

KEY

Red Underlined – Recommended Additions

~~Red Strikethrough~~ – Recommended Deletions

[HSX] – Hearing stream recommendation

INFRASTRUCTURE - INFR

Overview

Infrastructure provides services for the community to function. At a National level, the government has prepared the “Thirty Year New Zealand Infrastructure Plan 2015” (NZIP 2015). Some key challenges outlined in the NZIP 2015 include: aging *infrastructure* networks, affordability constraints and *climate change*. These challenges also apply to the Gore District.

For the purpose of this District Plan, *Infrastructure* involves those services that provide networks and facilities for transport, electricity transmission, electricity distribution, telecommunication and radio communication, *water*, *wastewater*, drainage, solid waste, and *natural hazard* management.

It is recognised that *infrastructure*, and particularly *critical infrastructure*, is essential to providing for the health, safety and well-being of the people and communities of Gore.

The purpose of this chapter is to ensure existing *infrastructure* and land reserved for future *infrastructure* can be developed and maintained for their intended purpose, whilst managing the adverse effects of *infrastructure*. However, some sites technically ideal for the location of *infrastructure* may be unsuitable having regard to their environmental effects, including impacts on landscape and *biodiversity* values, or the underlying relationships Ngāi Tahu hold with the natural environment. Designations may also provide for *infrastructure*.

The use of more sustainable infrastructure such as green infrastructure provide opportunities to improve degraded natural environments, improve local amenity and enhance long-term environmental resilience. These approaches help to minimise the impacts of climate change by improving resilience and allowing infrastructure to adapt to change.

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The Council also manages *infrastructure* through the Gore District Council Subdivision and Land Development Bylaw 2019 (Subdivision Bylaw 2019) and the Gore District Council 30 Year *Infrastructure Strategy* 2018-2048 (Infrastructure Strategy 2018). The Council may consider a subsequent replacement or update to the bylaw to remain in line with best practice.

While the use and operation of *infrastructure* can have adverse effects on adjoining activities and *sites*, activities adjoining *infrastructure* can also have adverse effects, including *reverse sensitivity*, on *infrastructure*.

Objectives

INFR-O1 ~~Provide for The operation, maintenance, upgrading and development of~~ *infrastructure* that is:

1. Efficient, effective and resilient;
2. Provides and distributes essential and secure services as part of local, regional or national networks, including in emergencies;
3. Co-ordinates with urban development and land uses throughout the district; and
4. Enables people and communities to provide for their wellbeing.
5. Integrates with existing and potential future infrastructure in a safe and efficient way.

~~provided for to meet the needs of the community and businesses.~~

~~INFR-O2 — Infrastructure within new subdivisions and developments integrates with existing infrastructure in a safe and efficient way and provides for opportunities to link with future infrastructure in accordance with the Gore District Subdivision and Land Development Bylaw 2019 or any subsequent replacement document.~~

INFR-O3 *Infrastructure* or land reserved for future *infrastructure*, is protected from adverse effects of *subdivision*, use and development that is incompatible or may compromise the construction, maintenance, upgrade and use of *infrastructure*.

INFR-O4 Adverse *effects* from the construction, maintenance, upgrade and use of *critical* *infrastructure* are managed.

INFR-O5 Low emission and climate resilient urban environments are encouraged through the prioritisation of green infrastructure.

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Policies

- INFR-P1 Enable the construction, maintenance, upgrade and use of *infrastructure*.
- INFR-P2 Require the underground placement of *network utilities* where practical and appropriate for the *functional needs* and *operational needs* of the *network utility*.
- INFR-P3 Encourage *green infrastructure* and renewable energy generation.
- INFR-P4 Encourage co-location and sharing of *infrastructure*.

~~INFR-P5 Encourage co-location and sharing of infrastructure.~~

~~INFRA-P6-5~~ Adverse *effects* (including *reverse sensitivity effects*) are avoided, remedied or mitigated where activities are adjacent to *critical infrastructure*, including the management of *sensitive activities* and the *effects* of *subdivision*, use and development that may compromise the operation, maintenance, upgrade and development of the *National Grid* and the State Highway Network.

~~INFRA-P7-6~~ Manage the development of *infrastructure*, so that adverse effects on adjoining activities, sites, ecosystem health, and Ngāi Tahu cultural values are avoided, remedied or mitigated to avoid, remedy, or mitigate any adverse effects on:

1. sensitive environments, adjoining activities, sites and ecosystem health and

2. any actual or potential effects on mana whenua and the values they associate with the area including whakapapa, the mauri of natural resources, wāhi tapu, mahinga kai, the ability to exercise manaakitanga, mātauranga associated with the current landscape, and the exercise of kaitiakitanga; while

3. recognising the functional need and operational needs of infrastructure

Notes

Note 1 Provisions in Other Chapters

The provisions in this chapter apply in addition to the provisions of the other district wide chapters in the District Plan and the plan should be read as a whole. This chapter also implements other chapters in the District Plan that do not have specific rules such as Sites and Areas of

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Significance to Māori and Mana Whenua. This Rules and standards in Part 3 - Area Specific Matters (zones) do not apply to activities managed under this chapter, unless expressly identified within the chapter.

Roads are defined as a utility, however the rules in this Chapter do not apply to the construction, management, upgrading or use of *Roads* of the *Transport Network*. These activities are managed by Subdivision and Transport Chapters.

Airports and approach control services are defined as *network utilities*. Some *Airport* Related Activities are also defined as *network utilities*. However, the rules in this Chapter do not apply to *Airport* Activities or *Airport* Related Activities within the Airport Zone (Chapter 3.15) and Transport Chapter.

Note 2 Gore District Council Subdivision and Land Development Engineering Standards

The Gore District Council Subdivision and Land Development Bylaw 2019 provides layout and design standards that apply to construction and *land* development activities. In addition to the requirements of the District Plan, compliance is required with the provisions and processes of the Bylaw, or any subsequent Council Engineering Code of Practice replacing it.

Note 3 National Policy Statements and National Environmental Standards for *Infrastructure*.

Section 75(3) of the RMA directs that the district plan must give *effect* to any National Policy Statement (NPS) and National Environmental Standard (NES). NES's must be observed and enforced by local authorities. Section 43B of the RMA directs that a NES prevails over District Plan rules unless a NES expressly stated that it does not.

Note 3 National Environmental Standards For Telecommunications Facilities

The use of Ancillary Equipment, Antenna, Cabinet, Pole and Small Cell Unit were written with the NESTF definitions in mind.

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Rules

INFR-R1	Establishment, operation, maintenance, replacement, upgrade, repair or removal of <i>infrastructure</i> (including <i>Green Infrastructure</i>) below <i>ground level</i> <u>not otherwise addressed by another rule in this chapter.</u>	
All Zones	Activity status: Permitted	Activity status where compliance not achieved: N/A
INFR-R2	Establishment, operation, maintenance, replacement, upgrade, repair or removal of infrastructure within a <i>building</i> <u>not otherwise addressed by another rule in this chapter.</u>	
All Zones	Activity status: Permitted	Activity status where compliance not achieved: N/A
INFR-R3	Operation, maintenance, replacement, upgrade, repair or removal of existing above <i>ground level infrastructure</i> and <i>access tracks</i>.	
All Zones	Activity status: Permitted Where: 1. Either Compliance with all INFR standards are achieved, or the structure or line (as it existed at <i>date this plan is operative</i>) does not exceed: (a) maximum increase in external dimensions, except diameter of support poles - 25%, (b) maximum increase in diameter of support poles - 50%. (c) maximum increase in cross-sectional area of any structure, when viewed in any direction - 50%. (d) maximum change in location of <i>structure</i> - 5m; and 2. All <i>structures</i> and lines no longer required for <i>infrastructure</i> purposes are removed within six months; and	Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. The functional and operational needs of, and benefits derived from, the <i>infrastructure</i> , including the potential impact on the levels of service or health and safety if the work is not undertaken. 2. The bulk, <i>height</i> , location and design of the <i>infrastructure</i> , including any associated <i>buildings</i> or <i>structures</i> . 3. The <i>amenity values</i> of the respective zone and the extent to which any adverse visual amenity <i>effects</i> can be avoided, remedied or mitigated.

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	3. Pole mounter electricity transformers that are located over 2 metres above <i>ground level</i> must remain at least 2 metres above <i>ground level</i>.	4. Impacts on the <u>safety and</u> function of the <i>road</i>, including any <i>footpath</i> <u>or cycleway</u>. <u>5. Impacts on the function of the rail network, including vehicle access tracks.</u> <u>6.</u> <i>Site</i> reinstatement and replanting. <u>7.</u> The duration, timing, and frequency of the activity. <u>8.</u> Impacts on Ngāi Tahu cultural values, including those listed in the MW2.3 <u>9.</u> The matters of discretion for the infringed standard.
INFR-R4	Establishment of above ground <i>infrastructure</i> (including <i>Green Infrastructure</i>) <u>not otherwise addressed by another rule in this chapter.</u>	
All Zones exempting the General Rural, Rural Lifestyle, Field Days and Camp Columba,	Activity status: Permitted Where: ~~Other than where existing support poles structures are used, lines~~ are ~~to be~~ located underground <u>and replacement support poles meet the permitted provisions in INFR-R3(1), and</u> <u>electric vehicle charging stations that complies with all INFR Standards</u>	Activity status where compliance is not achieved with: INFR-R4(1 <u>and 2</u>): Restricted Discretionary Matters of discretion: - The reason for the lines being above ground. - The <i>amenity values</i> of the respective zone and the extent to which any adverse visual amenity <i>effects</i> can be avoided, remedied or mitigated.

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General Rural, Rural Lifestyle, Field Days and Camp Columba.	3. Compliance with all INFR Standards is achieved.	INFR-R4(~~23~~): Restricted Discretionary Matters of discretion: 1. The matters of discretion of any infringed standard
INFR-R5	<i>Network utilities</i> generating radiofrequency fields.	
All Zones	Activity status: Permitted Where: 1. Compliance with INFR-S8 is achieved.	Activity status where compliance is not achieved: Non-complying
INFR-R6	<i>Network utilities</i> emitting electric and magnetic fields.	
All Zones	Activity status: Permitted Where: 1. Compliance with INFR-S9 is achieved.	Activity status where compliance is not achieved: Non-complying
INFR-R7	Activities and development (other than <i>earthworks</i>) within the <i>National Grid Yard</i>.	
All Zones	Activity status: Permitted Where: 1. The activity is not a <i>sensitive activity</i> ; and 2. <i>Buildings or structures</i> comply with NZECP34: 2001 and are: (a) for a <i>network utility</i> ; or (b) a <i>fence</i> not exceeding 2.5m in <i>height</i> above <i>ground level</i> ; or (c) a non-habitable <i>building or structure</i> used for <i>agricultural and horticultural activities</i> including irrigation that is not a milking shed/dairy shed	Activity status where compliance is not achieved: ~~Discretionary~~ <u>Non-Complying</u>

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- (excluding the stockyards and ancillary platforms), a wintering barn, a *building* for intensive farming activities, or a commercial greenhouse or produce packing facilities;
- (d) building alterations or additions to an existing *building* or *structure* that do not increase the *height* above *ground level* or footprint of the *building* or *structure*; and
3. A *building* or *structure* provided for by (2)(a) to (d) must:
- (a) not be used for the handling or storage of *hazardous substances* with explosive or flammable intrinsic properties in greater than domestic scale quantities;
 - (b) not permanently obstruct existing *vehicle access* to a *National Grid* support *structure*;
 - (c) be located at least 12m from the outer visible edge of a foundation of a *National Grid* support *structure*, except where it is a *fence* not exceeding 2.5m *height* above *ground level* that is located at least 6 metres from the outer visible edge of a foundation of a *National Grid* support *structure*.

INFR-R8 **Telecommunications lines, cabinets, poles and new antennas regulated by the NESTF that do not meet the permitted activity standards in Regulations 20, 21, 22, 27, 29, 31, 33, 35 or 37 of the NESTF and are not expressly provided for as a controlled activity in Part 3 of the NESTF.**

All Zones

Activity status: Restricted Discretionary

Matters of discretion:

1. The *functional needs* and *operational needs* of, and benefits derived from, the *network utility*, including the potential impact on the levels of service or health and safety if the work is not undertaken.

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2. The bulk, *height*, location and design of the *network utility*, including any associated *buildings* or *structures*.
3. The *amenity values* of the respective zone and the extent to which any adverse visual amenity *effects* can be avoided, remedied or mitigated.
4. *Site* reinstatement and replanting.
5. The duration, timing, and frequency of the activity.
6. Impacts on Ngāi Tahu cultural values, including those listed in the MW.2.3
7. The extent and *effect* of non-compliance with any relevant Infrastructure Standards and the matters of discretion for the infringed standard(s).

INFR-R9

Establishment of new *infrastructure* within specified areas

All Zones

Activity status: Discretionary

Activity status where compliance is not achieved: N/A

Where:

1. The establishment of new *infrastructure* within:
 - (a) an Outstanding Natural Landscape or Feature
 - (b) a *Significant Natural Area*
 - (c) 20m of the Maitai River
 - (d) Is critical infrastructure in the Maitai River Floodway
 - (e) a *site* containing an item on the Heritage Schedule, a *Notable Tree*, ~~a Site of Significance to Māori~~ or an *Archaeological Site*
 - (f) land inside of the river side of a Southland Regional Council Stopbank

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	(g) <u>is critical infrastructure on Land subject to a high or very high risk of liquefaction</u>	
INFR-R10	All other infrastructure	
All Zones	Activity status: Discretionary Where: 1. <i>Infrastructure</i> , including all <i>buildings</i> and <i>structures</i> , not otherwise provided for in the above rules.	Activity status where compliance is not achieved: N/A

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Standards

INFR-S1	Lines over <i>waterbodies</i>	
All Zones	1. Above-ground lines are to be at least 10m above the <i>water</i> level of a navigable <i>waterbody</i> when at its maximum navigable flow or attached to, and no lower than, existing structures over a navigable <i>waterbody</i> <u>or otherwise comply with NZECP34:2001.</u>	Activity Status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. The <i>effects</i> on navigation. 2. Alternative locations for the <i>structure</i>. 3. The <i>functional needs</i> and <i>operational needs</i> of, and benefits derived from, the <i>structure</i>, including the potential impact on the levels of service if a <i>structure</i> of the proposed size is not approved. 4. The <i>amenity values</i> of the respective zone and the extent to which any adverse visual amenity <i>effects</i> can be avoided, remedied or mitigated. 5. Potential impacts on mahinga kai activities
INFR-S2	Height of <i>Infrastructure</i>	
All Zones	1. All <i>buildings</i> or <i>structures</i> must comply with the relevant maximum <i>height</i> provisions for <i>buildings</i> of the zone they are located in. Except this rule does not apply to: (a) masts or poles for navigation, meteorology, electricity distribution or telecommunications;	Activity Status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. Alternative locations for the <i>structure</i>.

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	(b) antennas for telecommunication and radio communication; (c) lines and support structures.	2. The <i>functional needs</i> and <i>operational needs</i> of, and benefits derived from, the <i>structure</i>, including the potential impact on the levels of service if a <i>structure</i> of the proposed size is not approved. 3. The <i>amenity values</i> of the respective zone and the extent to which any adverse visual amenity <i>effects</i> can be avoided, remedied or mitigated. 4. Impacts on ~~Ngāi Tahu~~ cultural values, including those listed in the MW-2.3
INFR-S3 <i>Height of Poles and Masts</i>		
Rural Zone, Rural Lifestyle Zone, General Industrial Zone and Light Industrial Zone	The maximum <i>height</i> of any utility pole or mast, <u>and associated electricity lines</u> shall be: 1. 25m	Activity Status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. Alternative locations for the <i>structure</i>.
All Other Zones	2. 13m	2. The <i>functional needs</i> and <i>operational needs</i> of, and benefits derived from, the <i>structure</i>, including the potential impact on the levels of service if a <i>structure</i> of the proposed size is not approved. 3. The <i>amenity values</i> of the respective zone and the extent to which any adverse visual amenity <i>effects</i> can be avoided, remedied or mitigated. 4. Impacts on ~~Ngāi Tahu~~ cultural values, including those listed in the MW-2.3

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INFR-S4	Setbacks from boundaries	
All Zones	1. Where the utility is a <i>building</i>, it must be set back in accordance with the side, rear, ~~and~~ <u>road boundary, and rail corridor</u> setbacks for <i>buildings</i> in the zone in which it is located. Except this <u>standard rule</u> does not apply to: (a) poles, antennas, ~~and~~ associated cabinets <u>and ancillary equipment</u> (cabinets <u>and ancillary equipment</u> up to 10m² in area and 3m in <i>height</i>, exclusive of any plinth or other foundation), for telecommunication, ~~and~~ <u>radio communication and electricity transmission and distribution activities;</u> (b) lines and support structures for telecommunications <u>and electricity transmission and distribution;</u> (c) <i>network utilities</i> within legal <i>road</i>.	Activity Status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. Alternative locations for the <u>building structure</u>. 2. The <i>functional needs</i> and <i>operational needs</i> of, and benefits derived from, the <u>building structure</u>, including the potential impact on the levels of service if a <u>building structure</u> of the proposed size is not approved. 3. The <i>amenity values</i> of the respective zone and the extent to which any adverse visual amenity <i>effects</i> can be avoided, remedied or mitigated. 4. Impacts on the <u>safety and</u> functionality of the <i>road</i>, including <u>any footpath or cycleway</u>.
INFR-S5	Minimum Setbacks from Rivers and Stream	
All Zones	1. <u>The foundation of a</u>Any <i>infrastructure building or structure</i> must be set back from the closest bank of any stream or <i>river</i> as follows: (a) 20m for high order rivers or streams (order 5 and above); (b) 10m for middle order rivers or streams (order 3 and 4); and (c) 5m for low order rivers or streams (order 1 and 2).	Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. Whether there is a <i>functional need</i> for the <i>building or structure</i> to locate in a riparian margin, and the extent to which alternative practicable options have been considered and their feasibility.

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Except that fences of post and wire construction are permitted within the setback where these are:

- (i) not constructed with wire mesh if located within an area of Actual or Potential Inundation as identified within the Natural Hazards layer of the Planning Maps;
- (ii) not located within the stream or riverbed;
- (iii) not constructed across the stream or river channel; or
- (iv) not constructed across or along a stopbank.

Refer to Appendix 3 for river and stream orders and guidance on riverbed extents and the location of banks for measuring setbacks.

2. The effects on water quality and the stability and health of the stream bed and banks, including erosion and *sedimentation control measures*.
3. The nature of existing riparian vegetation and the effects of proposed planting or modification on indigenous *biodiversity* and ~~/or habitats~~ proposed mitigation measures, including:
 - (a) opportunities for enhancement and restoration;
 - (b) methods proposed to monitor or inspect the works undertaken;
 - (c) the timing of works to minimise adverse effects on threatened or at risk indigenous species; and
 - (d) management of potential adverse effects through a Biodiversity Management Plan.
4. The natural character of the riparian margin and the effects of the activity on landscape values and the ability to restore, rehabilitate or enhance riparian areas. Refer to Natural Features and Landscapes – Appendix 5 in regard to the Maitai River.
5. Impacts on ~~Ngāi Tahu~~ cultural values, including those listed in MW.2.3.
6. The effects on public and customary access to the stream or river.
7. The potential for flooding and to create new or exacerbate existing *natural hazards*, impact natural drainage patterns, redirect overland flow paths or flood flows, including on to other sites.

INFR-S6

Footprint of *buildings and structures*

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All Zones

The maximum footprint of any utility *building* or *structure* shall comply with the relevant building coverage provisions for the zone and overlay they are located in.

1. ~~In the General Residential, Large Lot Residential, Medium Density Residential, Settlement, Town Centre, Local Centre, Neighbourhood Centre and Māori Purpose zones: 6m²~~
2. ~~In all other zones: 10m²~~

Activity Status where compliance is not achieved:

Restricted Discretionary

Matters of discretion:

1. Alternative locations for the *structure*.
2. The *functional needs* and *operational needs* of, and benefits derived from, the *structure*, including the potential impact on the levels of service if a *structure* of the proposed size is not approved.
3. The *amenity values* of the respective zone and the extent to which any adverse visual amenity *effects* can be avoided, remedied or mitigated.
4. Impacts on ~~Ngāi Tahu~~ cultural values, including those listed in the MW-2.3
5. Impact on safe, efficient and effective function or operation of roads including State highways including any obstruction of views of intersections, accessways or ongoing traffic and any shading over roads.

INFR-S7

Antennas, Small Cells and ancillary equipment

All zones

1. That for panel antennas the maximum width is 0.7m, ~~and~~ for all other dish antenna ~~types~~ the maximum surface-area diameter is no greater than 0.6m² in the residential zones and 1.2m² in all other zones ~~1.5m²~~ and for whip and dipole

Activity Status where compliance is not achieved:

Restricted Discretionary

Matters of discretion:

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	antennas, <u>the maximum length is</u> ~~are~~ less than 4m ~~in length~~. 2. For small cells <u>and ancillary equipment</u>, the volume of the unit must not exceed 2.5m³.	1. Alternative locations for the <i>structure</i>. 2. The <i>functional needs</i> and <i>operational needs</i> of, and benefits derived from, the <i>structure</i>, including the potential impact on the levels of service if a <i>structure</i> of the proposed size is not approved. 3. The <i>amenity values</i> of the respective zone and the extent to which any adverse visual amenity <i>effects</i> can be avoided, remedied or mitigated. 4. Impacts on Ngāi Tahu cultural values, including those listed in the MW-2.3
INFR-S8	Radiofrequency fields	
All Zones	1. <i>Network utilities</i> must not exceed the maximum exposure level of the general public in the New Zealand Standard for Radiofrequency Fields Part 1: Maximum Exposure Levels 3 kHz to 300GHz (NZS 2772.1: 1999) measured at all places reasonably accessible to the general public.	Activity Status where compliance is not achieved: Non-complying
INFR-S9	Electric and magnetic fields	
All Zones	1. <i>Network utilities</i> must not exceed the International Commission on Non-Ionising Radiation Protection Guidelines for limiting exposure to time varying electric and magnetic fields (1Hz - 100kHz) (Health physics, 2010, 99(6); 818-836) and recommendations from the World Health Organisation monograph Environmental Health Criteria (No 238, June 2007).	Activity Status where compliance is not achieved: Non-complying