

21 APPENDIX 1- UTILITIES RULES

21 ITEM	PERMITTED	CONTROLLED
1. Permitted Activities General	The following activities (21.1 – 21.14) shall be permitted throughout the district and the rules contained in this section (Appendix 1) apply, and override any rules of any other section.	(ii) Not Applicable
<p>2. The installation of new lines for conveying electricity and telecommunications at a voltage up to and including 110kV per circuit</p> <p><i>Note: Where appropriate, these rules and requirements are to be applied in conjunction with the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (NESETA) which contains rules for the operation, maintenance, upgrading, relocation or removal of existing transmission lines that are part of the National Grid that existed as of 14 January 2010</i></p>	<p>(i) The installation of new lines for conveying electricity at a voltage up to and including 110kV per circuit and lines as defined by Section 2(1A) of the Telecommunications Act 1987, and ancillary equipment, insulators, transformers, regulators, and associated support structures including towers, masts and poles, are permitted activities if:</p> <p>(a) the lines are underground when located within a Residential, Rural Residential, Township, or Commercial Environmental Area or;</p> <p>(b) the lines are on support structures up to a maximum height of 25m in Rural and Industrial Environmental Areas only and;</p> <p>(c) the lines are located outside of areas identified on the Planning Maps as Area of Outstanding Landscape or a Significant Natural Area. Provided that this does not apply to lines that are underground and any land that is disturbed is restored to its existing condition.</p>	(ii) Not Applicable
3. Telecommunication and radiocommunication facilities	<p>(i) Telecommunication and radiocommunication facilities are permitted if</p> <p>(a) there is a maximum height above ground level of:</p> <ul style="list-style-type: none"> • 20m in Residential, Township and Rural-Residential Environmental Areas. • 25m in Commercial or Industrial Environmental Areas. • 30m in Rural Environmental Area. <p>This maximum height is not to be exceeded by the support structure, aerial or antenna mounting or the aerial or antenna whether affixed to the land, a building or an existing mast, tower or pole. Notwithstanding that home television aerials in the Residential, Rural Residential or Township Environmental Areas shall be subject to the rules for height of buildings in the respective Environmental Area standards.</p> <p>(b) The facilities are located outside of areas identified on the Planning Maps as Area of Outstanding Landscape. Provided that this does not apply to lines that are underground and any land that is disturbed is restored to its existing condition.</p> <p>(c) A dish antenna shall not exceed 3m diameter in any Environmental Area.</p>	(ii) Not Applicable

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DISCRETIONARY	ASSESSMENT CRITERIA	EXPLANATION
(iii) Not Applicable	(i) Not Applicable	Any activity is allowed providing the rules are not contravened.
(iii) (a) The installation of new lines and support structures for conveying electricity at a voltage exceeding 110 kV is a discretionary activity. (b) Any lines in 21.2(i) that contravene a permitted condition are a discretionary activity.	(i) The following is applicable to all utilities : a) The degree to which the utility will affect the visual amenities of the district, including the extent to which the utility can be seen from a wide area, public places or significant outlooks and its impact against the skyline or open landscape. b) The extent of any adverse effect created through a reduced setback from boundaries on the surrounding environment including the potential to affect the privacy and outlook of residents. c) The degree to which the proposed choice of site or route for the utility will affect the environment and the reasons for that choice of site or route. d) The extent of any additional costs imposed by requiring compliance with any performance standard listed including the cost of placing lines underground or requiring design modifications to a utility . e) The degree to which the proposed utility may affect the welfare, health or safety of the community including positive effects from the operation of the utility . f) The degree to which the proposed utility may affect values held by the Tangata Whenua. g) The potential for co-siting utilities and the extent to which the provider of the utility has investigated this potential. h) The degree to which glare may affect the enjoyment, character or amenity of the surrounding environment or the safety of adjoining roads and the effect of measures to mitigate any such adverse effect.	By controlling the type of lines and associated support structures by way of voltage and definition in an empowering Act it is anticipated that the likely size of the utility and its visual impact on the environment will have been identified and is considered acceptable. Lines and support structures not encompassed within these definitions are not considered to be appropriate in every situation from a visual perspective and in the case of electricity lines, from a safety and health concern to the public from electromagnetic radiation and danger from high voltage lines. Overhead lines have been identified as having an adverse effect on the visual amenities and character of the environment. This effect can be mitigated by requiring undergrounding in locations where this is practicable, economically feasible and where the benefits are appreciated by a significant proportion of the District's population, namely urban areas and areas of concentrated residential activity and areas of outstanding landscape.
(iii) Any telecommunication and radiocommunication facility which contravenes a permitted condition is a discretionary activity.	i) The degree to which public access to the coast and waterbodies is affected. j) The degree to which heritage sites are affected. k) The degree to which ecological values are affected. l) The extent to which substantial upgrades of National Grid Infrastructure can be used as an opportunity to reduce adverse effects. m) The effects of electric and magnetic field in accordance with the <i>'International Commission on Non-ionising Radiation protection guidelines'</i> for Limiting Exposure to Time-Varying Electric and Magnetic Fields (1Hz-100kHz). Health Physics 99(6):818-836; 2010 and recommendations from the World Health Organization monograph Environmental Health Criteria (No 238, June 2007) or revisions thereof and any applicable New Zealand standards or national environmental standards. n) The benefits from the establishment of a new transmission line. o) Any technical, operational or locational constraints.	The maximum height limit of telecommunication and radiocommunication facilities is intended to achieve a scale of development which is consistent and compatible with the character of the surrounding area and to limit the extent of overshadowing and dominance of surrounding sites . Dish antennas differ from other antennae in that they have a circular form and therefore require additional width controls to ensure that the character and amenity of surrounding environments is not adversely affected.

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<p>4. Utility buildings and buildings ancillary to utilities other than those specified in Rules 21.6 – 12 and poles, masts and antennas specified in Rule 21.3.</p> <p><i>Note: Where appropriate, these rules and requirements are to be applied in conjunction with the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (NESETA) which contains rules for the operation, maintenance, upgrading, relocation or removal of existing transmission lines that are part of the National Grid that existed as of 14 January 2010</i></p>	<p>(i) Utility buildings and buildings ancillary to utilities are permitted activities if:</p> <p>(a) the building does not exceed 50m² in gross floor area and 4.0m in height in the Residential, Township and Rural Residential Environmental Areas or in the Rural and Commercial and Industrial Environmental Areas the building complies with height and floor area rules.</p> <p>(b) Buildings for utility purposes shall comply with the setback requirements of the environmental area within which they are situated, except that this shall not apply to buildings which are no greater than 1.8 metres high and have a floor area no greater than 5 square metres.</p> <p>(c) All outdoor storage shall be screened from public view by landscaping or solid fencing at least 2m in height.</p> <p>(d) Sites containing buildings more than 15m² in ground floor area and/or over 4.0m in height shall provide a landscaped area within the building setback a minimum width of 2m along the road boundary, provided that:</p> <ul style="list-style-type: none"> • In the Industrial Environmental Area this requirement does not apply except where a site fronts a state Highway, or adjoins or is opposite a Residential or Township Environmental Area. • In the Rural Environmental Area this requirement does not apply. <p>(e) They are located outside Areas of Outstanding Landscape indicated on the Planning Maps.</p>	<p>(ii) Not Applicable</p>
<p>5. Pipe networks for the conveyance and drainage of water, sewage or gas</p>	<p>(i) Pipe networks for the conveyance and drainage of water, sewage or gas and any ancillary equipment are permitted activities provided they are:</p> <p>(a) Underground.</p>	<p>(ii) Not Applicable</p>
<p>6. Automatic weather stations or weather recording devices</p>	<p>(i) Automatic weather stations or weather recording devices are permitted activities if:</p> <p>(a) any mast, aerial or pole shall not exceed 25m in height.</p>	<p>(ii) Not Applicable</p>
<p>7. Reservoirs, wells and supply intakes for the reticulation or provision of water supply.</p>	<p>(i) Reservoirs, wells and supply intakes for the reticulation or provision of water supply are permitted activities if:</p> <p>(a) the reservoir does not exceed the height limits specified in the Environmental Areas and</p> <p>(b) the reservoir is finished in a colour that is similar to the surrounding background.</p>	<p>(ii) Not Applicable</p>
<p>8. Irrigation and stock water races, open drains and channels.</p>	<p>(i) Irrigation and stock water races, open drains and channels are permitted activities.</p>	<p>(ii) Not Applicable</p>
<p>9. Telephone call boxes.</p>	<p>(i) Telephone call boxes are permitted activities.</p>	<p>(ii) Not Applicable</p>
<p>10. Marine navigational aids and beacons.</p>	<p>(i) Marine navigational aids and beacons are permitted activities.</p>	<p>(ii) Not Applicable</p>

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(iii) Any utility buildings and buildings ancillary to utilities that contravenes a permitted condition is a discretionary activity.	See the assessment criteria listed under Rule 21.2	A maximum gross floor area and height has been included for buildings in all Environmental Areas in order to maintain the character and amenity of the environment. Utility buildings or buildings ancillary to utilities are often different in appearance and character from those in the surrounding environment and have a very stark or utilitarian appearance with blank walls. To minimise any adverse effect on the visual amenity or character of certain environments (those characterised by open space or residential amenity) a limitation has been placed on the size of the building . Buildings are required to be setback a minimum distance from roads , in order to provide for an attractive street scene or rural scene; to avoid obstructing views of the street from adjoining properties; and to allow adequate daylight admission to roads . This however does not apply to smaller cabinet type structures typically found on road reserve. These structures should be located as close as possible to the boundary to avoid obstructions. Buildings are required to be setback a minimum distance from internal boundaries , in order to ensure adequate sunlight admission, provide access for emergency services, ensure a degree of visual and aural privacy and protection from noise from neighbouring properties and limit the dominance of adjoining sites by utility buildings .
(iii) Any pipe networks for the conveyance and drainage of water, sewage or gas that contravenes a permitted condition is a discretionary activity.	See the assessment criteria listed under Rule 21.2	The effects of these utilities are however generally minor and may in some cases, be a very common or necessary feature of the environment, such as drainage channels or telephone call box. It is therefore appropriate that these utilities are given status as permitted activities.
(iii) Any automatic weather stations or weather recording devices that contravenes a permitted condition is a discretionary activity.	See the assessment criteria listed under Rule 21.2	A number of utilities have very specific functions that are of importance or value to the community. These facilities however do not fall within the general groupings that have been created for the majority of utility facilities or developments such as buildings , lines or telecommunication or radiocommunication facilities .
(iii) Any reservoir that contravenes a permitted activity is a discretionary activity.	See the assessment criteria listed under Rule 21.2	
(ii) Not Applicable	(i) Not Applicable	
(iii) Not Applicable	(i) Not Applicable	
(iii) Not Applicable	(i) Not Applicable	

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<p>11. Upgrading, replacement or removal of existing electricity and telecommunication lines</p> <p><i>Note: Where appropriate, these rules and requirements are to be applied in conjunction with the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (NESETA) which contains rules for the operation, maintenance, upgrading, relocation or removal of existing transmission lines that are part of the National Grid that existed as of 14 January 2010</i></p>	<p>(i) The upgrading, replacement or removal (subject to reinstatement of disturbed vegetation and ground), of existing electricity lines are permitted activities.</p> <p>Note: Upgrading in respect of this rule means an increase in the carrying capacity, efficiency or security of electricity and associated telecommunication lines, utilising the existing support structures or structures of a similar scale and character, and includes:</p> <p>(a) the addition of circuits and conductors (b) the reconductoring of the line with higher capacity conductors (c) the resagging of conductors (d) the addition of longer or more efficient insulators (e) the addition of earthwires which may contain telecommunication lines, earthpeaks and lightning rods.</p> <p>Note: Upgrading shall not include:</p> <p>(a) an increase in the voltage of the line unless the line was originally constructed to operate at the higher voltage but has been operating at a reduced voltage. (b) The utilisation of a locally operated transmission line for National Grid purposes.</p>	<p>(ii) Not Applicable</p>
<p>12. Roads</p>	<p>(i) Reconstruction and maintenance of existing formed roads, including culverts, bridges and associated protection works are permitted activities if they are.</p> <p>(a) within the legal road reserve or 10m of the existing formation.</p>	<p>(ii) The construction of unformed legal roads and the reconstruction of existing formed roads beyond the legal road reserve or 10m of the existing formation, including bridges and associated protection works undertaken by a road controlling authority are controlled activities with control reserved over the effects on:</p> <ul style="list-style-type: none"> • Outstanding natural features and landscapes. • Significant areas of indigenous vegetation and habitats of fauna.
<p>13. Modification to a built power station or any associated dam, spillway, control structure or tunnel</p>	<p>(i) The operation, maintenance, refurbishment, enhancement and upgrading of a power station and any associated dam, spillway, control structure or tunnel is permitted if:</p> <p>(a) Any external modification or addition of a structural component does not exceed 50 square meters in gross floor area or 4m in height.</p> <p>Power station operations shall include the operation of penstocks, turbines, generators and switchyards.</p>	<p>(ii) Not applicable</p>

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(iii) Not Applicable	For all other lines see the assessment criteria listed under Rule 21.2	<p>This rule applies to existing electricity lines in the District, however there are also specific rules in the NESETA that apply to existing National Grid transmission lines.</p> <p>Transmission lines are defined under the NESETA as</p> <ul style="list-style-type: none"> • The facilities and structures used for, or associated with, the overhead or underground transmission of electricity in the national grid; and • Includes transmission line support structures, telecommunication cables, and telecommunication devices to which paragraph (a) applies; but • Does not include an electricity substation <p>Existing transmission lines that were operating , or able to be operated at 14 January 2010 (the commencement of the NESETA regulations).</p>
<p>(iii) The construction of unformed legal roads and the reconstruction and maintenance of existing formed roads beyond the legal road reserve or 10m of the existing formation, including bridges and associated protection works undertaken by parties other than a road controlling authority are restricted discretionary activities with Council's discretion limited to the following matters:</p> <ul style="list-style-type: none"> • the effects on: <ul style="list-style-type: none"> – outstanding natural features and landscapes – Significant areas of indigenous vegetation and habitats of fauna. – Natural character of the coastal environment – Wetlands, lakes and rivers and their margins – Historic and archaeological sites, amenity values, and – Wilderness/ remote experience values. • The provision of legal and practical access to a site and or/an area. 	See the assessment criteria listed under Rule 21.2	<p>Legal roads provide a vital access function in the district. In achieving the purpose of the road reserve however it is important to manage the potential effects of any formation works.</p> <p>Where outstanding natural features and landscapes and SNAs have not been identified, they shall be assessed through the resource consent process.</p>
(iii) Modification to a built power station or any associated dam spillway, control structure or tunnel that contravenes a permitted activity is a discretionary activity.	See the assessment criteria listed under Rule 21.2	<p>External modifications to existing power stations are in scale permitted if they are not extensive I.</p> <p>Any works involving a power station in the actual bed of a river is within the jurisdiction of the Regional Council and not the District Council.</p>

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14. Noise	(i) The noise provisions of the Environmental Area shall apply to the operation of utilities depending on the area the utility is located in. Note: Where two Environmental Areas adjoin the noise standards shall be those of the area that has the lower (more restricted) specified noise standard.	(ii) Not applicable.
15. Light Spill & Glare	(i) No activity shall result in a greater than 2.5 lux spill (horizontal and vertical) of light onto any adjoining property, measured at any point more than 2m inside the boundary of the adjoining property or the closest window to the adjoining property, whichever is the closest.	(ii) Not applicable.
16. Other standards for utilities :	(i) The provisions of the following shall apply to Utilities : 23. Appendix 2 – Signs Rules 24. Appendix 3 – Hazardous rules 25. Appendix 4 – Transportation rules 26. Appendix 5 – Subdivision rules 27. Appendix 6 – Heritage Rules 28. Appendix 9 – Aerodrome Flight Path Protection Area Provided that in respect of parking: - where sites are unstaffed no parking shall be required; - where sites are staffed (in accordance with the parking standards set out in Appendix 4) shall be provided on the basis of one space per person normally working on the site .	(ii) Refer to Appendices
17. Other utilities	(i) Not Applicable	(ii) Not Applicable

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(iii) Any activity that contravenes a permitted condition are a discretionary activity.	(i) The duration and frequency of the noise. (ii) The proximity and type of adjoining uses. (ii) The existing ambient noise level in the area.	This provision provides protection from excessive noise levels generated by utilities.
(iii) Any activity that contravenes a permitted condition of a activity is a discretionary activity.	(i) The extent frequency and intensity of light spill and glare.	Lighting and glare can detrimentally impact on a person's enjoyment of their property.
(iii) Refer to Appendices	(iii) Refer to Appendices	Compliance with the specified general standards will avoid, remedy or mitigate any adverse effects or utilities. It is recognised that some departure from these standards should be made for parking given the different nature of utilities.
(iii) Any other utility not listed as a permitted or controlled activity is a discretionary activity.	See the assessment criteria listed under Rule 21.2	Other utilities are listed as discretionary activities in order to provide for utilities which do not fall within a generic grouping of activities but require consent for their establishment due to the nature of their adverse effects on the environment