



**YOUR PLAN OUR FUTURE**  
**TIMARU DISTRICT PLAN REVIEW**  
LAND USE PLAN

**Timaru District Plan Review**

Topic 9

# Utilities and Infrastructure

Discussion Document, November 2016



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## 1.0 Introduction

### 1.1 Purpose

Timaru District Council has commissioned this report to identify the 'issues' with how the Timaru District Plan 2005 manages utilities and infrastructure. The report subsequently identifies the potential 'options' to address these issues and the strengths and weaknesses of each option.

There are many providers of utilities and infrastructure in the Timaru District: the Council, the Crown, Regional Councils, State Owned Enterprises, trading enterprises and private companies. Within the District, the Council is a provider of utilities and services supplying water, stormwater and sewage reticulation, waste disposal and roads.

Please note that transportation is being dealt with under a separate topic and there is an element of crossover between the two as transportation networks are an item of infrastructure.

The report is intended to inform and provide a basis for public consultation on this matter and to some degree stimulate debate. The report forms part of a suite of public consultation measures that may be used to inform a potential change to the District Plan.

### 1.2 Report Format

The remainder of the report has been set out as follows:

- Section 2** identifies and describes the issue.
- Section 3** summarises the relevant statutory matters.
- Section 4** briefly explains the current Timaru District Plan approach to utilities and infrastructure.
- Section 5** discusses some potential options to deal with utilities and infrastructure.

This document outlines the issues our district faces in relation to utilities and infrastructure.

We welcome your feedback on this topic.

**Kerry Stevens**  
Geraldine Ward Councillor

## 2.0 Issue Identification

The types of utilities and infrastructure within the District is wide ranging and includes physical resources which generate energy, provide water and electricity, sewage reticulation, roads, railway lines, airports, ports, telecommunications, radio communications, irrigation, waste and stormwater disposal, and other similar services. The District Plan does not capture all of these elements within the current utilities chapter of the plan.

### Issue 1

The need for the strategic integration of infrastructure and land use.

The infrastructure chapter of the District Plan should reflect the high level strategic direction of the Council in relation to growth and development. The principal issue with utilities and infrastructure in the District Plan is a lack of strategic integration of land use change and infrastructure provision. This has resulted in infrastructure provisions to accommodate growth occurring in an ad-hoc and inconsistent manner. This issue is compounded by no complete / comprehensive code of practice for infrastructure design. A code of practice for infrastructure design sets out Council's engineering standards and performance expectations a developer is required to meet when installing infrastructure. While Council has some standards, it is not complete. The issue is developers find it difficult to estimate the cost of development without a standard / code of practice. There has also been issues regarding conflict for space for utilities within road corridors i.e. accommodating water, sewerage, stormwater and telecommunications within the available corridor has proven problematic. For example, at times the widths of road corridors provided by developers have been less than optimal. As such the District Plan has not been particularly effective or efficient at dealing with utilities and infrastructure, particularly the types on infrastructure that are taken over by Council post-development in the case of subdivision. Integration of infrastructure and subdivision provisions in the District Plan needs to be improved.

### Issue 2

Should all new powerlines, and renewals, replacement and upgrading of over 50 metres in length of overhead lines be installed underground?

The District Plan requires all new powerlines in a number of zones to be located underground. In addition, when (for example) renewal, replacement or upgrading of existing overhead services (other than transmission lines) of more than 50 metres is undertaken in length the District Plan requires these to be relocated underground.

This means for lines companies some renewal works of overhead lines require undergrounding which brings with it a cost. An additional issue is that if lines companies renew the overhead lines one component at a time the activity is not captured by the rule. The alternative is to seek resource consent to retain the lines above ground. Retaining existing overhead lines, or establishing new ones, does bring visual effects which may not be tolerable to the community.

### Issue 3

Should the maximum permitted height for telecommunications installations in the Rural 1 Zone be increased?

Currently the height limit in the Rural 1 Zone is 15 metres. A number of telecommunications installations (such as masts) that have been installed of late have required resource consent to breach this rule. Due to operational requirements these telecommunications masts need to be greater than 15 metres to gain sufficient height to project above obstacles (such as shelter belts) to signal.

Increasing the height however would bring with it an increased level of effects on visual amenity and the rural landscape.

## 3.0 Statutory Matters

This section briefly discusses the relevant statutory documents that influence how Council addresses utilities and infrastructure. It should be noted some of these documents are more directive than others and there are a variety of other statutes that apply to infrastructure and utilities e.g. Telecommunications Act 2001, Electricity Act 1992, Railways Act 2005, and Utilities Access Act 2010.

### **Resource Management Act 1991**

The Council as a territorial authority in terms of the Resource Management Act 1991 has specific responsibilities for utilities and infrastructure under section 31 to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district. This is achieved in the District Plan through objectives, policies and methods (rules) applying to utilities and infrastructure. It is also highlighted that under section 30 of the Act regional councils have responsibility for the strategic integration of infrastructure with land use through objectives, policies, and methods.

The term infrastructure is also defined in section 2 of the Act.

### **National Policy Statement – New Zealand Coastal Policy Statement 2010**

The New Zealand Coastal Policy Statement 2010 has policy recognition for the presence of infrastructure in the coastal environment and the importance it plays in providing for the social, cultural and wellbeing of people and communities.

### **National Policy Statement for Renewable Electricity Generation 2011**

The National Policy Statement for Renewable Electricity Generation 2011 applies to renewable electricity generation activities at any scale. It covers the construction, operation and maintenance of structures associated with renewable electricity generation including small and community-scale renewable generation activities, systems to convey electricity to the distribution network and / or the national grid; and electricity storage technologies associated with renewable electricity storage.

### **Issue 4**

Should the District Plan encourage water conservation and water efficiency through collection, use and reuse of water and retention and treatment of stormwater?

The need for water conservation and efficient use of water are matters that could be addressed through design requirements in the District Plan, such as a requirement for onsite collection of rainwater for new dwellings to be used for watering lawns and gardens. Likewise, onsite retention and treatment of stormwater could be required to reduce the loading on stormwater networks, and to assist with compliance with the water quality provisions of the Canterbury Land and Water Regional Plan.

### **Other Issues**

Another current issue with the District Plan is a lack of policy recognition of nationally and regionally significant infrastructure such as some of the types of infrastructure outlined above. This infrastructure needs to be protected from inappropriate development that might restrict operation; providing buffer areas around electricity transmission lines is an example of this.

The importance of strategic integration of infrastructure and land use is something that is highlighted in the Canterbury Regional Policy Statement and it is something the District Plan will be required to address.

It should also be noted national environmental standards exist for infrastructure such as Electricity Transmission and Telecommunications Facilities. These standards set out what activities are permitted on a national basis.

Finally, there is a wide range of definitions in various statutory documents prepared under the Resource Management Act for 'infrastructure'. A clear direction in the District Plan as to what is captured by the term infrastructure is necessary.

### **National Policy Statement on Electricity Transmission 2008**

The National Policy Statement on Electricity Transmission 2008 provides a high-level framework that gives guidance across New Zealand for the management and future planning of the national grid. It acknowledges the national significance of the national grid, which has to be considered in local decision making on resource management, gives guidance to local decision makers in the management of the impacts of the transmission network on its environment and recognises the national benefits we all get from electricity transmission, such as better security of supply of electricity.

### **Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009**

The National Environmental Standards for Electricity Transmission Activities 2009 sets out a national framework of permissions and consent requirements for activities on existing electricity transmission lines, including the operation, maintenance and upgrading of existing lines. This includes which transmission activities are permitted, subject to conditions to control the environmental effects.

The National Environmental Standards only applies to existing high voltage electricity transmission lines and does not apply to the construction of new transmission lines, substations or electricity distribution lines – these are the lines carrying electricity from regional substations to electricity users.

### **Resource Management (National Environmental Standards for Telecommunications Facilities) Regulations 2008**

The National Environmental Standards for Telecommunications Facilities 2008 provide for a nationally consistent planning framework for radio-frequency fields of all telecommunication facilities and low impact and telecommunications infrastructure on road reserves.

### **Canterbury Regional Policy Statement 2013**

The Canterbury Regional Policy Statement 2013 recognises the need for strategic integration of land use with regionally significant infrastructure for the functioning of communities and economic wellbeing at the national, regional and local scale. Whilst the Regional Policy Statement recognises the need for infrastructure, it also identifies the importance of managing the provision of infrastructure to ensure the way in which it changes the environment is appropriate. The Regional Policy Statement also notes that not all regionally significant infrastructure may need to be integrated with land use. The Regional Policy Statement identifies Timaru Airport and Port of Timaru as regionally significant infrastructure.

### **Canterbury Regional Coastal Environment Plan 2005**

The Regional Coastal Environment Plan 2005 recognises the need to protect existing network utility infrastructure, where such infrastructure is located adjacent to or within the coastal marine area. The Plan also recognises the importance of enabling the Ports of Lyttleton and Timaru to operate efficiently and effectively. In particular, the Plan features a number of exceptions from rules where works in the coastal marine area are being undertaken to protect a network utility.

### **Canterbury Land and Water Regional Plan 2015 (partly operative)**

The Canterbury Land and Water Regional Plan 2015 recognises that infrastructure must pass alongside, through or over river and lake beds and that such activities need to be managed to ensure that bed conditions are maintained to provide for the ecological, cultural, recreational and amenity values associated with them. It also has a rule framework for infrastructure such as municipal waste (landfills). The Plan also has a rule framework for the quality and quantity of stormwater being discharged from the stormwater infrastructure.

## 4.0 Timaru District Plan

Chapter 5 (Solid Waste, Liquid Waste and Hazardous Substances Management) and Chapter 9 (Services and Infrastructure) in Part B of the District Plan, provides the policy framework for services and infrastructure. The rules applying to services and infrastructure are addressed on a zone by zone basis, with some additional matters dealt with in Part D of the District Plan by General Rules 6.5.3.3, 6.6 and 6.11.

The District Plan has two objectives regarding infrastructure. One is to ensure that adequate infrastructure is provided (and paid for) whilst avoiding the impacts of infrastructure on the environment. The second objective is more specific focussing on telecommunications and radio communications.

Chapter 5(b) is focussed on liquid waste provisions (stormwater and sewer). Chapter 9 is generally focussed on the infrastructure that Council provides for the District. This is also reflected by the definition of Utility Services in the District Plan that is narrow and in particular does not recognise transportation networks or communications networks as utilities. Other infrastructure, such as telecommunications or electricity transmission are defined as Public Utilities. Chapter 9 does not refer to Public Utilities. As a result other key items of infrastructure, including those of national and regional importance are not addressed within the chapter.

General Rule 6.11 provides detail on some, but not all designations in the District Plan focussing on the Richard Pearse Airport and Redruth Landfill. These are important items of infrastructure, of which the airport is identified in the Regional Policy Statement as being regionally significant.

General Rule 6.22 currently highlights that there are relevant national environmental standards (including those identified in Section 3 above) that prevail over the provisions of the District Plan. This is an effective way of linking to these higher level policy documents and should be carried through into the new plan and updated where necessary.



# 5.0 Options

The main options to manage utilities and infrastructure are summarised as:

- Status quo (i.e. retain the current District Plan approach).
- Amend (i.e. current District Plan approach requires amendment to align it with current best practice and to give effect to national and regional planning documents).

These options are briefly described in turn below, followed by a brief assessment of their strengths and weaknesses. Please note other options exist for the identified issues that have not been reflected here to keep the document concise.

## Option 1 – Status quo

The following strategic approaches in the current District Plan are still relevant and should be included in the next District Plan:

- An infrastructure chapter with objectives and policies.
- Objectives and policies that recognise (a) the need to provide for utilities and infrastructure and (b) utilities and infrastructure can also have adverse environmental effects.
- Objectives and policies that require that development is serviced in an efficient and appropriate manner.
- The identification of relevant national environmental standards.

<p><b>Strengths</b></p>	<ul style="list-style-type: none"> <li>▪ The District Plan currently has some clear objectives and policies around the provisions of adequate infrastructure for development.</li> <li>▪ National environmental standards are given effect to.</li> </ul>
<p><b>Weaknesses</b></p>	<ul style="list-style-type: none"> <li>▪ The current approach has resulted in the inefficient development of infrastructure.</li> <li>▪ The current approach has not resulted in the strategic integration of infrastructure and land use.</li> <li>▪ Whilst the District Plan has provided for the provision of infrastructure there may be long-term costs associated with addressing issues associated with inadequate infrastructure provision.</li> <li>▪ The District Plan currently requires resource consent is obtained for 'public utilities' in some zones, regardless of the character, scale and intensity of effects that may be associated with the utility which may have resulted in unintended consenting costs.</li> </ul>



## Option 2 – Amend

The intent of the strategic approach in the current District Plan is still valid but the approach requires amendment to align it with current best practice and to give effect to national and regional planning documents as follows:

- Amend the current definition of infrastructure to ensure other types of infrastructure present in the District are captured by the definition.
- Include provisions regarding the need for the strategic integration of land use and regionally significant infrastructure to give effect to the Regional Policy Statement.
- Objectives and policies to have a wider focus to cover all infrastructure in response to the above bullet point.
- Include objectives, policies and rules that ensure sensitive and incompatible land uses are not established within proximity of regionally significant infrastructure.
- Include objectives and policies that ensure appropriate regard is had to infrastructure constraints and limitations when rezoning land.
- Include objectives, policies and rules requiring the strategic integration of subdivision and land use.
- Include provisions that encourage water conservation and water use efficiency, and require stormwater treatment and attenuation.
- Provide clear guidance on infrastructure standards – noting this may be via a document external to the plan but incorporated by reference ('Code of Practice') or could be dealt with outside of the District Plan by a Bylaw.
- Consider amendments to the performance standards for infrastructure (such as the underground installation of power lines and telecommunications mast heights) whilst having regard to the acceptability of increased environmental effects arising for such an approach. The amendments could be:
  - underground installation of power lines: increasing the length of renewal undertaken before undergrounding is required, or removing the requirement all together.
  - telecommunications mast heights: increasing the maximum permitted height in the Rural 1 Zone, or increasing the maximum permitted height for telecommunications / utility structures in the Rural 1 Zone.

<b>Strengths</b>	<ul style="list-style-type: none"> <li>▪ The District Plan will give effect to the Regional Policy Statement.</li> <li>▪ Ensures the strategic integration of land use and infrastructure.</li> <li>▪ Amendments will ensure the District Plan has a wider focus to cover all infrastructure.</li> <li>▪ Will avoid sensitive and incompatible land uses establishing within proximity of regionally significant infrastructure.</li> <li>▪ Appropriate regard is had to infrastructure constraints and limitations when rezoning land.</li> <li>▪ Water conservation and water use efficiency will be encouraged, and stormwater treatment and attenuation will be required.</li> <li>▪ Relaxation of performance standards for infrastructure could bring with it reduced consenting costs.</li> <li>▪ Consolidation of infrastructure and utilities related provisions into one location in the plan will make for ease of use for plan users.</li> <li>▪ Clear guidance will be provided on required infrastructure standards.</li> <li>▪ An amended definition of infrastructure will ensure other types of infrastructure present in the District are captured by the definition.</li> </ul>
<b>Weaknesses</b>	<ul style="list-style-type: none"> <li>▪ Inclusions of provisions to encourage water conservation and water use efficiency, and require stormwater treatment and attenuation, could bring with it increased development costs.</li> <li>▪ Relaxation of performance standards for infrastructure could bring with it a higher degree of adverse environmental effects.</li> <li>▪ Strategic integration of infrastructure and land use may bring with it increased up-front costs for developers.</li> <li>▪ Costs will be incurred in developing an Infrastructure 'Code of Practice' or bylaw.</li> </ul>



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