna or mast overhangs any site boundary; and</p> <p>f. a radio or telecommunication antenna attached to a building or other structure (including a mast) is no greater than:</p> <ul style="list-style-type: none"> i. 2 metres in diameter for an antenna dish; or ii. 4m² in area for a panel antenna; and <p>g. there is a maximum of one pedestal mounted antenna per site, which:</p> <ul style="list-style-type: none"> i. is pivoted no greater than 4 metres above the ground; and ii. has a diameter no greater than 5 metres; and iii. has a height no greater than 6.5 metres; and 		<p>amateur radio configuration that contravenes EIT-R36.3. is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>h. where guy wires are used for stability, they are no greater than 12mm in diameter.</p>		
<p>EIT-R37 Meteorological device [DP] Legal effect on notification: No</p>	<p>1. The installation, operation or maintenance of a meteorological device is a permitted activity, provided that:</p> <p>a. for a pole associated with the device:</p> <p>i. that is greater than 10 metres high, the pole is more than 5.5 metres from any boundary, excluding any road boundary; and</p> <p>ii. the pole does not penetrate the daylight recession plane of 45° from a height of 2.7 metres above finished ground level at any boundary where adjacent to a site in the RESZ –</p>	<p>2. Not applicable.</p>	<p>3. The installation, operation or maintenance of a meteorological device that contravenes, or is not provided for by, EIT-R37.1. is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>a. the design, location and effects on character and amenity; and</p> <p>b. health and safety; and</p> <p>c. operational considerations; and</p> <p>d. cumulative effects; and</p> <p>e. natural hazards, including the need for hazard protection structures; and</p> <p>f. any positive effects.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>Residential zone; and</p> <p>iii. when located in a RESZ – Residential zone, the pole is no greater than 15 metres high; and</p> <p>iv. when located in a CMUZ – Commercial and mixed use zone the pole is no greater than 20 metres high; and</p> <p>v. when located in a RURZ – Rural zone, INZ – Industrial zone or SPZ – Special purpose zone the pole is no greater than 30 metres high; and</p> <p>b. for an antenna associated with the device:</p> <p>i. when located in a CMUZ – Commercial and mixed use zone, RURZ – Rural zone,</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>INZ – Industrial zone or SPZ – Special purpose zone, the antenna is no greater than 5 metres above the highest part of the building to which it is attached, or 2 metres above the highest part of the pole to which it is attached; and</p> <p>ii. when located in a RESZ – Residential zone, the antenna is no greater than 3.5 metres above the highest part of the building to which it is attached or 2 metres above the highest part of the pole to which it is attached.</p>		
<p>EIT-R38 Adverse weather or tsunami warning device</p>	<p>1. The installation, operation or maintenance of an adverse weather or tsunami warning</p>	<p>2. Not applicable.</p>	<p>3. The installation, operation or maintenance of an adverse weather or tsunami warning</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>[DP]</p> <p>Legal effect on notification: No</p>	<p>device is a permitted activity, provided that:</p> <p>a. the device does not exceed 4 metres in any dimension.</p>		<p>device that contravene EIT-R38.1. is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>a. the design, location and effects on character and amenity; and</p> <p>b. health and safety; and</p> <p>c. operational considerations; and</p> <p>d. cumulative effects; and</p> <p>e. natural hazards, including the need for hazard protection structures; and</p> <p>f. any positive effects.</p>
Energy			
<p>EIT-R39</p> <p>Equipment for assessing renewable energy generation site suitability</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. The installation or operation of equipment for assessing site suitability for renewable energy generation is a permitted activity, provided that:</p>	<p>2. Not applicable.</p>	<p>3. The installation or operation of equipment for assessing site suitability for renewable energy generation that contravenes EIT-R39.1. is a restricted</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>a. the height of the equipment and the duration of its operation complies with the following:</p> <ul style="list-style-type: none"> i. where the maximum height is the maximum permitted height for structures in the relevant zone, the maximum duration is 5 years; and ii. For the maximum permitted height for structures in relevant zone plus up to an additional 30% the maximum duration is 12 months; and <p>b. the equipment:</p> <ul style="list-style-type: none"> i. complies with the permitted daylight admission standard in the relevant zone; and ii. is removed within 60 days 		<p>discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the design, location, height and bulk of the equipment; and b. effects on character and amenity; and c. duration of the equipment being in operation; and d. visual effects; and e. procedure and timing for the removal of equipment; and f. natural hazards, including the need for hazard protection structures; and g. effects on values of significance to tāngata whenua; and h. any positive effects.

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	of its operation ceasing.		
<p>EIT-R40</p> <p>Small-scale wind turbine</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. The installation or operation of a small-scale wind turbine is a permitted activity provided that:</p> <p>a. no more than one turbine is erected on a site; and</p> <p>b. the turbine complies with the permitted standard for daylight admission in the relevant zone and with the following maximum height above ground level:</p> <p>i. in any RURZ – Rural zone or INZ – Industrial zone the maximum height is 20 metres; and</p> <p>ii. in all other zones the maximum height is the maximum permitted height for structures in</p>	<p>2. Not applicable.</p>	<p>3. The installation or operation of a small-scale wind turbine that contravenes EIT-R40.1. is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>a. the design, number, location, height and bulk of the proposed structures; and</p> <p>b. effects on character and amenity; and</p> <p>c. visual effects; and</p> <p>d. natural hazards, including the need for hazard protection structures; and</p> <p>e. any positive effects.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	the relevant zone.		
<p>EIT-R41</p> <p>Solar panel</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. The installation or operation of a solar panel for the generation and use of electricity or the heating of water is a permitted activity, provided that:</p> <ul style="list-style-type: none"> a. the panels are mounted or incorporated onto a building; or b. the panels are mounted or attached to a structure, other than a network utility structure, which is a permitted activity in the relevant zone; or c. the panels are mounted or incorporated onto a network utility structure and do not exceed a maximum of 2 panels per structure. 	<p>2. Not applicable.</p>	<p>3. The installation or operation of a solar panel that contravenes EIT-R41.1 is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the design, number, location, height and bulk of the proposed structures; and b. effects on character and amenity; and c. landscape and visual effects; and d. natural hazards, including the need for hazard protection structures; and e. any positive effects.
<p>EIT-R42</p> <p>Large-scale renewable electricity generation facility</p> <p>[DP]</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. A large-scale renewable electricity generation facility is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
Legal effect on notification: No			
<p>EIT-R43</p> <p>Non-renewable electricity generation facility</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. A non-renewable electricity generation facility is a permitted activity, provided that the facility is used solely under one or more of the following circumstances:</p> <ul style="list-style-type: none"> a. during emergency response; or b. for load shedding; or c. for backup generation during network outages; or d. for use in conjunction with any critical lifeline infrastructure; or e. for the regular maintenance and testing of the facility. 	<p>2. Not applicable.</p>	<p>3. A non-renewable electricity generation facility that contravenes EIT-R43.1., provided that the facility is located within any INZ – Industrial zone, is a discretionary activity.</p> <p>4. A non-renewable electricity generation facility that contravenes EIT-R43.3. is a non-complying activity.</p>