



10.0 PUBLIC WORKS AND NETWORK UTILITIES

10.1 Introduction

Public works and network utilities are physical resources and include infrastructure such as telecommunications, electricity, gas, state highways and roads, water supplies, sewage and stormwater disposal systems, schools, hospitals, and some Government and Council buildings and activities. Infrastructure associated with hydro electric power generation would generally fall within the definition of a public utility, however, hydro electric power generation is provided for in Section 26 (Hydro-electric Power Generation Zone).

The majority of the District has well developed infrastructure and services to meet the needs of the people within the District. However, public works and network utilities are constantly being maintained, upgraded or expanded and therefore provision needs to be made for these activities in the District Plan.

Many public works and network utilities within the District are provided by Network Utility Operators, most of which have been granted "Requiring Authority" status under the Resource Management Act 1991. This means that many of the public works and network utilities within the District will be authorised by way of a designation in the District Plan.

The potential adverse effects on the environment that Council is seeking to avoid, remedy, or mitigate include, but are not limited to, the following:

- (i) adverse effects on the productive potential of land and especially soils within the District;
- (ii) loss of amenity values including adverse effects on the landscape of the District;
- (iii) adverse effects associated with the construction and maintenance of public works and network utilities.
- (iv) noise effects.
- (v) effects on sites and areas of ecological, heritage, or cultural value.
- (vii) effects on the health and safety of people and communities.

In addition to the objectives and policies contained in other sections of Part B of the District Plan, all public works and network utilities in the District are subject to the following provisions.



10.2 Objectives

- 10.2.1 The provision of appropriate infrastructure in a way that does not have significant adverse effects on the environment.
- 10.2.2 Sustainable management of physical resources (the built environment).
- 10.2.3 To recognise the importance of network utilities to the social, economic and cultural well-being of the people of the district.

10.3 Policies

- 10.3.1 To provide for most public works and network utilities as Permitted Activities subject to compliance with Performance Standards.
- 10.3.2 To apply criteria for the assessment of effects of new public works and network utilities not provided for as Permitted Activities.
- 10.3.3 To require the avoidance, remediation, or mitigation of significant adverse effects on the environment associated with the development of a public work or network utility.
- 10.3.4 To encourage the co-siting or sharing of public works and network utility facilities where this is technically feasible and practical and where the operations of co-sited facilities are compatible.
- 10.3.5 To encourage network utility operators to place public works and network utilities underground where appropriate and practical to avoid adverse effects on amenity values.
- 10.3.6 To ensure that all public works and network utilities are located and designed in a manner that will not adversely affect the health and/or safety of people.
- 10.3.7 To develop a strategic plan for the District which will include matters such as the provision of public works and network utilities by Council including their scope, sequence, timing, and relative priority.
- 10.3.8 To encourage the development and improvement of public works and network utilities within the District.
- 10.3.9 To protect public works and network utility installations from encroachments by land uses which are not compatible with the existing facility.



10.4 Methods to Achieve Objectives and Policies

The following identifies the methods that are to be used to achieve the objectives and policies contained in this section of the District Plan.

10.4.1 General

The Heritage and Ecological Inventory will be checked prior to the commencement of any new works.

Refer to Policy 10.3.3

- (i) Network utility operators will be encouraged, and where necessary required, to undertake the construction and operation of public works and network utilities in a way that minimises adverse effects on people and the environment.

Refer to Policies 10.3.3, 10.3.5 and 10.3.6.

- (ii) The Council will develop a strategic plan for the long term development of the District including the development and improvement of public works and network utilities.

Refer to Policy 10.3.7.

- (iii) Council will liaise with requiring authorities and encourage the provision of public works and network utilities in accordance with the specific rules listed in this section.

Refer to Policy 10.3.8.

- (iv) Public Works and Network Utilities provided by Requiring Authorities are generally allowed for in the District by way of a designation as detailed in Appendix C.

- (v) Specific rules have been developed to provide for public works and network utilities within the District as follows.

10.4.2 Specific Rules

Rule A The following public works and network utilities shall be Permitted Activities throughout the District unless otherwise stated and subject to complying with Rule B below:

- (i) Electric lines for conveying electricity at a voltage up to and including 110KV with a capacity up to and including 100 MVA per circuit.
- (ii) Lines defined by Section 5 of the Telecommunications Act 2001.



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- (iii) Electricity distribution substations, works and fittings not greater than 20m² (gross floor area) and incidental structures directly related to activities provided for within this rule, including, but not restricted to: Telecommunication Equipment Shelters and Telecommunication Cabinets.
 - (iv) Any water pipe, sanitary or stormwater drainage work or underground cabling, service mains, gas pipes for the distribution (but not transmission) of natural or manufactured gas at a gauge pressure up to but not exceeding 2000 kilopascals, accessory buildings and structures including water reservoirs up to 100,000 litres, ancillary equipment for any of the foregoing activities.
 - (v) Navigational aids and beacons.
 - (vi) Any soil and river control works undertaken by Environment Waikato and any stopbank or culvert provided all necessary approvals have been gained from Environment Waikato.
 - (vii) Irrigation systems, open drains and channels for the conveyance of water.
 - (viii) Recycling depots with a gross floor area not exceeding 10m², and a height no greater than 3 metres.
 - (ix) The construction and maintenance of:
 - a. road including roads within the meaning of Section 43 of the Transit New Zealand Act 1989 and Section 315 of the Local Government Act 1974;
 - b. footways, access ways and service lanes including footbridges over roads and railways;
 - c. bridges for roads, railways and underpasses, including stock underpasses;
 - d. public places;
 - e. public toilets;
 - f. any defence work by the Crown;



- g. street furniture as defined in the Definitions Section of the District Plan;
 - h. boat ramps provided all necessary approvals have been gained from Environment Waikato; and
 - i. all public works and network utilities in existence at the date of public notification of the proposed plan, (21 July 1994) and their operation, maintenance (including tree trimming) and upgrading.
- (x) The operation, maintenance (including tree trimming), and replacement of any public work or network utility (but not increasing the current or voltage rating of electric lines) so long as any limit specified in Rule A is not exceeded.
- (xi) The following Meteorological Facilities
- a. Automatic weather stations (AWS)
 - b. Voluntary observer sites (VOS)
 - c. Anemometer Mast only sites
- (xii) Trig stations, bench marks and other survey marks required as part of any engineering, land transfer or other land surveying activity;
- (xiii) Notwithstanding any more restrictive provisions elsewhere in this plan, in all zones except the Residential Zone:

Radio and telecommunications masts, aerials, and similar structures to a height of 26 metres above ground level, inclusive of any antennae, microwave dishes or similar attachments. No attachments shall exceed 2.5 metres in diameter.

In the Residential Zone:

Radio and telecommunications masts, aerials and similar structures shall not exceed 21 metres in height above ground level, inclusive of any antennae, microwave dishes or similar attachments. No part of any structure shall protrude through a plane rising at an angle of 45 degrees commencing at an elevation of 3 metres at the boundary of a Residential Zone.

Refer to Policies 10.3.1, 10.3.2, 10.3.5 and 10.3.6.



- (xiv) Telephone Exchanges which have a gross floor area not exceeding 150m² in the General Industrial, Heavy Industrial, Commercial Core, Commercial Fringe and Rural Zones.

Rule B Public works and network utilities specified in Rule A above excluding private forestry roads, private ways, and farm tracks shall comply with the following performance standards to be a permitted activity:

- (i) The consent of the directly affected landowner(s) must be obtained before any public work or utility is constructed or carried out.
- (ii) Comply with the rules in all other sections of Part B of the District Plan.

Refer to Policies 10.3.1 to 10.3.6.

Rule C Every public work and utility not provided for as a Permitted Activity shall be deemed to be a Discretionary Activity in every zone.

Refer to Policies 10.3.3, 10.3.5 and 10.3.6.

Rule D In relation to public works and network utilities, the following criteria shall be used when considering an application for a Resource Consent for a Discretionary Activity in the District Plan. Without limiting Council's discretion, Council will have regard to:

- (i) The degree of compliance with the performance standards for permitted public works and network utilities specified in Rule (B) above.
- (ii) The degree of compliance with other sections in this District Plan.
- (iii) The adequacy of measures to avoid or mitigate any adverse effects created by the activity.

See Section 5 (Administration)

Refer to Policies 10.3.3, 10.3.5 and 10.3.6.

10.5 Principal Reasons

Council considers that public works and network utilities (including associated infrastructure) are an essential part of the functioning of the District and they are imperative for the convenience of, and to meet expected health standards of modern life.



These services should therefore be provided throughout the District in an economic, efficient, environmentally, and culturally sensitive manner in order to meet the community's health and welfare needs and to protect the environment.

Because many public works and network utilities provide an essential service and have only minor effects on the environment they will be generally provided for as Permitted Activities.

Other public works and network utilities that have more significant adverse effects will require a resource consent for a Discretionary Activity. This is so that the effects of the activity can be fully assessed in terms of criteria specified in the rules and the purpose of the Act or the recommendation in respect of a requirement for a designation may be subject to certain conditions.

10.6 Anticipated Environmental Results

The purpose of this section of the District Plan is to enable provision of public works and network utilities throughout the District. Council has sought to establish a balance between the need for public works and network utilities and the need to ensure they are provided in a manner which is sensitive to the environment and the amenity values of the District. The following outcomes are anticipated:

That public works and network utilities:

- (i) may be provided if they can meet minimum environmental conditions and criteria.
- (ii) will not adversely affect the natural and physical environment or the amenity values of the District.
- (iii) will be provided in a manner which ensures that the safety of the public is not compromised.
- (iv) will be provided in an efficient and co-ordinated manner with a minimum of disruption to the public and environment.