

SECTION 14: NETWORK UTILITIES RULES

Note: The “grey-out” highlighted text indicates the provisions which have been appealed to the Environment Court. All other provisions are operative and have legal effect.

The rules contained in this section take precedence over any other zone rules that may apply to utilities in the District Plan, unless specifically stated to the contrary (e.g. rules relating to earthworks, structures, buildings and activities within the National Grid Yard in Section 3: Rural Zone would apply). The following provisions for network utilities and services shall apply throughout all zones of the District. All formed and unformed roads are zoned in the District Plan Maps. District wide rules in Section 9 Subdivision and Development, Section 11 Noise, Section 12 Hazardous Substances, Section 15 Heritage Protection, Section 17 Natural Environment, and Section 19 Signs will still apply.

The Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 contains a separate code of rules for the operation, maintenance, upgrading, relocation or removal of a transmission line that is part of the National Grid and existed prior to 14 January 2010. No rules in this District Plan apply to activities provided for by that regulation.

The installation and operation of telecommunications facilities within the road reserve is largely controlled by the Resource Management (National Environmental Standards for Telecommunications Facilities) Regulations 2008, separate to this District Plan. It also controls all radio-frequency emissions from telecommunication facilities through specific exposure standards.

South Taranaki District Council is responsible for enforcing these standards. For clarification, where there is conflict or perceived conflict between the provisions of this Plan and the requirements of the National Environmental Standard’s (NES) identified above, the provisions of the NES shall apply.

Amateur radio configurations do not fit within the definition of network utilities and are not subject to the same rules, however specific rules for amateur radio configuration are included within this section.

14.1 CATEGORIES OF ACTIVITIES

14.1.1 PERMITTED ACTIVITIES IN ALL ZONES

- (a) The development, operation, maintenance and upgrading of the following activities are permitted activities, provided that they comply with the performance standards in Section 14.2:
- (i) Pole-mounted street lighting.
 - (ii) Trig Stations.
 - (iii) Household, commercial and industrial connections to electricity, telecommunications, gas, water, drainage and sewer pipes.
 - (iv) Traffic control signals and devices, light and decorative poles and associated structures and fittings, bus stops and shelters, and phone boxes located within the road reserve.
 - (v) Water and irrigation races, drains, channels, and pipes and necessary incidental equipment for conveying water, wastewater and stormwater, including pump stations.
 - (vi) Meteorological instruments, enclosures and buildings.

- (vii) Lighthouses, navigational aids and beacons.
- (viii) Pump stations or electricity substations, provided that new or enlarged pump stations or electricity substations do not exceed 50m² in gross floor area.
- (ix) Underground and overhead electricity lines and cables, associated support structures (and incidental equipment) not exceeding 110kV.
- (x) Gas and liquid petroleum pipelines (and incidental aboveground equipment) at a pressure not exceeding 2000 kilopascals.
- (xi) Telecommunication and radiocommunication (including incidental equipment).
- (b) The operation and maintenance of existing electricity lines and associated support structures including towers, masts and poles that convey electricity above 110kV.
- (c) Lightning rods and Global Positioning System (GPS) antenna.
- (d) The operation, maintenance and upgrading of existing gas and liquid petroleum pipelines, and/or incidental aboveground equipment at a pressure exceeding 2000 kilopascals.
- (e) The operation, maintenance or upgrade of land transport networks, and the development of new roads as part of any approved subdivision.
- (f) Vegetation trimming or removal that is required to maintain safe separation distances for the ongoing efficient operation of network utilities (including the National Grid), except that:
 - (i) Where a tree is listed in Schedule 4 – Notable Trees, the rules in Section 15: Historic Heritage apply.
 - (ii) Where vegetation is listed in Schedule 2 as a Significant Natural Area, or within the Coastal Protection Area, the rules in Section 17: Natural Environment apply.
- (g) The removal of existing network utilities, including any existing infrastructure whether underground or overhead.
- (h) Amateur radio configuration, provided that it complies with the performance standards in 14.2.12.

14.1.2 CONTROLLED ACTIVITIES IN ALL ZONES

None.

14.1.3 RESTRICTED DISCRETIONARY ACTIVITIES IN ALL ZONES

- (a) The development or upgrading of electricity transmission lines and associated support structures including towers, masts and poles that convey electricity above 110kV.
- (b) The development of gas and liquid petroleum pipelines and/or incidental aboveground equipment at a pressure exceeding 2000 kilopascals.
- (c) Unless listed elsewhere in the District Plan, any permitted activity listed in Section 14.1.1 which does not meet one or more of the performance standards in Section 14.2.
- (d) Any network utility not specifically listed as a permitted, controlled, discretionary, non-complying or prohibited activity.

Matters to which the Council restricts its discretion for Rules 14.1.3 (a) - (d):

- (i) The degree, extent and effects of the non-compliance with the Permitted Activity performance standard(s).
- (ii) Risks to public health and safety.
- (iii) Design and external appearance.
- (iv) Visual and amenity effects, including effects on landscape and streetscape values, and adjacent land uses.
- (v) The extent to which the proposal will be visible from residences, key public places, and public viewing points.
- (vi) For network utilities located adjacent to or visible from the Coastal Protection Area or Outstanding Natural Features and Landscapes, effects on the values of the Coastal Protection Area and Outstanding Natural Features and Landscapes.¹
- (vii) Noise, odour, vibration, dust, earthworks and lighting effects.
- (viii) Effects on tangata whenua values.
- (ix) Size and scale compatibility with other development in the area, including measures to mitigate the bulk and scale of the activity (i.e. through screening, recessive colours and sensitive design).
- (x) Adverse effects on vegetation.
- (xi) Traffic and pedestrian safety effects.
- (xii) Consideration of alternative locations and options.
- (xiii) The extent to which the utility provider has investigated the potential to co-site utility facilities with similar structures or buildings, where practicable.
- (xiv) Locational, operational or technical constraints.
- (xv) Cumulative effects.
- (xvi) The duration, timing and frequency of adverse effects.
- (xvii) Reinstatement of the site at completion of construction.
- (xviii) The need for the work and impact on the network levels of service if the work is not undertaken.
- (xix) The benefits of the work (nationally, regionally and locally).
- (xx) Financial contributions.

(e) Amateur Radio Configuration, which does not meet one or more of the performance standards listed in 14.2.12:

Matters to which the Council restricts its discretion:

- (i) The degree, extent and effects of the non-compliance with the Permitted Activity performance standard(s).
- (ii) Visual and amenity effects, including effects on landscape and streetscape values, and adjacent land uses.

¹ Appeal – Powerco Ltd – ENV-2016-WLG-000079

14.1.4 DISCRETIONARY ACTIVITIES IN ALL ZONES

- (a) New or enlarged pump stations exceeding 50m² in gross floor area.
- (b) New or enlarged electricity substations exceeding 50m² in gross floor area.

14.1.5 NON-COMPLYING ACTIVITIES IN ALL ZONES

None.

14.1.6 PROHIBITED ACTIVITIES IN ALL ZONES

None.

14.2 PERFORMANCE STANDARDS – PERMITTED ACTIVITIES

14.2.1 Bulk and Location

1. Network utility buildings or buildings that are ancillary to network utilities shall not exceed a gross floor area of 50m², or a maximum height of 3.5 m.
2. Network utility buildings or buildings that are ancillary to network utilities shall not project beyond a building recession plane from points measured 3m above site boundaries as shown in Section 3: Residential Zone Appendix 1.
3. Within or on sites adjacent to the Residential Zone and Township Zone, all telecommunication, radiocommunication and/or meteorological activities over 10m in height shall be set back a minimum distance of 5.5m from any site boundary (excluding any road boundary).
4. Within or on sites adjacent to the Residential Zone, network utility buildings of more than 10m² in gross floor area shall provide a landscaped area within the setback with a minimum width of 2m along any boundary.
5. Except that:
 - (i) Network Utilities located on road reserve are exempt from performance standards 14.2.1 (1) – (4) above.

14.2.2 Undergrounding of Lines and Gas Pipes

1. All new lines and cables (excluding new connections) in Residential, Commercial and Industrial zones shall be located underground or fixed to the ground, except that new aboveground lines may be established, where the existing distribution line or cable is overhead on the same side of the road.
2. No new poles shall be erected in the Residential, Commercial and Industrial Zones, other than replacing existing poles. A replacement pole may be moved up to 3m from the original pole location and may increase in height by no more than 15% of the height of the original support structure.

3. All new gas and liquid petroleum pipelines in the Residential, Commercial and Industrial Zones shall be constructed underground, except where they are attached to bridge crossings or where incidental equipment is required to be located aboveground for practical infrastructure and/or maintenance purposes.²

14.2.3 Site Reinstatement

1. Any ground disturbance to the site shall be reinstated as close as practicable to its original condition at the completion of works.

14.2.4 Lighting

1. The spill of light from any outdoor artificial lighting shall not exceed 10 lux (measured horizontally and vertically) when measured at the boundary of a site zoned Residential in separate ownership, or at the notional boundary of an existing dwelling unit on a site in separate ownership in any other Zone.

14.2.5 Radiofrequency and Electric and Magnetic Fields

1. Radiofrequency maximum exposure levels shall not exceed the levels specified in AS/NZS 2772.2:2011 Radiofrequency Field Part 2: Principles and Methods of Measurement and Computation 3kHz to 300GHz.

Note: The Resource Management (National Environmental Standards for Telecommunications Facilities) Regulations 2008 Resource Management (National Environmental Standards for Telecommunications Facilities) Regulations 2008, separate to this District Plan controls all radio-frequency emissions from telecommunication facilities through specific exposure standards.

2. Utilities that emit electric and magnetic fields shall comply with the relevant International Commission on Non-Ionising Radiation Protection (ICNIRP) Guidelines (2010).

14.2.6 Noise

1. All network utilities shall comply with the noise standards for the Zone in which it is located, in accordance with Section 11.

PERFORMANCE STANDARDS FOR SPECIFIC ACTIVITIES

14.2.7 Antenna and support structures attached to buildings (excluding amateur radio configuration)

1. In the Residential Zone, antennas shall not extend more than above the highest part of the building to which they are attached.
2. In any other Zone, antennas shall not extend more than 5m above the part of the building to which they are attached.

² Appeal – Powerco Ltd – ENV-2016-WLG-000079

3. The maximum face area of a panel antenna shall be 1.5m².
4. The maximum diameter of a dish antenna shall not exceed 1.2m.

14.2.8 Masts and associated antenna (excluding amateur radio configuration)

1. Within or on sites adjacent to the Residential Zone or Township Zone, all masts and associated antenna shall be set back a minimum of 10m from any site boundary (measured from the outer edge of the mast, excluding any base or foundation), except for those masts on road reserve.
2. Within the Rural Zone, all masts shall be no less than 50m to the closest wall of any residential dwelling unit (excluding balconies and decks).
3. Within the Residential or Township Zones, all masts shall not project beyond the building recession plane from points 3m above site boundaries as shown in Residential Zone Appendix 1.
4. An antenna shall not exceed 1.5m in diameter or 2m² in total face area.
5. Within the Residential Zone, antennas or aerials attached to a mast shall be located within one horizontal diameter circle of 3m, or within one horizontal diameter circle of 6m in any other zone.
6. The maximum height of any mast and associated antenna(s) shall be 18m in the Residential Zones, or 25m in all other Zones.
7. Within the Rural or Rural Industrial Zone, the maximum height of any masts and associated antenna(s) which are co-sited (two or more providers on one mast) shall be 30m.

14.2.9 Telecommunications cabinets

1. Telecommunications cabinets located in the Residential Zone shall have a footprint of no more than 1.4m² and be no higher than the height of the concrete foundation plinth, if there is one, plus 1.8m.
2. Telecommunications cabinets located in all zones except the Residential Zone, shall have a footprint of no more than 10m² and shall be no higher than the height of the concrete foundation plinth, if there is one, plus the distance to the nearest site boundary.

14.2.10 Aboveground lines and support structures

1. Aboveground lines and support structures shall not exceed a maximum height of 15m in the Township Zone or 25m in the Rural, or Rural Industrial Zones.
2. All poles and/or towers that no longer support wires/lines, and which are no longer required for any other purpose, shall be removed within 3 months of lines being replaced, removed or placed underground.

14.2.11 Amateur Radio Configuration

1. There shall be a maximum of 12 antennas and aerials per site.

2. No part of any aerial, antenna or mast associated with amateur radio configuration shall overhang any site boundary.
3. Within the Residential Zone, all support structures, aerials and antennas shall be located no closer than 4.5m to the road boundary, or 1.5m to any other site boundary.

Except that guy wires and poles up to 2m in height may be located within 1.5m of the site boundary but not the road boundary.

Antennas

4. Where attached to a building or other structure (including a mast), radio and telecommunications antenna shall not exceed:
 - (i) For an antenna dish; 2m in diameter, or
 - (ii) For panel antenna, 4m² in area.
5. There shall be a maximum of one pedestal mounted antenna per site, which shall:
 - (i) Be pivoted less than 4m above the ground with a maximum diameter of 5m and a maximum height of 6.5m.
 - (ii) Comply with the bulk and location standards (including yard setbacks and building recession plane standards) for buildings in the zone in which they are located.
 - (iii) Where guy wires are used these shall not exceed 12mm in diameter.

Aerials

6. Any element making up an aerial shall not exceed 80mm in diameter.
7. For horizontal HF yagi aerials, the maximum element length shall not exceed 14.9m, and maximum boom length shall not exceed 13m.
8. For whip aerials, the maximum length shall not exceed 3.5m in height above the maximum height for the support structure.

Support Structures (Masts)

9. There shall be one primary mast per site, which shall not exceed a maximum height of 20m. This mast may be a pole or lattice mast, and may be guyed or self-supporting. Lattice masts shall be no more than:
 - (i) 1000mm in outside diameter up to 9m in height.
 - (ii) 420mm in outside diameter above 9m in height.
10. There shall be one secondary mast per site with a maximum height of 12m. This mast may be fitted with a rotator for VHF and/or UHF aerials.
11. All masts (except as provided for in clause 9 above) shall be less than 115mm in outside diameter.
12. In addition to the primary mast and the secondary mast, there shall be a maximum of six other masts per site, which shall not exceed the maximum height for buildings within the zone in which it is located by more than 30%.

Except that one mast may be used as a vertical aerial up to 13.5m in height.