**BEFORE THE HEARINGS PANEL**
**FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of Hearing Stream 05 – District Wide

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# REPLY OF CRAIG ALAN BARR ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL

## ENERGY AND UTILITIES CHAPTER 30

**22 September 2016**

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## 1. INTRODUCTION

**1.1** My name is Craig Alan Barr. I prepared the section 42A report (**s 42A report**) for the Energy and Utilities chapter (**Chapter 30**) of the Proposed District Plan (**PDP**). My qualifications and experience are listed in that s42A report dated 19 August 2016.

**1.2** I have reviewed the evidence and submissions filed by other expert witnesses on behalf of submitters, and attended all of the hearing from 12 to 15 September 2016.

**1.3** This reply evidence covers the following issues:

(a) Chapter Structure and Layout;
(b) Activity Status for activities not specified;
(c) Energy Objectives and Policies;
(d) Wind Electricity Generation;
(e) Sub Transmission/Electricity Distribution;
(f) Reverse Sensitivity;
(g) Lines and Cables within the Legal Formed Road;
(h) The National Grid;
(i) Telecommunications;
(j) Locating Utilities within the Outstanding Natural Landscapes;
(k) Matter of Discretion Relating to Natural Hazards;
(l) Other Matters;
(m) Definitions;
(n) Relationship Between with Queenstown Airport Mixed Use Zone; and
(o) Energy Rules.

**1.4** Where I am recommending changes to the provisions as a consequence of the hearing of submissions and evidence, I have shown these in the revised chapter in **Appendix 1** (**Revised Chapter**). I have attached a section 32AA evaluation in **Appendix 2**, to evaluate the additional changes I have recommended.

## 2. CHAPTER STRUCTURE AND LAYOUT

**2.1** I consider that the layout of the rules could be improved. I acknowledge that the layout as notified by way of an activity table and a standards table is consistent with other chapters in the PDP, however this chapter deals with a wide range of activities with nuances, the necessary distinction between the National Grid and Electricity Distribution being one example. Therefore, I consider that the rules should be grouped by the respective utility activity.

**2.2** In addition, I do not consider that the chapter would usually be read from start to finish as could be expected for somebody seeking to understand what is contemplated in an underlying zone. In the case of the Energy and Utilities chapter, a reader would more typically approach the chapter with the aim of determining the activity status and contemplation of a specific energy generation, or utility activity. Therefore, they would only be interested in the rules that are applicable to that activity.

**2.3** Therefore, I consider that the Panel should consider rearranging the layout of the rules section so that they are grouped by the type of energy activity or utility. The recommended revised chapter in **Appendix 1** has been rearranged so that the rules are laid out as activities and standards together as follows:

(a) non-specified activities and general activities;
(b) renewable;
(c) non-renewable energy activities;
(d) the National Grid;
(e) electricity distribution (recommended as sub-transmission in the section 42A report); and
(f) telecommunications, Meteorological and navigational activities.

**2.4** While the separation of activities does result in the duplication of some rules, for instance antennae associated with both electricity distribution and telecommunications. I consider that this is a minor

cost to efficiency overall and outweighed by the efficiency benefits of improving the accessibility of the rules in this chapter.

**2.5** I consider that the recommended revised layout does not make the regulatory regime more permissive or onerous and is for plan accessibility, and improving certainty with administering the chapter. Therefore, I consider that as this is a neutral change the Panel has scope to accept the recommended changes or undertake further refinements if it considers appropriate on the merits.

## 3. ACTIVITY STATUS FOR NON SPECIFIED ACTIVITIES

**3.1** During questioning from the Panel at the hearing on 12 September 2016 I discussed the matter of whether the rule for non-specified activities should be permitted, or of a type that requires a resource consent. I have also since identified that Notified Rule 30.4.1 requires a non-complying activity resource consent for energy activities not otherwise specified. Notified Rule 30.4.7 requires a non-complying resource consent for non-renewable electricity generation activities not otherwise specified. These rules duplicate each other and I consider that Notified Rule 30.4.7 is not necessary. I have recommended in the revised chapter at **Appendix 1** that these rules be consolidated as redraft 30.4.13. I consider that this is a neutral change and the Panel has scope to accept the recommended change if it considers appropriate on the merits.

**3.2** Notified Rule 30.4.8 requires a discretionary activity resource consent for utilities, buildings, structures and earthworks not specified.

**3.3** Having had the opportunity to review the chapter after considering the submitters evidence and questioning from the Panel, I consider that it is appropriate that a rule requiring resource consent for non-specified activities is retained. This is because the Energy and Utilities Rules identify a wide range of activities and performance standards and I consider that any activities that a are not specified should require resource consent to ensure the actual and potential adverse effects on the environment can be assessed.

**3.4** I have identified some activities such as small scale wind electricity generation, and overhead and underground lines and cables on roads that are appropriate to have a controlled permitted activity status subject to performance standards. These particular activities are discussed below as is the matter of scope to recommend these changes.

## 4. ENERGY OBJECTIVES AND POLICIES

**4.1** In my s 42A report at paragraphs 6.1 to 6.17 I raised a number of concerns with the objectives and policies for non-renewable and renewable energy. In particular I consider there is an imbalance between the provisions for non-renewable and renewable energy, and inconsistency in the corresponding rules. I am also concerned that notified Objective 30.2.3 does not balance the benefits of energy and does not seek a course of action to manage the adverse effects of activities on landscape and amenity values generally, in terms of sections 6 and 7 of the Resource Management Act 1991 (**RMA**).

**4.2** The Panel questioned me further on my concerns. I maintain that the Strategic Directions (Chapter 3) and Landscapes (Chapter 6) chapters of the PDP provide an adequate framework, and I do not consider the non-renewable and renewable energy objectives and policies to be deficient to the point that a variation is required.

**4.3** During the course of the hearing, the Panel questioned whether Objective 30.2.4 could be clarified so that it better reflects the policies that sit below it. I consider that by adding the word 'subdivision', Objective 30.2.4 better accords with Policy 30.2.4.2. I do not consider this to be a substantive change.

## 5. WIND ELECTRICITY GENERATION RULES

**5.1** While revisiting the layout of the rules, it became apparent that any wind electricity generation would require resource consent as a Discretionary Activity as a result of wind electricity generation not being included in Rule 30.4.2 (redraft 30.4.15). While this is intentional as stated in Page 19 of the Section 32 evaluation, I

consider this rule, coupled with a rather conservative performance standard at 30.5.3 (redraft 30.5.21), to be overly restrictive and I agree with the submission of Anna-Marie Chin Architects and Phil Vautier (368) who seek that small and community scale renewable energy generation is supported and further enabled.

**5.2** I also note that the National Policy Statement for Renewable Electricity Generation 2011 (NPSREG) contains the following policy that is relevant to this matter:

> *F. Incorporating provisions for small and community-scale renewable electricity generation activities into regional policy statements and regional and district plans*
>
> *POLICY F*
>
> *As part of giving effect to Policies E1 to E4, regional policy statements and regional and district plans shall include objectives, policies, and methods (including rules within plans) to provide for the development, operation, maintenance and upgrading of small and community-scale distributed renewable electricity generation from any renewable energy source to the extent applicable to the region or district.*

**5.3** I therefore, consider that a more permissive rule framework for small scale wind electricity generation is appropriate. I consider that by providing a controlled activity rule for wind electricity generation, the PDP and in particular notified Objective 30.2.1 better gives effect to the NPSREG.

**5.4** The recommended controlled activity rule is (Revised chapter 30.4.14):

> ***Wind Electricity Generation equal to or less than 5kW***
>
> *within the Rural Zone, Gibbston Character Zone and Rural Lifestyle Zone that complies with Rule 30.4.21.*
> *Control shall be reserved to all of the following:*
> - *Noise*
> - *Visual effects*
> - *Colour*

- *Vibration*

**5.5** The rule is considered to meet the applicability component of the NPSREG because it is more enabling of wind electricity generation within the Rural Zone, Gibbston Character Zone and Rural Lifestyle Zone. This is because wind in these zones is not as likely to be obstructed by other buildings. From an effects perspective the location of these structures within approved building platforms is considered to be commensurate with the built form that can be reasonably expected within that location.

**5.6** The following rules derived from the notified chapter provide sufficient regulation to manage the potential for adverse effects of wind electricity generation on the environment:

(a) Rule 30.4.16 (Redraft)

(i) Less than 5kW,

(ii) Not located within an identified sensitive environment

(iii) Must be located within a building platform (if applicable)

(b) Rule 30.4.21 (Redraft)

(i) No lattice towers

(ii) Not more than two on any one site

(iii) Comply with road and internal boundary setbacks, recession planes

(iv) Be not more than 12 metres height if located within the Rural or Gibbston Character Zone

(v) Be finished in recessive colours, and

(vi) Comply with the noise rules in Chapter 36.

(c) Rule 30.4.18 (redraft) requires a Discretionary Activity resource consent for any other non-specified renewable energy including larger wind electricity generation.

## 6. SUB-TRANSMISSION / ELECTRICITY DISTRIBUTION

**6.1** I maintain my opinion set out in my S42a report that electricity distribution is regionally significant infrastructure to the District, in terms of the 66kV line and the 11kV line from the Camphill Substation at Hawea Flat to Makarora.

**6.2** The Panel queried whether the electricity distribution network not provided for under the National Grid should be protected. I consider that it would be good resource management practice to identify and provide for a degree of protection for the electricity distribution network, and as recommended in the section 42A report, to include these as part of the District's regionally significant infrastructure. In terms of managing the sustainable supply of electricity, the reliability of the distribution network is just as important at a District scale as the National Grid in a national context, in so far that security and reliability of both transmission and distribution go hand in hand in terms of providing this resource to the community.

**6.3** For instance, without derogating from the importance of the National Grid, I consider that if the local distribution network is compromised it would have the same effect on the community as if the National Grid was compromised. This is because their power supply could be interrupted, and to the community this is an adverse effect irrespective of whether the failure was at the National Grid or the local distribution network level.

**6.4** I consider arguing over the phrases 'sub–transmission' or 'electricity distribution' to be semantic. However it seems to be the strong preference of Transpower that 'transmission' is a word dedicated to the National Grid, despite 'sub-transmission' being a technically correct reference for the lines and network operated by Aurora and Powernet. Notwithstanding this, I agree that it would assist to retain a distinction between the National Grid and distribution. I therefore recommend the use of the phrase 'electricity distribution' in favour of 'sub-transmission'.

## 7. REVERSE SENSITIVITY

National Grid

**7.1** Transpower (805) filed a Memorandum on 16 September 2016 with a suggested controlled activity rule for specified activities within 45 metres of the designated boundary of the Frankton Substation.

**7.2** In my section 42A report I recommended rejecting Transpower's request for a 150 metre setback of a National Grid Substation on the basis that the National Grid Yard Rule (Notified Rule 30.5.10; redrafted 30.5.9) was appropriate. Having had the opportunity to consider Transpower's reasons for this rule and the unique health and safety matters associated with National Grid Substations, I consider that what is now suggested by Transpower (being 45 metres setback and a controlled activity status), is appropriate.

**7.3** I have adopted the rule as suggested by Transpower in the recommended revised chapter at **Appendix 1** (Reply Rule 30.4.27). A section 32AA evaluation is attached at **Appendix 2**.

**7.4** I note I return to other matters raised by Transpower, in a separate section below.

Electricity distribution

**7.5** Aurora have also requested reverse sensitivity rules in relation to electricity distribution lines (previously called sub-transmission lines in my s42A report, now referred to as electricity distribution lines at Transpower's request) and those recommended in my s42A report are supported by Aurora. The Panel questioned myself and representatives from Aurora as to the efficiency and effectiveness of such rules. I understand their questions were focused around two key points:

(a) there is no NPS that covers Aurora's assets, whereas one exists for Transpower's National Grid; and

(b) similar issues are covered by the New Zealand Electrical Code of Practice 34: 2001 (**NZECP34: 2001**), and therefore is the inclusion of the buffer corridor unnecessary in the PDP.

Why Aurora's assets deserve protection

**7.6** I maintain my opinion that electricity distribution is regionally significant infrastructure to the District, in terms of the 66kV line and the 11kV line from the Camphill Substation at Hawea Flat to Makarora.

**7.7** Aurora (635) also referred to the Proposed Regional Policy Statement Otago 2015 (PRPS) and the emphasis placed on electricity distribution as being regionally significant.

**7.8** Section 74(2) of the RMA requires that a district plan prepared by a territorial authority shall "*have regard to*" any proposed regional policy statement. The PRPS was notified for public submissions on 23 May 2015, and contains the following objectives and policies relevant to electricity distribution in terms of being of regional significance.

*Objective 3.4: Good quality infrastructure and services meet community needs.*

- *Policy 3.4.1 – Integrating infrastructure with land use*
- *Policy 3.4.2 – Managing infrastructures activities*

*Objective 3.5: Infrastructure of regional and national significance is managed in a sustainable way*

- *Policy 3.5.1 – recognising national and regional significance of infrastructure, including a) Renewable electricity generation facilities, where they supply the national electricity grid and local distribution network.*
- *Policy 3.5.2 – Managing the adverse effects from infrastructure that has national or regional significance*
- *Policy 3.5.3 – Protecting infrastructure of national or regional significance. The polices seek to restrict activities that may result in reverse sensitivity effects and protecting corridors, now and for the future.*

*Objective 3.6: Energy supplies to Otago are secure and sustainable*

- *Policy 3.6.5: Protecting electricity distribution infrastructure*

**7.9** I also consider that the PRPS provides substantial on the importance to the region, and therefore this District of electricity distribution. I

consider the direction provided in the PRPS for electricity distribution infrastructure should be reflected in the PDP through the provision of rules to protect the utility from reverse sensitivity and enablement in terms of the status of installing lines within formed legal roads.

**7.10** I consider that there are valid resource management reasons to include the rules proposed in my s 42A report in the District Plan. The utility is a physical resource and the rules have a dual purpose effect of protecting persons from the hazard, and maintaining the safe and efficient operation of the utility.

NZECP34: 2001

**7.11** The NZECP34: 2001 sits outside of the RMA. It sets minimum safe distances to protect third parties from electrical hazards, and also provides a basis for Aurora to ensure activities do not compromise the ability of the infrastructure.

**7.12** I also agree with the view of both Mr Sullivan for Aurora and Mr Renton for Transpower who described the limitations and lack of awareness from landowners or third party contractors with the Electricity Act 1992 and the NZECP:34 2001. I have considered the evidence of Aurora and Transpower that when structures or earthworks are undertaken in proximity to the lines the consequences can be substantial for both the utility operator and users of that building. I do not consider that an advice note on its own is enough to protect this resource from the adverse effects of activities within the identified buffer corridors or setbacks. The resource is recommended to be included in the recommended revised definition of 'Regionally Significant Infrastructure' and as such I consider that it is appropriate for their protection as part of the PDP.

**7.13** In this regard, I consider that including rules in the PDP that manage specified activities within proximity to the utility is appropriate because it enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety.

**7.14** I also acknowledge that these rules increase the amount of regulation on land, as expressed by Federated Farmers in their submission[1] tabled at the hearing. However, this matter is already present because the lines at issue to which the rules are sought, already exist. In this respect the land under and adjacent to the lines is already encumbered, irrespective of whether there are easements over the land in favour of the utility.

**7.15** In terms of whether the Council has the expertise to apply and administer the NZCEP I do acknowledge that this could be limited. However, it is expected that the landowner would undertake consultation with the utility operator (Aurora or Transpower) where it is likely that these operators, in the interest of their infrastructure would be obliging to assist the landowner with addressing technical matters.

**7.16** I acknowledge that the need for a resource consent will create a cost for the landowner, however the importance of this infrastructure and its security as part of the well being to the District is considered to outweigh the costs. I also consider that the costs associated with constructing buildings and engaging contractors to undertake earthworks are not likely to be trivial and if works are sought to be undertaken within the buffer then a resource consent including any costs is not considered to be excessive regulation.

**7.17** I also note that the majority of lines on private land is in the Rural Zone and the PDP requires that all buildings require a resource consent[2], except for farm buildings provided they meet a number of relatively strict qualifiers[3], including that the site is not less than 100 hectare in area. Therefore, I consider that there is a reasonable likelihood that a resource consent would be required in any case.

**7.18** I have generally discouraged the inclusion of other codes by reference in the PDP, such as the Fire Fighting Code of Practice,[4] as I consider that there are other rules and methods to manage these matters in the PDP and generally these rules would have a broad

1 Federated Farmers Evidence and Summary of Evidence tabled Tuesday 13 September 2016.
2 PDP Chapter 21 Rural Zone: Farm Buildings Rule 21.4.10.
3 PDP Chapter 21 Rural Zone: Farm Buildings Rule 21.5.18.
4 QLDC PDP Hearing 2. Rural Zone Chapter 21 Craig Barr Section 42A Paragraphs 20.1 – 20.5.

application. For example, the Fire Fighting Code of Practice would relate to building and renovating dwellings in the rural zones generally. In the case of NZECP:34 2001, this Code is confined to the land directly, under, over or adjacent to electricity lines, and landowners and third party contractors working in proximity to identified lines or the Frankton Substation. The opportunity for a consent to be triggered based on this code is also lower given that it does not appear to be common for buildings to be proposed underneath overhead lines.

**7.19** Aurora also recommend through the evidence of Ms Dowd that recommended redrafted non-complying rule 30.5.10, which limits activities within 10 metres of the centreline of the electricity distribution corridor, is modified to a setback limit of 20 metres but has a restricted discretionary activity status. I agree that a restricted discretionary activity status is more appropriate because the matters at issue can be readily identified and this provides more certainty for the applicant that if the matters can be adequately addressed, the granting of consent can be contemplated. Restricted discretionary status also provides focus for the decision maker.

**7.20** However, I do not support widening the setback to 20 metres. I consider that given the typical height of the support poles, and span of the lines 10 metres is appropriate. I make this statement on the basis of the verbal evidence of Mr Renton for Transpower who explained to the Panel during the hearing on Thursday 15 September 2016, that a wider setback is required for conductors with longer spans due to environmental factors such as high winds and temperature changes.

<u>Location within the PDP of the Reverse Sensitivity Rules</u>

**7.21** The Panel discussed with Ms McLeod for Transpower (805) whether the rules relating to reverse sensitivity would be better located within the respective zone chapter, rather than the Energy and Utilities Chapter. Ms McLeod's preference was that the rules be moved to the relevant zone chapter. One of the reasons given by Ms McLeod was that persons undertaking activities, particularly construction or

earthworks, look through the respective zone chapter and earthworks chapter but do not go as far as the Energy and Utilities Chapter, as the works that they propose are not a utility in themselves.

**7.22** While I agree with this rationale, I am reluctant to recommend this because it is likely to involve the duplication of rules through many zone chapters of the PDP. While the National Grid covers the Gibbston Character Zone, the Rural Zone, Industrial A zone and the Medium Density Zone, it would be consistent and necessary to also move the rules relating to Electricity Distribution lines into the zone chapters. This would quickly conflate to many zones and result in unnecessary clutter of the PDP. Any new site specific zones being requested, if subject to either the National Grid or sub-transmission lines, would also need to have these rules included.

**7.23** I note that in the PDP as notified the National Grid is mapped. I have also recommended that Electricity Distribution lines are identified on the District Plan maps. Typically, the starting point for plan users is to identify the site in the Planning Maps and determine not just the zone but any annotations affecting the site. Upon reviewing the planning maps, plan users would identify that the National Grid or Electricity Distribution lines related to their site and so would be alerted of the relevant rules.

**7.24** With regard to this matter, Part 1.6 of the PDP[5] states the following:

> *1.6.2 The key to using the Plan is to start with the maps. Firstly, identify the site to which any development relates. Zone information will be shown, as well as any other resources or restrictions.*
>
> *1.6.3 Secondly, refer to the relevant Chapter for the zone provisions (objectives, policies and rules) or District Wide Matters. Development may breach several rules across more than one Chapter and all will need to be addressed.*

5 Queenstown Lakes District Council Proposed District Plan 2015 – Revised Chapter – Reply 07/04/2016. Evidence of Anthony Pickard.

**7.25** I therefore consider that it is not necessary to locate the reverse sensitivity (buffer corridor) rules in the respective zones. If the Panel consider that further clarification is required then an advice note or similar clear guidance on the Planning Map legend directing the reader to rules associated with the annotation, would in my view suffice.

**7.26** In summary my conclusions on the reverse sensitivity matters are:

(a) the suggested refinements by Transpower associated with a bespoke Objective and a new policy on the Frankton Substation are recommended to be accepted (Redrafted Objective 30.2.8);

(b) the 45 metre setback, controlled activity rule associated with the National Grid Frankton Substation are recommended to be accepted (Redrafted Rule 30.4.27);

(c) the reverse sensitivity rule for electricity distribution is recommended to be retained but modified to restricted discretionary (Redrafted Rule 30.4.39); and

(d) all rules relating to reverse sensitivity (ie buffer corridors) should be retained in the Energy and Utilities Chapter.

## 8. LINES AND CABLES WITHIN THE ROAD

**8.1** As identified in Section 4 above and in my Summary of Evidence[6] tabled at the hearing on 12 September 2016, I consider that it is appropriate for overhead lines and underground lines to be located within the legal formed road as a permitted activity. As set out in my Summary of Evidence this would reflect the permitted activity status currently provided for in the ODP. The application of a discretionary activity status for non-specified activities could have inadvertently resulted in these activities requiring resource consent under the PDP as notified.

**8.2** I consider that there is scope to recommend this change because Powernet (251) request a permitted activity status for lines. A recommended rule is included in the recommended revised chapter

6 Craig Barr for QLDC Summary of Evidence, 9 September 2016.

at **Appendix 1** (Reply 30.4.31). A section 32AA evaluation is included in **Appendix 2**.

## 9. THE NATIONAL GRID

**9.1** Transpower recommend a bespoke objective and policy set to manage the National Grid. I agree with the substance and the majority of the suggested changes. These are located within the recommended revised chapter in **Appendix 1** as redrafted 30.2.8 and 30.2.8.1. While I agree with the recommended objective from Transpower, I further recommend adding a qualifier to ensure an outcome that appropriately manages environmental considerations.

**9.2** The recommended objective with my suggested modifications underlined is:

> *The Ongoing operation, maintenance, development and upgrading of the National Grid is provided for while managing the adverse effects on the environment of the National Grid network.*

**9.3** I consider that the recommended objective is the most appropriate way to give effect to the National Policy Statement Electricity Transmission (**NPSET**)[7] objective, copied below:

> *5. Objective*
>
> *To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network 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.*

**9.4** I also accept the suggested modifications by Ms McLeod for Transpower to the subsequent policies. In addition, I recommend a policy for the recommended rule associated with a setback from the

7 Refer to http://www.mfe.govt.nz/publications/rma/nps-electricity-transmission-mar08.

National Grid Frankton Substation (as addressed above in paragraphs 7.1 – 7.3).

**9.5** I also generally agree with the recommended changes to the rules relating to the National Grid as recommended by Ms McLeod. These changes do not substantially modify the regulatory impact of the rules.

**9.6** A recommended revised definition is attached in the recommended revised chapter at **Appendix 1** (Redraft Rule 30.4.29). A section 32aa evaluation is included in **Appendix 2.**

## 10. TELECOMMUNICATIONS

**10.1** Having considered the evidence of Mr McCallum-Clark for the Telecommunication Companies[8] (**Telco's)** I generally agree with the further changes suggested to the Energy and Utilities Chapter and the redrafting suggestions to make the specific components clearer. I also agree with the introduction of Small Cells as a permitted activity, subject to a certain scale and intensity. I consider that Mr McCallum-Clark provides a useful summary in his evidence and I agree with the suggested rules, with the exception that any Microcell located within a heritage precinct should require a discretionary activity resource consent. A recommended revised definition is attached in the recommended revised chapter at **Appendix 1** (Redraft Rules 30.4.50 – 30.4.52). A section 32AA evaluation is included in **Appendix 2.**

## 11. LOCATING UTILITIES WITHIN THE OUTSTANDING NATURAL FEATURES AND LANDSCAPES

**11.1** The matter of locating utilities and infrastructure within the Rural Zone and Outstanding Natural Landscapes and Features was raised by the Panel during the course of the hearing.

8 Vodafone New Zealand (179), Spark New Zealand Trading Limited (191), Chorus New Zealand Limited (781).

**11.2** In the section 42a report for Chapter 21 (Rural Zone)[9] I discussed the locational needs of utilities such as electricity and telecommunications to locate within the ONL, and noted that provision had been made for this matter in the Strategic Direction (Chapter 3), Landscape (Chapter 6) policies[10], and that the Energy and Utilities Chapter also provided specifically for the management of these matters.

**11.3** I consider that the recommended revised Chapter gives effect to the following objectives and policies that promote the sustainable management of infrastructure, in order of hierarchy:

(a) Regional Policy Statement 1998:

- Objective 9.4.2: To promote the sustainable management of Otago's infrastructure to meet the present and reasonably foreseeable needs of Otago's communities.
- Objective 9.4.3: To avoid, remedy or mitigate the adverse effects of Otago's built environment on Otago's natural and physical resources.

(b) Proposed Regional Policy Statement 2015:

- Matter 'Good quality infrastructure and services meet community needs' (Objective: 3.4; Policies: 3.4.1 to 3.4.4);
- Matter 'Infrastructure of national and regional significance is managed in a sustainable way' (Objective: 3.5; Policies: 3.5.1 to 3.5.3);

(c) PDP Strategic Direction Objective 3.2.8.1 '*maintain and promote the efficient operation, maintenance, development and upgrading of the District's existing infrastructure and the provision of new infrastructure to provide for community wellbeing'*

9 QLDC PDP Rural Zone Chapter 21 Craig Barr Section 42A. Refer to Paragraphs 8.38 and 13.3. http://www.qldc.govt.nz/planning/district-plan/proposed-district-plan/proposed-district-plan-hearings/rural/chapter-21-rural/

10 Refer to the Council's Reply to the Strategic Direction hearing. In particular the reply of Matthew Paetz (Strategic Direction Chapter 3) and Craig Barr (Landscapes) http://www.qldc.govt.nz/planning/district-plan/proposed-district-plan/proposed-district-plan-hearings/strategic-direction-urban-development-and-landscape-chapters-3-4-and-6/councils-right-of-reply-streams-01a-and-01b/

(d) PDP Landscape Chapter Objective 6.3.1 *'landscapes are managed and protected from the adverse effects of subdivision, use and development'.*

(e) PDP Landscape Chapter Policy 6.3.1.12 *'regionally significant infrastructure shall be located to avoid or mitigate degradation of the landscape, while acknowledging location constraints, technical or operational requirements'.*

**11.4** I agree with Mr McCallum-Clark in part, where there should be further enablement for telecommunication masts and antennae in the Rural Zone and the ONL in particular, on the basis these structures are of a relatively small scale and would be a recessive colour. I also consider that masts and antennae should be finished in a recessive colour. However I consider that the light reflectance value should be reduced to 16%. This would restrict the colour to greens, browns and greys and fit better with the types of colours typically used for roofs and pressed steel cladding in the Rural and Rural Lifestyle Zone. Colours such as the Colorsteel[11] product range of 'Ironsand', 'Grey Friars' and 'Lignite'.

**11.5** While the reflectance value of 16% reduces the available range of colours it provides ample choices for the utility operator and I consider would provide further comfort associated with permitting masts and antennae within the Rural Zone ONL.

**11.6** I do not support the same level of permissiveness for activities such as masts and antennae within identified outstanding natural features (ONF). While these features hold no higher a status in terms of section 6 (b) of the RMA, the identified ONFs on the PDP Planning maps are distinguishable geomorphological features. I consider that in the context of a permitted regime for utilities, a higher level of regulation is appropriate for these features, which include the component of Feehlys Hill near Arrowtown that is zoned Rural, Mt Iron and Mt Barker, the Clutha River ONF and the islands located within Lakes Wakatipu and Wanaka.

11 Refer to http://www.colorsteel.co.nz/colours/#colour-palette

**11.7** By way of an overview, I recommend the following regulatory regime for utilities as well as telecommunications in respect of the Rural Zone (including the formed legal road amidst the Rural Zone) comprising the section 6 RMA matters. Table 1 below provides a snapshot of the approach to managing utilities within the Rural Zone and identified ONL or ONF areas.

**11.8** I note that buildings within the ONL and ONF are permitted up to 3m height and 10m². Buildings exceeding these limits would require a discretionary activity resource consent.

**Table 1. Overview of the rules for utilities in the Rural Zone (comprising ONL/ONF)**

| Structure | Location/qualifier | Rule (Reply version) | Activity Status |
|---|---|---|---|
| Building (any utility) Excluding masts for telecommunication and radio communication , navigation or meteorological communication - or supporting structures for lines. | ONL / ONF | 30.4.10 | Discretionary |
| Erecting lines and support structures for the National Grid | All locations | 30.4.27 | Discretionary |
| Electricity distribution | | | |
| Overhead lines and support structures | All legal formed roads<br><br>ONL/ONF<br><br>Other locations | 30.4.41<br><br>30.4.34<br><br>30.4.33 | Permitted<br><br>Discretionary<br><br>Controlled |
| Underground lines (cables) | All locations | 30.4.42 | Permitted |
| Lines and Support Structures | ONL/ONF | 30.4.34 | Discretionary |
| Antennae (electricity distribution) | Maximum surface area no greater than 1.5m² and 4m² for whip antennae.<br><br>Where located in the Rural Zone within the Outstanding Natural Landscape or Rural Landscape Classification, antennae shall be finished in colours with a light reflectance value of less than 16%. | 30.4.35 | Permitted |
| Antennae (electricity distribution) | All locations<br>Surface area between than | 30.4.36 | Controlled |

| | | | |
|---|---|---|---|
| | 1.5m² and 4m². Whip antennae not more than 4m in length.<br>Non-compliance: Discretionary | | |
| Telecommunications | | | |
| Lines and support structures | Formed legal road | 30.4.41 | Permitted |
| Underground lines | All locations | 30.4.42 | Permitted |
| Overhead lines and support structures | ONL/ONF | 30.4.44 | Discretionary |
| Masts | Rural Zone: 11 meters<br>ONL: 8 metres<br>Rural Zone: finished in colours with a light reflectance value of less than 16%. | 30.4.45 | Permitted |
| Masts | Rural Zone: greater than 8m or Rural Zone ONF | 30.4.46 | Discretionary |
| Antennae | Not greater than 1.5m² or for whip antennae 4m in length.<br>Rural Zone: finished in colours with a light reflectance value of less than 16%. | | Permitted |
| Antennae | Between 1.5m² and 4m² and whip antennae more than 4m length. | | Controlled |
| Antennae | ONF | | Discretionary |

**11.9** Table 1 illustrates the following substantial shift in position from the notified and section 42a recommendations:

(a) overhead lines on formed legal roads are permitted;

(b) masts are permitted up to 11 metres in the Rural Zone and permitted to 8 meters in the Rural Zone ONL;

(c) antennae are a controlled activity in the ONL where they are between 1.5m² and 4m².

**11.10** I consider that the recommended revised chapter provides appropriate management for utilities while still providing safeguards to manage the adverse effects of activities, in particular where Section 6 RMA matters are at issue.

## 12. MATTER OF DISCRETION RELATING TO NATURAL HAZARDS

**12.1** As notified redrafted Rules 30.4.7 in relation to buildings, 30.4.17 in relation to renewable energy generation activities, and 30.4.33 and 30.4.43 in relation to overhead lines and support structures, all required consent as a restricted discretionary activity. Whether the

site is subject to a natural hazard and whether an assessment has been undertaken by a suitably qualified person is a matter of discretion.

**12.2** Aurora (635) seek that this matter of discretion is deleted because in their view it is too onerous and the location constraints on utilities is such that they have no option but to locate within areas subject to natural hazards.

**12.3** I agree and consider that while utilities need to be resilient and secure, the risks and merits of placing their infrastructure within areas subject to natural hazards are matters for network utility operators to consider.

**12.4** I also note that the Panel questioned the validity of the matter of discretion because it contained a qualifier associated with obtaining an assessment. Irrespective of this matter, Aurora have asked for the matter of discretion to be deleted for other reasons and it is on this basis that I recommend the matter of discretion is removed from the rules.

## 13. OTHER MATTERS

**13.1** Other matters raised by the Panel are addressed as follows:

(a) Rule 30.5.2 (redraft 30.4.20) – Mini and Micro Hydro Electricity Generation. The Panel asked me whether the internal setback rule requirement is reasonable because of the setbacks from water bodies and the inherent need for hydro electricity generation to locate within rivers. I do not consider this to be an issue because there are dedicated rules for activities within the setback of a waterbody and these are not the road and internal boundary setback rules identified in the rule. Notified Rules 7.5.14 (Low Density Residential Zone) and 21.5.4 (Rural Zone) for example, are specific to water bodies.

(b) Submitter John Walker has requested the progressive underlining of powerlines in Wanaka. While I accept that Mr

Walker's case may have merit I cannot support it to the extent that I recommend additional regulatory intervention because Mr Walker has not provided any evaluation of the costs associated with requiring progressive undergrounding.

(c) The Panel suggested whether the height limits for wind electricity generation in the Gibbston Character Zone should be consistent with previous recommendations made in the Rural Hearing Stream associated with frost fighting fans. I note that the recommendation in the Council's reply for the Gibbston Character Zone (Chapter 23)[12] was to increase the towers of frost fans to 12 metres. I consider that in this case the effects are of a similar intensity and character and recommend the height of wind electricity masts is increased to 12 metres. I note that this recommended change affects not only the Gibbston Character Zone but the Rural Zone and the Rural Lifestyle Zone.

(d) The Panel made the comment whether Biomass electricity generation rule (redraft ) 30.40.22 should also be provided for within the Rural Industrial Sub Zone at Luggate. Noting that the first limb of the rule requires that biomass fuel material is to be sourced from the same site as the generation plant, except the Industrial zones. I presume that this is to do with the location of the Rural Industrial Sub Zone being located approximately 200 metres to the south of the closed Luggate landfill site on Church Road. I note that there was not any scope through submissions to make this change to the Rural Industrial Zone, and that the merits of locating a biomass production plant in this zone would need to be assessed through the resource consent process.

12 Refer to Part 6 and Appendix 1 Reply of Craig Alan Barr On behalf of Queenstown Lakes District Council Chapter 23 Gibbston Character Zone. http://www.qldc.govt.nz/planning/district-plan/proposed-district-plan/proposed-district-plan-hearings/rural/councils-right-of-reply-stream-02/

## 14. DEFINITIONS

Telecommunications Facilities

**14.1** The modifications requested by Mr McCallum-Clark for the Telecommunications Companies, to the effect that the word 'mast' replaces 'facilities', is recommended to be accepted for the reasons set out in his evidence and because this provides better certainty within the chapter. As a consequence, this has rendered the definition of 'telecommunications facilities' in the PDP redundant in so far as providing a defined set of matters for these rules. On this basis, I consider that there is scope for the Panel to remove this definition as a consequential amendment and I recommend this. This will need to be re-confirmed at the definitions hearing.

**14.2** Related to this matter is the current recommended definition of 'Regionally Significant Infrastructure'. The definition, which was recommended in the Strategic Direction (1B) hearing Right of Reply, includes 'telecommunication and radio communication facilities.' I also note that Mr McCarrison for Spark Trading New Zealand noted that the definition of telecommunication facilities used in the National Environmental Standard Telecommunication Facilities (**NESTF**) is preferred over that in the PDP. Given that, I recommend the definition of 'Telecommunication Facilities', as referenced in the definition of Regionally Significant Infrastructure should instead refer to the definition provided under the NESTF 2008. The definition is:

> telecommunication facility *means*—
>
> *(a)* *an antenna:*
>
> *(b)* *a cabinet and, if there is one, the concrete foundation plinth for the cabinet.*

**14.3** I consider that this definition more suitably identifies the critical infrastructure components, rather than the definition in the PDP which I consider to be too broad to be acceptable. I consider that there is scope to make this change as the only reference to 'telecommunication facility' is in the definition of 'Regionally significant infrastructure,' which was introduced on account of submissions on the PDP.

Minor Upgrading

**14.4** Aurora (635) have requested that the definition of 'Minor Upgrading' is modified to enable the establishment of replacement lines and support structures within 5 metres of the existing line. I note that the notified definition allowed 1 metre and the section 42A recommended chapter removes this in its entirety.

**14.5** I consider that it is appropriate to provide the ability to replace lines and support structures adjacent to each other, on the basis the redundant support structures or lines are removed. I also consider that 2 metres is a more reasonable distance than 5 metres and is unlikely to generate adverse effects over and above the infrastructure already forming part of the environment.

**14.6** The notified component of the Definition of 'Minor Upgrading' includes (except for in the Rural Zone) the addition of three new support structures extending the length of an existing line, provided the line has not been lengthened in the preceding five year period. Aurora seek this is reinstated and liberalised to include four support structures and the reference to the Rural Zone is removed.

**14.7** Having heard Aurora's evidence I consider that it would be appropriate to reinstate the ability to have three support structures, as notified. I do not support four structures because of uncertainty over adverse effects associated with extending the height of existing masts with a fourth structure. I understand that a fourth structure would be likely to increase the height of the pole and I have not seen sufficient evidence from Aurora that satisfies concerns over the increase in scale that could be acceptable as a permitted activity under the ambit of minor upgrading.

**14.8** I also agree with Aurora that these activities should be allowed in the Rural Zone because the majority of Aurora's electricity lines are located in the Rural Zone. Notwithstanding the importance of protecting landscape and amenity values, particularly within Outstanding Natural Landscapes, the Rural General Zone is a very

large area and in general terms has the ability to absorb the impact of these structures. From a planning perspective this matter can be justified because the addition of support structures is taking place on poles that are already present, and the effects on the environment are established.

**14.9** A revised definition is included in the revised chapter at **Appendix 1**. A section 32AA evaluation is included in **Appendix 2**.

Regionally Significant Infrastructure

**14.10** I recommend amending the definition of 'Regionally Significant Infrastructure' so that it includes 'electricity distribution lines identified on the Planning Maps'. I consider that this is the most efficient and clear method to include the 11kV line from Camphill Road Substation to Makarora, otherwise identifying the 11kV line would make a definition for matters that are regionally significant seem cluttered and even trivial. As noted in my section 42A report, if the Panel agree and recommend the protection of 22Kv, 33Kv, 66kV and the Camphill Road Substation to Makarora 11kV distribution lines, these will need to be identified on the Planning Maps. Attached to the evidence of Ms Dowd for Aurora are the maps showing the location of their electricity distribution lines.

Utilities

**14.11** My s42a report recommends making some relatively minor modifications to the definition of utilities. However, as I discussed with the Panel, I consider that the definition is too enabling and could allow any person to apply the utility chapter to their activities, irrespective of whether it is an essential service for a benefit of the community. For instance a person installing an irrigation pipe could claim that the activity is a utility. The definition of Utility as recommended in my s42a report is:

> *Means the systems, services, structures and networks necessary for operating and supplying essential utilities and services to the community including but not limited to:*
>
> - *substations, transformers, lines and necessary and incidental structures and equipment for the transmissions and distribution of electricity;*

- *pipes and necessary incidental structures and equipment for transmitting and distributing gas;*
- *storage facilities, pipes and necessary incidental structures and equipment for the supply and drainage of water or sewage;*
- *water and irrigation races, drains, channels, pipes and necessary incidental structures and equipment (excluding water tanks);*
- *structures, facilities, plant and equipment for the treatment of water;*
- *structures, facilities, plant, equipment and associated works for receiving and transmitting telecommunications and radio communications (see definition of telecommunication facilities);*
- *structures, facilities, plant, equipment and associated works for monitoring and observation of meteorological activities and natural hazards;*
- *structures, facilities, plant, equipment and associated works for the protection of the community from natural hazards;*
- *structures, facilities, plant and equipment necessary for navigation by water or air;*
- *waste management facilities;*
- *flood protection works; and*
- *Anything described as a network utility operation in s166 of the Resource Management act 1991*

*Utility does not include structures or facilities used for electricity generation, the manufacture and storage of gas, or the treatment of sewage*.

**14.12** The only backstop to address my concerns is the phrase 'Means the systems, services, structures and networks necessary for operating and supplying essential utilities and services to the community'. However I do not consider it to provide ample certainty. I consider that the definition should simply confirm that the utility chapter applies to registered network utility operators, as defined in the RMA.

**14.13** I have revisited the submissions made on this definition and I do not consider there to be scope to make these changes. If the Panel share my concerns and agree that there is not any scope they could suggest to the Council a variation is undertaken. I do note that the section 32 evaluation report[13] does not raise this matter so it could be that my concerns are unfounded.

13 Refer to Attachment 2 of the Council's section 32 evaluation. Monitoring Report: Section 17: Utilities, QLDC, 28 October 2011.

## 15. RELATIONSHIP BETWEEN CHAPTER 17 (QUEENSTOWN AIRPORT MIXED USE) AND CHAPTER 30 (ENERGY AND UTILITIES)

**15.1** I agree with the submission of Queenstown Airport Corporation (**QAC**) (433) that an adjustment is required to ensure that the provisions that relate to Airport Activities within the Queenstown Airport Mixed Use Zone (Chapter 17) prevail over the rules in the Energy and Utilities chapter.

**15.2** While cognisant of what could be a preference by the Panel to clarify this matter through the definition of Utilities, it is my preference that a rule is added to the Energy and Utilities Chapter that confirms that Chapter 17 prevails over Chapter 30 for Airport Activities, including those of QAC. The reason for this is that a reader would typically look to the applicable chapters before the definition, and an exemption in the definition could be missed by readers. It would also mean that there is not any potential for confusion as to the status of other energy and utility activities within the Queenstown Airport Mixed Use Zone.

**15.3** This rule is included in the revised chapter in **Appendix 1**, as Reply 30.3.3.4.

## 16. ENERGY RULES

**16.1** Aurora (635) oppose (Redraft) Rule 30.4.6 at Paragraph 28 of Ms Dowd's evidence because it would make standby and temporary generators that provide electricity distribution a non-complying activity, because the generation would go beyond the site.

**16.2** I agree with Aurora that provision should be made for permitting temporary electricity generation from non-renewable energy sources, typically diesel fuelled electricity generators. I consider it appropriate that a time limit is placed on the activity to ensure amenity is not degraded from excessive use. I also note that Rule 30.4.6 requires that the noise standards in Chapter 36 (Noise) be adhered to. I recommend a limit of 3 months is placed on the use of non-renewable electricity generation. I recommend a rule in the revised chapter at

**Appendix 1** (Reply Rule 30.4.12). A section 32AA evaluation is included in **Appendix 2**. I also consider that there is scope for the Panel to recommend this change on the basis of Aurora's submission point 635.59 on this rule.

Height for support structures

**16.3** Both Aurora and Transpower recommend a rule that permits the increase in height of support structures through an increase of not more than 15% of its base, at the operative date of the Plan. I do not support this because neither submitter has provided the Council with the height of its structures to provide the Council the opportunity to determine compliance.

**16.4** If the Panel are of a view to accepting this rule I recommend they request that the submitters supply this information to the Council at their earliest convenience.

## 17. CONCLUSION

**17.1** Overall, I consider that the recommended revised chapter as set out in **Appendix 1** is the most appropriate way to meet the purpose of the RMA.

**Craig Barr**
**Acting Manager Planning Policy**
**22 September 2016**

# APPENDIX 1

# RECOMMENDED ENERGY AND UTILITIES CHAPTER

**Key**:

Recommended changes to notified chapter are shown in red underlined text for additions and ~~red strike~~ through text for deletions, Appendix 1 to Right of Reply, dated 22 September 2016.

Recommended changes to notified chapter are shown in underlined text for additions and ~~strike through text~~ for deletions. Appendix 1 to section 42A report, dated 19 August 2016.

# 30 Energy and Utilities

## 30.1 Purpose

Energy and Utilities are of strategic importance and require a coordinated approach in relation to the development of energy resources, the generation of electricity and the provision of essential infrastructure throughout the District.

### 30.1.1 Energy

Energy resources play a key role in the socio-economic wellbeing and growth of the District. Local energy needs may change over time and are dependent on the scale of demand, as well as measures to reduce demand through energy efficiency, conservation and small scale renewable generation.

In the future, there may be a need for new generation sources to meet demand. Electricity generation by renewable energy sources is desired over non-renewable sources and this is reinforced in the National Policy Statement on Renewable Electricity Generation 2011. The generation of electricity from non-renewable sources is generally discouraged. However, standby generation may be necessary for essential public, civic, community and health functions, or in areas not connected to the electricity distribution network.

Energy efficiency and conservation go hand in hand with renewable energy. Conserving the use of energy together with the generation of renewable energy will be vital in responding to the challenges of providing enough energy to meet future energy needs and reducing greenhouse gas emissions. Small and community scale generation is encouraged and advantages of solar energy within the District are recognised. The benefits of solar energy may be realised through site design methods which promote solar efficient design, in addition to the inclusion of solar photovoltaic panels and solar hot water heating systems within buildings. Sustainable building forms which reduce energy demand and minimise heating costs are encouraged, including use of the Homestar™ rating system for residential buildings and Green Star tool for commercial buildings.

### 30.1.2 Utilities

Utilities are essential to the servicing and functioning of the District. Utilities have the purpose to provide a service to the public and are typically provided by a network utility operator.

Due to the importance of utilities in providing essential services to the community, their often high capital cost to establish, and their long life expectancy; the need for the establishment and on-going functioning, maintenance and upgrading of utilities is recognised. In addition, some utilities have specific locational needs that need to be accommodated for their operation. The co-location of utilities may achieve efficiencies in design and operation, reduce capital investment costs and also minimise amenity and environmental effects. The ability to co-locate compatible uses should be considered for all utility proposals.

It is recognised while utilities can have national, regional and local benefits, they can also have adverse effects on surrounding land uses, some of which have been established long before the network utility. The sustainable management of natural and physical resources requires a balance between the effects of different land uses. However, it is also necessary that essential utilities are protected, where possible, from further encroachment by incompatible activities which may be ~~subject~~ lead to reverse sensitivity effects. This chapter therefore also addresses requirements for sensitive uses and habitable buildings located near to utilities.

**Comment [CB1]:** Clarification.

## 30.2 Objectives and Policies

***Energy***

**30.2.1 Objective - The benefits of the District's renewable and non-renewable energy resources and the electricity generation facilities that utilise such resources are recognised as locally, regionally and nationally important in the sustainable management of the District's resources.**

**Policies**

30.2.1.1 Recognise the national, regional and local benefits of the District's renewable and non-renewable electricity generation activities.

30.2.1.2 Enable the operation, maintenance, repowering, upgrade of existing non-renewable electricity generation activities and development of new ones where adverse effects can be avoided, remedied or mitigated.

**30.2.2 Objective - Recognise that the use and development of renewable energy resources have the following benefits:**

- **Maintain or enhance electricity generation capacity while avoiding, reducing or displacing greenhouse gas emissions**
- **Maintain or enhance the security of electricity supply at local, regional and national levels by diversifying the type and/or location of electricity generation**
- **Assist in meeting international climate change obligations**
- **Reduce reliance on imported fuels for the purpose of generating electricity**
- **Help with community resilience through development of local energy resources and networks.**

**Policies**

30.2.2.1 Enable the development, operation, maintenance, repowering and upgrading of new and existing renewable electricity generation activities, (including small and community scale), in a manner that:

- Recognises the need to locate renewable electricity generation activities where the renewable electricity resources are available
- Recognises logistical and technical practicalities associated with renewable electricity generation activities
- Provides for research and exploratory-scale investigations into existing and emerging renewable electricity generation technologies and methods.

30.2.2.2 Enable new technologies using renewable energy resources to be investigated and established in the district.

**30.2.3 Objective - Energy resources are developed and electricity is generated, in a manner that minimises adverse effects on the environment.**

**Policies**

30.2.3.1 Promote the incorporation of Small and Community-Scale Distributed Electricity Generation structures and associated buildings (whether temporary or permanent) as a means to improve efficiency and reduce energy demands.

30.2.3.2 Ensure the visual effects of Wind Electricity Generation do not exceed the capacity of an area to absorb change or significantly detract from landscape and visual amenity values.

30.2.3.3 Promote Biomass Electricity Generation in proximity to available fuel sources that minimise external effects on the surrounding road network and the amenity values of neighbours.

30.2.3.4 Assess the effects of Renewable Electricity Generation proposals, other than Small and Community Scale, ~~on a case-by-case basis~~, with regards to:

- landscape values and areas ~~with~~ of significant indigenous flora or significant habitat for indigenous fauna
- recreation and cultural values, including relationships with tangata whenua
- amenity values
- The extent of public benefit and outcomes of location specific cost-benefit analysis.

30.2.3.5 Existing energy facilities, associated infrastructure and undeveloped energy resources are protected from incompatible subdivision, land use and development.

30.2.3.6 To compensate for adverse effects, consideration shall be given to any offset measures (including biodiversity offsets) and/or environmental compensation including those which benefit the local environment and community affected.

30.2.3.7 Consider non-renewable energy resources including standby power generation and Stand Alone Power systems where adverse effects can be mitigated.

**30.2.4 Objective - ~~Site~~ Subdivision layout, site layout and building design takes into consideration energy efficiency and conservation.**

**Policies**

30.2.4.1 Encourage energy efficiency and conservation practices, including use of energy efficient materials and renewable energy in development.

30.2.4.2 Encourage subdivision and development to be designed so that buildings can utilise energy efficiency and conservation measures, including by orientation to the sun and through other natural elements, to assist in reducing energy consumption.

30.2.4.3 Encourage Small and Community-Scale Distributed Electricity Generation and Solar Water Heating structures within new or altered buildings.

30.2.4.4 Encourage building design which achieves a Homestar™ certification rating of 6 or more for residential buildings, or a Green Star rating of at least 4 stars for commercial buildings.

30.2.4.5 Transport networks should be designed so that the number, length and need for vehicle trips is minimised, and reliance on private motor vehicles is reduced, to assist in reducing energy consumption.

30.2.4.6 Control the location of buildings and outdoor living areas to reduce impediments to access to sunlight.

***Utilities***

**30.2.5 Objective - ~~Co-ordinate the provision of utilities as necessary to support~~ t The growth and development of the District is supported by utilities that are able to operate effectively and efficiently.**

**Comment [CB2]:** Submitter 373

**Comment [CB3]:** Submitter 373

**Comment [CB4]:** Clarification

**Comment [CB5]:** Submitter 781

# ENERGY AND UTILITIES 30

**Policies**

30.2.5.1 ~~Essential u~~Utilities are provided to service new development prior to buildings being occupied~~, and activities commencing~~.

30.2.5.2 Ensure the efficient management of solid waste by:

- encouraging methods of waste minimisation and reduction such as re-use and recycling
- providing landfill sites with the capacity to cater for the present and future disposal of solid waste
- assessing trends in solid waste
- identifying solid waste sites for future needs
- consideration of technologies or methods to improve operational efficiency and sustainability (including the potential use of landfill gas as an energy source)
- providing for the appropriate re-use of decommissioned landfill sites.

30.2.5.3 Recognise the future needs of utilities and ensure their provision in conjunction with the provider.

30.2.5.4 ~~Assess the priorities for servicing established urban areas, which are developed but are not reticulated.~~

~~Recognise~~ Ensure that the adverse effects of utilities on the environment are managed while taking into account the positive social, economic, cultural and environmental benefits that utilities provide, including:

a. enabling enhancement of the quality of life and standard of living for people and communities

b. providing for public health and safety

c. enabling the functioning of businesses

d. enabling economic growth

e. enabling growth and development

f. protecting and enhancing the environment

g. enabling the transportation of freight, goods, people

h. enabling interaction and communication

30.2.5.5 Ensure reticulation of those areas identified for urban expansion or redevelopment is achievable, and that a reticulation system be implemented prior to subdivision.

30.2.5.6 Encourage low impact design techniques which may reduce demands on local utilities.

**30.2.6 Objective - The wellbeing of the community is supported by the establishment, ~~efficient use~~, continued operation and maintenance of utilities ~~necessary for the well-being of the community~~.**

**Policies**

30.2.6.1 Recognise the need for maintenance or upgrading of ~~a~~ utilities ~~y~~ including regionally significant infrastructure to ensure its on-going viability and efficiency.

**Comment [CB6]:** Submitter 781

**Comment [CB7]:** Submitters 179.15, 191.13, 421.12, 781.14

**Comment [CB8]:** Submitter 635, 805

**Comment [CB9]:** Submitter 781

**Comment [CB10]:** 781, 805

**Comment [CB11]:** Submitter 805

30.2.6.2 ~~Consider long term options and economic costs and strategic needs when considering alternative locations, sites or methods for the establishment or alteration of a utility.~~

When considering the effects of proposed utility developments ~~with adverse environmental effects,~~ consideration shall be given to ~~the consideration of~~ alternatives, but also to how adverse effects have been managed through the route, site and method selection process while taking into account the locational, technical and operational requirements of the utility and the benefits associated with the utility.

**Comment [CB12]:** Submitter 781

**Comment [CB13]:** Submitter 805.

30.2.6.3 Encourage the co-location of facilities where operationally and technically feasible.

~~30.2.6.4~~ ~~Provide for the sustainable, secure and efficient use and development of the electricity transmission network, including within the transmission line corridor, and to protect activities from the adverse effects of the electricity transmission network, including by:~~

**Comment [CB14]:** Relocated and modified to new policy 30.2.8.1. Submitter 805.

- ~~Controlling the proximity of buildings, structures and vegetation to existing transmission corridors, including buffer distances for managing subdivision and land use development near the National grid.~~
- ~~Discouraging sensitive activities from locating within or near to the electricity transmission National Grid Yard to minimise potential reverse sensitivity effects on the transmission network~~
- ~~Managing subdivision within or near to electricity transmission corridors to achieve the outcomes of this policy to facilitate good amenity and urban design outcomes~~
- ~~Not compromising the operation or maintenance options or, to the extent practicable, the carrying out of routine and planned upgrade works.~~

30.2.6.~~5~~4 Recognise the presence and function of established network utilities, and their locational and operational requirements, by managing land use, development and/or subdivision in locations which could compromise their safe and efficient operation.

30.2.6.~~6~~5 Manage the adverse effects of activities, including reverse sensitivity effects, that could compromise the development, operation, upgrading and maintenance of utilities, including the National Grid and the ~~identified~~ electricity ~~sub-transmission~~ distribution ~~lines~~, network. ~~through the management of activities within an identified buffer corridor~~.

**Comment [CB15]:** Submitter 635

**30.2.7 Objective - ~~Avoid, remedy or mitigate t~~ The adverse effects of utilities on surrounding environments, particularly those in or on land of high landscape value, and within special character areas are avoided, remedied or mitigated.**

**Comment [CB16]:** Grammatical change to conform to the Panel's 4th procedural minute.

**Policies**

30.2.7.1 Provide for ~~Reduce adverse effects associated with~~ utilities while managing their adverse effects on the environment by:

**Comment [CB17]:** Submitters 191, 251, 781.

- Avoiding, remedying or mitigating their location on ~~sensitive sites including heritage and~~ identified sensitive environments ~~special character areas~~, and protecting Outstanding Natural Landscapes and Outstanding Natural Features, and skylines and ridgelines from inappropriate development.

**Comment [CB18]:** Submitter 519, 251, FS1186, 179.15, 191.13, 421.12, 781.14

- Managing adverse effects on the amenity values of urban areas and the Rural Landscapes.

**Comment [CB19]:** Submitters 179.15, 191.13, 421.12, 781.14

- Encouraging co-location or multiple use of network utilities where this is efficient and practicable in order to avoid, remedy or mitigate adverse effects on the environment
- Ensuring that redundant utilities are removed
- Using landscaping and or colours and finishes to reduce visual effects

- Integrating utilities with the surrounding environment; whether that is a rural environment or existing built form.

30.2.7.2 Require the undergrounding of services in new areas of development where technically feasible.

30.2.7.3 Encourage the replacement of existing overhead services with underground reticulation or the upgrading of existing overhead services where technically feasible.

30.2.7.4 Take account of economic and operational needs in assessing the location and external appearance of utilities.

**30.2.8** **The Ongoing operation, maintenance, development and upgrading of the National Grid is provided for while managing the adverse effects on the environment of the National Grid network.**

**Comment [CB20]:** Submitter 805.

30.2.8.1 Provide for the benefits of a sustainable, secure and efficient National Grid by enabling its use and development, by managing its adverse effects ~~of the electricity transmission network, including within the transmission line corridor, and to protect activities from the adverse effects of the electricity transmission network,~~ and by managing the adverse effects of activities on the National Grid, including by:

**Comment [CB21]:** Policy relocated from 30.2.6.4 and modifications recommended by 805.

- ~~Controlling the proximity of buildings, structures and vegetation to existing transmission corridors, including buffer distances for managing subdivision and land use development near the National grid.~~
- ~~Discouraging sensitive activities from locating within or near to the electricity transmission National Grid Yard to minimise potential reverse sensitivity effects on the transmission network~~
- Only allowing buildings, structures and earthworks in the National Grid Yard where they will not compromise the operation, maintenance, upgrade and development of the National Grid.
- Avoiding Sensitive Activities within the National Grid Yard.
- Managing potential electrical hazards, and the adverse effects of buildings, structures and Sensitive Activities on the operation, maintenance, upgrade and development of the Frankton Substation.
- Managing subdivision within the National Grid corridor ~~or near to electricity transmission corridors~~ to achieve the outcomes of this policy to facilitate good amenity and urban design outcomes
- ~~Not compromising the operation or maintenance options or, to the extent practicable, the carrying out of routine and planned upgrade works.~~

**Comment [CB22]:** Submitter 805. New recommended policy associated with Transpower recommended Controlled Activity rule to require 45 metre setback from the Frankton Substation.

## 30.3 Other Provisions and Rules

### 30.3.1 District Wide

~~Attention is drawn to the following District Wide Rules. If the District Wide Rules are not met, then consent will be required in respect of that matter.~~

**Comment [CB23]:** Submitter 781

All provisions referred to are within Stage 1 of the Proposed District Plan, unless marked as ~~O~~operative ~~District Plan (ODP)~~.

**Comment [CB24]:** Non substantive grammatical change for clarity.

| | | |
|---|---|---|
| 1 Introduction | 2 Definitions | 3 Strategic Direction |
| 4 Urban Development | 5 Tangata Whenua | 6 Landscapes |

| | | |
|---|---|---|
| ~~24~~ Signs (18 Operative ~~DP~~) | ~~25~~ Earthworks (22 Operative ~~DP~~) | 26 Historic Heritage |
| 27 Subdivision | 28 Natural Hazards | ~~29~~ Transport (14 Operative ~~DP~~) |
| ~~30 Utilities and Renewable Energy~~ | ~~31~~ Hazardous Substances (16 Operative ~~DP~~) | 32 Protected Trees |
| 33 Indigenous Vegetation | 34 Wilding Exotic Trees | 35 Temporary Activities and Relocated Buildings |
| 36 Noise | 37 Designations | Planning Maps |

**Comment [CB25]:** Non substantive change for clarity.

**30.3.2 National**

30.3.2.1 Resource Management (National Environmental Standard for Electricity Transmission Activities) Regulations 2009:

Notwithstanding any other rules in the District Plan, the National Grid existing as at 14 January 2010 is covered by the Resource Management (National Environmental Standard for Electricity Transmission Activities) Regulations 2009 (NESETA) and must comply with the NESETA.

The provisions of the NESETA prevail over the provisions of this District Plan ~~Chapter~~, to the extent of any inconsistency. No other rules in the District Plan that duplicate or conflict with the Standard shall apply.

**Comment [CB26]:** Submitter 805

30.3.2.2 Resource Management (National Environmental Standards for Telecommunications Facilities "NESTF") Regulations 2008:

The Resource Management (National Environmental Standards for Telecommunications Facilities "NESTF") Regulations 2008 provide for:

- The planning and operation of a telecommunication facility such as a mobile phone transmitter, that generates radio frequency fields as a permitted activity, provided it complies with the New Zealand Standard on Radiofrequency Fields Part 1: Maximum Exposure Levels 3kHz to 300 GHz (NZS 2772.1:1999).
- The installation of telecommunications equipment cabinets in the road reserve as a permitted activity, subject to specified limitations on their size and location.
- Noise from telecommunications equipment cabinets located in the road reserve as a permitted activity, subject to the specified noise limits.
- The installation or replacement of masts and antennae on existing structures in the road reserve as a permitted activity, subject to specified limitations on height and size.

The provisions of the NESTF prevail over the provisions of this District Plan ~~Chapter~~, to the extent of any inconsistency. No other rules in the District Plan that duplicate or conflict with the Standard shall apply.

**Comment [CB27]:** Submitter 805

30.3.2.3 New Zealand Electrical Code of Practice for Electrical Safe Distances

Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances ("NZECP 34:2001") is mandatory under the Electricity Act 1992. All activities regulated by the NZECP 34, including any activities that are otherwise permitted by the District Plan must comply with this legislation.

Advice Note:

Compliance with this District Plan does not ensure compliance with NZECP 34.

**Comment [CB28]:** Submitter 805

30.3.2.~~3~~4 Advice Note: Electricity (Hazards from Trees) Regulations 2003

Vegetation to be planted around electricity networks should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.

**30.3.3 Clarification**

30.3.3.1 A permitted activity must comply with all the rules listed in the activity and standards tables, and any relevant district wide rules.

30.3.3.2 Where an activity does not comply with a Standard listed in the Standards table, the activity status identified by the Non-Compliance Status column shall apply. Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.

30.3.3.3 The rules contained in this Chapter take precedence over any other rules that may apply to energy and utilities in the District Plan, unless specifically stated to the contrary and with the exception of:

a. 26 Historic Heritage

b. Hazardous Substances (~~16 ODP~~ Operative)

c. Earthworks (22 Operative)

30.3.3.4 ~~If District Wide Rules are not met, then consent will be required in respect of that matter.~~

For Airport Activities, including the Queenstown Airport Corporation as Network Utility Operator, the Queenstown Airport Mixed Use Zone (Chapter 17) shall prevail over the Energy and Utilities Chapter (Chapter 30).

30.3.3.5 Utilities can also be provided as designations if the utility operator is a requiring authority. Refer to Chapter 37 – Designations of the Plan for conditions and descriptions of designated sites.

30.3.3.6 The following abbreviations are used in the tables.

| | | | |
|---|---|---|---|
| P | Permitted | C | Controlled |
| RD | Restricted Discretionary | D | Discretionary |
| NC | Non Complying | PR | Prohibited |

## 30.4 Rules ~~– Activities~~

| | General Activities | Activity Status |
|---|---|---|
| ~~30.4.8~~ 30.4.1 | **Utilities~~, Buildings, Structures and Earthworks~~ which are not otherwise listed in Rules x to x** | D |
| ~~30.4.16~~ 30.4.2 | **~~New~~ Buildings (associated with a Utility) ~~and structures ancillary to or associated with Utilities provided:~~**<br>~~The~~ Any building or cabinet or structure shall be ~~is~~ less than 10m$^2$ in total footprint ~~or~~ and less than 3m in height. | P |

**Comment [CB29]:** Submitters 805, FS1121

**Comment [CB30]:** Clarification, non-substantive change.

**Comment [CB31]:** Submitter 251, 179, 191, 421, 781

**Comment [CB32]:** Submitter 781

**Comment [CB33]:** Submitter 433

**Comment [CB34]:** Clarification, non-substantive change.

**Comment [RL35]:** Revised version 30.4.8 Redrafted 30.4.1

**Comment [CB36]:** Submitters 179.15, 191.13, 421.12, 781.14 and 251

**Comment [RL37]:** Revised version 30.4.16 Redrafted 30.4.2

| | General Activities | Activity Status |
|---|---|---|
| | Excluding masts wind electricity generation for telecommunication and radio communication , navigation or meteorological communication - or supporting structures for lines. | |
| ~~30.4.17~~23<br>30.4.3 | **Flood Protection Works** for the maintenance, reinstatement, repair or replacement of existing flood protection works for the purpose of:<br>• maintaining the flood carrying capacity of water courses and/or maintaining the integrity of existing river protection works<br>• fill works undertaken within Activity Area 1f of the Shotover Country Special Zone. | P |
| ~~30.4.18~~24<br>30.4.4 | **Flood Protection Works** not otherwise provided for in Rule 30.4.3 ~~identified~~. | D |
| ~~30.4.19~~25<br>30.4.5 | **Waste Management Facilities** | D |
| ~~30.4.20~~26<br>30.4.6 | **Water and Wastewater Treatment Facilities** | D |
| ~~30.4.21~~7 | ~~**In the Remarkables Park Zone**, all lattice towers or overhead lines or support structures for overhead lines for any purpose (except any poles solely for the purpose of street lighting); or any mast for any purpose; or any antenna greater than 1.2m in diameter, length or breadth (except omni-directional or 'whip' antenna less than 4 metres in length).~~ | ~~NC~~ |
| ~~30.4.15~~17<br>30.4.7 | **Buildings (associated with a Utility)**<br>The addition, alteration or construction of buildings greater than 10m$^2$ in area and 3m in height and not located in any of the sensitive environments identified by Rule 30.4.8.<br>Excluding ~~(other than~~ masts for wind electricity generation ~~any~~ telecommunication and radio communication ~~facility~~, navigation or meteorological communication ~~facility~~ or supporting structures for lines~~)~~. ~~However, this rule shall not apply where the provisions of the underlying zone or a District Wide rule specify a more restrictive activity status.~~<br>Control is reserved to all of the following:<br>• Location<br>• External appearance and visual effects<br>• Associated earthworks<br>• Parking and access<br>• Landscaping<br>• ~~Where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: an assessment by a suitably qualified person is provided that addresses the nature and degree of risk the hazard(s) pose to the resilience and operation of the facility and associated buildingspeople and~~ | C |

**Comment [RL38]:** Revised version 30.4.23 Redrafted 30.4.3

**Comment [RL39]:** Revised version 30.4.24 Redrafted 30.4.4

**Comment [RL40]:** Revised version 30.4.25 Redrafted 30.4.5

**Comment [RL41]:** Revised version 30.4.26 Redrafted 30.4.6

**Comment [CB43]:** Submitter 635

**Comment [RL44]:** Revised version 30.4.27

**Comment [CB42]:** Submitter 635

**Comment [RL48]:** Revised version 30.4.17 Redrafted 30.4.7

**Comment [CB45]:** Multiple submitters including 191, 251, 635, 805

**Comment [RL46]:** Submitter 635

| | General Activities | Activity Status |
|---|---|---|
| | ~~property, whether the proposal will alter the risk to any site, and the extent to which such risk can be avoided or sufficiently mitigated[1].~~ | |
| ~~30.4.18~~<br><br>30.4.8 | **Buildings (associated with a Utility)**<br><br>Any addition, alteration or construction of buildings and structures, ~~(other than masts for any telecommunication and radio communication facility, navigation or meteorological communication facility or supporting structures for lines)~~ in:<br><br>• Any Significant Natural Areas<br><br>• The Arrowtown Residential Historic Management Zone.<br><br>~~• The Remarkables Park Zone~~<br><br>~~(~~Excluding ~~other than~~ masts for ~~any~~ wind electricity generation telecommunication and radio communication ~~facility~~, navigation or meteorological communication ~~facility~~ or supporting structures for lines) | D |
| | **General Standards** | **Non-compliance status** |
| ~~30.5.6~~<br><br>30.4.9 | **Setback from internal boundaries and road boundaries**<br><br>Where the utility is a building, it shall be set back in accordance with the internal and road boundary setbacks for accessory buildings in the zone in which it is located. | D |
| ~~30.5.7~~<br><br>30.4.10 | **Buildings (associated with a Utility) in Outstanding Natural Landscapes (ONL) and Outstanding Natural Features (ONF)**<br><br>Any building within an ONL or ONF shall be less than 10m$^2$ in area and less than 3m in height~~.~~<br><br>Excluding masts for wind electricity generation, telecommunication and radio communication , navigation or meteorological communication - or supporting structures for lines. | D |
| ~~30.5.8~~<br><br>30.4.11 | **Height**<br><br>All buildings or structures, ~~(excluding masts and antennae for any telecommunication and radio communication facility, navigation or meteorological communication facility)~~ shall comply with the relevant maximum height provisions for buildings of the zone they are located in.<br><br>Excluding masts and antennae for ~~any~~ wind electricity generation, telecommunication and radio-communication ~~facility~~, navigation or meteorological communication ~~facility~~. | D |

**Comment [CB47]:** Submission 383

**Comment [RL51]:** Revised version 30.4.18 Redrafted 30.4.8

**Comment [CB49]:** Submitters 179.15, 191.13, 421.12, 781.14

**Comment [CB50]:** Submitter 635, 251

**Comment [RL52]:** Revised version 30.5.6 Redraft 30.4.9

**Comment [RL53]:** Revised version 30.5.7 Redraft 30.4.10

**Comment [RL55]:** Revised version 30.5.8 Redraft 30.4.11

**Comment [CB54]:** Submitter 368.

# ENERGY AND UTILITIES 30

| | Non-Renewable Energy Activities | Activity Status |
|---|---|---|
| ~~30.4.6~~<br>30.4.12 | **Non-renewable Electricity Generation** where the generation only supplies activities on the site on which it is located and involves either:<br>• Standby generators associated with community, health care, and utility activities; or<br>• Generators that are part of a Stand-Alone Power System on ~~remote~~ sites that do not have connection to the local distributed electricity network.<br>• Generators that supply the local distributed electricity network for a period not exceeding 3 months in any calendar year.<br>Note – Diesel Generators must comply with the provisions of Chapter 36 (Noise) and Hazardous Substances (Chapter 16 Operative ~~ODP~~) | P |
| ~~30.4.1~~<br>30.4.13 | **Non-Renewable Energy Activities which are not otherwise specified.** | NC |

| | Renewable Energy Activities | Activity Status |
|---|---|---|
| 30.4.14 | **Wind Electricity Generation equal to or less than 5kW**<br>within the Rural Zone, Gibbston Character Zone and Rural Lifestyle Zone that complies with Rule Rule 30.4.21.<br>Control shall be reserved to all of the following:<br>• Noise<br>• Visual effects<br>• Colour<br>• Vibration | C |
| ~~30.4.2~~<br>30.4.15 | **Small and Community-Scale Distributed Electricity Generation and Solar Water Heating** with a rated capacity of equal to or less than ~~3.5~~ 5 kW<br>(including any structures and associated buildings but excluding Wind Electricity Generation), and not located in any of the sensitive environments identified by Rule 30.4.~~3~~16. | P |

**Comment [RL58]:** Revised version 30.4.6 Redraft 30.4.12

**Comment [CB56]:** Submitter 635.

**Comment [CB57]:** Clarification

**Comment [RL59]:** Revised version 30.4.1 Redraft 30.4.13

**Comment [CB60]:** Submitter 368

**Comment [RL62]:** Revised version 30.4.2 Redraft 30.4.15

**Comment [CB61]:** Submitter 126

| | Renewable Energy Activities | Activity Status |
|---|---|---|
| ~~30.4.3~~<br>30.4.16 | **Small and Community-Scale Distributed Electricity Generation and Solar Water Heating** (including any structures, associated buildings)<br>• ~~With~~ has a rated capacity of more than ~~3.~~5kW /OR<br>is located in any of the following sensitive environments:<br>• Arrowtown Residential Historic Management Zone<br>• Town Centre Special Character Area<br>• Open Space Zones<br>• Any open space and landscape buffer areas identified on any of the Special Zones<br>• Significant Natural Areas<br>• Outstanding Natural Landscapes<br>• Outstanding Natural Features<br>• Heritage~~,~~ Features and Landscapes<br>• Rural Zone~~s~~, ~~Rural Residential Zone,~~ Rural Lifestyle Zone, Gibbston Character Zone (~~if detached from or separate to~~ where located outside a building platform). | D |
| ~~30.4.4~~<br>30.4.17 | **Renewable Electricity Generation Activities**, limited to masts, drilling and water monitoring for the purpose of research and exploratory-scale investigations that are ~~of a~~ temporary ~~nature~~.<br>Excludes the Hydro Generation Zone.<br>Discretion is restricted to all of the following:<br>• The duration of works and the research purpose<br>• The location of investigation activities and facilities, including proximity to, and effects on, sensitive uses and environments<br>• The height and scale of facilities and potential visual effects<br>• Environmental effects<br>• ~~Where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: an assessment by a suitably qualified person is provided that addresses the nature and degree of risk the hazard(s) pose to the resilience and operation of the facility and associated buildingspeople and property, whether the proposal will alter the risk to any site, and the extent to which such risk can be avoided or sufficiently mitigated[1].~~ | RD |
| | **Renewable Energy Activities** | **Activity Status** |
| ~~30.4.5~~<br>30.4.18 | **Renewable Electricity Generation Activities**, other than Small and Community-Scale Distributed Electricity Generation, and including any new or additional building housing plant and electrical equipment. | D |

**Comment [RL65]:** Revised version 30.4.3 Redraft 30.4.16

**Comment [CB63]:** Clarification

**Comment [CB64]:** Submitter 580

**Comment [RL70]:** Revised version 30.4.4 Redraft 30.4.17

**Comment [CB66]:** Clarification

**Comment [CB67]:** Submitter 580

**Comment [RL68]:** Submitter 635

**Comment [CB69]:** Submitter 383

**Comment [RL71]:** Revised version 30.4.5 Redraft 30.4.18

[1] Policies that guide the assessment of proposals on land affected by natural hazards are located in Chapter 28.

| | Renewable Energy Standards | Non-compliance status |
|---|---|---|
| ~~30.5.1~~<br>30.4.19 | **Small and Community-Scale Distributed Electricity Generation and Solar Water Heating shall**:<br>~~30.5.1.1~~<br>30.4.19.1 not overhang the edge of any building.<br>~~30.5.1.2~~<br>30.4.19.2 Solar Electricity Generation cells, modules and panels and Solar Water Heating collector panels shall be recessive colours: black, dark blue, grey or brown. Frames, mounting, fixing hardware shall be finished in similar recessive colours with a light reflectance value of less than 36%. Recessive colours shall be selected to be the closest colour to the building to which they form part of, are attached to, or service.<br>~~30.5.1.3~~<br>30.4.19.3 be set back in accordance with the internal and road boundary setbacks for buildings in the zone in which they are located. Any ~~E~~ exemptions identified in the zone rules for accessory buildings shall not apply.<br>~~30.5.1.4~~<br>30.4.19.4 not intrude through any recession planes applicable in the zone in which they are located.<br>~~30.5.1.5~~<br>30.4.19.5 For solar panels on a sloping roof, may protrude a maximum of 0.5 m above the maximum height limit specified for the zone.<br>~~30.5.1.6~~<br>30.4.19.6 For solar panels on a flat roof, may protrude a maximum of 1.0 m above the maximum height limit specified for the zone, for a maximum area of $5m^2$.<br>~~30.5.1.7~~<br>30.4.19.7 not exceed 2.0 metres in height if for free standing Solar Electricity Generation and Solar Water Heating.<br>~~30.5.1.8~~<br>30.4.19.8 not exceed 150 $m^2$ in area if for free standing Solar Electricity Generation and Solar Water Heating.<br>~~30.5.1.9~~<br>30.4.19.9 be located within an approved building platform in the Rural zone, Rural Lifestyle zone and the Gibbston Character Zones. ~~and~~<br>30.4.19.10 not exceed the site coverage requirements of the underlying zone, where such rules apply.. | D |

**Comment [RL75]:** Revised version 30.5.1 Redraft 30.4.19

**Comment [CB72]:** Submitter 383

**Comment [CB73]:** Clarification.

**Comment [CB74]:** Submitters 126 and 368

| | Renewable Energy Standards | Non-compliance status |
|---|---|---|
| ~~30.5.2~~<br>30.4.20 | **Mini and Micro Hydro Electricity Generation shall:**<br>~~30.5.2.1~~<br>30.4.20.1 comply with Road and Internal Boundary Building Setbacks in the zone in which they are located.<br>~~30.5.2.2~~<br>30.4.20.2 not exceed 2.5 metres in height.<br>~~30.5.2.3~~<br>30.4.20.3 be finished in recessive colours with a light reflectance value of less than 36%, consistent with the building it is servicing on site.<br>Note: Reference should also be made to the Otago Regional Council: Regional Plan: Water ~~Water Plan Rules~~. | D |
| ~~30.5.3~~<br>30.4.21 | **Wind Electricity Generation shall:**<br>~~30.5.3.1~~<br>30.4.21.1 comprise no more than two Wind Electricity Generation turbines or masts on any site.<br>~~30.5.3.2~~<br>30.4.21.2 involve no lattice towers.<br>~~30.5.3.3~~<br>30.4.21.3 be set back in accordance with the internal and road boundary setbacks for buildings in the zone in which they are located. Any ~~E~~ exemptions identified in the zone rules for accessory buildings shall not apply<br>~~30.5.3.4~~<br>30.4.21.4 not exceed the maximum height or intrude through any recession planes applicable in the zone in which they are located.<br>In the Rural and Gibbston Character Zones the maximum height shall be that specified for non-residential building ancillary to viticulture or farming activities (12m).<br>The maximum height for a wind turbine shall be measured to the top of the mast ~~tip of blade when in vertical position~~.<br>~~30.5.3.5~~<br>30.4.21.5 be finished in recessive colours with a light reflectance value of less than 16%<br>~~be painted in non-reflective paint with a light reflectance value of less than 36%~~.<br>30.4.21.6 Comply with the Noise Chapter 36 (Noise) | D |

**Comment [RL78]:** Revised version 30.5.2 Redraft 30.4.20

**Comment [CB76]:** Submitter 383

**Comment [CB77]:** Clarification

**Comment [RL83]:** Revised version 30.5.3 Redraft 30.4.21

**Comment [CB79]:** Clarification.

**Comment [CB80]:** Submitter 368

**Comment [CB81]:** Submitter 383

**Comment [CB82]:** Submitter 368

| | Renewable Energy Standards | Non-compliance status |
|---|---|---|
| ~~30.5.4~~<br><br>30.4.22 | **Biomass Electricity Generation**<br><br>~~30.5.4.1~~<br><br>30.4.22.1 Biomass Electricity Generation fuel material shall be sourced on the same site as the generation plant, except where the generation plant is located in Industrial Zones (and Industrial Activities Areas within Structure Plans).<br><br>~~30.5.4.2~~<br><br>30.4.22.2 Any outdoor storage of Biomass Electricity Generation fuel material shall be screened from adjoining sites and public places.<br><br>~~30.5.4.3~~<br><br>30.4.22.3 Biomass Electricity Generation plant and equipment shall be located inside a Building.<br><br>Advice Note: Reference should also be made to the Otago Regional Council: Regional Plan: Air ~~Plan Rules~~. | D |
| ~~30.5.5~~<br><br>30.4.23 | ~~Associated b~~**Buildings for renewable energy activities**<br><br>Any building housing plant and electrical equipment associated with Renewable Electricity Generation activities, unless permitted in the zone in which it located or approved by resource consent, shall:<br><br>~~30.5.5.1~~<br><br>30.4.23.1 not exceed 10m$^2$ in area and ~~2.5~~ 3m in height.<br><br>~~30.5.5.2~~<br><br>30.4.23.2 be set back in accordance with the internal and road boundary setbacks for accessory buildings in the zone in which it is located.<br><br>~~30.5.5.3~~<br><br>30.4.23.3 be finished in recessive colours with a light reflectance value of less than 36%, consistent with the building it is servicing on site. | D |

| | National Grid Activities | Activity Status |
|---|---|---|
| ~~30.4.9~~<br><br>30.4.24 | **Minor Upgrading** | P |

**Comment [RL85]:** Revised version 30.5.4 Redraft 30.4.22

**Comment [CB84]:** Clarification

**Comment [CB86]:** Clarification

**Comment [RL89]:** Revised version 30.5.5 Redraft 30.4.23

**Comment [CB87]:** Submitters 179.15, 191.13, 421.12, 781.14

**Comment [CB88]:** Submitter 383

**Comment [RL90]:** Revised version 30.4.9 Redraft 30.4.24

| | | |
|---|---|---|
| ~~30.4.10~~<br><br>30.4.25 | **Buildings, structures and activities that are not National Grid sensitive activities within the National Grid Corridor**<br><br>**~~Buildings~~ and structures ~~(that are not for National Grid Sensitive Activities), Structures and Earthworks within the National Grid Corridors~~ and ~~Electricity Sub-Transmission~~ lines**<br><br>(~~s~~ Subject to compliance with Rules ~~30.5.9~~ 30.4.29 and ~~30.5.11~~) 30.4.30 | P |
| 30.4.26 | **Earthworks within the National Grid Yard**<br><br>Subject to compliance with Rule 30.4.30 | P |
| 30.4.27 | **Buildings, structures and National Grid sensitive activities in the vicinity of the Frankton Substation**<br><br>Any building, structure or National Grid sensitive activity within 45m of the designated boundary of Transpower New Zealand Limited's Frankton Substation.<br><br>Control is reserved to all of the following:<br><br>• the extent to which the design and layout (including underground cables, services and fencing) avoids adverse effects on the on-going operation, maintenance,<br><br>• upgrading and development of the substation;<br><br>• the risk of electrical hazards affecting public or individual safety, and the risk of property damage; and<br><br>• measures proposed to avoid or mitigate potential adverse effects. | C |
| ~~30.4.12.2~~<br><br>30.4.28 | Erecting any lines, lattice towers or support structures for new overhead lines to convey electricity (at a voltage of more than 110kV with a capacity over 100MVA) in all zones. | D |

**Comment [RL94]:** Revised version 30.4.10 Redraft 30.4.25

**Comment [CB91]:** Submitters 383, 836

**Comment [CB92]:** Submitter 635

**Comment [CB93]:** Submitters 383, 836 and 635

**Comment [RL95]:** Revised version 30.4.10 Redraft 30.4.25

**Comment [CB96]:** Submitter 805. Suggested rule filed Friday 16 September 2016.

**Comment [RL97]:** Revised version 30.4.12.2 Redraft 30.4.28

| | National Grid Standards | Non-compliance status |
|---|---|---|
| ~~30.5.109~~<br><br>30.4.29 | **Buildings and Structures permitted within the National Grid Yard ~~include being~~:**<br><br>~~30.5.910.1~~<br><br>30.4.29.1 A non-conductive fence located 5m or more from any National Grid Support Structure and no more than 2.5m in height.<br><br>~~30.5.910.2~~<br><br>30.4.29.2 A~~ny~~ network utility within a transport corridor or any part of electricity infrastructure that connects to the National Grid, excluding a building or structure for the reticulation and storage of water for irrigation purposes.<br><br>~~30.5.910.3~~<br><br>30.4.29.3 Any new non-habitable building less than 2.5m high and 10m$^2$ in floor area and is more than 12m from a National Grid Support Structure.<br><br>~~30.5.910.4~~<br><br>30.4.29.4 Any non-habitable building or structure used for agricultural activities provided that they are:<br><br>a. less than 2.5m high<br><br>b. Located at least 12m from a National Grid Support Structure<br><br>c. Not a milking shed/dairy shed (excluding the stockyards and ancillary platforms), or a commercial glasshouse, or a structure associated with irrigation, or a factory farm.<br><br>~~30.5.910.5~~<br><br>30.4.29.5 Alterations to existing buildings that do not alter the building envelope.<br><br>30.4.29.6 An agricultural structure where Transpower has given written approval in accordance with clause 2.4.1 of NZECP34:2001.<br><br>Note – Refer to the Definitions for illustration of the National Grid Yard. | NC |

**Comment [CB100]:**

**Comment [RL101]:** Revised version 30.5.9 Redraft 30.4.29

**Comment [CB98]:** Submitter 635

**Comment [RL99]:** Submitter 805

| | National Grid Standards | Non-compliance status |
|---|---|---|
| ~~30.5.11~~<br><br>30.4.30 | Earthworks permitted within the National Grid Yard ~~being include~~:<br><br>~~30.5.11.1 Earthworks within 2.2 metres of a National Grid pole support structure or stay wire shall be no deeper than 300mm.~~<br><br>~~30.5.11.2 Earthworks between 2.2 metres to 5 metres of a National Grid pole support structure or stay wire shall be no deeper than 750mm.~~<br><br>~~30.5.11.3~~<br><br>30.4.30.1 Earthworks within 6 metres of the outer visible edge of a National Grid Transmission ~~Tower~~ Support Structure shall be no deeper than 300mm.<br><br>~~30.5.11.4~~<br><br>30.4.30.2 Earthworks between 6 metres to 12 metres from the outer visible edge of a National Grid Transmission ~~Tower~~ Support structure shall be no deeper than 3 metres.<br><br>~~30.5.11.5~~<br><br>30.4.30.3 Earthworks shall not create an unstable batter that will affect a transmission support structure.<br><br>~~30.5.11.6~~<br><br>30.4.30.4 Earthworks shall not result in a reduction in the existing conductor clearance distance below what is required by the ~~New Zealand Electrical Code of Practice~~ NZECP34:2001.<br><br>The following earthworks are exempt from the rules above:<br><br>~~30.5.11.7~~<br><br>30.4.30.5 Earthworks undertaken by network utility operators in the course of constructing or maintaining utilities providing the work is not associated with buildings or structures for the storage of water for irrigation purposes.<br><br>~~30.5.11.8~~<br><br>30.4.30.6 Earthworks undertaken as part of agricultural activities or domestic gardening<br><br>~~30.5.11.9~~<br><br>30.4.30.7 Repair sealing, resealing of an existing road, footpath, farm track or driveway<br><br>Note – Refer to the Definitions for illustration of the National Grid Yard. | ~~D~~NC |

**Comment [CB102]:** All changes in red – Reply version Submitter 805.

**Comment [CB103]:** Submitter 635

**Comment [RL104]:** Revised version 30.5.11 Redraft 30.4.30

# ENERGY AND UTILITIES 30

| | Electricity Distribution Activities | Activity Status |
|---|---|---|
| ~~30.4.9~~<br><br>30.4.31 | **Minor Upgrading** | P |
| 30.4.32 | **Lines and Supporting Structures**<br><br>The placement and upgrading of lines, poles and supporting structures within formed legal road. | P |
| ~~30.4.22~~<br><br>30.4.33 | **Underground Electricity Cables**<br><br>The placement of underground electricity distribution cables is a permitted activity provided ~~**alteration, or addition to underground lines for electricity purposes when:**~~ the ground surface is reinstated to the state it was prior to works commencing.<br><br>~~Note – Refer to the Operative Earthworks chapter.~~ | P |
| ~~30.4.11~~<br><br>30.4.34 | **Lines and Supporting Structures**<br><br>~~A conductor line , or support structures for overhead lines,~~<br><br>Except as otherwise stated in Rules 30.4.32 and 30.4.33 above, and 30.4.35 below, ~~N~~ new lines and associated above ground support structures, including masts, poles or ancillary equipment, but excluding lattice towers, to convey electricity (at a voltage of equal to or less than 110kV at a capacity of equal to or less than 100MVA); ~~or overhead lines for any other purpose including telecommunications.~~<br><br>Control is reserved to all of the following:<br><br>• Location<br>• Route<br>• Height<br>• Appearance, scale and visual effects<br>• ~~Where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: an assessment by a suitably qualified person is provided that addresses the nature and degree of risk the hazard(s) pose to the resilience and operation of the facility and associated buildingspeople and property, whether the proposal will alter the risk to any site, and the extent to which such risk can be avoided or sufficiently mitigated[1].~~ | C |

**Comment [RL105]:** Revised version 30.4.9 Redraft 30.4.31

**Comment [CB106]:** Submitter 251

**Comment [CB107]:** Submitters 179.15, 191.13, 421.12, 781.14 and 251

**Comment [RL108]:** Revised version 30.4.22 Redraft 30.4.33

**Comment [CB109]:** Submitters 179.15, 191.13, 421.12, 781.14

**Comment [RL113]:** Revised version 30.4.11 Redraft 30.4.34

**Comment [CB110]:** Relocated to Telecommunications

**Comment [RL111]:** Submitter 635

**Comment [CB112]:** Submission 383

| | Electricity Distribution Activities | Activity Status |
|---|---|---|
| ~~30.4.12~~<br><br>30.4.35 | **Lines and Supporting Structures**<br><br>Any line or support structure where it involves:<br><br>~~30.4.12.1 Erecting any lattice towers for overhead lines to convey electricity in all zones.~~<br><br>~~30.4.12.2 Erecting any lines, lattice towers or support structures for new overhead lines to convey electricity (at a voltage of more than 110kV with a capacity over 100MVA) in all zones.~~<br><br>~~30.4.12.3~~ Erecting any support structures for overhead lines to convey electricity (at a voltage of equal to or less than 110kV at a capacity of equal to or less than 100MVA); or overhead lines for any other purposes ~~including telecommunications~~ in any Outstanding Natural Feature or Outstanding Natural Landscape or Significant Natural Areas.<br><br>~~30.4.12.4 Utilising any existing support structures for the erection of cable television aerials and connections.~~<br><br>~~30.4.12.5 Erecting any support structures for overhead lines for any purpose in the area in Frankton known as the "Shotover Business Park", except where any new poles are solely for the purpose of providing street lighting.~~ | D |
| ~~30.4.19~~<br><br>30.4.36 | **Antennas**<br><br>Provided the maximum surface area is no greater than 1.5m$^2$ ~~If circular shaped, an antenna less than 1.2m in diameter. If another shape, an antenna less than 1.2m in length or breadth. F~~ and for whip antennas, less than 4m in length.<br><br>Where located in the Rural Zone within the Outstanding Natural Landscape or Rural Landscape Classification, antennae shall be finished in colours with a light reflectance value of less than 16%. | P |
| ~~30.4.20~~<br><br>30.4.37 | **Antennas**<br><br>Subject to 30.4.36, provided the surface area is between 1.5m$^2$ and 4m$^2$ ~~If circular shaped, an antenna greater than 1.2m in diameter but less than 2.4m in diameter. If another shape, an antenna greater than 1.2m in length or breadth but less than 2.4m in length and breadth. F~~ and for whip antennas, more than 4m in length.<br><br>Control is reserved to all of the following:<br><br>• Location<br><br>~~• Route~~<br><br>~~• Height~~<br><br>• Appearance, colour ~~scale~~ and visual effects | C |

**Comment [RL119]:** Revised version 30.4.12 Redraft 30.4.35

**Comment [CB114]:** Submitters 179.15, 191.13, 421.12, 781.14

**Comment [CB115]:** Relocated to National Grid Table

**Comment [CB116]:** This renders a D consent in most rural locations.

**Comment [CB117]:** Submitters 179.15, 191.13, 421.12, 781.14

**Comment [RL118]:** Submitter 635, 251

**Comment [CB120]:** Submitters 179.15, 191.13, 421.12, 781.14

**Comment [RL121]:** Revised version 30.4.19 Redraft 30.4.36

**Comment [CB122]:** Submitters 179.15, 191.13, 421.12, 781.14

**Comment [RL123]:** Revised version 30.4.20 Redraft 30.4.37

| | Electricity Distribution Activities | Activity Status |
|---|---|---|
| ~~30.4.21~~<br><br>30.4.38 | ~~Antennas more than 2.4m in diameter, length or breadth and/or 4m in length for whip antennas in rural zone, OR, a~~ Any antennas located in the following:<br><br>• any identified Outstanding Natural ~~Landscape or~~ Feature,<br>• the Arrowtown Residential Historic Management Zone,<br>• Arrowtown Town Centre,<br>• Queenstown Special Character Area,<br>• Significant Natural Areas and<br>• Heritage~~,~~ Features and Landscapes. | D |
| | **Electricity Distribution Standards** | **Non-compliance status** |
| ~~30.5.10~~<br><br>30.4.39 | **Buildings and Structures in the Electricity Distribution Corridor**<br><br>Buildings and Structures ~~and Earthworks~~ are a permitted activity within the Electricity ~~Sub-Transmission~~ Distribution Corridor identified on the Planning Maps, ~~Corridor include~~:<br><br>Within 10m of a centre line in the corridor, provided:<br><br>• ~~30.5.10.1 Any~~ Any building or structure that does not require building consent; or,<br><br>• Alteration of any building that does not exceed outside the envelope or footprint of the existing building.<br><br>~~30.5.10.2 Earthworks that:~~<br><br>a. ~~Are not directly above an underground cable(s); and~~<br><br>b. ~~Do not result in a reduction of existing ground clearance distances from overhead lines below the minimums prescribed in the New Zealand Code of Practice 34:2001 (NZECP 34:2001); and~~<br><br>c. ~~Are in accordance with NZECP 34:2001.~~ | ~~NC~~ ~~RD~~ |

**Comment [CB124]:** Submitters 179.15, 191.13, 421.12, 781.14

**Comment [RL126]:** Revised version 30.4.21 Redraft 30.4.38

**Comment [RL125]:** Removed for consistency with other rules in chapter

**Comment [CB127]:** Submitter 635

**Comment [RL129]:** Revised version 30.5.10 Redraft 30.4.39

**Comment [CB128]:** Relocated to 30.4.39

| | Electricity Distribution Standards | Non-compliance status |
|---|---|---|

| | | |
|---|---|---|
| 30.4.40 | **Earthworks in the Electricity Distribution Corridor**<br><br>Earthworks are a permitted activity within the Electricity Distribution Corridor identified on the Planning Maps provided:<br><br>a. Are not directly above an underground cable(s); and<br><br>b. Do not result in a reduction of existing ground clearance distances from overhead lines below the minimums prescribed in the New Zealand Code of Practice 34:2001 (NZECP 34:2001); and<br><br>c. Are in accordance with NZECP 34:2001.<br><br>Rules 30.4.39 and 30.4.40<br><br>• Discretion is restricted to the following:<br>• The use, design and location of buildings;<br>• Effects on public health and safety;<br>• Effects on access, maintenance and upgrading opportunities. | RD |

Comment [CB130]: Submitter 635.

| | **Telecommunications, radio communication, navigation or meteorological communication activities ~~facilities~~:** | **Activity Status** |
|---|---|---|
| ~~30.4.9~~<br><br>30.4.41 | **Minor Upgrading** | P |
| 30.4.42 | **Overhead Lines and Supporting Structures within formed legal road** | P |
| ~~30.4.22~~<br><br>30.4.43 | **The construction, alteration, or addition to underground lines providing:**<br><br>the ground surface is reinstated to the state it was prior to works commencing.<br><br>~~Note – Refer to the Operative Earthworks chapter.~~ | P |
| ~~30.4.11~~<br><br>30.4.44 | **Overhead Lines and Supporting Structures**<br><br>Not located in any of the sensitive environments identified by Rule 30.4.45<br><br>~~A conductor line , or support structures for overhead lines.~~<br><br>~~New lines and associated above ground support structures, including masts, poles or ancillary equipment, but excluding lattice towers, to convey electricity (at a voltage of equal to or less than 110kV at a capacity of equal to or less than 100MVA); or overhead lines for any other purpose including telecommunications.~~<br><br>Control is reserved to all of the following: | C |

Comment [RL131]: Revised version 30.4.9 Redraft 30.4.41

Comment [CB132]: Submitters 179.15, 191.13, 421.12, 781.14 and 251

Comment [RL133]: Revised version 30.4.22 Redraft 30.4.43

Comment [CB134]: Submitters 179.15, 191.13, 421.12, 781.14

Comment [RL137]: Revised version 30.4.11 Redraft 30.4.44

| | Telecommunications, radio communication, navigation or meteorological communication activities ~~facilities~~: | Activity Status |
|---|---|---|
| | • Location<br>• Route<br>• ~~Height~~<br>• Appearance, scale and visual effects<br>• ~~Where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: an assessment by a suitably qualified person is provided that addresses the nature and degree of risk the hazard(s) pose to the resilience and operation of the facility and associated buildingspeople and property, whether the proposal will alter the risk to any site, and the extent to which such risk can be avoided or sufficiently mitigated[1].~~ | |
| ~~30.4.12~~<br>30.4.45 | **Overhead Lines and Supporting Structures**<br>Any line or support structure within ~~where it involves~~:<br>~~30.4.12.1 Erecting any lattice towers for overhead lines to convey electricity in all zones.~~<br>~~30.4.12.2 Erecting any lines, lattice towers or support structures for new overhead lines to convey electricity (at a voltage of more than 110kV with a capacity over 100MVA) in all zones.~~<br>~~30.4.12.3 Erecting any support structures for overhead lines to convey electricity (at a voltage of equal to or less than 110kV at a capacity of equal to or less than 100MVA); or overhead lines for any other purposes including telecommunications in~~ any Outstanding Natural Feature or Outstanding Natural Landscape or Significant Natural Areas.<br>~~30.4.12.4 Utilising any existing support structures for the erection of cable television aerials and connections.~~<br>~~30.4.12.5 Erecting any support structures for overhead lines for any purpose in the area in Frankton known as the "Shotover Business Park", except where any new poles are solely for the purpose of providing street lighting.~~ | D |
| ~~30.4.14~~<br>30.4.46 | Masts ~~Telecommunications facilities~~:<br>With a ~~Masts exceeding~~ maximum height no greater than:<br>15m in the Queenstown Business Mixed Use zone and Rural Zone;<br>18m in the High Density Residential Queenstown – Flat Sites, Queenstown Town Centre, Wanaka Town Centre (Wanaka Height Precinct) or Airport Mixed Use zones;<br>13m in the Local Shopping Centre, Wanaka Business Mixed Use or Jacks Point zones; ~~and~~<br>11m in any other zone; and | ~~C~~ P |

**Comment [RL135]:** Submitter 635

**Comment [CB136]:** Submission 383

**Comment [RL140]:** Revised version 30.4.12 Redraft 30.4.45

**Comment [CB138]:** Submitters 179.15, 191.13, 421.12, 781.14

**Comment [CB139]:** Submitters 179.15, 191.13, 421.12, 781.14

**Comment [CB141]:** Submitters 179.15, 191.13, 421.12, 781.14

**Comment [RL142]:** Revised version 30.4.14 Redraft 30.4.46

| | Telecommunications, radio communication, navigation or meteorological communication activities ~~facilities~~: | Activity Status |
|---|---|---|
| | 8m in any identified Outstanding Natural Landscape.<br><br>Where located in the Rural Zone within the Outstanding Natural Landscape or Rural Landscape Classification, masts shall be finished in colours with a light reflectance value of less than 16%.<br><br>~~Control is reserved to all of the following:~~<br><br>~~• Location~~<br><br>~~• Route~~<br><br>~~• Height~~<br><br>~~• Appearance, scale and visual effects~~ | |
| ~~30.4.15~~<br><br>30.4.47 | **Masts ~~Telecommunications facilities~~:**<br><br>Exceeding the maximum height for the zones identified in Rule 30.4.46 OR any mast located in<br><br>• any identified Outstanding Natural ~~Landscape or~~ Feature~~;~~;<br>• the Arrowtown Residential Historic Management Zone~~;~~;<br>• Arrowtown Town Centre~~;~~;<br>• Queenstown Special Character Area~~;~~;<br>• Significant Natural Areas~~;~~; and<br>• Sites containing a Heritage~~-~~ Feature~~s~~; and<br>• Heritage Landscapes. | D |
| ~~30.4.19~~<br><br>30.4.48 | **Antennas**<br><br>Provided the maximum surface area is no greater than 1.5m$^2$ ~~If circular shaped, an antenna less than 1.2m in diameter. If another shape, an antenna less than 1.2m in length or breadth. F~~ and for whip antennas, less than 4m in length.<br><br>Where located in the Rural Zone within the Outstanding Natural Landscape or Rural Landscape Classification, antennae shall be finished in colours with a light reflectance value of less than 16%. | P |
| ~~30.4.20~~<br><br>30.4.49 | **Antennas**<br><br>Subject to Rule 30.4.50, provided the surface area is between 1.5m$^2$ and 4m$^2$ ~~If circular shaped, an antenna greater than 1.2m in diameter but less than 2.4m in diameter. If another shape, an antenna greater than 1.2m in length or breadth but less than 2.4m in length and breadth. F~~ and for whip antennas, more than 4m in length.<br><br>Control is reserved to all of the following:<br><br>• Location<br><br>~~• Route~~<br><br>~~• Height~~<br><br>• Appearance, colour ~~scale~~ and visual effects | C |

**Comment [CB143]:** Submitters 179.15, 191.13, 421.12, 781.14

**Comment [RL144]:** Revised version 30.4.15 Redrafted 30.4.47

**Comment [CB145]:** Submitters 179.15, 191.13, 421.12, 781.14

**Comment [RL146]:** Revised version 30.4.19 Redrafted 30.4.48

**Comment [CB147]:** Submitters 179.15, 191.13, 421.12, 781.14

**Comment [RL148]:** Revised version 30.4.20 Redraft 30.4.49

| | Telecommunications, radio communication, navigation or meteorological communication activities facilities: | Activity Status |
|---|---|---|
| 30.4.21<br><br>30.4.50 | Antennas more than 2.4m in diameter, length or breadth and/or 4m in length for whip antennas in rural zone, OR, aAny antennas located in the following:<br><br>• any identified Outstanding Natural Landscape or Feature,<br>• the Arrowtown Residential Historic Management Zone,<br>• Arrowtown Town Centre,<br>• Queenstown Special Character Area,<br>• Significant Natural Areas and<br>• Heritage, Features and Landscapes. | D |
| 30.4.51 | Microcells<br><br>A small cell and associated antennae, with a volume of no greater than 0.11m$^3$ | P |
| 30.4.52 | Microcells<br><br>A small cell and associated antennae, with a volume of between 0.11m$^3$ and 2.5m$^3$.<br><br>Control is reserved to all the following<br><br>• Appearance,<br>• Colour, and<br>• Visual effects | C |
| 30.4.53 | Microcells<br><br>A small cell and associated antennas, with a volume more than 2.5m$^3$ OR located:<br><br>• within a Heritage precinct; | D |

**Comment [CB149]:** Submitters 179.15, 191.13, 421.12, 781.14

**Comment [RL151]:** Revised version 30.4.21 Redraft 30.4.50

**Comment [RL150]:** Removed for consistency with other rules in chapter

**Comment [CB152]:** Submitters 179.15, 191.13, 421.12, 781.14

**Comment [CB153]:** Submitters 179.15, 191.13, 421.12, 781.14

**Comment [CB154]:** Submitters 179.15, 191.13, 421.12, 781.14

| | Activities for Energy and Utilities | Activity Status |
|---|---|---|
| Rules for Energy Activities | | |
| 30.4.1 | Energy Activities which are not listed in this table | NC |
| 30.4.2 | Small and Community Scale Distributed Electricity Generation and Solar Water Heating with a rated capacity of less than 3.5 5 kW<br><br>(including any structures and associated buildings but excluding Wind Electricity Generation), and not located in any of the sensitive environments identified by Rule 30.4.3. | P |
| 30.4.3 | Small and Community Scale Distributed Electricity Generation and Solar Water Heating (including any structures, associated buildings)<br><br>• With has a rated capacity of more than 3.5kW /OR | D |

**Comment [RL155]:** Relocated now 30.4.13

**Comment [RL157]:** Relocated now 30.4.15

**Comment [CB156]:** Submitter 126

**Comment [RL160]:** Relocated now 30.4.16

| | Activities for Energy and Utilities | Activity Status |
|---|---|---|
| | is located in any of the following sensitive environments:<br>• Arrowtown Residential Historic Management Zone<br>• Town Centre Special Character Area<br>• Open Space Zones<br>• Any open space and landscape buffer areas identified on any of the Special Zones<br>• Significant Natural Areas<br>• Outstanding Natural Landscapes<br>• Outstanding Natural Features<br>• Heritage, Features and Landscapes<br>• Rural Zones, Rural Residential Zone, Rural Lifestyle Zone, Gibbston Character Zone (if detached from or separate to outside a building platform). | |
| 30.4.4 | **Renewable Electricity Generation Activities**, limited to masts, drilling and water monitoring for the purpose of research and exploratory-scale investigations that are of a temporary nature.<br>Excludes the Hydro Generation Zone.<br>Discretion is restricted to all of the following:<br>• The duration of works and the research purpose<br>• The location of investigation activities and facilities, including proximity to, and effects on, sensitive uses and environments<br>• The height and scale of facilities and potential visual effects<br>• Environmental effects<br>• Where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: an assessment by a suitably qualified person is provided that addresses the nature and degree of risk the hazard(s) pose to the resilience and operation of the facility and associated buildingspeople and property, whether the proposal will alter the risk to any site, and the extent to which such risk can be avoided or sufficiently mitigated[2]. | RD |
| 30.4.5 | **Renewable Electricity Generation Activities**, other than Small and Community Scale Distributed Electricity Generation, and including any new or additional building housing plant and electrical equipment. | D |
| 30.4.6 | **Non-renewable Electricity Generation** where the generation only supplies activities on the site on which it is located and involves either:<br>• Standby generators associated with community, health care, and utility activities; or | P |

**Comment [CB158]:** Clarification

**Comment [CB159]:** Submitter 580

**Comment [RL164]:** Relocated now 30.4.17

**Comment [CB161]:** Clarification

**Comment [CB162]:** Submitter 580

**Comment [CB163]:** Submitter 383

**Comment [RL165]:** Relocated now 30.4.18

**Comment [RL167]:** Relocated now 30.4.12

[2] Policies that guide the assessment of proposals on land affected by natural hazards are located in Chapter 28.

| | Activities for Energy and Utilities | Activity Status |
|---|---|---|
| | • Generators that are part of a Stand-Alone Power System on remote sites that do not have connection to the local distributed electricity network.<br><br>Note – Diesel Generators must comply with the provisions of Chapter 36 (Noise) and Hazardous Substances (Chapter 16 Operative ODP) | |
| 30.4.7 | **Non-renewable Electricity Generation not otherwise identified.** | NC |
| **Rules for Utilities; and Buildings, Structures and Earthworks within or near to the National Grid Corridor**<br><br>Note – The rules differentiate between four types of activities: lines and support structures; masts and antennae; utility buildings; and flood protection works & waste management facilities. | | |
| 30.4.8 | **Utilities, Buildings, Structures and Earthworks which are not otherwise listed in this table** | D |
| 30.4.9 | **Minor Upgrading** | P |
| 30.4.10 | **Buildings and structures (that are not for National Grid Sensitive Activities), Structures and Earthworks within National Grid Corridors and Electricity Sub-Transmission lines**<br><br>(subject to compliance with Rules 30.5.9, 30.5.10 and 30.5.11) | P |
| 30.4.11 | **Lines and Supporting Structures**<br><br>A conductor line , or support structures for overhead lines,<br><br>New lines and associated above ground support structures, including masts, poles or ancillary equipment, but excluding lattice towers, to convey electricity (at a voltage of equal to or less than 110kV at a capacity of equal to or less than 100MVA); or overhead lines for any other purpose including telecommunications.<br><br>Control is reserved to all of the following:<br><br>• Location<br><br>• Route<br><br>• Height<br><br>• Appearance, scale and visual effects<br><br>• Where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: an assessment by a suitably qualified person is provided that addresses the nature and degree of risk the hazard(s) pose to the resilience and operation of the facility and associated buildingspeople and property, whether the proposal will alter the risk to any site, and the extent to which such risk can be avoided or sufficiently mitigated[1]. | C |
| 30.4.12 | **Lines and Supporting Structures**<br><br>Any line or support structure where it involves:<br><br>30.4.12.1 Erecting any lattice towers for overhead lines to convey electricity in all zones. | D |

**Comment [CB166]:** Clarification

**Comment [CB168]:** Submitters 179, 191, 421, 781

**Comment [RL169]:** Relocated now 30.4.1

**Comment [RL170]:** Relocated now 30.4.24, 30.4.31, 30.4.41

**Comment [RL174]:** Relocated now 30.4.25

**Comment [CB171]:** Submitters 383, 836

**Comment [CB172]:** Submitter 635

**Comment [CB173]:** Submitters 383, 836 and 635

**Comment [CB175]:** Submitters 179.15, 191.13, 421.12, 781.14

**Comment [RL177]:** Relocated now 30.4.34, 30.4.44

**Comment [CB176]:** Submission 383

**Comment [RL181]:** Relocated now 30.4.35, 30.4.45

**Comment [CB178]:** Submitters 179.15, 191.13, 421.12, 781.14

| | Activities for Energy and Utilities | Activity Status |
|---|---|---|
| | 30.4.12.2 Erecting any lines, lattice towers or support structures for new overhead lines to convey electricity (at a voltage of more than 110kV with a capacity over 100MVA) in all zones.<br><br>30.4.12.3 Erecting any support structures for overhead lines to convey electricity (at a voltage of equal to or less than 110kV at a capacity of equal to or less than 100MVA); or overhead lines for any other purposes including telecommunications in any Outstanding Natural Feature or Outstanding Natural Landscape or Significant Natural Areas.<br><br>30.4.12.4 Utilising any existing support structures for the erection of cable television aerials and connections.<br><br>30.4.12.5 Erecting any support structures for overhead lines for any purpose in the area in Frankton known as the "Shotover Business Park", except where any new poles are solely for the purpose of providing street lighting. | |
| 30.4.13 | **Telecommunications or radio communication, navigation or meteorological communication facilities:**<br><br>With a maximum height no greater than:<br>12m in the Queenstown Business Mixed Use zone;<br>15m in the High Density Residential Queenstown – Flat, Queenstown Town Centre, Wanaka Town Centre (Wanaka Height Precinct) or Airport Mixed Use zones;<br>10m in the Local Shopping Centre, Wanaka Business Mixed Use or Jacks Point zones; and<br>8m in any other zone. | P |
| 30.4.14 | **Telecommunications or radio communication, navigation or meteorological communication facilities:**<br><br>With a maximum height no greater than:<br>15m in the Queenstown Business Mixed Use zone and Rural Zone;<br>18m in the High Density Residential Queenstown – Flat, Queenstown Town Centre, Wanaka Town Centre (Wanaka Height Precinct) or Airport Mixed Use zones;<br>13m in the Local Shopping Centre, Wanaka Business Mixed Use or Jacks Point zones; and<br>11m in any other zone.<br><br>Control is reserved to all of the following:<br>• Location<br>• Route<br>• Height<br>• Appearance, scale and visual effects | C |
| 30.4.15 | **Telecommunications or radio communication, navigation or meteorological communication facilities:**<br><br>located in<br>• any identified Outstanding Natural Landscape or Feature,<br>• the Arrowtown Residential Historic Management Zone,<br>• Arrowtown Town Centre, | D |

**Comment [RL179]:** Relocated now 30.4.27

**Comment [CB180]:** Submitters 179.15, 191.13, 421.12, 781.14

**Comment [CB182]:** Submitters 179.15, 191.13, 421.12, 781.14

**Comment [RL183]:** Deleted #781

**Comment [CB184]:** Submitters 179.15, 191.13, 421.12, 781.14

**Comment [RL185]:** Relocated and modified now 30.4.46

**Comment [CB186]:** Submitters 179.15, 191.13, 421.12, 781.14

**Comment [RL187]:** Relocated and modified now 30.4.47

| | Activities for Energy and Utilities | Activity Status |
|---|---|---|
| | • Queenstown Special Character Area,<br>• Significant Natural Areas and<br>• Heritage, Features and Landscapes. | |
| 30.4.16 | **New Buildings and structures ancillary to or associated with Utilities provided:**<br><br>The building or cabinet or structure is less than 10m$^2$ in total footprint or less than 3m in height. | P |
| 30.4.1517 | **Buildings (associated with a Utility)**<br><br>The addition, alteration or construction of buildings greater than 10m$^2$ in area and 3m in height (other than masts for any telecommunication and radio communication facility, navigation or meteorological communication facility or supporting structures for lines). However, this rule shall not apply where the provisions of the underlying zone or a District Wide rule specify a more restrictive activity status.<br><br>Control is reserved to all of the following:<br><br>• Location<br><br>• External appearance and visual effects<br><br>• Associated earthworks<br><br>• Parking and access<br><br>• Landscaping<br><br>• Where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: an assessment by a suitably qualified person is provided that addresses the nature and degree of risk the hazard(s) pose to the resilience and operation of the facility and associated buildingspeople and property, whether the proposal will alter the risk to any site, and the extent to which such risk can be avoided or sufficiently mitigated[1]. | C |
| 30.4.18 | **Buildings (associated with a Utility)**<br><br>Any addition, alteration or construction of buildings and structures, (other than masts for any telecommunication and radio communication facility, navigation or meteorological communication facility or supporting structures for lines) in:<br><br>• Any Significant Natural Areas<br><br>• The Arrowtown Residential Historic Management Zone.<br><br>• The Remarkables Park Zone | D |
| 30.4.19 | **Antennas**<br><br>If circular shaped, an antenna less than 1.2m in diameter. If another shape, an antenna less than 1.2m in length or breadth. For whip antennas, less than 4m in length. | P |
| 30.4.20 | **Antennas**<br><br>If circular shaped, an antenna greater than 1.2m in diameter but less than | C |

**Comment [CB188]:** Submitters 179.15, 191.13, 421.12, 781.14 and 251

**Comment [RL189]:** Relocated now 30.4.2

**Comment [RL192]:** Relocated now 30.4.7

**Comment [CB190]:** Multiple submitters including 191, 251, 635, 805

**Comment [CB191]:** Submission 383

**Comment [RL194]:** Relocated now 30.4.8

**Comment [CB193]:** Submitters 179.15, 191.13, 421.12, 781.14 notified 30.4.16

**Comment [CB195]:** Submitters 179.15, 191.13, 421.12, 781.14

**Comment [RL196]:** Relocated now 30.4.36, 30.4.48

**Comment [CB197]:** Submitters 179.15, 191.13, 421.12, 781.14

**Comment [RL198]:** Relocated now 30.4.37, 30.4.49

| | Activities for Energy and Utilities | Activity Status |
|---|---|---|
| | 2.4m in diameter. If another shape, an antenna greater than 1.2m in length or breadth but less than 2.4m in length and breadth. For whip antennas, more than 4m in length.<br><br>Control is reserved to all of the following:<br><br>• Location<br><br>• Route<br><br>• Height<br><br>• Appearance, scale and visual effects | |
| 30.4.21 | **Antennas more than 2.4m in diameter, length or breadth and/or 4m in length for whip antennas in rural zone, OR, any antennas located in the following:**<br><br>• any identified Outstanding Natural Landscape or Feature,<br>• the Arrowtown Residential Historic Management Zone,<br>• Arrowtown Town Centre,<br>• Queenstown Special Character Area,<br>• Significant Natural Areas and<br>• Heritage, Features and Landscapes. | D |
| 30.4.22 | **The construction, alteration, or addition to underground lines for electricity or telecommunication purposes when:**<br><br>the ground surface is reinstated to the state it was prior to works commencing.<br><br>Note – Refer to the Operative Earthworks chapter. | P |
| 30.4.13 | **Telecommunication Facility and Radio communication Facilities Navigation, Meteorological Facilities**<br><br>Any telecommunication and radio communication facility, navigation or meteorological communication facility where it involves erecting:<br><br>30.4.13.1 Within the Rural Zone any mast greater than 8m but less than or equal to 15m in height.<br><br>30.4.13.2 Within the Town Centre Zones any mast greater than 8m but less than or equal to 10m in height.<br><br>30.4.13.3 in zones with a maximum building height of less than 8m (except for the Business and Industrial Zones), a mast greater than the maximum height permitted for buildings of the zone or activity area in which it is located.<br><br>30.4.13.4 If circular shaped an antenna greater than 1.2m in diameter but less than 2.4m in diameter. If another shape, an antenna greater than 1.2m in length or breadth but less than 2.4m in length and breadth.<br><br>Control is reserved to all of the following:<br><br>• Site location<br><br>• External appearance | C |

**Comment [CB199]:** Submitters 179.15, 191.13, 421.12, 781.14

**Comment [RL200]:** Relocated now 30.4.38, 30.4.50

**Comment [CB201]:** Submitters 179.15, 191.13, 421.12, 781.14 and 251

**Comment [RL202]:** Relocated now 30.4.33, 30.4.43

**Comment [CB203]:** Submitters 179, 191, 421, 781
Notified 30.4.13, redrafted in 30.4.14 and 30.4.19 and 30.4.20

| | Activities for Energy and Utilities | Activity Status |
|---|---|---|
| | • Access and parking<br>• Visual amenity impacts<br>• Where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: an assessment by a suitably qualified person is provided that addresses the nature and degree of risk the hazard(s) pose to people and property, whether the proposal will alter the risk to any site, and the extent to which such risk can be avoided or sufficiently mitigated[1]. | |
| 30.4.14 | **Telecommunication and Radio communication Facilities, Navigation, Meteorological Facilities where it involves:**<br><br>30.4.14.1 Erecting any mast, or erecting any antenna greater than 1.2m in diameter (if circular in shape) or 1.2m in length or breadth (if another shape) in:<br>• Any Outstanding Natural Landscape or Outstanding Natural Feature<br>• Significant Natural Area<br>• The Arrowtown Residential Historic Management Zone.<br>• Any open space and landscape buffer areas identified on any of the Special Zone structure plans<br>• Town Centre Special Character Areas<br>• Heritage Features and Landscapes.<br><br>30.4.14.2 Erecting antenna greater than 2.4m in diameter or 3m in length or breadth, except omni directional (or "whip) antenna which shall not exceed 4m length, in the following zones: Residential (other than the Arrowtown Residential Historic Management Zone), Rural Lifestyle, Rural Residential, Township, Resort, Airport Mixed Use, Visitor, Town Centre, Corner Shopping Centre, Bendemeer, Penrith Park and Business Zones.<br><br>30.4.14.3 Erecting any antenna greater than 2.4m in diameter length or breadth and/or 4m in length if a whip antenna, in the Rural Zone.<br><br>30.4.14.4 Erecting a mast which is over 15m in height in the Rural Zone.<br><br>30.4.14.5 In all other zones including the Town Centre Zones with a maximum building height of less than 8m (except the Business and Industrial Zones) and erecting a mast which is over 10m in height.<br><br>30.4.14.6 In the Business and Industrial Zones and in all other zones with a maximum building height of 8m or greater, erecting a mast which exceeds the maximum height of buildings in the zone it is located by more than 5m. | D |
| 30.4.16 | **Buildings (associated with a Utility)**<br><br>Any addition, alteration or construction of buildings and structures, (other | D |

**Comment [CB204]:** Submitters 179.15, 191.13, 421.12, 781.14 notified 30.4.14; redrafted 30.4.15

**Comment [CB205]:** Submitters 179.15, 191.13, 421.12, 781.14 notified 30.4.16 redrafted 30.4.18

**Comment [RL206]:** Relocated now 30.4.2

| | Activities for Energy and Utilities | Activity Status |
|---|---|---|
| | than masts for any telecommunication and radio communication facility, navigation or meteorological communication facility or supporting structures for lines) in:<br>• Any Significant Natural Areas<br>• The Arrowtown Residential Historic Management Zone.<br>• The Remarkables Park Zone<br>However, this rule shall not apply where the provisions of the underlying zone or a District Wide matter specify a more restrictive activity status. | |
| 30.4.1723 | **Flood Protection Works** for the maintenance, reinstatement, repair or replacement of existing flood protection works for the purpose of:<br>• maintaining the flood carrying capacity of water courses and/or maintaining the integrity of existing river protection works<br>• fill works undertaken within Activity Area 1f of the Shotover Country Special Zone. | P |
| 30.4.1824 | **Flood Protection Works** not otherwise identified. | D |
| 30.4.1925 | **Waste Management Facilities** | D |
| 30.4.2026 | **Water and Wastewater Treatment Facilities** | D |
| 30.4.217 | **In the Remarkables Park Zone**, all lattice towers or overhead lines or support structures for overhead lines for any purpose (except any poles solely for the purpose of street lighting); or any mast for any purpose; or any antenna greater than 1.2m in diameter, length or breadth (except omni-directional or 'whip' antenna less than 4 metres in length). | NC |

**Comment [RL207]:** Relocated now 30.4.3

**Comment [RL208]:** Relocated now 30.4.4

**Comment [RL209]:** Relocated now 30.4.5

**Comment [RL210]:** Relocated now 30.4.6

**Comment [CB211]:** Submitter 635

**Comment [RL212]:** Deleted Submitter 251 and 635

## 30.5 Rules – Standards

| | Standards for activities | Non-compliance status |
|---|---|---|
| **Standards for Energy Activities** | | |
| 30.5.1 | **Small and Community-Scale Distributed Electricity Generation and Solar Water Heating shall:**<br>30.5.1.1 not overhang the edge of any building.<br>30.5.1.2 Solar Electricity Generation cells, modules and panels and Solar Water Heating collector panels shall be recessive colours: black, dark blue, grey or brown. Frames, mounting, fixing hardware shall be finished in similar recessive colours with a light reflectance value of less than 36%. Recessive colours shall be selected to be the closest colour to the building to which they form part of, are attached to, or service.<br>30.5.1.3 be set back in accordance with the internal and road | D |

**Comment [RL215]:** Relocated now 30.4.19

**Comment [CB213]:** Submitter 383

| | Standards for activities | Non-compliance status |
|---|---|---|
| | boundary setbacks for buildings in the zone in which they are located. Exemptions for accessory buildings shall not apply.<br><br>30.5.1.4 not intrude through any recession planes applicable in the zone in which they are located.<br><br>30.5.1.5 For solar panels on a sloping roof, may protrude a maximum of 0.5 m above the maximum height limit specified for the zone.<br><br>30.5.1.6 For solar panels on a flat roof, may protrude a maximum of 1.0 m above the maximum height limit specified for the zone, for a maximum area of $5m^2$.<br><br>30.5.1.7 not exceed 2.0 metres in height if for free standing Solar Electricity Generation and Solar Water Heating.<br><br>30.5.1.8 not exceed 150 $m^2$ in area if for free standing Solar Electricity Generation and Solar Water Heating.<br><br>30.5.1.9 be located within an approved building platform and not exceed the site coverage requirements of the underlying zone. | |
| 30.5.2 | **Mini and Micro Hydro Electricity Generation shall:**<br><br>30.5.2.1 comply with Road and Internal Boundary Building Setbacks in the zone in which they are located.<br><br>30.5.2.2 not exceed 2.5 metres in height.<br><br>30.5.2.3 be finished in recessive colours with a light reflectance value of less than 36%, consistent with the building it is servicing on site.<br><br>Note: Reference should also be made to the Otago Regional Council Water Plan Rules. | D |
| 30.5.3 | **Wind Electricity Generation shall:**<br><br>30.5.3.1 comprise no more than two Wind Electricity Generation turbines or masts on any site.<br><br>30.5.3.2 involve no lattice towers.<br><br>30.5.3.3 be set back in accordance with the internal and road boundary setbacks for buildings in the zone in which they are located. Exemptions for accessory buildings shall not apply.<br><br>30.5.3.4 not exceed the maximum height or intrude through any recession planes applicable in the zone in which they are located.<br><br>In the Rural and Gibbston Character Zones the maximum height shall be that specified for non-residential building ancillary to viticulture or farming activities (10m). | D |

**Comment [CB214]:** Submitters 126 and 368

**Comment [RL217]:** Relocated now 30.4.20

**Comment [CB216]:** Submitter 383

**Comment [RL219]:** Relocated now 30.4.21

| | Standards for activities | Non-compliance status |
|---|---|---|
| | The maximum height for a wind turbine shall be measured to the tip of blade when in vertical position.<br><br>30.5.3.5 be painted in non-reflective paint with a light reflectance value of less than 36%. | |
| 30.5.4 | **Biomass Electricity Generation**<br><br>30.5.4.1 Biomass Electricity Generation fuel material shall be sourced on the same site as the generation plant, except where the generation plant is located in Industrial Zones (and Industrial Activities Areas within Structure Plans).<br><br>30.5.4.2 Any outdoor storage of Biomass Electricity Generation fuel material shall be screened from adjoining sites and public places.<br><br>30.5.4.3 Biomass Electricity Generation plant and equipment shall be located inside a Building.<br><br>Note: Reference should also be made to the Otago Regional Council Air Plan Rules. | D |
| 30.5.5 | **Associated buildings**<br><br>Any building housing plant and electrical equipment associated with Renewable Electricity Generation activities, unless permitted in the zone in which it located or approved by resource consent, shall:<br><br>30.5.5.1 not exceed 10m$^2$ in area and 2.5 3m in height.<br><br>30.5.5.2 be set back in accordance with the internal and road boundary setbacks for accessory buildings in the zone in which it is located.<br><br>30.5.5.3 be finished in recessive colours with a light reflectance value of less than 36%, consistent with the building it is servicing on site. | D |
| **Standards for Utilities** | | |
| 30.5.6 | **Setback from internal boundaries and road boundaries**<br><br>Where the utility is a building, it shall be set back in accordance with the internal and road boundary setbacks for accessory buildings in the zone in which it is located. | D |
| 30.5.7 | **Buildings in Outstanding Natural Landscapes (ONL) and Outstanding Natural Features (ONF)**<br><br>Any building within an ONL or ONF shall be less than 10m$^2$ in area and less than 3m in height. | D |
| 30.5.8 | **Height**<br><br>All buildings or structures, (excluding masts and antennae for any telecommunication and radio-communication facility, navigation or meteorological communication facility) shall comply with the relevant maximum height provisions for buildings of the zone they are located | D |

**Comment [CB218]:** Submitter 383

**Comment [RL220]:** Relocated now 30.4.22

**Comment [RL223]:** Relocated now 30.4.23

**Comment [CB221]:** Submitters 179.15, 191.13, 421.12, 781.14

**Comment [CB222]:** Submitter 383

**Comment [RL224]:** Relocated now 30.4.9

**Comment [RL225]:** Relocated now 30.4.10

**Comment [RL226]:** Relocated now 30.4.11

| | Standards for activities | Non-compliance status |
|---|---|---|
| | in. | |
| 30.5.9 | New Zealand Standards<br><br>All development of utilities including associated earthworks shall comply with NZS4404:2011. | D |
| 30.5.109 | Buildings and Structures permitted within the National Grid Yard include being:<br><br>30.5.910.1 A non-conductive fence located 5m or more from any National Grid Support Structure and no more than 2.5m in height.<br><br>30.5.910.2 Any utility within a transport corridor or any part of electricity infrastructure that connects to the National Grid.<br><br>30.5.910.3 Any new non-habitable building less than 2.5m high and 10m$^2$ in floor area.<br><br>30.5.910.4 Any non-habitable building or structure used for agricultural activities provided that they are:<br><br>a. less than 2.5m high<br><br>b. Located at least 12m from a National Grid Support Structure<br><br>c. Not a milking shed/dairy shed (excluding the stockyards and ancillary platforms), or a commercial glasshouse.<br><br>30.5.910.5 Alterations to existing buildings that do not alter the building envelope.<br><br>Note – Refer to the Definitions for illustration of the National Grid Yard. | NC |
| 30.5.10 | Buildings and Structures and Earthworks permitted within any the Electricity Sub-Transmission Distribution Corridor identified on the Planning Maps Corridor include:<br><br>Within 10m of a centre line in the corridor:<br><br>30.5.10.1 Any building or structure that does not require building consent; or.<br><br>Alteration of any building that does not exceed outside the envelope or footprint of the existing building.<br><br>30.5.10.2 Earthworks that:<br><br>d. Are not directly above an underground cable(s); and<br><br>e. Do not result in a reduction of existing ground clearance distances from overhead lines below the minimums prescribed in the New Zealand Code of Practice 34:2001 (NZECP 34:2001); and<br><br>f. Are in accordance with NZECP 34:2001. | NC |

**Comment [CB227]:** Submitters 383, 179, 191, 421, 781, FS1121

**Comment [RL229]:** Redrafted now 30.4.29

**Comment [CB228]:** Submitter 635

**Comment [CB230]:** Submitter 635

**Comment [RL231]:** Relocated now 30.4.39 and 30.4.40

| | Standards for activities | Non-compliance status |
|---|---|---|
| 30.5.11 | Earthworks permitted within the National Grid Yard being include:<br><br>30.5.11.1 Earthworks within 2.2 metres of a National Grid pole support structure or stay wire shall be no deeper than 300mm.<br><br>30.5.11.2 Earthworks between 2.2 metres to 5 metres of a National Grid pole support structure or stay wire shall be no deeper than 750mm.<br><br>30.5.11.3 Earthworks within 6 metres of the outer visible edge of a National Grid Transmission Tower Support Structure shall be no deeper than 300mm.<br><br>30.5.11.4 Earthworks between 6 metres to 12 metres from the outer visible edge of a National Grid Transmission Tower Support structure shall be no deeper than 3 metres.<br><br>30.5.11.5 Earthworks shall not create an unstable batter that will affect a transmission support structure.<br><br>30.5.11.6 Earthworks shall not result in a reduction in the existing conductor clearance distance below what is required by the New Zealand Electrical Code of Practice 34:2001.<br><br>The following earthworks are exempt from the rules above:<br><br>30.5.11.7 Earthworks undertaken in the course of constructing or maintaining utilities<br><br>30.5.11.8 Earthworks undertaken as part of agricultural activities or domestic gardening<br><br>30.5.11.9 Repair sealing, resealing of an existing road, footpath, farm track or driveway<br><br>Note – Refer to the Definitions for illustration of the National Grid Yard. | D |

Comment [CB232]: Submitter 635

Comment [RL233]: Relocated now 30.4.30

## 30.65 Rules - Non-Notification of Applications

**30.65.1 Any application for resource consent for the following matters shall not require the written consent of other persons and shall not be notified or limited-notified:**

30.6.1.1 Stand-Alone Power Systems (SAP's).

Comment [CB234]: Submitter 20

30.6.1.2 Small and Community Scale Distributed Electricity Generation.

Comment [CB235]: Submitter 20

30.65.1.31 Controlled activities, except for applications when within the National Grid Corridor or within 45m of the designated boundary of Transpower New Zealand Limited's Frankton Substation.

30.65.1.42 Discretionary activities for Flood Protection Works.

**RECOMMENDED CHANGES TO DEFINITIONS**

| | |
|---|---|
| Minor Upgrading | Means an increase in the carrying capacity, efficiency or security of electricity transmission and distribution or telecommunication lines utilising the existing support structures or structures of a similar character, intensity and scale, ~~intensity and character, maintenance, replacement and upgrading of existing conductors or lines and support structures provided they are of a similar character, intensity and scale to the existing conductors or line and support structures~~ and shall include the following:<br><br>a) Addition of lines, circuits and conductors;<br>b) Reconducting of the line with higher capacity conductors;<br>c) Re-sagging of conductors;<br>d) Bonding of conductors;<br>e) Addition or replacement of longer or more efficient insulators;<br>f) Addition of electrical fittings or ancillary telecommunications equipment;<br>g) Addition of earth-wires which may contain lightning rods, and earth-peaks;<br>h) Support structure replacement within the same location as the support structure that is to be replaced;<br>i) Addition or replacement of existing cross-arms with cross-arms of an alternative design; and<br>• Replacement of existing support structure poles provided they are less or similar in height, diameter and are located within ~~1~~ 2 metres of the base of the support pole being replaced;<br>• Addition of a single ~~service~~ support structure for the purpose of providing a service connection to a site, except in the Rural zone;<br>• The addition of up to three new support structures extending the length of an existing line provided the line has not been lengthened in the preceding five year period, ~~except in the Rural Zone~~;<br>• ~~Replacement of conductors or lines provided they do not exceed 30mm in diameter or the bundling together of any wire, cable or similar conductor provided that the bundle does not exceed 30mm in diameter;~~<br>• ~~Re-sagging of existing lines;~~<br>• ~~Replacement of insulators provided they are less or similar in length; and~~<br>• ~~Addition of lightning rods, earth-peaks and earth wires~~ |
| National Grid Subdivision Corridor | Means the area measured either side of the centreline of above ground National Grid line as follows:<br><br>• 16m for the 110kV lines on pi poles<br>• 32m for 110kV lines on towers<br>• 37m for the 220kV transmission lines.<br><br>Note: The National Grid Subdivision Corridor does not apply to underground cables or any transmission lines (or sections of line) that are designated. |
| National Grid Yard | Means:<br><br>• the area located 12 metres in any direction from the outer edge of a National Grid support structure; and<br>• the area located 12 metres either side of the centreline of any overhead National Grid line;<br><br>(as shown in dark grey in diagram below) |

**Comment [CB236]:** Clarification

**Comment [CB237]:** Reinserted provision. Submitter 635.

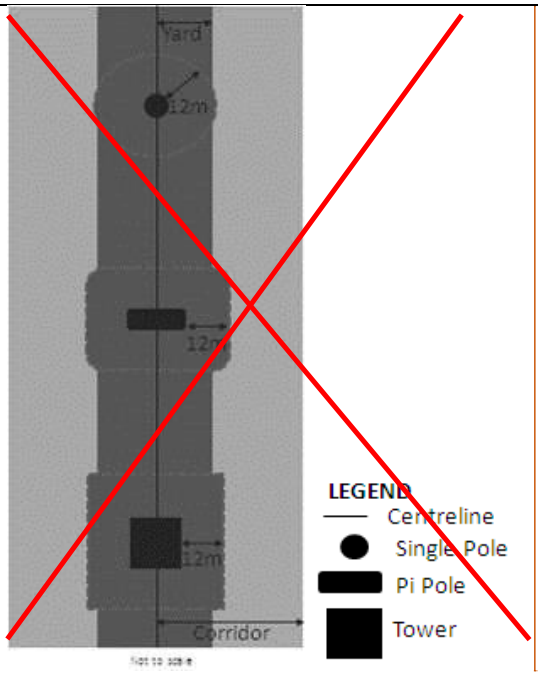
**Comment [CB238]:** Reinserted provision (except Rural Zone now recommended to be permitted as part of minor upgrading) .

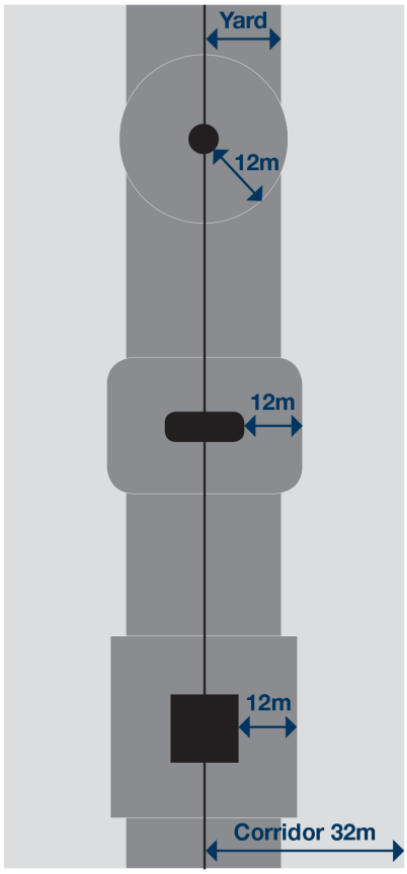
Submitter 635

**Comment [CB239]:** Submitters 251, 635, 805

**Comment [CB240]:** Submitter 805

Comment [CB241]: Submitter 836




Centreline
Single Pole
Pi Pole
Tower

| | |
|---|---|
| | Note: The National Grid Yard does not apply to underground cables or any transmission lines (or sections of line) that are designated. |
| National Grid Sensitive Activities | Means those activities within the National Grid Corridor that are particularly sensitive to the risks associated with electricity transmission lines because of either the potential for prolonged exposure to the risk or the vulnerability of the equipment or population that is exposed to the risk. Such activities include buildings or parts of buildings used for, or able to be used for the following purposes:<br>~~• Child Day Care activity;~~<br>• Day Care facility ~~activity~~;<br>• Educational facility ~~activity, except training related to the National Grid~~;<br>~~• Home Stay;~~<br>• Healthcare facility ~~Hospital activity~~;<br>• Papakainga;<br>• Any ~~R~~residential activity;<br>~~• Residential Care activity; or~~<br>• Visitor accommodation. |
| ~~Sensitive activities - Transmission corridor~~ | ~~Means those activities within an Electricity Transmission Corridor that are particularly sensitive to the risks associated with electricity transmission lines because of either the potential for prolonged exposure to the risk or the vulnerability of the equipment or population that is exposed to the risk. Such activities include any residential activity, visitor accommodation, educational facility, healthcare facility and day care facility.~~ |
| ~~Telecommunications Facility~~ | ~~Means devices, such as aerials, dishes, antennae, wi-fi and microcells, lines (including cables), wires, cables, casings, tunnels and associated equipment and support structures, and equipment shelters, such as towers, masts and poles, and equipment buildings and telecommunication kiosks telephone boxes, used for the transmitting, emission or receiving of communications.~~ |
| Utility | Means the systems, services, structures and networks necessary for operating and supplying essential utilities and services to the community including but not limited to:<br>• substations, transformers, lines and necessary and incidental structures and equipment for the transmissions and distribution of electricity;<br>• pipes and necessary incidental structures and equipment for transmitting and distributing gas;<br>• storage facilities, pipes and necessary incidental structures and equipment for the supply and drainage of water or sewage;<br>• water and irrigation races, drains, channels, pipes and necessary incidental structures and equipment (excluding water tanks);<br>• structures, facilities, plant and equipment for the treatment of water;<br>• structures, facilities, plant, equipment and associated works for receiving and transmitting telecommunications and radio communications (see definition of telecommunication facilities);<br>• structures, facilities, plant, equipment and associated works for monitoring and observation of meteorological activities and natural hazards;<br>• structures, facilities, plant, equipment and associated works for the protection of the community from natural hazards;<br>• structures, facilities, plant and equipment necessary for navigation by water or air;<br>• waste management facilities;<br>• flood protection works; and<br>• Anything described as a network utility operation in s166 of the Resource Management act 1991 |

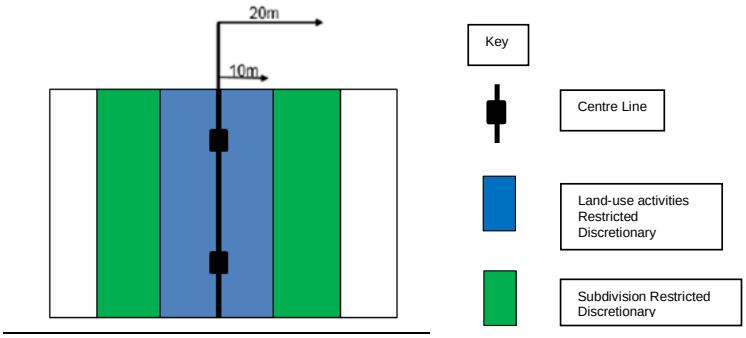
**Comment [CB242]:** Submitters 383, 836

**Comment [CB243]:** Submitters 383, 805

**Comment [CB244]:** Submitters 179, 191, 421, 781

**Comment [CB245]:** Submitters 635 FS1301

**Comment [CB246]:** Submitter 383

| | |
|---|---|
| | Utility does not include structures or facilities used for electricity generation, the manufacture and storage of gas, or the treatment of sewage. |
| Electricity Distribution ~~Sub-Transmission~~ Lines | Means the conveyance of electricity ~~via sub-transmission (~~operating at 11kV from the Camphill Road Substation to Makarora, 22kV, 33kV and 66kV~~)~~ lines and cables (~~aerial~~ overhead and underground), support structures and substations operated by a Network Utility Operator.<br><br>Advice note: Only ~~transmission~~ the National Grid and ~~electricity sub-transmission~~ Electricity Distribution lines are identified on the planning maps, however, works in close proximity to all electric lines can be dangerous. Compliance with NZECP 34:2001 is mandatory for buildings, earthworks, and when using machinery or equipment within close proximity to any electric lines. |
| Electricity Distribution ~~Sub-Transmission~~ Corridor | Means the area located 10 metres either side of the centreline of any overhead ~~Sub-Transmission~~ Electricity Distribution line identified on the Planning Maps (as shown in blue in the diagram below).<br><br>Distances from Electricity Distribution ~~Sub-Transmission~~ Lines are to be measured from a point directly below the centreline of the line or cluster of lines, as shown in the diagram below.<br><br>  |
| ~~Electricity Distribution~~ | ~~Means the conveyance of electricity via electricity distribution lines, cables, support structures, substations, transformers, switching stations, kiosks, cabinets and ancillary buildings and structures, including communication equipment, by a network utility operator.~~ |
| Energy Activities | Includes the following:<br>• Small and Community-Scale Distributed Electricity Generation and Solar Water Heating<br>• Renewable Electricity Generation<br>• Non-renewable Electricity Generation<br>• Wind Electricity Generation<br>• Solar Electricity Generation<br>• Stand-Alone Power Systems (SAPS)<br>• Biomass Electricity Generation<br>• Hydro Generation Activity<br>• Mini and Micro Hydro Electricity Generation. |
| Regionally significant infrastructure[3] | Regionally significant infrastructure means:<br><br>a) Renewable electricity generation facilities, where they supply the National Grid and local distribution network and are operated by an electricity operator; and<br><br>b) Electricity transmission infrastructure forming the National Grid.<br><br>c) ~~and~~ Electricity Distribution ~~Sub-Transmission~~ Lines identified on the |

**Comment [CB247]:** Submitter 635

**Comment [CB249]:** Submitter 805

**Comment [CB248]:** Submitter 635

**Comment [CB250]:** Submitter 635 FS1301

**Comment [CB251]:** Submitter 383

**Comment [CB252]:** Submitter 635

[3] Derived from the version in Mr Matthew Paetz's Right of Reply chapter 3 Strategic Directions dated 7 April 2016.

| | |
|---|---|
| | Planning Maps; and<br>~~c~~d) Telecommunication and radio communication facilities*; and<br>~~d~~e) Key centralised Council infrastructure, including water reservoirs, and wastewater treatment plants; and<br>~~e~~f) Roads classified as being of national or regional importance; and<br>~~f~~g) Queenstown and Wanaka airports<br><br>*As defined by the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008 |
| Support Structure | Means a utility pole or tower that forms part of the electricity distribution or transmission network that supports conductors as part of a line. This includes any ancillary equipment, such as communication equipment or transformers. |
| National Grid | Means the same as in the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009. |
| Small Cells | Means a low-powered radio access node that provides improved cellular coverage or capacity and is operated by a telecommunications operator. |

**Comment [CB253]:** This definition was recommended in the Council's reply on the Strategic Direction Chapter. The further change recommended is the addition at b) 'and Electricity Sub-Transmission Lines.

**Comment [CB254]:** Consequential amendments Submitter 191, 781.

**Comment [CB255]:** Submitter 635 FS1301

**Comment [CB256]:** Submitter 805

**Comment [CB257]:** Submitter 191, 781.

**APPENDIX 2**

**SECTION 32AA EVALUATION**

# Appendix 2

# Section 32AA Assessment

Note: The relevant provisions from the revised chapter are set out below, showing additions to the notified text in underlining and deletions in ~~strike through~~ text from the s42A report and recommended changes from the Reply are shown in red underlined text for additions and ~~red strike through~~ text for deletions, (ie as per the revised chapter).

The section 32AA assessment then follows in a separate table underneath each of the provisions.

**New Rule Layout**

| Recommended new rule layout |
|---|
| The layout of the rules and standards table has been changed. It now shows the rules for a particular genre of activity i.e. renewable energy activities; followed immediately by the standards for that genre of activity in the same table. Each genre is recommended to have its own rules and standards table. |

| Costs | Benefits | Effectiveness & Efficiency |
|---|---|---|
| • Occasional duplication of an activity, such as lines or antennae that apply to both electricity and telecommunications. | • Clarity.<br>• Certainty.<br>• Easier administration. | • The layout is more effective and removes potential for ambiguity. |

**Non Substantive Changes**

| Recommended Non Substantive Changes |
|---|
| I have recommended a series of non-substantive changes throughout the chapter. These largely relate to minor wording changes to improve clarity and interpretation. |

| Costs | Benefits | Effectiveness & Efficiency |
|---|---|---|
| • None identified. | • Better consistency and relationship with provisions across the chapter.<br>• Removal of unnecessary text and qualifiers within rules. These have been separated to be a separate exclusion. | • Promotes more effective administration of the Chapter. |

**Updated Policy 30.2.5.4**

| Recommended updated policy 30.2.5.4 |
|---|
| ~~Assess the priorities for servicing established urban areas, which are developed but are not~~ |

~~reticulated.~~

~~Recognise~~ Ensure that the adverse effects of utilities on the environment are managed while taking into account the positive social, economic, cultural and environmental benefits that utilities provide, including:

a. enabling enhancement of the quality of life and standard of living for people and communities

b. providing for public health and safety

c. enabling the functioning of businesses

d. enabling economic growth

e. enabling growth and development

f. protecting and enhancing the environment

g. enabling the transportation of freight, goods, people

h. enabling interaction and communication

| Costs | Benefits | Effectiveness & Efficiency |
|---|---|---|
| • None identified. | • The policy now reads as more of a course of action to provide for a built resource, rather than mere recognition of its importance. | • The policy is more effective for decision makers. |

**Updated Policy 30.2.6.2**

**Recommended updated policy 30.2.6.2**

~~Consider long term options and economic costs and strategic needs when considering alternative locations, sites or methods for the establishment or alteration of a utility.~~

When considering the effects of proposed utility developments ~~with adverse environmental effects,~~ consideration shall be given to ~~the consideration of~~ alternatives, but also to how adverse effects have been managed through the route, site and method selection process while taking into account the locational, technical and operational requirements of the utility and the benefits associated with the utility.

| Costs | Benefits | Effectiveness & Efficiency |
|---|---|---|
| • None identified. | • The recommended revised phrasing is more efficient and reduces an assumption that the policy only applies to utilities with adverse effects. The recommended change provides more focus on | • This change is effective because it provides a basis for decision makers to assess the location constraints, alternatives and the benefits of utilities. |

| | | |
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| | avoiding, remedying or mitigating and not predetermining. | |

**Updated Policy 30.2.6.6 (redrafted 30.2.6.5)**

| **Recommended updated policy 30.2.6.6 (redrafted 30.2.6.5)** |
|---|
| Manage ~~the~~ adverse effects of activities, including reverse sensitivity effects, that could compromise the development, operation, upgrading and maintenance of utilities, including the National Grid and the ~~identified~~ electricity ~~sub-transmission~~ distribution ~~lines~~, network. ~~through the management of activities within an identified buffer corridor~~. |

| **Costs** | **Benefits** | **Effectiveness & Efficiency** |
|---|---|---|
| • None identified. | • The policy is better phrased and provides specific identification of the National Grid. Therefore accords with the National Policy Statement Electricity Transmission (NPSET). | • The policy is more effective at managing the effects of reverse sensitivity on the National Grid and distribution lines. |

**Updated Policy 30.2.7.1**

| **Recommended updated policy 30.2.7.1** |
|---|
| Provide for ~~Reduce adverse effects associated with~~ utilities while managing their adverse effects on the environment by:<br><br>• Avoiding, remedying or mitigating their location on ~~sensitive sites including heritage~~ ~~and~~ identified sensitive environments ~~special character areas~~, and protecting Outstanding Natural Landscapes and Outstanding Natural Features, and skylines and ridgelines from inappropriate development.<br><br>• Managing adverse effects on the amenity values of urban areas and the Rural Landscapes.<br><br>• Encouraging co-location or multiple use of network utilities where this is efficient and practicable in order to avoid, remedy or mitigate adverse effects on the environment<br><br>• Ensuring that redundant utilities are removed<br><br>• Using landscaping and or colours and finishes to reduce visual effects<br><br>• Integrating utilities with the surrounding environment; whether that is a rural environment or existing built form. |

| **Costs** | **Benefits** | **Effectiveness & Efficiency** |
|---|---|---|
| • None identified. | • The policy is recommended to be phrased as a more appropriate implementing statement so that utilities are provided for on the basis effects are managed. This is | • The policy provides a more effective basis for decision makers to assess the appropriateness of utilities under section 104 RMA. |

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| | considered to be an improvement on the notified version that only sought to reduce effects. | |

**New Objective 30.2.8**

| **Recommended new Objective 30.2.8** |
|---|
| **The Ongoing operation, maintenance, development and upgrading of the National Grid is provided for while managing the adverse effects on the environment of the National Grid network.** |

| **Appropriateness (s32(1)(a))** |
|---|
| The recommended objective is appropriate because it provides for the protection of the National Grid and gives effect to the Objective of the National Policy Statement Electricity Transmission:<br><br>*To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:*<br><br>• *managing the adverse environmental effects of the network; and*<br><br>• *managing the adverse effects of other activities on the network.* |

**Updated Policy 30.2.6.4 (redrafted 30.2.8.1)**

| **Recommended updated policy 30.2.6.4 (redrafted 30.2.8.1)** |
|---|
| 30.2.8.1 Provide for the benefits of a sustainable, secure and efficient National Grid by enabling its use and development, by managing its adverse effects ~~of the electricity transmission network, including within the transmission line corridor, and to protect activities from the adverse effects of the electricity transmission network,~~ and by managing the adverse effects of activities on the National Grid, including by:<br><br>• ~~Controlling the proximity of buildings, structures and vegetation to existing transmission corridors, including buffer distances for managing subdivision and land use development near the National grid.~~<br><br>• ~~Discouraging sensitive activities from locating within or near to the electricity transmission National Grid Yard to minimise potential reverse sensitivity effects on the transmission network~~<br><br>• Only allowing buildings, structures and earthworks in the National Grid Yard where they will not compromise the operation, maintenance, upgrade and development of the National Grid.<br><br>• Avoiding Sensitive Activities within the National Grid Yard.<br><br>• Managing potential electrical hazards, and the adverse effects of buildings, structures and Sensitive Activities on the operation, maintenance, upgrade and development of the Frankton Substation.<br><br>• Managing subdivision within the National Grid corridor ~~or near to electricity transmission corridors~~ to achieve the outcomes of this policy to facilitate good |

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| amenity and urban design outcomes<br><br>• ~~Not compromising the operation or maintenance options or, to the extent practicable, the carrying out of routine and planned upgrade works.~~ |

| Costs | Benefits | Effectiveness & Efficiency |
|---|---|---|
| • None identified. The regulatory effect is no greater than the notified version. | • The phrasing is better and more consistent with the NPSET. | • The policy is more efficient and better gives effect to the NPSET. |

**Amended Clarification 30.3.1**

| Recommended amended clarification 30.3.1 |
|---|
| ~~Attention is drawn to the following District Wide Rules. If the District Wide Rules are not met, then consent will be required in respect of that matter.~~<br><br>All provisions referred to are within Stage 1 of the Proposed District Plan, unless marked as ~~O~~ operative ~~District Plan (ODP)~~. |

| Costs | Benefits | Effectiveness & Efficiency |
|---|---|---|
| • None identified. | • The provisions created a conflict with 30.3.3.3 that is dedicated for these activities. | • Significant improvement in terms of effectiveness and administration certainty. |

**Amended Clarification 30.3.3.4**

| Recommended amended clarification 30.3.3.4 |
|---|
| ~~If District Wide Rules are not met, then consent will be required in respect of that matter.~~<br><br>For Airport Activities, including the Queenstown Airport Corporation as Network Utility Operator, the Queenstown Airport Mixed Use Zone (Chapter 17) shall prevail over the Energy and Utilities Chapter (Chapter 30). |

| Costs | Benefits | Effectiveness & Efficiency |
|---|---|---|
| • None identified. | • Confirms that the AMU zone rules that are more enabling for Airport Activity prevail over the Energy and Utilities Chapter. | • Greater effectiveness for Airport Activity operators within the AMU Zone. |

**Recommended deleted rule 30.4.27 (notified 30.4.21)**

| **Recommended deleted rule 30.4.27 (notified 30.4.21)** |
|---|
| ~~**In the Remarkables Park Zone**, all lattice towers or overhead lines or support structures for overhead lines for any purpose (except any poles solely for the purpose of street lighting); or any mast for any purpose; or any antenna greater than 1.2m in diameter, length or breadth (except omni-directional or 'whip' antenna less than 4 metres in length).~~ |

| **Costs** | **Benefits** | **Effectiveness & Efficiency** |
|---|---|---|
| • Would allow these structures and any effects. | • More enabling for utility operators. | • Greater efficiency for utility operators. |

| **Recommended deleted matter of discretion for redrafted rules 30.4.7, 30.4.17, 30.4.33 and 30.4.43.** |
|---|
| • ~~Where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: an assessment by a suitably qualified person is provided that addresses the nature and degree of risk the hazard(s) pose to the resilience and operation of the facility and associated buildingspeople and property, whether the proposal will alter the risk to any site, and the extent to which such risk can be avoided or sufficiently mitigated.~~ |

| **Costs** | **Benefits** | **Effectiveness & Efficiency** |
|---|---|---|
| • Removes the regulation and management associated with the placement of utilities within areas subject to natural hazards.<br><br>• Potential for the resilience and security of the utility to be compromised if affected by a natural hazard. | • Removing the regulation places the responsibility on the network utility. Reduced burden for the Council to approve and manage utilities within areas subject to natural hazards.<br><br>• Reduces the potential arbitrary need for natural hazards assessments for poles, masts and other utilities. | • The recommended change is more efficient because it places the responsibility on the network utility operator to make a decision on the placement of their infrastructure within an area subject to hazards.<br><br>• The recommended change is more efficient because it removes the need for hazard assessments. |

**Updated rule 30.4.18 (redrafted 30.4.8)**

| **Recommended updated rule 30.4.18 (redrafted 30.4.8)** |
|---|
| **Buildings (associated with a Utility)**<br><br>Any addition, alteration or construction of buildings and structures, ~~(other than masts for any telecommunication and radio communication facility, navigation or meteorological communication facility or supporting structures for lines)~~ in:<br>• Any Significant Natural Areas<br>• The Arrowtown Residential Historic Management Zone.<br>• ~~The Remarkables Park Zone~~<br><br>~~(~~Excluding ~~other than~~ masts for ~~any~~ wind electricity generation telecommunication and radio communication ~~facility~~, navigation or meteorological communication ~~facility~~ or supporting structures for lines) |

| **Costs** | **Benefits** | **Effectiveness & Efficiency** |
|---|---|---|
| • None identified. The Remarkables Zone is not sensitive, or at least not as sensitive as an SNA (a Section 6(c) matter or the Arrowtown Historic Management Zone (Section 7) RMA. | • The phrasing is more concise.<br>• Enabling for operators in the Remarkables Park Zone. | • Greater certainty and efficiency for utility operators. |

**Updated rule 30.4.6 (redrafted 30.4.12)**

| **Recommended updated rule 30.4.6 (redrafted 30.4.12)** |
|---|
| **Non-renewable Electricity Generation** where the generation only supplies activities on the site on which it is located and involves either:<br>• Standby generators associated with community, health care, and utility activities; or<br>• Generators that are part of a Stand-Alone Power System on ~~remote~~ sites that do not have connection to the local distributed electricity network.<br>• Generators that supply the local distributed electricity network for a period not exceeding 3 months in any calendar year.<br><br>Note – Diesel Generators must comply with the provisions of Chapter 36 (Noise) and Hazardous Substances (Chapter 16 Operative ~~ODP~~) |

| **Costs** | **Benefits** | **Effectiveness & Efficiency** |
|---|---|---|
| • Potential for adverse effects on persons/environment located nearby. Potential effects include noise and fumes, and visual amenity. | • Enables the utility operators to undertake maintenance in areas where a generator is required (remote locations/single line source) without the need for a | • Improved effectiveness for utility operators to undertake maintenance and upgrading. |

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| | resource consent.<br><br>• The 3 month limit provides a backstop and safeguard against unlimited use. | |

**New rule 30.4.14 and Updated Standard 30.5.3 (redrafted 30.4.21)**

| **Recommended new rule 30.4.14** | | |
|---|---|---|
| **Wind Electricity Generation equal to or less than 5kW** within the Rural Zone, Gibbston Character Zone and Rural Lifestyle Zone that complies with Rule 30.4.21.<br>Control shall be reserved to all of the following:<br>• Noise<br>• Visual effects<br>• Colour<br>• Vibration | | |
| **Costs** | **Benefits** | **Effectiveness & Efficiency** |
| • None identified. | • Small and community scale renewable energy generated is supported and enabled through the PDP.<br><br>• More enabling of wind electricity generation within the Rural Zone, Gibbston Character Zone and rural Lifestyle Zone.<br><br>• Gives better effect to the National Policy Statement for Renewable Electricity Generation 2011. | • Improves the efficient implementation of the PDP through greater clarity. |

| **Recommended updated Rule 30.4.4 (redrafted 30.4.17)** | | |
|---|---|---|
| ~~30.4.4~~<br><br>**30.4.17** | **Renewable Electricity Generation Activities**, limited to masts, drilling and water monitoring for the purpose of research and exploratory-scale investigations that are ~~of a~~ temporary ~~nature~~.<br>Excludes the Hydro Generation Zone.<br>Discretion is restricted to all of the following:<br>• The duration of works and the research purpose<br>• The location of investigation activities and facilities, including proximity to, and effects on, sensitive uses and environments<br>• The height and scale of facilities and potential visual effects<br>• Environmental effects<br>~~• Where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: an assessment by a suitably qualified person is provided that addresses the nature and degree of risk the hazard(s) pose to the resilience and operation of the facility and associated buildingspeople and property, whether the proposal will alter the risk to any site, and the extent to which such risk can be~~ | RD |

| | | |
|---|---|---|
| | ~~avoided or sufficiently mitigated[1].~~ | |

| Costs | Benefits | Effectiveness & Efficiency |
|---|---|---|
| • Removes the regulation and management associated with the placement of utilities within areas subject to natural hazards.<br><br>• Potential for the resilience and security of the utility to be compromised if affected by a natural hazard. | • Removing the regulation places the responsibility on the network utility. Reduced burden for the Council to approve and manage utilities within areas subject to natural hazards.<br><br>• Reduces the potential arbitrary need for natural hazards assessments for poles, masts and other utilities. | • The recommended change is more efficient because it places the responsibility on the network utility operator to make a decision on the placement of their infrastructure within an area subject to hazards.<br><br>• The recommended change is more efficient because it removes the need for hazard assessments. |

**Updated rule 30.4.10 (redrafted 30.4.25) and new rule 30.4.26 and updated standards 30.4.29 and 30.4.30**

| **Recommended updated rule 30.4.10 (redrafted 30.4.25)** |
|---|
| **Buildings, structures and activities that are not National Grid sensitive activities within the National Grid Corridor**<br><br>**~~Buildings and structures (that are not for National Grid Sensitive Activities), Structures and Earthworks within the National Grid Corridors and Electricity Sub-Transmission lines~~**<br><br>~~(~~s ~~S~~ubject to compliance with Rules ~~30.5.9~~ 30.4.29 and ~~30.5.11)~~ 30.4.30 |
| **Recommended new rule 30.4.26** |
| **Earthworks within the National Grid Yard**<br><br>Subject to compliance with Rule 30.4.30 |
| **Recommended updated standard 30.4.29** |
| **Buildings and Structures permitted within the National Grid Yard ~~include being~~:**<br><br>~~30.5.910.1~~<br><br>30.4.29.1 A non-conductive fence located 5m or more from any National Grid Support Structure and no more than 2.5m in height.<br><br>~~30.5.910.2~~<br><br>30.4.29.2 A~~ny~~ network utility within a transport corridor or any part of electricity infrastructure that connects to the National Grid, excluding a building or structure for the reticulation and storage of water for irrigation purposes.<br><br>~~30.5.910.3~~<br><br>30.4.29.3 Any new non-habitable building less than 2.5m high and 10m$^2$ in floor area and is more |

than 12m from a National Grid Support Structure.

~~30.5.910.4~~

30.4.29.4 Any non-habitable building or structure used for agricultural activities provided that they are:

a. less than 2.5m high

b. Located at least 12m from a National Grid Support Structure

c. Not a milking shed/dairy shed (excluding the stockyards and ancillary platforms), or a commercial glasshouse, or a structure associated with irrigation, or a factory farm.

~~30.5.910.5~~

30.4.29.5 Alterations to existing buildings that do not alter the building envelope.

30.4.29.6 An agricultural structure where Transpower has given written approval in accordance with clause 2.4.1 of NZECP34:2001.

Note – Refer to the Definitions for illustration of the National Grid Yard.

**Recommended updated standard 30.4.30**

**Earthworks permitted within the National Grid Yard ~~being include~~:**

~~30.5.11.1 Earthworks within 2.2 metres of a National Grid pole support structure or stay wire shall be no deeper than 300mm.~~

~~30.5.11.2 Earthworks between 2.2 metres to 5 metres of a National Grid pole support structure or stay wire shall be no deeper than 750mm.~~

~~30.5.11.3~~

30.4.30.1 Earthworks within 6 metres of the outer visible edge of a National Grid Transmission ~~Tower~~ Support Structure shall be no deeper than 300mm.

~~30.5.11.4~~

30.4.30.2 Earthworks between 6 metres to 12 metres from the outer visible edge of a National Grid Transmission ~~Tower~~ Support structure shall be no deeper than 3 metres.

~~30.5.11.5~~

30.4.30.3 Earthworks shall not create an unstable batter that will affect a transmission support structure.

~~30.5.11.6~~

30.4.30.4 Earthworks shall not result in a reduction in the existing conductor clearance distance below what is required by the ~~New Zealand Electrical Code of Practice~~ NZECP34:2001.

The following earthworks are exempt from the rules above:

~~30.5.11.7~~

30.4.30.5 Earthworks undertaken by network utility operators in the course of constructing or maintaining utilities providing the work is not associated with buildings or structures for the storage of water for irrigation purposes.

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| ~~30.5.11.8~~<br><br>30.4.30.6 Earthworks undertaken as part of agricultural activities or domestic gardening<br><br>~~30.5.11.9~~<br><br>30.4.30.7 Repair sealing, resealing of an existing road, footpath, farm track or driveway<br><br>Note – Refer to the Definitions for illustration of the National Grid Yard. |

| Costs | Benefits | Effectiveness & Efficiency |
|---|---|---|
| • The costs of additional regulation for some properties.<br><br>• Additional costs of resource consent processing. | • Provides clear guidance about requirements of the NZECP34:2001 to land owners.<br><br>• Will increase the awareness of the Electricity Act 1992, and the NZECP:34 2001.<br><br>• The increased protection of the electricity distribution infrastructure that is of regional importance.<br><br>• The PDP is consistent with national level guidance. | • Improves the efficient implementation of the PDP through greater clarity and consistency with national level guidance.<br><br>• Accords with the Proposed RPS 2015 in terms of protecting electricity distribution. |

**New Rule 30.4.27 – Controlled Activity**

| Recommended new Rule 30.4.27 |
|---|
| **Buildings, structures and National Grid sensitive activities in the vicinity of the Frankton Substation**<br><br>Any building, structure or National Grid sensitive activity within 45m of the designated boundary of Transpower New Zealand Limited's Frankton Substation.<br><br>Control is reserved to all of the following:<br><br>• the extent to which the design and layout (including underground cables, services and fencing) avoids adverse effects on the on-going operation, maintenance,<br><br>• upgrading and development of the substation;<br><br>• the risk of electrical hazards affecting public or individual safety, and the risk of property damage; and<br><br>• measures proposed to avoid or mitigate potential adverse effects. |

| Costs | Benefits | Effectiveness & Efficiency |
|---|---|---|
| • The costs of additional regulation for some properties.<br><br>• Additional costs of resource consent processing. | • Provides clear guidance about requirements of the NZECP34:2001 to land owners.<br><br>• Will increase the awareness of the Electricity Act 1992, and the NZECP:34 2001.<br><br>• The increased protection of the health and safety of neighbouring properties.<br><br>• The PDP is consistent with national level guidance. | • Improves the efficient implementation of the PDP through greater clarity and consistency with national level guidance. |

**New Rule 30.4.32 Permitted for Electricity Distribution and New Rule 30.4.42 for Telecommunications**

| Recommended new Rules 30.4.32 and 30.4.42 |
|---|
| **30.4.32 Lines and Supporting Structures**<br><br>The placement and upgrading of lines, poles and supporting structures within formed legal road. |
| **30.4.42 Lines and Supporting Structures within formed legal road** |

| Costs | Benefits | Effectiveness & Efficiency |
|---|---|---|
| • Removes the regulation and management associated with the placement of utilities within the road reserve, which is consistent with the approach adopted in the ODP. | • Removing the regulation places the responsibility on the network utility. Reduced burden for the Council to approve and manage utilities within the road reserve. | • The recommended change is more efficient because it allows for the placement of lines, poles and supporting structures within formed legal road without the requirement to obtain resource consent. |

**Recommended updated rules 30.4.19 - Permitted (redrafted 30.4.36 and 30.4.48) and 30.4.20 Controlled (redrafted 30.4.37 and 30.4.49) and 30.4.21 – Discretionary (redrafted 30.4.38 and 30.4.50).**

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|---|
| **Recommended updated Rule 30.4.19 – redrafted 30.4.36 and 30.4.48** |
| **Antennas**<br><br>Provided the maximum surface area is no greater than 1.5m$^2$ ~~If circular shaped, an antenna less than 1.2m in diameter. If another shape, an antenna less than 1.2m in length or breadth. F~~ and for whip antennas, less than 4m in length.<br><br>Where located in the Rural Zone within the Outstanding Natural Landscape or Rural Landscape Classification, antennae shall be finished in colours with a light reflectance value of less than 16%. |
| **Recommended updated rule 30.4.20 redrafted 30.4.37 and 30.4.49** |
| **Antennas**<br><br>Subject to 30.4.36, provided the surface area is between 1.5m$^2$ and 4m$^2$ ~~If circular shaped, an antenna greater than 1.2m in diameter but less than 2.4m in diameter. If another shape, an antenna greater than 1.2m in length or breadth but less than 2.4m in length and breadth. F~~ and for whip antennas, more than 4m in length.<br><br>Control is reserved to all of the following:<br>• Location<br><br>~~• Route~~<br><br>• Height<br><br>• Appearance, colour ~~scale~~ and visual effects |
| **Recommended updated rule 30.4.21 redrafted 30.4.38 and 30.4.50** |
| ~~**Antennas more than 2.4m in diameter, length or breadth and/or 4m in length for whip antennas in rural zone, OR, a**~~ **Any antennas located in the following:**<br><br>• any identified Outstanding Natural ~~Landscape or~~ Feature,<br>• the Arrowtown Residential Historic Management Zone,<br>• Arrowtown Town Centre,<br>• Queenstown Special Character Area,<br>• Significant Natural Areas and<br>• Heritage~~,~~ Features and Landscapes. |

| Costs | Benefits | Effectiveness & Efficiency |
|---|---|---|
| • Potential for amenity impacts in the ONL by allowing for antennae to be located within ONL without requiring consent. Note this is a low cost as the design controls are considered stringent enough to prevent any adverse effects. | • Recognises that it can be appropriate for antennae to be located in the ONL when of an appropriate colour and size.<br><br>• The new size restrictions recognises and allows for the progression of technology that has enabled antennae to be in a variety of shapes. | • The change to 30.4.19 is effective as it allows for the Electricity Distribution and Telecommunications companies to upgrade or expand their networks in much of the District without requiring consent when complying with the surface area restrictions.<br><br>• The change to 30.4.20 is |

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| | • Recognises the benefits that the telecommunications network can have to the community in terms of enhancing the quality of life, standards of living, economic growth and development, and functioning of businesses. | effective as it removes irrelevant matters of control.<br><br>• The removal of the text in the title of 30.4.21 is effective as it is consistent with the rest of the PDP. |

**Updated Rule 30.5.10 (redrafted 30.4.39) and new rule 30.4.40 – Restricted Discretionary**

| **Recommended updated rule 30.5.10 (redrafted 30.4.38) and recommended new rule 30.4.40** |
|---|
| **30.4.39 Buildings and Structures in the Electricity Distribution Corridor**<br><br>Buildings and Structures ~~and Earthworks~~ are a permitted activity within the Electricity ~~Sub-Transmission~~ Distribution Corridor identified on the Planning Maps, ~~Corridor include~~:<br><br>Within 10m of a centre line in the corridor, provided:<br><br>• ~~30.5.10.1~~ Any building or structure that does not require building consent; or,<br><br>• Alteration of any building that does not exceed outside the envelope or footprint of the existing building.<br><br>~~30.5.10.2 Earthworks that:~~<br>a. ~~Are not directly above an underground cable(s); and~~<br><br>b. ~~Do not result in a reduction of existing ground clearance distances from overhead lines below the minimums prescribed in the New Zealand Code of Practice 34:2001 (NZECP 34:2001); and~~<br><br>c. ~~Are in accordance with NZECP 34:2001.~~ |
| **30.4.40 Earthworks in the Electricity Distribution Corridor**<br><br>Earthworks are a permitted activity within the Electricity Distribution Corridor identified on the Planning Maps provided:<br><br>a. Are not directly above an underground cable(s); and<br><br>b. Do not result in a reduction of existing ground clearance distances from overhead lines below the minimums prescribed in the New Zealand Code of Practice 34:2001 (NZECP 34:2001); and<br><br>c. Are in accordance with NZECP 34:2001.<br><br>Rules 30.4.38 and 30.4.39<br><br>• Discretion is restricted to the following:<br><br>• The use, design and location of buildings;<br><br>• Effects on public health and safety;<br><br>• Effects on access, maintenance and upgrading opportunities. |

| Costs | Benefits | Effectiveness & Efficiency |
|---|---|---|
| • The costs of additional regulation for some properties.<br><br>• Additional costs of resource consent processing. | • Provides clear guidance about requirements of the NZECP34:2001 to land owners.<br><br>• Will increase the awareness of the Electricity Act 1992, and the NZECP:34 2001.<br><br>• The increased protection of the health and safety of neighbouring properties.<br><br>• The PDP is consistent with national level guidance. | • Improves the efficient implementation of the PDP through greater clarity and consistency with regard to the PRPS.<br><br>• Effective protection of the electricity distribution corridor. |

**Recommended deleted rule 30.4.13 and recommended updated rules 30.4.14 - ~~Controlled~~ Permitted (redrafted 30.4.45) and 30.4.15 Controlled (redrafted 30.4.46).**

**Recommended deleted Rule 30.4.13**

~~**Telecommunications or radio communication, navigation or meteorological communication facilities:**~~

~~With a maximum height no greater than:~~
~~12m in the Queenstown Business Mixed Use zone;~~
~~15m in the High Density Residential Queenstown – Flat, Queenstown Town Centre, Wanaka Town Centre (Wanaka Height Precinct) or Airport Mixed Use zones;~~
~~10m in the Local Shopping Centre, Wanaka Business Mixed Use or Jacks Point zones; and~~
~~8m in any other zone.~~

**Recommended updated rule 30.4.14 - ~~Controlled~~ Permitted (redrafted 30.4.45)**

**Masks ~~Telecommunications facilities~~:**

With a ~~Masts exceeding~~ maximum height no greater than:

15m in the Queenstown Business Mixed Use zone and Rural Zone;

18m in the High Density Residential Queenstown – Flat Sites, Queenstown Town Centre, Wanaka Town Centre (Wanaka Height Precinct) or Airport Mixed Use zones;

13m in the Local Shopping Centre, Wanaka Business Mixed Use or Jacks Point zones; ~~and~~

11m in any other zone; and

8m in any identified Outstanding Natural Landscape.

Where located in the Rural Zone within the Outstanding Natural Landscape or Rural Landscape Classification, masts shall be finished in colours with a light reflectance value of less than 16%.

Control is reserved to all of the following:
- Location

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| ~~• Route~~<br><br>• Height<br><br>• Appearance, scale and visual effects |
| **Recommended updated rule 30.4.15 Controlled (redrafted 30.4.46)** |
| **Masts ~~Telecommunications facilities~~:**<br><br>Exceeding the maximum height for the zones identified in Rule 30.4.45 OR any mast located in<br><br>• any identified Outstanding Natural ~~Landscape or~~ Feature~~;~~;<br>• the Arrowtown Residential Historic Management Zone~~;~~;<br>• Arrowtown Town Centre~~;~~;<br>• Queenstown Special Character Area~~;~~;<br>• Significant Natural Areas~~;~~; and<br>• Sites containing a Heritage~~;~~ Feature~~s~~; and<br>• Heritage Landscapes. |

| Costs | Benefits | Effectiveness & Efficiency |
|---|---|---|
| • Potential amenity impacts in the ONL allowing masts as a permitted activity. Note this is anticipated to be a low risk as the qualifiers for height and colouring should mitigate the adverse effects.<br><br>• Potential amenity impacts across the District with higher permitted masts. Note that masts in the majority of these zones are anticipated and therefore their presence is acceptable. | • Lower consent costs to Telecommunications companies with the higher heights being permitted.<br><br>• Recognises the benefits that the telecommunications network can have to the community in terms of enhancing the quality of life, standards of living, economic growth and development, and functioning of businesses. | • The changes to these rules are effective as they allow for the upgrading and expansion of the Telecommunications network throughout the District.<br><br>• The changes to rule 30.4.15 are efficient as they allow plan users greater clarity when interpreting the rules. |

**Recommended new non – notification clause**

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| **30.5.1.1** |
| Controlled activities, except for applications when within the National Grid Corridor or within 45m of the designated boundary of Transpower New Zealand Limited's Frankton Substation. |

| Costs | Benefits | Effectiveness & Efficiency |
|---|---|---|
| • Costs to landowners subject to the clause.<br><br>• Cost to Council to have to administer consent in terms of | • Provides Transpower the ability to be involved.<br><br>• Ensures developments are undertaken in accordance with | • Effective means for Transpower to apply their technical oversight to the application. |

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| requirements under section 95 of the RMA. | Transpower requirements to meet health and safety. | |

**Recommended new rules 30.4.50 – Permitted, 30.4.51 – Controlled, and 30.4.52 – Discretionary**

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| **Recommended new Rule 30.4.50 - Permitted** |
| **Microcells**<br><br>A small cell and associated antennae, with a volume of no greater than 0.11m$^3$ |
| **Recommended new rule 30.4.51 - Controlled** |
| **Microcells**<br><br>A small cell and associated antennae, with a volume of between 0.11m$^3$ and 2.5m$^3$.<br><br>Control is reserved to all the following<br><br>• Appearance,<br>• Colour, and<br>• Visual effects |
| **Recommended new rule 30.4.52 - Discretionary** |
| **Microcells**<br><br>A small cell and associated antennas, with a volume more than 2.5m$^3$ OR located:<br><br>• within a Heritage precinct; |

| Costs | Benefits | Effectiveness & Efficiency |
|---|---|---|
| • Potential amenity impacts across the District with introduction of microcells to buildings/masts/poles. Note that the microcells as permitted are small in size and therefore unlikely to have adverse effects; while the larger ones with more potential for adverse effects are controlled in terms of acceptable colour and size. | • Allows for the upgrading and expansion of the Telecommunications network.<br><br>• Recognises and provides for the progress in telecommunications technology.<br><br>• Recognises the benefits that the telecommunications network can have to the community in terms of enhancing the quality of life, standards of living, economic growth and development, and functioning of businesses. | • The introduction of these rules is effective as they allow for the Telecommunications companies to expand and increase the security of the network without adversely affecting the environment. |

**Recommended new definition – Small Cells**

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| Small Cells | Means a low-powered radio access node that provides improved cellular coverage or capacity and is operated by a telecommunications operator. |

| Costs | Benefits | Effectiveness & Efficiency |
|---|---|---|
| • None identified. | • Defining this term allows for greater clarity to plan users when interpreting the intent of the rules. | • This definition is effective as it is consistent with national level guidance and succinct. |

**Recommended Updated Definitions – Electricity Sub-transmission lines (redrafted Electricity Distribution lines) and Electricity Sub-transmission Corridor ( redrafted Electricity Distribution Corridor)**

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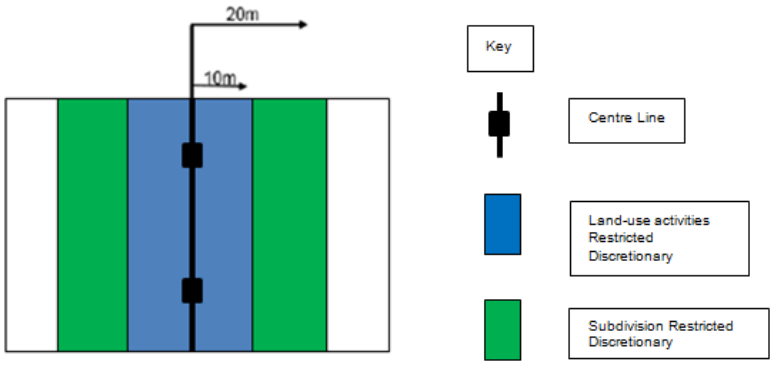
| Electricity Distribution ~~Sub-Transmission~~ Lines | Means the conveyance of electricity ~~via sub-transmission (~~operating at 11kV from the Camphill Road Substation to Makarora, 22kV, 33kV and 66kV~~)~~ lines and cables (~~aerial~~ overhead and underground), support structures and substations operated by a Network Utility Operator.<br>Advice note: Only ~~transmission~~ the National Grid and ~~electricity sub-transmission~~ Electricity Distribution lines are identified on the planning maps, however, works in close proximity to all electric lines can be dangerous. Compliance with NZECP 34:2001 is mandatory for buildings, earthworks, and when using machinery or equipment within close proximity to any electric lines. |
| Electricity Distribution ~~Sub-Transmission~~ Corridor | Means the area located 10 metres either side of the centreline of any overhead ~~Sub-Transmission~~ Electricity Distribution line identified on the Planning Maps (as shown in blue in the diagram below).<br>Distances from Electricity Distribution ~~Sub-Transmission~~ Lines are to be measured from a point directly below the centreline of the line or cluster of lines, as shown in the diagram below.<br>  |

| Costs | Benefits | Effectiveness & Efficiency |
|---|---|---|
| • None identified | • Alignment with the rule and reply that accepts the 11kV line from Camphill Road to Makarora. | • Efficiency in plan administration by ensuring the definitions are consistent. |
| | | |

**Deleted definitions Telecommunication Facility and Electricity Distribution**

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| ~~Telecommunications Facility~~ | ~~Means devices, such as aerials, dishes, antennae, wi-fi and microcells, lines (including cables), wires, cables, casings, tunnels and associated equipment and support structures, and equipment shelters, such as towers, masts and~~ |

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| | ~~poles, and equipment buildings and telecommunication kiosks telephone boxes, used for the transmitting, emission or receiving of communications.~~ |
| ~~Electricity Distribution~~ | ~~Means the conveyance of electricity via electricity distribution lines, cables, support structures, substations, transformers, switching stations, kiosks, cabinets and ancillary buildings and structures, including communication equipment, by a network utility operator.~~ |

| Costs | Benefits | Effectiveness & Efficiency |
|---|---|---|
| • Potential costs to utility operators who sought to leverage off this broad definition. | • Removal of a definition was too broad to be of assistance in terms of a rule framework. | • Removing the definition is effective at providing certainty of the effects of permitted activities. |

**Recommended Updated Definition – Minor Upgrading**

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| Minor Upgrading | Means an increase in the carrying capacity, efficiency or security of electricity transmission and distribution or telecommunication lines utilising the existing support structures or structures of a similar character, intensity and scale, ~~intensity and character~~, ~~maintenance, replacement and upgrading of existing conductors or lines and support structures provided they are of a similar character, intensity and scale to the existing conductors or line and support structures~~ and shall include the following:<br>a) Addition of lines, circuits and conductors;<br>b) Reconducting of the line with higher capacity conductors;<br>c) Re-sagging of conductors;<br>d) Bonding of conductors;<br>e) Addition or replacement of longer or more efficient insulators;<br>f) Addition of electrical fittings or ancillary telecommunications equipment;<br>g) Addition of earth-wires which may contain lightning rods, and earth-peaks;<br>h) Support structure replacement within the same location as the support structure that is to be replaced;<br>i) Addition or replacement of existing cross-arms with cross-arms of an alternative design; and<br>• Replacement of existing support structure poles provided they are less or similar in height, diameter and are located within ~~1~~ 2 metres of the base of the support pole being replaced;<br>• Addition of a single ~~service~~ support structure for the purpose of providing a service connection to a site, except in the Rural zone;<br>• The addition of up to three new support structures extending the length of an existing line provided the line has not been lengthened in the preceding five year period, except in the Rural Zone;<br>• ~~Replacement of conductors or lines provided they do not exceed 30mm in diameter or the bundling together of any wire, cable or similar conductor provided that the bundle does not exceed 30mm in diameter;~~<br>• ~~Re-sagging of existing lines;~~<br>• ~~Replacement of insulators provided they are less or similar in length; and~~<br>• ~~Addition of lightning rods, earth-peaks and earth-wires~~ |

| Costs | Benefits | Effectiveness & Efficiency |
|---|---|---|

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|---|---|---|
| • Allows for replacement and movement and additional burden on landowners with lines.<br><br>• Allows minor upgrading within the Rural Zone. Visual amenity effects. | • Enablement for utility operators to undertake replacement without the need to resource consent, within the 2 metre location recommended.<br><br>• Allows additional support structures in the rural zone however the effects of the additional support structures are minimal relative to presence of the established pole and support structure. | • Substantial efficiencies for utility operators.<br><br>• The recommended changes still provide effective management, especially in the context of the existing regime under the PDP. |

**Recommended Updated Definition – Regionally Significant infrastructure**

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| Regionally significant infrastructure[2] | Regionally significant infrastructure means:<br><br>a) Renewable electricity generation facilities, where they supply the National Grid and local distribution network and are operated by an electricity operator; and<br><br>b) Electricity transmission infrastructure forming the National Grid.<br><br>c) ~~and~~ Electricity Distribution ~~Sub-Transmission~~ Lines identified on the Planning Maps; and<br><br>c) Telecommunication and radio communication facilities*; and<br><br>d) Key centralised Council infrastructure, including water reservoirs, and wastewater treatment plants; and<br><br>e) Roads classified as being of national or regional importance; and<br><br>f) Queenstown and Wanaka airports<br><br>*As defined by the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008 |

| Costs | Benefits | Effectiveness & Efficiency |
|---|---|---|
| • Costs to landowners with distribution lines.<br><br>• Requirement for the Council to map the lines and maintain the maps. | • Better protection for electricity distribution that is critical to the functioning of the District.<br><br>• Increased certainty with regard to the definition of telecommunication facilities and that these will not include small pieces of infrastructure or connections to homes. | • The recommended definition provides more effective protection and management of the critical electricity distribution.<br><br>• Improves the requirement to have regard to the PRPS. Therefore making the definition more effective in terms of alignment with the PRPS. |

2 Derived from the version in Mr Matthew Paetz's Right of Reply chapter 3 Strategic Directions dated 7 April 2016.