# INFRASTRUCTURE – INFR

## Overview

*Infrastructure* provides services for the community to function. At a ~~National~~ 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 and beyond[1]

For the purpose of this District Plan, ~~*Infrastructure*~~ *infrastructure* involves those services that provide networks and facilities for transport, electricity transmission, electricity distribution, *telecommunication* and radio[2] 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 the Gore District and beyond.

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. *Critical infrastructure* may be suitable on *highly productive land*.[3] Designations may also provide for *infrastructure*.

The provisions of this chapter give effect to relevant national policy statements and national environmental standards that apply to *specified infrastructure*, the *National Grid,* and *telecommunications*, in conjunction with other district-wide chapters, particularly chapters that manage matters of national importance. Rules in the Natural Hazards, Historic Heritage, Notable Trees, Ecosystems and Indigenous Biodiversity and Natural Features and Landscapes Chapters apply to infrastructure activities where relevant. The rules and standards in this chapter take precedence over rules and standards in Zone chapters. This Chapter does not apply to the construction, management, upgrading or use of roads as these activities are managed by the Subdivision and Transport Chapters. Airport activities or airport related activities within the Airport Zone are managed by that chapter and the Transport chapter. [4]

The use of more sustainable *infrastructure*, such as *green infrastructure and nature-based solutions,* and adoption of technologies to reduce *greywater discharges*, provides opportunities to improve degraded natural *environments*, improve local amenity and enhance long-term environmental resilience. These approaches also help to minimise the impacts of *climate change* by improving resilience and allowing *infrastructure* to adapt to change.[5]

[1] Decision 39, paragraph 5.2.11
[2] Decision 39, paragraph 5.2.5
[3] Decision 39, paragraph 5.2.7
[4] Decision 39, paragraph 5.2.7
[5] Decision 39, paragraph 5.2.3

~~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* *effects*[6], on *infrastructure*.

## Objectives

INFR-O1 The benefits of infrastructure are realised by providing for infrastructure that:

1. is efficient, effective and resilient;
2. delivers 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;
4. enables people and communities to provide for their health, safety and wellbeing; and
5. integrates with existing and potential future *infrastructure* in a safe and efficient way.[7]

~~*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.[8]~~

INFR-~~O1~~O2 The operation, maintenance, upgrading and development of *infrastructure* is provided for to meet the needs of the community and businesses ~~in decision-making~~.[9]

INFR-O3 The safe and efficient operation and security of *critical* ~~*i~~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*.~~ is not compromised by incompatible activities and reverse sensitivity effects.[10]

INFR-O4 Adverse *effects* from the construction, maintenance, upgrade and use of ~~*critical*~~[11] *infrastructure* are managed.

[6] Decision 39, paragraph 5.2.11
[7] Decision 39, paragraph 5.3.7
[8] Decision 39, paragraph 5.4.3
[9] Decision 39, paragraph 5.3.7
[10] Decision 39, paragraph 5.5.7
[11] Decision 39, paragraph 5.6.8

INFR-O5 Low emission and climate resilient urban *environments* are encouraged through the increased use of green infrastructure and nature-based solutions.[12]

## 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~~ having regard to[13] the *functional needs* and *operational needs* of the *network utility.*

INFR-P3 Encourage *green infrastructure, greywater* management systems and ~~renewable energy generation~~ *nature-based solutions*.[14]

~~INFR-P4 Encourage co-location of *infrastructure*.~~ [15]

INFR-P~~5~~4 Encourage co-location and sharing of *infrastructure*.

INFR-P5 The operation, maintenance, upgrading and development of the *National Grid* is protected by:

1. identifying a *National Grid Yard* within which *sensitive activities* are avoided; and
2. managing *subdivision*, use and development in the vicinity of the *National Grid* to avoid adverse *effects* (including *reverse sensitivity effects* on the *National Grid* and to ensure that the operation, maintenance, upgrade and development of the *National Grid* is not compromised.[16]

INFR-P6 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*~~ State Highway network. [17]

INFR-P7 [18]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*, the natural character of *waterbodies* and their margins, public *access* to *waterbodies*, *historic heritage*, *natural hazard* risk, adjoining activities~~,~~ and *sites*, and ecosystem health~~,~~; and

[12] Decision 39, paragraph 5.6.12
[13] Decision 39, paragraph 6.3.6
[14] Decision 39, paragraph 6.4.4
[15] Decision 39, paragraph 6.5.6
[16] Decision 39, paragraph 6.6.5
[17] Decision 39, paragraph 6.6.7
[18] Decision 39, paragraph 6.7.10

2. Ngāi Tahu cultural values listed in MW-1.2.

while considering any *functional need* and *operational need* of *critical infrastructure*.

INFR-P8 Manage adverse *effects* of *infrastructure* on the ability to use *highly productive land* for *land*-based *primary production* by only allowing appropriate use and development, where there is a *functional need* or *operational need* for *specified infrastructure* to be on *highly productive land.* [19]

~~**Notes**~~

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| ~~**Note 1**~~[20] | ~~**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 Significance to Māori and Mana Whenua.~~<br><br>~~*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.~~<br><br>~~*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**~~[21] | ~~**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**~~[22] | ~~**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.~~ |

[19] Decision 39, paragraph 6.7.10
[20] Decision 39, paragraph 6.8.6
[21] Decision 39, paragraph 6.8.6
[22] Decision 39, paragraph 6.8.6

## Rules

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| **INFR-R1** | **Establishment, operation, maintenance, replacement, upgrade, repair or removal of *infrastructure* (including *green infrastructure)* below *ground level*** | |
| **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 *building*** | |
| **All Zones** | **Activity status:** Permitted | **Activity status where compliance not achieved:** N/A |
| **INFR-R3**[23] | **Operation, maintenance, replacement, upgrade, repair or removal of existing above *ground level infrastructure*, excluding *renewable electricity generation infrastructure*, and *access* tracks.** | |
| **All Zones** | **Activity status:** Permitted<br><br>Where:<br><br>1. Either Compliance with all INFR standards are achieved, or the structure or line, as at 30 January 2026, does not exceed:<br><br>(a) maximum increase in external dimensions, except diameter of support poles – 25 %;<br><br>(b) maximum increase in diameter of support poles – 50 %;<br><br>(c) maximum increase in cross-sectional area of any structure, when viewed in any direction – 50 %; and<br><br>(d) maximum change in location of *structure* – 5 metres; and<br><br>2. All *structures* and lines no longer required for *infrastructure* purposes are removed within six months; and | **Activity status where compliance is not achieved:**<br><br>Restricted Discretionary<br><br>**Matters of discretion:**<br><br>1. The *functional need* and *operational needs* of *critical infrastructure*, and benefits derived from the *infrastructure*, including the potential impact on the levels of service or health and safety if the work is not undertaken.<br><br>2. The bulk, *height*, location and design of the *infrastructure*, including any associated *buildings* or *structures*.<br><br>3. The *amenity values* of the respective zone and the extent to which any adverse visual amenity *effects* can be avoided, remedied or mitigated.<br><br>4. Impacts on the safety and function of the *road*, including any *footpath* or cycleway.<br><br>5. Impacts on the function of the rail network, including vehicle access tracks. |

[23] Decision 39, paragraph 7.5.7

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| | 3. Pole mounte~~r~~d electricity transformers that are located over 2 metres above *ground level* must remain at least 2 metres above *ground level.* | ~~5~~6 *Site* reinstatement and replanting.<br>~~6~~7 The duration, timing, and frequency of the activity.<br>~~7~~8 Impacts on Ngāi Tahu cultural values~~, including those~~ listed in the MW~~2.3~~ 1.2<br>9. Impacts on:<br>(a) *sensitive environments*;<br>(b) the natural character of *waterbodies* and their margins;<br>(c) public *access* to *waterbodies*;<br>(d) *historic heritage*;<br>(e) *natural hazard* risk;<br>(f) adjoining activities and *sites*; and<br>(g) *ecosystem* health.<br>~~8~~10 The matters of discretion for the infringed standard. |
| **INFR-R4[24]** | **Establishment of above ground *infrastructure* (including *Green Infrastructure*), excluding renewable electricity generation.** | |
| **All Zones ~~exempting~~ excluding the General Rural, Rural Lifestyle, Field Days and Camp Columba Zones** | **Activity status:** Permitted<br>Where:<br>1. ~~Other than where existing support poles *structures* are used, I~~Lines are ~~to be~~ located underground and replacement support poles meet the permitted provisions in INFR-R3(1); and<br>2. The *building*:<br>(a) meets all INFR Standards; and<br>(b) the *building footprint* does not exceed an area of 40 | **Activity status where compliance is not achieved with:**<br>**INFR-R4(1 and 2):** Restricted Discretionary<br>**Matters of discretion:**<br>1. The reason for the lines being above ground.<br>2. The *amenity values* of the respective zone and the extent to which any adverse visual amenity *effects* can be avoided, remedied or mitigated.<br>3. The ~~functional and operational needs of, and~~ benefits derived from the *infrastructure*, including the potential impact on the |

[24] Decision 39, paragraph 7.6.6

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| | $m^2$. | levels of service or health and safety if the work is not undertaken.<br>4. Impacts on:<br>(a) *sensitive environments*;<br>(b) the natural character of *waterbodies* and their margins;<br>(c) public *access* to *waterbodies*;<br>(d) *historic heritage*;<br>(e) *natural hazard* risk;<br>(f) adjoining activities and *sites*; and<br>(g) *ecosystem* health.<br>5. Impacts on Ngāi Tahu cultural values listed in the MW-1.2<br>6. The matters of discretion for the infringed standard. |
| **General Rural, Rural Lifestyle, Field Days and Camp Columba Zones.** | ~~2~~3. Compliance with all INFR Standards is achieved. | **INFR-R4(~~2~~3):** Restricted Discretionary<br>**Matters of discretion:**<br>1. The benefits derived from the *infrastructure*, including the potential impact on the levels of service or health and safety if the work is not undertaken.<br>2. Impacts on:<br>(a) *sensitive environments*;<br>(b) the natural character of *waterbodies* and their margins;<br>(c) public *access* to *waterbodies*;<br>(d) *historic heritage*;<br>(e) *natural hazard* risk; |

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| | | (f) adjoining activities and *sites*; and<br>(g) *ecosystem* health.<br>3. Impacts on Ngāi Tahu cultural values listed in the MW-1.2<br>4. Impacts on ability to use *highly productive land* for *land*-based *primary production*.<br>~~1~~5 The matters of discretion of any infringed standard |
| **INFR-R5** | ***Network utilities* generating radiofrequency fields.** | |
| **All Zones** | **Activity status:** Permitted<br>Where:<br>1. Compliance with INFR-S8 is achieved. | **Activity status where compliance is not achieved:**<br>Non-Complying |
| **INFR-R6** | ***Network utilities* emitting electric and magnetic fields.** | |
| **All Zones** | **Activity status:** Permitted<br>Where:<br>1. Compliance with INFR-S9 is achieved. | **Activity status where compliance is not achieved:**<br>Non-Complying |
| **INFR-R7** | **Activities and development (other than *earthworks*) within the *National Grid Yard.*** | |
| **All Zones** | **Activity status:** Permitted<br>Where:<br>1. The activity is not a *sensitive activity;* ~~and~~<br>2. *Buildings* or *structures* comply with NZECP34: 2001 and are:<br>(a) for a *network utility*; ~~or~~<br>(b) a *fence* not exceeding 2.5m in *height* above *ground level*; ~~or~~ | **Activity status where compliance is not achieved:**<br>~~Discretionary~~ Non-Complying[25] |

[25] Decision 39, paragraph 7.7.4

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| | (c) a non-habitable *building* or *structure* used for *agricultural and horticultural activities* including irrigation that is not a milking shed/dairy shed (excluding the stockyards and *ancillary* platforms), a wintering barn, a *building* for intensive farming activities, or a *commercial* greenhouse or produce packing facilities; or<br>(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~~<br>3. A *building* or *structure* provided for by (2)(a) to (d) must:<br>(a) not be used for the handling or storage of *hazardous substances* with explosive or flammable intrinsic properties in greater than domestic scale quantities;<br>(b) not permanently obstruct existing *vehicle access* to a *National Grid* support *structure*; and<br>(c) be located at least 12 metres from the outer visible edge of a foundation of a *National Grid* support *structure*, except where it is a *fence* not exceeding 2.5 metres *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**[26] | **Activities and development (other than *earthworks* and other than *electricity distribution network* activities) within the *Electricity Distribution Yard*** | |
| **All Zones** | Activity status: Permitted<br>Where: | **Activity status where compliance is not achieved:**<br>Restricted Discretionary |

[26] Decision 39, paragraph 7.11.3

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| | 1. Any *building* or *structure*, excluding a *fence*, is located at least 10 metres from the centre line of a 66kV electricity distribution line or at least 10 metres of a foundation of an associated support *structure*;<br>2. Any *building* or *structure*, excluding a *fence*, is located at least 5 metres from the centre line of a 33kV electricity distribution line or at least 5 metres from a foundation of an associated support *structure*;<br>3. A *fence* not exceeding 2.5 metres in *height* above *ground level*; or<br>4. Any *building* or *structure* is not used for the handling or storage of *hazardous substances* with explosive or flammable intrinsic properties (this does not apply to the accessory use and storage of *hazardous substances* in domestic scale quantities). | **Matters of discretion:**<br>1. The effects of the activities or *building* or *structure* on the operation of the electricity distribution infrastructure; and<br>2. The ability for the electricity distribution *infrastructure* to be maintained on an ongoing basis; and<br>3. The *amenity values* of the respective zone and the extent to which any adverse visual amenity *effects* can be avoided, remedied or mitigated. |
| ~~INFR-R8~~<br>INFR-R9 | ***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 NES-TF.** | |
| **All Zones** | **Activity status:** Restricted Discretionary<br>**Matters of discretion:**<br>1. The *functional need~~s~~* and *operational need~~s~~* of critical infrastructure[27], 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.<br>2. The bulk, *height*, location and design of the *network utility,* including any associated *buildings* or *structures*.<br>3. The *amenity values* of the respective zone and the | **Activity status where compliance is not achieved:** N/A |

[27] Consequential to Decision 39, paragraph 5.5.7

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| | extent to which any adverse visual amenity *effects* can be avoided, remedied or mitigated.<br>4. *Site* reinstatement and replanting.<br>5. The duration, timing, and frequency of the activity.<br>6. Impacts on Ngāi Tahu cultural values, including those listed in the MW~~2.3~~ 1.2[28]<br>7. Impacts on:[29]<br>(a) *sensitive environments*;<br>(b) the natural character of *waterbodies* and their margins;<br>(c) public *access* to *waterbodies*;<br>(d) *historic heritage*;<br>(e) *natural hazard* risk;<br>(f) adjoining activities and *sites*; and<br>(g) *ecosystem* health.<br>8. The extent and *effect* of non-compliance with any relevant Infrastructure Standards and the matters of discretion for the infringed standard(s). | |
| ~~INFR-R9~~ **INFR-R10**[30] | **Establishment of new *infrastructure* within specified areas not otherwise provided for** | |
| All Zones | Activity status: Discretionary<br>Where: | **Activity status where compliance is not achieved:** ~~N/A~~<br>Non-Complying |

[28] Consequential to Decision 43
[29] Decision 39, paragraph 7.8.5
[30] Decision 39, paragraph 7.9.6

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| | 1. the activity is specified *infrastructure*:<br>(a) in a *Significant Natural Area*; or<br>(b) on *highly productive land*;<br>~~1~~2 The establishment of ~~new~~ *critical infrastructure* within:<br>(a) an Outstanding Natural Landscape or Feature<br>(b) ~~a *Significant Natural Area*~~ an area of *significant indigenous vegetation* or significant habitat of indigenous fauna~~;~~<br>(c) 20 meters of the Mataura River or within the Mataura River Floodway;<br>(d) a *site* containing an item on the Heritage Schedule, a *Notable Tree*, ~~a *Site* of Significance to Māori~~ or an *Archaeological Site;*<br>(e) land on the river side of a ~~Southland Regional Council Stopbank~~ Flood Bank; or<br>(f) on *land* subject to a high or very high risk of liquefaction,<br>unless otherwise provided for in a national environmental standard. | |
| ~~**INF-R10**~~<br>**INFR-R11** | **All other *infrastructure*** | |
| **All Zones** | **Activity status**: Discretionary<br>Where:<br>1. *Infrastructure*, including all *buildings* and *structures*, not otherwise provided for in the above rules. | **Activity status where compliance is not achieved:** N/A |

## Standards

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| **INFR-S1**[31] | **Lines over *waterbodies*** | |
| **All Zones** | 1. Above-ground lines are to<br>(a) be at least 10 metres above the *water* level of the Mataura River or a navigable *waterbody that is a tributary to the Mataura River* when at its maximum navigable flow or attached to, and no lower than, existing structures over ~~a navigable~~ *the waterbody:* or<br>(b) otherwise comply with NZECP34:2001. | **Activity Status where compliance is not achieved with INFR-S1(a):**<br>Restricted Discretionary<br>**Matters of discretion:**<br>1. The *effects* on navigation.<br>2. Alternative locations for the *structure*.<br>3. The *functional needs* ~~s~~ and *operational needs* ~~s~~ of *critical infrastructure*, 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.<br>4. The *amenity values* of the respective Zone and the extent to which any adverse visual amenity *effects* can be avoided, remedied or mitigated.<br>5. Potential impacts on *mahinga kai* activities |
| **INFR-S2**[32] | ***Height* of *Infrastructure*** | |
| **All Zones** | 1. All *buildings* or *structures* must comply with the relevant maximum *height* provisions for *buildings* of the zone they are located in.<br>Except this rule does not apply to:<br>(a) masts or poles for navigation, meteorology, electricity distribution or *telecommunications*;<br>(b) antennas for *telecommunication* and radio communication; or | **Activity Status where compliance is not achieved:**<br>Restricted Discretionary<br>**Matters of discretion:**<br>1. Alternative locations for the *structure*.<br>2. The *functional needs* and *operational needs* of *critical infrastructure*, 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. |

[31] Decision 39, paragraph 8.2.6
[32] Decision 39, paragraph 8.3.1

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| | (c) lines and support *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.<br>4. Impacts on Ngāi Tahu cultural values, ~~including those~~ listed in MW-1.2. ~~the MW-2.3~~ |
| **INFR-S3**[33] | ***Height* of Poles and Masts** | |
| **Rural Zone, Rural Lifestyle Zone, General Industrial Zone and Light Industrial Zone** | [34]The maximum *height* of any utility pole or mast excluding any lighting rod or GPS antenna, and associated electricity lines must ~~shall~~ be:<br>1. 25 metres | **Activity Status where compliance is not achieved:**<br>Restricted Discretionary<br>**Matters of discretion:**<br>1. Alternative locations for the *structure*.<br>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.<br>3. The *amenity values* of the respective zone and the extent to which any adverse visual amenity *effects* can be avoided, remedied or mitigated.<br>4. Impacts on Ngāi Tahu cultural values, ~~including those~~ listed in MW-1.2. ~~the MW-2.3~~ |
| **All Other Zones** | 2. ~~13m~~ 16 metres | |
| **INFR-S4**[35] | ***Setbacks* from boundaries** | |
| **All Zones** | 1. Where the utility is a *building*, it must be set back in accordance with the side, rear, and *road boundary setbacks* for *buildings* in the Zone in which it is located.<br>Except this standard ~~rule~~ does not apply to: | **Activity Status where compliance is not achieved:**<br>Restricted Discretionary<br>**Matters of discretion:** |

[33] Decision 39, paragraph 8.4.8
[34] Decision 39, paragraph 8.4.8
[35] Decision 39, paragraph 8.5.6

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| | (a) poles, antennas, ~~and~~ associated cabinets and *ancillary* equipment (cabinets and *ancillary* equipment up to 10 $m^2$ in area and 3 metres in *height*, exclusive of any plinth or other foundation), for telecommunication, ~~and~~ radio communication and electricity transmission and distribution activities;<br>(b) lines and support structures for *telecommunications*, and electricity transmission and distribution;<br>(c) *network utilities* within legal *road.* | 1. Alternative locations for the *building* ~~*structure*~~.<br>2. Reasons for a reduced *setback,* including ~~T~~the *functional need~~s~~* and *operational need~~s~~* of *critical infrastructure*[36], and benefits derived from, the *building* ~~*structure*~~, including the potential impact on the levels of service if a *building* ~~*structure*~~ of the proposed size is not approved.<br>3. The *amenity values* of the respective Zone and the extent to which any adverse visual amenity *effects* can be avoided, remedied or mitigated.<br>4. Impacts on the safety and functionality of the *road and rail network,* including any *footpath or cycleway.*<br>5. Impacts on Ngāi Tahu cultural values as listed in MW-1.2. |
| **INFR-S5**[37] | **Minimum *Setbacks* from *Rivers* and *Streams*** | |
| **All Zones** | 1. The foundation of a~~A~~ny *infrastructure building* or *structure* must be s*etback* from the closest bank of any *river* or *stream* ~~*or river*~~ as follows:<br>(a) 20 metres for high order *rivers* or *streams* (order 5 and above);<br>(b) 10 metres for middle order *rivers* or *streams* (order 3 and 4); and<br>(c) 5 metres for low order *rivers* or *streams* (order 1 and 2).<br>Except that *fences* of post and wire construction are permitted within the *setback* where these are: | **Activity status where compliance is not achieved:**<br>Restricted Discretionary<br>**Matters of discretion:**<br>1. Whether there is a *functional need* for the *building* or *structure* as part of *critical infrastructure* to locate in a riparian margin, and the extent to which alternative practicable options have been considered and their feasibility.<br>2. The *effects* on water quality and the stability and health of the *river* or *stream bed* and banks, including erosion and *sedimentation control measures.* |

[36] Consequential to Decision 39, paragraph 5.5.7
[37] Decision 39, paragraph 8.6.7

(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 *river* or *stream* ~~or river~~*bed*;

(iii) not constructed across the ~~stream or~~ *river* or *stream* channel; or

(iv) not constructed across or along a ~~stopbank~~ *Flood bank Mitigation Area.*

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

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 Mataura River.
5. Impacts on Ngāi Tahu cultural values, ~~including those~~ listed in MW-1.2. ~~the MW-2.3~~ [38]
6. The effects on public and customary *access* to the ~~stream or~~ *river* or *stream*.
7. The potential for *infrastructure* ~~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*.
8. The benefits derived from, the *infrastructure*, including the potential impact on the levels of service or health and safety if the work is not undertaken.

**INFR-S6**[39] **Footprint of *buildings* and *structures***

[38] Consequential to Decision 43
[39] Decision 39, paragraph 8.7.4

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|---|---|---|
| **All Zones** | 1. The maximum footprint of any utility *building* or *structure* ~~shall~~ ~~be~~ must comply with the *relevant building coverage* provisions for the Zone and Overlay they are located in.<br>~~(a) In the General Residential, Large Lot Residential, Medium Density Residential, Settlement, Town Centre, Local Centre, Neighbourhood Centre and Māori Purpose zones: 6m²~~<br>~~(b) In all other zones: 10m²~~ | **Activity Status where compliance is not achieved:**<br>Restricted Discretionary<br>**Matters of discretion:**<br>1. Alternative locations for the building or *structure*.<br>2. The *functional needs* and *operational needs* of critical infrastructure, and benefits derived from, the building or *structure*, including the potential impact on the levels of service if a building or *structure* of the proposed size is not approved.<br>3. The *amenity values* of the respective zone and the extent to which any adverse visual amenity *effects* can be avoided, remedied or mitigated.<br>4. Impacts on Ngāi Tahu cultural values, ~~including those~~ listed in MW-1.2. ~~the MW-2.3~~<br>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**[40] | 1. That for panel antennas the maximum width is 0.7 metres, ~~and~~ for all other dish antenna ~~types~~ the maximum ~~surface area~~ diameter is no greater than 0.6 $m^2$ and for whip and dipole antennas, the maximum length is ~~are~~ less than 4 metres ~~in length.~~<br>2. For small cells and *ancillary* equipment, the volume of the unit must not exceed 2.5$m^3$. | **Activity Status where compliance is not achieved:**<br>Restricted Discretionary<br>**Matters of discretion:**<br>1. Alternative locations for the *structure*.<br>2. The *functional needs* and *operational needs* of *critical infrastructure*, and benefits derived from, the *structure*, including the potential impact on the levels of service if a |

[40] Decision 39, paragraph 8.8.3

| | | |
|---|---|---|
| | | *structure* of the proposed size is not approved.<br>3. The *amenity values* of the respective zone and the extent to which any adverse visual amenity *effects* can be avoided, remedied or mitigated.<br>4. Impacts on Ngāi Tahu cultural values, ~~including those~~ listed in MW-1.2.~~ the MW-2.3~~ |
| **INFR-S8** | **Radiofrequency fields** | |
| **All Zones** | 1. *Network utilities* 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:**<br>Non-complying |
| **INFR-S9** | **Electric and magnetic fields** | |
| **All Zones** | 1. *Network utilities* 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:**<br>Non-complying |