

3.13 PUBLIC WORKS AND NETWORK UTILITIES

3.13.1 - OVERVIEW

Under previous legislation, public works and the works of network utility operators were generally permitted as of right. Such works now have to be provided for within the District Plan and are to be considered along with all other types of land uses on the basis of the effects they may have on the environment.

Provision can be made for these works either by the designation procedure (where the utility operator has requiring authority status) or by the rules in the District Plan. This Section does not deal with the transportation network (see Section 3.2 of this Plan).

It should also be noted that public works and network utilities that were lawfully established before this Plan was notified, and are not currently protected by designation, are in fact protected by Section 10 of the Act which provides for existing uses.

3.13.2 - THE ISSUES

The following are considered to be the significant resource management issues facing the Southland District in respect of public works and network utilities.

- **The development and continued maintenance of public works and network utilities are an important component in providing for the social, economic, and cultural well-being and health and safety of the people of the District.**

Explanation

Public works and network utilities provide services that are essential to the functioning and well-being of the District's communities. These works provide such services as electricity, telecommunications, water and sewerage reticulation to not only households, but to commercial and industrial uses also.

- **The construction and operation of public works and utility networks can have a significant environmental effect, particularly in terms of visual impact.**

Explanation

The scenery and natural beauty of Southland is considered a significant resource of the District. The development of network utilities could have a major impact on this resource, most notably in the western part of the District.

3.13.3 - OBJECTIVES AND POLICIES

Objective PWN.1

To provide for the efficient development, operation and maintenance of public works and network utilities throughout the District, while as far as practicable avoiding, remedying and mitigating potentially adverse environmental effects.

Objective PWN.2

To make appropriate provision in the Plan for the activities of public work and network utility operators.

Policy PWN.1

To minimise or avoid the adverse effects of public works and utilities.

Explanation

Effects arise from man-made structures built to distribute services such as electricity, water, telecommunication and sewerage reticulation. The most significant effects are the visual impacts associated with electricity and telecommunications transmission and land disturbance due to water, sewerage and stormwater reticulation. In some instances, noise can be generated and there may be localised effects such as flood lighting of sites. These are the principal effects which the District Plan seeks to control through appropriate policies, rules and assessment criteria.

(Refer Rules PWN.1-5)

Policy PWN.2

To reduce the adverse visual effects of public works by encouraging where practicable the use of network utility "corridors" and the co-siting of telecommunication equipment subject to technical and safety requirements.

Explanation

The main effect of telecommunication equipment and network utilities such as electricity transmission is the visual impact on the landscape. By co-siting equipment, this effect is centralised and reduced. Not only does this apply to above ground services but it can also apply to below ground services.

(Refer Rules PWN.2 and 4)

Policy PWN.3

To provide for structures essential to public safety.

Explanation

Navigational aids lighthouses and the like, are essentially safety devices and are generally site specific. Their dimensions, codings and colours are generally controlled by other legislation. (Refer Rule PWN.1)

Policy PWN.4

To provide for network utility operations and other essential public services which are necessary for the well-being of people and communities.

Explanation

These activities are considered essential services within the District and the District Plan provides the framework whereby they can be provided in a manner which minimises significant environmental effects. (Refer Rule PWN.1 and 2)

Policy PWN.5

To encourage public work and network utility operators to design work facilities and operations with minimal adverse visual impact where this can be achieved without inhibiting operation or efficiency.

Explanation

These facilities have the potential to create adverse effects if incorrectly designed or located. (Refer Rule PWN.3)

3.13.4 - METHODS AND RULES

Rule PWN.1 - Permitted Activities Throughout The District; (except for the Urban Resource Area - see Rule PWN.4, and the Scenic, Fiordland, Hills, Mountains and Coastal Resource Area - see Rule PWN.5)

- (a) Household connections to gas, water, drainage, sewer pipes, electricity and telecommunication services provided the services are constructed to, and conform with, the standards specified in the Code of Practice for Urban Land Subdivision Bylaw 1993 and are provided underground.

- (b) Public water, drainage and sewer pipes, and necessary incidental equipment (except as provided for in Rule PWN.2) provided any adverse effect on the environment is mitigated or avoided where practicable.
- (c) Pylons, poles, structures and lines used for or in connection with the transmission or reticulation of electricity not exceeding 20 metres in height provided that lines servicing new subdivisions and/or developments in the Urban and Transitional Resource Areas are to be laid underground unless otherwise determined by Rule SUB.3 (K4).
- (d) Lines as defined in Section 2 of the Telecommunications Act 1987 and Telecommunications facilities including support structures not exceeding 20 metres in height and any dish antennae not exceeding a diameter of 5.0 metres except for where such lines or antennae are located in the Urban Resource Area in which case Rule PWN.4 shall apply and the Scenic Fiordland, Hills, Mountains and Coastal Resource Area in which case Rule PWN.5 shall apply. Provided that lines servicing new developments and/or subdivisions within urban and transitional resource areas are to be laid underground unless otherwise determined by Rule SUB.3 (K4).
- (e) Lighthouses, navigational aids, beacons, and other structures whose sole purpose is to provide for public safety.
- (f) All network utilities in existence at the date of public notification of the proposed Plan and their operation, maintenance and upgrading.
- (g) Meteorological activities for the purpose of measuring, collecting and distributing meteorological information.
- (h) Telephone exchanges, telecommunication buildings and cabinets, and telephone booths, equipment shelters, distribution transformers and substations not exceeding 30 m² in area except where such facilities are located in the Urban Resource Area, in which case Rule PWN.4 shall apply.

Reason

These activities are essential to the well-being and functioning of the District's communities and generally have minimal adverse effects.

Rule PWN.2 - Restricted Discretionary Activities Throughout the District

The following are restricted discretionary activities throughout the District:

- (a) Commercial and industrial connections to gas, water, drainage and sewer pipes.
- (b) Pumping stations for public water, drainage and sewer pipes.
- (c) New substations and additions to existing substations in rural resource areas provided that the substation does not adjoin or face any part of an Urban Resource Area or Recreation Reserve.
- (d) Depots (including buildings not being permitted activities) used for the maintenance, upgrading, alteration, construction or security of lines or pylons.

Council shall restrict the exercise of its discretion to the standard of construction and to the effect that such activities may have on amenity values and archaeological and sites of significance to the Tangata Whenua. Any application for resource consent under this Rule will generally not be notified or require the written consent of affected people.

Reason

Design and where appropriate location, of these facilities will be controlled to ensure no adverse effects result from their installation.

Rule PWN.3 - Discretionary Activities Throughout The District:

- (a) Lines as defined in Section 2 of the Telecommunications Act 1987 and Telecommunications facilities including support structures exceeding 20 metres in height and any dish antenna exceeding a diameter of 5.00 metres.
- (b) Telephone exchanges, telecommunications buildings, equipment shelters, distribution transformers and substations exceeding 30 m² in area.
- (c) Open ditches for drainage purposes where they form part of a system controlled by the Southland Regional Council.
- (d) Pylons, poles, structures and lines used for or in connection with the transmission or reticulation of electricity exceeding 20 metres in height.

In considering any applications made under (a) and (b) above and Council considers that it is likely that the activity will result in any significant adverse effect on the environment, the applicant shall follow the procedures set out in Clause 1(b) of the Fourth Schedule to the Act. The practicality, economics and feasibility of obtaining access rights and/or easements for alternative options versus that proposed will be relevant considerations in the assessment.

The following matters will be considered when assessing the application:

* **Visual Impact**

The visual impact effects of the network will be assessed in terms of the likely effect on:

- (a) Residential or recreation use of land in the vicinity of the proposed facilities.
- (b) Significant ridgelines and view planes from public places including roads.
- (c) Design elements in relation to the locality with reference to the existing character of the locality and amenity values and in making that assessment of visual effect regard will be had to:
 - (i) Scale of the facility
 - (ii) Height of structures
 - (iii) Separation of structures from site boundaries
 - (iv) Site location in terms of general locality, topography, geographical features, adjoining land uses
 - (v) Except in the case of overhead lines and support structures planting, fencing, landscaping and other amenity treatment.

* **Noise**

In assessing the impact of noise, regard shall be had to the noise environment and the locality in which it is proposed to site the facility and the noise sensitivity of the receiving environment.

* **Lighting**

- (a) The extent to which the intensity of lighting when viewed from a distance contrasts with the environment in which the installation is situated.
- (b) The extent to which the direction and positioning of lights may adversely affect the use and enjoyment of adjoining properties.

- * **Pollution**
The extent to which the installation has been designed and will be maintained to prevent as far as practicable, pollution or contamination of ground or water. The extent of measures necessary will be determined after having regard to the sensitivity of the receiving environment and the nature of risk to the environment that is inherent in the facilities.
- * The potential for visual dominance of any mast and attachment will be assessed having regard to its scale and visual appearance in the wider landscape.
- * The extent to which design, colours and amenity treatment (commensurate with Civil Aviation and other requirements), minimise the visual impact of structures on residential neighbourhoods or landscapes of high scenic quality.
- * The extent of required earthworks and vegetation clearance.
- * The public need for the facility.
- * Any unreasonable additional costs in environmental terms of placing lines underground where it is relevant to take this into account.
- * The effects these activities could have on archaeological sites, significant wildlife habitats, significant wetlands and sites of significance to the Tangata Whenua.

Reason

These activities can have significant environmental impacts (particularly visually) and full consideration of effects is needed.

Rule PWN.4 - Urban Resource Area

(a) **Controlled Activities**

- Telephone exchanges, telecommunications buildings, equipment shelters, distribution transformers and substations not exceeding 30 m² in area.
- Lines as defined in Section 2 of the Telecommunications Act 1987 and Telecommunications facilities including support structures not exceeding 20 metres in height and any dish antenna not exceeding a diameter of 5 m².

provided they conform with the rules and performance standards of the Urban Resource Area, and are controlled in respect of landscaping to mitigate adverse visual effects.

Reason

The effect of these activities can be dealt with adequately by the imposition of conditions.

Rule PWN.5 - Scenic, Fiordland, Hills, Mountains and Coast Resource Area

- (a) The following are permitted activities in these resource areas:
- Lines as defined in Section 2 of the Telecommunications Act 1987 and telecommunications facilities including support structures not exceeding 13 metres in height and any dish antenna not exceeding 5 m in diameter.
 - Pylons, poles, structures and lines used for or in connection with the transmission or reticulation of electricity not exceeding 13 metres in height.
- (b) All network utility services not provided for in (a) above or in Rule PWN.1 shall be considered as discretionary activities.

In considering any application (under this rule) the Council shall consider the following:

- * The work's visual impact and the mitigation of these effects.
- * Any effect on the natural character, feature, landscape or environment, in particular the extent of required earthworks and vegetation clearance.
- * The operational needs of the network utility services.
- * The public need for the facility.

Reason

These environments are visually sensitive and these developments can have a significant effect on the visual environment. Discretionary status enables Council to consider the full range of options in each case.

Rule PWN.6 - Separation Distances from Oxidation Ponds, Sewerage and Waste Water Treatment Facilities

The following separation distances from oxidation ponds, sewerage and waste water treatment facilities throughout the District shall apply:

150 metres from Isolated Residential buildings or buildings primarily occupied by people for whatever purpose.

300 metres for any Urban Resource Area.

Reason

Council considers these separation distances are necessary to minimise the adverse effects these facilities can have on residential activities.

Rule PWN.7 - Designations

All requirements for designation are shown on the District Planning Maps. The requiring authorities for these designations are shown in Schedule 6.1. All further requirements for designation shall be dealt with in accordance with the provisions of the Act.

Rule PWN.8 - Amenity Planting

For above ground structures (excluding lines and support structures for lines):

- (a) Those areas not used for buildings, structures, operation or future expansion of the facility, access or parking shall be planted for amenity purposes.
- (b) In addition to (a) above, for substations, a minimum 5 metre strip of amenity planting shall be provided around the outside of the group of facilities which together comprise a substation. Amenity planting shall include trees or shrubs designed to achieve substantial screening of the equipment (excluding pylons, poles or termination structures) which at maturity while not compromising electrical security and/or safety.