

subject to the designation, conditions attached to the requirement to carry out the designation, the life time of the designation and underlying zoning of the site. The rules of the underlying zone shall apply to activities other than those permitted under the designation.

14.7 Rules – Utilities

14.7.1 Permitted Activities

The following activities shall be Permitted Activities throughout the District, except as provided for as Controlled, Restricted Discretionary or Discretionary Activities below, and subject to compliance with the Site Standards below and all relevant District Wide rules:

- a) Transformers and lines for conveying electricity at a voltage up to and including 110kV, and associated support structures including towers, masts and poles;
- b) Telecommunication facilities and radiocommunication facilities;
- c) Utility buildings and buildings ancillary to utilities in all zones. (For the purpose of this rule, a building shall not include overhead lines and support structures);
- d) Depots on sites within the Business Zones, except on sites adjoining or facing across a road from a Residential or Open Space Zone;
- e) Above or below ground networks for the conveyance and drainage of water, stormwater e.g. swales or sewage, and any ancillary underground equipment;
- f) Reservoirs, wells and supply intakes for the reticulation or provision of public water supply;
- g) Operation, maintenance, refurbishment, upgrade, and enhancement of irrigation and stock water systems, open drains and channels, water reservoirs, storage ponds and related facilities/structures;

Except where 'significant upgrading' is proposed. For the purpose of this rule, a 'significant upgrade ' means any modification or addition that exceeds the bulk and location and earthwork provisions in the zone in which it is located and on the proviso that such an upgrade is not associated with a land use change which requires a separate resource consent under section 9 of the Resource Management Act 1991.

- h) Telephone call boxes;
- i) Automatic weather stations, weather recording devices and facilities for the distribution of meteorological information;
- j) Air and marine navigational aids and beacons;
- k) Pole-mounted street lighting;

l) The maintenance and replacement of the following utilities:

- existing transformers and lines above ground for conveying electricity at all voltages and capacities;
- existing telecommunication lines;
- existing telecommunication and radiocommunication facilities;
- existing buildings and depots;
- existing weather radar;
- existing coastal and river protection works.

Where the term “maintenance and replacement” shall mean any work or activity necessary to continue the operation and/or functioning of an existing utility and shall also provide for the replacement of an existing line, telecommunication line, building, structure or other facility with another of the same or similar height, size or scale, within the same or similar position and for the same or similar purpose; and the addition of extra lines to existing poles or other support structures; and the replacement of existing conductors. (The activities permitted by this clause are not required to comply with the Site Standards, or the Restricted Discretionary Activity requirements in identified areas.)

m) Minor upgrading of electricity and associated telecommunications lines, where the term “minor upgrading” shall mean an increase in the carrying capacity, efficiency or security of electricity and associated telecommunications lines, utilising the existing support structures or structures of a similar scale and character, and includes:

- the addition of circuits and conductors;
- the reconductoring of the line with higher capacity conductors;
- the resagging of conductors;
- the addition of longer or more efficient insulators;
- the addition of earthwires, which may contain telecommunication lines, earthpeaks and lightning rods;
- the addition of electrical fittings;
- tower replacement in the same location or within the existing alignment of the transmission line corridor;
- the replacement of existing cross arms with cross arms of an alternative design;
- an increase in tower height only to achieve compliance with the clearance distances specified in the New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP 34:2001.

Minor upgrading shall not include any increase in the voltage of the line to or above 66kV unless the line was originally constructed to operate at a higher voltage but has been operating at a reduced voltage.

(The activities permitted by this clause are not required to comply with the Site Standards, or the Restricted Discretionary Activity requirements in identified areas.)

-
- n) The trimming, felling or removal of any tree (other than as provided for in Section 12 Heritage Values and Protected Trees) by a network utility operator when this is required as an emergency work to maintain or restore power and communication links to safeguard life, health or property, on the site on which the tree/s are located or any adjacent site, and where this is authorised under other legislation.
- o) Wind monitoring masts up to 80 metres in height, provided the maximum diameter of the mast is 250mm and equipment on the mast is limited to instrumentation necessary to record and log wind direction and speed.
- p) The operation, maintenance, refurbishment, enhancement and upgrading of an energy generation facility, except where significant external modification is involved. For the purposes of this rule, a significant external modification means any modification or addition:
- where a new building or structure is greater than the least restrictive building height in that zone, or exceeds 50m² in area;
 - where an addition to an established building or structure, increases the maximum height of the building or structure to be greater than the least restrictive building height for that zone.

Note: Activities at the Highbank and Montalto Power Stations which are provided for under Rule 8.6.4.1 or trigger resource consent requirements under Rule 8.6.4.2 do not also need to be assessed against Rule 14.7.1 p).

- q) **The establishment of a new, or replacement or expansion of an existing, electric charging station where the charging station is ancillary to a permitted or consented activity on the site and provided that it complies with all relevant site and zone standards.**

14.7.2 Controlled Activities

- a) Any activity listed as a Permitted Activity above, which:
- complies with all of the relevant Site Standards; and
 - is within a Rural Zone and is located within 15m of a Residential, or Open Space boundary;
 - or
 - is within a Business Zone and is located within 10m of a Residential, or Open Space Zone boundary

shall be a Controlled Activity in respect of colour and landscape planting.

14.7.3 Restricted Discretionary Activities

The following activities shall be Restricted Discretionary Activities throughout the District, other than as specified as Controlled or Permitted Activities:

- a) Any activity listed as a Permitted Activity that does not comply with the Site Standards applying to that Activity, shall be a Restricted Discretionary Activity, with the exercise of the Council's discretion being restricted to the matter(s) specified in the assessment matters in 14.9.

14.7.4 Discretionary Activities

The following activities shall be Discretionary Activities throughout the District, other than as specified in Permitted Activities:

- a) Weather radar;
- b) Lines and support structures for conveying electricity at a voltage exceeding 110kV, and associated support structures including towers, masts and poles;
- c) Coastal and river protection works;
- d) Any other utility not specifically listed as a Permitted or Restricted Discretionary Activity.
- e) Any activity listed as a Permitted Activity above, which:
 - complies with all of the relevant Site Standards; and is located:
 - The Rural C zone, including land above the Altitudinal Land Use Line other than within the Mt Hutt Policy Area;
 - within the areas identified on the Planning Maps as being of significant nature conservation value, geoconservation value or subject to a natural hazard risk;
 - on any land within -
 - the bed of any water body;
 - any naturally occurring wetland;
 - 100m of any lake, 20m of any wetland, or 20m of any river or stream;
 - 20m of the coast.
 - within 50m of any listed heritage building/item or listed protected tree;
 - within any area identified as a Statutory Acknowledgement area in Section 2 Takata Whenua;
 - within the Open Space A zone.

Except that:

- This standard shall not apply to lines which do not involve the erection of support structures located in the beds or margins of water bodies.

- The maintenance and replacement of existing utilities listed under rule 14.7.4 e) above shall be exempt from the above Rule.
- This standard does not apply to existing, permitted or consented Rangitata Diversion Race infrastructure within riverbeds.

14.7.5 Notification / Consultation / Notes

The National Environmental Standards for Electricity Transmission Activities Regulations 2009, contain a separate code of rules for the operation, maintenance, upgrading, relocation, or removal of an existing transmission line that is part of the national grid, as defined in the regulation. Except as provided for by the regulation, no rules in this Plan apply to such activities.

Resource consents in relation to the following matters shall not be publicly notified:

Any Controlled Activity listed above

Notes:

- The rules contained in this section take precedence over any other zone rules that may apply to utilities in the District Plan, unless specifically stated to the contrary.
- These rules do not override the rules contained in:
 - Section 6 – Open Space Zones
 - Section 10 – Transport
 - Section 11 – Noise
 - Section 12 – Heritage Values and Protected Trees
 - Section 13 – Signs
 - Section 16 – Hazardous Substances
- For any Telecommunication or Radiocommunication facilities / activities that are located within a legal road reserve, please refer to the Resource Management (National Environmental Standard for Telecommunication Facilities) Regulations 2008.
- Designations are not subject to these rules where the activity proposed is in accordance with the designation purpose and conditions.
- Please note that the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 may be applicable to your site/property.

14.8 Site Standards

For the purpose of these standards, any rules applying to buildings shall not apply to towers, masts and poles.

14.8.1 All Lines, including Telecommunication Lines, and Transformers

- a) All new lines shall be located underground within Residential, Open Space B or Business Zones and within the Residential and Commercial Areas of the Aquatic Park Zone.

Except that new lines may be located above ground within Residential, Open Space B or Business Zones, and within the Residential and Commercial Areas of the Aquatic Park Zone, provided that no additional poles or other support structures are erected.

- b) All poles and/or towers that no longer support wires/lines, and which are no longer required for any other purpose, shall be removed within 1 month of lines being replaced, removed or placed underground.
- c) In those zones where lines are to be located underground in accordance with Site Standard 14.8.1 above, all transformers shall be located at ground level.

Except that:

Transformers not exceeding 150kVA may be pole-mounted, where they are located on poles supporting existing above ground lines.

14.8.2 Height and Dimensions

- a) Within Rural Zones, support structures for lines shall not exceed a maximum height of 25m.
- b) No part of any facility or support structure for telecommunication, and/or radiocommunication and/or meteorological facilities shall exceed a maximum height above ground level of:
 - 15m in Residential, Open Space, and Aquatic Park Zones; and
 - 25m in Business Zones; and
 - 30m in Rural Zones.

This maximum height is not to be exceeded by the support structure, aerial or antenna mounting or the aerial or antenna whether affixed to the land, a building or an existing mast, tower or pole, except for antennae, aerials, lightning rods and their mountings where they do not exceed:

- 1 square metre in area on any one side or
- 2m above the building or structure to which it is attached or
- 600mm in diameter.

(The definition of height shall not apply to the facilities or structures subject to this Site Standard.)

- c) The maximum diameter of any telecommunication or radiocommunication facility or support structure above 5m elevation shall be:
 - 1.5m in all zones.

- d) No dish antennae shall exceed:
- 1.2m diameter in the Residential, Open Space B, Aquatic Park Zones;
 - 2.4m diameter in the Business and Rural zones
- a) All telecommunications facilities must comply with New Zealand standard NZS 2772: Part 1: 1999 Radiofrequency Fields Part 1 – Maximum Exposure Levels.

Advisory Note: Site Standard 14.8.2 b) shall not apply to wind monitoring masts provided for under Rule 14.7.1)

14.8.3 Setbacks

- a) Any support structure for lines within Rural Zones shall be setback a minimum distance of 15m from any intersection; measured parallel from the centreline of the carriageways, at the point where the roads intersect.
- b) All telecommunication, radiocommunication and/or meteorological facilities within a Rural or Business Zone over 10m in height shall be setback a minimum distance of 5.5m from a Residential, or Open Space Zone boundary.
- c) Utility buildings more than 10m² in ground floor area and/or over 2m in height shall be setback from the road boundary by a distance of not less than half the height of the structure, or 2m, whichever is the greater,

Except that:

In Business Zones and the Commercial Area of the Aquatic Park Zone utility buildings may be setback from the road boundary in accordance with the relevant Site Standard applying to the Zone or Commercial Area concerned.

- d) In Residential, Open Space B, Aquatic Park, and Rural Zones, utility buildings more than 10m² in ground floor area and/or 2m in height shall be setback from internal boundaries by a distance of not less than half the height of the structure, or 2m, whichever is the greater.
- e) Dams, water reservoirs, and storage ponds shall be setback 1 metre from the road boundary except that at intersections, they shall be setback 3 metres.

14.8.4 Depots

- a) No depot shall be established on a site within a Rural, Residential, Aquatic Park or Open Space Zone or on sites adjoining, or facing across a road, a Residential, Open Space, or Aquatic Park Zone.

14.8.5 Utility Building Scale

- a) Utility buildings and buildings ancillary to utilities in all zones shall not exceed a gross floor area of 50m², or a height of 3.5m.

- b) **Electric charging stations shall not exceed an area of 10m², or a height of 2.5m.**

14.8.6 Outdoor Storage

- a) All outdoor storage shall be screened from public view (except for lines and support structures for lines) by landscaping or solid fencing at least 1.8m in height.

14.8.7 Lighting

- a) No activity shall create a spill (horizontal and vertical) of light onto any adjoining property within a Residential Zone and within the Residential Area of the Aquatic Park Zone.

14.8.8 Landscaping

- a) Sites containing buildings more than 10m² in ground floor area and/or over 3m in height shall provide a landscaped area within the setback with a minimum width of 2m along road boundaries and along internal boundaries within or adjoining Residential, Open Space Zones and within or adjoining the Residential and Recreational Areas of the Aquatic Park Zone.
- b) Depots containing no buildings shall provide a landscaped area in accordance with the rules of Business D zone, with a minimum depth of 3m along road boundaries.

14.8.9 Flood Risk

- a) No new utility structures shall be erected in a high flood hazard area.

Except that this rule shall not apply to the installation, operation, maintenance, and upgrading of environmental monitoring structures in these areas.

Note:

A report identifying flood risk and the height of the 1 in 200 year flood event can be obtained from the Canterbury Regional Council or a suitably qualified expert.

Indicative areas of flood risk can be found on the Floodable Areas Maps located at the back of the set of Planning Maps.

14.9 Assessment Matters

- a) The extent to which the utility will cause:
- any loss of, or adverse effects on, views of the District's outstanding landscapes from locations to which the public has access;
 - any loss of, or adverse effects on, public access to the above views or viewpoints;
 - any obscuring of landforms or natural features;
 - any adverse effects on the natural landscape pattern; including the loss of underlying landform pattern;
 - any adverse effects on present vegetation patterns;