

30**RULES FOR NETWORK UTILITIES****Activities Table**

Policies 16.4.1, 16.4.2, 16.4.7, 16.4.8, 16.4.9, 16.4.12

30.1	Activities	Status	Zone
Removal, maintenance, operation and upgrading			
	The removal of existing network utilities, including any existing structures	P	All
	The operation and maintenance of network utilities	P	All
	The minor upgrading of existing electricity and telecommunication lines	P	All
	The upgrading of all other network utilities, excluding: <ul style="list-style-type: none"> • electricity and telecommunication lines and • gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals. 	P	All
	The removal, operation and maintenance of network utilities and the minor upgrading of electricity and telecommunication lines that does not meet permitted activity standards	C	All
	The upgrading of network utilities that do not meet the permitted activity standards, excluding: <ul style="list-style-type: none"> • electricity transmission lines above 110kV; and • gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals. 	RD	All
	The upgrading of: <ul style="list-style-type: none"> • electricity transmission lines above 110kV; and • gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals. 	RD	All
Subdivision			
	Subdivision for the purpose of accommodating any network utility	C	All
General			
	Cabinets and other network utility structures not otherwise listed in this table that meet the relevant standards	P	All
	Network utilities located within existing buildings	P	All
	Aerial crossings necessary for network utilities, located on or within existing bridges and structures or across watercourses, and including regulator stations, but not compressor stations.	P	
	Cabinets and other network utility structures not otherwise listed in this table that do not meet all of the relevant standards.	RD	All
	All network utilities that are not otherwise listed as a permitted, controlled, restricted discretionary or non-complying activity	D	All

All network utilities which do not comply with the permitted activity standards for radiofrequency and electro-magnetic fields in standard 30.3.	NC	All
Underground Utilities		
The construction, installation and development, of new underground network utilities, except for: <ul style="list-style-type: none"> • electricity transmission lines above 110kV; and • gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals. 	P	All
Radiocommunication, Telecommunication and Electricity Distribution and Transmission		
Masts with or without associated antennas	P	Rural Business Special Activity
Masts with or without associated antennas which meet the criteria in Rule 30.14	RD	Residential Open Space
Antenna and support structure(s) attached to buildings	P	All
Masts, with or without associated antennas that do not comply with the standards to be a permitted activity.	RD	Rural Business Special Activity
Antenna and support structure(s) attached to buildings that do not comply with the standards to be a permitted activity.	RD	All
New above ground lines, excluding electricity transmission lines above 110kV.	P	Rural Open Space
Minor above ground lines	P	All
Temporary above ground lines	P	All
New or additional above ground lines that are not otherwise permitted, or restricted discretionary activities	D	All
New and additional lines (above ground and underground) and support structures for conveying electricity at a voltage above 110kV	D	All
New and upgraded transformers, substations and switching stations distributing electricity and ancillary buildings, except for those encased within a cabinet or located on a line that is otherwise a permitted activity.	D	All
Gas Distribution and Transmission		
Underground gas distribution and transmission pipelines at a pressure not exceeding 2000 kilopascals, including aerial crossings of bridges, structures or streams, and ancillary equipment, including regulator stations but not compressor stations.	P	All
Underground gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals, including aerial crossings of bridges, structures or streams, and ancillary equipment, including compressor compounds with compressor houses	RD	All

Water, Wastewater and Stormwater		
Water reservoirs	RD	All
Water and wastewater treatment plants	D	All
Meteorological Activities		
Meteorological enclosures and buildings; automatic weather stations and anemometer masts, voluntary observer sites and associated microwave links	P	All
Meteorological enclosures and buildings, automatic weather stations and anemometer masts voluntary observer sites and associated microwave links that are not permitted activities	RD	All
Roading, and Traffic and Transport Structures		
Traffic control signals and devices, light and decorative poles and associated structures and fittings, post boxes, landscaped gardens, artworks and sculptures, bus stops and shelters, phone boxes, public toilets, road furniture located within the road reserve or rail corridors	P	All
The construction, alteration or diversion of roads, but excluding any such construction works which are part of a subdivision	D	Business Rural Residential
The construction, alteration or diversion of roads, but excluding any such construction works which are part of a subdivision	NC	Open Space
Extreme Adverse Weather Warning Devices		
Extreme adverse weather warning devices	P	All

Notes:*Resource Management Regulations – National Environmental Standards*

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 District Plan.

The installation and operation of telecommunications facilities (antennas attached to existing structures and cabinets in 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.

Upper Hutt City 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 NESs identified above, the provisions of the NES shall apply.

The National Environmental Standards are available for viewing at www.mfe.govt.nz and at Upper Hutt City Council offices.

Other Relevant Regulations

Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 is mandatory for buildings, earthworks and mobile plants within close proximity to all electricity lines.

Compliance with the Electricity (Hazards from Trees) Regulations 2003 is mandatory for tree trimming and planting in proximity to electricity transmission and distribution lines.

To discuss works, including tree planting, near electrical lines especially within 20m of those lines, contact the line operator.

The following two standards are relevant for work in proximity to gas pipelines:

- NZS/AS 2885 Pipelines – Gas and Liquid petroleum
- NZS 5258:2993 Gas Distribution Network

Upper Hutt City Council is not responsible for enforcing these regulations or standards.

Key	P Permitted activity which complies with standards for permitted activities specified in the Plan
	RD Restricted discretionary activity
	D Discretionary activity
	NC Non-complying activity

30.1A City-wide provisions

Each activity shall comply with the relevant permitted activity standards in the City-wide provisions of the Plan as listed below.

Chapter	City-wide provisions
23	Earthworks and Indigenous Vegetation Clearance
26	Heritage Features
27	Notable Trees
28	Southern Hills Overlay Area and Protected Ridgelines
32	Noise and Vibration
33	Flooding and Fault Band Hazards
34	Hazardous Substances and Contaminated Land

Standards for Permitted Activities

30.2

*Policy 16.4.4,
16.4.6, 16.4.12*

Development associated with network utilities shall comply with the Council's Code of Practice for Civil Engineering Works where that development involves assets which are managed by or to be vested in Council.

30.3

Health and Safety

*Policy 16.4.12,
16.4.13*

Where relevant, network utilities shall comply with the following standards:

- a) The maximum exposure levels shall not exceed the levels specified in NZS 2772:1999
- b) Network utilities that emit electric and magnetic fields shall comply with the International Commission on Non-ionising Radiation Protection Guidelines for limiting exposure to time-varying electric and magnetic fields (1 Hz – 100 Hz), Health Physics 99(6):818-836; 2010, and the recommendations from the World Health Organisation monograph Environmental Health Criteria (No 238, 2007).

Note: The 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.

30.4

Maximum Height of Network Utilities

Policy 16.4.12

The maximum height of any utility structure listed in the table below shall include any antenna and support structures and exclude any lightning rod.

Network Utility	Business - CBD	Business	Residential	Rural	Open Space	Special Activity
Masts, antennas, lines and single-pole support structures	20m	25m	n/a	15m	n/a	20m 15m in the St Patrick's Estate Area
Masts and antennas (where there are two or more providers)	25m	30m	n/a	20m	n/a	25m (other than in the St Patrick's Estate Area)

Maximum height of an antenna and support structure measured from the highest point of the building to which it is attached.	5m		3.5m		
Cabinets, and network utility structures located within road reserve, that are not otherwise provided for	2.0m	1.8m	2.0m		
Cabinets, and network utility structures, that are not otherwise provided for.	3.5m				
Anemometer masts	15m	30m	12m	15m	12m
Maximum height of an extreme adverse weather measured from the point of attachment.	4m				

30.5**Maximum Size and Diameter of Network Utilities***Policy 16.4.12*

The maximum size and diameter of network utilities for each zone is outlined in the table below.

Network Utility	CBD	Business	Residential	Rural	Open Space	Special Activity
Masts	Diameter of mast <600mm from 6m in height	Diameter of mast 1.5m	n/a	Diameter of mast <600mm from 6m in height	n/a	Diameter of mast 1.5m Except in the St Patrick's Estate Area: Diameter of mast <600mm from 6m in height

Masts (where there are two or more providers)	Diameter of mast <600mm from 6m in height	Diameter of mast 1.5m	n/a	Diameter of mast <600mm from 6m in height	n/a	Diameter of mast 1.5m
Antenna attached to masts	Antenna located within a horizontal diameter circle of 750mm around the mast	Antenna located within a horizontal circle of 5m around the mast	n/a	Antenna located within a horizontal circle of 5m around the mast	n/a	Antenna located within a horizontal circle of 5m around the mast Except In the St Patrick's Estate Area - Antenna located within a horizontal circle of 750mm around the mast
Antenna attached to buildings	Antenna diameter of 2m or area of 1.8m ²	Antenna diameter of 1m or area of 0.8m ²	Antenna diameter of 1.3m or area of 1.2m ²	Antenna diameter of 1m or area of 0.8m ²	Antenna diameter of 2m or area of 1.8m ²	
Cabinets, and network utility structures located within road reserve (not otherwise provided for)	2m ²	1.4m ²	2m ²			

Network Utility	CBD	Business	Residential	Rural	Open Space	Special Activity
Cabinets and other network utility structures (not otherwise provided for) that are not located within road reserve						15m ²
Cabinets located within the road reserve containing an electricity distribution substation						5m ²
Meteorological enclosures and buildings						30m ²
Extreme adverse weather warning devices						No greater dimension than 2.5m x 1.5m

30.6 Separation distance and setbacks from boundaries

Policy 16.4.12

No network utilities shall be located within an esplanade or strip.

The following table applies to masts and antenna attached to masts and any cabinet or other network utility structure that is over 5m² in area with a height of more than 1.2m that are not located in the road reserve or rail corridor:

Zone	Setback distance or setback for masts and antenna attached to masts	Setback distance or setback for cabinets and other network utility structures
All	Not located within an esplanade reserve or strip	
Business	No less than 10m from a Residential	No less than 2 metres to any

	Zone boundary	boundary in a Rural, Residential, Open Space and Special Activity Zone and to a road or service lane boundary.
Rural	No less than 10m from any property boundary Under 15m in height - no less than 20m from the closest wall of a dwelling (excluding balconies and decks) Over 15m in height – no less than 50m from the closest wall of a dwelling (excluding balconies and decks)	No less than 2 metres to all boundaries
Residential, Open Space and Special Activity	No less than 10m from a Residential or Rural Zone boundary.	No less than 2 metres to all boundaries

30.7 Specific standards for temporary above ground lines

Policy 16.4.12,
16.4.15

The line(s) shall be in place for no longer than six calendar months from the date of erection until its removal.

30.8 Where any work is undertaken on a road or service lane the persons responsible for the work shall notify Council at least 10 working days before work begins.

Policy 16.4.4,
16.4.16

Controlled Activities

30.9 The removal, operation and maintenance of network utilities and the minor upgrading of electricity and telecommunication lines that does not meet permitted activity standards

Policy 16.4.8,
16.4.9, 16.4.12

Council may impose conditions over the following matters:

- Earthworks and sediment and erosion control;
- Noise
- Any adverse effects on a heritage site or area of native vegetation

30.10 Subdivision for the purpose of accommodating any network utility

Policy 16.4.8,
16.4.9, 16.4.12

Council may impose conditions over the following matters:

- Site design, frontage and area;
- Legal and physical access to the lots;
- Risks to public health and safety;
- Earthworks and sediment and erosion control;
- Landscaping and screening;
- Traffic and parking management;
- The imposition of financial contributions in accordance with Part E of this Plan.
- Any adverse effects on a heritage site or area of native vegetation.

Restricted Discretionary Activities

30.11 The upgrading of network utilities that do not meet the permitted activity standards, excluding:

Policy 16.4.8,
16.4.9, 16.4.12

- **Electricity transmission lines above 110kV; and**
- **Gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals**

Council will restrict its discretion to, and may impose conditions on:

- The degree, extent and effects of the non-compliance with the Permitted Activity Standards
- The extent to which there are difficult ground conditions, technical or financial constraints that make compliance impracticable/ unreasonable
- Earthworks and erosion and sediment control
- Any adverse effects on an identified heritage site or an area of native vegetation.

30.12 The upgrading of:

Policy 16.4.8,
16.4.9, 16.4.12

- **Electricity transmission lines above 110kV; and**
- **Gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals**

Council will restrict its discretion to, and may impose conditions on:

- Risks to public health and safety
- Rehabilitation of the site following any construction or future maintenance period.
- The extent to which the affected persons / community has been consulted with.
- Earthworks and erosion and sediment control.
- Any potential interference with public use and enjoyment of the land and the operation of land uses in the vicinity
- Any adverse effects on an identified heritage site or an area of native vegetation
- Local, national and / or regional benefits derived from the activity
- Any constraints arising from technical and operational requirements of the network which may limit measures to avoid, remedy or mitigate environmental effects.

30.13

Cabinets and other network utility structures not otherwise listed in this table that do not meet all of the relevant standards.

*Policy 16.4.8,
16.4.9, 16.4.12*

Council will restrict its discretion to, and may impose conditions on:

- The degree, extent and effects of the non-compliance with the Permitted Activity Standards
- Risks to public health and safety
- Any effect on heritage and cultural values
- Design and external appearance
- Visual effect including impacts on:
 - The residential and recreational use of land in the vicinity of the proposed utility;
 - The existing character, landscape, streetscape and amenity values of the locality;
 - Key public places, public viewing points and significant recreational areas
- Amenity effects, including noise vibration, odour, dust, earthworks and lighting
- Any potential interference with public use and enjoyment of the land and the operation of land uses in the vicinity
- Measures to mitigate the bulk and scale of the utility, including screening, colour and finish treatment, earth mounding and/or planting, viewing distances, the location of support structures
- Whether the size and scale of the proposal is generally compatible with other development in the area

- Any adverse effects on traffic and pedestrian safety including sight lines and the visibility of traffic signage.
- The extent to which the affected persons/community has been consulted with.

30.14

Policy 16.4.8,
16.4.9, 16.4.12

Masts, with or without associated antennas which meet the following criteria:

- **Have a maximum height of 12m**
- **The diameter of the mast is <600mm, from 6m in height above ground level**
- **The antenna are located within a horizontal circle of 750mm**
- **Are located no less than 10m from a Residential or Rural Zone boundary**

Council will restrict its discretion to, and may impose conditions on:

- Risks to public health and safety
- The maximum height, area or diameter of any antenna
- Design and external appearance
- Any effect on heritage and cultural values
- Visual effects including impacts on:
 - The residential and recreational use of land in the vicinity of the proposed utility;
 - The existing character, landscape, streetscape and amenity values of the locality;
 - Key public places, public viewing points, and significant recreational areas
- Amenity effects, including noise, vibration, odour, dust, earthworks and lighting
- Cumulative effects
- Whether the size and scale of the proposal is generally compatible with other development in the area
- Any adverse effects on traffic and pedestrian safety including sight lines and the visibility of traffic signage
- The extent to which alternative locations, routes or other options have been appropriately considered
- Any potential interference with public use and enjoyment of the land and the operation of land uses in the near vicinity
- The extent to which it is technically, economically and practically reasonable for the masts or antennas can be co-sited with similar structures or other buildings.
- The extent to which the affected persons/community has been consulted with.

30.15

Masts, with or without associated antennas that do not comply with the standards to be a permitted activity.

*Policy 16.4.8,
16.4.9, 16.4.12*

Council will restrict its discretion to, and may impose conditions on:

- The degree, extent and effects of the non-compliance with the Permitted Activity Standards
- Risks to public health and safety
- The maximum height of the mast and area or diameter of any antenna
- The maximum height, area or diameter of any antenna
- Any effect on heritage and cultural values
- Visual effects including impacts on:
 - The residential and recreational use of land in the vicinity of the proposed utility;
 - The existing character, landscape, streetscape and amenity values of the locality;
 - Key public places, public viewing points and significant recreational areas
- Amenity effects, including noise, vibration, odour, dust, earthworks and lighting
- Cumulative effects
- Any potential interference with public use and enjoyment of the land and the operation of land uses in the near vicinity
- Measures to mitigate the bulk and scale of the utility, including screening, colour and finish treatment, earth mounding and / or planting, viewing distances, the location of support structures.
- Whether the size and scale of the proposal is generally compatible with other development in the area.
- Any adverse effects on traffic and pedestrian safety including sight lines and the visibility of traffic signage.
- The extent to which alternative locations, routes or other options have been appropriately considered.
- The extent to which it is technically, economically and practically reasonable for the masts or antennas can be co-sited with similar structures or other buildings.
- The extent to which the affected persons / community has been consulted with.

30.16

Antenna attached to buildings that do not comply with the standards to be a permitted activity.

*Policy 16.4.8,
16.4.9, 16.4.12*

Council will restrict its discretion to, and may impose conditions on:

- The degree, extent and effects of the non-compliance with the Permitted Activity Standards
- Risks to public health and safety
- The maximum height, area or diameter of any antenna
- Design and external appearance
- Any effect on heritage and cultural values
- Visual effects including impacts on:
 - The residential and recreational use of land in the vicinity of the proposed utility;
 - The existing character, landscape, streetscape and amenity values of the locality;
 - Key public places, public viewing points, and significant recreational areas.
- Amenity effects, including noise, vibration, odour, dust, earthworks and lighting
- Cumulative effects
- Any potential interference with public use and enjoyment of the land and the operation of land uses in the vicinity
- Measures to mitigate the bulk and scale of the utility, including screening, colour and finish treatment, earth mounding and / or planting, viewing distances, the location of support structures.
- Whether the size and scale of the proposal is generally compatible with other development in the area.
- Any adverse effects on traffic and pedestrian safety including sight lines and the visibility of traffic signage.
- Where antennas are proposed to be sited on the top of a building, the extent to which they can be designed or screened so that they form an integral part of the total building design.
- The extent to which the affected persons / community has been consulted with.

30.17

Underground gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals, including aerial crossings of bridges, structures or streams, and ancillary equipment, including compressor compounds with compressor houses.

*Policy 16.4.8,
16.4.9, 16.4.12*

Council will restrict its discretion to, and may impose conditions on:

- Risks to public health and safety
- Any effect on heritage and cultural values

- Amenity effects, including noise, vibration, odour, dust, earthworks and lighting
- Cumulative effects
- Any potential interference with public use and enjoyment of the land and the operation of land uses in the vicinity
- The extent to which alternative locations, routes or other options have been appropriately considered.
- Earthworks and erosion and sediment control.
- The extent to which the work is able to be conveniently accommodated underground without adversely affecting existing underground utility services.
- Any adverse effects on an identified heritage site or an area of native vegetation.

30.18

Water reservoirs

*Policy 16.4.8,
16.4.9, 16.4.12*

Council will restrict its discretion to, and may impose conditions on:

- Risks to public health and safety
- Design and external appearance
- Any effect on heritage and cultural values
- Visual effects including impacts on:
 - The residential and recreational use of land in the vicinity of the proposed utility;
 - The existing character, landscape, streetscape and amenity values of the locality;
 - Key public places, public viewing points, and significant recreational areas
- Amenity effects, including noise, vibration, odour, dust, earthworks and lighting
- Cumulative effects
- Any potential interference with public use and enjoyment of the land and the operation of land uses in the vicinity
- Measures to mitigate the bulk and scale of the utility, including screening, colour and finish treatment, earth mounding and / or planting, viewing distances, the location of support structures
- The extent to which alternative locations, routes or other options have been appropriately considered.
- Rehabilitation of the site following any construction or future maintenance period.
- The extent to which the affected persons / community has been consulted with.
- Earthworks and erosion and sediment control.
- Any adverse effects on an identified heritage site or an area of native vegetation.

30.19

*Policy 16.4.8,
16.4.9, 16.4.12*

Meteorological enclosures and buildings, automatic weather stations and anemometer masts voluntary observer sites and associated microwave links that are not permitted activities

Council will restrict its discretion to, and may impose conditions on:

- The degree, extent and effects of the non-compliance with the Permitted Activity Standards
- Risks to public health and safety
- The maximum height of the mast and area or diameter of any antenna
- Design and external appearance
- Any effect on heritage and cultural values
- Visual effects including impacts on:
 - The residential and recreational use of land in the vicinity of the proposed utility;
 - The existing character, landscape, streetscape and amenity values of the locality;
 - Key public places, public viewing points, and significant recreational areas
- Amenity effects, including noise, vibration, odour, dust, earthworks and lighting
- Cumulative effects
- Any potential interference with public use and enjoyment of the land and the operation of land uses in the vicinity
- Measures to mitigate the bulk and scale of the utility, including screening, colour and finish treatment, earth mounding and / or planting, viewing distances, the location of support structures.
- Whether the size and scale of the proposal is generally compatible with other development in the area.
- The extent to which the affected persons / community has been consulted with.

Matters for Consideration

30.20

Matters that may be relevant in the consideration of any discretionary activity resource consent may include the following:

Network Utilities
<ul style="list-style-type: none"> • Compliance with the Code of Practice for Civil Engineering Works. • Whether alternative locations or other options are physically or technically possible. • Whether the size and scale of the development is generally compatible with other development in the area. • Whether the local topography, existing vegetation or screening will diminish the impact of the new structure. • The extent to which the development can be designed to reflect the form of development in the immediate locality and/or harmonise with the natural or built features of the area. • The degree to which the proposed activity is appropriately located in terms of visibility. Where ridges or hilltop locations are necessary, Council encourages the co-siting of utilities to reduce the effect on visual amenities. • Whether the utility structure damages habitats or ecosystems or causes the loss of significant vegetation that contributes to the amenity of an area. • All those matters listed for restricted discretionary activities.
Traffic generation and access
<ul style="list-style-type: none"> • Accessibility for public transport, cyclists and pedestrians. • Any vehicle/pedestrian/cyclist conflict. • Accessibility to the site. • Current traffic problems in the area. • Ability of the existing roading network to cater for increased traffic generation. • Ingress and egress to and from the site. • Neighbourhood amenity.
Roads
<ul style="list-style-type: none"> • Any need to create a public road. • Traffic Safety. • Alternative routes or alignments. • Visual Impacts. • Environmental Effects.