Chapter 13 Network Utilities, including

the National Grid

#### Introduction

This chapter outlines the provisions of the District Plan that relate to network utilities within Lower Hutt City, including the National Grid. Network 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, and their health and safety. Network utilities which are managed through this Chapter include those defined by way of section 166 of the Resource Management Act 1991.

The City has a range of important network utilities that serve an important function locally, regionally and nationally, some of which are critical and life­supporting. The City is traversed by State Highway 2, linked to Porirua by State Highway 58, contains Transpower’s Hayward’s Substation which is the northern end of the DC link with the Benmore substation in the South Island, the National Grid, the Regional Wellington – Wairarapa railway line and the Hutt Valley and Melling railway lines.

The Regional Policy Statement for the Wellington Region recognises the importance of regionally significant infrastructure within the Region, as forming part of national or regional networks that enable communities to provide for their social, economic and cultural wellbeing and their health and safety. There are a number of network utilities within Lower Hutt City that are identified as being regionally significant infrastructure in the Regional Policy Statement. The Regional Policy Statement requires that the benefits of such regionally significant infrastructure be recognised and protected in the District Plan.

The Council is required to give effect to any National Policy Statement. The National Policy Statement on Electricity Transmission came into force in 2008 and applies to effects on and effects of the National Grid. The National Policy Statement on Electricity Transmission’s objective is to recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the National Grid and the establishment of new transmission resources to meet the needs of present and future generations while: managing the adverse environmental effects of the network; and managing the adverse effects of other activities on the network.

There are many providers of network utilities within Lower Hutt City including the Council, Crown agencies, the Greater Wellington Regional Council, State Owned Enterprises, trading enterprises and private companies. The Council is in itself a major provider of network utilities and services, supplying water, sewage and stormwater reticulation, waste disposal and roads.

Other utilities that are managed through this Chapter because of their nature and function are lighthouses, navigation aids, beacons, signal stations and natural hazard emergency warning devices and meteorological services . These other utilities are owned and / or operated by Maritime New Zealand, local authorities, or the Meteorological Service in order to provide for the health, safety and wellbeing of the local community, region and nation.

The successful functioning of the City depends on network utilities. It is therefore very important that construction, maintenance, upgrade and operation of these services be effectively provided for, technical and geographical constraints on the operation of network utilities are acknowledged, and that the benefits that derive from them are adequately recognised. Network utilities can be vulnerable to reverse sensitivity effects when new activities (that are sensitive to the effects of the existing network utility) are established nearby, leading to constraints on the operation of the network utility. However, network utilities can also have adverse effects resulting from their construction, operation or associated maintenance activities.

For example, network utilities may typically include buildings, poles, overhead wires, pylons, pipes or antennas, which may have an adverse visual impact depending on their location and proximity to other land use activities. The installation and upgrading of network utilities will also typically involve earthworks. However, network utilities may also involve few structures and have limited visual impact, such as underground electricity and telecommunication lines. Network utilities are also often seen as a necessary and normal part of the environment, such as a road.

The network utility rules apply where network utility operators do not hold a designation for their activities under the designation procedures of the Act. They may, however, also be used by Council to help assess any notices of new requirement for new designations.

The provisions in this Chapter apply to network utilities throughout all zones of the City. The underlying zone objectives, policies and rules do not apply to network utilities, including roads, unless specifically referred to. City wide rules, such as those relating to historic heritage, notable trees, earthworks and hazardous substances will still apply. Under Rule 14A (a), network utilities that are located in the road reserve are subject to the provisions of the activity area where the road reserve is located. Where the road reserve is between two different activity areas, the centre line of the road reserve will become the boundary between such activity areas.

1The Meteorological Service is a requiring authority for its network operation of a system comprising telecommunication links to permit telecommunication and radiocommunication. Therefore, these aspects of meteorological service activities and facilities are network utilities.

# Issues, Objectives and Policies

## Regionally Significant Network Utilities

#### Issue

**The benefits of regionally significant network utilities to the City, region and nation need to be recognised and protected.**

#### Objective

To recognise and protect the benefits of regionally significant network utilities.

#### Policy

1. To identify regionally significant network utilities within the City on Council planning maps, as practicable.
2. To recognise the national, regional and local benefits of regionally significant network utilities.

#### Explanation and Reasons

The importance of and benefits arising from regionally significant network utilities within the City needs to be identified and recognised and the Regional Policy Statement needs to be given effect to. The objective and supporting policies are focused on recognising the benefits that these regionally significant network utilities have locally, regionally and nationally.

Policy (a) requires the Council to identify regionally significant network utilities within the City on its planning maps, as practicable. The majority of any new and extensions to existing regionally significant network utilities are expected to be identified on Council planning maps by network utility operators through a notice of requirement for designation process. In the case of the National Grid, which is not designated, this network will be specifically recognised and mapped, as required by the National Policy Statement on Electricity Transmission. Due to the scale of the planning maps and the extensive nature of some regionally significant network utilities, it is however not feasible to identify all regionally significant network utilities on Council planning maps, particularly the local gas distribution lines.

Policy (b) recognises that regionally significant network utilities provide benefits within the City, as well as regionally and nationally. These benefits need to be protected and considered in respect of any matter relating to regionally significant network utilities. Some of these benefits are:

* 1. That people and goods can travel to, and from and around the City and Region efficiently and safely;
  2. That community well­being and public health and safety is maintained through the provision of essential services including supply of potable water, the collection and transfer of sewage and stormwater, and the provision of emergency services;
  3. People have access to electricity and gas to meet their needs.

## Managing Adverse Effects, including Reverse Sensitivity Effects, on Regionally Significant Network Utilities

#### Issue

**Inappropriate subdivision, use and development in the vicinity of regionally significant network utilities may lead to adverse effects including reverse sensitivity effects that have the potential to impact upon the effective and efficient operation, maintenance, upgrading and development of such utilities.**

#### Objective

To ensure the operation, maintenance, upgrading and development of regionally significant network utilities is not compromised by other activities.

#### Policy

1. To avoid, or as appropriate, remedy or mitigate, the potential for any adverse effects, including reverse sensitivity effects on regionally significant network utilities from incompatible new subdivision, use and development occurring under, over, or adjacent to regionally significant network utilities.
2. To ensure the safe and efficient maintenance, operation, upgrade and development of the National Grid by avoiding the incompatible establishment of or changes to sensitive activities and incompatible buildings and structures within a defined National Grid Yard.

#### Explanation and Reasons

Inappropriate subdivision, use and development may result in adverse effects on regionally significant network utilities and / or restrict access to such network utilities including the ability to undertake maintenance or upgrade work. Reverse sensitivity can occur when sensitive activities locate near to or intensify by existing regionally significant network utilities and seek to or constrain the operation or expansion of these utilities. This may mean that the local, regional and national benefits of those regionally significant network utilities may be compromised. The City has a lot of well­established regionally significant network utilities located in close proximity to existing land use activities. The Council is concerned with new more intensive land use activities establishing in proximity to existing regionally significant network utilities may lead to adverse effects, including reverse sensitivity effects on those utilities.

Policy (a) requires that any potential adverse effects, including reverse sensitivity effects on regionally significant network utilities are appropriately managed, with priority given to avoiding adverse effects, where practicable, on those utilities. The location of inappropriate new subdivision, use or development in proximity to existing regionally significant network utilities has the potential to compromise the efficient operation and use of the network utility including by restricting access and result in the benefits of that network utility being reduced. In addition, the safety and amenity values of the community may be adversely affected by locating in too close proximity to regionally significant network utilities. The potential for reverse sensitivity effects may arise when the pattern and density of land use activities changes through the subdivision or rezoning of land. At the time of rezoning, the Council will seek to introduce new provisions to manage those potential reverse sensitivity effects on existing or designated regionally significant network utilities. Any applications for subdivision that involve potential intensification located in proximity to regionally significant network utilities will require assessment in terms of the potential effects on those utilities as well as consultation with the relevant network utility operator.

Policy (b) recognises the importance of the National Grid and seeks to protect the continued operation, maintenance, and upgrade and functioning of that network. The policy provides for the establishment of a National Grid Yard within which sensitive activities and incompatible buildings and structures will be avoided. The management of buildings and structures within a National Grid Yard is aimed at:

1. Maintaining access to the National Grid for its on­going operation, maintenance, upgrading and development;
2. Mitigating safety risks for occupants and users of properties;
3. Protecting the structural integrity of transmission lines; and
4. Maintaining the opportunity to further optimise existing National Grid lines in the future.

This is a matter of national significance under the National Policy Statement on Electricity Transmission. This Chapter contains specific rules that apply to the use and development of land within the National Grid Yard throughout the District Plan. Chapter 11 Subdivision contains specific rules that apply to subdivision within the National Grid Corridor.

The on­going operation, upgrade and maintenance of the existing National Grid is provided for by the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009. These regulations specify that existing electricity transmission activities are permitted, subject to terms and conditions to ensure that these activities do not have significant adverse effects. The standards also specify resource consent requirements for electricity transmission activities that do not meet the terms and conditions for permitted activities.

## Recognising and Providing for Network Utilities

#### Issue

**The key role that network utilities play and the benefits they have needs to be recognised and the technical and operational requirements of the network utility concerned should not be unreasonably restricted. Failing to adequately provide for network utilities may result in the desired level of well­being and quality of life not being achieved within the City.**

#### Objective

To recognise and provide for the sustainable, secure and efficient use, operation and development of network utilities within the City.

#### Policy

1. To recognise and provide for the:
   1. need for new and the maintenance and upgrading of existing network utilities;
   2. technical and operational requirements and constraints of network utilities in assessing their location, design, development, construction and appearance; and
   3. benefits that network utilities provide to the economic, social and cultural functioning of the City.
2. To enable the efficient construction, installation, operation, upgrading and maintenance of network utilities.
3. To ensure that the provision and operation of utilities that cross jurisdictional boundaries is managed in an integrated manner.
4. To encourage the appropriate use of designations for new network utilities and extensions to existing network utilities that are not designated.

#### Explanation and Reasons

It is important that the benefits of all network utilities, including those that are not identified as regionally significant, are recognised and provided for. Network utilities provide essential services to people’s homes and businesses, such as water, transport means, electricity, gas, radiocommunications and telecommunications, and are critical for the effective functioning and liveability of the City. Failing to adequately provide for network utilities may result in the desired level of well­being and quality of life not being achieved within the City.

Policy (a) recognises that the provision of new and the upgrading of existing network utilities is necessary to meet the needs of City, both now and into the future. In considering any proposals for new or upgrades to existing network utilities, the technical and operational requirements that may constrain where and how they can locate and be designed need to be recognised. In some cases, some level of adverse effects may need to be accepted to recognise the necessity for some network utilities and meet their operational requirements. This policy also recognises the benefits that all network utilities have.

Policy (b) acknowledges the important role that network utilities have in providing for the wellbeing of the City’s community. Network utilities form an essential part of the efficient functioning of the City and their maintenance and development allows their benefits to be realised. There are a range of network utilities that enable communities to undertake everyday activities and functions and provide essential services to people’s homes and businesses. It is therefore important that the District Plan provides for network utilities to be constructed, installed, operated, upgraded and maintained.

Policy (c) reflects that by their nature, many network utilities cross jurisdictional boundaries between councils. Cross boundary issues can result for network utility providers and for the community, particularly where different councils have different rules or processes for how they recognise and provide for network utilities and manage their effects. It is important that councils work together in an integrated manner both when developing plan provisions and when dealing with proposals for new or upgrades to existing network utilities.

Policy (d) is focussed on encouraging network utility operators, particularly those who operate regionally significant network utilities, to use the notice of requirement for designation process when they seek to develop new or extend existing network utilities. This is particularly encouraged for operators where such new or extended network utilities involve restrictions on the use of privately owned land and may require land acquisition. It is recognised that not all network utility operators use designations, particularly those that do not operate linear infrastructure.

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## Managing Environmental Effects

#### Issue

**The actual and potential adverse environmental effects arising from network utilities need to be managed.**

#### Objective

To manage any adverse effects on the environment resulting from the design, location, operation, upgrading and maintenance of network utilities.

#### Policy

1. To ensure that network utilities are designed, located, developed, constructed, upgraded, operated and maintained to avoid, remedy or mitigate any actual or potential adverse effects on the environment.
2. To manage effects on health and safety by ensuring network utilities are designed, located, upgraded, operated and maintained to comply with relevant national environmental standards and to meet other nationally recognised standards and guidelines.
3. To enable the co­location or multiple use of network utilities where this is efficient, technically feasible and practicable and assists with avoiding, remedying or mitigating adverse effects on the environment.
4. To require the underground placement of new network utilities unless
   1. there are natural or physical features or structures, or technological and operational constraints that makes underground placement impractical or unreasonable;
   2. they are of a temporary nature and required for emergency purposes or critical events; and
   3. they are of a nature that they can only operate aboveground.
5. To encourage the use of roads as network utility corridors in accordance with the National Code of Practice for Utility Operators'; Access to Transport Corridors.
6. To encourage network utility providers to consult with local communities, landowners and the Regional Council (where relevant) on the appropriate placement, location and design of new network utilities.

AMENDMENT 375 - Amend Explanation and Reasons of section 13.1.4 Managing Environmental Effects

**Explanation and Reasons**

The issue and supporting objective recognise that the construction, operation, upgrading and/or maintenance of network utilities can have adverse effects and adversely affect the amenity of areas of the City, as a result of noise, emissions, and visual dominance, for example. Some network utilities are relatively large, visually prominent and capable of generating significant adverse effects on the surrounding environment. Such network utilities may also have actual or perceived adverse effects on public health and safety. Adverse effects may only occur at the time of construction or installation of the utility, but in some instances may continue throughout its operation or during maintenance and/or upgrade works. For new linear network utilities, adverse effects are often best able to be mitigated through the route selection process. However, in some cases, it might not be entirely possible to avoid, remedy or mitigate all adverse effects associated with a network utility due to their technical and operational constraints, meaning there may be some level of residual adverse effect on the surrounding environment. In such circumstances, there is a need to carefully consider both the benefits the utility will provide and the significance of the adverse effects on the surrounding environment.

Policy (a) recognises the importance of managing the design, location, operation, upgrading, construction, and maintenance of network utilities and requires that any potential adverse effects arising from network utilities are avoided, remedied or mitigated. It is acknowledged that it is not always possible to do so, and that there may be some level of residual effect, due to the technical and operational requirements of network utilities, as reflected through Policy 13.1.3(a)(ii). This policy is sufficiently broad to recognise that there are a range of different network utilities with different potential adverse effects on the environment. For instance, above ground network utilities can have adverse effects including visual, noise, traffic, odour and amenity, depending on their size, location, frequency and their scale in comparison with the character of a particular environment. For instance, a different activity status and different performance standards apply to some network utilities in the ~~Historic Residential,~~ Landscape Protection Residential, Recreation and Rural Residential Zones, historic heritage precincts and the Coastal Environment identified as Significant Natural Resource 9, to reflect that these ~~zones~~ areas have special environments that are more vulnerable to adverse effects and associated loss of amenity.

Policy (b) recognises that some network utilities may adversely affect health and safety. For example, telecommunication facilities generate radio frequency emissions which may have detrimental effects on health. Any potential health effects arising from radiofrequency emissions are addressed by Regulation 4 of the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008. Electricity transmission/distribution can present a risk to public health and safety, primarily through the risk of electrocution from direct contact with conductors or as a result of a flashover. The National Policy Statement on Electricity Transmission requires that the exposures be limited to the guidelines of the International Commission on Non­ Ionising Radiation Protection (ICNIRP) to prevent the potential for public health effects. Other possible health and safety risks are accidental spillage or leakage of hazardous substances from gas or petroleum pipelines, explosions from gas or petroleum pipelines; accidental overflow from sewage pump stations, and flooding from damaged/inoperative stormwater systems. Chemicals used in conjunction with some network utilities, such as water treatment plants for example, also pose a risk if an accidental spill occurs. There are also a number of national and international standards and guidelines addressing health and safety matters that are external to the District Plan but that must be complied with, including the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008, and the New Zealand Electrical Code of Practice. The International Commission on Non­Ionising Radiation Protection (ICNIRP) Guidelines provides best practice guidance.

Policy (c) recognises that the co­location and co­siting of network utilities may provide environmental benefits in terms of reduced visual impacts and consolidation of network utilities in existing areas thereby reducing adverse effects on amenity by reducing the need for more network utility structures. While co­location is encouraged it needs to be understood that technical requirements will generally mean that associated structures may need to be taller or bulkier to avoid interference between the two or more providers, such as radio­frequency bands. It is also recognised that co­location is not always possible due to operational issues such as radiofrequency interference, electrical interference, lease arrangements and structural capacity.

Policy (d) requires the underground placement of new network utilities unless particular circumstances apply. The adverse visual effects of certain network utilities can often be managed by putting the services underground. With some exceptions, this is the required approach for those network utilities, such as those with cables that can be located underground. For those network utility structures that need to be located aboveground, particular attention should be given to their design, location and minimising of any adverse visual effects as outlined in Policy (a). This can be achieved in a number of ways including, where practical, through screening, careful placement, size and appearance and applying different activity status. In particular, the underground placement of electricity and telecommunications lines is required in most circumstances by only providing for aboveground lines in particular defined situations, such as for customer connections, and through different activity status. New above ground lines and their associated supporting structures in areas that do not have existing above ground lines are generally considered to be unacceptable within the City, except in those areas that can visually absorb new aboveground lines, such as the Rural Zone where they are permitted. However it is recognised that particular consideration needs to be given to the efficient use of resources and that there are situations where placing lines underground is, or may be, impracticable or unreasonable.

Policy (e) promotes the use of the road corridor for the location of network utilities, in line with the National Code of Practice for Utility Operators’ Access to Transport Corridors. Locating network utilities in the road can assist to minimise the adverse effects of network utilities on amenity and other values as these locations generally have a range of existing network utilities and are less sensitive to new network utilities. However, the effects of these activities require some management to ensure conflicts with the primary function of the road corridor and with each other are avoided.

Policy (f) encourages network utility operators to engage with the local community when they are considering the location, placement and design of new network utilities. In some cases, engaging early with the community about a proposed new network utility may result in an alternative more appropriate location to be identified that both meets the needs of the network utility operator and addresses any concerns that the community may have. In encouraging consultation, the Council recognises that it cannot require network utility operators to consult on permitted activities.

# How to Use the Network Utility Rules

The following is an advice note on how to navigate and use the suite of Rules, Standards and Terms and Conditions for this Chapter in the District Plan. This Chapter applies to all network utilities as defined in Chapter 3 (Definitions) and with the exception of rules in General Chapters 14A – 14L, these rules override all zone rules.

1. Before using the Rules, check which Activity Area (zone) the site(s) which is intended to be used for network utility activities is located in. The District Plan Activity Areas are available to view on the Council’s website (via the District Plan Chapters and Maps or through the interactive GIS viewer) as well as hard copies at all libraries and the administration building.
2. Once the Activity Area has been identified, check the rules in table 13.3.1 to find a description of which activity you want to carry out. Make sure the Activity Area of your site(s) is listed next to the rule otherwise it will not apply.
3. Each rule can have associated standards and matters of control or discretion associated with it.
4. Section 13.3.2 contains the standards. Where a rule has a standard(s) associated with it, that standard(s) must be complied with for the activity status to apply. If the activity cannot comply with the associated standard(s), it will have a different status and may need a land use consent.
5. Sections 13.3.3, 13.3.4 and 13.3.5 contain matters of control and discretion. If the rule has a status of Controlled, Restricted Discretionary or Discretionary (i.e.: a land use consent is required), Matters of Control or Discretion may apply. Where a rule has matters associated with it, the Council will use them to assess the consent application. Chapter 17 of the District Plan outlines what information needs to be submitted with any land use consent application.
6. Section 13.4 contains provisions for activities within the National Grid and has its own set of rules, standards and terms and conditions. Use this section if your activity is going to be within the National Grid Corridor or Yard (defined in Chapter 3 of the District Plan).

# Rules ­ Network Utilities

AMENDMENT 376 - Amend section 13.3.1 – Table of Activity Status

* + 1. **Activity Status**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Rule**  **Number** | **Rule** | **Activity Area** | **Status** | **Standards** | **Matters of Control**  **or Discretion** |
| **Removal, Maintenance and Upgrading** | | | | | |
| 13.3.1.1 | The **removal** of existing network utilities, including any existing associated structures. | All | Permitted | Earthworks: 13.3.2.5.1  Vegetation: 13.3.2.6  Noise: 13.3.2.7 |  |
| 13.3.1.2 | The **operation** and **maintenance**  of network utilities. | All | Permitted | Earthworks: 13.3.2.5.1  Vegetation: 13.3.2.6  Noise: 13.3.2.7 |  |
| 13.3.1.3 | The **minor upgrading** of electricity and telecommunication lines and  support structures. | All | Permitted | Earthworks: 13.3.2.5  Vegetation: 13.3.2.6  Noise: 13.3.2.7 |  |
| 13.3.1.4 | The **upgrading** of existing network utilities, excluding:  ­ Electricity and  telecommunication lines;  ­ Gas distribution and transmission pipelines at a pressure exceeding 2000  kilopascals. | All | Permitted | Health and Safety: 13.3.2.1  Earthworks: 13.3.2.5  Vegetation: 13.3.2.6  Noise: 13.3.2.7 |  |
| 13.3.1.5 | The **removal, operation and maintenance** of network utilities and the **minor upgrading** of electricity and telecommunication lines **that does not meet**  **permitted activity standards**. | All | Controlled |  | 13.3.3 (e), 13.3.3  (h) |
| 13.3.1.6 | The **upgrading** of network utilities, excluding:   * Electricity transmission lines above 110KV; and * Gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals   **that does not meet permitted**  **activity standards**. | All | Restricted Discretionary | Health and Safety: 13.3.2.1 | 13.3.4 (a), 13.3.4  (r), 13.3.4 (s),  13.3.4(u), 13.3.4(v) |
| 13.3.1.7 | The **upgrading** of:   * Electricity transmission lines 110 kV and above; and * Gas distribution and transmission pipelines at a pressure exceeding 2000   kilopascals. | All | Restricted Discretionary | Health and Safety: 13.3.2.1 | 13.3.4 (b), 13.3.4 (p),  13.3.4 (r), 13.3.4  (s); 13.3.4(u), 13.3.4(v) |
| **Subdivision** | | | | | |
| 13.3.1.8 | **Subdivision** for the purpose of accommodating any network utility. | All | Controlled |  | 13.3.3 (a), 13.3.3 (b),  13.3.3 (c), 13.3.3 (e),  13.3.3 (f), 13.3.3 (j) |
| **General** | | | | | |
| 13.3.1.9 | **Cabinets** and **other network utility structures** not otherwise listed in this table. | All, excluding ~~Historic~~  ~~Residential~~  Heretaunga  Settlement and  Riddlers Crescent  Heritage Precincts  and Landscape  Protection Residential | Permitted | Health and Safety: 13.3.2.1  Height: 13.3.2.2.4,  13.3.2.2.5  Size and Diameter: 13.3.2.3.6, 13.3.2.3.7,  13.3.2.3.7A  Separation/Setback: 13.3.2.4.1, 13.3.2.4.3  Earthworks: 13.3.2.5  Vegetation: 13.3.2.6  Noise: 13.3.2.7 |  |
| 13.3.1.10 | **Cabinets** and **other network utility structures** not otherwise listed in this table. | ~~Historic Residential~~  Heretaunga  Settlement and  Riddlers Crescent  Heritage Precincts,  Landscape Protection  Residential | Restricted Discretionary | Health and Safety: 13.3.2.1  Height: 13.3.2.2.4,  13.3.2.2.5  Size and Diameter: 13.3.2.3.6, 13.3.2.3.7,  13.3.2.3.7A  Separation/Setback: 13.3.2.4.1, 13.3.2.4.3  Earthworks: 13.3.2.5  Vegetation: 13.3.2.6  Noise: 13.3.2.7 | 13.3.4 (a), 13.3.4  (b)  13.3.4 (e), 13.3.4  (f)  13.3.4 (g), 13.3.4  (h)  13.3.4 (j), 13.3.4  (k)  13.3.4 (l), 13.3.4  (m)  13.3.4 (r),  13.3.4(u), 13.3.4(v) |
| 13.3.1.11 | **Cabinets** and **other network utility structures** not otherwise listed in this table that do not meet the permitted activity standards in Rule 13.3.1.9. | All, excluding ~~Historic~~  ~~Residential~~  Heretaunga  Settlement and  Riddlers Crescent  Heritage Precincts and  Landscape Protection  Residential. | Restricted Discretionary | Health and Safety: 13.3.2.1 | 13.3.4 (a), 13.3.4  (b)  13.3.4 (e), 13.3.4  (f)  13.3.4 (g), 13.3.4  (h)  13.3.4 (j), 13.3.4  (k)  13.3.4 (l), 13.3.4  (m)  13.3.4 (r),  13.3.4(u), 13.3.4(v) |
| 13.3.1.12 | **Cabinets** and **other network utility structures** not otherwise listed in this table that do not meet the restricted discretionary activity standards. | ~~Historic Residential~~  Heretaunga  Settlement and  Riddlers Crescent  Heritage Precincts,  Landscape Protection  Residential | Discretionary | Health and Safety: 13.3.2.1 |  |
| 13.3.1.13 | Network **utilities** located **within existing buildings.** | All | Permitted | Health and Safety: 13.3.2.1  Noise: 13.3.2.7 |  |
| 13.3.1.14 | **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. | All | Permitted | Health and Safety: 13.3.2.1  Earthworks: 13.3.2.5 |  |
| 13.3.1.15 | All network **utilities** that are **not otherwise listed** as a permitted, controlled, restricted discretionary  or non­complying activity. | All | Discretionary | Health and Safety: 13.3.2.1 |  |
| 13.3.1.16 | All network **utilities which do not comply with** the permitted activity standards for radiofrequency and electro­magnetic fields in **standard 13.4.1 Health and**  **Safety** | All | Non­ Complying |  |  |
| **Underground Utilities** | | | | | |
| 13.3.1.17 | The construction, installation and development, of **new underground network utilities**,  except for:   * Electricity transmission lines above 110kV; and * Gas distribution and transmission pipelines at a pressure exceeding 2000   kilopascals. | All | Permitted | Health and Safety: 13.3.2.1  Earthworks: 13.3.2.5  Vegetation: 13.3.2.6 |  |
| **Radiocommunication, Telecommunications and Electricity Distribution and Transmission** | | | | | |
| 13.3.1.18 | **Masts** with or without associated antennas. | Commercial (All), Business (All), General Rural, Community Health, Community  Iwi | Permitted | Health and Safety: 13.3.2.1  Height: 13.3.2.2.1,  13.3.2.2.2  Size and Diameter: 13.3.2.3.1, 13.3.2.3.2,  13.3.2.3.3, 13.3.2.3.4  Separation/Setback: 13.3.2.4.1, 13.3.2.4.2  Earthworks: 13.3.2.5 |  |
| 13.3.1.19 | **Masts** with or without associated antennas. | Residential (excluding  ~~Historic Residential~~  Heretaunga  Settlement and  Riddlers Crescent  Heritage Precincts and  Landscape Protection  Residential),  Recreation, Rural  Residential | Restricted Discretionary | Health and Safety: 13.3.2.1  Height: 13.3.2.2.1,  13.3.2.2.2  Size and Diameter: 13.3.2.3.1, 13.3.2.3.2,  13.3.2.3.3, 13.3.2.3.4  Separation/Setback: 13.3.2.4.1, 13.3.2.4.2  Earthworks: 13.3.2.5 | 13.3.4 (b), 13.3.4  (e)  13.3.4 (f), 13.3.4  (g)  13.3.4 (h), 13.3.4  (i)  13.3.4 (j), 13.3.4 (l)  13.3.4 (m), 13.3.4  (n)  13.3.4 (o), 13.3.4  (r), 13.3.4(u), 13.3.4(v) |
| 13.3.1.20 | **Masts** with or without associated antennas. | The Coastal  Environment identified  as SNR 9,  shown in Map  Appendices 2A, 2B  and 2C, ~~Historic~~  ~~Residential~~  Heretaunga  Settlement and  Riddlers Crescent  Heritage Precincts,  Landscape Protection  Residential | Discretionary | Health and Safety: 13.3.2.1 |  |
| 13.3.1.21 | **Antenna** and support structure  **attached to buildings**. | All, except for ~~Historic~~  ~~Residential~~  Heretaunga  Settlement and  Riddlers Crescent  Heritage Precincts | Permitted | Health and Safety: 13.3.2.1  Height: 13.3.2.2.3  Size and Diameter: 13.3.2.3.5 |  |
| 13.3.1.22 | **Antenna** and support structure  **attached to buildings**. | ~~Historic Residential~~  Heretaunga  Settlement and  Riddlers Crescent  Heritage Precincts | Restricted Discretionary | Health and Safety: 13.3.2.1  Height: 13.3.2.2.3  Size and Diameter: 13.3.2.3.5 | 13.3.4 (d), 13.3.4  (e), 13.3.4 (f),  13.3.4 (g) |
| 13.3.1.23 | **Masts**, with or without associated antennas **that do not meet permitted activity standards**. | Commercial (All), Business (All), General Rural, Community Health, Community Iwi | Restricted Discretionary | Health and Safety: 13.3.2.1 | 13.3.4 (a), 13.3.4 (b),  13.3.4 (c), 13.3.4 (d),  13.3.4 (f), 13.3.4 (g),  13.3.4 (h), 13.3.4 (i),  13.3.4 (j), 13.3.4 (k),  13.3.4 (l), 13.3.4 (m),  13.3.4 (n), 13.3.4  (o), 13.3.4 (r),  13.3.4(u), 13.3.4(v) |
| 13.3.1.24 | **Antenna** attached to buildings **that do not meet permitted activity standards**. | All, except for ~~Historic~~  ~~Residential~~  Heretaunga  Settlement and  Riddlers Crescent  Heritage Precincts | Restricted Discretionary | Health and Safety: 13.3.2.1 | 13.3.4 (a), 13.3.4 (b),  13.3.4 (d), 13.3.4 (e),  13.3.4 (f), 13.3.4 (g),  13.3.4 (h), 13.3.4 (i),  13.3.4 (j), 13.3.4 (k),  13.3.4 (l), 13.3.4 (m),  13.3.4 (p), 13.3.4  (r), 13.3.4(u), 13.3.4(v) |
| 13.3.1.25 | **Antenna** attached to buildings  **that do not meet restricted discretionary activity standards**. | ~~Historic Residential~~  Heretaunga  Settlement and  Riddlers Crescent  Heritage Precincts | Discretionary | Health and Safety: 13.3.2.1 |  |
| 13.3.1.26 | **New and additional above ground lines, including support structures, excluding electricity transmission lines above 110kV.** | Rural (All) | Permitted | Health and Safety: 13.3.2.1  Height: 13.3.2.2.1  Separation/Setback: 13.3.2.4  Earthworks: 13.3.2.5  Vegetation: 13.3.2.6 |  |
| 13.3.1.26A | **New and additional above ground lines, including support structures. excluding electricity transmission lines above 110kV that do not meet permitted activity standards.** | Rural (All) | Restricted Discretionary | Health and Safety: 13.3.2.1 | 13.3.4 (a), 13.3.4  (b), 13.3.4 (e),  13.3.4 (f), 13.3.4 (g),  13.3.4 (h), 13.3.4 (i),  13.3.4 (j), 13.3.4 (k),  13.3.4 (l), 13.3.4 (m),  13.3.4 (n), 13.3.4  (r), 13.3.4 (s),  13.3.4 (t),  13.3.4(u), 13.3.4(v) |
| 13.3.1.27 | **New and additional above ground lines, including support structures, not otherwise**  **provided for.** | All, except Rural | Discretionary | Health and Safety: 13.3.2.1 |  |
| 13.3.1.27A | **New and additional above ground electricity transmission lines above 110kV, including**  **support structures.** | All | Discretionary | Health and Safety: 13.3.2.1 |  |
| 13.3.1.28 | **Minor above ground lines.** | All | Permitted | Health and Safety: 13.3.2.1  Height: 13.3.2.2.1  Separation/Setback: 13.3.2.4  Earthworks: 13.3.2.5 |  |
| 13.3.1.29 | **Temporary above ground lines.** | All | Permitted | Health and Safety: 13.3.2.1  Height: 13.3.2.2.1  Separation/Setback: 13.3.2.4  Earthworks: 13.3.2.5 Temporary above  ground lines: 13.3.2.8 |  |
| 13.3.1.30 | **New 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. | All | Discretionary | Health and Safety: 13.3.2.1 |  |
| **Gas Distribution and Transmission** | | | | | |
| 13.3.1.31 | **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. | All | Permitted | Health and Safety: 13.3.2.1  Earthworks: 13.3.2.5  Vegetation: 13.3.2.6  Noise: 13.3.2.7 |  |
| 13.3.1.32 | **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. | All | Restricted Discretionary | Health and Safety: 13.3.2.1 | 13.3.4 (b), 13.3.4 (f),  13.3.4 (h), 13.3.4 (i),  13.3.4 (j), 13.3.4 (n),  13.3.4 (s), 13.3.4  (t), 13.3.4(u), 13.3.4(v) |
| **Water, Wastewater and Stormwater** | | | | | |
| 13.3.1.33 | **Water reservoirs**. | All | Restricted Discretionary |  | 13.3.4 (a), 13.3.4 (b),  13.3.4 (e), 13.3.4 (f),  13.3.4 (g), 13.3.4 (h),  13.3.4 (i), 13.3.4 (j),  13.3.4 (k), 13.3.4 (n),  13.3.4 (q), 13.3.4 (r),  13.3.4 (s), 13.3.4  (t), 13.3.4(u), 13.3.4(v) |
| 13.3.1.34 | **Water and wastewater**  **treatment plants.** | All | Discretionary |  |  |
| **Meteorological Activities** | | | | | |
| 13.3.1.35 | **Meteorological enclosures and buildings**; **automatic weather stations** and **anemometer masts**, voluntary observer sites and associated microwave links. | All | Permitted | Health and Safety: 13.3.2.1  Height: 13.3.2.2,  13.3.2.2.6  Size & Diameter: 13.3.2.3.8  Separation/Setback: 13.3.2.4  Earthworks: 13.3.2.5  Vegetation: 13.3.2.6  Noise: 13.3.2.7 |  |
| 13.3.1.36 | **Meteorological enclosures and buildings**; **automatic weather stations** and **anemometer masts**, voluntary observer sites and associated microwave links that are not permitted activities. | All | Restricted Discretionary | Health and Safety: 13.3.2.1 | 13.3.4 (a), 13.3.4 (b),  13.3.4 (c), 13.3.4 (e),  13.3.4 (f), 13.3.4 (g),  13.3.4 (h), 13.3.4 (i),  13.3.4 (j), 13.3.4 (k),  13.3.4 (l), 13.3.4  (r), 13.3.4(u), 13.3.4(v) |
| **Roading and Traffic and Transport Structures** | | | | | |
| 13.3.1.37 | **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** and road **furniture** located within the road reserve and the  rail corridor. | All | Permitted | Earthworks: 13.3.2.5 |  |
| 13.3.1.38 | The construction, alteration or diversions of **roads**, excluding any such construction works which is  part of a subdivision. | All | Discretionary |  |  |
| 13.3.1.39 | Any:   * grade separated facility where a structure is used to separate roadways, railways, footways, cycleways or bodies of water * viaduct or tunnel * bridges for roads, tramways, railways and underpasses. | All, except for the Coastal Environment identified as SNR 9,  shown in Map Appendices 2A, 2B and  2C | Controlled |  | 13.3.3 (c), 13.3.3  (d), 13.3.3 (i);  13.3.4(u), 13.3.4(v) |
| 13.3.1.40 | Any:   * grade separated facility where a structure is used to separate roadways, railways, footways, cycleways or bodies of water * viaduct or tunnel * bridges for roads, tramways, railways and underpasses | The Coastal Environment identified as SNR 9,  shown in Map Appendices 2A, 2B and  2C | Non­ complying |  |  |
| **Extreme Adverse Weather and Tsunami Warning Devices** | | | | | |
| 13.3.1.41 | Extreme adverse weather and tsunami **warning devices**. | All | Permitted | Height: 13.3.2.2.7  Size and Diameter: 13.3.2.3.9  Earthworks: 13.3.2.5  Vegetation: 13.3.2.6 |  |

**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.

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 NES’s identified above, the provisions of the NES shall apply.

The National Environmental Standards are available for viewing at [www.mfe.govt.nz](http://www.mfe.govt.nz/) and at 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.

Hutt City Council is not responsible for enforcing these standards.

## Standards and Terms

### Health and Safety

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

1. The maximum exposure levels shall not exceed the levels specified in NZS 2772:1999 ‘Radiofrequency Fields– Maximum exposure levels – 3kHz to 300 GHz’.
2. Network utilities that emit electric and magnetic fields shall comply with the International Commission on Non­ionising Radiation Protection Guidelines for limiting exposure to time­varying electric and magnetic fields (1 Hz – 100 Hz), Health Physics 99(6):818­836; 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 radio­frequency emissions from telecommunication facilities through specific exposure standards.

### Height

AMENDMENT 377 - Amend section 13.3.2.2 – Height

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

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

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Standard** | **Utility** | **Commercial** | | **Business** | | **Community** | **Residential** | | **Rural** | | **Recreation** |
| **Central Petone** | **~~Suburban~~ Suburban Mixed Use ~~Special~~** | **General Special Extraction** | **Avalon** | **Health Iwi** | **~~General Special~~ Hill Medium Density** | **~~Historic~~**  **Heretanga and Riddlers Crescent Heritage Precincts**  **Landscape Protection** | **General** | **Residential** | **General Special River Passive** |
| 13.3.2.2.1 | Masts, antennas, lines and single­ pole support structures. | 20m | 15m | 25m | Area 1  = 20m  Area 2  = 15m | 20m | 12m | 10m | 15m | 12m | 12m |
| 13.3.2.2.2 | Masts and antennas (involving two or more providers). | 25m | 18m | 30m | Area 1  = 20m  Area 2  = 15m | 20m | 12m | 10m | 20m | 12m | 12m |
| 13.3.2.2.3 | Maximum height of an antenna and support structure, measured from the highest point of the building to which it is  attached. | 5m | | | | | 3.5m | 2m | 3.5m | | |
| 13.3.2.2.4 | Cabinets and other network utility structures within the road reserve (not otherwise  provided for). | 2m | | | | | 1.8m | | 2m | | |

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Standard** | **Utility** | **Commercial** | | **Business** | | **Community** | **Residential** | | **Rural** | | **Recreation** |
| **Central Petone** | **Suburban Suburban Mixed Use Special** | **General Special Extraction** | **Avalon** | **Health Iwi** | **General Special Hill Medium Density** | **Historic Landscape Protection** | **General** | **Residential** | **General Special River Passive** |
| 13.3.2.2.5 | Cabinets and network utility structures that are not otherwise provided for and that are not located within the  road reserve. | 3.5m | | | | | | | | | |
| 13.3.2.2.6 | Anemometer  masts. | 15m | | 30m | | 15m | 12m | | 15m | | 12m |
| 13.3.2.2.7 | Maximum height of an extreme adverse weather and tsunami warning device, measured from the point of  attachment. | 4m | | | | | | | | | |

### Size and Diameter

AMENDMENT 378 - Amend section 13.3.2.3 – Size and Diameter

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Standard** | **Utility** | **Residential** | **Commercial** | | | **Business** | **Recreation** | **Rural** | | **Community** |
| **~~General Special Historic~~ Hill Landsc.**  **Prot. Medium**  **Density, High Density** | **Central Petone** | **~~Suburban~~Suburban Mixed Use** | **~~Special~~** | **General Special Avalon Extraction** | **General Special River Passive** | **Residential** | **General** | **Health Iwi** |
| 13.3.2.3.1 | Masts. | Diameter of mast <600mm from 6m in height | | | | Diameter of mast  1.5m | Diameter of mast <600mm from 6m in height | | | |
| 13.3.2.3.2 | Masts (involving two or more  providers). | Diameter of mast <600mm from 6m in height | | | | Diameter of mast 1.5m | Diameter of mast <600mm from 6m in height | | | |
| 13.3.2.3.3 | Antenna attached to masts. | Antenna located within a horizontal circle of 750mm | | | | Antenna located with a horizontal circle of  5m | Antenna located within a horizontal circle of 750mm | | Antenna located within a horizontal circle of  5m | Antenna located within a horizontal circle of  750mm |
| 13.3.2.3.4 | Antenna attached to masts (involving two or more  providers). | Antenna located within a horizontal circle of 750mm | | | | Antenna located with a horizontal circle of  5m | Antenna located within a horizontal circle of  750mm | Antenna located within a horizontal circle of  1.2m | Antenna located within a horizontal circle of  5m | Antenna located within a horizontal circle of  750mm |

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Standard** | **Utility** | **Residential** | **Commercial** | | | **Business** | **Recreation** | **Rural** | | **Community** |
| **General Special Historic Hill Landsc.**  **Prot. Medium**  **Density** | **Central Petone** | **Suburban Suburban Mixed Use** | **Special** | **General Special Avalon Extraction** | **General Special River Passive** | **Residential** | **General** | **Health Iwi** |
| 13.3.2.3.5 | Antenna attached to other buildings. | Antenna diameter of 1m or area of 0.8m2 | Antenna diameter of 2m or area of  1.8m2 | Antenna diameter of 1.3m or area of  1.2m2 | Antenna diameter of 2m or area of 1.8m2 | | Antenna diameter of 1.3m or area of 1.2m2 | | | Antenna diameter of 2m or area of 1.8m2 |
| 13.3.2.3.6 | Cabinets and other network utility structures located within the road reserve (not otherwise  provided for). | 1.4m2 | 2m2 | | | | | | | |
| 13.3.2.3.7 | Cabinets and other network utility structures not otherwise provided for that are not located within the road  reserve. | 15m2 | | | | | | | | |
| 13.3.2.3.7A | Cabinets located within the road reserve containing an electricity distribution  substation. | 5m2 | | | | | | | | |
| 13.3.2.3.8 | Meteorological enclosures and  buildings. | 30m² | | | | | | | | |
| 13.3.2.3.9 | Extreme adverse weather and tsunami warning  devices. | No greater in dimension than 2.5m x 1.5m | | | | | | | | |

* + - 1. **Separation Distance and Setbacks**

AMENDMENT 379 - Amend section 13.3.2.4 – Separation Distance and Setbacks

With the exception of standard 13.3.2.4.1, which applies to all network utility structures, including lines, 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 1.2 metres and **not located in the road reserve or rail corridor**.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Standard** | **Residential** | **Commercial** | **Business** | **Recreation** | **Rural** | **Community** |
| **~~General Special Historic~~ Hill**  **Landsc. Prot.**  **Medium Density**  **High Density** | **Central Petone ~~Suburban Special~~**  **Suburban Mixed**  **Use** | **General Special Avalon Extraction** | **General Special River Passive** | **Residential General** | **Health Iwi** |
| 13.3.2.4.1  Riparian setback | A minimum 20m riparian setback shall be maintained. | | | | | |
| 13.3.2.4.2  Separation distance or setback for masts and antenna attached to masts | No less than 10m from a boundary in the Residential and Rural Activity Areas. | No less than 10m from a boundary in the Residential Activity Areas. | | No less than 10m from any boundary in the Residential or Rural Activity Areas. | 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 10m from a boundary in the Residential Activity Areas. |
| 13.3.2.4.3  Separation distance or setback for cabinets and other network utility structures | No less than 2 metres to all boundaries. | No less than 2 metres to any boundary in a Rural, Residential and Recreation Activity Area and to a road or service lane boundary. | | No less than 2 metres to all boundaries. | | No less  than 2  metres to  any  boundary in a Rural, Residential and Recreation Activity  Area and  to a road  or service  lane  boundary. |

### Earthworks

* + - * 1. **Sediment and Erosion Control**

Erosion and sediment control measures shall be installed and maintained for all network utility activities, in accordance with the “Erosion and Sediment Control Guidelines for the Wellington Region – September 2002” – reprinted 2006.

### Slope, Height, Depth and Area of Earthworks

The following shall apply to all network utility activities, except to earthworks within 2.0 metres of the exterior walls of any network utility structure or the outer edge of a network utility structure without walls measured in plain view, trenching in the road reserve or rail corridor, and to piling associated with the installation of a network utility.

1. Slope ­ No earthworks shall be carried out on a slope greater than 45 degrees.
2. Height, Depth ­ Earthworks shall not exceed 1.5 metres in height or depth.
3. Recession Plane ­ Any earthworks that involve the raising of the height of land above existing ground level shall not exceed a height recession plane measured at an angle of 45 degrees from any neighbouring

boundary.

1. Area:

Riparian Areas ­ 25m²

All Recreation and Residential Activity Areas ­ 100m² All Rural Activity Areas ­ 1000m²

All Other Activity Areas ­ 500m²

Rail corridor and state highway ­ 1,000m²

### Native Vegetation Clearance ­ Rural Residential and General Rural Activity Areas

Within the **Rural Residential and General Rural Activity Areas** there shall be no destruction of any native vegetation where:

1. the area of native vegetation in one site exceeds 1 hectare with an average height of 3 metres or more, or
2. the area of native vegetation is part of an area in one or more sites, which exceeds 1 hectare with an average height of 3 metres or more.

The word “area” in (a) and (b) above refers to the existing area covered by native vegetation, (i.e. it is the sum of the area of native vegetation which is proposed to be disturbed or removed, plus the balance area of native vegetation).

Tree removal and trimming undertaken solely for maintenance activities under the Electricity (Hazard and Trees) Regulations 2003 are exempt from this standard.

### Noise

Noise associated with the activity shall not exceed the permitted activity noise standard(s) within the zone in which the activity is located.

### Temporary Above Ground Lines

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

## Matters in which Council Seeks to Control

Matters over which control is reserved are:

1. Site design, frontage and area.
2. Legal and physical access to the lots.
3. Risks to public health and safety.
4. Design and external appearance.
5. Earthworks and sediment and erosion control.
6. Landscaping and screening.
7. *Deleted.*
8. Noise.
9. The route of the road.
10. The imposition of financial contributions in accordance with Chapter 12 of this Plan.
11. The design and construction of the road, including safety, traffic engineering, landscaping and noise mitigation measures.

## Matters in which Council has Restricted its Discretion

Matters that the Council has restricted the exercise of discretion over are as follows:

1. The degree, extent and effects of the non­compliance with the Permitted Activity Conditions.
2. Risks to public health and safety.
3. The maximum height of the mast and area or diameter of any antenna.
4. The maximum height, area or diameter of any antenna.
5. Design and external appearance.
6. Any effect on heritage and cultural values.
7. Visual effects including impacts on:
   1. The residential and recreational use of land in the vicinity of the proposed utility;
   2. The existing character, landscape, streetscape and amenity values of the locality;
   3. Key public places, public viewing points, the coast, and significant recreational areas.
8. Amenity effects, including noise, vibration, odour, dust, earthworks and lighting.
9. Cumulative effects.
10. Any potential interference with public use and enjoyment of the land and the operation of land uses in the vicinity.
11. 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.
12. Whether the size and scale of the proposal is generally compatible with other development in the area.
13. Any adverse effects on traffic and pedestrian safety including sight lines and the visibility of traffic signage.
14. The extent to which alternative locations, routes or other options have been appropriately considered.
15. The extent to which it is technically, economically and practically reasonable for the masts or antennas can be co­sited with similar structures or other buildings.
16. 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.
17. Rehabilitation of the site following any construction or future maintenance period.
18. The extent to which the affected persons / community has been consulted with.
19. Earthworks and erosion and sediment control.
20. Any adverse effects on an area of native vegetation.
21. Any positive effects to be derived from the activity.
22. Any constraints arising from technical and operational requirements of the network which may limit measures to avoid, remedy or mitigate environmental effects.

## Assessment Criteria for Discretionary Activities

In considering an application for a discretionary activity, the Council’s discretion is unrestricted. The Council shall consider any relevant matter with particular regard to the objectives and policies of the Plan. In addition, the Council shall have particular regard to the relevant matters outlined in 13.3.4 – Matters of Discretion for Restricted Discretionary Activities.

# Rules ­ National Grid

## Permitted Activities

In all activity areas, buildings and structures less than 2.5m in height and less than 10m2 in area located within the National Grid Yard, that meet all the permitted activity conditions of that activity area, provided that they are not being used for a Sensitive Activity.

Note: Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

## Non­Complying Activities

1. The establishment of sensitive land use activity, including the change of the use of an existing building or structure.
2. The construction of a new, or addition to an existing, building or structure that does not meet permitted activity rule 13.4.1.

# Anticipated Environmental Results

The following environmental outcomes are anticipated in respect of network utilities:

1. Network utilities are able to operate, upgrade and expand as required to provide safe, effective and efficient services to the City.
2. The Lower Hutt City community is able to provide for its social, economic, cultural and environmental wellbeing and for its health and safety.
3. Potential conflicts between regionally significant network utilities and incompatible development, use and subdivision are avoided.
4. Adverse effects from network utilities on amenity and the environment are appropriately avoided, remedied or mitigated.