SECTION 11 - UTILITIES

INTRODUCTION

Utilities provide the infrastructure which enables a community to undertake its everyday activities and functions and allows people to provide for their social and economic wellbeing, health and safety. There are various categories of utilities and a number of providers. They are physical resources which are used to generate energy, provide water and electricity, sewage reticulation, roads, railway lines, airports, telecommunications, radiocommunications and waste disposal.

The main providers of utilities are the Council, the Crown, Regional Councils and State Owned Enterprises. However, recent developments have seen a number of trading enterprises and private companies enter the utilities sector. Traditional providers of utilities no longer enjoy a monopoly.

Utilities of national significance found within Waimate District include the Benmore, Aviemore and Waitaki power stations which generate energy for supply to the national grid. These power stations and their associated canals, reservoirs and control structures are utilities of national importance supplying a significant proportion of New Zealand's energy needs. Allied to the production of energy are the electricity substations and switchyards used for the distribution of electricity. Other utilities of national significance within Waimate District include State Highways 1 and 82 and microwave VHF stations required for telecommunication and radiocommunication purposes.

Within the District, the Council is a major provider of utilities and services supplying water, sewage reticulation, waste disposal and roads. Of the other organisations, some are included within the meaning of a Network Utility Operator as defined under Section 166 of the Act. Other utilities located within the District, but not falling within the range of activities which can be undertaken by Network Utility Operators include the provision of flood and coastal protection works.

Not all utilities are provided for the benefit of the wider community, for example individuals may have aerials on their properties for telecommunication purposes, such as television aerials or for radio communications (radio ham operators).

Legislative Context

A number of the organisations that provide and operate utilities have status as requiring authorities under the Act and are able to provide for their utility by designation. Requiring authorities include a Minister of the Crown, a local authority or an approved Network Utility Operator undertaking one of the range of activities listed above.

Where a utility is provided for by way of designation, the General and Zone rules of the Plan do not apply to that activity, however, there may be specific conditions in the Plan relating to the operation or design of the work or project which will have the effect of rules. Once a site is designated it may not be used for any other activity (including permitted activities within the underlying zone) without the consent of the requiring authority.

ISSUES

The following are the resource management issues relevant to the installation of public utilities throughout the Waimate District. The Objectives and Policies which address these issues then follow.

Issue 1 - Visual Impact and Location

Description

The provision of utilities often involves the erection of structures. One of the most significant effects created by these structures is their visual impact on the character of an area or a landscape. Utilities may include buildings, poles, overhead wires, pylons or pipes. The visual impact of these structures will be related to their size, the frequency with which they occur within the locality and their scale in comparison with the character of a particular environment. Some utilities involve few structures and have little visual impact, such as irrigation channels or planting for flood protection.

Issue 2 - Effect on Amenities

Description

A number of utilities have other potentially adverse effects. These effects may include noise from the operation of a utility or smell from a particular process, e.g. landfill site or oxidation ponds. It is possible that adverse effects may occur at the time of construction or installation of the utility, throughout its operation or during maintenance works. For example the digging of trenches for work on

underground services, earthworks involved in construction of a road or dust generated by heavy vehicles.

Some areas of the District will have higher levels of amenity than others. Certain utilities may not therefore be appropriate in those locations due to the nature of their effects. For example, residential areas and areas containing outstanding natural features would be vulnerable to the intrusion of large buildings or pylons. Areas with outstanding natural features, significant indigenous vegetation or habitats also need to be protected from inappropriate use and development with utilities. In some instances locational factors and operational and technical requirements may determine the exact position of a utility, but as a general principle service authorities will be encouraged to locate utilities in areas with characteristics similar to the utility or in a manner which will have few adverse effects on the environment.

Utilities are however essential for the welfare of a community and their environmental impacts must be balanced against the community's need for the service or facility.

There is the potential for the providers of utilities to establish their own monitoring systems which will cover the operation of the network or facility and the effects likely to arise under normal and abnormal operating conditions in a comprehensive manner. Such monitoring systems are most likely to be established by organisations responsible for a network of utilities of large singular developments such as power stations.

OBJECTIVES AND POLICIES

Objective 1 - Effect on the Environment
Utilities whose functioning and operation avoid, remedy or mitigate adverse effects on the surrounding environment.

Policies

1. To avoid, remedy or mitigate adverse effects on the environment created by the operation of utilities through the application of performance standards to separate incompatible activities, maintain visual amenities, safety, and the quality of the environment.

2. To make specific provision for certain utilities within the District, which are land extensive and/or which have specific locational needs, to ensure that the type and scale of development has minimal adverse effects on the environment.
3. To require utilities, which may have adverse effects that are more than minor if located in some localities, to obtain resource consents in order that the Council can consider the potential effects of the proposal and impose specific conditions if appropriate.
4. To protect areas identified as possessing important natural features, significant indigenous vegetation or significant habitats of indigenous fauna from utilities which are visually and environmentally incompatible.
5. To encourage utility operators to adopt their own monitoring systems to ensure that the effects of utilities and their operation is regularly evaluated to minimise the occurrence of adverse effects.
6. To require where practicable, the undergrounding of services in most new areas of development and to encourage the systematic replacement of existing overhead services with underground reticulation or the upgrading of existing overhead services on specified roads within the Waimate Urban Area.
7. To take account of economic and operational needs in assessing the location, design and appearance of utilities.

Explanation and Reasons

Utilities have a variety of impacts depending on their diverse nature. The impact of utilities is greater in areas used for residential, conservation or recreation purposes. There is little justification for regulating utilities which do not have major impacts. Utilities have quite distinctive and varied characteristics. Large facilities are zoned or scheduled with particular rules according to the scale of effects generated. Environmental effects are also balanced against operational requirements and costs. This approach reflects the need to make provision for those services and developing technologies which consumers and businesses expect.

Services such as power and telecommunications have traditionally been provided throughout the District by way of overhead servicing. The policy recognises that overhead lines and structures associated with services can detract from visual amenity and whilst adverse effects of overhead lines and associated structures can be mitigated to a certain degree, for most properties in the Residential, and Business Zones, provision of new development reticulation is required to be by

way of underground reticulation. The higher cost of underground reticulation is recognised, and underground reticulation is not required in rural areas where environmental and economic considerations may be differently balanced. Some exceptions to undergrounding of services will exist, such as high voltage lines, as it is not practical to underground these in terms of cost. It also recognises the need for access for maintenance purposes.

The policy further recognises that for some areas of the District, currently supplied by overhead services and particularly the urban areas, services, visual amenity could be enhanced by the systematic replacement or upgrading of existing overhead services. Setting back poles and lamp standards from the kerb line, or outside the road reserve, will often be desirable for both amenity and safety reasons. In addition, a proliferation of infrastructure can be avoided by network utility operators negotiating the joint use of existing facilities and sites, and sharing new infrastructure.

Communication facilities, including towers and dish antennae, can have a visual impact depending on the scale and nature of the structures. Structures associated with radiocommunication include slimline masts which may incorporate lightening rods, antennas, aerials and their mounting structures. However, the visual impact of these structures are generally minor due to their slimline nature. Some utilities require larger ancillary buildings or structures (tanks, pumping stations) while others such as telecommunications have tended to become less conspicuous with changing technology.

For many structures or facilities where undergrounding is not an option, control over location, design and appearance is emphasised in the more sensitive environments.

The location of utilities is often dictated by operational requirements which, if consumers expectations are to be met, must be distributed throughout the District and in particular the settlements. Similarly, while alternative provision (for example underground and overhead reticulation of power) is technically possible, the costs to the provider and consumer could be prohibitive.

Facilities such as cellular telecommunications, need to be located throughout the District to serve residential as well as commercial users. The provision of high voltage power distribution may also be unavoidable in built up areas in some cases. Accordingly, the Plan

does not preclude such facilities, but will require account to be taken of location and design to mitigate rather than avoid adverse effects.

There are a number of larger scale utilities within the District and to protect the adjoining activities and the ongoing operation of the utilities various degrees of control will be implemented, particularly when these utilities seek to re-establish in or near more sensitive rural or residential environments.

Objective 2 - Enabling the Establishment, Use and Maintenance of Utilities

The establishment, efficient use and maintenance of utilities, necessary for the well-being of the community.

Policies

1. To recognise the need for maintenance or upgrading of a utility to ensure its on-going use and efficiency.
2. To take economic costs into account when considering the alternative locations or sites for establishment or alteration of a utility.
3. To take into account the long-term needs of a utility when considering possible alternative locations for establishment.
4. To make specific provision for certain activities within the District, which are land extensive and/or which have specific locational needs, to ensure that the presence and function of the utility is recognised.
5. To encourage the co-location of telecommunication and radiocommunication facilities where operationally and technically feasible, and where land tenure permits, when Council consent is required for their establishment.
6. To give due regard to the importance of a utility when assessing the establishment of a proposed utility or the suitability of a neighbouring activity.
7. To encourage development in areas which are already serviced and have the capacity for additional development, taking into account economic costs.
8. To achieve sustainability of the District's water supplies by:
   - ensuring that development is able to be serviced by the water supply system
   - assessing the impact of development on water quality and quantity.

Explanation and Reasons

Due to the importance of the role of utilities in providing essential services to the community; their often high capital cost to establish; and their long life expectancy; it is important that the Plan acknowledges the need for the establishment and on-going functioning, maintenance and upgrading of the utilities. In addition, some utilities have specific locational needs that need to be accommodated for their operation. Co-location may reduce capital investment and also environmental effects.

It is also appropriate to protect their operation of utilities from incompatible activities on adjacent sites. In some cases the community will need to balance its need for the utility against likely environmental effects and the cost of mitigating measures.

To minimise the costs of providing services, development and redevelopment of areas which are already serviced and have capacity for additional development is encouraged. However, this must be balanced against other considerations, such as the type, character and density of living areas sought by the community and the style and density of development in the town centres. Where new areas of the District are to be developed, the economic costs of servicing an area are to be assessed including the demand on resources (e.g. the water resource). This will promote efficient use of services, sustainable management of resources and minimise costs to the community. Better utilisation of services within existing and new built up areas of activity is a factor encouraging a consolidation strategy for urban growth.

Anticipated Environmental Results

The above objectives and policies are anticipated to result in the following outcomes:

- Maintenance of the amenity values of the District, particularly in residential, business and open space and recreational areas.
- Provision of utilities consistent with the nature of the local environment, operational needs, and the cost and scale of facilities.
- Protection of the functioning of utilities.
- New development in areas where utilities can supply resources on a sustainable basis.
- Maintenance of high quality and availability of groundwater supplies.
- Development of areas more able to be serviced with consequent economies in use and provision.

- Adequate disposal of solid wastes, sewerage and stormwater in a manner which protects water resources and amenities.
- Maintained and enhanced public health.
- Degree of risk to community from flooding minimised through the protection of flood control measures.

Method of Implementation

The above objectives and policies will be implemented through the following methods:

Non-Regulatory

- Through the Annual Plan process to direct funds and resources towards providing services in specified areas

District Plan Rules

Through the provision of rules in the District Plan to:

- permit the erection of utility structures, their operation and maintenance;
- set performance standards on the design, location and operation of utilities to avoid any adverse effects on the surrounding environment;
- control the scale and type of development of utilities.

Through the inclusion of schedules within the District Plan to recognise particular utilities and to provide them with their own operational control, subject to defined performance standards.

REASONS FOR RULES

Lines for Conveying Electricity and Telecommunications

- By controlling the type of lines and associated support structures by way of voltage and capacity 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 or capacities 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 and danger from high voltage lines.

Undergrounding

- 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.

Height

- The maximum height limit 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. A maximum height limit has been imposed on utilities which reflect the sensitivity of the surrounding environment and the visual impact of the structure. Different height limits have been placed on differing utilities due to the specific scale and form of the utility. The maximum height limits aim to maintain the character and amenity of their surrounding environment and also to accommodate, where possible, the operational requirements of the utility, which are often important facilities of public need.

Setback from Intersections

- A minimum setback from intersections has been included for multiple-poled support structures for lines conveying electricity and telecommunications in Rural Zones. This is intended to ensure that multiple-poled support structures do not obstruct the vision of motorists at intersections. In the past concerns have been expressed that multiple-poled support structures limit visibility at intersections in rural locations creating a potential for motor vehicle accidents.

Exclusion from Sites of Natural Significance

- Utilities are required to be assessed by way of resource consent applications within identified natural conservation and landscape importance areas, in order to maintain the character, qualities, amenity, special feature or habitat of the identified area and keep it free from any inappropriate form of man-made or incompatible development. Part II, Section 6(b) and (c) of the Resource Management Act 1991, lists as a matter of national importance the protection of outstanding natural features and landscapes, areas of significant indigenous vegetation and significant habitats of indigenous fauna. Where these are identified throughout the District they shall be protected from the inappropriate establishment of utilities. However, helicopter landing pads have been provided for

within sites of natural significance provided that they comply with the provisions relating to works in those areas.

Dish Antennae Widths

- Dish antennae 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.

Depot Location

- Depots are required to be assessed by way of resource consent applications on sites within Rural or Residential Zones or sites facing Residential Zones, in order to maintain the character and amenity of the environment. Depots are often industrial in character with areas of outdoor storage, noise and heavy traffic. They are not therefore compatible with areas of open space or residential activity and are excluded from areas within or facing such environments.

Building Floor Area

- A maximum gross floor area has been included for buildings in Residential Zones or when facing a Residential Zone, 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.

Setback from Roads

- Buildings are required to be setback a minimum distance (m) 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. Utility buildings and buildings ancillary to utilities over a specified height and/or ground floor area are required to be setback from the road boundary by a distance not less than half the height of the structure. These buildings cover a wide range of sizes and scales depending upon their purpose and it is therefore difficult to provide an arbitrary setback. Instead, the standard aims to relate setback to scale, requiring larger buildings to be setback further from the road to protect the amenity of the street. Buildings below the specified height and/or ground floor area

are considered to be small enough that their siting on the road boundary would not adversely affect the amenity of the street.

Setback from Neighbours

- Buildings are required to be setback a minimum distance (m) from internal boundaries, in order to provide space around utility buildings for the purposes of:
  - ensuring adequate sunlight admission to buildings on the site
  - providing access for emergency services, vehicles etc to the rear of the property
  - ensuring a degree of visual and aural privacy and protection from noise from neighbouring properties
  - limiting the dominance of adjoining sites by utility buildings.
- Utility buildings and buildings ancillary to utilities over a specified height and/or ground floor area are required to be setback from all internal boundaries by a distance not less than half the height of the structure in Residential Zones. Living environments are considered more sensitive to the intrusion of these buildings and it is considered necessary that there be adequate separation between the utility and residential activities to preserve the amenity and character of residential areas. As these buildings come in a range of sizes and scales depending upon their purpose it is difficult to have an arbitrary standard. The control therefore aims to relate setback to scale, requiring larger buildings to be setback further.

Outdoor Storage

- As for Reasons for Rules for Business Zones (Refer to Section 6).

Lighting

- As for Reasons for Rules for Business Zones (Refer Section 6)

Landscaping

- As for Reasons for Rules for Business Zones (Refer to Section 6).

Listing of Specific Activities as Permitted Activities

- Specific activities are listed as permitted activities, i.e.:
  - Automatic weather stations or weather recording device
  - Underground pipe networks
  - Reservoirs, wells and supply intakes
  - Irrigation and stock water races, open drains and channels
  - Telephone call boxes
  - Marine navigational aids and beacons,

in order to enable specific activities which do not fall under a generic grouping but have limited adverse effects on the environment to be established as of right.

- A number of utilities have very specific functions which are of importance or value to the community. These facilities however do not fall within the general groupings which have been created for the majority of utility facilities or developments such as buildings, lines or telecommunication or radiocommunication facilities. 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 a drainage channels or telephone call box. It is therefore appropriate that these utilities are given status as permitted activities.

Maintenance and Replacement

- Provision is made for maintenance or replacement of specified existing utilities, i.e.:
  - existing lines above ground for conveying electricity at all voltages and existing lines as defined by section 2(1A) of the Telecommunications Act 1987.
  - telecommunications and radiocommunications facilities
  - buildings and depots
  - weather radar
  - flood protection works,

  in order to allow existing utilities which have been established with significant investment and have a significant operational or economic lifespan to continue to be used and operated. It is of importance to the providers of utilities that their existing facilities which were established prior to the notification of the Plan are recognised and that they have the ability to undertake works or activities which will allow them to continue to operate those utilities. In many instances it would require significant financial expenditure to remove or relocate networks which have been in existence for many years, many of which still have a significant operational life. This standard also reflects the intention of the Resource Management Act 1991 with respect to existing use rights.

Listing of Specific Activities as Discretionary Activities

- Specific activities are listed as discretionary activities i.e.,
  - weather radar
  - lines and support structures for conveying electricity at a voltage exceeding 110KV and at a capacity exceeding 100MVA, per circuit,
  - river and coastal protection works,

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. Activities that do not fall within a generic grouping of activities require specific recognition in the Plan. However, those activities listed above have the potential to create adverse effects on the environment so that their establishment requires some control and assessment of effects.

RULES - UTILITIES

The rules contained in this part of Section 11 take precedence over any other rules that may apply to utilities in the District Plan, unless specifically stated to the contrary.

1 PERMITTED ACTIVITIES AND SITE STANDARDS

The following activities shall be Permitted Activities throughout the District, provided that they comply with the following standards and the Site Standards in Clause 4:

a Lines for conveying electricity at a voltage up to and including 110KV with a capacity up to and including 100MVA, per circuit, and telecommunications lines and support structures, subject to compliance with the following standards:

i the lines shall be underground on Timaru Road, Queen Street, Gorge Road, Parsonage Road, High Street (Upper and Lower) and Mill Road, except in the following circumstances:

- where the new overhead lines are on existing support structures,
- where the lines are telecommunication service lines from existing support structures connecting to adjoining sites, or
- where the extension of overhead services involves no more than three poles.

ii the lines are on support structures up to a maximum height of 25m in Rural zones only;

iii any multiple-pole support structure for lines within Rural zones to be setback a minimum of 15m from any intersection; measured parallel from the centreline of the carriageways, at the point where the roads intersect;

iv are located outside areas identified as being a significant natural feature, a site of natural significance or over 900m in altitude.

b Telecommunication and radiocommunication facilities which shall include aerials, antennae, dish antennae, wires and associated support structures including towers, masts and poles, subject to compliance with the following standards:

i a maximum height above ground level of:

- 11m in Residential zones.
- 25m in Rural zones.

- 15m in Business zones.

ii a dish antenna located in a Residential Zone shall not exceed 1.5m in diameter.

iii dish antennas other than in Residential Zones shall not exceed 3m in diameter, **except** that dish antenna between 3m and 5m in diameter located in Rural Zones shall be a Controlled Activity, with matters over which the Council may exercise its control limited to the location of the antenna, visual effects and shading.

iv the facilities must not be located within sites of natural significance, on significant natural features or above 900m in altitude.

c Utility buildings and buildings ancillary to utilities in all zones **excluding** those facilities referred to in Rule 1(b) of Section 11.

and

Depots except on sites within Rural or Residential zones or sites adjoining to a Residential zone;

and

Helicopter landing pads;

subject to compliance with the following standards:

i the building does not exceed 50m2 in gross floor area and 3.5m in height within a Residential zone or when facing a Residential zone.

ii buildings more than 10m2 in ground floor area and/or over 2m in height shall be setback from the road boundary by a distance not less than half the height of the structure except in Residential zones where buildings more than 10m2 in ground floor area and/or 2m in height shall be setback from all boundaries by a distance not less than half the height of the structure.

iii all outdoor storage shall be screened from public view by landscaping or solid fencing at least 1.8m in height.

iv no activity shall result in greater than a 2.5 lux spill (horizontal and vertical) of light onto any adjoining Residential, zoned property, measured 2m inside the boundary of the adjoining property.

v the storage, use and disposal of all hazardous and dangerous chemicals or pollutants shall be in compliance with rules in Section 12.

vi sites containing buildings more than $10m^2$ in ground floor area and/or over 2m in height shall provide a

landscaped area within the building setback a minimum width of 2m along the road boundary.

vii depots containing no buildings shall provide a landscaped area a minimum depth of 1.5m along the road boundary.

viii are not located within areas identified as significant natural features, sites of natural significance as identified on the Planning Maps and listed in Appendix G; or on land over 900m in altitude **except** that helicopter landing pads may be located in these areas provided they comply with the Site Standards listed in Clause 4.

d Automatic weather stations, and structures and works for the observation of weather and the collection and distribution of meteorological information where a total maximum height of 25m shall not be exceeded by any mast, aerial or pole; and where the facilities described are not located above 900m.

e Underground pipe networks for the conveyance and drainage of water or sewage and any ancillary underground equipment.

f Reservoirs, wells, pumps and supply intakes for the reticulation or provision of water supply.

g Irrigation and stock water races, open drains and channels.

h Telephone call boxes.

i Marine navigational aids and beacons.

j River Protection Works

k The maintenance and replacement of the following utilities where the term "maintenance and replacement" shall mean any work or activity necessary to continue the operation and/or functioning of an existing utility and shall also provide for the replacement of an existing line, building, structure or other facility with another of the same or similar height, size or scale, within the same or similar position and for the same or similar purpose:

- existing lines above ground for conveying electricity at all voltages and capacities and existing lines as defined by Section 2(1A) of the Telecommunications Act 1987.
- existing telecommunication and radiocommunication facilities.
- existing buildings and depots.
- existing weather radar.
- existing river protection works.

l The minor upgrading of electricity transmission lines where the term "minor upgrading" shall mean an increase in the

carrying capacity, or security, of the line (e.g. such as adding additional circuits, reconductoring with heavier conductors, longer insulators, or the additional of earthwires/lightening rods/telecommunication links) utilising the existing support structures or structures of a similar scale or character. A change in voltage will only be included where there is no physical change to the line, e.g. where a line been constructed to operate at a certain voltage but has been operating at a lesser voltage.

2 CONTROLLED ACTIVITIES

The following activities shall be Controlled Activities throughout the District in respect of the following matters:

a Any radiocommunication and telecommunication facilities and telecommunication lines which are located in an area above 900m in altitude, which do not exceed the following dimensions:

- a maximum floor area of any equipment shelter shall be $9m^2$;
- 7m in height.

Matters over the Consent Authority has Reserved Control to Place Conditions:

- siting
- design
- colour
- method of construction and/or earthworks
- site restoration.

b Any automatic weather stations, and facilities, structures and works for the observation of weather and the collection and distribution of meteorological information, which are located in an area above 900m in altitude and which are greater than 25m in height.

Matters over which Consent Authority has Reserved Control to Place Conditions

- the location and design of the facilities

- the location, design and standard of associated works and access tracks.

3 DISCRETIONARY ACTIVITIES

The following activities shall be Discretionary Activities throughout the District:

a Any activity listed as a Permitted Activity or a Controlled Activity which does not comply with the Standards applying to that Activity or any Site Standards listed in Clause 4, shall be a Discretionary Activity in respect of the matter(s) of non-compliance.

b Weather Radar.

c Lines and support structures for conveying electricity at a voltage exceeding 110kV and a capacity exceeding 100MVA, per circuit.

d Coastal protection works.

e Any other utility not specifically listed as a Permitted, Controlled or Discretionary Activity.

4 SITE STANDARDS

a Riparian Management

On any land within 50m of any wetland, 100m of any lake or 20m of any river or stream

i No earthworks shall:

a. exceed $50m^3$ (volume) in any one hectare in any continuous period of 5 years, or

b. exceed $150m^2$ (area) in any one hectare in any continuous period of 5 years, or

c. be located on slopes with an angle greater than 20^o.

ii No clearance of indigenous vegetation shall exceed $150m^2$ in area in any one hectare in any continuous period of 5 years.

iii No buildings shall be erected.

b Sites of Natural Significance

In the areas identified on the Planning Maps and listed in Appendix G as being Sites of Natural Significance:

i No earthworks shall

a. exceed $50m^3$ (volume) in any one hectare in any continuous period of 5 years, or
b. exceed $150m^2$ (area) in any hectare in any continuous period of 5 years, or
c. be located on slopes with an angle greater than 20^o.

ii No clearance of indigenous vegetation shall exceed $150m^2$ in area in any one hectare in any continuous period of 5 years.

iii No buildings shall be erected.

5 NON-NOTIFIED RESOURCE CONSENTS

Resource consents in relation to the following matters shall be non-notified.

Discretionary Activities:

- Undergrounding of lines - 1a i
- Setback of structures from intersections - 1a iii
- Landscaping of utility buildings and depots - 1c vi & vii

6 RESOURCE CONSENTS - 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:

a The extent to which the utility will cause:
  i the loss of key views or viewpoints;
  ii the loss of accessibility to key views or viewpoints;
  iii any obscuring of landforms or natural features;
  iv the loss of the natural landscape pattern; including the loss of underlying landform pattern;
  v the loss or obscuring of present vegetation patterns;
  vi the loss of openness and spaciousness of the landscape, and the apparent naturalness of the landscape.

b The extent of the visual impact of the utility from an adjoining Residential zoned site and its impact on the amenity and character of the surrounding environment taking into account its design and appearance, bulk and length of wall.

c 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.

d The degree to which any adverse effect created by a reduced setback may be mitigated through different options for site layout.

e 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:

- a higher quality of planting over a smaller area.
- an unobtrusive building design
- the compatibility of materials used for finishing and the colour of the building with the environment.

f 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.

g The extent to which alternative sites or routes have been considered and the impact of those alternatives on the environment.

h 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.

i The degree to which the proposed utility may affect the health or safety of the community including positive effects from the operation of the utility.

j The degree to which the proposed utility may affect values held by the tangata whenua.

k The potential for co-siting telecommunication and radiocommunication facilities and the extent to which the provider of the utility has investigated this potential.

l The degree to which glare may affect the enjoyment, character or amenity of the surrounding environment or the safety of adjoining roadways and the effect of measures to mitigate any such adverse effect.

m In Sites of Natural Significance, Riparian Areas and Water Supply Protection Areas:

i The degree of significance of a species or community of indigenous plants and animals at the specific locality of the proposed utility. In particular:

a. The status of a particular species, whether it is rare, vulnerable or endangered in the District, in the region, or nationally.
b. The general rate of decline of a particular species in the District, region or nationally.
c. The distinctiveness or uniqueness of a particular community, or group of communities of plants or animals, to the District, region or nationally.
d. The range or diversity of species in a particular plant or animal community.
e. The importance of an area providing habitat to animals.

ii The extent to which the utility threatens indigenous plants or animals identified in (i) at this site.

iii The degree to which earthworks will damage geological sites, such as fossils sites.

iv The degree to which river or stream habitat is adversely affected through run-off and sedimentation caused by earthworks.

v The extent of any alteration of a wetland and the subsequent loss of habitat.

vi The degree to which any increased nutrient levels of a wetland may occur.

vii The degree to which any possible alternative locations or methods for undertaking the utility could occur.

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

i 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;

ii 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.

iii The potential loss of assets if the protection works are not afforded;

iv 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;

v The ability of other measures such as vegetation planting being an appropriate alternative.

7 DESIGNATIONS

Every designation specified in the Plan shall have the force of a rule as required under Section 175 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 Section 176 of the Act.