

## 22 UTILITIES

### 22.1 Introduction

The successful functioning of the city and its many services depends on a complex network of utilities for communications purposes and for the distribution of energy, water, disposal of waste water and solid waste. These may be provided by a network utility operator, as defined in the Act, or other operators [(eg. amateur radio operators, provision of electric cabling for transport providers)]<sup>PC74</sup>.

*Refer to section 166 of the Act*

While the core function of a utility (for example, water supply or telecommunications) may not adversely affect the environment, the structures that make the service possible (such as pumping stations, aerials or relay stations) may be very visible in the environment.

Establishing or upgrading utility networks may involve the erection of special buildings or structures. The utilitarian nature of many of these, and of any related site works, can detract from the visual qualities of the area in which they are located. [Rules are in place to protect those values and characteristics that contribute to the city's sense of place from the adverse effects of network utilities. These include some Open Space Areas and Conservation Areas, listed heritage items, identified ridgelines and hilltops and the seaward side of identified coastal roads.]<sup>PC74</sup> In some cases, the utility may also affect public health or safety.

In managing the effects of utility networks, Council believes recognition should be given to the essential role that these networks play and the service they provide in the functioning of the city. District Plan rules have been designed to allow such networks to function efficiently, but to ensure that their environmental effects are avoided, remedied or mitigated.

[Rules have also been included to recognise and provide for the role of licensed amateur radio operators. Though generally regarded as a hobby, amateur radio operators can provide the only means of communication during emergencies when other technologies fail. While licensed amateur radio operators are not network utility operators as defined by the Act, their activities involve radio-communication and the radio configurations involve antennas and supporting structures. These structures can be found in any part of the city, though are more common in Residential Areas.]<sup>PC74</sup>

The rules apply where utility operators do not intend, or are unable, to operate under the designation procedures of the Act. They may, however, also be used by Council to help assess any outline plans submitted for new utilities on designated sites.

These provisions apply to utilities throughout all parts of the city. The area based objectives, policies and rules shall not apply with the exception of those that relate to noise, dust, lighting, electromagnetic radiation and hazardous substances.

### 22.2 Utilities Objectives and Policies

#### OBJECTIVES

**22.2.1** To provide for the efficient development and maintenance of utility networks [and the activities of other utility operators]<sup>PC74</sup> throughout the city while avoiding, remedying or mitigating any adverse effects of activities on the environment.

#### POLICIES

To achieve this objective, Council will:

- 22.2.1.1** **Avoid, remedy or mitigate any adverse environmental effects of utility networks by requiring resource consents for structures and activities with a significant impact[, or where they are proposed to be located in sensitive and/or highly valued environments]**<sup>PC74</sup>.
- [22.2.1.1A** **In respect of telecommunication structures, encourage the co-location of antennas on masts to reduce the need for new masts elsewhere in the city; whilst recognising the technical constraints associated with co-location and that the benefits of co-location may be outweighed by the additional visual effects associated with several antennas on one mast.**
- 22.2.1.1B** **To recognise reserve land values (typically zoned as either Open Space or as Conservation Sites) in the siting of utilities. Some utilities may be appropriate on Open Space A land as this land typically contains buildings and/or structures which can be used to mitigate the effects of utilities. On Open Space B and C land and Conservation Sites, utilities are generally discouraged but may be appropriate, where there are no reasonable siting alternatives and where adverse visual effects can be appropriately mitigated, in particular for those utilities associated with the operation of legal roads.]**<sup>PC74</sup>
- 22.2.1.2** **Have regard to the operational requirements of utility networks when exercising discretion in any resource consent process.**

#### METHOD

- Rules

[• Reserve Management Plans]<sup>PC74</sup>

Utilities are grouped according to their size, scale of effect and the sensitivity of their surrounding environment. Excluding those utilities that are Permitted Activities, the resource consent process enables Council to ensure that utilities are appropriately sited and designed to maintain an area's amenities, and that they can operate effectively with a minimum of adverse environmental effects.

In assessing applications for resource consents, Council considers the sensitivity of the surrounding environment and examines the necessity for the work's size, location, design, and scale of structures, and whether alternative options have been considered. [It is preferable that an appropriate existing environment is found which will help to mitigate the effects of the work, but where this is not possible other mitigation techniques such as planting, screening and choice of equipment colour can be used.]<sup>PC74</sup> Co-siting with existing utilities and potential cumulative effects will also be considered.

[Co-location of another network's antennas on an existing mast will generally involve additional mast height and possibly a wider replacement mast. In general additional mast height for a co-location proposal will be supported where the additional height can be accommodated by the surrounding environment. The topography and nature of surrounding uses will determine the appropriateness for additional mast height. Co-location proposals that include the decommissioning of an existing mast and any associated antennas will be considered more favourably.]<sup>PC74</sup>

Utility networks often have technical requirements for their operation which place constraints on their location - telecommunications masts, for example, require elevated positions. While recognising these constraints, Council is concerned with the potential for the significant adverse environmental effects which may incur, [particularly on the visual character of [identified]<sup>PC74</sup> ridgelines and hilltops]<sup>PC33</sup>, [listed heritage items and the seaward side of identified coastal roads. These sensitive and highly valued environments contribute to Wellington's sense of place. Residential Areas and the people that live in them can also be sensitive to the visual effects of telecommunication masts.]<sup>PC74</sup>

Some components of utility networks (underground pipes, lines and cables, and small structures, among others) have minimal environmental effects and are therefore Permitted Activities in most areas of the city. Where these utility structures are located on a road, Council exercises its authority as owner to ensure that they are appropriately designed and sited. [Road Opening Notices are administered under a separate process, distinct from the District Plan, which is guided by Council's Code of Practice for Working on Road.]<sup>1</sup>

[In Open Space Areas and Conservation Sites that are valued for their landscape, ecological or recreational values, the Council is concerned to ensure that the siting of utilities in these areas is carefully managed. In Open Space A areas some provision is made for utilities as most sites have been developed for recreational purposes and already contain buildings or other structures. In Open Space B and C areas and Conservation Sites greater limitations have been imposed because these areas are more highly prized for their landscape and/or ecological values. However, it is recognised that in some cases, where no reasonable siting alternatives exist, utilities may be acceptable if effects are appropriately mitigated, in particular for utilities associated with the operation of legal roads.]<sup>PC74</sup>

1 - District Plan Change No.14 – Utility Rules and Associated Definitions (Operative 6 July 2006)

**22.2.1.3 Encourage utility networks to be sited underground [(except for aerials, antennas, masts, utility network apparatus and utility structures, which need to be sited above ground to achieve their function).]<sup>2</sup>**

2 - District Plan Change No.14 – Utility Rules and Associated Definitions (Operative 6 July 2006)

**METHODS**

- Rules
- Advocacy

Underground utility networks which are operating properly have minimal environmental impacts as they cannot be seen. Underground utilities are therefore Permitted Activities (with the exception of Open Space B and in Conservation Sites where they are discretionary), provided that ground surfaces are restored.

Council acknowledges that locating services underground incurs extra cost and difficulty, particularly in existing urban areas. It will nevertheless [require resource consent for new overhead line networks, including new technologies, to control any adverse effects and cumulative effects of utility networks. In assessing applications Council will have regard to any technical and operational constraints on operators if undergrounding is to be achieved.

**22.2.1.4 Encourage existing overhead line networks to be relocated underground.**

**METHOD**

- Advocacy

While Council acknowledges that existing overhead line networks have existing use rights, it recognises that there may be opportunities to relocate such services underground when they are upgraded or replaced. Council will therefore advocate to utility operators, the undergrounding of existing overhead line services, where this is both practicable and beneficial, and believes that priority should be given to high pedestrianised areas and more sensitive environments, such as Wellington's residential character areas and coastal roads.]<sup>1</sup>

1 - District Plan Change No.14 – Utility Rules and Associated Definitions (Operative 6 July 2006)

**22.2.1.5 To ensure that utility structures that are critical facilities are not at risk from hazards.**

**METHODS**

- Rules
- Advocacy

The Area based rules in the Plan provide rules to control the effects of locating critical facilities in Hazard Areas. As the utility provisions of the Plan provide that the area based rules do not apply to utilities (with the exception of some conditions), the effects of locating significant utility structures that fall within the definition of critical facilities will be assessed (if they are not Permitted or Controlled Activities) as a Discretionary (Unrestricted) Activity under the utility rules when located within a Hazard Area.