17 DESIGNATIONS AND UTILITY SERVICES

Transitional consenting

Changes to the Resource Management Act 1991 regarding transitional resource consenting arrangements took effect from 30 October 2026. As a result, some provisions within this chapter are affected by section 104(1A) of the Resource Management Act 1991. Text highlighted in grey identifies provisions, or parts of provisions, that have been identified as affected. Explanatory notes are shown in highlighted grey and *italics* to provide further guidance on the effect of the legislative changes.

17.1 DESIGNATIONS

CONTEXT

Designations may be imposed for a public work, or for the safe or efficient functioning or operation of a public work. Designations can be sought by a Minister of the Crown, a local authority, or a requiring authority approved under the Act.

S168 and s168A of the Act set out the information which must be included in a notice of requirement to designate. Having received the notice the Council makes a recommendation to the requiring authority as to whether the designation should be approved, modified or withdrawn. There is an appeal provision from the decision of the requiring authority on the Council's recommendations.

S176A of the Act sets out the necessity for an outline plan of the public work, project or work to be constructed on designated land, to be submitted for consideration by the Council. There are, however, three exemptions from the need to provide an outline plan, including where the work has been otherwise approved under the Act, where the details of the work are incorporated into the designation, and where the Council waives the requirement for an outline plan. If an outline plan is determined to be required, then it will need to show height, shape and bulk of the work, its location on the site, the likely finished contour of the site, vehicular access and circulation and landscaping provisions, and any other matters to avoid, remedy or mitigate any significant adverse effects on the environment.

The rules in this Plan do not apply to designated land so long as works are in accordance with the designation. Any activity or development which would prevent or hinder the public work or project or work to which the designation relates may not proceed unless it has the consent of the requiring authority.

Designated land is shown on the ***Zone Maps*** and identified in the ***Appendix 5*** in ***Part 4***. Designations have the same underlying zonings as the surrounding area. Where a designated road or railway forms the boundary between two zones, the underlying zone for the designation is the adjoining zone taken to the centre line of the road or railway.

The authority responsible for a designation may at any time require that it be altered. If the alteration is deemed to be no more than minor, the Council may, at any time, amend the designation. In doing so the Council must give written notice of the proposed alteration to all affected parties, and obtain the agreement of those parties. This cannot be done without directly affected landowners and occupiers being informed and providing their written agreement.

If a requiring authority no longer wants a designation or part of a designation, it shall give notice to the Council, any owners and occupiers of the land to which the designation relates, and every other affected party. The designation is then removed from the Plan without further formality.

A designation lapses on the expiry of five years after the date on which it is included in the Plan unless it is given effect to before the end of that period, or the requiring authority applies for, and the Council agrees to, an extension.

A full list of requiring authorities, their designations and the purpose of the designations is contained in ***Appendix 5*** of ***Part 4***. These designations are either existing designations (which may be modified) pursuant to s168, or new designations which are included in the Plan pursuant to s170 of the Act.

17.2 UTILITY SERVICES

CONTEXT

Utility services provided in the District by network utility operators include electricity, telecommunications, radio communications, meteorological services, and also water and sewerage reticulation to many (but not all) households and businesses. The definition of utility services does not include ham radio, but this is a service that has effects similar to those associated with radio communications facilities. Ham radio is therefore assumed, for the purposes of this chapter, to be a utility service activity, to which the rules in this section will be relevant.

While the provision of efficient and effective utility services is important to the general well being of people in the District, their construction and operation can give rise to adverse environmental effects in some cases. These actual or potential effects mainly relate to visual effects. This is particularly the case with overhead lines and towers, and to some extent buildings as well. Consequently, threshold standards for resource consents need to recognise visual impacts as a significant factor, but also take into account the realities of operational requirements.

Electromagnetic radiation is associated with some utility services. The Ministry of Health considers that there are no established adverse effects from exposure to radiofrequency fields which comply with the International Committee on Non-Ionising Radiation Protection (ICNIRP) Guidelines and the New Zealand Standards NZS 2722.1:1999 and NZS 6609.2:1990.

Services such as electricity and telephones need to come to each home and business. This means that the infrastructure to support those services must be provided for. The importance of this infrastructure has been recognised in the development of Resource Management National Environmental Standards (NES) for Telecommunication Facilities Regulations 2008 and Resource Management National Policy Statement (NPS) and NES for Electricity Transmission Activities Regulations 2009.

These regulations are binding and enforceable and must be read in conjunction with rules in the District Plan. The NES for Telecommunication Facilities applies to telecommunication equipment cabinets and antennas located within road reserves and includes regulations in relation to specified radiofrequency fields and the control of noise from telecommunications cabinets; while the NES for Electricity Transmission Activities only applies to activities related to the operation, maintenance, upgrading, relocation or removal of an existing transmission line of the National Grid owned and operated by Transpower New Zealand Ltd.

The National Grid is critical to supplying electricity to the Far North. Providing for its operation, maintenance, development and upgrade will assist in maintaining and enhancing the security of energy supply to the district. It is however recognised that it can create temporary and ongoing adverse effects on land that contains or adjoins the National Grid.

The location of National Grid facilities and infrastructure is often determined by technical, operational requirements and constraints. Development in close proximity to the National Grid requires careful management, as it can lead to adverse effects on the operation, maintenance, development and upgrading of these facilities and infrastructure. It is however recognised that certain activities associated with pastoral farming, forestry and horticulture can occur without compromising the National Grid.

17.2.1 ISSUES

17.2.1.1 Utility services contribute significantly to the quality of life enjoyed by Far North residents and to this extent are desirable, but also have the potential to cause adverse effects.

17.2.1.2 Inappropriate subdivision, use and development can adversely impact on the operation, maintenance and upgrade of the existing National Grid. Providing for the ongoing use, maintenance and upgrade of the National Grid will assist in maintaining and enhancing the security of energy supply to the District.

17.2.1.3 The location of some intensive activities and services associated with the existing National Grid have a functional and locational need to cross a range of environments, including sensitive environments to support economic development and contribute to the well-being of individuals and communities

17.2.2 ENVIRONMENTAL OUTCOMES EXPECTED

17.2.2.1 Utility services are provided efficiently and effectively and in a manner consistent with the promotion of sustainable management of natural and physical resources.

17.2.2.2 Utility services are provided in a manner consistent with the nature and character of the local environment, operational needs and the cost and scale of facilities.

17.2.2.3 Communication facilities and other utility services are established and designed in locations which avoid, remedy or mitigate any significant adverse visual effects to the maximum extent practicable.

17.2.2.4 A district where the safe and efficient operation, development, maintenance and upgrading of the existing National Grid is provided for and protected from direct effects and indirect effects such as reverse sensitivity and enable land use activities that are compatible.

17.2.3 OBJECTIVES

17.2.3.1 To provide for the efficient development, use, maintenance and upgrading of utility services to meet the reasonable needs of residents and businesses throughout the District while ensuring that significant adverse effects are avoided, remedied or mitigated.

17.1.3.2 To enable the operation, maintenance and upgrade of the existing National Grid while ensuring it is not compromised by incompatible activities.

17.1.3.3 To enable compatible land use activities, that can be managed to avoid compromising the operation, maintenance, and upgrading of the National Grid.

17.2.4 POLICIES

17.2.4.1 That the maintenance and upgrading of utility services and radio communication facilities is provided for.

17.2.4.2 That any significant adverse effects of proposed utility services and radio communications on amenity values is avoided, remedied or mitigated.

17.2.4.3 That provision be made to enable new/upgraded utility services to meet growth demand

17.2.4.4 That provision be made for utility services corridors (such as roads) and the co-siting of telecommunication and radio communication equipment where technically and commercially practicable.

17.2.4.5 That the safe and efficient development, operation and maintenance of existing utility services is not compromised by incompatible land development.

17.2.4.6 That direct and indirect effects generated by subdivision and land development on the safe, effective, secure and efficient operation, maintenance, development and upgrading of the existing National Grid are avoided by ensuring that:

a) National Grid Yards and Corridors are established in the Plan to ensure appropriate buffer distances for managing subdivision and land-use development near electricity transmission lines and support structures;

b) Sensitive activities and inappropriate buildings and structures, including those associated with an intensive farming activity are excluded from establishing within National Grid Yards;

c) Subdivision is managed within the National Grid Corridors to ensure the design of the proposed allotments and associated building envelopes does not compromise the operation, maintenance, development and upgrading of the existing National Grid;

d) Changes to existing activities within a National Grid Yard or Corridor do not further restrict the operation, maintenance, development and upgrading of the existing National Grid and

e) Activities within the National Grid Yard that are compatible with the operation, maintenance, development and upgrading of the National Gird can be permitted activities subject to compliance with standards.

17.2.4.7 When considering proposals for subdivision and development within an existing National Grid Corridor, the following will be taken into account:

a) The extent to which the proposal may restrict or inhibit the operation, access, maintenance, development, upgrading of the National Grid;

b) Any potential cumulative effects that may restrict the operation, access, maintenance, development and upgrade of the National Grid; and

c) Whether the proposal involves the establishment or intensification of a sensitive activity in the vicinity of the existing National Grid.

17.2.5 METHODS OF IMPLEMENTATION

17.2.5.1 Policies will be implemented through rules in the Plan.

17.2.5.2 Requiring authorities may designate land for utility services.

17.2.5.3 Financial contributions will be required at the time of subdivision or development towards the provision of car parking associated with non-residential activities and esplanade areas, commensurate with the effects of such subdivision or development on the environment.

17.2.5.4 Continued consultation with network utility providers on growth demand and the need for new and upgrades to existing infrastructure to support that growth.

COMMENTARY

Utility services are important to the quality of life of residents of the District and can also assist in maintaining or enhancing the quality of the physical environment. The converse is also true. Utility services may cause adverse effects on the environment.

The provision of new and upgrading of existing utility services is necessary to meet existing and future population needs and to provide the infrastructure network necessary for continued economic growth and development of the Far North District.

For these reasons, it is desirable to design objectives, policies and methods in respect of utility services that will provide for the well being and safety of the population of the District, while avoiding, remedying or mitigating adverse effects on the environment.

Because of the high cost of installing services, and the risk of adverse environmental effects (particularly visual impact), when utility operators provide separately for their activities consideration of the possible establishment of utility service corridors is encouraged. These corridors include provision for radio frequency forms of communication as well as land based utility services.

17.2.6 RULES

The rules contained in this section shall take precedence over the rules in ***Part 2 - Environment Provisions*** if there is overlap between the rules in this section and those contained in ***Part 2***. Where there is no overlap the rules in ***Part 2*** shall apply as well as the rules in this section, unless specifically stated to the contrary. Activities affected by this section of the Plan (***Chapter 17.2***) must, however, comply with other relevant standards in **Part 3 – District Wide Provisions**. Where an activity relates to the operation, maintenance, upgrading, relocation or removal of an existing National Grid transmission line, the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 apply. Similarly, installation of telecommunication facilities (cabinets and telecommunications antennas) within road reserve is controlled by the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008 and includes regulations in relation to specified radiofrequency fields and the control of noise from telecommunications cabinets.

Particular attention is drawn to:

(a) ***Chapter 12 Natural and Physical Resources*** (and the ***District Plan Maps***);
(b) ***Chapter 13 Subdivision***;
(c) ***Chapter 14 Financial Contributions***;
(d) ***Chapter 15 Transportation***;
(e) ***Chapter 16 Signs and Lighting***;
(f) ***Section 17.1 Designations*** (and the ***Zone Maps***).

17.2.6.1 PERMITTED ACTIVITIES

An activity is a permitted activity if:

(a) it complies with the standards set out in ***Rules 17.2.6.1.1*** to ***17.2.6.1.7***; and
(b) it complies with the relevant standards for permitted activities in the zone in which it is located, set out in ***Part 2 of the Plan - Environment Provisions***, except where these standards overlap (refer ***17.2.6*** above); and
(c) it complies with the relevant standards for permitted activities set out in ***Part 3 of the Plan - District Wide Provisions*** or the relevant ***National Environmental Standards*** except where any such provision allows for the activity affected by this section to be a "permitted activity" or where in any case the maintenance, replacement and upgrading of an existing use is specifically excluded from the operation of any rule.

Note 1: Activities which comply with the provisions of ***17.2.6.1.3*** and ***17.2.6.1.7*** are not required to comply with the zone standards in ***Part 2 – Environmental Provisions***.

Note 2: The formation and/or upgrading of roads is not included as a permitted activity under this rule and is therefore a discretionary activity.

Note 3: Earthworks rules relating to development near the National Grid as set out in Part 3 of the Plan - District Wide Provisions.

17.2.6.1.1 UTILITY SERVICES SITUATED BELOW GROUND IN ALL ZONES

All underground or in ground utility services with the exception of high pressure gas lines with a gauge pressure of more than 2,000 kilopascals; provided that:

(a) closed system structures for the conveyance of water or sewage, and incidental equipment including connections; and/or

(b) closed system pipes and fittings for the distribution or transmission of water, whether treated or untreated, for supply, including irrigation may be located above ground level where necessary for stream crossings and areas where gravity flow requires otherwise.

Note 1: Underground means that the utility service has been placed underneath the ground and is covered.

Note 2: Inground means that the utility service is placed in the ground but is not necessarily entirely covered over. For example it could be placed in a pit.

17.2.6.1.2 ABOVE GROUND UTILITY SERVICES WITHIN AN URBAN ZONE

Except as provided more specifically in ***Rules 17.2.6.1.3 'Above Ground Utility Services for Supply of Electricity Including Lines, Structures and Support Structures for the Transformation, Transmission or Distribution of Electricity'*** and ***17.2.6.1.4 'Telecommunications and Radio Communications Facilities Except in the Russell Township Zone'***, utility services within an urban environment zone, including the Coastal Residential and Russell Township Zones, are permitted activities where the structures:

(a) have a ground coverage not exceeding $3m^2$; and

(b) have a height not exceeding 1.8m, except that telephone cabinets and telephone booths not exceeding a height of 2.5m are a permitted activity;

(c) are attached to existing buildings or support structures such as bridges provided they do not extend above the building or support structure.

(d) are telecommunication facilities located in road reserve and comply with the permitted activity National Environmental Standard for Telecommunication Facilities.

Note 1: Above ground utility services in the urban environment, including the Coastal Residential and Russell Township Zones, that exceeds these thresholds are subject to ***Rule 17.2.6.4(c) Discretionary Activity.***

Note 2: Above ground utility services not in the urban environment are subject to ***Rules 17.2.6.1.3*** – ***17.2.6.1.7*** below.

Note 3: Telecommunication facilities in the road reserve not complying with the permitted activity status are subject to the other NES requirements – refer Section 5 of the NES.

17.2.6.1.3 ABOVE GROUND UTILITY SERVICES FOR SUPPLY OF ELECTRICITY INCLUDING LINES, STRUCTURES, AND SUPPORT STRUCTURES FOR THE TRANSFORMATION, TRANSMISSION OR DISTRIBUTION OF ELECTRICITY IN THE RURAL ENVIRONMENT

In the rural environment zones, including the Waimate North Zone, but excluding areas identified as Outstanding Landscapes, Outstanding Landscape Features or Outstanding Natural Features (as shown on the ***Resource Maps***), new lines or additions to lines (being a lineal extension of the line) for conveying electricity at a voltage up to and including 110 kV, including all support structures for those lines, is a permitted activity, and is not required to comply with the rules in ***Part 2 – Environment Provisions***.

Note: In the urban environment zones, recreation and conservation zones and coastal environment zones, and in areas identified as Outstanding Landscapes, Outstanding Landscape Features or Outstanding Natural Features (as shown on

the ***Resource Maps***) new lines or additions to lines for conveying electricity at a voltage up to and including 110 kV, including all support structures for those lines, are subject to ***Rule 17.2.6.4(d) Discretionary Activities.***

17.2.6.1.4 TELECOMMUNICATIONS AND RADIO COMMUNICATIONS FACILITIES EXCEPT IN THE RUSSELL TOWNSHIP ZONE

Telecommunications lines, telecommunications links and radio-communications are permitted activities in all zones except the Russell Township Zone; provided that:

(a) the maximum height of any support structure including antennae, shall be 20m unless the antenna is attached to a building in which case the height of the support structure and the associated antennae or microwave dishes shall not exceed 25m or the maximum height for the particular zone plus 7m, whichever is the greater; and

(b) the maximum diameter of microwave dishes shall be 2m; and

(c) if the facility is accessible to the public, it is designed and operated in accordance with *NZS 2722 1:1999 "Radiofrequency Fields: Part 1: Maximum Exposure Levels: 3 kHz – 300 GHz"* and with *NZS 6609.2:1990 "Radiofrequency Radiation: Part 2: Principles and Methods of Measurement: 300 kHz – 100 GHz"*.

(d) telecommunication facilities located in road reserve comply with the National Environmental Standard for Telecommunication Facilities

Note: Telecommunications lines, telecommunication links and radio communications in the Russell Township Zone are subject to ***Rule 17.2.6.4(e)***.

17.2.6.1.5 SUBSTATIONS IN THE RURAL ENVIRONMENT

Any substation located wholly within any rural environment zone, including the Waimate North Zone, is a permitted activity, provided that:

(a) it is not adjoining any urban, recreation/conservation, or coastal environment zone; and

(b) there is a minimum 5m wide amenity strip around the perimeter of the site, excluding driveways and accessways; and

(c) the amenity strip is planted with continuous planting capable of screening the building and is of a species capable of attaining a height of 6m.

Note: In all other environments, substations are subject to ***Rule 17.2.6.4(f)***.

17.2.6.1.6 ANY OTHER UTILITY SERVICES SITUATED ABOVE GROUND, NOT WITHIN THE URBAN ENVIRONMENT

Any other above ground utility service not within an urban environment zone or the Coastal Residential or Russell Township Zones, or in any road reserve within or adjoining an urban environment zone, except for those provided for in ***Rule 17.2.6.1.3, Rule 17.2.6.2*** and ***Rule 17.2.6.3*** in relation to ***'New lines or additions to lines for conveying electricity at a voltage up to and including 110 kV'*** is a permitted activity, provided that the structures:

(a) have a ground coverage of less than 50m^2; and

(b) have a height not exceeding 12m; and

(c) are on a site of less than 200m^2 in area; and

(d) are attached to existing buildings or support structures such as bridges.

Note: Any other above ground utilities not within the urban environment, except for those provided for in ***Rule 17.2.6.1.3, Rule 17.2.6.2*** and ***Rule 17.2.6.3*** in relation to '***New lines or additions to lines for conveying electricity at a voltage up to and including 110 kV'*** that exceed these thresholds, are subject to ***Rule 17.2.6.4(c)*** as are any other above ground utility structures in the urban environment zones, including the Coastal Residential and Russell Township Zones, or on any road reserve within or adjoining an urban environment zone.

17.2.6.1.7 MAINTENANCE OF UTILITY SERVICES FOR THE SUPPLY OF ELECTRICITY INCLUDING LINES, STRUCTURES AND SUPPORT STRUCTURES FOR THE TRANSFORMATION, TRANSMISSION OR DISTRIBUTION OF ELECTRICITY

The maintenance (including vegetation trimming), replacement, operation, demolition and minor upgrading of all existing utility services for the supply of electricity including structures and support structures is a permitted activity and is not required to comply with the zone standards in ***Part 2 – Environment Provisions***

Where an activity relates to the operation, maintenance, upgrading, relocation or removal of an existing National Grid transmission line, the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 apply.

For the purpose of this rule Minor Upgrading means:

An increase in the carrying capacity, efficiency or security of electricity and associated telecommunication lines, existing support structures or structures of a similar scale or character and includes:

(a) the addition of circuits or conductors;

(b) reconductoring with higher capacity conductors;

(c) the resagging of conductors;

(d) the replacement or addition of longer or more efficient insulator equipment;

(e) the addition of earthwires (which may contain a telecommunication line, e.g. fibre optic) earth peaks and lightning rods.

17.2.6.1.8 BUILDINGS AND STRUCTURES IN THE NATIONAL GRID YARD

Within any part of the National Grid Yard the following are permitted activities:

Activities around National Grid support structures

a) No buildings or structures shall be erected within 12m of any National Grid support structure.

Exemptions:

i. Network Utilities within a transport corridor or any part of electricity infrastructure that connects the National Grid,

ii. Fences less than 2.5m in height and more than 5m from a National Grid support structure.

Under the National Grid Conductors (wires)

b) Fences less than 2.5m high;

c) Alterations and additions to existing buildings used for sensitive activities that do not involve an increase in the building envelope;

d) Network Utilities within a transport corridor or any part of electricity infrastructure that connects the National Grid;

e) Uninhabitable farm/horticultural buildings and structures used for agricultural and horticultural activities but excluding intensive farming activities such as milking sheds, piggeries, poultry sheds, commercial greenhouses and protective canopies.

Note 1: Structures and activities located near transmission lines must comply with the safe distance requirements in the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001). Compliance with this plan does not ensure compliance with NZECP34:2001.

Note 2: Vegetation planted near the National Grid Yard should be selected and/or managed to ensure that it complies with the Electricity (Hazards from Trees) Regulations 2003.

17.2.6.2 CONTROLLED ACTIVITIES

An activity is a controlled activity if:

(a) it does not comply with one or more of the standards for permitted activities set out in ***Rules 17.2.6.1.1*** to ***17.2.6.1.7***; and

(b) in the General Coastal Zone it is a new line or addition to lines for conveying electricity at a voltage up to and including 110 kV, including all support structures for those lines; and

(c) it complies with the relevant standards for permitted or controlled activities set out in ***Part 3 of the Plan – District Wide Provisions***.

The Council must approve an application for a land use consent for a controlled activity but it may impose conditions on that consent. In assessing an application for a controlled activity under ***Rule 17.2.6.2*** the Council will restrict the exercise of its control to the following matters:

(i) the visual impact of the proposal;

(ii) the extent to which mitigation of any adverse visual effects is practicable or possible; and

(iii) the potential for minimising effects by location and/or proximity to existing service corridors or carriageways.

17.2.6.3 RESTRICTED DISCRETIONARY ACTIVITIES

An activity is a restricted discretionary activity if:

(a) it does not comply with one or more of the standards for permitted activities set out in ***Rules 17.2.6.1.1*** to ***17.2.6.1.7***; and

(b) it is a lighthouse, meteorological facility, navigation aid or a beacon; and

(c) it is a new line or addition to lines for conveying electricity at a voltage up to and including 110 kV, including all support structures for those lines in the Coastal Living and South Kerikeri Inlet Zones; and

(d) it complies with the relevant standards for permitted, controlled or restricted discretionary activities in the zone in which it is located, set out in ***Part 2 of the Plan – Environment Provisions***; and

(e) it complies with the relevant standards for permitted, controlled or restricted discretionary activities set out in ***Part 3 of the Plan – District Wide Provisions***.

In assessing an application for a restricted discretionary activity under ***Rule 17.2.6.3*** the Council will restrict the exercise of its discretion to:

(i) the visual impact of the proposed facility,

(ii) the extent to which mitigation of any adverse visual effects is possible; and

(iii) the potential for minimising effects by location and/or by grouping facilities.

17.2.6.4 DISCRETIONARY ACTIVITIES

An activity is a discretionary activity if;

(a) it does not comply with one or more of the standards for permitted activities set out in ***Rules 17.2.6.1.1*** to ***17.2.6.1.7***; or

(b) it is the formation, maintenance and upgrading of roads; or

(c) it is an above ground utility service not specifically provided for in ***Rules 17.2.6.1.2*** or ***Rule 17.2.6.1.6***;

(d) in all zones other than the rural or coastal environment zones, or the Waimate North Zone, or in areas identified as an Outstanding Landscape, Outstanding Landscape Feature or Outstanding Natural Feature (as shown on the ***Resource Maps***) it is a new line or addition to lines for conveying electricity at a voltage up to and including 110 kV, including all support structures for those lines; or

(e) in the Russell Township Zone, it is a telecommunications line, a telecommunication link and a radio communication facility; or

(f) in all zones other than rural environment zones, or the Waimate North Zone, and on road reserves, it is a substation; or

(g) it complies with the relevant standards for permitted, controlled, restricted discretionary or discretionary activities in the zone in which it is located, set out in ***Part 2 of the Plan - Environment Provisions***; and

(h) it complies with the relevant standards for permitted, controlled, restricted discretionary or discretionary activities set out in ***Part 3 of the Plan - District Wide Provisions***.

The Council may impose conditions of consent on a discretionary activity application or it may refuse consent to the application. When considering a discretionary activity application the Council will have regard to the assessment criteria set out in ***Section 17.2.7***.

If an activity does not comply with the standards for a discretionary activity, it will be a non-complying activity.

17.2.6.5 NON COMPLYING ACTIVITIES

An activity is a non complying activity if:

(a) it does not comply with the standards for a permitted, controlled, restricted discretionary or discretionary activities as set out under ***Rules 17.2.6.1*** to ***17.2.6.4.***

Where an application is made for development within the National Grid Yard, Transpower New Zealand Limited will be considered an affected party in accordance with the Act.

17.2.7 ASSESSMENT CRITERIA

In considering whether or not to grant consent or impose conditions the Council shall also have regard to the following assessment matters:

(a) The visual impacts of the utility services on adjoining properties and the general locality.
NOTE*: Effects on views from neighbouring properties cannot be taken into account. For further information refer to Operative plan | Far North District Council.*

(b) The cumulative visual effects with respect to existing facilities within an area, particularly radio communication and telecommunication facilities.

NOTE*: Effects on views from neighbouring properties cannot be taken into account. For further information refer to Operative plan | Far North District Council.*

(c) The extent to which the design, colours and amenity treatment mitigate the visual impact of utility structures on residential neighbourhoods.

NOTE*: Effects on views from neighbouring properties cannot be taken into account. For further information refer to Operative plan | Far North District Council.*

(d) The applicability of screening or landscaping (excluding overhead lines, masts, poles and towers where these cannot be screened), and its practicality with regard to the operational requirements of the utility.

(e) The extent to which electric and magnetic fields and increased level of microwave emissions may affect the health of persons in the vicinity of the facility, with regard to its location. In the case of radiofrequency radiation, the extent to which an application complies with the NZS 2772.1:1999 and, in the case of electric and magnetic fields, the exposure guidelines produced by the International Committee on Non-Ionising Radiation Protection.

(f) In the case of underground utility services:

(i) the nature of the subsoil;

(ii) the extent of existing underground works in the vicinity, and the effect on the visual environment and amenity values of the area.

(g) In the case of pipelines, the appropriateness of the pipe in the proposed location, and any alternatives proposed; the nature of the liquid or substance carried, the probability of a rupture, and any adverse effects on the environment caused by a rupture to the pipe.

(h) In the case of stormwater and sewage disposal:

(i) the nature of the discharge;

(ii) the location of the disposal facility in relation to the surrounding environment. Built-up areas will generally be considered inappropriate for location of pumping stations and stormwater detention ponds.

(i) The extent to which adjacent properties are at minimal risk of contamination or hazard resulting from equipment failure, accidents or discharges.

(j) The extent to which structures and facilities can be co-sited. It is considered favourable to locate facilities together so as to avoid a proliferation of above ground structures.

(k) Where a structure associated with a utility service is located adjacent to a road, the extent to which road safety is taken into account in the siting of the facility.

(l) The extent to which any adverse effects on the surrounding environment in terms of noise, vibration, odour, glare, dust, air emissions, or visual impacts can be avoided, remedied or mitigated.

(m) The extent to which there will be adverse effects from the erection, construction or provision of the utility service on natural character, heritage values, spiritual values, and habitat values, and the extent to which such adverse effects can be avoided, remedied or mitigated).

(n) The need for the new lines, additions to lines or the new utility service for security of electricity supply to the Far North and to facilitate future growth of the district.

(o) The extent to which telecommunication facilities in road reserve and electricity transmission activities

comply with the National Environmental Standards for Telecommunication Facilities and for Electricity Transmission Activities.

(p) In the case of development within the National Grid Yard:

i. outcomes of any consultation with Transpower;

ii. the provision for on-going inspection, operation, maintenance and upgrade of the National Grid, including continued reasonable access;

iii. The extent to which the development allows for activities or buildings to be set back from the National Grid transmission lines to ensure adverse effects on, and from, the National Grid and on public safety and property are appropriately avoided, remedied or mitigated.