

PART FIFTEEN - UTILITY SERVICES

1. INTRODUCTION

1.1 BACKGROUND

Utility services are an essential part of the efficient, safe and convenient functioning of both urban and rural areas in the District. Previously the sole domain of public authorities, the management of a number of utility services has moved into the hands of private network utility operators in recent years.

Certain services currently remain the responsibility of the District Council, including the supply of water, solid waste management, stormwater and sewage treatment and disposal. While these particular utility services are mainly managed through Council's Annual Plan process, the District Plan has a number of important functions related to them.

The utility services network is an important physical resource. A central tenet of Section 5 of the *Resource Management Act 1991* is the sustainable management of physical and natural resources. Section 5 expressly sets out enabling and safeguarding functions by which communities may provide for their well-being, health and safety, and at the same time protect the environment and life supporting systems.

The sustainable management of utility services through the District Plan involves the development of enabling and co-ordinating measures to facilitate the operations of a range of public and private utility operators, while controlling the adverse effects of these activities on amenity values and the wider environment.

1.2 SCOPE OF PART FIFTEEN

In addition to the provisions of this Part, other Parts of the Plan may provide for, or control servicing activities. These are referred to in detail where applicable in **2.1.4** and **2.2.4** of this Part. For example, **Part Sixteen** contains Policies and Methods of Implementation affecting the provision of utility services in new subdivisions and developments.

A number of ways other than the District Plan may also be used to facilitate and manage utility services.

Utility services can be provided for through designation, where legal provision is made in the District Plan, to set aside land for public works and certain types of network utility operations. **Appendix B** lists a number of existing designations. Designation provides authorisation for the service required and may place restrictions on other activities that may be carried out within the area concerned.

The District Council's Annual Plan may also be used to facilitate and control the provision of certain utility services.

1.3 ISSUES SUMMARY

The availability of a safe, convenient and affordable range of utility services is highly valued by residents of the District. Many of these utility services are often taken for granted and exist without noticeable adverse effects on amenity values and on the wider environment.

At the same time, utility service activities can have significant adverse effects on:

- amenity values, through visual intrusion, the creation of health and safety hazards, or by limiting use or access to sites, especially where reticulation systems are concerned; and
- the wider environment, especially where power generating sites, landfills, sewage and stormwater disposal systems are concerned. Adverse effects may include pollution of waterways, air, and the loss of indigenous vegetation, natural habitats and items of cultural heritage.

The importance of maintaining amenity values and the quality of the wider environment, is set against the need to protect and maintain existing services and accommodate an ever wider and more efficient range of services in the District.

The discussion of utility service issues in the District in this Part is therefore based on achieving this desirable balance between these potentially conflicting requirements.

Direct threats to the utility services network from natural hazards such as earthquakes and flooding or from human activity such as groundwater pollution are also discussed in this Part.

The above issues are among a number of significant resource management issues in the District, identified in **Part Four**.

These issues are very much interrelated. However, in order to clearly illustrate the links between them and the means of dealing with them, each issue is described in turn in this Part in the sections that follow. This arrangement assists in making the rationale for the provisions and Rules that follow, more transparent.

1.4 UTILITY SERVICE ISSUES

This Part addresses the following key issues relating to utility service provision in the Rotorua District:

- the ability to accommodate and manage the utility service network while addressing its effects on the amenity values of the District; and
- the effects of utility services provision on the wider environment.

2. RESOURCE MANAGEMENT ISSUES

2.1 ISSUE ONE

ACCOMMODATION AND MANAGEMENT OF UTILITY SERVICE NETWORKS AND CONTROL OF ADVERSE EFFECTS ON AMENITY VALUES
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2.1.1 ISSUE STATEMENT

2.1.1.1 Introduction

Electricity, telecommunications, water supply, stormwater and sewerage networks, refuse disposal and fire-fighting services are important to the health, safety and convenience of the people in the District. These services are now provided by a range of private network operators as well as by Council.

In addition, the range of services available in the District is increasing and this in turn needs to be accommodated. Examples of this include the growing cellular telephone network, and the increased domestic use of natural gas, water and sewage reticulation systems.

While many utility services are unobtrusive, electricity and telecommunication services can have significant direct, indirect or cumulative adverse effects on the environment. Electricity and telecommunication infrastructure is, in some instances, visually intrusive. Examples include telecommunication structures and large substations. In many situations it is possible to avoid this visual intrusion by placing all or part of such infrastructure underground. However, in some cases it may not be possible or practical to do so. In rural parts of the District, for example, the distances to be covered may make undergrounding economically unrealistic. Ultimately costs will be passed on to the community.

In certain cases, notably the siting of high voltage transmission lines, it is not practical or safe to place infrastructure underground. However, the careful consideration of routing options for transmission lines offers a realistic means of avoiding or mitigating many adverse environmental effects.

Some telecommunication services also have specific locational requirements relating principally to the need for elevation above other features in the landscape. While these facilities may require prominent locations in the District, it may be possible for a range of practical siting options to be considered, before any visually intrusive service is provided.

The infrastructure associated with electricity, telecommunications and other utility services is in many cases adjacent to or within road reserves. Such services include pylons, lights and transformers which can pose a hazard to the health and safety of road users. They may also have significant visual effects because of their prominent location.

There appears to be no conclusive evidence to suggest that there are health hazards associated with high voltage transmission lines such as in the vicinity of residential areas. However, visual intrusion remains an issue. Threats to safety may be an issue in the event of damage to installations from storms, earthquakes or vandalism.

2.1.1.2 **Gas Reticulation**

With the development of the Maui gas field, a major source of competitive alternative energy has been made available for domestic and industrial users in the District. A high pressure natural gas pipeline runs through the District. This and associated facilities are shown on the Planning Maps. An increasing number of residents may wish to take advantage of this alternative energy source, and provision for the reticulation of natural gas and any accessory equipment needed for its safe distribution is necessary. The adverse effects of natural gas reticulation on the environment and amenity are generally minor, but there are safety considerations to be taken into account.

2.1.1.3 **Water Supply, Stormwater and Sewage Reticulation**

Water supply reticulation networks, stormwater disposal and sewerage networks are generally not obtrusive although reservoirs, stormwater channels, ponds and pump installations may have some effect on visual amenity and community safety. There are also potential effects on natural ecosystems. A number of broader environmental considerations relating to these services are considered in **2.2** of this Part.

An important issue regarding the sustainable management of utility services is the preservation of a good quality water supply for the District. The development of new water supplies and the infrastructure to link these to existing reticulation systems is costly, requires substantial lead-in times, and may cause adverse effects on the environment. In order to reduce the need for developing new supplies, the wise use of water resources is a matter of on-going importance. Activities occurring in or adjacent to catchment areas, spring recharge areas or storage reservoirs may adversely affect water quality in the short and long term.

Sewage and stormwater reticulation, treatment and disposal networks are major capital and operating costs that have to be borne by the community. Activities that place additional demands on the capacity of or extend the use of these systems are issues to be addressed.

While the management of septic tanks is primarily a Regional Council responsibility, the subdivision sizes for lots in the rural areas, including lakeside settlements, will influence the adequate treatment of effluent from septic tanks. This may have downstream effects on the quality of potable water supplies. In addition, where intensive use of a site occurs, septic tanks may not be suitable.

2.1.1.4 **Refuse Disposal**

The safe disposal of refuse in the District is fundamental to the maintenance of public health. A weekly refuse collection service is provided to commercial areas and approximately 20,000 households units in both the Urban Area and some rural parts of the District. Refuse removal in rural areas is made from collection points at selected sites. A litter clearing operation for the Central Business District, suburban shopping centres and litter bins throughout the Urban Area is also provided. Rotorua has a number of recycling drop-off centres, such as bottle banks, clothing bins and can banks. In addition, several waste collection firms provide drop-off centres and pick up services for a range of recyclable goods. While the services and facilities provided are important and should be readily accommodated, they can, by their nature, adversely affect urban and rural amenity. Appropriate measures are required to be taken to manage such adverse effects.

The disposal of material such as demolition product and cleanfill, may be useful or necessary in particular circumstances in all Zones and sometimes cleanfill can be used for the preparation of sites (eg. for building). There can, however, be adverse effects on the environment associated with these activities, such as traffic generation, noise, dust, visual impact and loss of vegetation. In addition, some material, including building or paving material (eg. asphalt), can have more significant adverse effects than cleanfill.

2.1.1.5 **Natural Events**

Extreme natural events such as earthquakes and storms can have significant adverse effects on water and sewerage systems, roads, electricity and telecommunication lines. Information on the potential location and scale of extreme natural events in the Rotorua District is limited (see **Part Thirteen**). The information that is available, however, shows that many of the District's lifelines are situated in places with significant potential for damage from extreme natural events. The area south-east of the Rotorua Urban Area is known to have a high degree of seismic faulting. In addition, the Hemo Gorge area is highly susceptible to landslips and hydrothermal activity. State Highway 5 and other important communication links (such as electricity, natural gas and telephone lines) run through these areas. In the event of seismic or related activity, there is considerable potential for disruption caused by damage to these service lines.

2.1.2 RESOURCE MANAGEMENT OBJECTIVE

An efficiently functioning, well co-ordinated system of utility services that has limited adverse effects on amenity values and that maintains or enhances the amenity, convenience, health and safety enjoyed by residents, businesses and other organisations in the District.

2.1.3 POLICIES

The Policies recognise the value of the utility services of the District as an important resource; the quality of which needs to be maintained or enhanced. They also accept that day to day service activities and services with few or no adverse effects can be carried out without unnecessary restriction or hindrance and they provide ways of allowing for this. However, certain services for reasons of type, scale or position can have adverse effects on amenity either singly or cumulatively in the District and for these, a control framework is provided.

2.1.3.1 Policy:

To provide the means for accommodating the activities of both public and private network utility operators and for protecting, maintaining and enhancing the services they provide.

2.1.3.2 Policy:

To protect the amenity values enjoyed by the people, businesses and organisations of the District from the adverse effects of utility services.

2.1.4 METHODS OF IMPLEMENTATION

2.1.4.1 Permitted Activities

The provision, maintenance, replacement and upgrading of utility services which have only minor effects on amenity. In such cases, these activities will be provided for as Permitted Activities in the Plan, unless specified otherwise. This method is intended to allow for the on-going provision and day to day operation, maintenance and upgrading of utility services, including power stations. Permitted Activities are listed in **R15.1.1**. The list is based on the adverse effects of the utility services concerned, particularly in terms of the scale and nature of the activities.

Permitted Activities will be required to comply with Performance Standards listed in **R15.2** which relate to:

- compliance with Council Engineering Standards and specific codes of practice for each service;
- provision for mitigation of the effects of natural hazards; and
- the need for protection of archaeological sites.

Activities otherwise permitted but not complying with the Performance Standards are regarded as Controlled Activities and together with the Controlled Activities listed in **R15.1.2**, will be subject to criteria relating to their potential adverse effects on amenity values.

2.1.4.2 **Protection of Utility Services**

In addition to requirements of **R15.2.2** for the protection of utility services from natural hazards, specific methods are required to protect important parts of the utility services network, including:

- the potable water supply network; and
- water supply for fire fighting purposes.

Council will develop and implement measures during the Plan period to ensure that activities in the water supply catchment and spring recharge areas will not adversely affect water supply or quality. These measures may be implemented through additional provisions in the Plan or as part of the Annual Plan process.

Septic tanks will be controlled by the respective regional councils in the District. Council will liaise with the appropriate regional councils in cases where septic tanks may adversely affect the District water supply.

Water consumption will be monitored and Council may implement measures through the Rules of this Plan or through its Annual Plan process in order to:

- reduce wasteful and excessive use of water; and
- meet the fire fighting requirements of the District by including provisions for fire stations, fire hydrants and associated infrastructure. It may also impose requirements to deal with fire-fighting as part of subdivision consents issued under **Part Sixteen**.

2.1.4.3 **Controlled and Discretionary Activities**

Certain utility services may have more significant adverse effects on environmental amenity than others. These will require resource consents for Controlled or Discretionary Activities so that their effects can be fully assessed in terms of criteria specified.

Controlled Activities are listed in **R15.1.2**. Discretionary Activities are listed in **R15.1.3** and include upgrading or new works for services above a specified size or capacity, or for works above ground, or for services that are of an obtrusive or hazardous nature.

Utility service activities which are not listed as Permitted, Controlled or Discretionary Activities and which cannot comply with the Performance Standards and Criteria set out in this Part, will be Non-Complying Activities.

2.1.4.4 **Designation of Utility Service Activities**

The provisions of Part VIII of the *Resource Management Act 1991* may be used to obtain designations to carry out utility service activities in the District. The designation process requires, amongst other things, that:

- the effects of such activities on the environment and the ways in which these are to be minimised, are considered; and
- alternative sites, routes and means of providing the utility services, are considered.

Appendix B lists designated utility services in the District and sets out further information requirements for network utility operators seeking additional designations.

2.1.4.5 **Subdivision and Development Standards**

The Objectives, Policies and Methods of Implementation of **Part Sixteen** will apply to the provision of utility services where subdivision and development takes place in the District.

They ensure, among other things, that:

- lot sizes of subdivisions in rural areas provide for the adequate on-site treatment of effluent;
- additions to existing water, stormwater, sewerage, electricity, telecommunication and gas reticulation systems are compatible with existing systems;
- where economically and practically possible, utility reticulation networks are provided underground; and
- urban density standards reflect the stormwater reticulation capacity.

Conditions placed on resource consents may give consideration to reducing water run-off at source, or using settling tanks, open areas, settling ponds or wetlands to treat stormwater discharge.

2.1.5 **ANTICIPATED ENVIRONMENTAL RESULTS**

The Anticipated Environmental Results are as follows:

- A reduction of the visual intrusion of utility services;
- A reduction of other adverse effects of utility services;
- Improved levels of convenience, safety and health provision offered by the utility services system;
- Improved operational efficiency of public and private utility service operators;
- An improved quality of the potable water supply;
- Reductions in water wastage; and

- Improved levels of compliance with standards and codes of practice.

2.2 ISSUE TWO

EFFECTS OF UTILITY SERVICES PROVISION ON THE WIDER ENVIRONMENT

2.2.1 ISSUE STATEMENT

2.2.1.1 Introduction

Certain utility service activities and installations have little or no impacts on visual amenity, public health and safety. However, they can have major impacts on the wider environment of the District for reasons such as their location in sensitive environments and the type of activity carried out. Hydro and geothermal resources are the main resources of the District that are available for existing and potential electricity generation.

2.2.1.2 Power Generation

Power generating stations often have a visual appearance similar to large industrial buildings but in other respects their on-going operation and maintenance may have only minor adverse effects on the environment. Generally they are located in remote areas where few people are affected by their presence. However, major issues may arise from the loss of natural vegetation, sensitive habitats and recreational areas, resulting from flooding for hydro-electric reservoirs, the routing of transmission lines and siting of installations. Water supply reservoirs and installations may cause similar effects in the District. In some cases, recreational uses of the river and water bodies may be incompatible with the safe and efficient operation of hydro-electric power stations and water supply installations.

The hydro electric power stations on the Waikato River are partly located in other districts as the District boundary lies in the middle of the river. Potential conflicts may arise if the Policies and Methods of Implementation used by Council to deal with the effects of power stations are substantially different from those of adjacent territorial authorities.

The regional councils also have a role to play in the management of power generating stations. Consents must be obtained from regional councils for water use and discharge. In addition, these councils have management responsibilities for geothermal resources which may influence the operation of geothermal power stations.

Some of the facilities providing steam for the Ohaaki Geothermal Power Station are situated within the Rotorua District. It is possible that new geothermal power stations and other types of power station may establish in the District during the Plan period.

In order to achieve the sustainable management of energy resources, it is likely that renewable energy forms such as solar and wind energy may become economically viable and practical options in the future, however, the harnessing of these alternative energy resources can have considerable effects.

2.2.1.3 **Refuse Disposal**

The disposal of refuse and substances that are subject to biological or chemical breakdown, or capable of leaching, is a key environmental issue to be addressed by the Plan. Building materials such as concrete, bricks etc come under the definition of cleanfill and while cleanfill disposal may not pose threats for pollution of ground water, its disposal in certain sites may still result in major earthworks and loss of vegetation and damage to natural ecosystems.

The District's sanitary landfill is located on State Highway 30. By reducing the rate of refuse disposal, the need to find additional sites for landfills may be delayed or avoided. This is a desirable option as the adverse effects of landfills on the environment are considerable and the cost of providing safe facilities are high. The provision of private landfills for refuse and cleanfill disposal is also a growing issue.

2.2.1.4 **Stormwater Disposal**

Extensive areas of hard surfaces and the poor drainage capabilities of soils in some parts of the Rotorua Urban Area create problems for stormwater disposal. The stormwater system within the Central Business District is being upgraded to cater for anticipated future requirements, and provides for settling ponds to reduce the inflow of contaminants into Lake Rotorua. Stormwater from the remainder of the Urban Area currently drains into Lake Rotorua without treatment. The adverse effects on the lake from the sometimes polluted nature of stormwater, mean that decisions on more sophisticated disposal methods, such as the use of settling tanks and created wetlands, may need to be made in the future.

2.2.1.5 **Other Matters**

During construction works, large areas of soil are exposed and may be subject to accelerated erosion during wet periods. Dust can also be a problem during dry and windy conditions. While it may not always be possible to eliminate such erosion, there may be other measures available to reduce or mitigate the adverse effects of high silt contributions from construction sites.

Nutrients derived from treated effluent have been identified as a contributor to the decreasing water quality of some of the District's lakes and should be addressed. Throughout the rural areas, including lakeside settlements, sewage collection, treatment and disposal generally takes place by means of septic tanks. Septic tanks may be an acceptable form of treatment for individual household units provided that the systems are maintained and operated correctly. Alternative forms of effluent treatment may be needed where septic tanks are inappropriate. This issue is also discussed in **Part Ten**.

2.2.2 RESOURCE MANAGEMENT OBJECTIVE

Utility service operations which minimise detracting from the environmental qualities of the Rotorua District.

2.2.3 POLICIES

Although the Policies in **2.1.3.1** and **2.1.3.2** provide enabling and controlling measures for a wide range of utility services in the District, the activities discussed in **2.2.1** of this Part may have significant adverse environmental effects and specific Policies and Methods of Implementation are required to avoid or reduce these.

Policies and Methods of Implementation are also necessary to ensure the co-ordination of environmental protection measures with regional councils on matters such as ground water quality and cross boundary hydro-electric activities.

2.2.3.1 Policy:

To ensure that utility services do not have significant adverse effects on the environment.

2.2.3.2 Policy:

To actively seek co-ordination with regional councils and other local authorities on matters of environmental protection relating to utility services operations.

2.2.4 METHODS OF IMPLEMENTATION

2.2.4.1 Controlled and Discretionary Activities

The Rules of this Part specify Assessment Criteria to be used in considering resource consent applications for a number of utility services which could have significant environmental effects. These activities will be Controlled or Discretionary Activities and include:

- major infrastructural works for water supplies such as reservoirs above a certain size and pipelines which, even when located underground, may result in adverse environmental effects during their construction or maintenance;
- the upgrading of utility services including power stations which may have significant adverse effects on the environment;
- high voltage electricity transmission lines including those conveying electricity to or from areas outside the District;
- certain telecommunication installations;
- mining or quarrying activities;
- earthworks involving cleanfill with volumes in excess of specified limits; and

- the establishment of power stations using renewable forms of energy including geothermal, hydro-electric, wind driven, solar and biomass power stations.

The Plan recognises that activities relating to the Ohaaki Geothermal Power Station and existing hydro electric power stations are established activities. As such it provides for the day-to-day operation of these power stations as a Permitted Activity while any additions to buildings, or other expansions, will require resource consents as Discretionary Activities. The underlying zoning of the Ohaaki site will be Rural A so if the activity ceases, the site would then be controlled in a manner similar to neighbouring sites.

In the same way, the operation and maintenance of existing hydro-electric power stations and other power stations within the District will be Permitted Activities.

2.2.4.2 **Non-Complying Activities**

The depositing of refuse and substances that are subject to biological or chemical breakdown or that are capable of leaching, will be considered a Non-Complying Activity in all Zones.

2.2.4.3 **Designations for Utility Service Activities**

Designations for utility service activities are discussed in **2.1.4.4** of this Part, primarily as an enabling mechanism. Designation is a particularly important Method of Implementation for Policy **2.2.3.1** in minimising adverse environmental effects and requiring consideration of alternative options, sitings and routes. Certain designations that apply in the District are set out in **Appendix B**.

2.2.4.4 **Annual Planning Process**

The installation and operation of District Council utility services are carried out in terms of its Annual Planning process. Annual Plan initiatives will include:

- the functioning of the Recycling Committee which will look at ways to minimise, reuse, recycle or dispose of refuse;
- the raising of public awareness on the re-use and recycling of waste products in order to extend the life of the Atiamuri Highway Sanitary Landfill; and
- the efficient operation of Council's refuse disposal, water supply, sewage and stormwater treatment and disposal services, to minimise adverse environmental effects.

2.2.4.5 **Liaison and Co-ordination Measures**

Council will liaise with regional and adjacent territorial authorities to achieve the Objectives and Policies of this Plan as they relate to environmental preservation and the provision of utility services. Liaison will cover matters such as:

- the adequate protection of water quality in the District; and
- the granting of resource consents for power generating stations.

2.2.4.6 **Compliance with Other Legislation and Bylaws**

Council may use other measures which confers powers on it including:

- the *Litter Act 1979*, whereby an Illegal Solid Refuse Register may be established to determine and control the degree of illegal tipping; and
- Council Bylaws.

2.2.5 **ANTICIPATED ENVIRONMENTAL RESULTS**

- The protection and improvement of the water quality of the District, more specifically, reductions in ground water pollution from septic tanks, solid waste sites and activities in spring recharge areas;
- A reduction of stormwater volumes flowing into the waterways of the District and an improvement in the quality of this stormwater;
- A reduction of solid waste generation, notably a reduction or stabilisation of the rate of solid waste disposal into existing landfills.
- Increased public awareness of the need to reduce solid waste generation;
- A reduced loss of vegetation, natural habitats and ecosystems from utility installations;
- A reduction in visual intrusion from major service installations and an increased consideration of routing and siting options; and
- Improved results from co-ordination between all public and private bodies concerned with utility service provision in the District.

R15 RULES

R15 UTILITY SERVICE ACTIVITIES

The following Rules specify the status of utility service activities in the District. Where a utility service activity is not identified below, this activity shall be a Non-Complying Activity.

The users of this District Plan are advised that, notwithstanding any provision in this Plan, no activity shall contravene any Rule in any relevant regional plan, or proposed regional plan. The administration of these regional plans is the responsibility of Environment BOP and Environment Waikato.

R15.1 ACTIVITY STATUS

For the activity status of stockpiling, earthworks involving cleanfill, and disposal of materials other than cleanfill, refer to Appendix I.

R15.1.1 PERMITTED UTILITY SERVICE ACTIVITIES

Notwithstanding any provision in the Table below, any development as defined in **Part Nineteen** is also subject to the provisions of **R15.6.2**.

Any of the services permitted in the table below may be subject to any conditions Council may impose under Section 15A of the *Telecommunications Act 1987*, Sections 25 and 26 of the *Gas Act 1992*, Sections 24 and 25 of the *Electricity Act 1992* and Section 52 of the *Transit New Zealand Act 1989*.

PERMITTED UTILITY SERVICE ACTIVITIES	
1.	<p>Electric lines, including support structures for these lines, and lines defined by Section 2(1) and (1A) of the <i>Telecommunications Act 1987</i>, where either:</p> <ul style="list-style-type: none"> (a) the lines are underground; or (b) the electric lines are above ground and the activity involves the operation, maintenance, replacement, upgrading (including increases in voltage and/or capacity), resiting or repositioning of existing above ground services (including their foundations), within a three dimensional corridor over the entire length of a line existing as at 17 December 1993 consisting of the following dimensions: <ul style="list-style-type: none"> (i) corridor height: the greater of either 20 metres above ground level or the height of the existing support structures including conductors; and (ii) corridor width: the maximum width of the existing support structures including conductors, except that in the Rural A, Rural B and Water A Zones, the corridor width shall be a distance of 20 metres in any direction from the existing support structures including conductors. <p>The height in (i) above may be exceeded by up to 4 metres for earth wires, earth peaks and lightning rods.</p>

PERMITTED UTILITY SERVICE ACTIVITIES	
2.	Electric lines, substations and incidental structures directly serving public transit systems
3.	Underground pipe networks and structures for the conveyance or drainage of water or sewage including geothermal water, and any ancillary equipment
4.	Any water pipe, gas pipe, sanitary or stormwater drainage work or underground cabling, service mains and telephone service lines designed to serve any one structure, and accessory buildings including water reservoirs serving the needs of less than ten household units, or sites where either: <ul style="list-style-type: none"> (a) the service is underground; or (b) the service is above ground but is part of the maintenance or replacement of existing above ground services
5.	Pipes for the distribution (but not transmission) of natural or manufactured gas at a gauge pressure not exceeding 2,000 kilopascals and necessary incidental equipment, including household connections and compressor stations
6.	Navigational aids and beacons and the establishment, operation and maintenance of meteorological activities in all Zones that comply with all Performance Standards listed for the Zone in which they are located, or in cases where they are located in the Road Zone, that they comply with the strictest of the Performance Standards of the Zones that are immediately adjacent
7.	Prospecting and exploration activities for utility service purposes in Rural A and B Zones subject to compliance with the Performance Standards set out in Appendix R
8.	Scientific, historic, recreation, nature conservation, or water and soil conservation activities or works for the avoidance of flooding carried out in accordance with the <i>Wildlife Act 1953</i> , <i>Te Ture Whenua Maori Act 1993 / Maori Land Act 1993</i> , the <i>Conservation Act 1987</i> , the <i>Queen Elizabeth II National Trust Act 1977</i> , the <i>Soil Conservation and Rivers Control Act 1941</i> or the <i>Reserves Act 1977</i>
9.	Irrigation systems, open drains and channels for the conveyance of water
10.	Recycling depots with a gross floor area not exceeding 10m ² , and a height no greater than 2 metres
11.	Any utility service activity involving: <ul style="list-style-type: none"> (a) interference with the natural geothermal fluid outflow from a geothermal surface feature; or (b) interference with the physical structure of a geothermal surface feature; or (c) destruction of a geothermal surface feature including excavation; or (d) placement or deposition of any substance, including fill or waste material on, into or under any geothermal surface feature; <p>that is carried out under a consent granted by a regional council provided that the Rotorua District Council has been consulted by the regional council in consideration of the consent as an affected party or that is carried out in accordance with Schedule 8 - Ohaaki Geothermal Power Station, Part Seventeen of this District Plan</p>

PERMITTED UTILITY SERVICE ACTIVITIES

12. Telecommunication services other than overhead telecommunication lines in all Zones, that comply with all Performance Standards listed for the Zone in which they are located, or in cases where they are located in the Road Zone, that they comply with the strictest of the Performance Standards of the Zones that are immediately adjacent; except that in the Rural A, Industrial A and Commercial G Zones the height shall not exceed 13 metres for a single mast or tower with a diameter or cross-sectional dimension no greater than 450mm

The maximum height in this rule shall exclude antennas or rods attached to and not exceeding 6 metres above the apex of a single mast or tower, where these antennas or rods do not exceed 75mm in diameter

13. Utility services existing at the time of notification of the District Plan

14. The continued operation, maintenance, replacement, and the upgrading of existing above ground utility service networks or installations, other than above ground electric or telecommunication lines, which does not include their resiting or repositioning or an increase in the area, height or width of that network or installation, or the addition of further buildings, structures or lines to that network or installation

15. The continued operation and maintenance of that part of the Ohakuri Power Station located within the Rotorua District, including existing and new accessory structures, where the effects of such activities are the same or similar in character, intensity and scale to those which existed at the time of the notification of this District Plan on 17 December 1993

16. New overhead lines for conveying electricity at a voltage up to and including 33 KV with a design capacity up to and including 50 MVA per circuit, and new overhead telecommunication lines, as defined by Section 2(1) and 2(1A) of the Telecommunications Act 1987, including support structures for these lines, where these are both:

- (i) located in a 20 metre corridor either side of a Road Zone in the Rural A, B, C, D, and F Zones and within the Road Zone adjacent to those Zones; and
- (ii) supported by single pole structures

17. Substations not exceeding 5m² in area (substations include transformers, switches, control boxes, cable and fuse cabinets)

R15.1.2 CONTROLLED UTILITY SERVICE ACTIVITIES

Notwithstanding any provision in the Table below, any development as defined in **Part Nineteen** is also subject to the provisions of **R15.6.2**.

CONTROLLED UTILITY SERVICE ACTIVITIES	
1.	Substations exceeding 5m ² but not exceeding 20m ² in area
2.	Prospecting and exploration activities for utility service purposes in all zones other than Rural A and B Zones subject to compliance with the Performance Standards set out in Appendix R
3.	Stormwater detention ponds in accordance with a resource consent from the appropriate regional council
4.	Pipes for the transmission of natural or manufactured gas at a gauge pressure exceeding 2000 kilopascals including compressor stations and ancillary equipment in Rural A, C and F Zones, and the Road Zone and Reserve A Zone outside the Urban Fence
5.	Telecommunication services that exceed height, yard and coverage Performance Standards by up to 20 percent in the Resort Zones, Residential Zones, Commercial D, E and F Zones, Reserve Zones and Rural D and E Zones, but that comply with all other Performance Standards for the Zone and where they are in the Road Zone, that the strictest Performance Standards of any adjacent Zone plus 20 per cent, shall apply
6.	Telecommunication services that exceed height, yard and coverage Performance Standards by up to 50 percent in the Commercial A, B and C Zones, Rural B, C and F Zones and the Industrial B and C Zones, but that comply with all other Performance Standards for the Zone; and where they are in the Road Zone, that the strictest Performance Standards of any adjacent Zone plus 50 percent shall apply
7.	Floodlighting towers
8.	<p>New overhead lines for conveying electricity at a voltage up to and including 110KV with a design capacity up to and including 100 MVA per circuit, and new overhead telecommunication lines as defined by Section 2(1A) of the Telecommunications Act 1987 including support structures for these lines, except as otherwise provided for in R15.1.1, where these are both:</p> <p>(a) in the Rural A, B, C, D and F Zones and the Road Zone within those Zones; and</p> <p>(b) supported by single pole structures</p>
9.	<p>Telecommunication services in the Rural A, Industrial A and Commercial G Zones that exceed the 13 metre height limit for a single mast or tower with a diameter or cross-sectional dimension no greater than 450mm, yard and coverage Performance Standards by up to 50 percent, but that comply with all other Performance Standards for the Zone; and where they are in the Road Zone, that the strictest Performance Standards of any adjacent Zone plus 50 percent shall apply</p> <p>The maximum height in this rule shall exclude antennas or rods attached to and not exceeding 6 metres above the apex of a single mast or tower, where these antennas or rods do not exceed 75 mm in diameter</p>

CONTROLLED UTILITY SERVICE ACTIVITIES

10. Replacement, upgrading (including increases in voltage and/or capacity), resiting or repositioning of above ground electric lines (including their foundations), in all zones other than the Rural A, Rural B and Water A Zones, except as otherwise provided for in R15.1.1.1(b), where such activities are carried out within a three dimensional corridor over the entire length of a line existing as at 17 December 1993 consisting of the following dimensions:

- (i) **corridor height:** the greater of either 20 metres above ground level or the height of the existing support structures including conductors; and
- (ii) **corridor width:** a distance of 20 metres in any direction from existing support structures including conductors.

Provided that:

- (a) any replacement, upgraded, resited or repositioned support structure is a single pole;
- (b) the height in (i) above may be exceeded by up to 4 metres for earth wires, earth peaks and lightning rods.

11. Earth wires, earth peaks and lightning rods exceeding 4 metres in height attached to support structures for overhead electric lines

R15.1.3 DISCRETIONARY UTILITY SERVICE ACTIVITIES

Notwithstanding any provision in the Table below, any development as defined in **Part Nineteen** is also subject to the provisions of **R15.6.2**.

DISCRETIONARY UTILITY SERVICE ACTIVITIES	
1.	Except as provided for under 8 of R15.1.2 , overhead electric lines, including transmission lines conveying electricity to and from areas outside the District, overhead service mains, overhead lines (as defined by Section 2 (1A) of the <i>Telecommunications Act 1987</i>) and overhead telecommunication lines, including the support structures for these lines
2.	Telecommunication services that do not comply with height, yard and coverage Performance Standards for any Zone as provided for under 5, 6 and 9 of R15.1.2 Controlled Activities
3.	Water reservoirs, serving the needs of more than ten household units, or sites
4.	Except as provided for under 4 of R15.1.2 , pipes for the transmission of natural or manufactured gas at a gauge pressure exceeding 2000 kilopascals including compressor stations and ancillary equipment
5.	Substations exceeding 20m ² in area
6.	The installation and maintenance of pipes for petroleum or for any other purpose under or along any road including any private road or private way
7.	Mining and quarrying activities as set out in Appendix S
8.	The upgrading of existing above ground utility service networks or installations which is not a Permitted Activity in terms of R15.1.1 or a Controlled Activity in terms of R15.1.2
9.	The establishment or upgrading of power stations using renewable forms of energy including geothermal, hydro electric, wind driven, solar and biomass power stations, which is not a Permitted Activity in terms of R15.1.1
10.	Prospecting and exploration activities for utility services purposes that do not comply with Performance Standards set out in Appendix R
11.	Any utility service activity listed under R15.1.1 (Activity 11) for which a consent has not been granted by a regional council or where consent has been granted without consulting Rotorua District Council as an affected party
12.	Works for the avoidance of flooding unless otherwise permitted

R15.2 PERFORMANCE STANDARDS FOR PERMITTED ACTIVITIES

R15.2.1 INTRODUCTION

The Permitted Activities listed in **R15.1.1** are allowed as of right where they comply in all respects with the Performance Standards listed below. The Performance Standards for Permitted Activities applying to the Zones in which a utility service activity is proposed, shall not apply to that activity unless:

- (a) specifically stated in **R15.1.1**; or
- (b) the activity is part of a subdivision or development in which case the Performance Standards set out in **R16.3** of **Part Sixteen** shall apply.

The Performance Standards may be varied by means of a resource consent for a Controlled or Discretionary Activity in accordance with the provisions of **6.4** in **Part Two**.

R15.2.2 NATURAL HAZARD IDENTIFICATION

Council will require a statement from any developer of utility services, by a recognised expert, that the potential for natural hazards has been recognised. Where the potential for a natural hazard has been identified, the developer will submit a management plan containing details of how the potential effects of such events can be avoided or mitigated as is appropriate.

R15.2.3 ARCHAEOLOGICAL SITES

Consent of the New Zealand Historic Places Trust in accordance with the provisions of the *Historic Places Act 1993*, shall be obtained before any destruction or modification of archaeological sites (recorded and unrecorded), including those identified on the Planning Maps.

R15.2.4 WORKS FOR THE AVOIDANCE OF FLOODING

Works for the avoidance of flooding are permitted in all zones provided they:

- (a) Safeguard existing ecological and habitat values and wetlands outside the beds of rivers or lakes or provide compensatory works; and

- (b) Do not adversely affect any permanent or ephemeral watercourse which flows into or across land within the Urban Fence or land zoned Rural B, D or E, Industrial B or C, Airport or Airport Protection outside the Urban Fence; except where a consent for the same activity has been issued by a regional council and where the Rotorua District Council has been consulted as an affected party.

R15.3 CONTROLLED ACTIVITIES: ASSESSMENT CRITERIA AND CONDITIONS

R15.3.1 INTRODUCTION

Controlled Activities are activities that may in certain circumstances cause adverse effects on the environment in which they are located.

The Performance Standards for Permitted Activities applying to the Zones in which a utility service activity is proposed, shall not apply to that activity unless:

- (a) specifically stated in **R15.1.2**; or
- (b) the activity is part of a subdivision or development in which case the Performance Standards set out in **R16.3** of **Part Sixteen** shall apply.

Controlled Activities shall also comply with the Performance Standards in **R15.2**. Assessment criteria for Controlled Activities applying to the Zone in which a utility service activity is proposed shall not apply to that activity.

The general criteria for assessing applications for Controlled Activities are set out in **R15.3.2** below.

For a number of activities identified in **R15.1.2**, specific additional assessment criteria will apply. These criteria are set out in **R15.3.3**.

The provisions of **4, 5, 6** and **7** of **Part Two** also apply.

R15.3.2 GENERAL CRITERIA FOR ASSESSING APPLICATIONS FOR CONTROLLED ACTIVITIES

R15.3.2.1 DESIGN AND EXTERNAL APPEARANCE OF BUILDINGS AND STRUCTURES

Conditions may be imposed requiring buildings and structures to be of a similar or complementary design and appearance to existing buildings and structures in the surrounding area, where such conditions are practicable.

R15.3.2.2 LANDSCAPE DESIGN AND SITE LAYOUT

Conditions may be imposed to ensure that the effects of an activity are internalised on the site and do not unduly affect activities beyond the site boundary. In particular, conditions may be imposed requiring:

- (a) buffers in the form of yards, screening or landscaping or a combination of these; and/or
- (b) specific requirements for the site layout of buildings, structures, parking and vehicle circulation areas.

R15.3.2.3 THE LOCATION AND DESIGN OF VEHICULAR AND PEDESTRIAN ACCESS TO AND FROM THE SITE

Generally, the provisions of **Appendix F** shall apply, however, other conditions may be imposed to:

- (a) ensure adequate sight distances and prevent on-street congestion caused by the ingress and egress of vehicles to and from sites; and/or
- (b) require the activity to be located, where practicable, away from abutting or adjoining activities so as to protect the privacy of those activities.

R15.3.2.4 PARKING AND TURNING

The Council reserves its control and therefore may attach conditions on the following matters:

The layout and internal circulation of the parking areas to ensure safe and efficient vehicle circulation on the site.

R15.3.2.5 MANAGEMENT OF MINOR ADVERSE EFFECTS ON THE ENVIRONMENT

Conditions may be imposed to avoid, remedy or mitigate adverse effects on the environment as is appropriate in the circumstances, and in particular in respect of the following matters:

- (a) noise, arising from the congregation of people, and their vehicles. The hours of operation may be restricted during the hours of darkness; and
- (b) earthworks, the control of earthworks, landfilling and other soil retention or removal methods.

R15.3.2.6 OBJECTIVES AND POLICIES OF THIS PART

Conditions may be imposed to promote the achievement of the relevant Objectives and Policies of this Part.

R15.3.2.7 NATURAL HAZARDS

Conditions may be imposed to control the effects of activities in order to avoid or mitigate natural hazards.

R15.3.3 ADDITIONAL ASSESSMENT CRITERIA AND CONDITIONS FOR IDENTIFIED CONTROLLED ACTIVITIES

R15.3.3.1 INTRODUCTION

In addition to the requirements of **R15.3.2**, some specific activities will also be assessed in terms of additional criteria as outlined below, and conditions to ensure compliance with these criteria may be imposed.

R15.3.3.2 SUBSTATIONS EXCEEDING 5M² BUT NOT EXCEEDING 20M² IN AREA

These activities have the potential to cause adverse visual effects on the amenity of the local area they are situated in.

Council, in assessing applications for these activities may only require the consent of surrounding property owner(s) and occupier(s) but reserves the right to

impose conditions on matters such as the positioning and visual treatment of installations, to preserve local amenity.

R15.3.3.3 PROSPECTING AND EXPLORATION ACTIVITIES FOR UTILITY SERVICE PURPOSES IN ALL ZONES OTHER THAN RURAL A AND B ZONES

These activities have the potential to cause significant adverse effects on the environment and shall be assessed in accordance with the criteria outlined in **Appendix R**.

Such conditions as Council considers appropriate in the circumstances, may be imposed to address any adverse effects from these activities.

R15.3.3.4 HIGH PRESSURE GAS TRANSMISSION PIPELINES IN RURAL A, C AND F ZONES, ROAD ZONE AND RESERVE A ZONE OUTSIDE THE URBAN FENCE.

The consent of owner(s) and occupier(s) of land is required to permit the construction of a pipeline and the effects of the activity are limited to the properties traversed by the pipeline.

Such conditions as Council considers appropriate in the circumstances may be imposed to ensure any temporary effects from the activity are limited in extent and expeditiously remedied by appropriate land restoration measures after the pipeline has been laid.

R15.3.3.5 NEW OVERHEAD ELECTRIC AND TELECOMMUNICATION LINES IN THE RURAL A, B, C AND F ZONES SUPPORTED BY SINGLE POLE STRUCTURES.

Conditions may be imposed to avoid, remedy or mitigate potential adverse effects on the environment or habitats. In particular, conditions may be imposed regarding:

- (a) the effects on or loss of vegetation and sensitive habitats;
- (b) the visual impact of overhead lines.

These conditions may require the use of existing support structures and routes where applicable, and the location of new lines in a manner to reduce environmental disturbance or visual impact and/or any other conditions considered appropriate.

R15.3.3.6 FLOOD LIGHTING TOWERS

The light rays emitted from such towers shall not shine directly on any Residential or Resort Zones. Such towers shall also be reticulated underground and only be in operation between the hours of 9.00am and 11.00pm.

R15.3.3.7 REPLACEMENT, UPGRADING, RESITING OR REPOSITIONING OF EXISTING OVERHEAD ELECTRIC LINES IN ALL ZONES OTHER THAN THE RURAL A, RURAL B AND WATER A ZONES

Where an activity is a Controlled Activity in accordance with **R15.1.2.9**, conditions may be imposed in relation to the height, location or diameter or cross-sectional dimension of the replaced, upgraded, resited or repositioned single pole support structures.

In imposing any conditions relating to the diameter or cross-sectional dimension of replaced, upgraded, resited or repositioned support structures for an electric line, the Council shall have regard to:

- (i) whether such support structures are of a diameter or cross-sectional dimension for the electric line to be safely constructed, operated and maintained; and
- (ii) the visual impact on amenity values.

R15.3.3.8 EARTH WIRES, EARTH PEAKS AND LIGHTNING RODS EXCEEDING 4 METRES IN HEIGHT ATTACHED TO SUPPORT STRUCTURES FOR OVERHEAD ELECTRIC LINES

Where an activity involves the addition of earth wires, earth peaks, or lightning rods exceeding 4 metres in height to support structures for overhead electric lines, conditions may be imposed in relation to the height of such earth wires, earth peaks, or lightning rods.

R15.4 DISCRETIONARY ACTIVITIES: ASSESSMENT CRITERIA AND CONDITIONS

R15.4.1 INTRODUCTION

The utility services listed as Discretionary Activities are those which may be appropriate on some sites in the District. These activities can, however, have effects which require particular assessment. Council may decline an application for such an activity or grant a resource consent subject to conditions that will ensure that the activity does not have any significant adverse effects on the environment, and that the relevant Objectives and Policies of this Part are promoted.

Assessment Criteria for Discretionary Activities applying to the Zone in which a utility service activity is proposed, shall not apply to that activity.

1. The provisions of **4, 5, 6** and **7** of **Part Two** also apply.

R15.4.2 GENERAL ASSESSMENT CRITERIA AND CONDITIONS FOR DISCRETIONARY ACTIVITIES

The general criteria for assessing applications for Discretionary Activities, and conditions that may be imposed are set out below.

For a number of activities identified in **R15.1.3**, specific additional assessment criteria apply. These are set out in **R15.4.3** below.

R15.4.2.1 PERFORMANCE STANDARDS FOR PERMITTED ACTIVITIES

In general, Discretionary Activities will be required to comply with the Performance Standards for Permitted Activities applying to the Zones and those in **R15.2** unless it is not appropriate to do so because of particular site characteristics, practicality, economic feasibility, development considerations, technical requirements of the utility service concerned or unusual environmental factors. Where adverse effects are anticipated from a proposed activity, conditions may be imposed to avoid, remedy or mitigate the adverse effects on the environment, as is appropriate in the circumstances.

R15.4.2.2 **DESIGN AND EXTERNAL APPEARANCE OF BUILDINGS AND STRUCTURES**

In general, buildings and structures should be of a similar or complementary scale and appearance to that of other buildings within the surrounding area unless those buildings and structures are dilapidated. Where this is not practicable, buildings and structures should not become overly dominant. Methods of Implementation to mitigate any adverse effects of the building or structure may include conditions requiring separation distances between the proposed activity and adjacent sites and the provision of screening.

R15.4.2.3 **TRAFFIC GENERATION**

No inappropriate reduction in the capacity of the roading network to service the requirements of the community will be accepted. Any such adverse effects on the roading network may be required to be avoided, remedied or mitigated by upgrading the roading network or by making alterations to the roading design. To enable this to occur a financial contribution up to the maximum of the actual cost of the necessary works may be required as a condition of consent.

R15.4.2.4 **PARKING AND TURNING**

In general, Discretionary Activities should comply with parking Performance Standards in **Appendix F**, unless it is not appropriate to do so because of inherent site characteristics or extraordinary vehicle or pedestrian movements. The parking Performance Standards may be partly or wholly waived, where the sharing of parking between activities is practicable, or where the provision of sufficient alternative parking is available.

R15.4.2.5 **ACCESS**

Particular consideration shall be given to the location of entry and exit points to the site and their relationship with existing intersections, land constraints and adjacent activities. Adverse effects may be avoided, remedied or mitigated by controlling access to the road, by redesign of the road or by installing traffic signals and by taking other traffic management measures. To enable this to occur, financial contributions up to the maximum of the actual cost of the necessary works may be required as a condition of consent.

R15.4.2.6 **NOISE**

Activities shall be generally managed so that the noise generated shall not exceed the maximum levels specified in **Appendix K**. Detailed measures for the elimination of objectionable noise may be required.

In particular, conditions may be imposed in respect of the following matters to mitigate the adverse noise effects of activities:

- (a) requiring the provision of sufficient separation distances between the noise generator and affected areas;
- (b) requiring sound proofing of buildings and screening of the noise generator;
- (c) restricting the hours of operation of the activity; and/or
- (d) conditions may also be imposed in accordance with Section 108(4) of the *Resource Management Act 1991*.

R15.4.2.7 **NATURAL ENVIRONMENT AND WATER QUALITY**

Conditions may be imposed on activities to avoid, remedy or mitigate any effects of the activity on the natural environment and water quality as are appropriate in the circumstances.

Significant reductions in water quality as a direct result of the activity or as a result of the cumulative effect of an activity or activities will not be allowed.

R15.4.2.8 **SERVICING**

Where the existing Council services cannot sustain a proposed new activity, the applicant must demonstrate that the new activity has the ability to meet its own servicing needs, or a condition may be imposed requiring the applicant to upgrade Council services.

To enable this to occur, a condition may be imposed requiring a financial contribution up to the maximum of the actual cost of the necessary works.

R15.4.2.9 **CUMULATIVE EFFECT**

In assessing the appropriateness of allowing an activity to be located in an area, or allowing an activity to proceed, consideration will be given to the activities already located in the area and on the site, and their present effect on the surrounding environment. Of particular concern is the cumulative effect of locating a new activity on a site adjoining or already accommodating an activity that may currently generate traffic, noise, etc, not in keeping with the relevant Objectives and Policies of the Plan. The ability of a site to internalise effects, if more than one activity is proposed to operate from it, will be considered.

R15.4.2.10 **ZONE INTERFACE**

Of particular concern is the protection and maintenance of the amenity values of adjoining zones along the zone interfaces, and in particular, visual and aural qualities. Various measures can be used to ensure this, including imposing conditions requiring the provision of buffer areas, separation distances and/or screening.

R15.4.2.11 PUBLIC SAFETY

Any Discretionary Activity should not adversely affect public safety in a significant manner. Conditions may be imposed on any consent for a Discretionary Activity to avoid any adverse effects on public safety.

R15.4.2.12 OBJECTIVES AND POLICIES OF THIS PART

The granting of a consent for a Discretionary Activity shall not be contrary to the Objectives and Policies of this Part. Conditions may be imposed to promote the achievement of the relevant Objectives and Policies of this Part.

R15.4.2.13 NATURAL HAZARDS

Conditions may be imposed to control the effects of activities in order to avoid or mitigate natural hazards.

R15.4.2.14 LANDSCAPE

In some cases modification of landscapes or rural character may reasonably be required for the following reasons:

- (a) To provide for the social and economic well being of communities or,
- (b) To provide for, maintain or upgrade utilities services.

In such cases adverse effects are to be minimised or remedied.

Discretionary Activities should not unnecessarily lead to significant adverse effects on landscapes. In all cases the adverse effects on landscapes generated by the proposed activity should be avoided, remedied or mitigated as appropriate.

Council has undertaken a landscape assessment for the District as part of its Section 32 analysis, which is a non-statutory annexure to this Plan. If appropriate, this assessment will be referred to as part of the criteria for assessing applications for Discretionary Activities as to their effects on landscapes and applications for both may be declined, particularly in areas which have been identified as being sensitive or highly sensitive.

Where Council has concerns regarding the sensitivity of particular landscapes, it may require a landscape impact assessment of the proposed activity.

Council may decline the application or grant it subject to conditions in order to avoid, remedy or mitigate any adverse effects on the environment.

R15.4.2.15 RURAL CHARACTER

- (a) In some cases modification of landscapes or rural character may reasonably be required for the following reasons:
- (i) To provide for the social and economic well being of communities or,
 - (ii) To provide for, maintain or upgrade utility services.

In such cases adverse effects are to be minimised or remedied.

- (b) Applications for Discretionary Activities in the rural areas of the District may be declined if they cause significant adverse effects on the rural character. In this Plan it is considered that rural character may comprise any of the following:
- (i) large separation distances between buildings;
 - (ii) low density and height of buildings;
 - (iii) large expanses of vegetation including indigenous vegetation;
 - (iv) presence of wildlife habitats;
 - (v) limited areas of paved surface;
 - (vi) socially close knit communities;
 - (vii) presence of pastoral, horticultural and forestry activities;
 - (viii) livestock and wildlife;
 - (ix) low traffic volumes on local roads;
 - (x) noise and smell associated with agricultural, horticultural and forestry activities;
 - (xi) relative quietness;
 - (xii) open spaces; and
 - (xiii) predominance of natural edges.

Conditions may be imposed to avoid, remedy or mitigate any adverse effects on the rural character of the rural areas of the District, as are appropriate in the circumstances.

R15.4.3 ADDITIONAL ASSESSMENT CRITERIA AND CONDITIONS FOR IDENTIFIED DISCRETIONARY ACTIVITIES

The following Discretionary Activities have the potential to generate particular adverse effects which require additional assessment against the criteria listed below and may require the imposition of specific conditions in addition to those listed in **R15.4.2** in order to avoid, remedy or mitigate any adverse effects on the environment.

R15.4.3.1 OVERHEAD ELECTRIC AND TELECOMMUNICATION LINES AND SUPPORTING STRUCTURES, AS SPECIFIED IN R.15.1.3

Council may decline the application or grant it subject to additional conditions being imposed to avoid, remedy or mitigate against the potential adverse effects on the environment or habitats. In particular, conditions may be imposed regarding:

- (a) the effects on or loss of vegetation and sensitive habitats;
- (b) the visual impact of overhead lines.

These conditions may require the use of existing support structures and routes where applicable and the location of new lines in a manner to reduce environmental disturbance or visual impact and/or any other conditions considered appropriate.

R15.4.3.2 PIPES FOR THE TRANSMISSION OF NATURAL OR MANUFACTURED GAS AT A GAUGE PRESSURE EXCEEDING 2000 KILOPASCALS AND THE INSTALLATION AND MAINTENANCE OF PIPES FOR PETROLEUM OR FOR ANY OTHER PURPOSE UNDER OR ALONG ANY ROAD INCLUDING ANY PRIVATE ROAD INCLUDING COMPRESSOR STATIONS AND ANCILLARY EQUIPMENT

Applications for the above activities shall be assessed having regard to the safety requirements appropriate for the location in terms of the pipeline system and options available. A preferred location will avoid areas of land where there is existing intensive land use or the potential for further urban subdivision. Council shall be satisfied, in granting a consent, that the appropriate engineering and safety standards provided by statute, regulations and codes of practice can be met by the pipeline construction and may impose conditions to that effect.

R15.4.3.3 MINING AND QUARRYING ACTIVITIES AS SET OUT IN APPENDIX S

Applications for the above activities shall also be assessed in accordance with the criteria specified in **Appendix S**.

Council may decline the application or grant it subject to additional conditions including modifying or waiving any Rule in this Plan in order to address any

adverse effects and establish a framework within which the mining or quarrying activity can operate.

R15.4.3.4 ESTABLISHMENT OR UPGRADING OF POWER STATIONS USING RENEWABLE FORMS OF ENERGY.

Applications for the establishment or upgrading of power stations using renewable forms of energy, will be assessed in terms of their potential to generate adverse visual or environmental effects.

Applications for these activities will also be considered in terms of their positive effects of not further depleting non-renewable energy resources and reducing environmental pollution.

Council may decline or grant an application subject to conditions that will avoid, remedy or mitigate any adverse effects on the environment.

R15.4.3.5 GEOTHERMAL POWER STATIONS

Applications for geothermal power stations shall be assessed for possible adverse effects on geothermal surface features of value to the District as well as for possible adverse effects on the environment.

R15.5 ASSESSMENT OF NON-COMPLYING ACTIVITIES

An application may be made for a resource consent for a Non-Complying Activity where an activity is listed as a Non-Complying Activity or does not comply with the provisions of this Plan.

An application for a Non-Complying Activity shall be assessed in accordance with Section 105(2)(b) of the Act.

The provisions of **4, 5, 6, and 7** of **Part Two** also apply.

R15.6 SUBDIVISION AND DEVELOPMENT

R15.6.1 SUBDIVISION

Subdivisions complying with the provisions of **Part Sixteen** shall be a Controlled Activity. The criteria on which a subdivision application will be assessed, and any conditions that Council may impose, are included in **Part Sixteen**.

R15.6.2 DEVELOPMENT

Any development (as defined in **Part Nineteen**) will also be subject to the Rules outlined in **Part Sixteen**.