

## **15 UTILITIES**

Unless specifically stated to the contrary in this Plan, utilities are only subject to the rules set out in this part of the plan, and the Natural Hazard rules in Section 17 of the Plan.

Notwithstanding the above, the operation, maintenance and upgrading of utilities permitted by Rule 15.1.1(13) is not subject to the Natural Hazard rules in Section 17 of the Plan.

### **15.1 ACTIVITIES AND SITE DEVELOPMENT STANDARDS**

#### **15.1.1 PERMITTED ACTIVITIES**

The following activities shall be **Permitted Activities** throughout the District, except as provided for as **Restricted Discretionary Activities** under Rule 15.1.2 below, and subject to compliance with the **Site Development Standards** under Rule 15.2 below (Electricity generation at Ohau A and B; Lake Ohau Weir; Ruataniwha; Waitaki; Aviemore; and Benmore is provided for as Scheduled Activities in 4.7 of the Rural Rules):

- 1 Lines:
  - a) Lines for conveying electricity at a voltage up to and including 110KV with a capacity up to and including 100MVA per circuit;
  - b) Lines for conveying telecommunication signals; and,
  - c) Poles, insulator, casing, minor fixture, tunnel, or other equipment or material used or intended to be used for supporting, enclosing, surrounding, or protecting any line, or part of line identified in (a) and (b) above.

Regional Council consent may be required for any activity on the bed of a lake or river.

**Note:** For the purposes of Rule 15.1.1. (1) above "Line" means a wire or wires or a conductor of any other kind.

- 2 Transformers and Substations:
  - a) Transformers used for conveying electricity at a voltage up to and including 110KV with a capacity up to and including 100MVA, and which do not contain more than 3000 litres of oil.
  - b) Electricity Substations used for conveying electricity at a voltage up to and including 110KV with a capacity up to and including 100MVA, and which do not contain more than 3000 litres of oil, provided that any buildings for a substation comply with Rule 15.1.1.(6).

Regional Council consent may be required for any activity on the bed of a lake or river

**Note:** For the purposes of this Plan where a transformer or electricity substation exceeds 1000 litres of oil then Part III, Section 16 Hazardous Substances Rules shall apply.

- 3 Poles or other support structures for the purpose of street lighting;
- 4 Aerials, antennae, dish antennae used for telecommunication and radiocommunication purposes and shall include associated support structures including towers, masts and poles;

- 5 Automatic weather stations, weather recording devices and facilities for the distribution of meteorological information;
- 6 Buildings used for utility activities provided that the building does not exceed 10m<sup>2</sup> in gross floor area and/or 3m in height.

For the purpose of Rule 15.1.1(6) a building shall not include antennas, dish antennas, overhead lines or their poles.

Regional Council consent may be required for any activity on the bed of any lake or river.

- 7 Underground pipe networks for the conveyance and drainage of water or sewage, and any ancillary underground equipment including underground pump stations.
- 8 Reservoirs, wells and supply intakes for the reticulation or provision of public water supply.

Regional Council consent may be required for any activity on the bed of a lake or river and for any drilling, discharges to water and bore permits.

- 9 Community irrigation and stock water races, public open drains and channels.
- 10 Telephone call boxes.
- 11 Air and Marine navigational aids and beacons.
- 12 Recorders to measure the flows and levels of lakes and rivers.
- 13 Operation, maintenance and minor upgrading of utilities, provided minor upgrading of utilities is limited to the following:

An increase in the carrying capacity, efficiency or security of electricity and associated telecommunication lines, utilising existing support structures or replacement structures of a similar scale and character, and includes:

- (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.

Minor upgrading shall not include 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.

## 15.1.2 RESTRICTED DISCRETIONARY ACTIVITIES

The following activities shall be **Restricted Discretionary Activities**

Buildings used for utility activities that exceed 10m<sup>2</sup> in gross floor area and/or 3m in height, provided that they comply with all of the Site Development Standards (Rule 15.2).

The Council restricts its discretion to the following matters:

PROPOSED DISTRICT PLAN INCORPORATING PLAN CHANGE 2, 7 & 8 (SHOWN AS DOUBLE UNDERLINE OR ~~STRIKE THROUGH~~)

- a) design, appearance and setback of building(s);
- b) shading of neighbouring residential units;
- c) landscaping of the site;
- d) any building(s) materials necessary for noise insulation;
- e) effects on landscape.

### 15.1.3 DISCRETIONARY ACTIVITIES

The following activities shall be **Discretionary Activities** throughout the District:

- 1 Any activity listed as a Permitted Activity or a Restricted Discretionary Activity but does not comply with the standards or terms applying to that activity or the Site Development Standards (refer to Rule 15.2) shall be a Discretionary Activity.
- 2 Weather Radar.
- 3 Lines and support structures for conveying electricity at a voltage exceeding 110KV and a capacity exceeding 100MVA per circuit.
- 4 Transformers and Electricity substations used for conveying electricity at a voltage exceeding 110KV and a capacity exceeding 100MVA per circuit.
- 5 Coastal flood and erosion and river flood protection works. Regional Council consent may be required for any structure or disturbance on the coast or bed of a lake or river.
- 6 Any other utility not specifically listed as a Permitted, Restricted Discretionary or Discretionary Activity.

## 15.2 SITE DEVELOPMENT STANDARDS

### 15.2.1

All lines shall be located underground within Residential, Rural Residential, Township, or Business Zones.

This rule does not apply to:

- i) replacement of existing over head lines on existing poles.
- ii) additional over head lines on existing poles.
- iii) the extension of any existing overhead network by up to 5 overhead poles with associated lines within a road reserve, or by 1 pole with associated lines per customer connection on other land.

### 15.2.2

- i No lines or transformers or associated structures, including support structures, specified in Rule 15.1.1.(1), (2) and (3) shall exceed a maximum height above ground level of:
  - 12m in the Residential, Rural-Residential, Township or Business H Zones;
  - 25m in the Business 1 to 6, Rural S and G, Macraes Mining, Oamaru Airport and Omarama Airfield Zones; or

- ii No antennas, dish antennas or associated structures, including support structures, specified in Rule 15.1.1 (4) shall exceed a maximum height above ground level of:
- 12m in Residential, Rural-Residential, Township or all Business Zones;
  - 25m in the Rural S and G, Macraes Mining, Oamaru Airport and Omarama Airfield Zones.

Notwithstanding the above, antennas, and their support structures shall be permitted provided that they do not exceed the height of the building it is attached to by more than 3 metres.

- iii Any structures and support structures for those activities specified in i and ii above shall, where practicable, be setback a minimum distance of 15m from any intersection in the Rural G and S, Macraes Mining and Rural Residential Zones, measured parallel from the centreline of the carriageways, at the point where the roads intersect.

### 15.2.3

No dish antennas shall exceed 1.2m in diameter in all zones except for the Rural G and S Zones where no dish antennas shall exceed 2.5m in diameter.

### 15.2.4

All outdoor storage incidental to a utility activity shall be screened from public view by landscaping or solid fencing at least 1.8m in height.

### 15.2.5

Support structures; telecommunications, radiocommunication or meteorological facilities; buildings or depots shall not be located:

1. within the areas identified on the Planning Maps as having significant nature conservation values;
2. within 20m of any lake, river or stream, or wetland (other than the main stem of the Waitaki River), or within any naturally-occurring wetland;
3. on any land above 900m in altitude.
4. Within areas identified on the Planning Maps as:
  - an outstanding or significant natural feature;
  - an outstanding landscape;
  - a significant coastal landscape.

### Exemption to Rule 15.2.5

5. Rule 15.2.5 shall not apply to recorders used to measure the flows and levels of lakes and rivers.
6. Rule 15.2.5 (4) shall not apply to those activities specified in Rules 15.1.1 (13).

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## 15.3 RESOURCE CONSENTS - ASSESSMENT MATTERS

### 15.3.1 GENERAL

- 1 The following Assessment Matters are methods or matters included in the District Plan, in order to enable the Council to implement the Plan's policies and fulfil its functions and duties under the Act.
- 2 In addition to the applicable provisions of the Act, the Council shall also apply the relevant *Assessment Matters* set out in Clause 15.3.2 below.
- 3 In the case of *Discretionary Activities*, where the exercise of the Council's discretion is restricted to the matter(s) specified in a particular standard(s), the assessment matters taken into account shall only be those relevant to that/those standard(s). Further, Discretionary Activities may be processed as non-notified applications.

### 15.3.2 ASSESSMENT MATTERS

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters, as are appropriate to the nature of the utility:

- 1 The extent to which the utility will not adversely effect landscape values and in particular:
  - a) views or viewpoints and/or the loss of accessibility to views or viewpoints;
  - b) the quality of the landscape by increasing the apparent level of modification of the landscape by:
    - i) causing the loss of the natural landscape pattern and/or underlying landform pattern, and/or;
    - ii) obscuring of natural landforms and landscape features;
    - iii) causing the loss of significant cultural features (including historic features and vegetation patterns);
  - c) the visual coherence of the landscape of the landscape by obscuring, disturbing or causing the loss of present vegetation patterns
  - d) the visual openness and spaciousness of the landscape, and the apparent naturalness of the landscape.
  - e) the visual and landscape amenity of shorelines and skylines.
- 2 The extent of the visual impact of the utility from an adjoining Residential, Rural-Residential, or Township zoned site and its impact on the amenity and character of the surrounding environment taking into account its design and appearance, and bulk.
- 3 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.
- 4 The degree to which any adverse effect created by a reduced setback may be mitigated through different options for site layout.
- 5 The extent of the visual impact of the utility where landscaping has been reduced and the extent to which other factors may compensate for any reduction such as:
  - i) a higher quality of planting over a smaller area.
  - ii) an unobtrusive building design

- iii) the compatibility of materials used for finishing and the colour of the building with the environment.
- 6 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.
- 7 The extent to which alternative sites or routes have been considered and where relevant the impact of those alternatives on the environment.
- 8 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.
- 9 The degree to which the proposed utility may affect the health and safety of the community, including positive effects, from the operation of the utility. This includes whether any telecommunication, radiocommunication or ancillary device complies with the New Zealand Standards NZ2772.1 (1999) Radiofrequency Fields: Part 1 Maximum Exposure Levels – 3KHz – 300GHz and with NSZ6609.2:1990 – Radiofrequency Radiation: Part 2 Principles and Methods of Measurements 300KHz to 100GHz, or any subsequent revisions of these standards.
- 10 The degree to which the proposed utility may affect values held by the takata whenua.
- 11 The potential for co-siting telecommunication and radiocommunication facilities and the extent to which the provider of the utility has investigated this potential.
- 12 In areas of Significant Nature Conservation Value:
- a) The degree of significance of a species or community of indigenous plants and animals at the specific locality of the proposed utility. In particular:
    - i) The status of a particular species, whether it is rare, vulnerable or endangered in the District, in the regional, or nationally.
    - ii) The general rate of decline of a particular species in the District, region or nationally.
    - iii) The distinctiveness or uniqueness of a particular community, or group of communities of plants or animals, to the District, region or nationally.
    - iv) The range or diversity of species in a particular plant or animal community.
    - v) The importance of an area providing habitat to animals.
  - b) The extent to which the utility threatens indigenous plants or animals identified in (i) at this site.
  - c) The degree to which earthworks will damage geological sites, such as fossil sites.
  - d) The degree to which river or stream habitat is adversely affected through run-off and sedimentation caused by earthworks.
  - e) The extent of any alteration of a wetland and the subsequent loss of habitat.
  - f) The degree to which any increased nutrient levels of a wetland may occur.
  - g) The degree to which any possible alternative locations or methods for undertaking the utility could occur.
  - h) In the beds of rivers:
    - i) The extent to which the utility threatens the birdlife on the beds of rivers;  
**and**  
the degree of significance a particular bird species has to the District following the criteria in a above.

- ii) The degree to which river or stream habitat is adversely affected through run-off and sedimentation caused by earthworks.
- iii) The degree to which trout or salmon are adversely affected by disturbance to a riverbed, including the clearance of vegetation.
- iv) The degree to which any possible alternative locations or methods for undertaking the utility could occur.

13 With respect to the construction of coastal or river protection works:

- a) The extent to which coastal and river protection works adversely affect the natural character of the coast or a bed of a river and its margin, and any associated natural conservation, public access and recreation values at these locations;
- b) The extent to which the coastal protection works could cause shifts in erosion processes along the coast, or the extent to which the river protection works could cause flood breakouts downstream of the works.
- c) The potential loss of assets if the protection works are not afforded;
- d) The ability of buildings or other assets to be relocated, as an alternative to protection works; including estimated costs of relocation, and the possible destination of a relocated buildings;
- e) The ability of other measures such as vegetation planting being an appropriate alternative.

## 15.4 DESIGNATIONS

Every designation specified in the Plan shall have the force of a rule as required under S175 of the Act. All designations are listed in Appendix A which specifies the name of the authority responsible for the designation, purpose of the designation, legal description of the land subject to the designation, conditions attached to the requirement to carry out the designation, the life time of the designation and underlying zoning of the site. The rules of the underlying zone shall apply to activities other than those permitted under the designation.

A designated site may only be used in accordance with the designation. The use of the site for any other activity (including permitted activities within the underlying zone) shall require the prior written approval of the requiring authority as required under S176 of the Act.