

Chapter 17

Network Utilities



17. NETWORK UTILITIES

17.1 RESOURCE MANAGEMENT ISSUES

1. Regionally significant infrastructure and network utilities are physical resources that need to be sustainably managed to provide reliable and efficient services to the District.
2. The location and appearance of some **network utilities** can affect **amenity values** of the environment through the generation of glare, noise, vibration, and visual effects.
3. **Regionally significant infrastructure and network utilities** have a **functional and locational requirement** to locate in residential areas and other sensitive environments which can result in adverse effects such as noise, vibration, and glare effects.
4. The location and growth of trees near overhead lines and reticulation systems can compromise the function of the **network utilities**, and pose safety issues.
5. **Network utilities** in some parts of the District are susceptible to natural hazards, including flooding and erosion which can disrupt service delivery and can adversely affect the surrounding environment.
6. **Renewable electricity generation** and supply needs to be provided for to reduce greenhouse gas emissions and ensure security of supply.
7. The operation, **maintenance**, development, replacement (Sub 36.22), and upgrade of **regionally significant infrastructure** including the **National Grid** can be constrained by adverse effects from other activities.
8. New subdivision, use and development could adversely affect the safe, efficient, and effective functioning of **regionally significant infrastructure**.
9. **Regionally significant infrastructure and network utilities** are (Sub 53.34, 54.34, 55.34) ~~is~~ essential for the economic and social wellbeing of the District.

17.2 OBJECTIVES AND POLICIES

OBJECTIVE

- 17.2.1 **The benefits of the safe, efficient and effective operation (including maintenance, upgrade, replacement and development) of regionally significant infrastructure including network utilities within the District are recognised, where significant adverse effects on the environment are avoided, remedied, or mitigated.**

POLICIES

- 17.2.1.1 Management of significant adverse effects of structures associated with **network utilities** while recognising their **functional requirements** through appropriate location, design and **landscaping** to maintain the quality of the surrounding environment.
- 17.2.1.2 Encourage **network utility** operators and developers to place equipment underground where practicable and where technically and economically feasible, when servicing new areas.
- 17.2.1.3 Where **network utility** operators propose to locate within **areas** susceptible to natural hazards to meet a functional requirement, to ensure that infrastructure has been designed ~~require a natural hazard assessment~~ so that the risks to and from the **network utility** can be appropriately managed. (Sub 36.28)
- 17.2.1.4 Recognise the benefits of regionally significant infrastructure, network utilities and (Sub 36.29, 53.45, 54.45, 55.45) the **National Grid** in the District.

OBJECTIVE

- 17.2.2 ~~Management of the potential adverse effects of network utilities on sensitive environments, particularly in areas of high landscape value and the Coastal Environment (Sub 8.240) such as in the District's coastal areas.~~

POLICIES

- 17.2.2.1 Encourage the co-location of **network utilities** in service corridors and common **sites** where this is practicable and appropriate.
- 17.2.2.2 Ensure that **network utilities** including overhead lines, structures, and **buildings** are designed and located to seek to avoid or minimise adverse effects, particularly visual effects.
- 17.2.2.3 New **National Grid** infrastructure within the **Coastal Environment** and outstanding natural landscapes and features should avoid, remedy or mitigate adverse effects by route, site and method selection as far as practicable given the constraints imposed by the technical, locational or operational requirements of the network. (Sub 39.42)
- 17.2.2.4 Recognise that network utilities may require a location within sensitive natural environments where there is a functional or operational need to locate within or traverse a particular area and there are no practicable alternatives. (Sub 53.27, 54.27, 55.27)

OBJECTIVE

- 17.2.3 To enable the safe and efficient maintenance, upgrade, replacement and development, and operation of existing network utilities by ensuring that, as far as practicable, other activities do not constrain those operations.**

POLICIES

- 17.2.3.1 To ensure that new subdivision, buildings and activities do not compromise the maintenance, upgrade, replacement, development and operation of existing network utilities, including the National Grid.**
- 17.2.3.2 To recognise the significance of regionally significant infrastructure and renewable electricity generation and associated structures.**
- 17.2.3.3 To manage subdivision, land use activities and vegetation within the electricity transmission corridors, including the National Grid.**
- 17.2.3.4 To avoid sensitive activities and inappropriate buildings, and structures and activities are not allowed within the National Grid Yards. (Sub 11.172)**

17.3 ACTIVITY STATUS

Resource consent is not required for Permitted activities provided all relevant standards are met. Resource consent is required for all Controlled, Restricted Discretionary, Discretionary and Non-complying activities.

~~Additional controls apply in relation to the following activities. Refer to the Chapters identified.~~

- ~~● Landscapes and Habitats – refer Chapter 13~~
- ~~● Heritage – refer Chapter 14~~
- ~~● Natural Hazards – refer Chapter 18~~

Resource Management Regulations – National Environmental Standards

- Electricity Transmission Lines:
The operation, maintenance, upgrading, relocation or removal of an electricity transmission line and ancillary structures that existed prior to 14 January 2010 is largely controlled by the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009, separate to this Plan. (Sub 39.21, 39.74, 39.75)
- Telecommunications Facilities:

The National Environmental Standard for Telecommunication Facilities (NESTF) 2016 allows a variety of **telecommunications facilities** and related activities as permitted activities subject to standards, separate to this **Plan**. However, some rules in this Plan apply to some activities covered by the NESTF, particularly in the **Coastal Environment** and in places identified in Chapters 13 and 14. All **telecommunications facilities** are controlled by the NESTF with respect to the generation of radiofrequency fields. (Sub 53.46, 54.46, 55.46)

For clarification, where there is conflict or perceived conflict between the provisions of this **Plan** and the requirements of the NES identified above, the provisions of the NES shall apply. (Sub 39.21, 39.74)

17.3.1 PERMITTED ACTIVITIES (Sub 24.93, 39.76, 36.35, 53.52, 54.52, 55.52)

17.3.1.1 Subject to compliance with the Standards in 17.4 only (Sub 36.34, 36.35) (unless otherwise stated), the following activities may be established without resource consent.

Network Utilities

1. **Maintenance, minor upgrading and replacement** of existing lines and **network utilities**, including where sites are identified in 13.9.1, 13.9.2 and 14.9.1. (Sub 36.35)
2. Above ground structures, including the construction and placement of telecommunication lines and electricity lines up to and including 110kV on poles where the structures are located 50 metres or more from **MHWS** or are located in the road reserve, except for sites identified in 13.9.1, 13.9.2 and 14.9.1 and in the **Coastal Environment** (Sub 7.5, 53.47, 54.47, 55.47, 53.1, 54.1, 55.1, 53.52, 54.52, 55.52).
3. Customer connections to adjacent properties from existing telecommunication lines and electricity lines. (Sub 53.51, 54.51, 55.51, 53.52, 54.52, 55.52)
- ~~4. **Network utilities** not otherwise listed as a Permitted Activity, where the activity is located 50 metres or more from **MHWS**.~~
5. Above ground structures including **poles** or similar associated with network utilities within road reserve or within 10m of the road reserve boundary in sites identified in 13.9.1 or 13.9.2, or in the **Coastal Environment**. (Sub 7.5, 53.52, 54.52, 55.52)
6. Telecommunications kiosks in a road reserve but not within sites identified in 13.9.1, 13.9.2, and 14.9.1 and in the **Coastal Environment**. (Sub 7.5, 53.50, 54.50, 55.50)
7. Network customer connections to heritage resources identified in 14.9.1. (Sub 53.1, 54.1, 55.1)
8. Network utilities within a natural hazard area identified in Chapter 18. (Sub 53.52, 54.52, 55.52)

9. An amateur radio configuration including mast, antennas and aerials, owned and operated by a licensed amateur radio operator that is incidental to a residential activity on the same site and where the performance standards in 17.4 are met. (Sub 24.93, 48.8)

Activities within the National Grid Yard

10. Any uninhabitable accessory building within the **National Grid Yard** on a developed site within the Coastal Settlement Zone that existed prior to notification of this **Plan**. (Sub 39.83)
11. The following buildings and structures (where permitted in the Zone) within the **National Grid Yard** but located more than 12m from a **National Grid** support structure foundation or stay wire:
- a. Fences less than 2.5m high
 - b. Alterations and additions to existing buildings for **sensitive activities** that do not involve an increase in the building envelope or floor space.
 - c. Accessory farm buildings not for habitation and structures for farming activities excluding milking sheds and buildings and structures for intensive farming
 - d. **Artificial crop protection structures** and **crop support structures**, excluding commercial greenhouses and PSA structures. (Sub 39.83)
12. The following activities (where permitted in the Zone) within 12 metres of a **National Grid** support structure foundation or stay wire:
- a. **Network utilities**
 - b. **Network utilities** that form part of electricity infrastructure that connect to the **National Grid Network** utility
 - c. Fences less than 2.5m in height and more than 5m from the nearest **National Grid** support structure
 - d. Horticultural structures between 8m and 12m from a **National Grid** pole support structure that:
 - Meet the requirements of New Zealand Electricity Code of Practice for Electricity Safe Distances (NZECP 34:2001)
 - Are less than 2.5m in height; and
 - Are removable or temporary, to allow a clear working space 12m from the pole when necessary for maintenance purposes; and
 - Allow all weather access to the pole and a sufficient area for maintenance equipment, including cranes; or
 - **Artificial crop protection** and **crop support structures** where Transpower has given written approval in accordance with clause 2.4.1 of NZECP34:2001 to be located within 8m of a **National Grid** pole support structure. (Sub 39.83)
8. Earthworks (where permitted in the Zone) within a site that is located within any part of the **National Grid Yard**:
- a. **Earthworks** within 12 metres from the outer visible edge of any **National Grid**

support structure that do not exceed a depth (measured vertically) of 300mm; provided that the following are exempt from this requirement:

- i. Earthworks for a Network Utility, as part of a transmission activity, or for electricity infrastructure.
 - ii. Earthworks undertaken as part of agricultural or domestic cultivation (including ploughing), or repair, sealing or resealing of a road, footpath, driveway or farm track.
 - iii. Vertical holes not exceeding 500mm in diameter provided that:
 - They are more than 1.5 metres from the outer edge of pole support structure or stay , or
 - They are a post hole for a farm fence or **artificial crop protection** and **crop support structures** and more than 5 metres from the visible outer edge of a tower support structure foundation (Sub 39.83)
- b. Earthworks (where permitted in the Zone) that do not result in a reduction in the ground to conductor clearance distances of less than 6.5 metres (measured vertically) from a 50kV or 110kV **National Grid** transmission line.

~~17.3.1.2~~ **All Zones**

- ~~1. The construction and placement of up to and including 110kV lines on poles, provided that the activity is located 50m or more from **MHWS**.~~
- ~~2. **Maintenance, minor upgrading and replacement** of lines and **Network Utilities**. **Minor upgrading** as defined in **Chapter 19** is not required to comply with the Zone Standards.~~
- ~~3. **Network utilities** that comply with the Zone Standards, provided that the activity is located 50m or more from **MHWS** and unless specifically provided for below.~~

~~17.3.1.3~~ **Residential Zone and Coastal Settlement Zone**

- ~~1. Masts, poles, pylons, aerials, antenna and similar structures associated with **network utilities** provided that:

 - ~~(a) A maximum **height** of 9m is not exceeded.~~
 - ~~(b) The activity is located 50m or more from **MHWS**.~~
 - ~~(c) Antenna dishes do not exceed 1.5m in diameter.~~~~
- ~~2. Masts, poles, pylons, aerials, antenna, and similar structures associated with **network utilities** provided that:

 - ~~(a) The mast, pole, pylon does not exceed 300mm in diameter where the **height** exceeds 9m, but is no greater than 12m.~~
 - ~~(b) The activity is located 50m or more from **MHWS**.~~
 - ~~(c) Antenna dishes do not exceed 1.5m in diameter.~~~~

~~17.3.1.4~~ **Town Centre Zone, Mixed Activity Zone, Marine Services Zone and Coastal Zone**

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1. ~~Masts, poles, pylons, aerials, antenna and similar structures associated with **network utilities** provided that:~~
 - ~~(a) A maximum **height** of 1520m is not exceeded. (Sub 53.48, 54.48, 55.48)~~
 - ~~(b) Where the works adjoin a site in the Residential Zone, the height in relation to daylight standard shall be met. (Sub 53.48, 54.48, 55.48)~~
 - ~~(c) The activity is located 50m or more from **MHWS**.~~

~~17.3.1.5 **Industrial Zone, Harbour Industrial Zone and Rural Zone**~~

1. ~~Masts, poles, pylons, aerials, antenna and similar structures associated with **network utilities** provided that:~~
 - ~~(a) A maximum **height** of 205m is not exceeded, except as follows. (Sub 53.49, 54.49, 55.49)~~
 - ~~(b) Where the structure is used by more than one operator, the maximum height shall be 30m. (Sub 53.49, 54.49, 55.49)~~
2. ~~New overhead lines and support structures, including property connections. (Sub 53.51, 54.51, 55.51)~~

~~17.3.1.5 **Industrial Zone, Harbour Industrial Zone and Rural Zone** (Sub 53.49, 54.49, 55.49)~~

1. ~~Masts, poles, pylons, aerials, antenna and similar structures associated with **network utilities** provided that: (a) A a maximum **height** of 20m is not exceeded.~~
2. ~~New overhead lines and support structures, including property connections. (Sub 53.51, 54.51, 55.51)~~

17.3.2 RESTRICTED DISCRETIONARY ACTIVITIES

- 17.3.2.1 The following are restricted discretionary activities and may only be established after land use has been granted by **Council**. The **Council** may grant or refuse resource consent for a restricted discretionary activity only in relation to the matters over which it has restricted its discretion.

17.3.3.2 All Zones

1. **Network utilities, including customer connections, located 50m or more from **MHWS**, or within the road reserve, (Sub 53.47, 54.47, 55.47, 53.51, 54.51, 55.51, 53.52, 54.52, 55.52), where one of the standards in 17.4.2 is not met, except where located in sites identified in 13.9.1 and 13.9.2 that do not meet one of the conditions for Permitted Activities except for the 50m setback from **MHWS**.** (Sub 24.93)
2. Gas Transmission Pipelines.
3. Earthworks within a National Grid Yard that do not meet the requirements of 17.3.1.15.a. (Sub 39.85)

4. Masts used for amateur radio communication activities exceeding the maximum permitted height for the zone, but not exceeding 20m (Sub 24.93, 48.8).
5. Earthworks in relation to a **network utility** that does not meet the standard in rule 13.4.2.1. (Sub 8.13, 53.52, 54.52, 55.52)
6. Indigenous vegetation clearance in relation to a network utility exceeding the permitted standards in 17.4.1. (Sub 8.248, 53.52, 54.52, 55.52)

17.3.3 DISCRETIONARY ACTIVITIES (Sub 39.78)

17.3.3.1 The following activities may only be established if Land Use Consent has been granted by **Council**. The **Council** may grant or refuse resource consent for a discretionary activity.

~~17.3.4.2~~ **All Zones of the District**

1. The construction and placement of 110kV lines on towers pylons. (Sub 39.77)
2. The construction and placement of lines at a voltage exceeding 110kV.
3. ~~Any **network utility** that does not comply with two or more of the conditions for permitted activities including the 50m setback from **MHWS**. (Sub 53.52, 54.52, 55.52)~~
4. A customer connection attached to a primary feature of a heritage item listed in Appendix 14.9.1. (Sub 53.52, 54.52, 55.52)
5. A **network utility** in sites identified in 13.9.1, 13.9.2 or in the Coastal Environment, not provided for as a Permitted Activity. (Sub 24.93)
6. A **network utility** not otherwise provided for. (Sub 53.52, 54.52, 55.52)

~~17.3.4.3~~ **Residential Zone and Coastal Settlement Zone**

~~Activities not meeting the requirements for permitted activities.~~

~~17.3.4.4~~ **Town Centre Zone, Mixed Activity Zone and Coastal Zone**

~~Masts, poles, pylons, aerials, antenna, and similar structures associated with **network utilities** where:~~

- ~~1. The **height** exceeds 15m; or~~
- ~~2. Antenna dish exceed 1.5m in diameter.~~

~~17.3.4.5~~ **Industrial Zone and Rural Zone**

~~Masts, poles, pylons, aerials, antenna, and similar structures associated with **network utilities** where:~~

- ~~1. The **height** exceeds 20m; or~~
- ~~2. Antenna dish exceed 3m in diameter.~~

17.3.5 NON COMPLYING ACTIVITIES (Sub 39.79, 39.87)

The following activities are non-complying. The Council may grant or refuse resource consent for a non-complying activity. The following activities may be established after a land use consent has been granted by Council.

7.3.5.1 Earthworks within a National Grid Yard not meeting permitted activity condition 17.3.1.7 (2). (Sub 39.88)

7.3.5.2 The following activities, buildings or structures within any part of the National Grid Yard on any site:

1. Any new building for a sensitive activity or addition to an existing building that involves an increase in the building envelope or height for a sensitive activity.
2. A change of use from a non-sensitive to a sensitive activity or the establishment of a new sensitive activity.
3. Any milking shed (excluding accessory structures and buildings), commercial greenhouse, protective canopy, or other building for an intensive farming activity.
4. Any activity, building or structure provided for under rule 17.3.1.2 that does not comply with the permitted activity standard 17.4.1.5.
5. Any building or structure within the National Grid Yard that is not a permitted activity under rule 17.3.1.10, 17.3.1.11 or 17.3.1.12. (Sub 39.89)

~~17.3.4.6 Assessment Criteria and Conditions~~ (Sub 8.246)

~~An application for discretionary activity may be granted or refused consent by Council. An application will be assessed in full and conditions may be imposed that may include one or more of the following:~~

- ~~1. Visual~~
 - ~~(a) The colour and finishing of network utility structures, with regard to reflectivity and glare.~~
 - ~~(b) Location of network utility structure in relation to outstanding natural features and landscapes.~~
 - ~~(c) Mitigation measures in terms of planting, fencing, or landscaping.~~
 - ~~(d) The viability for undergrounding of the network utility, including undergrounding all, or part, of the utility.~~
- ~~2. Noise, vibration effects~~
 - ~~(a) Frequency, duration, and timing of emitted noise, of emissions. (Sub 57.84)~~
 - ~~(b) Measures to avoid, remedy, or mitigate the adverse effects on the environment from emitted noise or vibration. (Sub 57.84)~~

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3. ~~*Effects on cultural and heritage resources*~~
- (a) ~~Proximity of the **network utility** to **heritage resources** and outstanding **natural features and landscapes**.~~
- (b) ~~Proximity of the **network utility** to waahi tapu, and other areas of importance to local Iwi or Hapū.~~
4. ~~*Natural hazard effects*~~
- (a) ~~Proximity and susceptibility of the **network utility** to identified areas of natural hazards.~~
5. ~~*Effects on residential areas*~~
- (a) ~~Proximity of **network utility** to residential areas and **places of assembly**.~~
- (b) ~~Measure to avoid, remedy, or mitigate any adverse effects on residential areas and **places of assembly** from the **network utility** structure.~~
6. ~~*Functional Requirements*~~
- (a) ~~The reasons for the proposed location, **site** or route or method, taking into account functional requirements and constraints.~~
- (b) ~~The benefits of the facility utility to the community and beyond.~~
- (c) ~~The degree to which any adverse environmental effects have been sought to be avoided or minimised, or are to be remedied or mitigated.~~
7. ~~*Effects on Waioeka Ōtara Rivers Scheme*~~
- (a) ~~Proximity of the **network utility** to stop banks, drains and other river scheme assets~~
- (b) ~~Measures to avoid, remedy or mitigate effects of utility works on the river scheme asset.~~

17.54 ~~**ZONE STANDARDS**~~ (Sub 24.92)(Relocated From 7.5)

These Standards apply to **network utilities** which are listed as Permitted ~~and controlled~~ (Sub 39.xx)activities, unless otherwise stated, and the Zone Standards do not apply. They will be used as guidelines when assessing applications for restricted discretionary, discretionary and non-complying activities.

17.54.1 ~~**STANDARDS FOR NETWORK UTILITIES**~~ (Sub 24.93, 53.52, 54.52, 55.52)

17.54.1.1 All **network utilities** shall comply with the following Zone (Sub 39.82) Standards except for **Maintenance, minor upgrading and replacement** of existing lines and **network utilities** (Sub 24.92):

17.4.1.2 Maximum **height** of **poles** and similar structures associated with **network utilities** (Sub 53.48, 54.48, 55.48, 53.49, 54.49, 55.49)

- a. Residential and Coastal Settlement Zones 9m

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- | | |
|---|------------|
| b. <u>Town Centre, Mixed Activity and Coastal Zones</u> | <u>20m</u> |
| c. <u>Marine Services, Industrial, Harbour Industrial and Rural Zones</u>
<u>(One telecommunications operator)</u> | <u>25m</u> |
| d. <u>Marine Services, Industrial, Harbour Industrial and Rural Zones</u>
<u>(antennas for 2 or more telecommunications operators)</u> | <u>30m</u> |
| e. <u>Ohiwa Harbour Zone</u> | <u>9m</u> |
| f. <u>Road reserve in any zone except in the Ohiwa Harbour Zone</u>
<u>and the Coastal Environment</u> | <u>25m</u> |
| g. <u>Road reserve in any zone except in the Ohiwa Harbour Zone</u>
<u>and the Coastal Environment</u> | <u>15m</u> |

17.4.1.3 Maximum diameter of dish antennas: (Sub 53.52, 54.52, 55.52)

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| a. <u>Residential and Coastal Settlement Zones</u> | <u>1.5m</u> |
| b. <u>Town Centre and Mixed Activity Zones</u> | <u>No maximum</u> |
| c. <u>Marine Services, Industrial, and Harbour Industrial Zones</u> | <u>No maximum</u> |
| d. <u>Coastal and Rural Zones, not within Coastal Environment</u> | <u>No maximum</u> |
| e. <u>Sites in 13.9.1 & 13.9.2, Ohiwa Harbour Zone and the</u> | |
| f. <u>Coastal Environment</u> | <u>1.5m</u> |

17.4.1.4 Daylight protection in Residential Zones: (Sub 53.48, 54.48, 55.48)

No part of any **network utility** shall penetrate a daylight recession plane of 45° from a **height** of 2.7m above finished ground level at any boundary where adjacent to a site zoned Residential.

17.4.1.5 Network Utility Structure (Sub 24.92, 53.52, 54.52, 55.52)

In the Ohiwa Harbour, Residential and Coastal Settlement Zones and in the **Coastal Environment**, a network utility structure shall have a total floor area of not more than 20/5m² and a maximum height of 2.5./2m, and shall be set a minimum distance of 10m from the nearest dwelling.

17.4.1.6 Telecommunications Kiosks (Sub 53.52, 54.52, 55.52)

The maximum height of a telecommunications kiosk shall be 2.5m plus an additional 1m height for any small cell or antenna. The maximum floor area shall be 1.0m².

17.4.2 **CUSTOMER CONNECTIONS TO HISTORIC ITEMS (Sub 53.52, 54.52, 55.52)**

A customer connection shall not be attached to a primary feature of a historic building or structure listed in Appendix 14.9.1.

17.4.3 NETWORK UTILITIES WITHIN SITES LISTED IN 13.9.1 AND 13.9.2 (Sub 53.52, 54.52, 55.52)

Above ground structures including masts, poles, pylons, aerials, antenna, cabinets or similar associated with network utilities located within a site identified in 13.9.1 or 13.9.2 shall be located in the road reserve or not further than 10m from the inland boundary of the road reserve subject to compliance with the following standards:

- a. Indigenous vegetation disturbance (excluding pohutukawa trees) up to 100m² to establish the structure and maintain the site; and (Sub 8.2.4.8)
- b. Earthworks outside the road reserve to establish the site and access and ongoing maintenance shall be subject to the standard in rule 17.4.4; and
- c. Structures shall have a maximum reflectivity value of 35%; and
- d. Height of the structure/s and dimension of the antennas (if any) shall be in accordance with 17.4.1.1 above (Sub 53.52, 54.52, 55.52)

17.4.4 EARTHWORKS IN A SITE LISTED IN 13.9.1 AND 13.9.2 AND IN THE COASTAL ENVIRONMENT (Sub 8.13) (Copied from 13.4.2.1)

The following performance standards shall apply: (Sub 17.176)

1. The total area shall not exceed 400m²; and
2. The total volume shall not exceed 200m³; and
3. The maximum cut and/or fill face shall not exceed 3m; and
4. Where the earthworks are visible from a public road, public reserve, coastal marine area or the foreshore, bare surfaces shall be stabilised with mulch, hydroseeding or similar stabilisation mechanism; or where the earthworks are not visible from these areas, bare surfaces shall be revegetated in the next growing season.

17.4.5 AMATEUR RADIO CONFIGURATIONS (Sub 48.8)

1. Antennas attached to buildings shall not exceed the point of attachment height by more than 7 metres.
2. The maximum number of antennas shall be 12.
3. Masts and attached antennas identified as permitted activities shall have a maximum height of 20 metres.

17.4.6 REQUIREMENTS FOR BUILDINGS AND STRUCTURES WITHIN ANY NATIONAL GRID YARD (Sub 39.90)

All buildings and structures within a National Grid Yard shall comply with the following:

- a. A minimum vertical clearance distance of 10 metres below the lowest point of the conductor associated with a National Grid transmission line shown on the Planning Maps; or
- b. Demonstrate that safe electrical clearance distances are maintained in accordance with Section 2 and 3 of NZECP34:2001.

ADVICE NOTE: (Sub 39.90)

Please contact Transpower or a suitably qualified engineer for assistance with clearance requirements in NZECP 34:2001.

1. Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZCEP 34: 2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.
2. An activity, including buildings and structures, earthworks, quarrying and planting vegetation, within the National Grid Corridor or National Grid Yard may require resource consent. Transpower New Zealand limited will be considered to be an affected party where consent is required. Where an activity requires resource consent solely because it is within the National Grid Corridor public notification of the application is precluded. However, limited notification will be given to Transpower unless the written approval from Transpower is provided at the time the application is lodged.
3. The Electricity (Hazards from Trees) Regulations 2003 applies to vegetation planted within the National Grid Corridor or near sub-transmission or distribution electricity lines and must be complied with. Vegetation to be planted within the National Grid Yard as shown on the District Plan Maps should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003 or prevent access to support structures. To discuss works, including tree planting near any electricity line especially works within the National Grid Yard, contact the relevant network utility operator.
4. Telecommunication facilities are subject to the requirements of the National Environmental Standard for Telecommunication Facilities 2016 and include: cabinets in and outside the road reserve; Antennas on existing and new poles in the road reserve; replacement, upgrading and co-location of existing poles and antennas outside road reserve; new poles and antennas in rural areas; antennas on buildings; small-cell units on existing structures; telecommunications lines (underground, on the ground and overhead) and facilities in natural hazard areas. (Sub 53.52, 54.52, 55.52)

17.54.7 WASTEWATER

- 17.5.4.7.1 All new allotments or developments within any of **Council's** wastewater scheme boundaries shall connect to the **Council's** wastewater system. All new allotments within 200m of the Council's wastewater scheme boundaries may be required to connect to the Council's wastewater scheme.

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- 17.54.7.2** All new wastewater management systems shall be designed and constructed to:
1. Adequately service each **lot**, or development.
 2. Be compatible with the existing utility network.
 3. Be compatible with other utility systems.
 4. Ensure no ground water or surface water intrusion occurs.
 5. Include the following design features:
 - (a) Gully traps/ventilation risers shall be designed to prevent inflow of stormwater in a rainfall event with 10% probability of occurring annually.
 - (b) Inspection ports shall be installed immediately adjacent to all gully traps/ventilation risers and at the property boundary and at any wyes.
 - (c) Bends shall not be greater than 60%.
- 17.54.7.3** Where a public waste water drain or structure is laid within private property, it shall be protected by an easement in favour of Council.
- 17.54.7.4** Where any new wastewater connection will connect to an existing private line, said line must be:
1. In good working order, both upstream and downstream from the connection point.
 2. Capable of conveying the additional flows from the new connection.
 3. Fitted with an inspection port at the connection point.
- 17.54.7.5** Where an existing line is available but cannot comply with 17.5.2.4 above, a new connection to the public sewer will be required.

17.4.8 STORMWATER

- 17.4.8.1** A stormwater disposal system shall be provided for any residential, community or business activity, or to any **lot** to be used for one or more of these activities. This disposal system shall include primary and secondary control systems that:
1. Shall be capable of disposing of and/or detaining surface water resulting from a 10% AEP 24 hour rainfall event.
 2. Shall provide a secondary flow system capable of conveying surface water resulting from a 2% AEP 24 hour rainfall event, to ensure that surface water shall not enter **buildings** (detached garages excluded).
- 17.4.8.2** Any **commercial**, industrial or business activity or development shall ensure:
1. That stormwater is detained to discharge at levels no greater than the pre-development levels from a 2% AEP 24 hour rainfall event.

2. That appropriate spill containment measures are provided to prevent potentially **hazardous substances** from entering the stormwater system.

17.4.8.3 Trade wastes directed to the stormwater system shall have appropriate measures in place to ensure **contaminants/hazardous substances** do not enter the stormwater system.

17.4.8.4 All new stormwater management systems shall be designed and constructed to:

1. Adequately service each **lot**, or development.
2. Be compatible with the existing utility network.
3. Be compatible with other utility systems.

ADVICE NOTE: (Sub 50.25)

The quality of stormwater discharges is controlled by the Bay of Plenty Regional Council.

17.56.4 ~~POTABLE WATER SUPPLY~~ (Sub 37.79)

17.6.3.1 Domestic connections shall be 20mm in diameter and non-domestic connections shall be of a suitable size to serve the predicted demand of that **lot**. All connectors other than urban residential connections which are used solely for normal domestic supply shall be provided with an approved back flow prevention device in relation to its backflow hazard classification.

17.6.3.2 All water supply systems shall be designed and constructed to:

1. Adequately service each **lot**, or development, including the provision of a firefighting water supply for any habitable building in accordance with New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008. (Sub 37.79)
2. Be compatible with other utility systems.
3. Avoid the likelihood of contamination or leakage.
4. Ensure principal water mains are not less than 100mm in diameter.

Advice Note: Under the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008, where a building is located more than 135m from the nearest road that has reticulated water supply (including hydrants), access should have a minimum formed width of 4m, a height clearance of 4.0m and a maximum gradient of 1 in 5 (with minimum 4.0m transition ramps of 1 in 8). (Sub 37.79)

17.4 ~~ASSESSMENT CRITERIA FOR RESTRICTED DISCRETIONARY~~

ACTIVITIES (Sub 17.16, 24.93, 53.52, 54.52, 55.52)

The Council has its restricted discretion over the following matters for Restricted Discretionary activities. Consent may be granted or refused in relation to these matters and, if consent is granted, Council may impose conditions on these matters.

17.4.1 Activities that do not comply with one or more standards in 17.4:

1. Visual effects:
 - a. The extent to which the visual effects of the infrastructure can be softened by landscaping without compromising the functional requirements of the infrastructure
 - b. The extent to which any adverse effects of the design, scale and height of the infrastructure can be internalised, modified or mitigated without compromising the functional requirements of the infrastructure
2. The effect on sites of landscape, indigenous vegetation, cultural or heritage value.
3. The likelihood of potential effects from natural hazard.
4. The effects of the activity on the Waioeka Otara Rivers Scheme.
5. Clearance of significant indigenous vegetation.
6. Functional and operational needs of and the benefits derived from infrastructure: (Sub 53.52, 54.52, 55.52)
 - a. The extent to which the functional and operational requirements of the infrastructure affects or necessitates its location, site, route, method, height and size; (Sub 36.39)
 - b. The extent to which the infrastructure or upgrade will benefit and contribute to the social, economic and cultural and environmental wellbeing of people and communities of the District; and
 - c. The extent to which the infrastructure improves the resilience and security of the network or utility service provided.
7. The degree to which any adverse environmental effects have been sought to be avoided or minimised, or are to be remedied or mitigated (Sub 36.39) and whether measures proposed will be effective in avoiding, remedying or mitigating the adverse effects identified above. (Sub 53.52, 54.52, 55.52)

17.4.2 Gas transmission pipelines

1. The effect on sites of landscape, indigenous vegetation, cultural or heritage value.
2. The likelihood of potential effects from natural hazard.
3. The benefits to be derived from the pipeline for the district and regional service connections.

17.4.3 Amateur Radio Masts

- 1 Whether the applicant is an amateur radio operator
- 2 The effect on the amenity of directly affect adjoining landowners, in relation to the increase in height
- 3 The effect of the additional height of the mast on the amenity of habitable rooms on directly adjoining properties.

17.4.4 Earthworks within a National Grid Yard not meeting permitted activity condition 17.3.1.8.a (Sub 39.86)

Council restricts its discretion to the following matters.

1. Any risk to the structural integrity of the transmission line;
2. Any effects on the ability of the transmission line owner to access, operate, maintain and/or upgrade the National Grid;
3. The proximity of buildings and structures to electrical hazards;
4. Operational risks relating to health or public safety, and the risk of property damage;
6. Any actual or potential reverse sensitivity effects;
7. Technical advice provided by the National Grid owner (Transpower); and
8. Any effects on National Grid support structures including the creation of an unstable batter
(Sub 39.86)

17.5 ASSESSMENT CRITERIA FOR DISCRETIONARY ACTIVITIES (Sub 8.246, 39.79)

An application for discretionary activity may be granted or refused consent by **Council**. An application will be assessed in full and conditions may be imposed that may include one or more of the following:

1. Visual
 - (a) The colour and finishing of **network utility** structures, with regard to reflectivity and glare.
 - (b) Location of **network utility** structure in relation to outstanding **natural features and landscapes**.
 - (c) Mitigation measures in terms of planting, fencing, or **landscaping**.
 - (d) The viability and operational and economic constraints of ~~for~~ (Sub 39.81) undergrounding of the **network utility**, including undergrounding all, or part, of the utility.
2. Noise, vibration effects
 - (a) Frequency, duration, and timing of ~~emitted noise, of emissions~~. (Sub 57.84)
 - (b) Measures to avoid, remedy, or mitigate the adverse effects on the environment from ~~emitted~~ noise or vibration. (Sub 57.84, 57.85)

3. Effects on cultural and heritage resources
 - (a) Proximity of the **network utility** to **heritage resources** and outstanding **natural features and landscapes**.
 - (b) Proximity of the **network utility** to waahi tapu, and other areas of importance to local Iwi or Hapū.
4. Natural hazard effects
 - (a) Proximity and susceptibility of the **network utility** to identified areas of natural hazards.
5. Effects on residential areas
 - (a) Proximity of **network utility** to residential areas and **places of assembly**.
 - (b) Measure to avoid, remedy, or mitigate any adverse effects on residential areas and **places of assembly** from the **network utility** structure.
6. Functional Requirements
 - (a) The reasons for the proposed location, **site** or route or method, taking into account functional requirements and technical/ physical constraints. (Sub 8.249)
 - (b) The benefits of the facility utility to the community and beyond.
 - (c) The degree to which any adverse environmental effects have been sought to be avoided or minimised, or are to be remedied or mitigated.
7. Effects on Waioeka Ōtara Rivers Scheme
 - (a) Proximity of the **network utility** to stop banks, drains and other river scheme assets
 - (b) Measures to avoid, remedy or mitigate effects of utility works on the river scheme asset.
8. Effects on rural activities (Sub 11.174)
 - a) Proximity of network utility to rural production activities
 - b) Measures to avoid, remedy or mitigate any adverse effects on rural production activities

~~17.56~~ ~~ZONE STANDARDS (Sub 24.92)~~ (Relocated to 17.4)

17.67 **OTHER METHODS**

17.67.1 Other methods for achieving the objectives and policies of this Section are:

1. The use of **industry**, and **network utility** operators, codes of practice and practice guidelines.
2. Agreements or accords between the **network utility** operators, landowners, and adjoining landowners.
3. Undergrounding of **network utilities** to reduce visual disruption to the landscape.

17.78 EXPECTED ENVIRONMENTAL RESULTS

Environmental outcomes anticipated from the implementation of the objectives and policies of this section are:

- A. The safe and efficient functioning of **network utilities** within the District.
- B. **Network Utilities** that are located and designed to minimise significant adverse effects on the environment.
- C. Minimal visual intrusion within the ~~coastal areas~~ **Coastal Environment and outstanding natural features and landscapes** (Sub 7.5) of the District.