

# Appendix 15: Summary of Rules under which RC are sought.

01 June 2026

Below the resource consents are being sought under FTAA 2024. An approval is needed under the Reserves Act 1977.



## Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (amended 2026).

| Instrument                                      | Regulation                                                                         | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-------------------------------------------------|------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| National Environmental Standards for Freshwater | 38<br>Restoration, wetland maintenance, and biosecurity of natural inland wetlands | Vegetation clearance, earthworks, or land disturbance within, or within a 10 m setback from, a natural inland wetland.<br>Taking, use, damming, diversion, or discharge of water within, or within a 100 m setback, where there is hydrological connection and the activity changes (or is likely to change) the water level range or hydrological function.                                                                                                                                                                                                                                                                                                                                                                      |
| National Environmental Standards for Freshwater | 42<br>Construction of wetland utility structures                                   | Vegetation clearance, earthworks, or land disturbance within, or within a 10 m setback from, a natural inland wetland for the purpose of constructing a wetland utility structure.<br>Taking, use, damming, diversion, or discharge of water within a 100 m setback where there is hydrological connection and the activity changes (or is likely to change) the water level range or hydrological function.                                                                                                                                                                                                                                                                                                                      |
| National Environmental Standards for Freshwater | 45C<br>Urban Development                                                           | Vegetation clearance, earthworks, or land disturbance within, or within a 10 m setback from, a natural inland wetland for the purpose of constructing urban development.<br>Earthworks or land disturbance outside the 10 m setback but within 100 m, where the works will result (or are likely to result) in complete or partial drainage.<br>Taking, use, damming, diversion, or discharge of water within a 100 m setback where there is hydrological connection and the activity changes (or is likely to change) the water level range or hydrological function.                                                                                                                                                            |
| National Environmental Standards for Freshwater | 52<br>Drainage of natural inland wetlands                                          | Earthworks outside, but within a 100 m setback from, a natural inland wetland that result (or are likely to result) in complete or partial drainage of all or part of a natural inland wetland.<br>Taking, use, damming, or diversion of water outside, but within a 100 m setback, that result (or are likely to result) in such drainage.<br>Applies only where the activity does not have another status under Regulations 38 to 51.                                                                                                                                                                                                                                                                                           |
| National Environmental Standards for Freshwater | 54<br>Other activities                                                             | Vegetation clearance within, or within a 10 m setback from, a natural inland wetland.<br>Earthworks within, or within a 10 m setback from, a natural inland wetland.<br>Taking, use, damming, or diversion of water within, or within a 100 m setback, where there is hydrological connection and the activity changes (or is likely to change) the water level range or hydrological function.<br>Discharge of water into water within, or within a 100 m setback, where there is hydrological connection, the discharge enters the wetland, and the discharge changes (or is likely to change) the water level range or hydrological function.<br>Applies only where the activity does not have another status under Subpart 1. |
| National Environmental Standards for Freshwater | 57<br>Reclamation of rivers                                                        | Reclamation of the bed of any river.<br>Reclamation has the meaning given by the National Planning Standards 2019.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| National Environmental Standards for Freshwater | 70<br>Culverts                                                                     | Culvert in, on, over, or under the bed of any river or connected area.<br>Does not apply to existing structures (in place at the close of 2 September 2020) or to customary weirs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| National Environmental Standards for Freshwater | 71<br>Culverts                                                                     | Culvert in, on, over, or under the bed of a river that does not comply with any of the conditions in Regulation 70(2).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |



## Natural Resources Plan

| Name of planning instrument                      | Rule                                                                                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|--------------------------------------------------|------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Natural Resources Plan for the Wellington Region | Rule R49 — Stormwater from new subdivision and development (permitted activity)                | The proposal involves earthworks exceeding the 3,000 m <sup>2</sup> per property per 12-month period threshold under limbs (a) and (b). Rule R49 is therefore not available as a permitted pathway and the activity falls to be considered under Rule R50.                                                                                                                                                                                                                                                                                      |
| Natural Resources Plan for the Wellington Region | Rule R50 — Stormwater from new subdivision and development (restricted discretionary activity) | Resource consent is sought under Rule R50 as a restricted discretionary activity. The discharge of stormwater from the new urban subdivision and development cannot be undertaken as a permitted activity under Rule R49 due to the scale of associated earthworks, and Rule R50 is the applicable cascade rule for stormwater discharges from new urban subdivision or new urban development.                                                                                                                                                  |
| Natural Resources Plan for the Wellington Region | Rule R101 — Earthworks (permitted activity)                                                    | The proposal involves earthworks exceeding the 3,000 m <sup>2</sup> per property per 12-month period threshold. Rule R101 is therefore not available as a permitted pathway and the activity falls to be considered under the next applicable rule in the cascade.                                                                                                                                                                                                                                                                              |
| Natural Resources Plan for the Wellington Region | Rule R107 — Earthworks and vegetation clearance (discretionary activity)                       | Resource consent is sought under Rule R107 as a discretionary activity. The proposed earthworks are not permitted under Rules R101, R102, R104 or R105, are not controlled under Rule R103, and are not restricted discretionary under Rule R106, with Rule R107 the applicable cascade rule.                                                                                                                                                                                                                                                   |
| Natural Resources Plan for the Wellington Region | Rule R114 — Planting and pest plant control in natural wetlands (permitted activity)           | The proposal includes the deliberate planting of native species and the removal and control of pest plants within the on-site natural wetlands as part of the proposed wetland enhancement works. The activity is intended to be undertaken as a permitted activity under Rule R114, subject to compliance with the full conditions of the rule. Compliance with those conditions will be demonstrated at the substantive consent stage.                                                                                                        |
| Natural Resources Plan for the Wellington Region | Rule R118 — Activities in natural wetlands (non-complying activity)                            | Resource consent is sought under Rule R118 as a non-complying activity for land disturbance (earthworks) within a natural wetland. The activities are not undertaken in accordance with a wetland restoration management plan under Rule R116 or Regulation 39 of the NES-F, and accordingly fall to be considered under Rule R118.                                                                                                                                                                                                             |
| Natural Resources Plan for the Wellington Region | Rule R137 — Removing vegetation from the bed of any river or lake (permitted activity)         | The proposal includes the trimming or removal of vegetation (including weeds) from the bed of streams traversing the development areas as part of the proposed riparian and ecological enhancement works. The activity is intended to be undertaken as a permitted activity under Rule R137, subject to compliance with the full conditions of the rule. Compliance with those conditions will be demonstrated at the substantive consent stage.                                                                                                |
| Natural Resources Plan for the Wellington Region | Rule R138 — Planting (permitted activity)                                                      | The proposal includes the deliberate introduction or planting of native species in the bed of streams traversing the development areas as part of the proposed riparian and ecological enhancement works, including any associated bed disturbance, deposition, water diversion, and sediment discharge. The activity is intended to be undertaken as a permitted activity under Rule R138, subject to compliance with the full conditions of the rule. Compliance with those conditions will be demonstrated at the substantive consent stage. |
| Natural Resources Plan for the Wellington Region | Rule R145 — All other uses of river and lake beds (discretionary activity)                     | Resource consent is sought under Rule R145 as a discretionary activity. The proposed activities, including culvert replacement and associated bed disturbance, are not permitted, controlled or restricted discretionary under Rules R122 to R129, and Rule R145 is the applicable cascade rule.                                                                                                                                                                                                                                                |



Proposed Regional Plan Change 1

| Name of planning instrument                                                                               | Rule                                                                                                                                    | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| Natural Resources Plan for the Wellington Region: Proposed Plan Change 1                                  | Rule WH.R5: Stormwater from new and redeveloped impervious surfaces (permitted activity)                                                | The proposal involves the creation of new impervious surfaces exceeding the 1,000 m <sup>2</sup> threshold under limb (a). Rule WH.R5 is therefore not available as a permitted pathway and the activity falls to be considered under the next applicable rule in the cascade.                                                                                                                                                                                                                                                                                                |
| Natural Resources Plan for the Wellington Region: Proposed Plan Change 1                                  | Rule WH.R13: Stormwater from new unplanned greenfield development (prohibited activity, treated as discretionary under s 87B(1)(c) RMA) | Rule WH.R13 classifies the discharge of stormwater from new unplanned greenfield development as a prohibited activity. PC1 is a proposed plan change and Rule WH.R13 has not become operative. By operation of section 87B(1)(c) of the RMA, the application is therefore to be treated as an application for resource consent for a discretionary activity. Resource consent is sought under Rule WH.R13 on that basis. The activity is not prevented under section 87A(6) of the RMA and the proposal is not an ineligible activity under section 5(1)(g) of the FTAA 2024. |
| Natural Resources Plan for the Wellington Region: Proposed Plan Change 1 (freshwater planning instrument) | Rule WH.R23: Earthworks (permitted activity)                                                                                            | The proposal involves earthworks exceeding the 3,000 m <sup>2</sup> per property per 12-month period threshold under limb (c). Limbs (a) and (b) (earthworks implementing an erosion risk treatment plan or a farm environment plan) do not apply. Rule WH.R23 is therefore not available as a permitted pathway and the activity falls to be considered under the next applicable rule in the cascade.                                                                                                                                                                       |
| Natural Resources Plan for the Wellington Region: Proposed Plan Change 1                                  | Rule WH.R24: Earthworks (restricted discretionary activity)                                                                             | Resource consent is sought under Rule WH.R24 as a restricted discretionary activity. The proposed earthworks and the associated discharge of sediment do not comply with Rule WH.R23 (the 3,000 m <sup>2</sup> per property per 12-month threshold being exceeded), and Rule WH.R24 is the applicable cascade rule.                                                                                                                                                                                                                                                           |



Upper Hutt Operative District Plan

| Name of planning instrument          | Rule        | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------------------------------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Upper Hutt District Plan (Operative) | NU-R1       | The removal of existing network utilities, including any existing structures                                                                                                                                                                                                                                                                                                                                                                            |
| Upper Hutt District Plan (Operative) | NU-R3       | The minor upgrading of existing electricity and telecommunication lines                                                                                                                                                                                                                                                                                                                                                                                 |
| Upper Hutt District Plan (Operative) | NU-R5       | Cabinets and other network utility structures not otherwise listed in this table that meet the relevant standards                                                                                                                                                                                                                                                                                                                                       |
| Upper Hutt District Plan (Operative) | NU-R8       | The construction, installation and development, of new underground network utilities, except for:<br>1. electricity transmission lines above 110kV; and<br>2. gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals.                                                                                                                                                                                                     |
| Upper Hutt District Plan (Operative) | NU-R11      | New above ground lines, excluding electricity transmission lines above 110kV.                                                                                                                                                                                                                                                                                                                                                                           |
| Upper Hutt District Plan (Operative) | NU-R13      | Temporary above ground lines                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Upper Hutt District Plan (Operative) | NU-R14      | Underground gas distribution and transmission pipelines at a pressure not exceeding 2000 kilopascals, including aerial crossings of bridges, structures or streams, and ancillary equipment, including regulator stations but not compressor stations.                                                                                                                                                                                                  |
| Upper Hutt District Plan (Operative) | NU-R18      | The upgrading of network utilities that do not meet the permitted activity standards, excluding:<br>electricity transmission lines above 110kV; and<br>gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals.                                                                                                                                                                                                            |
| Upper Hutt District Plan (Operative) | NU-R27      | All network utilities that are not otherwise listed as a permitted, controlled, restricted discretionary or non-complying activity                                                                                                                                                                                                                                                                                                                      |
| Upper Hutt District Plan (Operative) | NU-R28      | New or additional above ground lines that are not otherwise permitted, or restricted discretionary activities                                                                                                                                                                                                                                                                                                                                           |
| Upper Hutt District Plan (Operative) | NU-R29      | New and additional lines (above ground and underground) and support structures for conveying electricity at a voltage above 110kV                                                                                                                                                                                                                                                                                                                       |
| Upper Hutt District Plan (Operative) | NU-R30      | New and upgraded transformers, substations and switching stations distributing electricity and ancillary buildings, except for those encased within a cabinet or located on a line that is otherwise a permitted activity.                                                                                                                                                                                                                              |
| Upper Hutt District Plan (Operative) | TP-R1       | Traffic control signals and devices, light and decorative poles and associated structures and fittings, post boxes, landscaped gardens, artworks and sculptures, bus stops and shelters, phone boxes, public toilets, road furniture located within the road reserve or rail corridors                                                                                                                                                                  |
| Upper Hutt District Plan (Operative) | TP-R3       | Activities and buildings and structures if site access is compliant with TP-S1                                                                                                                                                                                                                                                                                                                                                                          |
| Upper Hutt District Plan (Operative) | TP-R4       | Non-residential activities and non-residential or mixed use buildings if compliant with TP-S2                                                                                                                                                                                                                                                                                                                                                           |
| Upper Hutt District Plan (Operative) | TP-R5       | The construction, alteration or diversion of roads, but excluding any such construction works which are part of a subdivision                                                                                                                                                                                                                                                                                                                           |
| Upper Hutt District Plan (Operative) | NH-R7       | Potentially hazard sensitive activities and hazard sensitive activities in the Wellington Fault Overlay where:                                                                                                                                                                                                                                                                                                                                          |
| Upper Hutt District Plan (Operative) | NH-R17      | Buildings and structures to be erected within the 1% (1 in 100-year) flood extent of the Te Awa Kairangi (Hutt River), as shown on the Planning Maps.                                                                                                                                                                                                                                                                                                   |
| Upper Hutt District Plan (Operative) | NH-R18      | Any new habitable building or structure to be erected within the fault band identified on the Planning Maps.                                                                                                                                                                                                                                                                                                                                            |
| Upper Hutt District Plan (Operative) | ECO-R1      | Indigenous vegetation clearance up to 500m2 in total area on any one site that is not an Urban Environment Allotment, and is not an identified Urban Tree Group listed in UTG-SCHED1, within any continuous 5 year period, subject to meeting the standards under ECO-S1.                                                                                                                                                                               |
| Upper Hutt District Plan (Operative) | ECO-R2      | Indigenous vegetation clearance up to 1ha in total area on any one site that is not an Urban Environment Allotment, and is not an identified Urban Tree Group listed in UTG-SCHED1, within any continuous 5 year period, where the vegetation is comprised predominantly of manuka ( <i>leptospermum scoparium</i> ) or kanuka ( <i>kunzea ericoides</i> ) which has a canopy height no greater than 4m, subject to meeting the standards under ECO-S1. |
| Upper Hutt District Plan (Operative) | ECO-R7      | Indigenous vegetation clearance that is not an Urban Environment Allotment, and is not an identified Urban Tree Group listed in UTG-SCHED1, which exceeds the above permitted activity thresholds and/or does not meet the standards in ECO-S1.                                                                                                                                                                                                         |
| Upper Hutt District Plan (Operative) | NATC-R1     | New buildings and structures (except underground cables and lines) within 20m of the bank of any waterbody with an average width of 3m or more                                                                                                                                                                                                                                                                                                          |
| Upper Hutt District Plan (Operative) | SUB-GEN-R2  | Subdivision of land adjoining a river or stream listed in SUB-GEN-S1, that complies with the requirements of SUB-GEN-S1 relating to esplanade reserves or esplanade strips.                                                                                                                                                                                                                                                                             |
| Upper Hutt District Plan (Operative) | SUB-GEN-R2A | Subdivision and development must be designed to achieve hydraulic neutrality.                                                                                                                                                                                                                                                                                                                                                                           |
| Upper Hutt District Plan (Operative) | SUB-GEN-R4  | Subdivision that creates a building platform in the Slope Hazard Overlay where:                                                                                                                                                                                                                                                                                                                                                                         |



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| Upper Hutt District Plan (Operative) | SUB-GEN-R5  | Subdivision for potentially hazard sensitive activities and hazard sensitive activities in the Wellington Fault Overlay where:                                                                                                 |
| Upper Hutt District Plan (Operative) | SUB-RUR-R3  | Subdivision of land for utilities, reserves or conservation purposes.                                                                                                                                                          |
| Upper Hutt District Plan (Operative) | SUB-RUR-R5  | Subdivision which complies with the standards of SUB-RUR-S1 but not with the access standards in SUB-RUR-S2                                                                                                                    |
| Upper Hutt District Plan (Operative) | SUB-RUR-R7  | Subdivision which creates building platforms within 32m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps *(refer to the definition of transmission line)                        |
| Upper Hutt District Plan (Operative) | SUB-RUR-R11 | Subdivision which does not comply with the standards specified in SUB-RUR-S1                                                                                                                                                   |
| Upper Hutt District Plan (Operative) | SUB-OSZ-R3  | Subdivision of land for utilities, reserves or conservation purposes                                                                                                                                                           |
| Upper Hutt District Plan (Operative) | FC-R1       | A Reserve and Local Leisure Facilities Contribution is required where:                                                                                                                                                         |
| Upper Hutt District Plan (Operative) | FC-R2       | Requirements for financial contributions                                                                                                                                                                                       |
| Upper Hutt District Plan (Operative) | FC-R2B      | Financial Contributions relating to transport including roads, private ways, service lanes, accessways, footpaths, cycleways and walkways                                                                                      |
| Upper Hutt District Plan (Operative) | FC-R2C      | Financial Contributions relating to site formation and development works, electricity, gas and telephone supply in all zones                                                                                                   |
| Upper Hutt District Plan (Operative) | FC-R2D      | Financial Contributions relating to water supply, disposal of waste water and stormwater for subdivision or development of land                                                                                                |
| Upper Hutt District Plan (Operative) | FC-R3       | Guidelines for accepting land                                                                                                                                                                                                  |
| Upper Hutt District Plan (Operative) | EW-R9       | Earthworks for a building platform in the Slope Hazard Overlay where the earthworks are for a suitable building platform for a potentially hazard sensitive activity or hazard sensitive activity in the Slope Hazard Overlay. |
| Upper Hutt District Plan (Operative) | EW-R10      | Earthworks which do not meet the standards under EW-S1 to EW-S17 unless specifically identified as a discretionary or non-complying activity. In particular EW-S2.                                                             |
| Upper Hutt District Plan (Operative) | LIGHT-R1    | All activities complying with LIGHT-S1                                                                                                                                                                                         |
| Upper Hutt District Plan (Operative) | LIGHT-R5    | All activities not complying with permitted activity standards in Light-S1                                                                                                                                                     |
| Upper Hutt District Plan (Operative) | NOISE-R1    | Any activity which complies with the noise and vibration standards in NOISE-S1 to NOISE-S4.                                                                                                                                    |
| Upper Hutt District Plan (Operative) | NOISE-R6    | Construction noise - Any activity which does not comply with the noise and vibration standards NOISE-S1 to NOISE-S4.                                                                                                           |
| Upper Hutt District Plan (Operative) | SIGN-R1     | Any health and safety sign.                                                                                                                                                                                                    |
| Upper Hutt District Plan (Operative) | SIGN-R4     | Any temporary sign which does not comply with permitted standard in SIGN-S1.                                                                                                                                                   |
| Upper Hutt District Plan (Operative) | GRUZ-R4     | One residential unit per site                                                                                                                                                                                                  |
| Upper Hutt District Plan (Operative) | GRUZ-R9     | Removal of a building from a site                                                                                                                                                                                              |
| Upper Hutt District Plan (Operative) | GRUZ-R12    | Buildings accessory to a permitted or controlled activity which do not comply with permitted or controlled activity standards                                                                                                  |
| Upper Hutt District Plan (Operative) | GRUZ-R15    | Buildings or structures within 12-32m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps                                                                                          |
| Upper Hutt District Plan (Operative) | GRUZ-R16    | Activities listed as permitted which do not comply with the access standards in GRUZ-S1                                                                                                                                        |
| Upper Hutt District Plan (Operative) | GRUZ-R23    | Activities listed as permitted or controlled which do not comply with the relevant standards in this chapter, except as specified below                                                                                        |
| Upper Hutt District Plan (Operative) | GRUZ-R25    | Buildings or structures within 12m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps                                                                                             |
| Upper Hutt District Plan (Operative) | GRUZ-R26    | Commercial in a rural zone. Activities which are not listed in this Table unless otherwise covered in the District-wide matters of the Plan                                                                                    |
| Upper Hutt District Plan (Operative) | RLZ-R4      | One residential unit per site                                                                                                                                                                                                  |
| Upper Hutt District Plan (Operative) | RLZ-R8      | Removal of a building from a site                                                                                                                                                                                              |
| Upper Hutt District Plan (Operative) | RLZ-R12     | Buildings accessory to a permitted or controlled activity which do not comply with permitted or controlled activity standards                                                                                                  |
| Upper Hutt District Plan (Operative) | RLZ-R13     | Buildings or structures within 12-32m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps                                                                                          |
| Upper Hutt District Plan (Operative) | RLZ-R14     | Activities listed as permitted or controlled which do not comply with the access standards in RLZ-S1                                                                                                                           |
| Upper Hutt District Plan (Operative) | RLZ-R22     | Activities listed as permitted or controlled which do not comply with the relevant standards in this chapter, except as specified below                                                                                        |
| Upper Hutt District Plan (Operative) | RLZ-R24     | Buildings or structures within 12m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps                                                                                             |
| Upper Hutt District Plan (Operative) | OSZ-R11     | Landscaping, earth mounding and track maintenance                                                                                                                                                                              |

