

PROPOSED CHANGES TO THE UTILITY CHAPTERS (CHAPTERS 22 & 23) AND THE DEFINITION SECTION (CHAPTER 3.10)

Note:

The annotated chapters are for information and do not form part of the District Plan Change.

Key to proposed changes:

uvwxyz Existing text to be deleted

uvwxyz

uvwxyz New text to be added

uvwxyz

3.10 Definitions

The following definitions are in addition to those contained within the Act.

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AERIAL : means the part of a radiocommunication facility or telecommunication facility used or intended for transmission or reception including the aerial mountings but not any supporting mast or similar structure. No part of any aerial excluding the mountings shall be greater than 70mm diameter. This definition excludes any antenna and utility network apparatus.

...

ANTENNA: means any device including any dish or panel, excluding aerials, that receives or transmits radio communication or telecommunication signals. This includes the antenna's mountings (including any head arrangement) and radio frequency unit or similar device, but not any mast. The diameter or area of an antenna means:

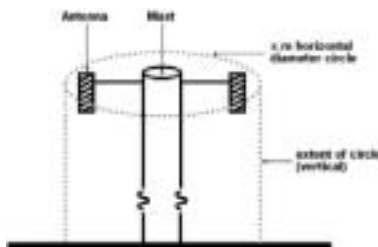
- In relation to any panel antenna or any other type of antenna that has a length and a width, the area measured by calculating the largest surface area;
- In relation to any other antenna, the diameter measured by taking the cross-section of the widest part of the antenna;

Provided that the mountings of any antenna and any radio frequency unit or similar device is not included in the measurement of area or diameter of each antenna, provided that the radiofrequency unit or similar device is smaller in area or diameter than the antenna itself. (Note: any antenna only need meet the area or diameter measurement, as appropriate to the type of antenna, and the measurement is of each individual antenna and is not a cumulative measurement.)

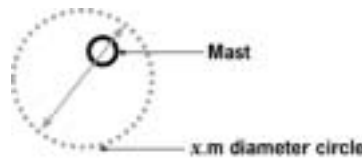
The requirement that antennas and aerials attached to a mast are to be located within a xm horizontal diameter circle means:

- if there is a requirement that the horizontal diameter circle is measured through the centre of the mast, or centred on the mast, it means that all antennas, aerials and mountings must be located within the horizontal diameter circle stipulated,
- where there is no requirement that the horizontal diameter circle is measured through the centre of the mast, all antennas, aerials and mountings attached to the mast must be located within a xm diameter horizontal circle. For the avoidance of doubt all antennas, aerials and mountings must be located within a single circle but there is no requirement for the mast to be located within that circle.

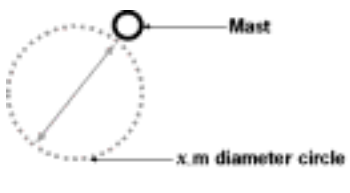
For Illustration Purposes Only:



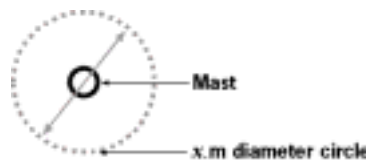
Horizontal Diameter Circle (Side Elevation)
Centred on Mast.



Horizontal Diameter Circle (Plan View) – not centred on mast
(Mast Located within circle)



Horizontal Diameter Circle (Plan View) – not centred on mast



Horizontal Diameter Circle (Plan View)

ATTACHED LINE: see definition of line.

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LINE: as used in Part 23 of the Plan: Utility Rules means a wire or wires or a conductor of any kind (including a fibre optic or other cable) used or intended to be used for telecommunication; or the conveyance of electricity and includes any pole, support structure, pole mounted transformer, overhead substation, insulator, casing, minor fixture, tunnel or other equipment or material used or intended to be used for supporting, enclosing, surrounding, or protecting any such wire or conductor; and also includes any part of a line. Any reference to 'overhead line' includes any line above ground. **Any reference to 'attached line' is any wire or wires or conductor of any kind, located above ground, that is fully attached to the exterior of a building or structure.**

...

MAST: means any pole, tower or similar structure, which is fixed to the ground (and not on a building or structure) and is designed to carry aerials, antennas or other utility network apparatus, but does not include any line.

...

MINOR UPGRADING: for the purposes of rule 23.1.3 means an increase in the carrying capacity, efficiency or security of electricity and telecommunication lines, which utilise the existing or replacement support structures and includes:

- (1) the reconductoring of the line with higher capacity conductors
- (2) the resagging of conductors
- (3) the addition of longer and more efficient insulators
- (4) on electricity lines above a carrying capacity of 66kV, the addition of earth wires which may contain telecommunication lines, earthpeaks, and lightning rods
- (5) the replacement of an existing line with another line
- (6) the addition of a polemounted transformer up to 200kVA no greater than .3m³ in Areas where there are existing overhead 11kV lines as at 27 July 1994 and other overhead electricity reticulation line equipment no greater than .3m³ where they are located on support structures.

Provided that the effects of the work in items (1) to (5) have the same or similar character and scale.

Except as provided above minor upgrading shall not include:

- (1) the addition of circuits, conductors, lines or utility structures
- (2) an increase in the voltage of the line unless the line was originally constructed to operate at the higher voltage but has been operating at a reduced voltage
- (3) an increase in the diameter of any individual wire, cable, or other similar conductor that exceeds 30mm, or the bundling together of any wire, cable, or other similar conductor so that the bundle exceeds 30mm, provided that this exclusion does not apply to electricity lines above a carrying capacity of 66kV.

...

UTILITY NETWORK : means network utility operations as defined in Section 166 of the Act and for the purposes of this Plan also includes lighthouses, navigation and survey aids and beacons and meteorological installations.

UTILITY NETWORK APPARATUS: means any apparatus or device that is mounted on a mast and used as part of a utility network but excludes any aerial, antenna or line.

UTILITY STRUCTURE: means any structure associated with a network or that receives or transmits to or from any part of a utility network operation and includes pipes, pipelines, valves, meters, regulator stations, transformers (other than a pole mounted transformer), substations (other than an overhead substation), compressor stations, pumping stations, navigational aids, meteorological installations, telephone booths, containers, cabinets, and similar structures, whether for private or public purposes. It does not include lines, aerials, antennas, masts, utility network apparatus, and the generation of matter or energy transmitted by the network utility operation.

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22. UTILITIES

22.1 Introduction

The successful functioning of the city and its many services depends on a complex network of utilities for communications purposes and for the distribution of energy, water, disposal of waste water and solid waste. These may be provided by a network utility operator, as defined in the Act, or other operators. *Refer to section 166 of the Act*

While the core function of a utility (for example, water supply or telecommunications) may not adversely affect the environment, the structures that make the service possible (such as pumping stations, aerials or relay stations) may be very visible in the environment.

Establishing or upgrading utility networks may involve the erection of special buildings or structures. The utilitarian nature of many of these, and of any related site works, can detract from the visual qualities of the area in which they are located. In some cases, the utility may also affect public health or safety.

In managing the effects of utility networks, Council believes recognition should be given to the essential role that these networks play and the service they provide in the functioning of the city. District Plan rules have been designed to allow such networks to function efficiently, but to ensure that their environmental effects are avoided, remedied or mitigated.

The rules apply where utility operators do not intend, or are unable, to operate under the designation procedures of the Act. They may, however, also be used by Council to help assess any outline plans submitted for new utilities on designated sites.

These provisions apply to utilities throughout all parts of the city. The area based objectives, policies and rules shall not apply with the exception of those that relate to noise, dust, lighting, electromagnetic radiation and hazardous substances.

22.2 Utilities Objectives and Policies

OBJECTIVES

22.2.1 To provide for the efficient development and maintenance of utility networks throughout the city while avoiding, remedying or mitigating any adverse effects of activities on the environment.

POLICIES

To achieve this objective, Council will:

22.2.1.1 Avoid, remedy or mitigate any adverse environmental effects of utility networks by requiring resource consents for structures and activities with a significant impact.

22.2.1.2 Have regard to the operational requirements of utility networks when exercising discretion in any resource consent process.

METHOD

- Rules

Utilities are grouped according to their size, scale of effect and the sensitivity of their surrounding environment. Excluding those utilities that are Permitted Activities, the resource consent process enables Council to ensure that utilities are appropriately sited and designed to maintain an area's amenities, and that they can operate effectively with a minimum of adverse environmental effects.

In assessing applications for resource consents, Council considers the sensitivity of the surrounding environment and examines the necessity for the work's size, location, design, and scale of structures, and whether alternative options have been considered. Co-siting with existing utilities and potential cumulative effects will also be considered.

Utility networks often have technical requirements for their operation which place constraints on their location - telecommunications masts, for example, require elevated positions. While recognising these constraints, Council is concerned with the potential for the significant adverse environmental effects which they may incur.

*Some components of utility networks (underground pipes, lines and cables, and small structures, among others) have minimal environmental effects and are therefore Permitted Activities in most areas of the city. Where these utility structures are located on a road, Council exercises its authority as owner to ensure that they are appropriately designed and sited. **Council administers this through a Code of Practice for Working on Road outside of the District Plan.***

22.2.1.3 Encourage utility networks to be sited underground where appropriate.

METHODS

- Rules
- Advocacy

Underground utility networks which are operating properly have minimal environmental impacts as they cannot be seen. Underground utilities are therefore Permitted Activities (with the exception of Open Space B and in Conservation Sites where they are discretionary), provided that ground surfaces are restored.

Council acknowledges that locating services underground incurs extra cost and difficulty, particularly in existing urban areas. It will nevertheless ~~advocate undergrounding where this is both practicable and beneficial, and believes that priority should be given to highly pedestrianised areas and more sensitive environments, such as Wellington's residential character areas and coastal roads.~~ require resource consent for new utility networks, including new technologies, to control any adverse effects and cumulative effects of utility networks. As undergrounding can be incorporated more easily into new subdivision, it will be required in these areas.

22.2.1.4 — Provide for new technology in areas of the city where overhead line reticulation exists.

METHOD

- Rules

~~While Council wishes to prevent the intensification of existing overhead lines, it recognises the need to provide for new technologies. Council will make provision for new technologies where there is a demonstrable public benefit and any adverse cumulative effects of the technology can be controlled.~~

22.2.1.4 Encourage existing utility networks to be relocated underground.

METHOD

- Advocacy

While Council acknowledges that existing above ground utility networks have existing use rights, it recognises that there may be opportunities to relocate such services underground when they are upgraded or replaced. Council will therefore advocate to utility operators, the undergrounding of existing above ground utility services, where this is both practicable and beneficial, and believes that priority should be given to high pedestrianised areas and more sensitive environments, such as Wellington's residential character areas and coastal roads.

22.2.1.5 To ensure that utility structures that are critical facilities are not at risk from hazards.

METHODS

- Rules
- Advocacy

The Area based rules in the Plan provide rules to control the effects of locating critical facilities in Hazard Areas. As the utility provisions of the Plan provide that the area based rules do not apply to utilities (with the exception of some conditions), the effects of locating significant utility structures that fall within the definition of critical facilities will be assessed (if they are not Permitted or Controlled Activities) as a Discretionary (Unrestricted) Activity under the utility rules when located within a Hazard Area.

23. UTILITY RULES

These provisions apply to utility network infrastructure dealt with in this chapter throughout all parts of the city. The area based objectives, policies and rules shall not apply to utility network infrastructure dealt with in this chapter except that the conditions that apply to Permitted Activities in respect of noise, dust, lighting, electromagnetic radiation and hazardous substances apply to all activities in this chapter.

For the avoidance of doubt, references to the “Central Area” in this chapter include the Te Ara Haukawakawa Precinct.

For the avoidance of doubt, where utilities will be located on a site with a Hazard Area notation, the utility rules in this chapter applying to the underlying Area (e.g. Central Area, Residential Area etc.) will apply and the Hazard Area notation will only be relevant if the proposal is a utility structure and is to be dealt with under rules 23.2.1 or 23.4.1.

23.1 Permitted Activities

The activities in 23.1 are Permitted Activities in the Areas specified provided that they comply with any specified conditions, and the payment of any financial contributions (refer to rule 3.4).

The activities in rules 23.1.1 to 23.1.9 are Permitted Activities in all Areas of the city except where:

- a rule in Chapter 23.1.1 to 23.1.9 provides that it does not apply (or has limited application) in Open Space B and C Areas and Conservation Sites; or
- a rule in Chapter 23.1.1 to 23.1.9 provides that it does not apply where the site is or contains a heritage item; or
- rule 23.1.10 (heritage) applies and the conditions are not met.

The activities in rules 23.1.11 to 23.1.15 are Permitted Activities in the Areas specified, provided that:

- rule 23.1.16 (heritage) does not apply; or
- where rule 23.1.16 applies, the conditions are met.

23.1.1 The construction, alteration of and addition to a utility structure or line located under existing or recontoured ground (except on land which is not on a formed legal road or accessway within Open Space B and C Areas or Conservation Sites) is a Permitted Activity provided that it complies with the following conditions:

- 23.1.1.1 Where a new network utility corridor has been constructed, the ground surface and, where practicable, any trees, bush or covering vegetation must be reinstated.
- 23.1.1.2 In respect of natural or manufactured gas, pipes are limited to the distribution (but not transmission) of gas at a gauge pressure not exceeding 2000 kilopascals.
- 23.1.1.3 In respect of the former landfill in Seatoun (refer Appendix 15 to Chapter 5), the construction, alteration of, and addition to a utility structure is limited to activities involving the excavation of less than 200mm of soil below existing ground level.

Council's policy is to encourage network utilities to be sited underground in all Areas. The above rule provides for underground utilities as Permitted Activities provided that ground surfaces are restored. Where situated under road, the requirements of Council as landowner will need to be met subject to any statutory provisions relating to utilities. Council administers this through a Code of Practice for Working on Roads outside of the District Plan.

23.1.2 The addition of one communication cable affixed to an overhead line that existed before 27 July 1994 to provide for new technologies and associated services (except on land which is not on a formed legal road or accessway within Open Space B and C Areas or Conservation Sites) is a Permitted Activity.

23.1.2 Any attached line is a Permitted Activity.

23.1.3 The repair, maintenance and replacement (including replacing multiple lines with fewer lines), and minor upgrading of overhead and underground lines is a Permitted Activity provided it complies with the following condition:

- 23.1.3.1 Where repair, maintenance, replacement and minor upgrading of an underground line in Open Space B and C Areas or Conservation Sites (outside formed legal roads or accessways) has been undertaken, the ground surface, and where practicable, any trees, bush or covering vegetation, must be reinstated.

Council recognises the importance of existing network utilities for the City and seeks to ensure that they remain operational. The above rule intends to provide for the repair, maintenance, replacement and upgrade of lines where the environmental

effects of that will be the same or similar in character, intensity and scale to that existing.

Whilst this rule provides for the ongoing operation of lines the environmental outcomes anticipated by the Plan are furthered by the obligations on network utility operators under s17 of the Resource Management Act to avoid, remedy or mitigate adverse effects on the environment.

23.1.4 The construction, alteration of and addition to a utility structure situated above ground (except on land which is not on a formed legal road or accessway within Open Space B and C Areas or Conservation Sites) is a Permitted Activity, provided that it complies with the following conditions:

23.1.4.1 That the footprint must not exceed 1.5m² in area (not including any base or foundation) and the height must not exceed 1.7m above ground except:

- where a utility structure is located on a building, the measurement of footprint and height shall be of the utility structure itself, rather than the building or the height above ground
- in the case of telephone booths the maximum height above ground shall be 2.5m.

23.1.4.2 That they are located at least 5m from mean high water springs or 3m from all other waterbodies.

The above rule provides for above ground utility structures that are considered to have minor environmental effects, as Permitted Activities. Structures that exceed the size standards and/or are not on legal road in more sensitive areas (Open Space B and C and Conservation Sites) are considered to have potential adverse environmental effects and therefore require consent.

Where these utility structures are located on legal road the requirements of Council as landowner will need to be met, subject to any statutory provisions relating to utilities. Council recognises that small utility structures can have a minor effect on streetscape amenity by interfering with pedestrian and vehicle movement and through the accumulation of utility structures in one place. Council addresses these effects through a Code of Practice for Working on the Road, outside of the District Plan.

23.1.5 Aerials are Permitted Activities provided that they comply with the following condition:

23.1.5.1 They are designed and operated in compliance with New Zealand Standard NZS 2772 : Part 1 : 1999 Radiofrequency Fields Part 1 – Maximum Exposure Levels – 3 kHz to 300 GHz (or subsequent amendments) at all times and in all places to which the public has access.

23.1.6 Any utility network infrastructure enclosed within a building is a Permitted Activity.

23.1.7 On legal roads in all Areas, the provision of traffic management and control structures, and street lighting are Permitted Activities.

23.1.8 Masts with or without antennas, aerials or utility network apparatus are Permitted Activities in all Areas (except Open Space B and C Areas and Conservation Sites or where the site is, or contains a heritage item) provided that they comply with the following conditions:

- 23.1.8.1 Any antennas and aerials attached to a mast must be a Permitted Activity.
- 23.1.8.2 No mast is located on a ridgeline or hilltop in the Rural Area, provided that this condition does not apply after 31 December 2001 to all of the Rural Area except the Makara/Terawhiti area (shown on Appendix 1). This condition will continue to apply to the Makara/Terawhiti area until such time as the plan change relating to ridgelines and hilltops and/or landscape issues becomes operative or 31 December 2004, whichever is earlier.
- 23.1.8.3 No mast is located less than 5m from mean high water springs or less than 3m from all other waterbodies.
- 23.1.8.4 No guy wires are permitted, except in the Rural Area.
- 23.1.8.5 No mast shall be located closer than 3m from a boundary in the Residential Area (measured from the outer edge of the mast, excluding any base or foundation).
- 23.1.8.6 In the Rural Area no mast:
- 20m or more in height shall be located 50m or less from the closest external wall of a dwelling (excluding balconies or decks)
 - less than 20m in height shall be located 20m or less from the closest external wall of a dwelling (excluding balconies and decks)
- provided that this condition will not apply if the mast is not visible from living spaces inside the dwelling or any balconies or decks or from up to 2m above ground outside at the closest external wall, or (if the mast is visible) the written approval of the owner of the dwelling is provided to the Council.
- 23.1.8.7 Except as provided for in 23.1.8.8 or in 23.1.15.2:
- the maximum height of any mast (including any antennas, but excluding any aerials and lightning rod) shall not exceed the height limits below

- where antennas or aerials are attached to the mast, they must be located within one horizontal diameter circle as provided below:

Area	Height	Horizontal diameter circle
Central Area	15m	3m
Institutional Precincts	15m	3m
Rural Area	15m	3m
Rural Area	8m	5m
Residential Area	Building height	3m
Suburban Centres	Building height	3m
Open Space A	Building height	3m
Airport and Golf Course Precincts	15m	3m

Note: building height = Maximum Permitted Building Height in the Area.

23.1.8.8 Except as provided for in 23.1.15.2 where antennas or aerials to a mast are within a 750mm horizontal diameter circle measured through the centre of the mast, and the diameter of the mast is less than 600mm (when measured at any point above 6m from the bottom of the mast, excluding any base or foundation) the maximum height of any mast (including any antennas, but excluding any aerials and lightning rod) shall not exceed:

- Open Space A 15m
- Suburban Centres 15m
- Central Area 20m
- Institutional Precincts 20m
- Airport and Golf Course Precinct 20m
- Rural Area 20m
- Residential Area Maximum Permitted Building Height in the Area.

23.1.8.9 Any utility network apparatus attached to the mast (not otherwise provided for) shall:

- not exceed the size limits for Permitted Activity antenna (attached to a mast)
- be located within the horizontal diameter circle requirement in 23.1.8.7 or 23.1.8.8
- be located on the mast so that it is no higher than the maximum height of the mast allowed in 23.1.8.7 or 23.1.8.8
- if applicable, be designed and operated in compliance with New Zealand Standard NZS 2772 : Part 1 : 1999 Radiofrequency Fields Part 1 – Maximum Exposure Levels – 3 kHz to 300 GHz (or subsequent amendments) at all times and in all places to which the public has access.

23.1.9 Temporary activities are Permitted Activities.

23.1.10 Except as provided under Rules 23.1.3 and 23.1.6, the construction, alteration of and addition to any utility structure or line on a site which contains, or is, a listed heritage item, is a Permitted Activity provided that it complies with the following conditions:

- 23.1.10.1 The utility structure or line is otherwise a Permitted Activity under this chapter.
- 23.1.10.2 Any utility structure or line located within the dripline of a listed tree shall meet the conditions of Rule 21.1.5.
- 23.1.10.3 Where any utility structure is situated above ground, it must be situated on a formed legal road, accessway or other area of hardstanding.

Note: the provisions of the Historic Places Act 1993 relating to “archaeological sites” may apply to any excavation or trenching required to construct underground utility structures or lines.

The activities in rules 23.1.11 to 23.1.15 are Permitted Activities in the Areas specified, provided that:

- rule 23.1.16 (heritage) does not apply; or
- where rule 23.1.16 applies, the conditions are met.

23.1.11 Except as provided under Rule 23.1.3, in the Rural Area, the construction, alteration of and addition to lines for conveying electricity at a voltage up to and including 66 kV with a capacity up to and including 50 MVA or for the purpose of telecommunication are Permitted Activities provided that they comply with the following conditions:

- 23.1.11.1 Any new support structures are located on or within 20m from the edge of the carriageway of a formed legal road.
- 23.1.11.2 That new overhead lines are not located on a ridgeline or hilltop provided that this condition does not apply after 31 December 2001 to all of the Rural Area except the Makara/Terawhiti area (shown on Appendix 1). This condition will continue to apply to the Makara/Terawhiti area until such time as the plan change relating to ridgelines and hilltops and/or landscape issues becomes operative or 31 December 2004, whichever is earlier.
- 23.1.11.3 That support structures are located at least 5m from mean high water springs or 3m from any other waterbodies.
- 23.1.11.4 That 23.1.11.1, 23.1.11.2 and 23.1.11.3 do not apply if the line is to provide a customer connection that is intended principally for the supply of electricity, or for telecommunication services, to an end user, or end users, at or in the vicinity of the connected property.

23.1.12 The addition of overhead lines to provide customer connections is a Permitted Activity in the Residential Area, Central Area, Suburban Centre Areas, Institutional Precincts, Airport and Golf Course Precinct and Open Space A provided that it complies with the following conditions:

- 23.1.12.1 The existing electricity or telecommunication connection to the site is or are overhead.
- 23.1.12.2 No new support structure is erected.
- 23.1.12.3 No underground service duct is available to the site.

23.1.13 Antennas in Residential Areas or Open Space A Areas are a Permitted Activity provided that they comply with the following conditions:

- 23.1.13.1 They are designed and operated in compliance with New Zealand Standard NZS 2772 : Part 1 : 1999 Radiofrequency Fields Part 1 – Maximum Exposure Levels – 3 kHz to 300 GHz (or subsequent amendments) at all times and in all places to which the public has access.
- 23.1.13.2 The antenna shall not be located closer than 1m from a boundary in the Residential Area.
- 23.1.13.3 The antenna shall not exceed 0.6m² in area or 800mm diameter except if the antenna is attached to a building or structure (excluding a mast) so that the antenna does not protrude above that part of the building or structure to which it is attached, the antenna shall not exceed 1m² in area or 1m diameter.
- 23.1.13.4 Antennas attached to a mast shall not exceed 0.6m² in area or 800mm diameter and must be located on the mast to comply with the horizontal diameter circle requirement provided for in rule 23.1.8.7 or 23.1.8.8 as appropriate.

23.1.14 Antennas in the Central Area, Institutional Precincts, Suburban Centres, or Airport and Golf Course Precinct are a Permitted Activity provided that they comply with condition 23.1.14.1 and any one of conditions 23.1.14.2 to 23.1.14.5:

- 23.1.14.1 They are designed and operated in compliance with New Zealand Standard NZS 2772 : Part 1 : 1999 Radiofrequency Fields Part 1 – Maximum Exposure Levels – 3 kHz to 300 GHz (or subsequent amendments) at all times and in all places to which the public has access.
- 23.1.14.2 The antenna shall not exceed 0.6m² in area or 800mm diameter except if 23.1.14.3, 23.1.14.4 or 23.1.14.5 below applies.

- 23.1.14.3 The antenna shall not exceed 1.5m² in area or 1.4m diameter where the antenna is:
- attached to a building or structure (excluding a mast) and the antenna is no more than 5m in height above the highest part of the building or structure to which it is attached; and
 - located no less than 10m from a Residential Area boundary.
- 23.1.14.4 The antenna shall not exceed 2.5m² in area or 2.0m diameter, except that in Suburban Centres the antenna shall not exceed 2.0m² in area or 1.5m diameter, where the antenna is:
- attached to a building or structure (excluding a mast) and the antenna does not protrude above that part of the building or structure to which it is attached; and
 - located no less than 10m from a Residential Area boundary.
- 23.1.14.5 Antennas attached to a mast shall not exceed 1.5m² in area or 1.4m diameter and must be located on the mast to comply with the horizontal diameter circle requirement provided for in rule 23.1.8.7 or 23.1.8.8 as appropriate.

23.1.15 Antennas in the Rural Area are a Permitted Activity provided that condition 23.1.15.1, and any one of conditions 23.1.15.2 to 23.1.15.4 are met:

- 23.1.15.1 They are designed and operated in compliance with New Zealand Standard NZS 2772 : Part 1 : 1999 Radiofrequency Fields Part 1 – Maximum Exposure Levels – 3 kHz to 300 GHz (or subsequent amendments) at all times and in all places to which the public has access.
- 23.1.15.2 Where antennas are attached to a building or structure (including a mast that was erected on or before 1 October 1991, but excluding a mast erected after that date), the antenna shall not exceed 5m² in area or 2.6m diameter and rules 23.1.8.7 and 23.1.8.8. do not apply.
- 23.1.15.3 Except as provided for in 23.1.15.2 or 23.1.15.4 antennas attached to a mast shall not exceed 0.6m² in area or 800mm diameter and must be located on the mast to comply with the horizontal diameter circle requirement provided for in rule 23.1.8.7 or 23.1.8.8 as appropriate.
- 23.1.15.4 Except as provided for in 23.1.15.2, antennas attached to a mast 8m or less in height, shall not exceed 1.5m² in area or 1.4m diameter and must be located on the mast to comply with the horizontal diameter circle requirement provided for in rule 23.1.8.7 or 23.1.8.8 as appropriate.

23.1.16 Antennas attached to the exterior of a listed heritage building or in a listed heritage area are a Permitted Activity provided that they comply with the following conditions:

- 23.1.16.1 The antenna shall not exceed 0.6m² in area or 800mm in diameter.
- 23.1.16.2 The antenna shall not exceed the height of the highest part of the building.
- 23.1.16.3 The antenna shall not be situated on the front facade of a listed building or on any listed facade.
- 23.1.16.4 Where the facade (or facades) only is listed and where condition 23.1.16.3 is met, then conditions 23.1.16.1 and 23.1.16.2 do not apply and the Permitted Activity rules for antennas in Chapter 23 apply.

Council recognises that utilities are essential to the functioning of the City, but seeks to ensure that any adverse effects, particularly visual effects, which may result from these activities are avoided, remedied or mitigated. Underground reticulation of utilities is permitted throughout the City (except outside of formed legal roads or accessways in Open Space B and C Areas or Conservation Sites) provided the ground can be adequately restored and will not result in any long-term visual impact. By requiring that works in the road must comply with Council specifications relating to the excavation and reinstatement of trenches, all work will be reinstated to a satisfactory engineering standard.

Where they comply with relevant performance standards, a range of small scale utility structures and masts are also permitted throughout the City. Such structures are relatively small and not particularly obtrusive. The size limit on antennas within and close to Residential Areas has been set to protect residential amenities.

~~*New technology such as cable television has been specifically provided for, as this cannot claim the benefit of existing use provisions of the Act. Council recognises that such technology is only economic if it can be installed on existing poles or installed in conjunction with an undergrounding programme.*~~

Council requires that all new lines other than in the Rural Area be placed underground in all new subdivisions and in locations where existing services have been placed or are being placed underground. Council recognises the need to maintain basic infrastructure so the small scale repair, maintenance, replacement and defined minor upgrading of existing overhead facilities are Permitted Activities. There is no definition of replacement. These rules must be applied in the context of the effects on the environment and will be subject to section 17 of the Resource Management Act 1991. Where overhead connection of services exists at present, additional overhead servicing to provide customer connections is a Permitted Activity.

In the Rural Area, new overhead lines are permitted except for high voltage electricity lines and are subject to controls on siting. Overhead customer connection lines are however exempt from these controls on the basis that the visual effects of such lines is less than other types of lines and greater flexibility for siting is required.

The provisions of section 10 of the Resource Management Act 1991 apply to existing utilities erected prior to the notification of this Plan. These provisions will allow existing uses to continue provided their effects are the same or similar in character, intensity and scale to those which existed prior to the notification date.

23.2 Controlled Activities

Section 23.2 describes which activities are Controlled Activities in respect of Utilities. Resource consents will be required but consent cannot be refused. Conditions may be imposed relating to the matters specified in rules 23.2.1 and 23.2.2. The decision on whether or not a resource consent application will be notified will be made in accordance with the provisions on notification in the Act.

- 23.2.1 Utility structures situated above ground not being Permitted Activities are Controlled Activities in all Areas of the City (with the exception of land which is not on a formed legal road or accessway within Open Space B and C Areas or Conservation Sites, or where the site is, or contains a listed heritage item) in respect of:**
 - 23.2.1.1 siting**
 - 23.2.1.2 design and external appearance**
 - 23.2.1.3 safety**
 - 23.2.1.4 measures to mitigate the effects of any hazard event when located in a Hazard Area.**

Non-notification

The written approval of affected persons will not be necessary in respect of Items 23.2.1.1, 23.2.1.2, 23.2.1.3 and 23.2.1.4 and applications need not be notified.

Standards and Terms

Under this rule the footprint of a utility structure must not exceed 20m² in area and the height must not exceed 3.5m above ground except:

- where a utility structure is located on a building it must not exceed 12m² in area and the height of the structure must not exceed 3m (which is the measurement of the utility structure itself rather than the building or the height above ground) except that the height above ground (measured at the top of the utility structure) must not exceed the permitted building height for the Area, or the highest part of the building (whichever is the greater).

Assessment Criteria

In determining the conditions to be imposed, if any, Council will have regard to the following criteria:

- 23.2.1.5 The extent to which utility structures can be co-sited with similar utility structures or other buildings to avoid, remedy or mitigate their visual impact.
- 23.2.1.6 The extent to which utility structures can be sited so that they are screened from view.

- 23.2.1.7 The extent to which utility structures can be sited to avoid, remedy or mitigate the overshadowing of residential properties or public spaces.
- 23.2.1.8 The extent to which utility structures can be sited to avoid, remedy or mitigate the impact on views, particularly harbour views. Council seeks to protect views on the seaward side of:
- Oriental Parade
 - Evans Bay Parade
 - Shelly Bay Road
 - Massey Road
 - Karaka Bay Road
 - Owhiro Bay Road
 - Palliser Road
 - Grafton Road
 - Hornsey Road
 - Dunedin Road
 - Sutherland Road
 - Thane Road
 - The Crescent
 - Northland Road from the tunnel to Governor Road
- 23.2.1.9 The extent to which the siting of utility structures will affect streetscape amenities. Council discourages utility structures on open berms or on streets where the removal of existing trees or other significant vegetation would be necessary.
- 23.2.1.10 Whether structures are designed in a way that will maintain the character of the area or street in which it is located. Designs should reflect elements such as roof pitch and materials of buildings in the immediate locality. Special consideration should be given to design near heritage sites or character areas.
- 23.2.1.11 Whether utility structures comply with New Zealand Standard NZS2772 : Part 1 : 1999 Radiofrequency Fields Part 1 – Maximum Exposure Levels – 3 kHz to 300 GHz (or subsequent amendments).
- 23.2.1.12 Whether the safety and convenience of road users, including pedestrians, will be maintained.
- 23.2.1.13 Where a utility structure is located within a Hazard Area whether measures have been taken into account to mitigate the effects of any hazard event.
- 23.2.1.14 The extent to which any of the above criteria are constrained by operational or technical issues.

In most Areas of the city, medium-sized utility structures to the size specified are Controlled Activities. Although such structures will not be dominant in size or scale, Council is concerned that the effects of their utilitarian appearance are avoided, remedied or mitigated.

Council is particularly concerned about the appearance and location of such structures when viewed from roads, other public areas and Residential Areas. Control will be maintained where existing harbour views might be spoiled.

In all cases Council seeks to ensure that structures fit appropriately into their surroundings.

23.2.2 The construction, alteration of and addition to water reservoirs is a Controlled Activity in the Central Area, Suburban Centres, Institutional Precincts, Residential, Open Space A and B, and Rural Areas in respect of:

23.2.2.1 siting and screening.

Standards and Terms

Under this rule water reservoirs must not exceed 100m² in plan area or 8m in height.

Assessment Criteria

In determining the conditions to be imposed, if any, Council will have regard to the following criteria:

23.2.2.2 Whether the water reservoir will be sited to harmonise with the natural or built features of the area in which it is situated by one or more of the following means:

- burying the reservoir
- partial or complete backfilling of reservoir walls
- screening using earth mounding
- locating the reservoir so that it is not visible from a Residential Area.

23.2.2.3 Where the above treatments are not possible for hydraulic, topographical or other reasons, visual impacts will be avoided, remedied or mitigated through:

- appropriate screening and/or planting
- colour treatment to reduce visual dominance; or
- design modifications such as domed roofs where reservoirs are situated on hills.

Council accepts that reservoirs provide a necessary and vital role in servicing all areas of the City and for this reason they are included as Controlled Activities. A size limit has been imposed, and larger reservoirs will be assessed as Discretionary Activities. Council's primary concern is to ensure that reservoirs are designed to respect the landscape in which they are situated and do not dominate the view.

23.2.3 Subdivision to create an allotment for utility network purposes is a Controlled Activity in respect of:

23.2.3.1 site design, frontage and area

23.2.3.2 vehicular access

23.2.3.3 earthworks

23.2.3.4 landscaping

23.2.3.5 protection of any special amenity feature.

Non-notification

The written approval of affected persons will not be necessary in respect of these matters and applications need not be notified.

Standards and Terms

All utility networks must meet the conditions for Permitted Activities, the terms of any relevant resource consent, or must have existing use rights.

Assessment Criteria

In determining the conditions to be imposed, if any, Council will have regard to the following criteria:

- 23.2.3.6 The requirements of Section 106 of the Act.
- 23.2.3.7 The extent of compliance with the relevant parts of the City Bylaws and if applicable the Council's Code of Practice for Land Development.
- 23.2.3.8 The need to ensure permanent site access.

23.2.4 Antennas that do not meet the conditions for antenna size provided for in rules 23.1.13, 23.1.14 or 23.1.15, are a Controlled Activity in respect of:

23.2.4.1 siting

23.2.4.2 visual effects.

Non-notification

The written approval of affected persons will not be necessary in respect of items 23.2.4.1 and 23.2.4.2 and applications need not be notified.

Standards and terms

All antennas must be designed and operated in compliance with New Zealand Standard NZS 2772 : Part 1 : 1999 Radiofrequency Fields Part 1 – Maximum Exposure Levels – 3 kHz to 300 GHz (or subsequent amendments) at all times and in all places to which the public has access.

Antenna size in rules 23.1.13, 23.1.14 and 23.1.15 must be met except where the standards and terms below provide for a greater size and are met.

In the Central Area, Institutional Precincts, Suburban Centres, or Airport and Golf Course Precinct:

- Where antennas are located on buildings or structures (excluding masts):
 - (a) where the building or structure is less than 43m in height the antenna shall not exceed 2.5m² in area or 2.0m diameter, the antenna must be sited so that the top of the antenna does not exceed the height of the highest part of the building or structure

and the antenna shall be located no less than 10m from a Residential Area boundary

- (b) where the building or structure is greater than 43m in height the antenna shall not exceed 5m² in area or 2.6m diameter provided that the antenna is located no less than 10m from a Residential Area boundary.
- Where antennas are attached to a mast antenna shall not exceed 2.0m² or 1.8m diameter.

In the Residential Area or Open Space A Area where antennas are attached to a mast the antenna shall not exceed 1.0m² in area or 1m diameter.

In the Rural Area where antennas are attached to a mast, the antenna shall not exceed 3.2m² in area or 2.0m diameter.

Assessment Criteria

In determining the conditions to be imposed, if any, Council will have regard to the following criteria:

23.2.4.3 The extent to which any visual effects of the antenna can be mitigated by screening, alternative siting on the site, or colour or finish selection.

23.2.4.4 The extent to which the above criteria are constrained by operational or technical issues.

23.2.5 Masts that do not meet the conditions in 23.1.8.1 or the height limit in 23.1.8.8 are a Controlled Activity in respect of:

23.2.5.1 siting

23.2.5.2 design and visual appearance

23.2.5.3 landscaping.

Non-notification

The written approval of affected persons will not be necessary in respect of items 23.2.5.1 to 23.2.5.3 and applications need not be notified.

Standards and terms

All masts must meet the following conditions (if relevant) for Permitted Activities:

- 23.1.8.1, unless consent has been obtained or is concurrently sought and granted as a Controlled Activity under rule 23.2.4
- 23.1.8.2
- 23.1.8.3
- 23.1.8.4
- 23.1.8.6
- 23.1.8.7, except that the maximum horizontal diameter circle for the Central Area, Institutional Precincts, and Airport and Golf Course

Precinct is 4m, and for masts up to 8m in the Rural Area, 6m; or 23.1.8.8, except that the height limits shall not exceed:

Open Space A	25m
Suburban Centres	20m
Central Area	25m
Institutional Precincts	25m
Airport and Golf Course Precinct	25m
Rural Area	30m
Residential Area	15m

- 23.1.8.9.

Assessment Criteria

In determining the conditions to be imposed, if any, Council will have regard to the following criteria:

- 23.2.5.4 The extent to which any visual effects of the mast can be mitigated by:
- screening or landscaping
 - alternative siting on the site
 - alternative colour or finish selection
 - re-configuration or design of antennas or other attachments to the mast
 - re-design of the mast shape or profile.
- 23.2.5.5 The extent to which the above criteria are constrained by operational or technical requirements of the mast, antennas or other attachments to the mast.

23.3 Discretionary Activities (Restricted)

Section 23.3 describes which activities are Discretionary Activities (Restricted) in respect of Utilities. Consent may be refused or granted subject to conditions. Grounds for refusal and conditions will be restricted to the matters specified in rules 23.3.1, 23.3.2, 23.3.3 and 23.3.4. The decision on whether or not a resource consent application will be notified will be made in accordance with the provisions on notification in the Act.

23.3.1 Except as provided for in 23.3.2, antennas and masts with or without associated antennas aerials which are not provided for as a Permitted or Controlled Activity, or do not meet the conditions of the Permitted Activity rules, or the standards and terms of the Controlled Activity rules are Discretionary Activities (Restricted) in respect of:

23.3.1.1 maximum height of the mast and area or diameter of any antenna

23.3.1.2 visual effects and siting

23.3.1.3 heritage significance.

Standards and Terms

All antennas and aerials shall be designed and operated in compliance with New Zealand Standard NZS2772: Part 1: 1999 Radio Frequency Fields Part 1 - Maximum Exposure Levels - 3kHz to 300GHz (or subsequent amendments) at all times and in all places to which the public has access.

Masts in the Rural Area shall not exceed 40m in height.

Masts in the Central Area, Institutional Precincts, Suburban Centres, Open Space A Area and Airport and Golf Course Precinct, shall not exceed 30m in height.

Masts in the Residential Area shall not exceed 20m in height.

No masts or antennas shall be located in the Open Space B and C Areas or Conservation Sites.

The antenna must not exceed the following:

Area	Maximum size when located on a building or structure	Maximum size when located on a mast $m^2 = \text{area}$ $m = \text{diameter}$
Central Area	9m ² /6m	3.5m ² /3m
Institutional Precincts	9m ² /6m	3.5m ² /3m
Airport and Golf Course Precinct	9m ² /6m	3.5m ² /3m
Suburban Centres	6m ² /4.5m	3.5m ² /3m
Residential Area/Open Space A	3.5m ² /3m	3.2m ² /2m
Rural Area	9m ² /6m	3.5m ² /3m

Assessment Criteria

In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:

- 23.3.1.4 The extent to which the mast or antennas will be obtrusively visible, will adversely affect landscape values, or will detract from the amenities of the area in which it is situated or those in any nearby area.
- 23.3.1.5 The extent to which the height, area, diameter or siting of the mast or antennas will have more than minor adverse effects on significant views or sunlight to Residential Areas or public places.
- 23.3.1.6 The extent of variance from the conditions for Permitted Activities or Controlled Activities.
- 23.3.1.7 The extent to which the mast or antennas can be co-sited with similar structures or other buildings to avoid, remedy or mitigate their visual impact.
- 23.3.1.8 If the mast or antennas are likely to result in a significant adverse effect on the environment, whether the location and scale are appropriate having regard to alternative locations or other options.
- 23.3.1.9 The extent to which the mast or antennas located on a road will affect harbour views. Council seeks to protect views on the seaward side of:
- Oriental Parade
 - Evans Bay Parade
 - Shelly Bay Road
 - Massey Road
 - Karaka Bay Road
 - Owhiro Bay Road
 - Palliser Road
 - Grafton Road
 - Hornsey Road
 - Dunedin Road
 - Sutherland Road
 - Thane Road
 - The Crescent
 - Northland Road from the tunnel to Governor Road.

- 23.3.1.10 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.
- 23.3.1.11 Whether the mast or antennas are located on a ridgeline or hilltop and the extent that this will affect landscape values, and where it is likely that the activity will result in any significant adverse effects on the environment, whether the mast or antennas can be placed elsewhere without a disproportionate loss in functionality.
- 23.3.1.12 In respect of heritage items whether the heritage significance of the area or site is affected by the construction or placement of the mast or antennas.
- 23.3.1.13 The extent to which any of the above criteria are constrained by operational or technical issues.

Masts and antennas above those that are permitted or controlled are Discretionary Activities to enable their more significant effects to be assessed. The Council is particularly concerned about the visual effects of masts and antennas on building tops the amenities of the area and landscape values.

23.3.2 The addition of antennas to any mast (existing at the time of the application) where:

- **the additional antennas or aerials are not a Permitted or Controlled Activity or do not meet the conditions or standards and terms for Permitted or Controlled Activities; or**
- **the additional antennas or aerials when attached to the mast will not meet the conditions or standards and terms for Permitted or Controlled Activities; or**
- **the mast was established under a resource consent or earlier planning approval and the addition of the antennas or aerials is not covered by the resource consent or approval;**

is a Discretionary (Restricted) Activity in respect of:

- 23.3.2.1 visual effects including siting of the additional antennas aerials or any reconfiguration of antennas or aerials on the existing mast**
- 23.3.2.2 antenna area or diameter**
- 23.3.2.3 the extent to which the addition of the antennas aerials an adverse effect on the environment.**

Standards and Terms

The additional antennas and aerials shall be designed and operated in compliance with New Zealand Standard NZS2772: Part 1 : 1999 Radio Frequency Fields Part 1 – Maximum Exposure Levels – 3kHz to 300GHz (or subsequent amendments) at all times and in all places to which the public has access.

The additional antennas shall not exceed the maximum size limits for the antenna when located on a mast provided for in the table in the standards and terms in rule 23.3.1, except that for masts in the Rural Area that existed as at 1 October 1991 the maximum size of antenna is 9m² in area or 6.0m diameter.

Assessment Criteria

In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:

- 23.3.2.4 The effects, including the cumulative effects, of siting the additional antennas aerials on the mast, and in particular the location of the additional antennas or aerials on the mast.
- 23.3.2.5 The extent to which the existing mast with additional antennas aerials exceeds the conditions for Permitted Activities or the standards and terms for Controlled Activities or Discretionary (Restricted) Activities.
- 23.3.2.6 If the additional antennas aerials are likely to result in a significant adverse effect on the environment, whether there are alternatives and the extent of the effects of those alternatives.
- 23.3.2.7 Whether the matters relevant to granting any previous resource consent for the existing mast are affected by the additional antennas aerials including whether the consent of any party who gave their written approval or appeared at any hearing has been obtained.

23.3.3 The construction, alteration of and addition to underground utility structures or underground lines:

- **on or in Open Space B and C Areas and Conservation Sites that are not on formed legal roads or accessways; or**
- **that do not meet Permitted Activity condition 23.1.3.1; or**
- **are provided for as a Permitted Activity in Rule 23.1.1 but do not meet the conditions in Rule 23.1.1; or**
- **on a site which contains, or is, a listed heritage item but do not meet the conditions in Rule 23.1.10**

are Discretionary Activities (Restricted) in respect of:

- 23.3.3.1 **location**
- 23.3.3.2 **damage to habitats or ecosystems**
- 23.3.3.3 **ground disturbance**
- 23.3.3.4 **heritage significance**
- 23.3.3.5 **activities on the site of the former landfill in Seatoun.**

Non-notification

The written approval of affected persons will not be necessary in respect of items 23.3.2.1 to 23.3.2.5 and applications need not be notified.

Assessment Criteria

In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:

- 23.3.3.6 Whether alternative routes or locations are available to safeguard the natural environment.
- 23.3.3.7 Whether the utility structure damages habitats or ecosystems or causes the loss of significant vegetation that contributes to the amenity of the open space area.
- 23.3.3.8 Whether the building of the utility structure causes significant alteration to or re-contouring of existing landforms or topography. Where any earthworks are undertaken, Council requires ground surfaces to be restored to the original condition and, where practicable, vegetation replaced.
- 23.3.3.9 Whether the heritage significance of the area or site is affected by the utility structure's construction and placement or is affected by the existence of the utility structure.
- 23.3.3.10 In respect of the former landfill in Seatoun (refer Appendix 15 to Chapter 5), whether the risks associated with installation and maintenance of underground services can be adequately managed.
- 23.3.3.11 The extent to which any of the above criteria are constrained by operational or technical issues.

Underground utilities are Discretionary Activities within Open Space B and C Areas, Conservation Sites (except when under formed legal roads or accessways if the conditions on the Permitted Activity rule are met) and Heritage items (where the conditions of the permitted rule are not met) to protect the special qualities that these areas hold. There may be occasions when utilities need to traverse or locate within these areas. Council seeks to ensure that the special qualities of these sensitive areas are protected.

Some utility structures may be inappropriate for certain Maori sites. Likewise, ground disturbance may cause the loss of a site or area's historical context.

The former landfill in Seatoun (refer Appendix 15 to Chapter 5) is an example of an area mapped Outer Residential which requires specific management should development occur. Construction and maintenance of underground utilities in particular must be carefully managed.

23.3.4 New or additional overhead lines that are not provided for as a Permitted Activity or do not meet the Permitted Activity conditions are Discretionary Activities (Restricted) in respect of:

23.3.4.1 visual effects

23.3.4.2 siting.

Standards and Terms

No new support structure is erected.

No individual overhead cable, wire, or other similar conductor shall measure more than 30mm in diameter (provided that where more than 1 cable and or wire and/or other similar conductor is bundled or lashed together, no such bundle of cables and/or wires, and/or other similar conductors shall exceed 30mm in diameter).

If the overhead line is for conveying electricity, the voltage shall not exceed 66 kV with the capacity up to and including 50 MVA.

No overhead line is located on a ridgeline or hilltop in the Rural Area (except that this standard and term does not apply after 31 December 2001 to all of the Rural Area except the Makara/Terawhiti area (shown on appendix 1 of Chapter 23). This condition will continue to apply to the Makara/Terawhiti area until such time as the plan change relating to ridgelines and hilltops and/or landscape issues becomes operative or 31 December 2004, whichever is earlier).

No overhead line is located in Open Space B and C Areas or Conservation Sites.

Assessment Criteria

In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:

- 23.3.4.3 The extent to which the size and scale of the proposed new or additional lines is in keeping with the size and scale of any overhead reticulation which exists.
- 23.3.4.4 The extent to which there are any technological, operational or topographical reasons why the new or additional overhead lines cannot be placed underground.
- 23.3.4.5 The extent to which the effects of the overhead lines are mitigated by matters such as:
- any visual backdrop
 - viewing angle from adjacent properties
 - viewing distances
 - the diameter of the conductors, wires and cables, and if they are bundled or lashed together, the technique used
 - the location of the wires, conductors, cables and any other equipment included in the definition of line on the support structures

- the location of support structures.

23.3.4.6 The extent to which the location of new or additional overhead lines will have an impact on:

- amenity values of the area, including rural and residential amenity
- significant public views
- areas of landscape or open space values
- streetscape.

23.3.4.7 Where it is likely that the activity will result in any significant adverse effect on the environment, whether the location and scale are appropriate having regard to alternative locations or other options.

23.3.4.8 The cumulative effects of any additional overhead lines on the surrounding environment.

23.3.4.8⁹ The extent to which any of the above criteria are constrained by operational or technical issues.

23.4 Discretionary Activities (Unrestricted)

Section 23.4 describes which activities are Discretionary Activities (Unrestricted) in all Areas. The decision on whether or not a resource consent application will be notified will be made in accordance with the provisions on notification in the Act.

23.4.1 Antennas, masts (with or without associated antennas, aerials and utility network apparatus) and utility structures including water reservoirs, not specifically provided for as Permitted, Controlled or Discretionary Activities (Restricted) or that do not meet the conditions or standards and terms for Permitted, Controlled or Discretionary Activities (Restricted) are Discretionary Activities (Unrestricted) in all areas.

Assessment Criteria

In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:

- 23.4.1.1 Whether the size and scale of the proposal is generally compatible with other development in the area. More substantial structures may be acceptable in circumstances where:
 - the size or location of sites permits a greater separation from existing development
 - the local topography, existing vegetation or surrounding building forms and development will diminish the impact of the new structure
 - development on adjacent sites is similar in size and scale.Council seeks to ensure that structures located in or visible from Residential Areas are not obtrusively visible.
- 23.4.1.2 The degree to which the utility structure, mast or antenna is appropriately located. Wellington's hilly terrain imposes constraints on the siting of some utilities but structures are generally discouraged on prominent ridgelines and hilltops. Where ridgeline or hilltop locations are necessary, Council encourages the co-siting of utilities to help reduce the effect on visual amenities. The siting of utilities away from Residential or Open Space Areas will also be generally supported to protect the amenities of these areas.
- 23.4.1.3 With regard to water reservoirs, the extent to which they can be sited to harmonise with the natural or built features of the area in which they are situated, by one or more of the following means:
 - burying the reservoir
 - partial or complete backfilling of reservoir walls
 - screening using mounding
 - locating the reservoir so that it is not visible from a Residential Area.

- 23.4.1.4 Where the above treatments are not possible for hydraulic, topographical or other reasons, the extent to which impacts will be avoided, remedied or mitigated through:
- appropriate screening and/or planting
 - colour treatment to reduce visual dominance; and/or
 - design modifications such as domed roofs where reservoirs are situated on hills.
- 23.4.1.5 The extent to which the utility can be designed to reflect the form of development in the immediate locality. Where practicable, Council expects the design of structures to reflect elements such as roof pitch and materials of buildings in the vicinity. Special consideration should be given to design near heritage sites or character areas. Where structures are proposed to be sited on the top of a building, they should be designed or screened so that they form an integral part of the total building design.
- 23.4.1.6 The extent to which any utility will be hazardous or otherwise affect people's health or safety. Appropriate separation distances will be considered for the siting of such utilities. Where relevant, Council seeks compliance with Codes of Practice or New Zealand Standards.
- 23.4.1.7 In respect of noise, dust, lighting and electromagnetic radiation, the extent to which noise emissions, dust nuisance, lighting glare and electromagnetic effects will be intrusive. Council will seek to ensure the best practicable option is used to mitigate such effects and that any adverse effects are minor.
- 23.4.1.8 Where a utility structure is located within a Hazard Area the extent that measures are taken to mitigate the effects of any hazard event.
- 23.4.1.9 In respect of heritage items whether the heritage significance of the area or site is affected by the construction or placement of the utility structure, mast or antennas.
- 23.4.1.10 The extent to which any of the above criteria are constrained by operational or technical issues.

23.4.2 New or additional overhead lines and cables that are not provided for as Permitted or Discretionary (Restricted) Activities or that do not meet the conditions or standards and terms for Permitted Activities or Discretionary (Restricted) Activities are Discretionary Activities (Unrestricted)

Assessment Criteria

In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:

- 23.4.2.1 Whether the size and scale of the proposed new or additional lines is keeping with the size and scale of any overhead reticulation which currently exists.

23.4.2.2 Whether there are any technological, operational or topographical reasons why the new or additional lines cannot be placed underground.

23.4.2.3 Whether the location of new or additional overhead lines will have an impact upon:

- amenity values of the area, including rural and residential amenity
- significant public views
- areas of landscape or open space values
- streetscape.

23.4.2.4 In respect of heritage items whether the heritage significance of the area or site is affected by the lines construction or placement.

23.4.2.5 The cumulative effects of any additional overhead lines on the surrounding environment.

So that a full assessment of any environmental effects can be made, utility structures which are not provided for as Permitted or Controlled Activities or Discretionary Activities (Restricted) or that do not meet the standards and terms for Permitted, Controlled or Discretionary Activities (Restricted), are Discretionary Activities (Unrestricted). These tend to be larger, more prominent structures and may visually dominate their surroundings or seem out of place in them. Some may also affect health or safety. For these reasons, Council wishes to exercise some control over such utilities.

Council is aware of the technical requirements that can influence the siting of utility structures. However, it has a responsibility to ensure that any environmental effects are given due consideration. Where there are existing utility structures or buildings, Council encourages the co-siting or the location of new works close to these.

New or additional overhead lines that are not Permitted Activities or do not meet the standards and terms of the Discretionary Activity (Restricted) rule are Discretionary Activities (Unrestricted) so that an assessment of the environmental impacts of the proposal can be made. Council will consider the location of the proposed lines, the extent of existing overhead reticulation, any technical or topographical reasons for overhead lines and whether it will impact on residential, visual amenity, or on landscape values.