

# The Proposed Auckland Unitary Plan (notified 30 September 2013)

## 1.1 Network utilities and energy

### 1. Activity tables

1. The following table specifies the activity status for activities relating to network utilities (including roads) and electricity generation facilities. Activity table 1.1 specifies the activity status for network utilities (excluding roads) and electricity generation facilities. Activity table 1.2 specifies the activity status for roads. These rules do not apply to airports, ports, lighthouses, navigation aids and beacons, which are addressed in the relevant zone rules.
2. These rules override the zone rules and control the construction, operation, maintenance, repair and upgrade of network utilities (including roads) and electricity generation facilities, except for activities within the CMA, which are dealt with in the General Coastal Marine zone. However the Auckland-wide and overlay rules are additional rules that must be complied with.
3. Where relevant, the requirements of the National Code of Practice for Utility Operators' Access to Transport Corridors will apply to the placement, maintenance, improvement and removal of utility structures in the road, unformed road and Strategic Transport Corridor.
4. The requirements of the Resource Management (National Environmental Standards for Electricity Transmission Activities "NESETA") Regulations 2009 apply directly to the operation, maintenance, upgrading, relocation or removal of transmission line(s) that were operating or able to be operated on or prior to 14 January 2010 and remain part of the National Grid. In the case of conflict with any other provision of this plan, including any provision in the activity table in this section, the NESETA provisions shall prevail.
5. The Resource Management (National Environmental Standards for Telecommunication Facilities "NESTF") Regulations 2008 provide for:
  - a. 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 3 kHz to 300 GHz (NZS 2772.1: 1999)
  - b. the installation of telecommunication equipment cabinets in the road reserve as a permitted activity, subject to specified limitations on their size and location
  - c. noise from telecommunication equipment cabinets located in the road reserve as a permitted activity, subject to the specified noise limits
  - d. the installation or replacement of masts and antennas on existing structures in the road reserve as a permitted activity, subject to specified limitations on height and size.
6. Compliance with the 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 Unitary Plan must comply with this regulation.



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Activity	Roads and Unformed roads	Strategic Trans. Corridor zone	Rural zones, Future Urban zone and Quarry zone	Marinas zone (land) and Minor Port zone (land)	Residential zones, Maori purpose and the Retirement Village zones	Industrial zones and the General Business zones	Centres and Mixed Use zones, Airport, Major Recreation, Healthcare Facility and the Business Park zones	Public open space zones and the Cemetery zone
Pipes and cables for the conveyance of water, wastewater, stormwater, electricity and telecommunications that are attached to existing structures	P	P	P	P	P	P	P	P
Air quality and meteorological monitoring structures and devices	P	P	P	P	P	P	P	P
Temporary network utilities operating for less than 12 months	P	P	P	P	P	P	P	P
Temporary signage during the construction of network utilities and electricity generation facilities, which is in place for no longer than 12 months	P	P	P	P	P	P	P	P
Diesel or petrol electricity generators used for the emergency backup of any activities in this table	P	P	P	P	P	P	P	P
<b>Electricity transmission and distribution</b>								
Connections from buildings, structures and sites to electricity distribution lines	P	P	P	P	P	P	P	P
Distribution substations	P	P	P	P	P	P	P	P
Substations within new or existing buildings	P	P	P	P	P	P	P	P
Transmission substations	D	D	RD	D	D	D	D	D



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<b>Activity</b>	<b>Roads and Unformed roads</b>	<b>Strategic Trans. Corridor zone</b>	<b>Rural zones, Future Urban zone and Quarry zone</b>	<b>Marinas zone (land) and Minor Port zone (land)</b>	<b>Residential zones, Maori purpose and the Retirement Village zones</b>	<b>Industrial zones and the General Business zones</b>	<b>Centres and Mixed Use zones, Airport, Major Recreation, Healthcare Facility and the Business Park zones</b>	<b>Public open space zones and the Cemetery zone</b>
Underground gas distribution pipelines at a gauge pressure not exceeding 2000 kilopascals, including any aerial crossings of bridges, structures, streams and ancillary underground equipment and fittings	P	P	P	P	P	P	P	P
Underground gas and petroleum product transmission pipelines at a gauge pressure exceeding 2000 kilopascals including any aerial crossings of bridges, structures, streams and ancillary underground equipment and fittings	D	D	D	D	D	D	D	D
<b>Telecommunications</b>								
Antennas attached to a replacement utility structure that do not comply with Regulation 7 of the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008	C	C	NA					

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<b>Activity</b>	<b>Roads and Unformed roads</b>	<b>Strategic Trans. Corridor zone</b>	<b>Rural zones, Future Urban zone and Quarry zone</b>	<b>Marinas zone (land) and Minor Port zone (land)</b>	<b>Residential zones, Maori purpose and the Retirement Village zones</b>	<b>Industrial zones and the General Business zones</b>	<b>Centres and Mixed Use zones, Airport, Major Recreation, Healthcare Facility and the Business Park zones</b>	<b>Public open space zones and the Cemetery zone</b>
Antennas attached to retaining walls, tunnels, bridges and other structures (other than replacement utility structures under the NESTF) in the Road, Unformed Road and Strategic Transport Corridor	P	P	NA					
Antennas attached to a building and/or structure where the face of the antenna does not exceed 1.2m <sup>2</sup> or 1.2m in diameter for dish antennas (excludes private television antennas and satellite dishes) *Retirement Village zone	NA		P	P	RD P*	P	P	P
Mast and attached antennas * within Local Centres and Neighbourhood Centres	RD	P	P	P	D	P	P RD*	RD
Antennas inside of new or existing buildings	P	P	P	P	P	P	P	P

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Activity	Roads and Unformed roads	Strategic Trans. Corridor zone	Rural zones, Future Urban zone and Quarry zone	Marinas zone (land) and Minor Port zone (land)	Residential zones, Maori purpose and the Retirement Village zones	Industrial zones and the General Business zones	Centres and Mixed Use zones, Airport, Major Recreation, Healthcare Facility and the Business Park zones	Public open space zones and the Cemetery zone
Antennas that do not exceed the following dimensions: GPS Antennas: - 300mm high and 130mm in diameter Panel antennas: - 350mm high and 140mm wide Omni-directional antennas: - 650mm high and 60mm in diameter	P	P	P	P	P	P	P	P
Telecommunication cabinets * except that this only applies to cabinets in a Strategic Transport Corridor which are part of a Rail Corridor	NA	P*	P	P	P	P	P	P
Telecommunication cabinets that do not meet the permitted standards in the Resource Management (NESTF) Regulations 2008 * excludes rail corridors	RD	RD*	NA					
Underground telecommunication lines and facilities	P	P	P	P	P	P	P	P
Connections from buildings, structures and sites to telecommunication lines	P	P	P	P	P	P	P	P

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Activity	Roads and Unformed roads	Strategic Trans. Corridor zone	Rural zones, Future Urban zone and Quarry zone	Marinas zone (land) and Minor Port zone (land)	Residential zones, Maori purpose and the Retirement Village zones	Industrial zones and the General Business zones	Centres and Mixed Use zones, Airport, Major Recreation, Healthcare Facility and the Business Park zones	Public open space zones and the Cemetery zone
Overhead telecommunication lines * within areas of the Road, Unformed Road and Strategic Transport Corridor this activity shall have the same status as the adjacent zone	*	*	P	P	D	RD	D	D
Telecommunication kiosks	P	P	P	P	P	P	P	P
Telephone exchanges	P	P	P	P	P	P	P	P
<b>Amateur Radio</b>								
Amateur radio configurations	NC	NC	RD	RD	RD	RD	RD	RD
<b>Water, wastewater and stormwater structures</b>								
Water, wastewater and stormwater connections to public networks	P	P	P	P	P	P	P	P
Underground reservoirs	P	P	P	P	P	P	P	P
Above ground reservoirs	RD	RD	P	P	RD	P	RD	RD
Underground pipelines and ancillary structures for the conveyance of water, wastewater and stormwater	P	P	P	P	P	P	P	P
Aboveground pipelines and fittings for the conveyance of water, wastewater and stormwater	RD	RD	RD	RD	RD	RD	RD	RD
Water and wastewater pump stations	P	P	P	P	P	P	P	P
Storage tanks	P	P	P	P	P	P	P	P
Water treatment plants	D	D	P	P	RD	P	RD	RD



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Activity	Roads and Unformed roads	Strategic Trans. Corridor zone	Rural zones, Future Urban zone and Quarry zone	Marinas zone (land) and Minor Port zone (land)	Residential zones, Maori purpose and the Retirement Village zones	Industrial zones and the General Business zones	Centres and Mixed Use zones, Airport, Major Recreation, Healthcare Facility and the Business Park zones	Public open space zones and the Cemetery zone
Wastewater treatment plants	D	D	RD	D	D	RD	D	D
Stormwater detention/retention ponds	C	C	C	C	C	C	C	C
Water, wastewater and stormwater outfalls and ancillary structures	P	P	P	P	P	P	P	P
Ventilation drop shafts	P	P	P	P	P	P	P	P
Stormwater treatment devices; erosion protection; culverts; measuring devices (flows structures)	P	P	P	P	P	P	P	P
<b>Electricity generation</b>								
Small-scale electricity generation	NA		P	P	P	P	P	P
Community-scale electricity generation	NA		P	P	RD	P	RD	RD
Large-scale wind farms	NA		RD	D	NC	RD	D	NC
Research and exploratory-scale investigations for renewable electricity generation activities	NA		P	NA	NA	NA	NA	P
Other electricity generating facilities	NA		D	D	NC	D	D	NC

### 1.2 Activity Table – Roads

1. The rules in this table apply to the local public road network operated by Auckland Transport or any private road.
2. For this section:
  - a. 'road' and private road has the same meanings as in s. 315 of the Local Government Act 1974. Section 315 does not include a motorway within the meaning of the Government Roading Powers Act 1989
  - b. 'paper road' means land that is vested or dedicated that has never been formed or maintained
  - c. For the purposes of these rules a 'road' will also include any private road
  - d. 'new road' means land that is designated or the subject of a subdivision consented in the five

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years prior [date of notification] but has not been formed. Once a new road is formed it becomes a 'road'.

3. Any zoning ceases to have effect from the time the land is vested or dedicated as a road.
4. In the case of stopped roads, the zoning reverts to that of the adjoining land at the time when the road is stopped, and where there are two different zones, the adjacent zone extends to the centre line of the former road.
5. This section controls the structures and activities undertaken in the local public road network by Auckland Transport (or its agents), however the Auckland-wide and overlay rules are additional rules that must be complied with.
6. Where a road (as defined in (2) above) is also identified as having an underlying zoning, the rules as set out below will have precedence over any zone rules in regard to the activity status and development controls.

Activity	Road	Paper Road	New Road
Construction of new roads	Refer to note 2	RD	P
Public amenities	P	P	P
Road network activities * Vehicle crossings must comply with Chapter H2 Parking, Loading and Access	P*	P*	P*
Pedestrian overpass or underpass that provides direct connection between (into) buildings	RD	RD	RD

### 2. Notification

1. The council will publicly notify resource consent applications for large-scale wind farms.

### 3. Development controls

#### 3.1 Permitted activities

##### 3.1.1 Operation, repair, maintenance and development of network utilities in roads

These controls only apply to activities in Activity Table 1.1 that are not listed as specific activities in section

3.1.3. Permitted activities must comply with the following controls:

1. Temporary network utilities
  - a. On disestablishment of the temporary works, all temporary network utilities, buildings and structures must be removed from the site.
2. Building area
  - a. The maximum building area for structures, excluding electricity and telecommunication support structures is 6m<sup>2</sup>. This excludes telecommunication cabinets authorised under NESTF.
3. Height
  - a. The maximum building height for structures, excluding electricity and telecommunication support structures, telecommunication devices, earth peaks, lightning rods and GPS antennas is 2.5m.
  - b. The maximum height for electricity and telecommunication support structures including telecommunication devices, earth peaks, lightning rods and GPS antennas is 25m.

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### 3.1.2 Operation, repair, maintenance and development of network utilities and electricity generation facilities in zones

These controls only apply to activities in Activity Table 1.1 that are not listed as specific activities in section 3.1.3. Permitted activities must comply with the following controls:

1. Temporary network utilities
  - a. On disestablishment of the temporary works, all temporary network utilities and electricity generation facilities buildings and structures must be removed from the site.
  - b. The site must be reinstated to at least the original form and condition.
2. Building area
  - a. The maximum building area for structures, excluding electricity and telecommunication support structures, in the Residential zone is 20m<sup>2</sup> and 30m<sup>2</sup> in all other zones. Excludes:
    - i. structures in Industrial zones.
    - ii. substations and telephone exchanges incorporated within a building complying with the rules for the relevant zone.
3. Height
  - a. The maximum height for structures, excluding electricity and telecommunication support structures; telecommunication devices, earth peaks, lightning rods and GPS antennas, is 2.5m. Excludes:
    - i. structures in Industrial zones
    - ii. substations and telephone exchanges incorporated within a building complying with the rules for the relevant zone.
  - b. The maximum height for electricity and telecommunication support structures is 25m.
4. Yards
  - a. Electricity and telecommunication support structures must be set back at least 1m from any adjoining site that is zoned Residential, Retirement Village or Maori Purpose zone.

### 3.1.3 Specific activities

The activities below are not required to comply with the controls in clauses 3.1.1 and 3.1.2 for network utilities and electricity generation facilities, but must comply with the development controls listed for each activity.

#### Minor infrastructure upgrading

1. Minor infrastructure upgrading of electricity and telecommunication facilities must:
  - a. comply with the International Commission on Non-ionising Radiation Protection Guidelines for limiting exposure to time varying electric magnetic fields (1Hz – 100kHz) (Health Physics, 2010, 99(6): 818-836) and recommendations from the World Health Organisation monograph Environment Health Criteria (No 238, June 2007)
  - b. not result in radio-frequency fields produced by the network utility exceeding the maximum exposure level of the general public in the New Zealand Standard for Radiofrequency Fields Part 1: Maximum Exposure Levels 3 kHz to 300GHz (NZS 2772.1: 1999) measured at all places reasonably accessible to the general public.

#### Electricity transmission and distribution Electromagnetic fields

2. Network utilities that emit electromagnetic field emissions must comply with the International Commission on Non-ionising Radiation Protection Guidelines for limiting exposure to time varying electric magnetic fields (1Hz – 100kHz) (Health Physics, 2010, 99(6): 818-836) and recommendations from the World Health Organisation monograph Environment Health Criteria (No 238, June 2007).

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3. Any activity that does not comply with the above control is a non-complying activity.

### Substations

4. Noise from substations must not exceed the following when measured in a residential zone:
- a. LAeq (15 min) 55dB between Monday to Saturday 7am–10pm and Sunday and Public Holidays 9am–6pm
  - b. LAeq (15 min) 45dB and LAFmax 75dB at all other times.
  - c. Noise levels must be measured in accordance with New Zealand Standard on the Measurement of environmental sound (6801: 2008) and assessed in accordance with New Zealand Standard Acoustics – environmental noise (6802: 2008), except:
    - i. the measurement of noise must not be subject to any tonal adjustment
    - ii. the noise level must be measured at 1m from the façade of the closest residential building.

### Telecommunications Antennas attached to buildings

5. Antennas attached to buildings, excluding provision for lightning rods, GPS antennas, telecommunication devices and earthpeaks, must not exceed the height of the point of attachment to the building by more than the following:

Table 1

Zone / overlay group	Permitted Height
<ul style="list-style-type: none"> <li>• Rural zones</li> <li>• Marinas zone (land) and Minor Port zone (land)</li> <li>• Future Urban zone</li> <li>• Quarry zone</li> <li>• Industrial zones</li> <li>• Centres and Mixed Use zones (excluding the Local Centre and Neighbourhood Centre zones)</li> <li>• General Business zone</li> <li>• Airport, Major Recreation, Healthcare Facility and the Business Park zones</li> </ul>	5m
<ul style="list-style-type: none"> <li>• Local Centres and Neighbourhood Centres</li> <li>• Public Open Space zones</li> <li>• Cemetery zone</li> <li>• Retirement Village zone</li> </ul>	3.5m

### Maximum number of antennas

6. These rules apply to separate antennas or a cluster of antennas not exceeding 600mm in diameter. It excludes antennas mounted on the fascia of a building below the roofline.
7. Ancillary radio frequency units (included in the definition of antenna) are not included in the maximum number of antennas
8. The maximum number of antennas in Local Centre and Neighbourhood Centre zones

Table 2

Roof area (plain view)	Maximum number of antennas per site
300m <sup>2</sup> or less	6
Greater than 300m <sup>2</sup> and less than 1000m <sup>2</sup>	8

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1000m <sup>2</sup> or more	12
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9. For all other zones the maximum number of antennas is 12.
10. For the Special Character overlays, antennas and associated ancillary electrical devices must be attached to the building so they do not protrude above the roof line of the part of the building to which they are attached. Where attached to the front facade, the antenna and any ancillary electrical devices must be attached so they have a maximum horizontal projection of 450mm from the face of the building. Where attached to the front facade of the building, the antenna and associated ancillary electrical devices must be colour matched to the part of the building to which they are attached.

The above controls do not apply where the antenna and any ancillary electrical devices are not visible when viewed at a height 1.8m above street level from any part of any road which is located within the character overlay.

### Height of masts and attached antennas (excludes the NESTF)

11. Masts and attached antennas identified as permitted activities in the activity status table must comply with the following height limits, excluding provision for lightning rods and GPS antennas, telecommunication devices and earthpeaks.

Table 3

Zone groups	Maximum height
<ul style="list-style-type: none"> <li>- Rural zones</li> <li>- Industrial zones</li> <li>- Strategic Transport Corridor zone</li> <li>- Centres and Mixed Use zones (excluding the Local Centre and Neighbourhood Centre zones)</li> <li>- Airport zone</li> <li>- Major Recreation zone</li> <li>- Healthcare facility zone</li> <li>- Business Park zone</li> <li>- General Business zone</li> <li>- Minor Port zone (land)</li> <li>- Future Urban zone</li> <li>- Marinas zone (land)</li> <li>- Quarry zone</li> </ul>	25m

### Electricity generation - wind generation Scale and location

12. Meteorological masts for wind research and exploration must not exceed 90m in height.
13. Roof-mounted wind turbines for small-scale electricity generation must:
  - a. not exceed the permitted height of the zone by more than 3m
  - b. have a rotor diameter no more than 2.5m
  - c. be limited to one per dwelling within the residential zones and the Retirement Village zone.
14. Freestanding wind turbines for small-scale electricity generation must comply with the following table:

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Table 4

Zone	Maximum height (m)	Maximum rotor diameter (m)
Residential zones, Retirement Village zone and the Maori Purpose zone	12	2.5
Rural zones, Future Urban zone, Quarry zone and Industrial zones	20	5
All other zones	15	3

15. In residential zones, Maori Purpose zone and the Retirement Village zone, freestanding wind turbines for small-scale electricity generation are limited to one per site.
16. Wind turbine towers, either freestanding tubular, lattice or tubular mast supported by guy wires, for community-scale electricity generation facility must not exceed 25m in height.
17. Small and community scale wind turbines on sites adjoining residential zones or the Retirement Village zone must meet the height in relation to boundary control for the relevant zone in which they are located.
18. There is no height limit for wind turbine towers associated with large-scale wind farms.

### Setbacks

19. Wind turbine towers must be set back from the boundary of the site on which the wind turbine is located at a distance equivalent to the length of the turbine blades. The tips of the turbine blades must stay within the site at all times.

### Shadow flicker

20. No dwellings on a neighbouring property will be exposed to more than 30 hours of shadow flicker per year based on realistic shadow flicker hours calculations from large-scale wind farms.

### Permitted activities in Activity Table 1.2 must comply with the following controls:

#### Construction and maintenance work

21. Work must be undertaken by Auckland Transport or its agents.
22. Temporary works, buildings and structures must be removed from the road on completion of works.
23. After completion of works, the ground must be reinstated to at least the condition existing prior to any work starting.

### 3.2 Controlled activities

#### Antennas attached to replacement utility structures that do not comply with Regulation 7(2) of the Resource Management NESTF in roads, unformed roads and the Strategic Transport Corridor zone

1. The total height of the structure may exceed the limit specified in Regulation 7(2) of NESTF, by an additional 0.5m.
2. The maximum diameter of any shroud is 600mm.
3. There is no limit on the size of antennas where contained within a shroud not exceeding the above limits.

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## 4. Assessment - Controlled activities

### 4.1 Matters of control

The council will reserve its control to the matters below for the activities listed as controlled in the activity table:

1. **Antennas attached to replacement utility structure that do not comply with Regulation 7 of the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008 in roads, unformed roads and Strategic Transport Corridor**
  - a. Visual effects
  - b. Use of shroud to encompass antennas
2. **Stormwater detention/retention ponds**
  - a. Visual effects
  - b. Size and location
  - c. Access for maintenance
  - d. Landscaping and fencing

### 4.2 Assessment criteria

The Council will consider the relevant assessment criteria below for controlled activities listed in Activity Table 1.1

1. Visual effects
  - a. adverse visual effects (including cumulative adverse effects) on the existing character of an area, should be avoided, remedied or mitigated.
2. Use of shroud to encompass antennas
  - a. a shroud should be used to encompass antennas.
3. Size and location
  - a. the size and location of the proposed stormwater detention or retention ponds should internalise or mitigate the adverse effects.
  - b. stormwater detention or retention ponds, located in public open spaces, should minimise any potential interference with public use and enjoyment of the public open spaces.
4. Access for maintenance
  - a. safe and direct access should be provided to enable maintenance.
5. Landscaping and fencing
  - a. landscaping should screen infrastructure to mitigate visual impact on the surrounding natural and built environments.
  - b. potential health and safety hazards should be adequately fenced.

## 5. Assessment - Restricted discretionary activities

### 5.1 Matters of discretion

The council will restrict its discretion to the matters below for the activities listed as restricted discretionary in the activity tables:

1. **Overhead electricity lines up to and including 110kV and overhead telecommunication lines**
  - a. visual effects
  - b. design, scale and height
  - c. technical and operational constraints
  - d. health and safety

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- e. the benefits derived from the infrastructure
  - f. potential to constrain future planned development
  - g. the functional need of infrastructure to be located in the proposed location
  - h. electrical interference
  - i. measures required to avoid, remedy or mitigate adverse effects
  - j. function and amenity of the streetscape, where located in a road.
2. **Aboveground gas distribution regulator stations, transmission substations, telecommunication cabinets that do not meet the permitted standard in the Resource Management (NESTF) Regulations 2008 and above ground reservoirs**
- a. visual effects
  - b. design, scale and height
  - c. technical and operational constraints
  - d. health and safety
  - e. the benefits derived from the infrastructure
  - f. landscaping
  - g. noise
  - h. the integrity of the infrastructure and network
  - i. the functional need of infrastructure to be in the proposed location
  - j. measures required to avoid, remedy or mitigate adverse effects
  - k. function and amenity of the streetscape, where located in a road.
3. **Antennas attached to buildings and/or structures where the face of the antenna does not exceed 1.2m<sup>2</sup> or 1.2m in diameter for dish antennas and mast and attached antennas**
- a. visual effects
  - b. design, scale and height
  - c. technical and operational constraints
  - d. the benefits derived from the infrastructure
  - e. the integrity of the infrastructure and network
  - f. measures required to avoid, remedy or mitigate adverse effects
  - g. number of antennas.
4. **Amateur radio configurations**
- a. visual effects
  - b. design, scale and height
  - c. measures required to avoid, remedy or mitigate adverse effects
5. **Aboveground pipelines and fittings for the conveyance of water, wastewater and stormwater**
- a. visual effects
  - b. design, scale and height



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- c. technical and operational constraints
- d. health and safety
- e. the functional need of infrastructure to be located in the proposed location
- f. measures required to avoid, remedy or mitigate adverse effects
- g. function and amenity of the streetscape, where located in a road.

### 5. **Water and wastewater treatment plants**

- a. visual effects
- b. design, scale and height
- c. technical and operational constraints
- d. health and safety
- e. the benefits derived from the infrastructure
- f. landscaping
- g. potential to constrain future planned development
- h. noise
- i. odour
- j. the integrity of the infrastructure and network
- k. the functional need of infrastructure to be located in the proposed location
  - l. measures required to avoid, remedy or mitigate adverse effects
- m. separation from existing residential dwellings.

### 6. **Community-scale electricity generation and large-scale wind farms**

- a. visual effects
- b. design, scale and height
- c. technical and operational constraints
- d. health and safety
- e. the benefits derived from the infrastructure
- f. landscaping
- g. potential to constrain future planned development
- h. noise
- i. the functional need of infrastructure to be located in the proposed location
- j. measures required to avoid, remedy or mitigate adverse effects
- k. shadow flicker
  - l. separation from existing residential dwellings.

### 7. **Construction of new roads**

- a. visual amenity
- b. integrity and functional requirements of the infrastructure and the network

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- c. dust, noise and vibration.
- 8. **Pedestrian overpass or underpass that provides direct connection between (into) buildings**
  - a. centre vitality
  - b. design, location, scale and appearance
  - c. pedestrian connectivity
  - d. vehicular traffic
  - e. view sightlines
  - f. wind effects.

### 5.2 Assessment criteria

The council will consider the relevant assessment criteria below for the restricted discretionary activities listed above.

- 1. **Overhead electricity lines up to and including 110kV and overhead telecommunication lines**
  - a. visual effects
    - i. the cumulative adverse visual effects of additional infrastructure on the existing character of an area, should be avoided, remedied or mitigated.
  - b. design, scale and height
    - i. the design, scale and height of the proposed infrastructure should internalise or mitigate its adverse effects.
  - c. technical and operational constraints of the infrastructure
    - i. the technical and operational requirements of the proposed infrastructure restrict its location, height and size, and this should be recognised when considering an infrastructure proposal.
  - d. health and safety
    - i. the extent to which the proposed infrastructure will affect the health and safety of people and communities should be recognised.
    - ii. the infrastructure or upgrade proposed should benefit and contribute to the social and economic development, and wellbeing of businesses, people and communities.
    - iii. the benefits derived from the infrastructure
    - iv. the benefits to communities and people from the provision or the maintenance of essential services should be recognised.
  - e. potential to constrain future planned development
    - i. proposed infrastructure should not constrain future, planned development.
  - f. the functional needs of infrastructure to be in the proposed location
    - i. the functional need for a particular location should be recognised.
  - g. electrical interference
    - i. proposed infrastructure should not create electrical interference.
  - h. measures required to avoid, remedy or mitigate adverse effects
    - i. measures should be proposed to avoid, remedy or mitigate the adverse effects.
  - i. function and amenity of the streetscape, where located in a road
    - i. infrastructure in a road should not detract from the visual amenity values of the streetscape or compromise the function of public amenities.
- 2. **Aboveground gas distribution regulator stations, transmission substations, telecommunication**

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### **cabinets that do not meet the permitted standards in the Resource Management (NESTF) Regulations 2008 and above ground reservoirs**

- a. refer to the assessment criteria in 1a, b, c, d, e, g above
  - b. landscaping
    - i. landscaping should screen infrastructure to mitigate visual impact on the surrounding natural and built environments.
  - c. noise
    - i. noise emitted by proposed infrastructure should not adversely affect the amenity values of the surrounding land uses.
  - d. the integrity of the infrastructure and network
    - i. the proposed infrastructure should improve the resilience and security of the network.
3. **Antennas attached to a building or structure where the face of the antenna does not exceed 1.2m<sup>2</sup> or 1.2m in diameter for dish antennas and mast and attached antennas**
- a. refer to the assessment criteria in 1a, b, c, e, j and 2d above.
  - b. number of antennas
    - i. the number of antennas on the roof should not adversely affect the visual amenity values of an area.
4. **Amateur radio configurations**
- a. Refer to the assessment criteria in 1a, b and j above
5. **Aboveground pipelines and fittings for the conveyance of water, wastewater and stormwater**
- a. refer to the assessment criteria in 1a, b, c, d, g, 2e, and 2f above.
6. **Water and wastewater treatment plants**
- a. refer to the assessment criteria in 1a, b, c, d, e, g and 2b, c, d, e above.
  - b. odour
    - i. odour emissions from the proposed infrastructure and should not adversely affect the amenity values of surrounding land uses.
    - ii. separation from existing dwellings
    - iii. there should be an adequate separation distance between the proposed infrastructure and existing dwellings to minimise the visual dominance of buildings.
7. **Community-scale electricity generation and large-scale wind farms**
- a. refer to the assessment criteria in 1b, c, d, e, f, g, j, 2b, c and 5c above.
  - b. shadow flicker
    - i. shadow flicker effects should be minimised.
8. **Construction of new roads**
- a. visual amenity
    - i. the proposed road should mitigate the visual impact on the surrounding natural and built environments.
    - ii. the proposed road should be designed to a high standard.
  - b. dust, noise and vibration the design of the proposed road should mitigate the adverse effects of dust, noise and vibration created by the use of the road.
9. **Pedestrian overpass or underpass that provides direct connection between (into) buildings**
- a. centre vitality
    - i. the proposal should not have an adverse effect upon street level activities and a centre's on-

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going ability to provide an active and vibrant public realm.

- b. design, location, scale and appearance
  - i. the design, location, scale and appearance of a pedestrian overpass or underpass should contribute positively to the visual amenity of the surrounding street level pedestrian environment and exhibit the following characteristics:
    - Both pedestrian overpasses and underpasses should be:
      - of an exceptional standard of design
      - joined to buildings in an architecturally sympathetic way
      - of the minimum length necessary to form a direct connection between buildings.
    - In addition to the above, a pedestrian overpass should:
      - minimise its visual intrusion on the streetscape.
      - not obstruct views of visually prominent features such as historic buildings and landmarks, or significant natural and cultural features
      - minimise shading onto the street level pedestrian environment and avoid blocking light to and views from adjoining buildings
      - be predominantly glazed on both side of the overpass, with provision made for cleaning both sides of the glazing from the overpass itself
      - be of the minimum width and height necessary to accommodate the movement of pedestrians.
    - In addition to the above, a pedestrian underpass should:
      - be designed to maximise the safety of pedestrians by entrance points which are highly visible, avoiding entrapment spots, providing high levels of lighting and being of a generous width.
  - ii. the structure should be available for public use at all times and provide convenient physical access for people of all ages and abilities.
  - iii. no part of the structure's support should impede street level pedestrian movement.
  - iiii. the structure should not be the only pedestrian entrance to a building and should be secondary to a building's street level pedestrian entrance.
- c. pedestrian connectivity
  - i. the structure should be available for public use at all times and provide convenient physical access for people of all ages and abilities.
  - ii. no part of the structure's support should impede street level pedestrian movement.
  - iii. the structure should not be the only pedestrian entrance to a building and should be secondary to a building's street level pedestrian entrance.
- d. vehicular traffic
  - i. the structure should not impede the safe and efficient movement of pedestrian and vehicle functioning within the road. Pedestrian overpasses should have a vertical clearance from the crown of the road to the underside of the overpass structure of not less than 6.5 metres
- e. view sightlines
  - i. the alignment and location of a pedestrian overpass should not detract from identified views/sightlines.
- f. wind effects
  - i. pedestrian overpasses should not create excessive wind velocity and turbulence in adjacent outdoor pedestrian spaces

## 6. Assessment - Development control infringements

### 6.1 Matters of discretion

In addition to the general matters of discretion in [clause 2.3](#) of the general provisions, the council will restrict its discretion to the matters below for the listed development control infringement.

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1. Operation, repair, and maintenance and development of network utilities in roads
  - a. Temporary network utilities
    - i. Visual effects
    - ii. Measures required to avoid, remedy or mitigate adverse effects
    - iii. Function and amenity of the streetscape
  - b. Building area
    - i. Visual effects
    - ii. Design and scale
    - iii. Measures required to avoid, remedy or mitigate adverse effects
    - iv. Function and amenity of the streetscape
  - c. Height
    - i. Visual effects
    - ii. Design and height
    - iii. Measures required to avoid, remedy or mitigate adverse effects
2. Operation, repair, and maintenance and development of network utilities and and electricity generation facilities in zones
  - a. Temporary network utilities
    - i. Visual effects
    - ii. Measures required to avoid, remedy or mitigate adverse effects
  - b. Building area
    - i. Visual effects
    - ii. Design and scale
    - iii. Measures required to avoid, remedy or mitigate adverse effects
  - c. Height
    - i. Visual effects
    - ii. Design and height
    - iii. Measures required to avoid, remedy or mitigate adverse effects
  - d. Yards
    - i. Visual effects
    - ii. Design and scale
    - iii. Measures required to avoid, remedy or mitigate adverse effects
  - e. Height in relation to boundary
    - i. Visual effects
    - ii. Design, scale and height
    - iii. Measures required to avoid, remedy or mitigate adverse effects
3. Specific activities in 3.1.3
  - a. The particular effects the infringement will have on the environment.

### 6.2 Assessment criteria

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In addition to the general matters of discretion in [clause 2.3](#) of the general provisions, the council will consider the relevant criteria below for the listed development control infringement.

1. Operation, repair, and maintenance and development of network utilities in roads
  - a. Temporary network utilities
    - i. Visual effects
      - the cumulative adverse visual effects of additional infrastructure on the existing character of an area should be avoided, remedied or mitigated.
    - ii. measures required to avoid, remedy or mitigate adverse effects
      - measures should be proposed to avoid, remedy or mitigate the adverse effects.
    - iii. Function and amenity of the streetscape
      - new infrastructure in a road should not detract from the visual amenity values of the streetscape or compromise the function of public amenities
  - b. Building area
    - i. Refer to assessment criteria in 1.ai, ii and iii above.
    - ii. Design and scale
      - The extent to which the design and scale of the proposed infrastructure will internalise or mitigate the adverse effects, as far as practicable
  - c. Height
    - i. Refer to assessment criteria in 1ai and ii above.
    - ii. Design and height
      - the design and height of the proposed infrastructure should internalise or mitigate the adverse effects
2. Operation, repair, and maintenance and development of network utilities and and electricity generation facilities in zones
  - a. Temporary network utilities
    - i. Refer to assessment criteria in 1ai and ii above.
  - b. Building area
    - i. Refer to assessment criteria in 1ai, ii and 1.1bii above
  - c. Height
    - i. Refer to assessment criteria in 1ai, ii and 1.1cii above
  - d. Yards
    - i. Refer to assessment criteria in 1ai, ii and 1.1bii above
  - e. Height in relation to boundary
    - i. Refer to assessment criteria in 1ai and ii above
  - f. Design, scale and height
    - i. the design, scale and height of the proposed infrastructure should internalise or mitigate the adverse effects.
3. Specific activities in 3.1.3
  - a. The particular effects the infringement will have on the environment.
    - i. measures should be proposed to avoid, remedy or mitigate the adverse effects the infringement may have on the environment.

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