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8.0 UTILITIES

8.1 Introduction

Network utility services include sewage and wastewater disposal systems, water, energy and telecommunication systems, meteorological facilities and all road, rail and air transport infrastructure. Note that the formal definition of Network utilities is given in the Chapter 24-Glossary.

Network utility services are essential to the day-to-day activities of the people in Gisborne District. The dispersed settlement patterns of the District's population often make the installation and operation of utility networks difficult, both physically and economically. Environmental considerations, particularly hazards and amenity values, must also be considered in the development of this resource. This chapter seeks to facilitate the efficient use and development of utility networks, while avoiding, remedying or mitigating any adverse effects arising from network utility activities.

8.2 Issues

- 8.2.1 Network utilities provide an essential service for the people of Gisborne District and they are an important physical resource, which enables people and communities to provide for their social, economic and cultural wellbeing.
- 8.2.2 The provision, operation and maintenance of network utilities, and the particular pattern and design of network utilities, can have a significant impact on the environment as well as social, cultural and economic wellbeing.
- 8.2.3 Network utility activities have specific technical requirements which place constraints upon where they can be located and how they can be designed.

8.3 Objective (Utilities)

1. To require network utilities to be designed, located, constructed, operated, maintained and upgraded in accordance with:
 - Avoidance, of adverse effects on the environment.
 - Energy efficiency and efficiency in the use of natural and physical resources.
 - A safe and healthy environment.
 - A high level of amenity values.

Explanation and Principal reason (1): Provision of network utility services is critical to the well-being of the community. However, in achieving the purpose of sustainable management of natural and physical resources, it is important that these activities are provided in a way that promotes efficiency, safety, a high level of amenity, any that any adverse effects on the environment resulting from them are avoided, remedied or mitigated as far as possible.

8.4 Policies (Utilities)

1. Provide for the ongoing operation, maintenance, replacement and upgrading of network utilities and for the future development and operational requirements of new network utilities.
2. Recognise that in order to achieve sustainable management given the technical and physical constraints which may be experienced by network utility operations including those associated with their scale, location, design and operation, a compromise of the natural and physical environment may occur.
3. To enable the development, maintenance and use of network utility infrastructure

- (including individually owned and operated systems) in a manner that avoids, as far as practicable, remedies or mitigates any adverse effects on the environment.
4. To encourage the planting of tree species where any interference potential will be avoided, remedied or mitigated.
 5. To enable network utility activities in the road reserve that have minor adverse environmental effects, including:
 - road maintenance;
 - maintenance or reinstatement of structures, land and flora.
 6. To ensure that the development and use of existing roads does not adversely effect the character of local communities, or the surrounding environment.
 7. The location and construction of any new facilities associated with aircraft operations or extensions to any existing facilities associated with aircraft operations shall be designed in a manner so as to ensure that any adverse health and safety effects are avoided, remedied or mitigated.
 8. The location and construction of any new facilities associated with aircraft operations or extensions to any existing facilities associated with aircraft operations shall be designed in a manner so as to ensure that any adverse effects on the surrounding landscape are avoided, remedied or mitigated to the fullest extent possible within the operational constraints of the facility.

Explanation and Principal reasons (1 -2): Provision of network utility services is critical to the wellbeing of the community. However it is important that the provision of these services to meet legitimate community needs does not unreasonably affect the sustainable management of the natural and physical environment. Individuals shall be enabled to install their own infrastructure where the adverse effect on the environment can be avoided, remedied or mitigated.

Explanation (3): The historical, cultural, spiritual or natural significance of either the proposed site or adjacent sites may be such that the presence of network utility infrastructure detracts from its amenity values or significance. Principal reason (3): To maintain or enhance the historical, cultural, spiritual or natural significance of localities throughout Gisborne District.

Explanation (4): Tree species that have a limited maturity height are less likely to interfere with network utility services. Trees planted on sites not immediately adjacent to underground network utility infrastructure are less likely to cause damage. Principal reason (4): To facilitate the efficient use and development of physical resources.

Explanation (5): Some activities in the road reserve that are necessary to maintain the efficient use of network utility infrastructure may have minor adverse effects. Principal reason (5): To facilitate the use and development of network utility infrastructure in the road reserve.

Explanation (6): The development of roads may have adverse effects on the character and amenity value of the local environment. The homogeneity of a neighbourhood can be physically divided, affecting local social and economic interactions. Subsequent increased traffic flows can create added noise, dust, vibration and danger to pedestrians, (especially children) and cyclists. Similarly, changes to flora, fauna and water flow patterns may arise. Principal reason (6): To maintain or enhance the quality of the environment.

Explanation (7): Careful consideration must be given to the siting, design and operation of any new aircraft operation and maintenance areas to minimise the potential for aircraft accidents. Principal reason (7): To reduce the risk of injury or damage from aircraft accidents.

Explanation (8): Careful consideration must be given to the siting, design and operation of any new aircraft operation and maintenance areas to avoid the adverse environmental effects of dust and noise. Principal reason (8): To maintain or enhance amenity values and the quality of the environment.

8.5 Policies (Taruheru Block)

Roading Network

1. To promote a safe roading network.
 2. To ensure that activities are consistent with the development of a roading pattern which has sufficient linkages and connectivity to allow for:
 - The efficient and safe movement of traffic (including pedestrians and cyclists);
 - Opportunities for walking and cycling;
 - The development of efficient utility networks.
 - Provision for Emergency Vehicle requirements.
 3. To discourage access onto Back Ormond Road in the area indicated as 'restricted access road' in Appendix 20 – Taruheru Block Infrastructure Plan.
 4. To review:
 - the intersection between the infrastructure plan road north of Ruru Avenue and Back Ormond Road; *and*
 - the extension of Joanne Street into the middle of the block.

Consideration will be given to severing the links to motorized vehicles but retaining access for non-motorised users and utility services (Refer to Taruheru Infrastructure Plan – Appendix 20 for location of possible severance points). Consideration will also be given to the practicality of using methods which allow access to emergency vehicles e.g. retractable bollards.
 5. To promote the extension of Ruth Street into the middle of the block, as shown in Appendix 20, with a point where access for motorized traffic is severed. The suggested point of severance is indicated in Appendix 20 but Council will be open to consideration of moving the severance point. Council shall also consider the practicality of using methods which allow restricted access e.g. to emergency vehicles, such as retractable bollards.
 6. To promote the alignment of roads with the high voltage electricity lines and proposed drainage swale, as far as possible.
- Water Supply Network**
7. To ensure that activities are consistent with the extension of water supply infrastructure throughout the Taruheru Block in a manner that has sufficient connectivity and capacity in order to provide a high level of security of supply and meet fire safety standards, while minimising the costs of infrastructure.
- Wastewater Network**
8. To ensure that activities are consistent with the development of a co-ordinated wastewater network throughout the block which is resource and energy efficient.
- Stormwater Network**
9. To ensure that activities are consistent with the development of a stormwater network which utilizes gravity to provide an effective drainage service throughout the block.
- High Voltage Transmission Lines**
10. To ensure that new development is designed and planned around the high voltage transmission lines in order to achieve appropriate separation distances required for public health and safety and security of the infrastructure, access to the infrastructure for inspection and maintenance and to minimise the amenity impacts of the lines.
 11. To alert of the presence of the lines and the need to maintain safe separation distances through the identification of a High Voltage Transmission Line Corridor in the Taruheru Infrastructure Plan (Appendix 20).

Refer to the minimum safe separation distances required from high voltage lines in NZ Electrical Code of Practice for Electrical Safe distances – NZECP 34:2001

Refer also to Transpower's guideline for development near high voltage transmission lines for guidance on planting, orientation of buildings etc.

Taruheru Infrastructure Plan

12. A concept for the development of utilities in the Taruheru Block will be promoted (Appendix 20 – Taruheru Block Infrastructure Plan) in order to co-ordinate the development of infrastructure to achieve objectives and to allow for the shared and co-ordinated funding of infrastructure where appropriate.

Explanation and Principle Reasons:

Roading Network

Roads should be designed in recognition that roads provide a corridor for network utilities and the pattern of roading is important to the efficiency of network utilities. Roads should also be designed in recognition that the roading pattern influences opportunities for walking and cycling and the efficiency of traffic movements.

The level of connectivity in the roading network is one important factor to consider and it is thought that, as a general rule, a roading network with a high level of connectivity will help to encourage walking and cycling, efficient traffic movements and efficient network utilities. Connectivity helps to promote direct (and therefore shorter) travel and different route options, which may help to encourage walking and cycling and efficient traffic movements. A roading pattern with a high level of connectivity helps to promote efficient wastewater and stormwater networks by providing opportunities to maximise the use of gravity to drain stormwater and wastewater. Connectivity helps to promote efficient water supply networks by providing opportunities to create an interconnected pattern of water mains, which is important for security of supply and water pressure.

Access is discouraged in the area marked as "restricted access" in order to avoid conflict between slower traffic entering Back Ormond Road and faster traffic entering the city, and in order to preserve the arterial function of Back Ormond Road.

In the future Council will consider severing the link between the structure plan road north of Ruru Avenue and Back Ormond Road in order to further protect the arterial function of Back Ormond Road. However, in the short term, the link is necessary to avoid pressure for development with multiple accesses onto Back Ormond Road and to allow for co-ordinated provision of services.

Council will also consider blocking vehicle access at Joanne Street extension at the point indicated in the Infrastructure Plan in order to avoid potential congestion at the Potae Avenue / Lytton Road intersection and to promote more balanced flows on the road network surrounding the block. In the short term Council will promote a development pattern that maintains the link so that access can be provided into the middle of the block for services and traffic.

The extension of Ruth Street is promoted as a route for non-motorised users. Providing this connection into the middle of the block will also provide a pathway to connect water infrastructure. Council will promote severing the link to motorised vehicles within the area indicated in the infrastructure plan, recognising that this may help to distribute traffic in the roading network. Consideration will be given to relocating the severance point, temporarily or permanently to allow access while parts of the road remain unformed, or for other reasons.

Severance methods which allow restricted access to certain vehicles may improve emergency access and safety.

Water Supply, Wastewater and Stormwater Networks

In achieving the purpose of the Act it is important that utilities are designed to deliver an efficient service. This requires the integration of subdivision and landuse with the provision of utilities.

The swale promoted for the Taruheru Block should be incorporated into the area in a way which promotes safety and amenity and which allows for maintenance. A "back section" location should be avoided, as it would likely create a space bordered by high fences, with a low level of passive surveillance, causing safety and amenity issues. It is considered that the best option is to align the swale with roads.

High Voltage Transmission Lines

To optimise development outcomes the presence of the lines should be considered early in planning any development of the Taruheru Block. Activities will need to comply with the minimum safe separation distances specified in the NZECP 34 : 2001. The identification of a High Voltage Transmission Line corridor in Appendix 20 will help alert developers and Council of the existence of the lines and the need to maintain separation distances. The existing transmission lines may also have a visual effect, but by "designing-in" the lines, these impacts can be reduced. Alignment of the high voltage transmission lines with roads is promoted as this will help to ensure ease of access for maintenance. Alignment of the lines with the road will also help to ensure that the safety buffers between the transmission lines and development is incorporated into the area in a positive way, avoiding adverse impacts on amenity values.

Refer also to 11.9 for objectives relating to transport noise.

Taruheru Infrastructure Plan

A development concept is provided for the area so that the costs of development can be forecast and allocated in an equitable manner through methods such as development contributions or financial contributions. Promoting a concept for development will also help to promote objectives relating to infrastructure such as efficiency, safety and a high level of amenity because it provides a vision about how each development will fit into a larger integrated whole. The concept must have a level of certainty if it is to be of use in achieving objectives and allocating costs.

8.6 Gisborne Airport**8.6.1 Introduction**

Gisborne Airport is a physical resource of regional significance. It's efficient operation is important to enable the community to provide for it's social, cultural and economic well-being. It also contributes to peoples' safety and health as a facility to enable the local operation of the Air Ambulance Service.

Intense development near Gisborne Airport could affect the safety and efficiency of air transport activities. Historically there has been some encroachment into flight corridors by vegetation. The use of nearby rural land, or it's development for industrial use could potentially lead to effects that interfere with aircraft flight corridors, such as increasing the number of birds near the airport, or causing dust, smoke or thermal air currents. These activities may not only jeopardise aircraft activities, but also place people at risk from the potential of aircraft accidents.

8.7 Objective (Airport)

- | |
|--|
| 2. Unobstructed and unimpaired land and airspace for all activities associated with aircraft operations at Gisborne Airport. |
|--|

Principal reason (4): A safe operating environment is required for all aircraft activities associated with aircraft operations. In particular, defined airspace corridors, unobstructed by physical objects or electronic interference, is required for the safe approach, departure and in-flight manoeuvres of aircraft.

8.8 Policies (Airport)

- | |
|--|
| 9. To ensure that ground-based activities do not interfere with airport and aircraft operations including the use of navigation and communication devices. |
| 10. To ensure that activities resulting in population density and activities resulting in the mass assembly of people in areas of highest risk from aircraft accidents are minimized. In considering whether to grant consent or impose conditions in respect of a resource consent, or designation requirement or requirement to modify a |

designation, Gisborne District Council will have regard to the following assessment matters:

- the maximum number of people who may occupy or use the site and the duration of time in which they will be assembled on the site;
 - any potential effects on the health and safety of people from aircraft accidents.
11. The location of noise sensitive activities in the Airport Noise Impact Overlay shall only be provided for where such activities will not compromise aircraft operations and safety.
12. To ensure that any development in the vicinity of the Gisborne Airport does not emit discharges that have the potential to be a hazard in navigable airspace as set out in Civil Aviation Rule 77 (Appendix 35).

Explanation (9): The potential for aircraft accidents increases near the airport as aircraft undertaking landing or taking off manoeuvres are in close proximity to the ground, have limited options to manoeuvre and require precise control and guidance.

Ground based activities in the proximity of the airport must be compatible to maintain the efficient operation and safety of aircraft using Gisborne Airport and its air space corridors.

Threats to aircraft operations arising from nearby ground-based activities may include; intrusions into aircraft flight corridors by the height of structures, dust, smoke or birds, significant thermal disturbances or electronic interference to navigation aids, (e.g. reflection from large metal structures). Principal reason (9): To safeguard the operational environment of Gisborne Airport to provide for the safety and health of people.

Explanation (10): Activities near the airport that attract or accommodate large numbers of people increases the hazard potential from aircraft accidents. Allowing large numbers of people to assemble in areas where there is a risk of aircraft accidents is an adverse effect in terms of Section 3 of the Act. Principal reason (10): To avoid or mitigate any potential adverse effects of aircraft by limiting the number of people who occupy land or assemble beneath the runways' approach and departure fans.

Explanation and Principal Reason (11): The airport is an essential facility for the social and economic wellbeing of Gisborne District. There are, however, noise issues related to the airport which are essential for their operation. Noise sensitive activities that locate in the vicinity must be able to ensure that they are able to avoid, remedy or mitigate the adverse effects of noise. (refer also to Policy 11.5.6).

Explanation and Principal Reason (12): The threat to airport safety due to hazardous discharges in the vicinity should be avoided. These airport services are essential for the economic wellbeing and the continuing health and safety of the local and wider community. The policy will ensure that this service is protected as the hinterland develops over time.

Refer also to 11.10 for policies relating to transport noise.

8.9 METHODS OF IMPLEMENTATION

8.9.1 Advocacy / Information

1. Gisborne District Council will research and maintain a list of trees suitable to plant in urban areas.
2. Gisborne District Council will liaise with other network utility service providers to initiate a public awareness programme advocating the tree list and advising people of where to plant them in relation to network utility services.

Principal reasons (1 and 2): This information and the public's use of it will reduce or avoid the need for having to invest greater resources in the future to remedy problems in maintaining the efficient use of network utility infrastructure.

Note

The tree list will be a document independent of the District Plan.

8.9.2 Works

1. To ensure that the Gisborne District Councils' own tree planting programmes do not cause future interference with network utility infrastructure by using careful tree and site selection.

Principal reason (1): Gisborne District Council is the principal body that plants trees in existing road reserves.

8.9.3 Regulation

1. Zones
2. Roading Hierarchy: Council shall classify roads according to their function into a roading hierarchy. Rules and conditions may be applied according to the road and / or the adjoining property according to the road's classification within the roading hierarchy.

The four classifications of the roads within the roading hierarchy shall be:

- a) Arterial Roads: These are roads which:
 - Serve as direct links of strategic importance within the district and to the rest of New Zealand.
 - Are a significant element in the district economy
 - Have access standards for permitted activities determined on the basis of strategic function and traffic volumes
- b) Principal Roads: These are roads which:
 - Serve as links of strategic importance within the district
 - Are a significant element in the local economy
 - Often serve as local roads
- c) Collector Roads: These are roads which:
 - Are locally preferred routes between or within areas of population or activity

Refer to Roading Hierarchy maps, Appendix 12 and construction standards in 15.2.1.

- Complement arterials and principals but have property access as a higher priority
 - Have standards suitable to the safety requirements of the traffic volume on each section
- d) Local Roads: These are all other roads servicing land use activities with standards appropriate for the traffic use.
3. Airport Protection Overlay Area: The Airport Protection Overlay Area (APOA) is an overlay illustrated on the Urban and Rural planning maps that effects the identified land in close proximity to Gisborne Airport and its' flight corridors. Rules to protect both Gisborne Airport and land users shall apply to this area.
4. Air Noise Boundary and Outer Control Boundary: These boundaries identify, in accordance with NZS 6805:1992 "Airport Noise Management and Land Use Planning", the 55dBA and 65dBA noise limit boundaries (respectively). These noise controls apply for activities associated with the operation of the airport. This method enables identification of areas in which noise sensitive activities would not be appropriate and recognises the essential nature of the airport operation to the Gisborne District.
5. Airport Height Control Surfaces: These are air corridors to and from each runway, together with transition side slopes, a horizontal surface and a conical surface laying over and radiating out from the runways. Vegetation and structures are restricted from encroaching into these surfaces.
6. Rules

*Refer to Appendix 13
for location of APOA.*

*Refer to Appendix 19
for location of noise
boundaries.*

*Refer to Appendix 14
for location and
determination of
airport height control
surfaces.*

Principal reason (1): Different zones in which different activities take place have different amenity values. Different provisions may apply to different zones to acknowledge and compensate for the different amenity values associated with various zones.

Principal reason (2): The classification and standardisation of design and construction of road reserve infrastructure will provide consistency and certainty for developers while addressing adverse effects.

Principal reason (3): Rules within an identified area near Gisborne Airport - the Airport Protection Overlay Area - are the most certain method of both protecting the operation of Gisborne Airport and avoiding, remedying or mitigating the adverse effects of airfields and helipads.

Principal reason (4): Rules which recognise the essential nature of the airport and its inability to relocate, have been developed to protect the airport operation from compromise through location of noise sensitive activities in the vicinity of the airport. The Air Noise Boundary and the Outer Control Boundary identify noise boundaries within which these rules apply. Such activities would only be allowed within the Outer Control Boundary (they are prohibited in the Air Noise Boundary) if they are suitably insulated against the accepted noise generated by some airport activities.

Principal reason (6): Rules are the most practical method of ensuring safety, health and amenity values are not adversely effected while still enabling the provision of network utility services.

8.9.4 Other Controls

1. Attention is drawn to other Gisborne District Council plans made under the Act but outside of the District Plan that are relevant to network utility activities in regard to contamination and discharges. These include:
 - a) The Regional Air Quality Management Plan;
 - b) The Regional Discharges to Land and Water, Waste Management and Hazardous Substances Plan;

- c) The Regional Coastal Environment Plan.
2. Attention is drawn to other regulatory controls independent of the Act used by Gisborne District Council to control activities in the road reserve: This includes:
- a) The Local Government Act 2002;
 - b) Bylaws made under the Local Government Act 2002 and Local Government Act 1974;
 - c) The Gisborne District Council Code of Practice for Engineering Standards 1997;
 - d) The Building Act 2004 and Building Code (and subsequent amendments);

Note:

The Gisborne District Code of Compliance for Roading Works and Projects contain the specifications for the construction and maintenance of carriageways, footpaths and accessways in the road reserve.

8.10 RULES FOR NETWORK UTILITY ACTIVITIES

Note

In addition to the rules of Chapter 8, network utility activities shall comply, where relevant, with the regional or district rules in Chapter 3-Cultural Heritage, Chapter 4-Natural Heritage, Chapter 5-Natural Hazards, Chapter 6-Land, Chapter 7-Beds of Lakes and Rivers, Chapter 9 – Contaminated Sites, Chapter 9A – Hazardous Substances, Chapter 10-Signs Chapter 12- Subdivision, and Chapter 14-Financial Contributions

General Rules

The following General Rules shall apply to all permitted network utility activities:

8.10.1 Noise and Parking

- a) Network utility activities shall be exempt from the requirements of Chapter 11-Noise where these activities occur in a rural (excluding the Rural Lifestyle Zone), industrial, port or commercial zone, provided that the best practicable option is used to ensure that noise does not exceed a reasonable level.
- b) Network utility activities located in a residential, reserve zone or the Rural Lifestyle Zone shall comply with the requirements of Chapter 11-Noise.
- c) Network utility activities (on sites of greater than 200m²) shall comply where relevant, with Chapter 15. Provided that only network utility activities involving industrial, warehousing, motor vehicle repairs and service, office and retail activities shall be required to comply with Rule 15.4.

8.10.2 Zoning of Roads and Railway Reserve

- a) Where a road or railway reserve is surrounded by one zone, the zone of the road or railway reserve shall be that of the surrounding zone.
- b) Where a road or railway reserve is adjacent to two or more zones, the zone of the road or railway reserve shall be that of the highest adjoining zone ranked in the following order of priority:
 - i. Residential Zones (**highest**)
 - ii. Reserve Zones
 - iii. Rural Zones
 - iv. Commercial Zones
 - v. Port Management Zones
 - vi. Industrial Zones (**lowest**)

8.10.3 Radio frequency Radiation and Electro and Magnetic Fields

- a) All network utilities shall comply with the New Zealand Standard NZS2772.1 (1999) Radiofrequency Fields: Part 1 Maximum Exposure Levels - 3KHz - 300GHz and with NZS 6609.2:1990 - Radiofrequency radiation: Part 2: Principles and Methods of Measurements 300khz to 100ghz or any subsequent replacement national standard for either of these standards.
- b) All network utility activities shall comply with the International Commission on Non-ionizing Radiation Protection (ICNIRP) Guidelines (1990) and any subsequent replacement Guidelines or Standards.

8.10.4 Stockpiles

- a) Stock piles of roading materials or spoil not intended for immediate use or transport:
 - i. shall not be sited in residential zones or commercial zones;
 - ii) shall be contained within the site, and not enter or interfere with drains or waterways.

8.10.5 Lighting and Glare

- a) All exterior lighting shall be directed away from adjacent properties and roads so that the spill of light is contained within the external boundaries of the property.
- b) Any welding activities (excluding construction activities) shall be screened so that they are not visible from residential or reserve zones and roads.
- c) Activities shall not emit artificial lighting greater than:
 - i) 10 lux spill (horizontal and vertical) of light as measured at or within the boundary of any site zoned residential or the notional boundary of any rural dwelling;
 - ii) 20 lux spill (horizontal and vertical) of light as measured at or within the boundary of any property zoned commercial.
- d) In industrial and reserve zones between the hours of 1800 and 2200 hrs the limits apply at the boundary of residential or rural zones directly adjoining industrial or reserve sites or 20 metres from a residential building in a rural area, and are measured in a vertical plane parallel to the relevant boundary, to a height equal to the height of the potentially affected dwellings.
- e) In industrial and reserve zones between the hours of 2200 and 0700 hrs limits apply in the plane of the windows of the habitable rooms of dwellings on nearby residential properties.

8.10.6 HeightNote:

1. To clarify, lines, cables, aerials, antennas, masts, pylons, poles, streetlights and other support structures which are excluded from the definition of "utility structures" (Chapter 24) are not subject to any restrictions on height, yard distances or building length except in the case of Rules 8.10.7.1(b), 8.11 and 8.12.1.4.
2. Where a structure, which is specifically excluded from the definition of "utility structure" is affixed to a building or structure, the affixed structure shall not be included when determining the total height of the building or structure.

8.10.6.1 Residential and Rural zones

- a) Utility structures shall be contained within recession planes commencing 2.75 metres above each site boundary. The angles of the recession plane at each site boundary shall be determined using the recession plane indicator.

Provided that in the residential zones a building or structure may be erected where it exceeds the boundary of the recession plane by not more than one metre if the written consent of the adjoining property owner is obtained and submitted to the Consent Authority.

*Refer to Appendix 21 -
Recession Plane
Indicator.*

8.10.6.2 Reserve zones

- a) On any reserve zone having a common boundary with a residential or rural zone, utility structures shall not project beyond a building envelope constructed by recession planes from points 2.75 metres above site boundaries. The angle of such recession planes shall be determined for each site by use of the recession plane indicator.

8.10.6.3 Commercial zones

- a) Utility structures shall comply with the following height limits:
- i) Inner Commercial zone (Gladstone Rd/Peel St marked as continuous street facade): Maximum: 14 metres
 - ii) Inner Commercial zone (area not marked as continuous street facade): Maximum 10 metres
 - iii) Outer Fringe & Amenity Commercial zone Maximum: 12 metres
 - iv) Suburban & Rural Commercial zones Maximum 10 metres

PROVIDED THAT any site having a common boundary with any residential or reserve land, utility structures shall not project beyond a building envelope constructed by recession planes from points 2.75m above site boundaries. The angle of such recession planes shall be determined for each site by use of the recession plane indicator.

8.10.6.4 Industrial zones

- a) Maximum height for utility structures: 20 metres
- b) Where any site has a common boundary with or is separated from land zoned residential, rural or reserve by any road or railway, then utility structures shall not project beyond a building envelope constructed by recession planes from points 2.75 m above the boundary facing the residential, rural or reserve zoned site. The angle of such recession planes shall be determined for each site by use of the recession plane indicator.

*Refer to Appendix 21
- Recession Plane
Indicator*

8.10.6.5 Port zones (for utility structures)

- a) Maximum height for any structure in Zone A 12m

PROVIDED THAT

- i) structures do not include antennas and their supporting structures and network utility poles and streetlights;
 - ii) on any site having a common boundary with any land zoned residential or reserve, structures shall not project beyond a building envelope constructed by recession planes from points 2.75m above site boundaries. The angle of such recession planes shall be determined for each site by use of the recession plane indicator.
- b) Maximum height for any structure in Zone B (excluding structures associated with essential port activities): 30m

PROVIDED THAT

- i) structures adjoining land zoned reserve and structures to be constructed adjacent to the edge of the "cone of vision" shall not project beyond a recession plane comprising a vertical height on the boundary of 6m and an inclined plane extending from 6m above the ground away from the cone of vision at an angle of 45 degrees.
- ii) On any site having a common boundary with any land zoned residential or reserve, structures shall not project beyond a building envelope constructed by recession planes from points 2.75m above site boundaries. The angle of the recession planes shall be determined for each site by use of the recession plane indicator.
- c) The height of vegetation or structures in the APOA shall not extend into the air height control surfaces.

*Refer to Appendix
21 - Recession
Plane Indicator.*

8.10.7 Yard Distances (excluding activities within road reserve and sites of 50m² or less)**8.10.7.1 Residential zones**

- a) Canopies and verandahs may intrude into the street when determining compliance with yard requirements.
- b) All utility structures (including support structures): All yards: 4.5 metres

Provided that any structure may be erected a minimum of 2 metres from any boundary, excluding front boundaries, if the written consent of the adjoining property owners is obtained and submitted to the Consent Authority at the stage a building consent is sought.

8.10.7.2 Commercial zones (utility structures only)

- a) Inner Commercial Zone:
A continuous building edge is required along Gladstone Road, Peel Street, Lowe Street between Gladstone Road and Reads Quay and any other areas marked on the planning maps as continuous street facade.
- b) Awapuni Road Area zoned Outer Commercial between Grey Street, Awapuni, Customhouse St and Waikanae Stream:
Front yard: (on Awapuni Rd and Customhouse St) 7.5m
Rear yard on Waikanae Stream: 20m from MHWM
- c) All other zones:
 - i) yards are required only where a site adjoins a residential zone.
 - ii) side yards: 3.0m
 - iii) rear yards for service areas & outdoor storage areas: 4.5m
 - iv) street boundaries of car parks: 3.0m

8.10.7.3 Industrial zones (utility structures only)

- a) Yards are only required where the site adjoins a site which is zoned residential, rural, or reserve:
 - General Industrial zone: 4.5 metres
 - Rural Industrial zone: 10 metres

8.10.7.4 Rural zones (utility structures only)

- a) All yards: 4.5 metres
Provided that utility structures may be erected on any side or rear yard if the written consent of the adjoining property owner is obtained and submitted to the Consent Authority at the time a building consent is sought, or prior to the commencement of the activity.
- b) No crib or fence shall be erected where it obstructs traffic sight lines.
- c) Eaves of buildings may not encroach by more than 0.6m on any yard.

8.10.7.5 Port zones (utility structures only)

Yards are only required where the site adjoins:

- a) a road adjacent to a residential zone: 4.5m
 b) the Hirini Street Cemetery: 3.0m

8.10.7.6 Reserve zones (utility structures only)

- a) Utility structures shall be set back a minimum of 4.5 metres from road boundaries; 3.0 metres from residential and rural residential zone boundaries unless otherwise stated in the relevant zone.

8.10.8 Building Length

- a) No utility structure where it adjoins a residential or reserve zone shall be more than 15 metres long without:
- having a vertical or horizontal offset in plan of at least 2 metres, or
 - being confined within the arms of a 150° angle formed by two lines intersecting at a common point on all site boundaries such that each line forms an angle of 15° with the boundary (see Figure (1)), or
 - being offset from each other unit by not less than 25 per cent of the width of the unit nearest the road, with a minimum offset of 2m (see Figure (2)); or
 - the written consent of the adjoining property owners, shall be obtained and submitted to the Consent Authority at the time a building consent is sought, or prior to the commencement of the activity.
 - No utility structure (excluding roads, rail and buildings) shall exceed 30m² gross floor area in or adjoining a residential or commercial zone.

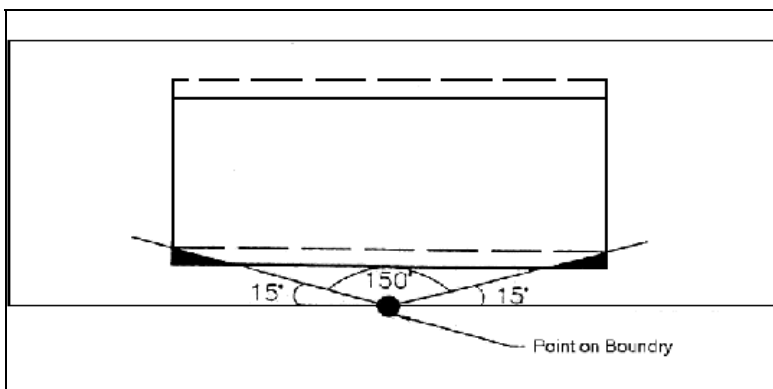


Figure 1 Example of a unit built within a 150 degree angle, centred on the boundary.

Note: In the example of Figure 1 the shaded areas denote where the buildings exceed the requirement. The dotted line indicates a building outline that does satisfy the requirement.

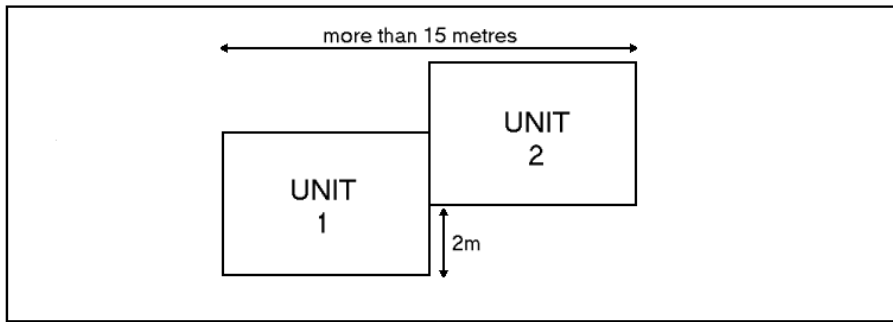


Figure 2 Example of units being offset by two metres

8.10.9 Taruheru Block

- a) All wastewater sewers and connections shall be located to achieve consistency with the wastewater pump station catchments indicated in Appendix 20 - Taruheru Block Infrastructure Plan.
- b) The drainage swale shall be aligned in road reserve as indicated in Appendix 20 – Taruheru Block Infrastructure Plan.

8.11 RULES FOR ACTIVITIES WITHIN AND ADJACENT TO THE AIRPORT

8.11.1 Airport Protection Overlay Area (APOA)

*Refer to Appendix 13 -
Airport Protection
Overlay Area.*

The following requirements shall apply to all activities in any area denoted as the Airport Protection Overlay Area (APOA) on the Airport Protection Area Overlay map, or the Urban and Rural planning maps:

- a) The rules for the APOA shall take precedence over the underlying zone rules.
- b) The establishment of new residential dwellings on land zoned Rural Residential in the APOA shall not result in a residential density of more than one dwelling per hectare.
- c) No structure or activity in the APOA shall, singularly or cumulatively:
 - i. attract birds onto Gisborne Airport or into the APOA that may compromise aircraft safety;
 - ii. generate or otherwise cause dust or smoke that may compromise aircraft safety;
 - iii. generate or otherwise cause thermal air movements that may compromise aircraft safety;
 - iv. cause electronic interference with Gisborne Airport navigation, communication or aircraft control device or signal.

Note:

1. Metal structures with a linear horizontal length of 35m or more have a high potential to reflect radio waves from Gisborne Airport's navigation aids.
2. Attention is drawn to Civil Aviation Regulation 190 (Dangerous Lights).

8.11.2 Air Corridors

- a) No vegetation or structures shall encroach into the "Airport Height Control Surfaces.

Note:

The height of vegetation or structures applicable to the Airport Height Control Surfaces can be calculated from the text of Appendix 14 - Airport Height Control Surfaces.

*Refer to Appendix 14 -
Airport Height Control
Surfaces.*

8.12 ALL ZONES

8.12.1 Permitted Activities

Unless otherwise specified in this Plan, the following network utility activities shall be permitted activities provided they comply with the General Rules 8.10.1 – 8.10.9 and Rule 8.11:

For activities in Cultural Heritage Overlays refer to Chapter 3.

For activities in Natural Heritage Overlays refer to Chapter 4.

For activities in the Hazard Overlays refer to Chapter 5.

8.12.1.1 Network utility activities (excluding those listed in 8.12.2 as Restricted Discretionary and 8.12.3 as Discretionary activities)

For activities in the beds of lakes and rivers refer to Chapter 7.

8.12.1.2 Installation and construction of structures associated with network utility activities (excluding activities listed in 8.12.2 as Restricted Discretionary and 8.11.3 as Discretionary activities)

Refer to Chapter 6 for Land Disturbance and Vegetation Clearance.

Provided that:

- a) Where overhead reticulation of services exists on legal road, additional connections may be made overhead to individual properties. All other lines and cables shall be placed underground (except in rural zones and for subtransmission line extensions (50kV) and except that General Rule 8.10.7 shall not apply).

8.12.1.3 Alteration, minor upgrading, removal and maintenance of structures associated with network utility activities (except that General Rules 8.10.6 and 8.10.7 shall not apply)

8.12.1.4 Installation, alteration or removal of antennas and associated support structures

Provided that:

- a) In residential zones antennas shall not extend more than 3.5m above the highest point of any building they are attached to;
- b) In rural zones antennas shall not extend more than 5.0m above the maximum permitted height for buildings in the zone, or the highest point of any building or structure they are attached to, whichever is the greater. This is determined by applying the recession plane indicator as provided for in Rule 21.8.3;
- c) In residential and rural zones the maximum height of support structures (including fixtures except lightning rods) shall not exceed 20 metres;
- d) The maximum diameter of support structures (including irregular shaped support structures), above 3.4 metres vertical height from ground level, shall not exceed 600mm;
- e) In residential zones only one support structure may be erected per site (excluding accessways and roads).
- f) In residential zones antennas shall not exceed 1.4 metres in diameter.

8.12.2 Restricted Discretionary Activities

The following activities shall be restricted discretionary activities:

8.12.2.1 Network utility activities and structures listed as Permitted which do not comply with the Rules in respect of:

- a) Noise and parking
- b) Underlying zones
- c) Radiofrequency radiation and EMF
- d) Stockpiles
- e) Lighting and glare
- f) Height, yards and building length
- g) Airport Protection Overlay Area and Air Corridors
- h) Location under or overground (Refers to non-compliance with Rule 8.12.1.2(a))
- i) Number of support structures, per site, associated with antennas

Council shall restrict its discretion to the matters a) - d) specified below:

- a) Health and safety
- b) Traffic
- c) Location
- d) Amenity values

In determining an application for resource consent Council shall restrict its discretion to only matters associated with conditions a) – i) above which are unable to be complied with.

8.12.2.2 Installation or alteration of pylons

Council shall restrict its discretion to the matters a) - c) specified below:

- a) Health and safety
- b) Location
- c) Amenity values

8.12.2.3 Construction of new roads

Provided that:

1. The activity is not part of a proposed subdivision.

Council shall restrict its discretion to the matters a) - d) specified below:

- a) Health and safety
- b) Traffic
- c) Location
- d) Amenity values

8.12.2.4 Noise sensitive activities (excluding noise sensitive activities in buildings which comply with Rules 8.12.2.4, 11.17.1 and 11.17.2) on land located within the Noise Impact Overlay Area

Refer to Appendix 19 - for location of the Noise Impact Overlay Area.

Council shall restrict its discretion to the matters a) - e) specified below:

- a) Impact on amenity values
- b) Effects on human health and comfort
- c) Reverse sensitivity on the operation of the Gisborne Airport.
- d) Acoustic insulation.
- e) Financial contributions

8.12.3 Discretionary Activities

The following activities shall be discretionary activities:

- 8.12.3.1 Installation or alteration of sewage treatment plants
- 8.12.3.2 Construction or alteration of airfields or helipads
- 8.12.3.3 Construction or alteration of electricity generating plant
- 8.12.3.4 Network utility depots in rural, residential and commercial zones
- 8.12.3.5 Installation or alteration of all network utility structures in Heritage Reserve and Amenity Reserve Zones
- 8.12.3.6 Network utility activities which are not provided for as Permitted, Restricted Discretionary or Prohibited activities

8.12.4 Prohibited Activities

The following activities shall be prohibited activities for which no resource consent shall be granted:

Refer to Appendix 13 Airport Protection Overlay Area.

- 8.12.4.1 Activities in the APOA which do not comply with Rule 8.11
- 8.12.4.2 Construction or alteration of buildings in the APOA to establish the following new activities (except where they are required for airport operations):
 - a) Visitor accommodation
 - b) Camp grounds and motor camps
 - c) Hospital
 - d) Residential care housing
 - e) Health and medical centres
 - f) Educational institutions (including early learning centres and childcare facilities)
 - g) Structures for the purpose of public assembly
- 8.12.4.3 Noise sensitive activities on land located within the Air Noise Boundary (except where they are required for airport operations).

Refer to Appendix 19 - Air Noise Boundary.

8.13 ANTICIPATED ENVIRONMENTAL RESULTS

- a) Ongoing operation, maintenance and upgrading of existing network utilities and provision of new network utilities where significant adverse effects on the environment can be avoided, remedied or mitigated.
- b) Protection of network utilities from other land use activities which may adversely affect them.