

## **Section 42A report overview:**

### **CHAPTER 11 Infrastructure, Services and Resource Use**

#### **1.0 Introduction**

- 1.1 The s42A report considers submissions regarding the provisions of Chapter 11 Infrastructure, Services and Resource Use. The scope of the report relates to submissions received on Chapter 11 matters, including key related definitions in Chapter 1 and key provisions on the plan maps.
- 1.2 There were a large number of submissions and further submissions received (approximately 637 submissions from 173 submitters and 786 further submissions from 206 further submitters) on Chapter 11. Submissions sought a range of outcomes including for example supporting Chapter 11 provisions, requesting amendments to provisions within Chapter 11 (such as changes to maps definitions, policies, rules and the activity status of specific activities, as well as corrections of inaccuracies and removal of duplicated provisions). Chapter 11 is also subject to a number of consequential amendments arising from submissions to the whole of the PDP and other chapters. We have noted consequential amendments in the amended text of Section 4 of our report, to the extent possible at the time of writing our report.

#### **2.0 Report Structure**

- 2.1 The first two sections of our Section 42A report (Sections 1 and 2) provide an introduction to the report, its scope and key submission issues, and outline the key statutory and other relevant considerations.
- 2.2 Section 3 identifies the matters raised by submissions, provides an assessment of submission issues, our recommendations to accept, accept in part, or reject each submission point (including further submissions), and outlines any recommended amendments to the PDP as a result of the submissions.
- 2.3 We (Gina Sweetman and Rebecca Lloyd) jointly prepared the s42A report, taking lead roles on different topics. In doing so, we jointly considered all submission points and agreed on our recommendations on those points. Therefore, while we individually wrote parts of the report, we both agree with all the recommendations contained within the report.
- 2.4 The following table sets out the structure of the submissions analysis (and recommendations) in Section 3, as well as who took the lead role for the issue:

<b>Issue Topic</b>	<b>Lead author</b>
General / Whole of Chapter 11	Rebecca
Introduction and General Policies	Rebecca
Network Utilities	Rebecca
Policies	Rebecca

Rules and Standards	Rebecca
Definitions	Rebecca
Managing Demand on Network Utilities	Gina
Policies	Gina
Rules and Standards	Gina
Definitions	Gina
Managing Effects on Infrastructure	Gina
Policies	Gina
Rules and Standards	Gina
Definitions	Gina
Renewable Energy	Gina
Policies	Gina
Rules and Standards	Gina
Definitions	Gina
Access and Transport	Gina
Policies	Gina
Rules and Standards	Gina
Definitions	Gina
Community Facilities	Rebecca
Policies	Rebecca
Rules and Standards	Rebecca
Definitions	Rebecca
Designations	Matt Muspratt

- 2.5 We note that Matt Muspratt took the lead role for designations, due to issues in respect to compliance with specific RMA provisions through the notification period.
- 2.6 For efficiency, and in accordance with Clause 10(3) of Schedule 1 to the RMA, the evaluation of submissions under each topic area has, as much as possible, been undertaken on both an issues and provisions-based approach, as opposed to a submission by submission approach.
- 2.7 Section 4 of the report contains a marked up version of the amendments recommended to the Chapter 11 provisions, as well as amendments to specific Definitions in Chapter 1, Chapter 11 appendices, and the plan maps.
- 2.8 Section 5 of our report contains a summary table of all the submissions (including further submissions) and the recommendations in relation to each submission point considered as part of the report.
- 2.9 The report also includes appendices which contain specific information and expert advice relevant to the assessment and recommendations of submissions made on Chapter 11.

### **3.0 Relationship to PDP Chapters**

- 3.1 Chapter 11 Infrastructure contains provisions that apply within all of the PDP's zones. Therefore, our report has relationships with all of the Chapters of the PDP as

infrastructure and services exist and are required within all areas. Our report highlights relationships with other PDP Chapters where relevant to the submission issue analysis and recommendations.

- 3.2 Chapter 11 implements multiple objectives in Chapter 2, for example: 2.13 – Infrastructure and Services, 2.14 – Access and transport; and 2.20 – Renewable energy, energy efficiency and conservation. Our report references key objectives where they are relevant to the assessment of submissions and our recommendations.
- 3.3 The report highlights a number of consequential amendments we have recommended to Chapter 11 as a result of amendments recommended in other Section 42A reports. These amendments are varied and can relate to plan-wide issues (such as the deletion of policy explanations and summary rule tables), or are to help ensure consistency of policies, rules and standards between PDP chapters. We have identified these changes in the comments boxes in the amended text provided in Section 4 of our report.

#### **4.0 Key submission topics / issues**

- 4.1 As already mentioned, a significant number of submissions were received on Chapter 11, spanning a range of different matters and in relation to numerous Chapter 11 provisions; noting that Chapter 11 in itself traverses a wide numbers of matters.
- 4.2 Without derogating from the details of the submissions, which are addressed in Section 3 of our report, we consider the following to be key submission topics / issues:
  - Changes to Policy 11.9, proximity to planning features
  - Amended vehicle movement thresholds
  - A new non-complying activity rule for network utility structures located in Outstanding Natural Landscapes
  - Not recommending the deletion of some rules relating to radiofrequency and cabinets, as sought by telecommunication providers
  - New rules to allow for aboveground lines in rural areas.
  - Dimensions for masts, antennas and cabinets have been amended but not always to the extent requested by submitters
  - A new non-complying activity rule for wind turbines located in Outstanding Natural Landscapes
  - A more refined approach to managing the effects of land use, development and subdivision on the National Grid
- 4.3 While not a matter of contention we consider it important to note here that a number of notices of requirement for alterations to existing designations, and the addition of new designations were received by the Council. However, these cannot be included in the Plan as the Council did not follow the proper process for including these designations.

## **5.0 Matters resolved & still to be resolved**

- 5.1 We note that **Submitter 87 Z Energy** has written to the Panel confirming that they are supportive of the recommendations in respect to Submissions 87.2 and 87.3 in respect to carparks for a carwash and commends the recommendations to the Panel.
- 5.2 We note that **Submitter 404 New Zealand Fire Service** has written to the Panel confirming that they support the s42A recommendation in respect of submission 404.3.
- 5.3 We note that the evidence from **Submitter 457 NZ Transport Agency** includes a table which sets out the Agency's position in respect to recommendations contained in our s42A report. Many of these confirm agreement with the recommendations. We will address those that are not agreed by the Agency in our closing statement.
- 5.4 We note that the evidence from Mrs Caroline Watson in respect of **Submission 441 Greater Wellington Regional Council** sets out in 4.1 to 4.3 the Regional Council's support for the recommendations contained in the s42A report.
- 5.5 We note that **Submitter 136 New Zealand Wind Energy Association**, emailed the Council and advised that they consider that we understood their position and that we propose amendments which address their more significant concerns, and that the section is now more closely aligned with the National Policy Statement for Renewable Electricity Generation. Accordingly, they advise that they consider attending the hearing and presenting their submission not to be a worthwhile use of your time. Their submission, of course, still stands.
- 5.6 We note that **Submitter 220 and Further Submitter 107 Go Underground Waikanae**, emailed the Council and advised that after considering the officers report that they have concluded that the likelihood of achieving more of their aims is not such to justify attendance at the hearing. Their submission, of course, still stands.

## **6.0 Issues we would like to draw to the Panel's attention**

- 6.1 We note the evidence of Mrs Caroline Watson in respect of **Submission 441 Greater Wellington Regional Council**. Unfortunately, as Mrs Watson has identified, the wider relief sought by the Regional Council through its submission point to include stormwater management as a matter of control or discretion was overlooked in respect of this chapter. However, in respect of this point, we want to draw to the Panel's attention to the restricted discretionary activity rules and standards relating to the subdivision of land in 11B.2.2 and 11B.2.3 which set out clear standards relating to stormwater management and hydraulic neutrality (as standards for subdivision to meet), as well as including matters of discretion in relation to the Council's Subdivision and Development Principles and Requirements, 2012.
- 6.2 In writing her section of the s42a report Ms Lloyd failed to address a number of submission points. These submission points relate wholly to the explanations to policies. As noted in our report the explanations to policies are proposed to be deleted throughout the plan. This recommendation was addressed in the General/Plan Wide

s42A report, however these submissions should have been addressed in our report and this is an omission. The relevant submission points are:

- **17.6 Two Degrees Mobile Ltd**
- **208.57, 58b, 67, 68, 69, 72 and 75 Transpower New Zealand Limited**
- **220.13 and 16 Go Underground Waikanae Inc**
- **442.35 Chorus New Zealand Ltd**
- **444.21 and 28 Telecom New Zealand Ltd (Spark)**
- **540.5, 7, 11, and 13 Kapiti High Voltage Coalition Inc**

6.3 We recommend that the Panel reject these submission points in line with the decision to delete the explanations of policies throughout the PDP.

## **7.0 Areas in which evidence has led us to recommend further changes**

7.1 We have reviewed the evidence provided by submitters in advance of the hearings today, and we have the following comments to make.

7.2 **Submitter 447 KiwiRail** has requested that the recommended wording in Rule 11P.1.18.2 be further amended to read as follows (additional changes shown in red):

2. No ~~new vehicle~~ access ~~crossing way~~ shall be located within 30m of a level crossing.

7.3 We support this requested amendment, as it more accurately reflects the intent of this standard. However, this has highlighted an omission in the s42A report, which failed to address the requested amendment to this rule to delete notified clauses 1 to 4 and replace them with new clauses.

7.4 The recommended amendments to the text are however included in Section 4 of the s42A. We apologise to the Panel and the submitter for this omission. We note that we agree with the amendments sought by KiwiRail, with a slight amendment to the wording recommended. We therefore recommend that the Panel accepts in part Submission 447.22, and accepts the amended wording sought by KiwiRail in its evidence, as set out below (with further changes highlighted in red):

~~Any Existing~~ accesses ~~or and~~ roads that cross the rail network via a level crossing ~~shall be constructed and located must be~~ in accordance with the sight triangles provided in Diagram A9 (Schedule 11.1).

There shall be no ~~new~~ access ways ~~shall be located created~~ within 30 metres of a level crossing.

7.5 In respect to **Submitter 404 New Zealand Fire Service**, and submission point 404.4 relating to vehicle access widths, we support the Rural Environment reporting officer's further recommendation following consideration of evidence from the submitter, to increase the width to 3.5m. Accordingly, should the Panel accept the requested increase in the Rural Environment to 3.5m, we recommend that the Panel also accept the same in respect to 11P.1.14.3 Access.

7.6 In respect to **Submission 208 and Further Submission 64 Transpower**, and the evidence from Ms Whitney, we comment as follows in respect to her paragraphs where we recommend further changes:

Evidence reference	Provision	Comment
15.1 and 15.2	Definitions of National Grid Yard and Corridor	We accept it would be appropriate to delete reference to the single poles if these are to be removed; however, we consider this should only occur once the poles have been removed.
15.4	Policy 11.22 National Grid and High Pressure Gas Transmission Lines	We support the amendments sought by Transpower to this policy to amend the introductory sentence to the policy to read “When considering subdivision and the construction of buildings or structures <del>either under or</del> adjacent to <u>National Grid high voltage (110 and 220 kV) electricity</u> transmission lines or high pressure gas pipelines, the following will be taken into account.”.  We also support the inclusion of “earthworks” to clauses (a), (b) and (c).
15.5	Policy 11.15 Assessment Criteria	We support the deletion of “or any activity adjacent to high voltage (110 and 220 kV) electricity lines” as this should have been a consequential amendment to the relocation of Policy 11.13 (to become policy 11.22). A further consequential amendment should be to also delete the reference to “or high pressure gas pipelines” from the end of the first sentence of this policy.
15.6	Rule 11C.1.4	See 15.1 and 15.2
15.7	Rule 11C.1.5	See 15.1 and 15.2
15.8	Rule 11C.3.2	We support the addition of new matters of discretion 6 and 7 as sought by Transpower. In respect to matter 7, we note that the Electricity (Hazards from Trees) Regulations 2003 already provide Transpower with the ability to undertake remedial works in respect to planting near lines. We consider that including this matter of discretion would be a useful and appropriate pre-emptive approach to managing vegetation in the first instance to avoid Transpower’s need to use the Regulation in the future.

7.7 We will address the matters opposed by Transpower in our closing statement.

7.8 In respect of **Submitter 218 and Further Submitter 55 Coastlands Shoppingtown**, we acknowledge that the further submission 55 to submission 376.1 Christopher Glover had been incorrectly recorded, and that Coastlands opposed submission 376.1. Mr Hansen is correct in paragraph 96 of his evidence that the s42A incorrectly records

FS55 as recommended to be rejected. We recommend that FS55 in this regard be accepted.

7.9 In respect to **Submission 442 and Further Submission 87 Chrous New Zealand Ltd and Submission 444 and Further Submission 88 Telecom New Zealand Ltd (Spark)**, and the evidence from Ms Miles, we comment as follows in respect to her paragraphs where we recommend further changes:

Evidence reference	Provision	Comment
5.8	Policy 11.9 Proximity to Planning Features	We consider that on reflection the evidence is correct that there is not scope to include reference to areas of 'high' natural character or to special amenity landscapes in Policy 11.9. We therefore recommend that the references to both areas of high natural character and special amenity landscapes in Policy 11.9 be deleted.
5.9	Deletion of rules relating to 'special amenity landscapes'	Ms Mile highlights in her evidence that the Natural Environment s42A report recommends that that rules relating to special amenity landscapes be deleted. The deletion of special amenity landscape rules affects standards, matters of control and matters of discretion within several rules in this Chapter. We recommend that the references to special amenity landscapes within the standards of rules 11A.1.7, 11A.1.8 and 11A.1.12, the matters of control in rule 11.A.2.1 and the matters of discretion for rule 11A.3.1, 11A.3.4 11A.3.7, 11D.3.1, 11D.3.2, 11D.3.3, 11D.3.4, 11F.3.1 be deleted.
5.10-5.12	Policy 11.13 - Place network utilities underground	We agree that this policy should only relate to new network utilities. We recommend that Policy 11.13 be amended as follows:  Unless otherwise technically <u>or operationally</u> impracticable, <b>new</b> network utility infrastructure will be placed underground. Where undergrounding is <del>not feasible or technically or operationally</del> <u>impracticable</u> , <b>any new</b> <u>aboveground</u> network utility infrastructure will be well designed, <u>and</u> resilient to identified natural hazards <del>and complementary to the surrounding environment</del> .
5.14-5.16	Rules and Standards Introduction	We agree that the relationship of the PDP rules to the NES is not represented clearly and we recommend that this section be amended as set out in the table appended to this overview.
5.21-5.23	Rule 11A.1.4 Minor	We agree that some amendments to rule 11A.1.4

	Upgrading and Upgrading	do not have the intended effect. As worded Standard 3 of this rule does not permit additional antenna to existing over height masts. Although we agree with Ms Miles, we do not accept the wording she has proposed (or the deletion of this standard). We consider that amending standard 3 of rule 11A.1.4 as recommended in the table appended to this report would meet some of the submitter's requests. We also agree that there are numbering errors in standard 1 and the standard would be clearer with the addition of the word 'freestanding'. Standard 2 as proposed in our s42A report does not clearly not apply to Masts. We consider that the rule may apply to network utilities other than electricity and radio communications so the amendment we propose for consideration is different to that requested. We recommend that the standards to rule 11A.1.4 be amended as set out in the table appended to this statement.
5.24-5.26	Rule 11A.1.5 New Network Utilities	We concur that the deletion of standard 2 and amendments to standard 4 would make the application of the rule clearer. Therefore, we recommend that the panel considers amending rule 11A.1.5 as noted in the table appended to this overview.
5.31 – 5.34	Rule 11A.1.12 Overhead Lines in the Rural zone	We concur that the some of the references in standard 2 are unnecessary, we also agree with the amendments to standard 3 as they would make the application of the rule clearer. Therefore, we recommend that the panel considers amending rule 11A.1.12 as set out in the table appended to this overview.
5.39 – 5.40	Rule 11A.1.8 Freestanding Masts and associated Antennas	We agree with the deletion of certain areas from standard 1 as requested in the evidence, the provisions regarding masts in flooding areas as proposed in our s42A report are too restrictive. We agree with Ms Mile's point regarding the size and shape of masts and the low likelihood that debris would get lodged behind a mast and impede the flow of water. We also agree with the issue of scope raised. Therefore, we recommend that Rule 11A.1.8 standard 1 be amended as set out in the table appended to this overview.
5.49-5.55	Rule 11A.1.10 Cabinets	We agree with the majority of the amendments made in the submitters evidence in this rule and recommend that Rule 11A.1.10 be amended as

		set out in the table appended to this overview.
5.56-5.57	Rule 11A.1.12 Network Utilities within Buildings	We agree that other plans within the region have rules relating to network utilities enclosed in buildings. We recommend that the panel considers not deleting Rule 11A.1.12, re-numbering it as 11A.1.11 and amending the standards as set out in the table appended to this overview.
5.58-5.59	Rule 11A.3.1 upgrading od an existing network utility not permitted	We agree that the amendments proposed to the wording of the rule are appropriate and recommend that Rule 11A.3.1 be amended as set out in the table appended to this overview.
5.60-5.64	Rule 11A.3.6 Network utilities within any ponding area, shallow surface flow area, overflow path or residual overflow path	We agree that the application of the earthworks rules for underground network utilities in ponding areas, shallow surface flow areas, overflow and residual overflow paths is too onerous. The earthworks rules of these areas are intended to relate to when the ground level is permanently changed and therefore the ability of water to move through or pond in these areas is altered. Earthworks related to network utilities do not permanently change the ground level, therefore we recommend that Rule 11A.3.6 be amended as set out in the table appended to this overview.
5.65-5.68	Default Status for Overhead Lines	We agree that the wording of rule 11A.3.3 could be clearer therefore we recommend that Rule 11A.3.3 be amended as set out in the table appended to this overview.
5.69-5.70	Default Status for Overhead Lines	We agree that mention of Rule 11A.3.3 in Rule 11A.4.2 would make the application of the rule clearer. We recommend that Rule 11A.4.2 be amended as set out in the table appended to this overview.
5.71-5.72	Rule 11A.3.2	We agree that rule 11A.3.2 should relate only to aboveground cabinets. We recommend that Rule 11A.3.2 be amended to refer to 'aboveground' cabinets as set out in the table appended to this overview.
5.72-5.74	Rule 11A.4.5	As above we agree that the rule should only relate to aboveground cabinets, we also agree that it should not relate to upgrades. We recommend that Rule 11A.4.5 be amended as set out in the table appended to this overview.
5.75-5.77	Rule 11A.3.4	We agree that the areas that these masts are excluded from in standard 2 are not in line with the rest of the rules. We recommend Rule

		11A.3.4 standard 2 be amended as set out in the table appended to this overview.
5.80	New Definition of Telecommunications	<p>We agree that the addition of a definition of Telecommunications would be useful if the definition of building is amended to exclude them. We therefore recommend that should the Panel agree to exclude Telecommunications from the definition of building that the following definition of Telecommunications be added to Chapter 1 as follows:</p> <p><u>Telecommunications means the same as defined in section 5 of the Telecommunications Act 2001</u></p>

- 7.10 We will discuss the recommendations of Submitters 442 Chrous and 444 Spark/Telecom that we disagree with in our closing statement.
- 7.11 We do not consider that any provisions within Chapter 11 should be moved to the Proposed New Chapter 2A. We also do not consider that there are any issues in regard Chapter 11 that would require an amendment to Chapter 2: Objectives.
- 7.12 At this stage we are not recommending any further changes to our report, however we maintain an open mind as we hear submissions during the course of this hearing.
- 7.13 Thank you Mr Chair and members of the Panel.




Gina Sweetman and Rebecca Lloyd

12 August 2016

Amendments recommended for the Panels consideration in relation to Chapter 11 Rules and Standards – Infrastructure as a result of the evidence of Spark/Chorus (additional changes **shown in red**):

## **Rules and Standards – Infrastructure and Services**

The following table sets out the rules and standards for network utility ~~utilities~~ infrastructure associated with energy, telecommunications including lighthouses, navigation aids, beacons, signal stations, natural hazard emergency warning devices and meteorological services, ~~water supply, sanitation and drainage. While renewable energy generation and roads are defined as network utilities they are specifically excluded from this table and are dealt with in sections 11.5 and 11.6 respectively. Community facilities are dealt with in section 11.7.~~

~~Lighthouses, navigational aids, beacons and ancillary structures and meteorological activities are not commonly considered network utilities. However, as they can have the same or a similar outward appearance and potential environmental effects as network utilities they are included in the definition of network utilities in this plan and are subject to the rules in this chapter.~~

Where an activity is related to the operation, maintenance, upgrading, relocation or removal of an existing National Grid Transmission Line, the Resource Management (NES for Electricity Transmission Activities) Regulations 2009 apply. The Resource Management (NES for Telecommunication Facilities) Regulations 2008~~9~~ applies to telecommunication equipment, cabinets and antennas located within the road reserve and allows for this equipment subject to certain size, location and noise standards. It also includes regulations in relation to radiofrequency fields generated by telecommunications facilities, which apply both within and outside of the road reserves. **These NES apply in addition to the rules in this Plan. Except as provided for by the Regulations or the RMA, no rules in this Plan apply to these activities.** For clarification, where there is conflict or perceived conflict between the provisions of this Plan and the requirements of the NES's identified above, the provisions of the NES shall apply.

### **Rule 11A.0. Applicability of Rules 11A.1 – 11A.5**

The provisions in this section of the Chapter apply to network utilities throughout all zones of the District. The underlying zone policies and rules do not apply to network utilities, including roads, unless specifically referred to in the relevant rule. District wide rules, such as relating

notable trees (Chapter 3), and historic heritage (Chapter 10) and zone specific rules relating to noise and earthworks still apply. Rules 11A.1 to 11A.5 shall apply to all land and activities in all Zones unless otherwise specified. Where there is a conflict between any rule or standard in this chapter and any other chapter, the more stringent rule or standard shall apply.

**Notes:** [1] Notwithstanding the activity category defined by Rules 11A.1 to 11A.5 for any activity, attention is also drawn to the rules:

[a] in Chapters 3, 9, and 12 which apply to matters which apply across all zones in the District—for example, transport; and

[b] in Chapters 5, 6, 7 and 8 that apply to specific land use Zones in the District—for example the Rural Plains Zone and the Open Space (Recreation) Zone.

The rules in these chapters may identify the activity as (or result in the activity being) a different activity category than expressed below. Additional clarity on activity category determination is provided in Chapter 1 (Section 1.1).

### 11A.1. Permitted Activities

The following activities are **permitted** activities, provided that they comply with all corresponding permitted activity standards (unless otherwise specified).

Permitted Activities	Standards
<p>4. 5. For any existing network utility:</p> <p>a. <i>Minor upgrading</i> of any electricity and telecommunication line;</p> <p>b. The upgrading of all other <i>network utilities</i>, excluding:</p> <p>i. Electricity transmission lines above 110kV (100MVA capacity);</p> <p>ii. Gas distribution pipelines at a pressure exceeding 2000 kilopascals.</p>	<p>1. <del>The network utility is in existence as at 29 November 2012.</del></p> <p>1. <del>2.</del> Upgrading shall <u>must</u> comply with any permitted activity standard applicable to that <i>network utility</i> under rules 11A.1.23. (Radiofrequency or Electromagnetic Fields); 11A.1.98. (<u>Freestanding Masts</u> utilised for <i>network utility</i> purposes); 11A.1.409. (<u>Antenna</u> attached to building for <i>network utility</i> purposes); and 11A.1.140. (<u>Cabinets</u>).</p> <p>2. <del>3.</del> <u>Poles and support structures (not masts)</u> shall <u>must</u> comply with the maximum height of 12 m and diameter of 300 millimetres.</p> <p>3. <u>Any additional antenna attached to existing masts must comply with the diameter and height requirements in Rule 11A.1.9 (freestanding masts), and must not exceed either the maximum height requirements in Rule 11A.1.9.2 or the maximum height of the existing mast and antenna, whichever is greater.</u></p> <p>4. <u>Any minor upgrading or upgrading must comply with rules 3A.1.2 relating to locally indigenous vegetation and vegetation within ecological sites are provided for in rules 3A.1.2 and 3A.1.3.</u></p> <p><b>Note:</b> The Resource Management (National Environmental Standard for Electricity Transmission Activities) Regulations 2009 <u>applies</u> to the existing <u>N</u>ational Grid and <u>applies</u> to all transmission lines that were <u>operational, or able to be</u></p>

## 11A.1. Permitted Activities

The following activities are permitted activities, provided that they comply with all corresponding permitted activity standards (unless otherwise specified).

Permitted Activities	Standards
	<p><del>operated</del>, <u>in existence</u> on 14 January 2010.</p> <p>Compliance with the Electricity (Hazards from Trees) Regulations 2003 is mandatory for tree trimming and planting. The modification of notable trees identified in Schedule 10.1 is provided for in rule 10A.3.4.</p>
<p>5. <del>6.</del> The development and installation of any new <i>network utility</i>, except for</p> <ol style="list-style-type: none"> <li>electricity transmission lines above 110kV (<del>100MVA capacity</del>); or</li> <li>gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals.</li> </ol>	<ol style="list-style-type: none"> <li>Any new network utility <del>shall</del> <u>must</u> comply with any permitted activity standard applicable to that <i>network utility</i> under rules 11A.1.2<del>3</del>. (Radiofrequency or Electromagnetic Fields); 11A.1.9<del>8</del>. (<i>Masts</i> utilised for network utility purposes); 11A.1.9<del>10</del>. (<i>Antenna</i> attached to building for network utility purposes); and 11A.1.10<del>1</del>. (<i>cabinets</i>).</li> <li><del>Poles and support structures shall must comply with the maximum height of 12 m and diameter of 300 millimetres.</del></li> <li><del>3.</del> Compliance with the clearance distances specified in NZECP34:2001, and section 6.4.4 External Interference Prevention of NNZAS 2885 Pipelines – Gas and Liquid Petroleum.</li> <li><del>4.</del> Unless otherwise provided for any network utility under <u>permitted activity</u> Rules 11A.1.6, 11A.1.8 and 11A.1.9 any <u>new</u> network utility <del>shall</del> <u>must</u> <del>not</del> be located in the following areas as identified on District Plan maps: <ul style="list-style-type: none"> <li><u>well defined fault avoidance area</u></li> <li><u>well defined extension fault avoidance area</u></li> <li><u>open space (conservation and scenic) zone</u></li> <li><u>river corridor, stream corridor, <del>and</del> overflow path and residual overflow path</u></li> <li><u>an outstanding natural landscape</u></li> <li><u>an ecological site</u></li> <li><u>historic heritage feature identified in Schedule 10.1 - Historic Heritage</u>, <del>an area identified in policy 11.9.</del></li> </ul> </li> </ol>
<p>6 <u>New underground telecommunications and radiocommunications located within any ponding area, overflow path or residual overflow path.</u></p>	<ol style="list-style-type: none"> <li>Any new network utility <u>must</u> comply with any permitted activity standard applicable to that <i>network utility</i> under rules 11A.1.2. (Radiofrequency or Electromagnetic Fields); <del>and 11A.1.11. (<i>cabinets</i>).</del></li> </ol> <p><b>Note:</b> Compliance with the clearance distances specified in NZECP34:2001, and section 6.4.4 External Interference Prevention of NNZAS 2885 Pipelines – Gas and Liquid Petroleum will be required by other regulations.</p> <p><u>The Resource Management (National Environmental Standard for Telecommunication Facilities) Regulations 2008 applies to the installation and operation of telecommunication facilities within road.</u></p>
<p><del>7.</del> <u>8.</u> Meteorological facilities for</p>	<ol style="list-style-type: none"> <li>One anemometer mast per lot is permitted provided it does not exceed a height of <u>40</u><del>12</del> metres.</li> </ol>

## 11A.1. Permitted Activities

The following activities are **permitted** activities, provided that they comply with all corresponding permitted activity standards (unless otherwise specified).

Permitted Activities	Standards						
<p>measuring, collecting and distributing meteorological information including automatic weather masts, voluntary observer sites and associated microwave links.</p>	<p>2. For any meteorological enclosure and building, the gross floor area shall <del>must</del> not exceed 30m<sup>2</sup>.</p> <p>3. Meteorological facilities shall <del>must</del> not be located on <del>a</del> <u>an ecological site, geological site, outstanding natural landscape, <del>special amenity landscape,</del> or area of outstanding or high natural character <del>sensitive natural feature</del> or historic heritage feature, as identified in Policy 11.9.</u></p>						
<p><u>8. 9. Freestanding masts used for telecommunication, radio communication and broadcasting purposes by network utility operators for network utility purposes.</u></p>	<p>1. <del>Masts</del> (including <i>antenna</i> and support structures) <del>are not</del> <u>must not be located within a:</u></p> <ul style="list-style-type: none"> <li>a) <u>an ecological site</u></li> <li>b) <u>a geological site</u></li> <li>c) <u>an outstanding natural landscape <del>sensitive natural feature</del></u></li> <li>d) <del>a special amenity landscape</del></li> <li>e) <u>an area of outstanding or high natural character</u></li> <li>f) <u>a river corridor</u></li> <li>g) <u>a stream corridor</u></li> <li>h) <del>overflow path</del></li> <li>i) <del>residual overflow path</del></li> <li>j) <del>a fault avoidance area</del></li> <li>k) <u>a well defined fault avoidance area</u></li> <li>l) <u>a well defined extension fault avoidance area</u> <del>or</del></li> <li>m) <u>historic heritage feature as identified in Policy 11.9.</u></li> </ul> <p><u>Additional antenna on existing masts in these areas are permitted subject to standards 2-5 below.</u></p> <p>2. <u>Subject to standard 3 below, the maximum height and diameter standards in the table below (m = metres; mm = millimetres), excluding any lightning rod, shall apply;</u></p> <table border="1" data-bbox="842 1246 1865 1377"> <thead> <tr> <th data-bbox="842 1246 1263 1318">Zone</th> <th data-bbox="1263 1246 1565 1318">Maximum Height</th> <th data-bbox="1565 1246 1865 1318">Diameter of mast</th> </tr> </thead> <tbody> <tr> <td data-bbox="842 1318 1263 1377">Residential, Beach Residential, Ngarara, Waikanae North</td> <td data-bbox="1263 1318 1565 1377">12m</td> <td data-bbox="1565 1318 1865 1377">&lt;600mm from 6m</td> </tr> </tbody> </table>	Zone	Maximum Height	Diameter of mast	Residential, Beach Residential, Ngarara, Waikanae North	12m	<600mm from 6m
Zone	Maximum Height	Diameter of mast					
Residential, Beach Residential, Ngarara, Waikanae North	12m	<600mm from 6m					

### 11A.1. Permitted Activities

The following activities are **permitted** activities, provided that they comply with all corresponding permitted activity standards (unless otherwise specified).

Permitted Activities	Standards						
	Development						
	Rural Plains, <del>Rural Hills</del> , Rural Dunes, Rural Residential, Rural Eco-hamlet	18m	<600mm from 6m				
	Industrial, <del>Local Centre, Town Centre, Outer Business Centre</del>	<del>1425m</del>	1.5m				
	<del>Local Centre, Town Centre, Outer Business Centre</del>	<del>15m</del>	<del>1.5m</del>				
	District Centre	<del>1620m</del>	<del>&lt;600mm from 6m</del> 1.5m				
	All Open Space zones, Private Recreation and Leisure	12m	<600mm from 6m				
	Airport (subject to designation)	20m	<del>&lt;600mm from 6m</del> 1.5m				
	<p>3. Where the mast will be used to support antennas of more than one <i>network utility operator</i> then a 3 metre allowance on the Permitted Activity <i>height</i> standard <del>outlined above in 2 above is provided shall apply.</del></p> <p>4. The diameter of any <i>antenna</i> shall <u>must</u> comply with the standards in the table below:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="background-color: #cccccc;">Zone</th> <th style="background-color: #cccccc;">Horizontal circle within which <i>antenna</i> located</th> </tr> </thead> <tbody> <tr> <td style="height: 40px;"></td> <td style="height: 40px;"></td> </tr> </tbody> </table>			Zone	Horizontal circle within which <i>antenna</i> located		
Zone	Horizontal circle within which <i>antenna</i> located						

## 11A.1. Permitted Activities

The following activities are permitted activities, provided that they comply with all corresponding permitted activity standards (unless otherwise specified).

Permitted Activities	Standards														
	<table border="1" data-bbox="994 448 1715 1038"> <tr> <td data-bbox="994 448 1384 571">Residential, Beach Residential, Ngarara, Waikanae North Development</td> <td data-bbox="1384 448 1715 571">0.75 metres</td> </tr> <tr> <td data-bbox="994 571 1384 651"><del>Rural Plains, Rural Dunes, Rural Residential, Rural Eco-hamlet</del></td> <td data-bbox="1384 571 1715 651"><del>0.75-2 metres</del></td> </tr> <tr> <td data-bbox="994 651 1384 730"><u>Rural Dunes, Rural Residential, Rural Eco-hamlet</u></td> <td data-bbox="1384 651 1715 730"><u>1.2 metres</u></td> </tr> <tr> <td data-bbox="994 730 1384 783">Industrial</td> <td data-bbox="1384 730 1715 783">5 metres</td> </tr> <tr> <td data-bbox="994 783 1384 895">Local Centre, Town Centre, Outer Business Centre, District Centre Zone</td> <td data-bbox="1384 783 1715 895">0.75 metres</td> </tr> <tr> <td data-bbox="994 895 1384 975">All Open Space zones, Private Recreation and Leisure</td> <td data-bbox="1384 895 1715 975">0.75 metres</td> </tr> <tr> <td data-bbox="994 975 1384 1038">Airport (subject to designation)</td> <td data-bbox="1384 975 1715 1038">0.75-5 metres</td> </tr> </table> <p data-bbox="640 1038 2049 1107">2. <u>Must not be located</u> <del>located</del> <u>no</u> closer than 5 metres from a property boundary in the living zones (measured from the outer edge of the mast, excluding the base or foundation), except along boundary with legal road.</p>	Residential, Beach Residential, Ngarara, Waikanae North Development	0.75 metres	<del>Rural Plains, Rural Dunes, Rural Residential, Rural Eco-hamlet</del>	<del>0.75-2 metres</del>	<u>Rural Dunes, Rural Residential, Rural Eco-hamlet</u>	<u>1.2 metres</u>	Industrial	5 metres	Local Centre, Town Centre, Outer Business Centre, District Centre Zone	0.75 metres	All Open Space zones, Private Recreation and Leisure	0.75 metres	Airport (subject to designation)	0.75-5 metres
Residential, Beach Residential, Ngarara, Waikanae North Development	0.75 metres														
<del>Rural Plains, Rural Dunes, Rural Residential, Rural Eco-hamlet</del>	<del>0.75-2 metres</del>														
<u>Rural Dunes, Rural Residential, Rural Eco-hamlet</u>	<u>1.2 metres</u>														
Industrial	5 metres														
Local Centre, Town Centre, Outer Business Centre, District Centre Zone	0.75 metres														
All Open Space zones, Private Recreation and Leisure	0.75 metres														
Airport (subject to designation)	0.75-5 metres														
<p data-bbox="192 1137 607 1198"><u>10. 44. Aboveground Cabinets located in all zones</u>, except for:</p> <p data-bbox="215 1198 584 1382">a. on road reserve that adjoins any site containing an item listed in Schedule 10.1 – Historic Heritage, an outstanding natural landscape, or an ecological</p>	<p data-bbox="640 1137 1984 1289">1. Cabinets <del>shall</del> <u>must</u> comply with the permitted activity standards under rule 11A.1.23 (Radiofrequency or Electromagnetic Fields);  <u>Note: The Resource Management (National Environmental Standards for Telecommunications Facilities) Regulations 2008, separate to this District Plan controls all radio-frequency emissions from telecommunication facilities through specific exposure standards.</u></p> <p data-bbox="640 1289 1984 1353">2. All cabinets <u>located within a road</u> <del>shall</del> <u>must not exceed have</u> a maximum height of <u>4.22</u> metres and maximum footprint of <u>4.43</u>m<sup>2</sup>; and</p> <p data-bbox="640 1353 2018 1382">3. All cabinets not located within a road <u>must not exceed have</u> a maximum height of 3m and a maximum footprint of</p>														

## 11A.1. Permitted Activities

The following activities are permitted activities, provided that they comply with all corresponding permitted activity standards (unless otherwise specified).

Permitted Activities	Standards
<p>site; or</p> <p>b. within a site, containing an item listed in Schedule 10.1 – Historic Heritage, an outstanding natural landscape, or an ecological site.</p> <p>c. <u>in a well defined fault avoidance area, well defined extension fault avoidance area, open space (conservation and scenic) zone, river corridor, stream corridor, overflow path and residual overflow path</u></p>	<p>8m<sup>2</sup>; and</p> <p>4. <del>3. All cabinets shall must be located no closer than 2m to any boundary comply with building setback or yard requirements for the zone in which the cabinet is located if not located within road reserve.</del></p> <p>5. <u>Noise associated with cabinets must not exceed the permitted activity noise standard(s) within the zone in which the activity is located.</u></p> <p><b>Note:</b> The Resource Management (National Environmental Standard for Telecommunication Facilities) Regulations 2008 applies to the installation and operation <del>and a</del> <u>of</u> telecommunication facilities <u>within roads</u> <del>reserve</del>.</p>
<p><u>11. Any network utility enclosed within a building.</u></p>	<p>1. <u>Noise associated with the activity shall not exceed the permitted activity noise standard(s) within the zone in which the activity is located.</u></p> <p><del>1. Network utilities enclosed within a building shall not be located on a sensitive natural feature or historic heritage feature as identified in policy 11.9;</del></p> <p><del>2. The maximum building area for buildings housing network utilities shall not exceed 30m<sup>2</sup> except in any Living Zone where the maximum building area shall not exceed 10m<sup>2</sup>;</del></p> <p><del>3. The building shall be set back at least 5 metres from any boundary with a Living Zone or within a Living or Rural Zone.</del></p>
<p><u>12. New, extensions to existing and additional above ground lines in the Rural Zones, except for electricity transmission lines above 110kV</u></p>	<p>1. <u>Single-pole support structures and lines must have a height of 12m or less and a diameter of 300 millimetres or less; and</u></p> <p>2. <u>Above ground lines must comply with any permitted activity standard applicable to that network utility under rules 11A.1.2. (Radiofrequency or Electromagnetic Fields); <del>11A.1.9. 11A.1.10 and 11A.1.11. (cabinets);</del> and</u></p> <p>7 <u>New above ground lines must not be located within an outstanding natural landscape, ecological site, geological site,</u></p>

### 11A.1. Permitted Activities

The following activities are **permitted** activities, provided that they comply with all corresponding permitted activity standards (unless otherwise specified).

Permitted Activities	Standards
	<del>special amenity landscape, or</del> area of outstanding <del>or high</del> natural character <del>or on a site containing a</del> historic heritage <u>feature.</u> 2.

### 11A.2 Controlled Activities

The following activities are **controlled** activities, provided that they comply with all corresponding controlled standards (unless otherwise specified).

Controlled Activities	Standards	Matters over which Council reserves control
1. Subdivision to create an <del>lot</del> allotment for network utility purposes (including lots required for renewable electricity generation).	1. There shall be no minimum area requirements for lots for network utility purposes of network utility providers. 2. <del>The allotment shall have access to legal road.</del> <u>Each lot must have inalienable legal and physical access to a legal road.</u>	1. Any positive effects to be derived from the activity. 2. Layout of subdivision. 3. Public safety. 4. Extent of earthworks. 5. Appropriateness for proposed use. 6. Adequacy of the methods of mitigation/remediation or ongoing management. 7. Effects on an ecological site, geological site, outstanding natural landscape, <del>special amenity landscape,</del> or area of <u>outstanding or high natural character</u> <del>sensitive natural features.</del>

### 11A.2 Controlled Activities

The following activities are **controlled** activities, provided that they comply with all corresponding controlled standards (unless otherwise specified).

Controlled Activities	Standards	Matters over which Council reserves control
		8. Effects on historic heritage. 9. Effect on natural character. 10. Visual, character and amenity effects. 11. Degree of compliance with Council's Subdivision and Development Principles and Requirements, 2012. 12. Adequacy of geotechnical information. 13. Natural hazard risk management. 14. Imposition of conditions under sections 108 and 220 of the Resource Management Act. 15. The imposition of financial contributions in accordance with Part 12 of this Plan.

### 11A.3 Restricted Discretionary Activities

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion
1. <del>5.</del> The <u>minor upgrading, or upgrading, including replacement</u> , of an existing	1. The upgrading of the <i>network utility</i> shall <u>must</u> comply with permitted activity standards under Rule 11A.1.32.	1. Any positive effects to be derived for the activity. 2. Any opportunities to reduce existing adverse effects on sensitive activities. 3. Health and safety.

### 11A.3 Restricted Discretionary Activities

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion
<p><i>network utility</i> that is not a permitted activity under Rule 11A.1.45.</p>	<p><b>Note:</b> The Resource Management (National Environmental Standard for Electricity Transmission Activities) Regulations 2009 applies to the upgrading, including replacement, of the National Grid.</p>	<ol style="list-style-type: none"> <li>4. Layout, design, and materials.</li> <li>5. Visual effects.</li> <li>6. Context and surroundings.</li> <li>7. Effects on <u>an ecological site, geological site, outstanding natural landscape, <del>special amenity landscape</del>, or area of outstanding or high natural character <del>sensitive natural features</del>.</u></li> <li>8. Effect on natural character.</li> <li>9. Effects on historic heritage.</li> <li>10. Visual, character and amenity effects.</li> <li>11. Ecological or biodiversity effects.</li> </ol>
<p><del>2.</del> <del>6.</del> Any new <u>aboveground cabinet</u> located in all zones that does not comply with the permitted activity standards under Rule 11A.1.101 <del>except for where the cabinet is located on a site containing an item listed in Schedule 10.1 – Historic Heritage, an outstanding natural landscape, or an ecological site the well defined fault avoidance area, the well defined extension fault avoidance area, the open space (conservation and scenic) zone, a Stream Corridor or River Corridor, in Road Reserve that is within or</del></p>	<ol style="list-style-type: none"> <li>1. Cabinets <del>shall</del> <b>must</b> comply with the permitted activity standards under Rules 11A.1.2 (radiofrequency) and 11A.1.11 (cabinets).</li> </ol> <p><b>Note:</b> The Resource Management (National Environmental Standards for Telecommunications Facilities) Regulations 2008, separate to this District Plan controls all radio-frequency emissions from telecommunication facilities through specific exposure standards.</p>	<ol style="list-style-type: none"> <li>1. Any positive effects to be derived for the activity</li> <li>2. Health and safety</li> <li>3. Layout, design and location of proposed structure</li> <li>4. Colour and materials of proposed structure</li> <li>5. Visual, character and amenity effects</li> <li>6. Public safety</li> <li>7. Effects on historic heritage</li> <li>8. Adequacy of the methods of mitigation/remediation or ongoing management</li> <li>9. <u>Natural hazard risk management.</u></li> <li>10. Imposition of conditions accordance with section 402 <del>and</del> 108 of RMA.</li> </ol>

### 11A.3 Restricted Discretionary Activities

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion
<p><del>adjoins any sensitive natural feature, historic heritage feature or significant amenity landscape.</del></p>		
<p>4. <del>8-</del>Any</p> <ul style="list-style-type: none"> <li>• <del>freestanding mast, with or without antenna,</del></li> <li>• <del>antennae attached to a building, domestic satellite dish; or</del></li> <li>• meteorological facility</li> </ul> <p>that does not comply with one or more of the permitted activity standards under rules 11A.1.7, 11A.1.8 (standards 2-5) and, 11A.1.9 (standards 2-4) and 11A.1.10.</p>	<ol style="list-style-type: none"> <li>1. Any mast, antennae, <del>domestic satellite</del> or meteorological facility <del>shall</del> <u>must</u> comply with permitted activity standards under rule 11A.1.32.</li> <li>2. Any <u>freestanding</u> mast or meteorological facility <del>shall</del> <u>must</u> not be located in <del>an area of natural hazard risk identified in Policy 11.9</del> <u>a well defined fault avoidance area, well defined extension fault avoidance area, river corridor, stream corridor, overflow path, outstanding natural landscape, or an ecological site.</u></li> <li>3. Any <u>antenna</u> attached to a building <u>must not be located on a building located within an outstanding natural landscape, an area of outstanding natural character or on a building which is identified as a historic heritage feature.</u></li> </ol>	<ol style="list-style-type: none"> <li>1. Any positive effects to be derived for the activity</li> <li>2. Any opportunities to reduce existing adverse effects on sensitive activities</li> <li>3. Health and safety</li> <li>4. Layout, design and location of proposed structure</li> <li>5. Colour and materials of proposed structure</li> <li>6. Visual, character and amenity effects</li> <li>7. Public safety</li> <li>8. Effects on <u>a geological site, special amenity landscape, or area of outstanding or high natural character sensitive natural features.</u></li> <li>9. Effect on natural character</li> <li>10. Effects on historic heritage</li> <li>11. Natural hazard risk management</li> <li>12. Adequacy of the methods of mitigation/remediation or ongoing management.</li> <li>13. Imposition of conditions accordance with section 402 <del>and</del> 108 of RMA.</li> </ol>
<p>3. <del>7-</del>Extensions to, <del>existing or new</del> above ground electricity or telecommunication distribution and transmission lines, where the existing distribution <u>or transmission</u></p>	<ol style="list-style-type: none"> <li>1. The extensions to, <del>or new</del> above ground electricity or telecommunication distribution and transmission lines <del>shall</del> <u>must</u> comply with permitted activity standards under Rule 11A.1.32.</li> <li>2. The extension to, or new above ground</li> </ol>	<ol style="list-style-type: none"> <li>1. Any positive effects to be derived for the activity.</li> <li>2. Any opportunities to reduce existing adverse effects on sensitive activities.</li> <li>3. Health and safety.</li> <li>4. Layout, design and location of proposed structure.</li> <li>5. Colour and materials of proposed structure.</li> </ol>

### 11A.3 Restricted Discretionary Activities

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion
<p><u>line is overhead, and is located within a road, and new above ground lines in the Rural Zone that do not meet the permitted activity standards in Rule 11A.1.12.</u></p>	<p>electricity or telecommunication distribution lines <del>shall</del> <u>must</u> not be located in <del>an area of natural hazard risk identified in Policy 11.9 a well defined fault avoidance area, well defined extension fault avoidance area, river corridor, stream corridor, overflow path and residual overflow path, outstanding natural landscape, historic heritage feature or an ecological site.</del></p> <p><b>Note:</b> The Resource Management (National Environmental Standard for Electricity Transmission Activities) Regulations 2009 applies to the upgrading, including replacement, of the National Grid.</p>	<ol style="list-style-type: none"> <li>6. Visual, character and amenity effects.</li> <li>7. Public safety.</li> <li>8. Effects on a geological site, <del>special amenity landscape,</del> or area of outstanding or high natural character <del>sensitive natural features.</del></li> <li>9. Effect on natural character.</li> <li>10. Natural hazard risk management.</li> <li>11. Adequacy of the methods of mitigation/remediation or ongoing management.</li> <li>12. Imposition of conditions accordance with section <del>402 and</del> 108 of RMA.</li> </ol>
<p>4. <del>8.</del>Any</p> <ul style="list-style-type: none"> <li>• <u>freestanding mast, with or without antenna,</u></li> <li>• <u>antennae attached to a building, domestic satellite dish, or</u></li> <li>• <u>meteorological facility</u></li> </ul> <p>that does not comply with one or more of the permitted activity standards under rules 11A.1.7,</p>	<ol style="list-style-type: none"> <li>1. Any <i>mast, antennae</i>, domestic satellite or meteorological facility <del>shall</del> <u>must</u> comply with permitted activity standards under rule 11A.1.32.</li> <li>2. Any <u>freestanding mast or meteorological facility shall must</u> not be located in <del>an area of natural hazard risk identified in Policy 11.9 a well defined fault avoidance area, well defined extension fault avoidance area, river corridor, a stream corridor, overflow path, an</del> outstanding natural landscape, or an ecological site.</li> </ol>	<ol style="list-style-type: none"> <li>1. Any positive effects to be derived for the activity</li> <li>2. Any opportunities to reduce existing adverse effects on sensitive activities</li> <li>3. Health and safety</li> <li>4. Layout, design and location of proposed structure</li> <li>5. Colour and materials of proposed structure</li> <li>6. Visual, character and amenity effects</li> <li>7. Public safety</li> <li>8. Effects on a geological site, <u>special amenity landscape,</u> or area of outstanding or high natural character <del>sensitive natural features.</del></li> <li>9. Effect on natural character</li> <li>10. Effects on historic heritage</li> </ol>

### 11A.3 Restricted Discretionary Activities

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion
11A.1.8, 11A.1.9 and 11A.1.10.	3. <u>Any antenna attached to a building must not be located on a building located within an outstanding natural landscape, an area of outstanding natural character or on a building which is identified as a historic heritage feature.</u>	11. Natural hazard risk management 12. Adequacy of the methods of mitigation/remediation or ongoing management. 13. Imposition of conditions accordance with section 402 and 108 of RMA.
6. <u>New network utilities (except freestanding masts as provided for under rule 11A.1.8 ) within any ponding area, shallow surface flow area, overflow path or residual overflow path, which are either:</u> <u>a) above ground; or</u> <u>b) underground and not provided for as a permitted activity in Rule 9B.1.4A regarding earthworks in flood hazard areas.</u>	1. <u>Must comply with the relevant permitted and controlled activity standards for the network utility.</u>  <u>Note: The Resource Management (National Environmental Standards for Telecommunications Facilities) Regulations 2008, separate to this District Plan controls all radio-frequency emissions from telecommunication facilities through specific exposure standards.</u>	1. <u>Any positive effects to be derived from the activity.</u> 2. <u>Public safety.</u> 3. <u>Extent of earthworks.</u> 4. <u>Adequacy of the methods of mitigation/remediation or on-going management.</u> 5. <u>Degree of compliance with the Kapiti Coast District Council Subdivision and Development Principles and Requirements, 2012</u> 6. <u>Adequacy of geotechnical information.</u> 7. <u>Natural hazard risk management.</u> 8. <u>The imposition of conditions in accordance with section 108 of the RMA.</u>

## 11A.4 Discretionary Activities

The following activities are **discretionary** activities.

Discretionary Activities	Assessment Criteria
<p>1. <u>New above ground electricity or telecommunication lines except as <b>provided for permitted</b> under Rule 11A.1.12 or Rule 11A.3.3.</u></p>	
<p>2. <u>New above ground electricity or telecommunication lines except as <b>permitted provided for</b> under Rule 11A.1.12 or Rule 11A.3.3.</u></p>	
<p>5. <u>4. Any new <b>aboveground cabinet and any upgrades to existing cabinets</b>, including transformers, substations and switching stations distributing electricity and ancillary buildings that are not a permitted activity under Rule 11A.1.11 or a restricted discretionary under Rule 11A.3.6<del>2</del>.</u></p>	<p>4. <del>Consistency with the relevant Plan policies, including (but not limited to):</del></p> <ul style="list-style-type: none"> <li><del>a) Natural Environment Policies 3.1, 3.3-3.5, 3.8, 3.12-3.23 and 3.26</del></li> <li><del>b) Coastal Environment Policies 4.3, 4.4, 4.5</del></li> <li><del>c) Historic Heritage Policies 10.5, 10.6, 10.10 and 10.11</del></li> <li><del>d) Hazards Policies 9.3, 9.11, 9.14, 9.16, 9.18 and 9.19</del></li> <li><del>e) Infrastructure Policies 11.1, 11.3-11.7, 11.9, 11.12, 11.14-11.16, 11.22</del></li> </ul>