

Chapter 30

Utilities and Renewable Energy

This table identifies provisions subject to and consequentially affected by appeals:

| Provision Subject To Appeal (identified in red text in the relevant chapter/s) | Appellant Court Number | Consequentially Affected Provisions |
|---|--|-------------------------------------|
| Section 30.1 | Transpower New Zealand Limited ENV-2018-CHC-114 (further particulars received) | |
| Section 30.1.2 | Transpower New Zealand Limited ENV-2018-CHC-114 (further particulars received) | |
| Policy 30.2.6.1 | Queenstown Airport Corporation Limited ENV-2018-CHC-093 | |
| Objective 30.2.7 | Queenstown Airport Corporation Limited ENV-2018-CHC-093 (further particulars received) | |
| Policy 30.2.7.1 | Queenstown Airport Corporation Limited ENV-2018-CHC-093 (further particulars received) | |
| Policy 30.2.7.2 | Transpower New Zealand Limited ENV-2018-CHC-114 (further particulars received) | |
| Policy 30.2.7.3 | Transpower New Zealand Limited ENV-2018-CHC-114 (further particulars received) | |
| Objective 30.2.8 | Transpower New Zealand Limited ENV-2018-CHC-114 (further particulars received) | |
| Policy 30.2.8.1 | Transpower New Zealand Limited ENV-2018-CHC-114 | |
| Rule 30.3.2.c | Aurora Energy Limited ENV-2018-CHC-108 | |

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| Rule 30.3.3.3 | Queenstown Airport Corporation Limited ENV-2018-CHC-093 | |
| Rule 30.5.1.5 | Queenstown Park Limited ENV-2018-CHC-127 | |
| Rule 30.5.3.2 | Transpower New Zealand Limited ENV-2018-CHC-114 (further particulars received) | |
| Rule 30.5.3.4 | Transpower New Zealand Limited ENV-2018-CHC-114 (further particulars received) | |
| Rule 30.5.3.5 | Transpower New Zealand Limited ENV-2018-CHC-114 (further particulars received) | |
| Rule 30.5.4.1 | Transpower New Zealand Limited ENV-2018-CHC-114 (further particulars received) | |
| Rule 30.5.6.8 | Cardrona Alpine Resort Limited ENV-2018-CHC-117 Te Anau Developments Limited ENV-2018-CHC-106 (further particulars received) | Rule 30.5.6.9 Rule 30.5.6.9 |

This table identifies new provisions sought to be added:

| Appellant Court Number | Provision/s Sought to be Added into Chapter 6 |
|---|---|
| Aurora Energy Limited ENV-2018-CHC-108 | Insert reference to Significant Electricity Distribution Infrastructure in Policy 30.2.6.1. |
| Aurora Energy Limited ENV-2018-CHC-108 | Insert a new Policy 30.2.6.6 as follows: <u>Manage the effects of activities that may be incompatible with Electricity sub-transmission Infrastructure and Significant Electricity Distribution Infrastructure by identifying corridors within which incompatible activities are controlled.</u> |
| Aurora Energy Limited ENV-2018-CHC-108 | Insert the following inclusions in Rule category 30.5.5: <u>(including Electricity Sub-Transmission and Significant Electricity Distribution Infrastructure).</u> |
| Aurora Energy Limited ENV-2018-CHC-108 | Insert a new Rule 30.5.5.6 as follows: <u>Building, structures and activities that are not National Grid Sensitive Activities within the Sub-Transmission or Significant Electricity Distribution Infrastructure Corridor.</u> <u>Subject to Compliance with 30.5.6.1</u> |

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| | <u>Non-compliance status = P</u> |
| Aurora Energy Limited ENV-2018-CHC-108 | Insert a new Rule 30.5.5.7 as follows: <u>Earthworks within the Sub-Transmission or Significant Electricity Distribution Infrastructure Corridor</u> <u>Subject to Compliance with 30.5.6.2</u> <u>Non-compliance status = P</u> |
| Aurora Energy Limited ENV-2018-CHC-108 | Insert a new Rule category 30.5.6 as follows: <u>Sub-Transmission or Significant Electricity Distribution Infrastructure Corridor Standards</u> |
| Aurora Energy Limited ENV-2018-CHC-108 | Insert a new Rule 30.5.6.1 as follows: <u>Buildings and structures permitted within the Sub-Transmission or Significant Electricity Distribution Infrastructure Corridor</u> <u>30.5.6.1.1 – Written consent is obtained from the lines owner confirming the construction can occur in compliance with NZECP34.</u> <u>Non-compliance status = RD</u> |
| Aurora Energy Limited ENV-2018-CHC-108 | Insert a new Rule 30.5.6.2 as follows: <u>Earthworks permitted within the Sub-Transmission or Significant Electricity Distribution Infrastructure Corridor</u> <u>30.5.6.2.1 – Written consent is obtained from the lines owner confirming the construction can occur in compliance with NZECP34.</u> <u>Non-compliance status = RD</u> |
| Aurora Energy Limited ENV-2018-CHC-108 | Insert a new Rule 30.6.2 as follows: <u>Any application for resource consent under Rule 30.5.6 will not be publically notified, but will be limited notified to the lines owner, except where written approval of the lines owner is provided.</u> |
| Aurora Energy Limited ENV-2018-CHC-108 | Insert the exclusion of electricity cabinets and kiosks for Electricity Distribution from Rule 30.5.1.4 by amending point c. as follows: <u>c. lines, and support structures, electricity cabinets and kiosks for Electricity Distribution.</u> |
| Cardrona Alpine Resort Limited ENV-2018-CHC-117 | Exclude utilities required in the operation of tourism activities within Ski Area Sub Zones from the provisions of Chapter 30. |
| Queenstown Airport Corporation Limited ENV-2018-CHC-093 (further particulars received) | Insert new provision into Policy 30.2.7.1: <u>a. avoiding the location of regionally significant infrastructure in heritage and special character areas, Outstanding Natural Landscapes and Outstanding Natural Features and where avoidance is not practicable,</u> <u>a. avoid significant adverse effects on the values that contribute to the significant or outstanding nature of the area, landscape or feature and that contribute and minimise other adverse effects on those areas, landscapes or features;</u> <u>b. avoid, remedy or mitigate other adverse effects as necessary to maintain the outstanding or significant nature of those areas, landscapes or features;</u> <u>c. avoid, remedy or mitigate other adverse effects.</u> |
| Queenstown Park Limited ENV-2018-CHC-127 | Insert express confirmation in the rules or definitions that flood protection works can be undertaken by private interest and private landowners. |

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| <p>Te Anau Developments Limited ENV-2018-CHC-011 (further particulars received)</p> | <p>Insert new rule under 30.3.3 to exclude tourism activities within rural visitor zones: <u>30.3.3.4 The provisions in this chapter do not apply to tourism activities in the Rural Visitor Zone.</u></p> |
| <p>Transpower New Zealand Limited ENV-2018-CHC-114 (further particulars received)</p> | <p>Insert new permitted activity: <u>30.5.3.6 Lines and Supporting Structures</u> <u>The placement and upgrading of lines, poles and supporting structures, but not lattice towers, within formed legal road.</u> <u>Subject to compliance with Rule 30.5.4.3</u></p> |
| <p>Transpower New Zealand Limited ENV-2018-CHC-114 (further particulars received)</p> | <p>Insert new controlled activity: <u>30.5.3.7 Lines and Supporting Structures</u> <u>Except as otherwise stated in Rules 30.5.3.5, 30.5.3.6 and 30.5.3.8 new lines and associated above ground support structures including masts, poles or ancillary equipment, but excluding lattice towers, to convey electricity at a voltage of 110kV or less.</u> <u>Control is reserved to:</u> <u>a. location;</u> <u>b. route;</u> <u>c. height;</u> <u>d. appearance, scale and visual effects.</u> <u>Subject to compliance with Rule 30.5.4.3</u></p> |
| <p>Transpower New Zealand Limited ENV-2018-CHC-114 (further particulars received)</p> | <p>Insert new permitted activity: <u>30.5.3.9 Underground Electricity Cables</u> <u>The placement of underground electricity transmission cables provided the ground surface is reinstated to the state it was prior to works commencing.</u> <u>Subject to compliance with Rule 30.5.4.3</u></p> |
| <p>Transpower New Zealand Limited ENV-2018-CHC-114 (further particulars received)</p> | <p>Insert new non-complying activity: <u>30.5.3.10 National Grid Sensitive Activities in the National Grid Yard.</u></p> |
| <p>Transpower New Zealand Limited ENV-2018-CHC-114 (further particulars received)</p> | <p>Insert new non-complying activity: <u>30.5.4.3 Electric and magnetic fields</u> <u>30.5.4.3.1 Electric and magnetic fields 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).</u></p> |
| <p>Transpower New Zealand Limited ENV-2018-CHC-114 (further particulars received)</p> | <p>Insert new provision: <u>30.6.2 For any application for resource consent made under Rules 30.5.3.4, 30.5.3.10 and 30.5.4, when deciding who is an affected person for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to Transpower New Zealand Limited.</u></p> |
| <p>Te Anau Developments Limited ENV-2018-CHC-011 (further particulars received)</p> | <p>Insert new rule in 30.5.6 to make earthworks and trenching associated with installation of any telecommunications, radio communications, navigation or meteorological communication activities a permitted activity.</p> |

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| Cardrona Alpine Resort Limited ENV-2018-CHC-117 (further particulars received) | |
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Note: the annotations in this chapter reflect the Council's interpretation of the provisions affected by appeals.

30.1

Purpose

Energy and utilities are of strategic importance and require a coordinated approach in relation to the development of energy resources, the generation of electricity and the provision of essential infrastructure throughout the District.

| Section 30.1 and relief sought | Appellant Court Number | Consequentially Affected Provisions |
|--|---|-------------------------------------|
| Amend Section 30.1: Energy and Utilities are of strategic importance and require a coordinated approach in relation to the development of energy resources, the generation <u>and</u> <u>transmission</u> of electricity and the provision of essential infrastructure throughout the District. | Transpower New Zealand Limited ENV-2018-CHC-114 (as per further particulars received) | |

30.1.1 Energy

Energy resources play a key role in the socio-economic wellbeing and growth of the District. Local energy needs may change over time and are dependent on the scale of demand, as well as measures to reduce demand through energy efficiency, conservation and small scale renewable generation.

In the future, there may be a need for new generation sources to meet demand. Electricity generation by renewable energy sources is desired over non-renewable sources and this is reinforced in the National Policy Statement on Renewable Electricity generation 2011. The generation of electricity from non-renewable sources is generally discouraged. However, standby generation may be necessary for essential public, civic, community and health functions, or in areas not connected to the electricity distribution network.

Energy efficiency and conservation go hand in hand with renewable energy. Conserving the use of energy together with the generation of renewable energy will be vital in responding to the challenges of providing enough energy to meet future energy needs and reducing greenhouse gas emissions. Small and community scale generation is encouraged and advantages of solar energy within the District are recognised. The benefits of solar energy may be realised through site design methods which promote solar efficient design, in addition to the inclusion of solar photovoltaic panels and solar hot water heating systems within buildings. Sustainable building forms which reduce energy demand and minimise heating costs are encouraged, including use of the Homestar™ rating system for residential buildings and green Star tool for commercial buildings.

30.1.2 Utilities

utilities are essential to the servicing and functioning of the District. utilities have the purpose to provide a service to the public and are typically provided by a network utility operator.

Due to the importance of utilities in providing essential services to the community, their often high capital cost to establish, and their long life expectancy, the need for the establishment and on-going functioning, maintenance and upgrading of utilities is recognised. In addition, some utilities have specific locational needs that need to be accommodated for their operation. The co-location of utilities may achieve efficiencies in design and operation, reduce capital investment costs and also minimise amenity and environmental effects. The ability to co-locate compatible uses should be considered for all utility proposals.

It is recognised that while utilities can have national, regional and local benefits, they can also have adverse effects on surrounding land uses, some of which have been established long before the network utility. The sustainable management of natural and physical resources requires a balance between the effects of different land uses. However, it is also necessary that essential utilities are protected, where

possible, from further encroachment by incompatible activities which may lead to reverse sensitivity effects. This chapter therefore also addresses requirements for sensitive uses and habitable buildings located near to utilities.

| Section 30.1.2 and relief sought | Appellant Court Number | Consequentially Affected Provisions |
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| <p>Amend Section 30.1.2: ...</p> <p>Due to the importance of utilities in providing essential services to the community, their often high capital cost to establish, and their long life expectancy, the need for the establishment and on-going functioning, maintenance and upgrading of utilities is recognised <u>and provided for</u>. In addition, some utilities have specific locational, <u>functional, technical and operational</u> needs that need to be accommodated for their operation. The co-location of utilities may achieve efficiencies in design and operation, reduce capital investment costs and also minimise amenity and environmental effects. The ability to co-locate compatible uses should be considered for all utility proposals.</p> <p>It is recognised that while utilities can have national, regional and local benefits, they can also have adverse effects on surrounding land uses, some of which have been established long before the network utility. The sustainable management of natural and physical resources requires a balance between the effects of different land uses. However, it is also necessary that essential utilities are protected, where possible, from further encroachment by incompatible activities which may lead to <u>adverse effects including</u> reverse sensitivity effects. This chapter therefore also addresses requirements for sensitive uses and habitable buildings located near to utilities.</p> | <p>Transpower New Zealand Limited ENV-2018-CHC-114 (as per further particulars received)</p> | |

Energy

30.2.1 **Objective** - The sustainable management of the District's resources benefits from the District's renewable and non-renewable energy resources and the electricity generation facilities that utilise them.

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| Policies | 30.2.1.1 | Recognise the national, regional and local benefits of the District's renewable and non-renewable electricity generation activities. |
| | 30.2.1.2 | Enable the operation, maintenance, repowering, upgrade of existing non-renewable electricity generation activities and development of new ones where adverse effects can be avoided, remedied or mitigated. |

30.2.2 **Objective** - The use and development of renewable energy resources achieves the following:

- a. It maintains or enhances electricity generation capacity while avoiding, reducing or displacing greenhouse gas emissions;
- b. It maintains or enhances the security of electricity supply at local, regional and national levels by diversifying the type and/or location of electricity generation;
- c. It assists in meeting international climate change obligations;
- d. It reduces reliance on imported fuels for the purpose of generating electricity;
- e. It helps with community resilience through development of local energy resources and networks.

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| Policies | 30.2.2.1 | Enable the development, operation, maintenance, repowering and upgrading of new and existing renewable electricity generation activities, (including small and community scale), in a manner that: <ol style="list-style-type: none"> a. recognises the need to locate renewable electricity generation activities where the renewable electricity resources are available; b. recognises logistical and technical practicalities associated with renewable electricity generation activities; c. provides for research and exploratory-scale investigations into existing and emerging renewable electricity generation technologies and methods. |
| | 30.2.2.2 | Enable new technologies using renewable energy resources to be investigated and established in the district. |

30.2.3 Objective - Energy resources are developed and electricity is generated, in a manner that minimises adverse effects on the environment.

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| Policies | <p>30.2.3.1 Promote the incorporation of Small and Community-Scale Distributed Electricity generation structures and associated buildings (whether temporary or permanent) as a means to improve efficiency and reduce energy demands.</p> <p>30.2.3.2 Ensure the visual effects of Wind Electricity generation do not exceed the capacity of an area to absorb change or significantly detract from landscape and visual amenity values.</p> <p>30.2.3.3 Promote Biomass Electricity generation in proximity to available fuel sources that minimise external effects on the surrounding road network and the amenity values of neighbours.</p> <p>30.2.3.4 Assess the effects of Renewable Electricity generation proposals, other than Small and Community Scale with regards to:</p> <ul style="list-style-type: none"> a. landscape values and areas of significant indigenous flora or significant habitat for indigenous fauna; b. recreation and cultural values, including relationships with tangata whenua; c. amenity values; d. the extent of public benefit and outcomes of location specific cost-benefit analysis. <p>30.2.3.5 Existing energy facilities, associated infrastructure and undeveloped energy resources are protected from incompatible subdivision, land use and development.</p> <p>30.2.3.6 To compensate for adverse effects, consideration must be given to any offset measures (including biodiversity offsets) and/or environmental compensation including those which benefit the local environment and community affected.</p> <p>30.2.3.7 Consider non-renewable energy resources including standby power generation and Stand Alone Power systems where adverse effects can be mitigated.</p> |
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30.2.4 Objective - Subdivision layout, site layout and building design takes into consideration energy efficiency and conservation.

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| Policies | <p>30.2.4.1 Encourage energy efficiency and conservation practices, including use of energy efficient materials and renewable energy in development.</p> <p>30.2.4.2 Encourage subdivision and development to be designed so that buildings can utilise energy efficiency and conservation measures, including by orientation to the sun and through other natural elements, to assist in reducing energy consumption.</p> |
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- 30.2.4.3 Encourage Small and Community-Scale Distributed Electricity generation and Solar Water Heating structures within new or altered buildings.
- 30.2.4.4 Encourage building design which achieves a Homestar™ certification rating of 6 or more for residential buildings, or a green Star rating of at least 4 stars for commercial buildings.
- 30.2.4.5 Transport networks should be designed so that the number, length and need for vehicle trips is minimised, and reliance on private motor vehicles is reduced, to assist in reducing energy consumption.
- 30.2.4.6 Control the location of buildings and outdoor living areas to reduce impediments to access to sunlight.

Utilities

30.2.5 Objective - The growth and development of the District is supported by utilities that are able to operate effectively and efficiently.

- Policies
- 30.2.5.1 Utilities are provided to service new development prior to buildings being occupied, and activities commencing.
 - 30.2.5.2 Ensure the efficient management of solid waste by:
 - a. encouraging methods of waste minimisation and reduction such as re-use and recycling;
 - b. providing landfill sites with the capacity to cater for the present and future disposal of solid waste;
 - c. assessing trends in solid waste;
 - d. identifying solid waste sites for future needs;
 - e. consideration of technologies or methods to improve operational efficiency and sustainability (including the potential use of landfill gas as an energy source);
 - f. providing for the appropriate re-use of decommissioned landfill sites.
 - 30.2.5.3 Recognise the future needs of utilities and ensure their provision in conjunction with the provider.
 - 30.2.5.4 Assess the priorities for servicing established urban areas, which are developed but are not reticulated.
 - 30.2.5.5 Ensure reticulation of those areas identified for urban expansion or redevelopment is achievable, and that a reticulation system be implemented prior to subdivision.
 - 30.2.5.6 Encourage low impact design techniques which may reduce demands on local utilities.

30.2.6 Objective - The establishment, continued operation and maintenance of utilities supports the well-being of the community.

- Policies
- 30.2.6.1 Provide for the need for maintenance or upgrading of utilities including regionally significant infrastructure to ensure its on-going viability and efficiency subject to managing adverse effects on the environment consistent with the objectives and policies in Chapters 3, 4, 5 and 6.

| Policy 30.2.6.1 and relief sought | Appellant Court Number | Consequentially Affected Provisions |
|--|--|-------------------------------------|
| Amend Policy 30.2.6.1 as follows: Provide for the need for maintenance or upgrading of utilities including regionally significant infrastructure to ensure its on-going viability and efficiency subject to managing adverse effects on the environment consistent with the objectives and policies in Chapters 3, 4, 5 and 6. | Queenstown Airport Corporation Limited ENV-2018-CHC-093 | |

- 30.2.6.2 When considering the effects of proposed utility developments consideration must be given to alternatives, and also to how adverse effects will be managed through the route, site and method selection process, while taking into account the locational, technical and operational requirements of the utility and the benefits associated with the utility.
- 30.2.6.3 Ensure that the adverse effects of utilities on the environment are managed while taking into account the positive social, economic, cultural and environmental benefits that utilities provide, including:
 - a. enabling enhancement of the quality of life and standard of living for people and communities;
 - b. providing for public health and safety;
 - c. enabling the functioning of businesses;
 - d. enabling economic growth;
 - e. enabling growth and development;
 - f. protecting and enhancing the environment;
 - g. enabling the transportation of freight, goods, people;
 - h. enabling interaction and communication.
- 30.2.6.4 Encourage the co-location of facilities where operationally and technically feasible.
- 30.2.6.5 Manage land use, development and/or subdivision in locations which could compromise the safe and efficient operation of utilities.

30.2.7 Objective - The adverse effects of utilities on the surrounding environments are avoided or minimised.

| Objective 30.2.7 and relief sought | Appellant Court Number | Consequentially Affected Provisions |
|---|---|-------------------------------------|
| Amend Objective 30.2.7: The adverse effects of utilities on the surrounding environments are avoided, <u>remedied or mitigated</u> or minimised . | Queenstown Airport Corporation Limited ENV-2018-CHC-093 (as per further particulars received) | |

Policies

30.2.7.1

Manage the adverse effects of utilities on the environment by:

- a. avoiding their location on sensitive sites, including heritage and special character areas, Outstanding Natural Landscapes and Outstanding Natural Features, and skylines and ridgelines and where avoidance is not practicable, avoid significant adverse effects and minimise other adverse effects on those sites, areas, landscapes or features;
- b. encouraging co-location or multiple use of network utilities where this is efficient and practicable in order to avoid, remedy or mitigate adverse effects on the environment;
- c. ensuring that redundant utilities are removed;
- d. using landscaping and or colours and finishes to reduce visual effects;
- e. integrating utilities with the surrounding environment; whether that is a rural environment or existing built form.

| Policy 30.2.7.1 and relief sought | Appellant Court Number | Consequentially Affected Provisions |
|---|---|-------------------------------------|
| Amend Policy 30.2.7.1: Avoiding the location of other utilities their location on sensitive sites, including heritage and special character areas, Outstanding Natural Landscapes and Outstanding Natural Features, and skylines and ridgelines and where avoidance is not practicable, avoid significant adverse effects and minimise other adverse effects on those sites, areas, landscapes or features; | Queenstown Airport Corporation Limited ENV-2018-CHC-093 (as per further particulars received) | |

30.2.7.2 **Require the undergrounding of services in new areas of development where technically feasible.**

| Policy 30.2.7.2 and relief sought | Appellant Court Number | Consequentially Affected Provisions |
|---|---|-------------------------------------|
| Amend Policy 30.2.7.2: Require the undergrounding of services, <u>other than the National Grid</u> , in new areas of development where technically feasible. | Transpower New Zealand Limited ENV-2018-CHC-114 (as per further particulars received) | |

30.2.7.3 Encourage the replacement of existing overhead services with underground reticulation or the upgrading of existing overhead services where technically feasible.

| Policy 30.2.7.3 and relief sought | Appellant Court Number | Consequentially Affected Provisions |
|---|---|-------------------------------------|
| Amend Policy 30.2.7.3: Encourage the replacement of existing overhead services, <u>other than the National Grid</u> , with underground reticulation or the upgrading of existing overhead services where technically feasible. | Transpower New Zealand Limited ENV-2018-CHC-114 (as per further particulars received) | |

30.2.7.4 Take account of economic and operational needs in assessing the location and external appearance of utilities.

30.2.8 Objective - The ongoing operation, maintenance, development and upgrading of the National grid subject to the adverse effects on the environment of the National grid network being managed.

| Objective 30.2.8 and relief sought | Appellant Court Number | Consequentially Affected Provisions |
|--|--|-------------------------------------|
| Amend 30.2.8: <u>The national significance of the National Grid is recognised by the facilitation of the ongoing operation, maintenance, development and upgrading of the National Grid, while subject to the adverse effects on the environment of the National Grid, and on the National Grid, are appropriately network being managed.</u> | Transpower New Zealand Limited ENV-2018-CHC-114 (as per further particulars) | |

Policies

- 30.2.8.1 Enabling the use and development of the National grid by managing its adverse effects by:**
- a. only allowing buildings, structures and earthworks in the National grid yard where they will not compromise the operation, maintenance, upgrade and development of the National grid;
 - b. avoiding Sensitive Activities within the National grid yard;
 - c. managing potential electrical hazards, and the adverse effects of buildings, structures and Sensitive Activities on the operation, maintenance, upgrade and development of the Frankton Substation;
 - d. managing subdivision within the National grid corridor so as to facilitate good amenity and urban design outcomes.

| Policy 30.2.8.1 and relief sought | Appellant Court Number | Consequentially Affected Provisions |
|--|---|-------------------------------------|
| Amend Policy 30.2.8.1: <u>Recognising the benefits of the National Grid by:</u> a. Enabling the operation, maintenance and upgrade of the National Grid; <u>b. providing for the development of the National Grid, while managing its adverse effects by:</u> i. <u>seeking to avoid adverse effects on the values and attributes of the following:</u> <u>A. indigenous vegetation within scheduled Significant Natural Areas, and those other areas that meet the criteria in Policy 33.2.1.8;</u> <u>B. an Outstanding Natural Feature;</u> <u>C. an Outstanding Natural Landscape;</u> <u>D. a Rural Character Landscape.</u> ii. <u>where avoiding adverse effects on the values listed in b(i) above is not practicable, remedying or mitigating the adverse effects on those values;</u> iii. <u>avoiding, remedying or mitigating other adverse effects;</u> c. <u>when considering the adverse effects of the development of the National Grid, having regard to:</u> | Transpower New Zealand Limited ENV-2018-CHC-114 (as per further particulars received) | |

i. the extent to which measures to avoid, remedy or mitigate adverse effects may be constrained by functional, technical or operational needs;

ii. the extent to which adverse effects have been addressed through site, route or method selection;

iii. opportunities to reduce existing adverse effects;

the use and development of the National Grid by

d. managing its adverse effects on the National Grid by:

~~ia. only allowing buildings, structures and earthworks in the National Grid Yard where they will not compromise the operation, maintenance, upgrade and development of the National Grid;~~

ii**b.** avoiding National Grid Sensitive Activities within the National Grid Yard and, to the extent reasonable possible, managing activities to avoid reverse sensitivity effects on the National Grid;

iii**e.** managing potential electrical hazards, and the adverse effects of buildings, structures and National Grid Sensitive Activities on the operation, maintenance, upgrade and development of the Frankton Substation;

iv**d.** managing subdivision within the National Grid Subdivision Corridor to avoid reverse sensitivity effects and to ensure that the National Grid is not compromised so as to facilitate good amenity and urban design outcomes.

Where there is conflict, Policy 30.2.8.1 prevails over other provisions in the District Plan.

30.3

Other Provisions and Rules

30.3.1 District Wide

Attention is drawn to the following District Wide Chapters.

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|----|--|----|-----------------------|----|--------------------------------|
| 1 | Introduction | 2 | Definitions | 3 | Strategic Direction |
| 4 | urban Development | 5 | Tangata Whenua | 6 | Landscapes and Rural Character |
| 25 | Earthworks | 26 | Historic Heritage | 27 | Subdivision |
| 28 | Natural Hazards | 29 | Transport | 31 | Signs |
| 32 | Protected Trees | 33 | Indigenous Vegetation | 34 | Wilding Exotic Trees |
| 35 | Temporary Activities and Relocated Buildings | 36 | Noise | 37 | Designations |
| | Planning Maps | | | | |

30.3.2 Information on National Environmental Standards and Regulations

- a. Resource Management (National Environmental Standard for Electricity Transmission Activities) Regulations 2009:

Notwithstanding any other rules in the District Plan, the National grid existing as at 14 January 2010 is covered by the Resource Management (National Environmental Standard for Electricity Transmission Activities) Regulations 2009 (NESETA) and must comply with the NESETA.

The provisions of the NESETA prevail over the provisions of this District Plan to the extent of any inconsistency. No other rules in the District Plan that duplicate or conflict with the Standard shall apply.
- b. Resource Management (National Environmental Standards for Telecommunications Facilities “NESTF”) Regulations 2016:

The NESTF 2016 controls a variety of telecommunications facilities and related activities as permitted activities subject to standards, including:

 - i. cabinets in and outside of road reserve;
 - ii. antennas on existing and new poles in the road reserve;
 - iii. replacement, upgrading and co-location of existing poles and antennas outside the road reserve;
 - iv. new poles and antennas in rural areas;
 - v. antennas on buildings;
 - vi. small-cell units on existing structures;
 - vii. telecommunications lines (underground, on the ground and overhead) and facilities in natural hazard areas; and
 - viii. associated earthworks.

All telecommunications facilities are controlled by the NESTF 2016 in respect of the generation of radiofrequency fields.

The NESTF 2016 and relevant guidance for users can be found at: <http://www.mfe.govt.nz/rma/legislative-tools/national-environmental-standards/national-environmental-standards> .

The provisions of the NESTF 2016 prevail over the provisions of this District Plan, to the extent of any inconsistency. No other rules in the District Plan that duplicate or conflict with the NESTF 2016 shall apply. However, District Plan provisions continue to apply to some activities covered by the NESTF 2016, including those which, under regulations 44 to 52, enable rules to be more stringent than the NESTF, such as being subject to heritage rules, Significant Natural Areas, Outstanding Natural Features and Landscapes, and amenity landscape rules.

c. **New Zealand Electrical Code of Practice for Electrical Safe Distances.**

Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (“NZECP 34:2001”) is mandatory under the Electricity Act 1992. All activities regulated by the NZECP 34, including any activities that are otherwise permitted by the District Plan must comply with this legislation.

Advice Note: To assist plan users in complying with these regulations, the major distribution components of the Aurora network are shown on the Planning Maps.

Compliance with this District Plan does not ensure compliance with NZECP 34.

| Rule 30.3.2.c. and relief sought | Appellant Court Number | Consequentially Affected Provisions |
|--|---|-------------------------------------|
| <p>Amend Rule 30.3.2.c:</p> <p>New Zealand Electrical Code of Practice for Electrical Safe Distances.</p> <p>Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (“NZECP 34:2001”) is mandatory under the Electricity Act 1992. All activities regulated by the NZECP 34, including any activities that are otherwise permitted by the District Plan must <u>also</u> comply with this legislation.</p> <p>Advice Note: To assist plan users in complying with <u>NZECP 34 these regulations, the parts of Aurora’s network that is Regionally Significant or identified as Significant Electricity Distribution Infrastructure is shown on the Planning Maps. For the balance of Aurora’s network, plan users are advised to consult with Aurora’s network maps at www.auroraenergy.co.nz or to contact Aurora directly for advice</u> the major distribution components of the Aurora network are shown on the Planning Maps.</p> <p>Compliance with this District Plan does not ensure compliance with NZECP 34</p> | <p>Aurora Energy Limited ENV-2018-CHC-108</p> | |

d. **Advice Note: Electricity (Hazards from Trees) Regulations 2003.**

Vegetation to be planted around electricity networks should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.

30.3.3 Interpreting and Applying the Rules

- 30.3.3.1 A permitted activity must comply with all the rules listed in the Activity and Standards tables, and any relevant district wide rules.
- 30.3.3.2 Where an activity does not comply with a Standard listed in the Standards table, the activity status identified by the Non-Compliance Status column applies. Where an activity breaches more than one Standard, the most restrictive status applies to the Activity.
- 30.3.3.3 The rules contained in this Chapter take precedence over any other rules that may apply to energy and utilities in the District Plan, unless specifically stated to the contrary and with the exception of:
- a. 25 Earthworks;
 - b. 26 Historic Heritage.

Note: utilities can also be provided as designations if the utility operator is a requiring authority. Refer to Chapter 37 – Designations of the Plan for conditions and descriptions of designated sites.

| Rule 30.3.3.3 and relief sought | Appellant Court Number | Consequentially Affected Provisions |
|---|--|-------------------------------------|
| Amend Rule 30.3.3.3 to ensure that Chapter 30 does not take precedence or prevail over the provision for Airport and Airport Related Activities within the Airport Zones. | Queenstown Airport Corporation Limited ENV-2018-CHC-093 | |

30.3.3.4 The following abbreviations are used in the tables.

| | | | | | |
|---|---------------|----|---------------|----|--------------------------|
| P | Permitted | C | Controlled | RD | Restricted Discretionary |
| D | Discretionary | NC | Non-Complying | PR | Prohibited |

30.4 Energy Rules

| 30.4.1 | Renewable Energy Activities | Activity Status |
|----------|--|-----------------|
| 30.4.1.1 | Small and Community-Scale Distributed Electricity generation and Solar Water Heating (including any structures and associated buildings but excluding Wind Electricity generation), other than those activities restricted by Rule 30.4.1.4. | P |
| 30.4.1.2 | Small and Community-Scale Distributed Wind Electricity generation within the Rural Zone, Gibbston Character Zone and Rural Lifestyle Zone that complies with Rule 30.4.2.3 Control is reserved to the following: <ul style="list-style-type: none"> a. noise; b. visual effects; c. colour; d. vibration. | C |
| 30.4.1.3 | Renewable Electricity generation Activities, limited to masts, drilling and water monitoring for the purpose of research and exploratory-scale investigations that are temporary. Discretion is restricted to: <ul style="list-style-type: none"> a. the duration of works and the research purpose; b. the location of investigation activities and facilities, including proximity to, and effects on, sensitive uses and environments; c. the height and scale of facilities and potential visual effects; d. environmental effects. | RD |
| 30.4.1.4 | Small and Community-Scale Distributed Electricity generation and Solar Water Heating including any structures and associated buildings, which is either: <ul style="list-style-type: none"> a. Wind Electricity generation other than that provided for in Rule 30.4.1.2. OR <ul style="list-style-type: none"> b. Located in any of the following sensitive environments: <ul style="list-style-type: none"> i. Arrowtown Residential Historic Management Zone; ii. Town Centre Special Character Areas ; iii. Significant Natural Areas; iv. Outstanding Natural Landscapes; v. Outstanding Natural Features; vi. Heritage Features and Heritage Overlay Areas. | D |
| 30.4.1.5 | Renewable Electricity generation Activities, other than Small and Community-Scale Distributed Electricity generation, and including any new or additional building housing plant and electrical equipment. | D |

| 30.4.2 | Renewable Energy Standards | Activity Status |
|----------|--|-----------------|
| 30.4.2.1 | <p>Small and Community-Scale Distributed Electricity generation and Solar Water Heating must:</p> <p>30.4.2.1.1 Not overhang the edge of any building.</p> <p>30.4.2.1.2 Be finished in recessive colours: black, dark blue, grey or brown if Solar Electricity generation cells, modules or panels.</p> <p>30.4.2.1.3 Be finished in similar recessive colours to those in the above standard if frames, mounting or fixing hardware. Recessive colours must be selected to be the closest colour to the building to which they form part of, are attached to, or service.</p> <p>30.4.2.1.4 Be set back in accordance with the internal and road boundary setbacks for buildings in the zone in which they are located. Any exemptions identified in the zone rules for accessory buildings do not apply.</p> <p>30.4.2.1.5 Not intrude through any recession planes applicable in the zone in which they are located.</p> <p>30.4.2.1.6 Not protrude more than a maximum of 0.5 m above the maximum height limit specified for the zone if solar panels on a sloping roof.</p> <p>30.4.2.1.7 Not protrude a maximum of 1.0 m above the maximum height limit specified for the zone, for a maximum area of 5m² if solar panels on a flat roof.</p> <p>30.4.2.1.8 Not exceed 150m² in area if free standing Solar Electricity generation and Solar Water Heating.</p> <p>30.4.2.1.9 Not exceed 2.0 metres in height if free standing Solar Electricity generation and Solar Water Heating.</p> <p>30.4.2.1.10 Be located within an approved building platform where located in the Rural, Gibbston Character or Rural Lifestyle Zone.</p> | D |
| 30.4.2.2 | <p>Mini and Micro Hydro Electricity generation must:</p> <p>30.4.2.2.1 Comply with Road and Internal Boundary Building Setbacks in the zone in which they are located.</p> <p>30.4.2.2.2 Not exceed 2.5 metres in height.</p> <p>30.4.2.2.3 Be finished in recessive colours consistent with the building it is servicing on site.</p> <p>Note: Reference should also be made to the Otago Regional Council Regional Plan: Water.</p> | D |

| 30.4.2 | Renewable Energy Standards | Activity Status |
|----------|---|-----------------|
| 30.4.2.3 | <p>Wind Electricity generation must:</p> <p>30.4.2.3.1 Comprise no more than two Wind Electricity generation turbines or masts on any site.</p> <p>30.4.2.3.2 Involve no lattice towers.</p> <p>30.4.2.3.3 Be set back in accordance with the internal and road boundary setbacks for buildings in the zone in which they are located. Any exemptions identified in the zone rules for accessory buildings do not apply.</p> <p>30.4.2.3.4 Not exceed the maximum height or intrude through any recession planes applicable in the zone in which they are located.</p> <p>30.4.2.3.5 Be finished in recessive colours with a light reflectance value of less than 16%.</p> <p>Notes:</p> <p>In the Rural and Gibbston Character Zones the maximum height shall be that specified for non-residential building ancillary to viticulture or farming activities (10m).</p> <p>The maximum height for a wind turbine shall be measured to the tip of blade when in vertical position.</p> <p>Wind turbines must comply with Chapter 36 (Noise).</p> | D |
| 30.4.2.4 | <p>Biomass Electricity generation</p> <p>30.4.2.4.1 Biomass Electricity generation fuel material shall be sourced on the same site as the generation plant, except where the generation plant is located in Industrial Zones (and Industrial Activities Areas within Structure Plans).</p> <p>30.4.2.4.2 Any outdoor storage of Biomass Electricity generation fuel material shall be screened from adjoining sites and public places.</p> <p>30.4.2.4.3 Biomass Electricity generation plant and equipment shall be located inside a Building.</p> <p>Note: Reference should also be made to the Otago Regional Council Regional Plan: Air</p> | D |
| 30.4.2.5 | <p>Buildings for renewable energy activities</p> <p>Any building housing plant and electrical equipment associated with Renewable Electricity generation activities, unless permitted in the zone in which it located or approved by resource consent, shall:</p> <p>30.4.2.5.1 Not exceed 10m² in area and 2.5m in height.</p> <p>30.4.2.5.2 Be set back in accordance with the internal and road boundary setbacks for accessory buildings in the zone in which it is located.</p> <p>30.4.2.5.3 Be finished in recessive colours, consistent with the building it is servicing on site.</p> | D |

| 30.4.3 | Non-Renewable Energy Activities | Activity Status |
|----------|---|-----------------|
| 30.4.3.1 | <p>Non-renewable Electricity generation where either:</p> <ul style="list-style-type: none"> a. the generation only supplies activities on the site on which it is located and involves either: <ul style="list-style-type: none"> i. standby generators associated with community, health care, and utility activities; or ii. generators that are part of a Stand-Alone Power System on sites that do not have connection to the local distributed electricity network. <p>OR</p> <ul style="list-style-type: none"> b. generators that supply the local distributed electricity network for a period not exceeding 3 months in any calendar year. <p>Note: Diesel generators must comply with the provisions of Chapter 36 (Noise).</p> | P |
| 30.4.3.2 | Non-Renewable Energy Activities which are not otherwise specified. | NC |

30.5 Utility Rules

| 30.5.1 | General Utility Activities | Non-compliance Status |
|----------|---|-----------------------|
| 30.5.1.1 | <p>Buildings associated with a utility</p> <p>Any building or cabinet or structure of 10m² or less in total footprint or 3m or less in height which is not located in the areas listed in Rule 30.5.1.4.</p> <p>This rule does not apply to:</p> <ul style="list-style-type: none"> a. masts for navigation or meteorology b. poles, antennas, and associated cabinets (cabinets up to 10m² in area and 3m in height, exclusive of any plinth or other foundation), for telecommunication and radio communication c. lines and support structures. | P |
| 30.5.1.2 | Flood Protection Works for the maintenance, reinstatement, repair or replacement of existing flood protection works for the purpose of maintaining the flood carrying capacity of water courses and/or maintaining the integrity of existing river protection works. | P |

| 30.5.1 | general utility Activities | Non-compliance Status | | | | | | |
|---|---|-------------------------------------|------------------------|-------------------------------------|---|---|--|---|
| 30.5.1.3 | <p>Buildings (associated with a utility)</p> <p>The addition, alteration or construction of buildings greater than 10m² in total footprint or 3m in height other than buildings located in the areas listed in Rule 30.5.1.4.</p> <p>This rule does not apply to:</p> <ul style="list-style-type: none"> a. masts or poles for navigation or meteorology; b. poles, antennas, and associated cabinets (cabinets up to 10m² in area and 3m in height, exclusive of any plinth or other foundation) for telecommunication and radio communication; c. line and support structures. <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. location; b. external appearance and visual effects; c. associated earthworks; d. parking and access; e. landscaping. | C | | | | | | |
| 30.5.1.4 | <p>Buildings (associated with a utility)</p> <p>Any addition, alteration or construction of buildings in:</p> <ul style="list-style-type: none"> a. any Significant Natural Areas; b. the Arrowtown Residential Historic Management Zone. <p>This rule does not apply to:</p> <ul style="list-style-type: none"> a. masts or poles for navigation or meteorology; b. poles, antennas, and associated cabinets (cabinets up to 10m² in area and 3m in height, exclusive of any plinth or other foundation), for telecommunication and radio communication; c. lines and support structures. | D | | | | | | |
| 30.5.1.5 | <p style="color: red;">Flood Protection Works not otherwise provided for in Rule 30.4.5.1.2</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #d4c09d;">Rule 30.5.1.5 and relief sought</th> <th style="background-color: #d4c09d;">Appellant Court Number</th> <th style="background-color: #d4c09d;">Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td>Amend Rule 30.5.1.5: Flood Protection Works not otherwise provided for in Rule 30.4.5.1.2 <u>30.5.1.2</u></td> <td>Queenstown Park Limited ENV-2018-CHC-127</td> <td></td> </tr> </tbody> </table> | Rule 30.5.1.5 and relief sought | Appellant Court Number | Consequentially Affected Provisions | Amend Rule 30.5.1.5: Flood Protection Works not otherwise provided for in Rule 30.4.5.1.2 <u>30.5.1.2</u> | Queenstown Park Limited ENV-2018-CHC-127 | | D |
| Rule 30.5.1.5 and relief sought | Appellant Court Number | Consequentially Affected Provisions | | | | | | |
| Amend Rule 30.5.1.5: Flood Protection Works not otherwise provided for in Rule 30.4.5.1.2 <u>30.5.1.2</u> | Queenstown Park Limited ENV-2018-CHC-127 | | | | | | | |
| 30.5.1.6 | Waste Management Facilities | D | | | | | | |
| 30.5.1.7 | Water and Wastewater Treatment Facilities | D | | | | | | |

| | | |
|----------|---|---|
| 30.5.1.8 | Utilities and Buildings (associated with a utility) which are not: 30.5.8.1 provided for in any National Environmental Standard; OR 30.5.8.2 otherwise listed in Rules 30.5.1.1 to 30.5.1.7, 30.5.3.1 to 30.5.3.5, 30.5.5.1 to 30.5.5.8, or 30.5.6.1 to 30.5.6.13. | D |
|----------|---|---|

| 30.5.2 | General Utilities - Standards | Non-compliance Status |
|----------|---|-----------------------|
| 30.5.2.1 | <p>Setback from internal boundaries and road boundaries</p> <p>Where the utility is a building, it must be set back in accordance with the internal and road boundary setbacks for accessory buildings in the zone in which it is located.</p> <p>This rule does not apply to:</p> <ol style="list-style-type: none"> a. poles, antennas, and associated cabinets (cabinets up to 10m² in area and 3m in height, exclusive of any plinth or other foundation), for telecommunication and radio communication; b. lines and support structures for telecommunications. | D |
| 30.5.2.2 | <p>Buildings associated with a utility in Outstanding Natural Landscapes (ONL) and Outstanding Natural Features (ONF)</p> <p>Any building within an ONL or ONF must be less than 10m² in area and less than 3m in height.</p> <p>This rule does not apply to:</p> <ol style="list-style-type: none"> a. masts or poles for navigation or meteorology; b. poles, antennas, and associated cabinets (cabinets up to 10m² in area and 3m in height, exclusive of any plinth or other foundation), for telecommunication and radio communication; c. lines and support structures. | D |
| 30.5.2.3 | <p>Height</p> <p>All buildings or structures must comply with the relevant maximum height provisions for buildings of the zone they are located in.</p> <p>This rule does not apply to:</p> <ol style="list-style-type: none"> a. masts or poles for navigation or meteorology; b. poles, antennas, and associated cabinets (cabinets up to 10m² in area and 3m in height, exclusive of any plinth or other foundation), for telecommunication and radio communication; c. lines and support structures. | D |

| 30.5.3 | National Grid Activities | Non-compliance Status | | | | | | |
|--|--|-------------------------------------|------------------------|-------------------------------------|--|---|--|---|
| 30.5.3.1 | Minor upgrading | P | | | | | | |
| 30.5.3.2 | <p style="color: red;">Buildings, structures and activities that are not National Grid sensitive activities within the National Grid Corridor</p> <p style="color: red;">Subject to compliance with Rules 30.5.4.1 and 30.5.4.2.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #d4d4d4;">Rule 30.5.3.2 and relief sought</th> <th style="background-color: #d4d4d4;">Appellant Court Number</th> <th style="background-color: #d4d4d4;">Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td>Amend Rule 30.5.3.2: Buildings, structures and activities that are not National Grid Ssensitive Aactivities within the National Grid Yard Corridor</td> <td>Transpower New Zealand Limited ENV-2018-CHC-114 (as per further particulars received)</td> <td></td> </tr> </tbody> </table> | Rule 30.5.3.2 and relief sought | Appellant Court Number | Consequentially Affected Provisions | Amend Rule 30.5.3.2: Buildings, structures and activities that are not National Grid S sensitive A activities within the National Grid Yard Corridor | Transpower New Zealand Limited ENV-2018-CHC-114 (as per further particulars received) | | P |
| Rule 30.5.3.2 and relief sought | Appellant Court Number | Consequentially Affected Provisions | | | | | | |
| Amend Rule 30.5.3.2: Buildings, structures and activities that are not National Grid S sensitive A activities within the National Grid Yard Corridor | Transpower New Zealand Limited ENV-2018-CHC-114 (as per further particulars received) | | | | | | | |
| 30.5.3.3 | <p>Earthworks within the National grid yard</p> <p>Subject to compliance with Rule 30.5.4.2</p> | P | | | | | | |
| 30.5.3.4 | <p style="color: red;">Buildings, structures and National Grid sensitive activities in the vicinity of the Frankton Substation</p> <p style="color: red;">Any building, structure or National Grid sensitive activity within 45m of the designated boundary of Transpower New Zealand Limited’s Frankton Substation.</p> <p style="color: red;">Control is reserved to:</p> <ol style="list-style-type: none"> a. the extent to which the design and layout (including underground cables, services and fencing) avoids adverse effects on the on-going operation, maintenance upgrading and development of the substation; b. the risk of electrical hazards affecting public or individual safety, and the risk of property damage; and c. measures proposed to avoid or mitigate potential adverse effects. <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #d4d4d4;">Rule 30.5.3.2 and relief sought</th> <th style="background-color: #d4d4d4;">Appellant Court Number</th> <th style="background-color: #d4d4d4;">Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td>Amend Rule 30.5.3.4: Buildings, structures and National Grid Ssensitive Aactivities in the vicinity of the Frankton Substation Any building, structure, hazardous facility or National Grid Ssensitive Aactivity within 45m of the designated boundary of Transpower New Zealand Limited’s Frankton Substation. Control is reserved to: a. the extent to which the design and layout (including underground cables, services and fencing) avoids adverse effects on the on-going operation, maintenance upgrading and development of the substation; b. the risk of electrical hazards affecting public or individual safety, and the risk of property damage; and</td> <td>Transpower New Zealand Limited ENV-2018-CHC-114 (as per further particulars received)</td> <td></td> </tr> </tbody> </table> | Rule 30.5.3.2 and relief sought | Appellant Court Number | Consequentially Affected Provisions | Amend Rule 30.5.3.4: Buildings, structures and National Grid S sensitive A activities in the vicinity of the Frankton Substation Any building, structure, hazardous facility or National Grid S sensitive A activity within 45m of the designated boundary of Transpower New Zealand Limited’s Frankton Substation. Control is reserved to: a. the extent to which the design and layout (including underground cables, services and fencing) avoids adverse effects on the on-going operation, maintenance upgrading and development of the substation; b. the risk of electrical hazards affecting public or individual safety, and the risk of property damage; and | Transpower New Zealand Limited ENV-2018-CHC-114 (as per further particulars received) | | C |
| Rule 30.5.3.2 and relief sought | Appellant Court Number | Consequentially Affected Provisions | | | | | | |
| Amend Rule 30.5.3.4: Buildings, structures and National Grid S sensitive A activities in the vicinity of the Frankton Substation Any building, structure, hazardous facility or National Grid S sensitive A activity within 45m of the designated boundary of Transpower New Zealand Limited’s Frankton Substation. Control is reserved to: a. the extent to which the design and layout (including underground cables, services and fencing) avoids adverse effects on the on-going operation, maintenance upgrading and development of the substation; b. the risk of electrical hazards affecting public or individual safety, and the risk of property damage; and | Transpower New Zealand Limited ENV-2018-CHC-114 (as per further particulars received) | | | | | | | |

| | c. measures proposed to avoid or mitigate potential adverse effects, <u>including reverse sensitivity effects</u> . | | | | | | | | | |
|---|--|-------------------------------------|--|---------------------------------|---------------------------|-------------------------------------|---|---|--|---|
| 30.5.3.5 | <p>Erecting any lines, lattice towers or support structures for new overhead lines to convey electricity (at a voltage of more than 110kV with a capacity over 100MVA) in all zones.</p> <table border="1" data-bbox="474 193 1908 507"> <thead> <tr> <th data-bbox="474 193 1153 292">Rule 30.5.3.2 and relief sought</th> <th data-bbox="1153 193 1512 292">Appellant Court Number</th> <th data-bbox="1512 193 1908 292">Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td data-bbox="474 292 1153 507"> Amend Rule 30.5.3.5: Erecting any <u>substation</u>, lines, lattice towers or support structures for new overhead lines to convey electricity (at a voltage of more than 110kV with a capacity over 100MVA) in all zones <u>and in any Outstanding Natural Feature or Outstanding Natural Landscape or Significant Natural Areas</u>. <u>Subject to compliance with Rule 30.5.4.3</u> </td> <td data-bbox="1153 292 1512 507"> Transpower New Zealand Limited ENV-2018-CHC-114 (as per further particulars received) </td> <td data-bbox="1512 292 1908 507"></td> </tr> </tbody> </table> | | | Rule 30.5.3.2 and relief sought | Appellant Court Number | Consequentially Affected Provisions | Amend Rule 30.5.3.5: Erecting any <u>substation</u> , lines, lattice towers or support structures for new overhead lines to convey electricity (at a voltage of more than 110kV with a capacity over 100MVA) in all zones <u>and in any Outstanding Natural Feature or Outstanding Natural Landscape or Significant Natural Areas</u> . <u>Subject to compliance with Rule 30.5.4.3</u> | Transpower New Zealand Limited ENV-2018-CHC-114 (as per further particulars received) | | D |
| Rule 30.5.3.2 and relief sought | Appellant Court Number | Consequentially Affected Provisions | | | | | | | | |
| Amend Rule 30.5.3.5: Erecting any <u>substation</u> , lines, lattice towers or support structures for new overhead lines to convey electricity (at a voltage of more than 110kV with a capacity over 100MVA) in all zones <u>and in any Outstanding Natural Feature or Outstanding Natural Landscape or Significant Natural Areas</u> . <u>Subject to compliance with Rule 30.5.4.3</u> | Transpower New Zealand Limited ENV-2018-CHC-114 (as per further particulars received) | | | | | | | | | |

| 30.5.4 | National Grid Standards | Non-compliance Status | |
|--|--|--------------------------------------|---|
| 30.5.4.1 | <p>Buildings and Structures permitted within the National grid yard</p> <p>30.5.4.1.1 A non-conductive fence located 5m or more from any National grid Support Structure and no more than 2.5m in height.</p> <p>30.5.4.1.2 Network utility within a transport corridor or any part of electricity infrastructure that connects to the National grid, excluding a building or structure for the reticulation and storage of water for irrigation purposes.</p> <p>30.5.4.1.3 Any new non-habitable building less than 2.5m high and 10m² in floor area and is more than 12m from a National grid Support Structure.</p> <p>30.5.4.1.4 Any non-habitable building or structure used for agricultural activities provided that they are:</p> <ol style="list-style-type: none"> less than 2.5m high; located at least 12m from a National grid Support Structure; not a milking shed/dairy shed (excluding the stockyards and ancillary platforms), or a commercial glasshouse, or a structure associated with irrigation, or a factory farm. <p>30.5.4.1.5 Alterations to existing buildings that do not alter the building envelope.</p> <p>30.5.4.1.6 An agricultural structure where Transpower has given written approval in accordance with clause 2.4.1 of NZECP34:2001.</p> <p>Note: Refer to the Definitions for illustration of the National grid yard.</p> | NC | |
| | <p>Rule 30.5.4.1 and relief sought</p> | <p>Appellant Court Number</p> | <p>Consequentially Affected Provisions</p> |
| <p>Amend Rule 30.5.4.1: Buildings and Structures <u>that have a minimum vertical clearance of 10 metres below the lowest point of a conductor or otherwise meets the safe electrical clearance distances required by New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001) are permitted within the National Grid Yard provided they are:</u></p> <p>30.5.4.1.1 A non-conductive fence located 5m or more from any National Grid Support Structure and no more than 2.5m in height.</p> <p>30.5.4.1.2 A nNetwork utility within a transport corridor or any part of electricity infrastructure that connects to the National grid, excluding a building or structure for the reticulation and storage of water for irrigation purposes.</p> <p>30.5.4.1.3 Any new non-habitable building less than 2.5m high and 10m² in floor area and is more than 12m from a National Grid <u>transmission line s</u>Support <u>s</u>Structure.</p> <p>30.5.4.1.4 Any non-habitable building or structure used for agricultural <u>or horticultural</u> activities provided that they are:</p> <ol style="list-style-type: none"> less than 2.5m high; | <p>Transpower New Zealand Limited ENV-2018-CHC-114 (as per further particulars received)</p> | | |

b. located at least 12m from a National Grid transmission line Support Structure;

c. not a wintering barn, produce packing facility, milking shed/dairy shed (excluding the stockyards and ancillary platforms), or a commercial glasshouse, or a structure associated with irrigation, or a factory farm.

30.5.4.1.5 Alterations to existing buildings that do not alter the building envelope.

30.5.4.1.6 An agricultural or horticultural structure where Transpower has given written approval in accordance with clause 2.4.1 of NZECP34:2001.

30.5.4.1.7 Not a National Grid Sensitive Activity.

30.5.4.2 Earthworks permitted within the National Grid Yard NC

- 30.5.4.2.1 Earthworks within 6 metres of the outer visible edge of a National Grid Transmission Support Structure must be no deeper than 300mm.
 - 30.5.4.2.2 Earthworks between 6 metres to 12 metres from the outer visible edge of a National Grid Transmission Support Structure must be no deeper than 3 metres.
 - 30.5.4.2.3 Earthworks must not create an unstable batter that will affect a transmission support structure.
 - 30.5.4.2.4 Earthworks must not result in a reduction in the existing conductor clearance distance below what is required by the NZECP 34:2001.
- The following earthworks are exempt from the rules above:
- 30.5.4.2.5 Earthworks undertaken by network utility operators in the course of constructing or maintaining utilities providing the work is not associated with buildings or structures for the storage of water for irrigation purposes.
 - 30.5.4.2.6 Earthworks undertaken as part of agricultural activities or domestic gardening.
 - 30.5.4.2.7 Repair sealing, resealing of an existing road, footpath, farm track or driveway.
- Note: Refer to the Definitions for illustration of the National grid yard.

| Rule 30.5.4.2 and relief sought | Appellant Court Number | Consequentially Affected Provisions |
|--|---|-------------------------------------|
| Amend Rule 30.5.4.2: Earthworks permitted within the National Grid Yard 30.5.4.2.1 Earthworks within 6 metres of the outer visible edge of a National Grid Transmission line Support Structure must be no deeper than 300mm. 30.5.4.2.2 Earthworks between 6 metres to 12 metres from the outer visible edge of a National Grid Transmission line Support Structure must be no deeper than 3 metres. 30.5.4.2.3 Earthworks must not create an unstable batter that will affect a <u>National Grid</u> transmission <u>line</u> support structure. ... 30.5.4.2.6 Earthworks undertaken as part of agricultural <u>or horticultural</u> activities or domestic gardening. 30.5.4.2.7 Repair, sealing, resealing of an existing road, footpath, farm track or driveway. | Transpower New Zealand Limited ENV-2018-CHC-114 (as per further particulars received) | |

Note: Refer to the Definitions for illustration of the National Grid Yard.

| 30.5.5 | Electricity Distribution Activities | Non-compliance Status |
|----------|--|-----------------------|
| 30.5.5.1 | Minor upgrading | P |
| 30.5.5.2 | <p>Lines and Supporting Structures</p> <p>The placement and upgrading of lines, poles and supporting structures within formed legal road.</p> | P |
| 30.5.5.3 | <p>underground Electricity Cables</p> <p>The placement of underground electricity distribution cables provided the ground surface is reinstated to the state it was prior to works commencing.</p> | P |
| 30.5.5.4 | <p>Lines and Supporting Structures</p> <p>Except as otherwise stated in Rules 30.5.5.2 above, and 30.5.5.5 below new lines and associated above ground support structures including masts, poles or ancillary equipment, but excluding lattice towers, to convey electricity (at a voltage of equal to or less than 100kV at a capacity equal to or less than 100MV).</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. location; b. route; c. height; d. appearance, scale and visual effects. | C |
| 30.5.5.5 | <p>Lines and Supporting Structures</p> <p>Any line or support structure where it involves erecting any support structures for overhead lines to convey electricity (at a voltage of equal to or less than 110kV at a capacity of equal to or less than 100MVA) in any Outstanding Natural Feature or Outstanding Natural Landscape or Significant Natural Areas.</p> | D |

| 30.5.6 | Telecommunications, radio communication, navigation or meteorological communication activities | Activity Status |
|----------|--|-----------------|
| 30.5.6.1 | Minor upgrading | P |
| 30.5.6.2 | New Aerial Lines and Supporting Structures within formed road reserve; or New aerial telecommunication line/s on existing telecommunication or power structures including when located in sensitive environments identified in Rule 30.5.6.5. | P |
| 30.5.6.3 | The construction, alteration, or addition to underground lines providing the ground surface is reinstated to the state it was prior to works commencing. | P |
| 30.5.6.4 | New Aerial Lines and Supporting Structures (outside formed road reserve) Not located in any of the sensitive environments identified by Rule 30.5.6.5 Control is reserved to: a. location; b. route; c. appearance, scale and visual effects. | C |
| 30.5.6.5 | New Aerial Lines and Supporting Structures Any line or support structure within any Outstanding Natural Feature or Outstanding Natural Landscape or Significant Natural Areas. | D |
| 30.5.6.6 | Poles With a maximum height no greater than: a. 18m in the High Density Residential (Queenstown – Flat Sites), Queenstown Town Centre, Wanaka Town Centre (Wanaka Height Precinct) or Airport Zones; b. 25m in the Rural Zone; c. 15m in the Business Mixed use Zone (Queenstown); d. 13m in the Local Shopping Centre, Business Mixed use (Wanaka) or Jacks Point zones; e. 11m in any other zone; and f. 8m in any identified Outstanding Natural Landscape. Where located in the Rural Zone within the Outstanding Natural Landscape or Rural Character Landscape, poles must be finished in colours with a light reflectance value of less than 16%. | P |

| 30.5.6 | Telecommunications, radio communication, navigation or meteorological communication activities | Activity Status | | | | | | | | | |
|--|--|-------------------------------------|---------------------------|-------------------------------------|--|--|---------------|--|---|---------------|---|
| 30.5.6.7 | <p>Poles</p> <p>Exceeding the maximum height for the zones identified in Rule 30.5.6.6 OR any pole located in</p> <ol style="list-style-type: none"> a. any identified Outstanding Natural Feature; b. the Arrowtown Residential Historic Management Zone; c. Arrowtown Town Centre; d. Queenstown Special Character Area; e. Significant Natural Area; f. Sites containing a Heritage Feature; and g. Heritage Overlay Areas. | D | | | | | | | | | |
| 30.5.6.8 | <p>Antennas and ancillary equipment</p> <p>Provided that for panel antennas the maximum width is 0.7m, and for all other antenna types the maximum surface area is no greater than 1.5m² and for whip antennas, less than 4m in length.</p> <p>Where located in the Rural Zone within the Outstanding Natural Landscape or Rural Landscape Classification, antennae must be finished in colours with a light reflectance value of less than 16%.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #d9ead3;">Rule 30.5.6.8 and relief sought</th> <th style="background-color: #d9ead3;">Appellant Court Number</th> <th style="background-color: #d9ead3;">Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td>Amend Rule 30.5.6.8: Provided that for panel antennas the maximum width is 0.7 <u>2.0</u>m, ...</td> <td>Cardrona Alpine Resort Limited ENV-2018-CHC-117</td> <td>Rule 30.5.6.9</td> </tr> <tr> <td>Amend Rule 30.5.6.8: Provided that for panel antennas the maximum width is 0.7 <u>2.0</u>m.</td> <td>Te Anau Developments Limited ENV-2018-CHC-106 (as per further particulars received)</td> <td>Rule 30.5.6.9</td> </tr> </tbody> </table> | Rule 30.5.6.8 and relief sought | Appellant Court Number | Consequentially Affected Provisions | Amend Rule 30.5.6.8: Provided that for panel antennas the maximum width is 0.7 <u>2.0</u> m, ... | Cardrona Alpine Resort Limited ENV-2018-CHC-117 | Rule 30.5.6.9 | Amend Rule 30.5.6.8: Provided that for panel antennas the maximum width is 0.7 <u>2.0</u> m. | Te Anau Developments Limited ENV-2018-CHC-106 (as per further particulars received) | Rule 30.5.6.9 | P |
| Rule 30.5.6.8 and relief sought | Appellant Court Number | Consequentially Affected Provisions | | | | | | | | | |
| Amend Rule 30.5.6.8: Provided that for panel antennas the maximum width is 0.7 <u>2.0</u> m, ... | Cardrona Alpine Resort Limited ENV-2018-CHC-117 | Rule 30.5.6.9 | | | | | | | | | |
| Amend Rule 30.5.6.8: Provided that for panel antennas the maximum width is 0.7 <u>2.0</u> m. | Te Anau Developments Limited ENV-2018-CHC-106 (as per further particulars received) | Rule 30.5.6.9 | | | | | | | | | |
| 30.5.6.9 | <p>Antennas and ancillary equipment</p> <p>Subject to Rule 30.5.6.10 provided that for panel antennas the maximum width is between 0.7m and 1.0m, and for all other antenna types the surface area is between 1.5m² and 4m² and for whip antennas, more than 4m in length.</p> <p>Control is reserved to all of the following:</p> <ol style="list-style-type: none"> a. location; b. appearance, colour and visual effects | C | | | | | | | | | |

| | | |
|-----------|---|---|
| 30.5.6.10 | Any antennas located in the following: a. any identified Outstanding Natural Feature; b. the Arrowtown Residential Historic Management Zone ; c. Arrowtown Town Centre; d. Queenstown Special Character Area; e. Significant Natural Areas; and f. Heritage, Features and Heritage Overlay Areas. | D |
| 30.5.6.11 | Small Cell units Provided that the small cell unit is not located within a Heritage Precinct. | P |

| 30.5.6 | Telecommunications, radio communication, navigation or meteorological communication activities | Activity Status |
|-----------|--|-----------------|
| 30.5.6.12 | Microcells A microcell and associated antennas, with a volume of between 0.11m ³ and 2.5m ³ provided that the microcell is not located within a Heritage Precinct. Control is reserved to: a. appearance; b. colour; and c. visual effects. | C |
| 30.5.6.13 | Small Cell units and Microcells 30.5.6.13.1 A microcell and associated antennas, with a volume more than 2.5m ³ . OR 30.5.6.13.2 A small cell unit located within a Heritage Precinct. | D |

30.6 Rules - Non-Notification of Applications

30.6.1 Any application for resource consent for the following matters does not require the written approval of other persons and will not be notified or limited-notified:

30.6.1.1 Controlled activities except for applications when within 45m of the designated boundary of Transpower New Zealand Limited's Frankton Substation.

30.6.1.2 Discretionary activities for Flood Protection Works.