



SECTION 42A PLANNING REPORT – PROPOSED ŌPŌTIKI DISTRICT PLAN

Date : 3 July 2017
To : Hearing Commissioners
From : Consultant Planner
Subject : **CHAPTER 17 NETWORK UTILITIES - PLANNING REPORT**
File ID :

1. INTRODUCTION

My name is Ann Nicholas. I have a Bachelor of Town Planning and I am a member of the New Zealand Planning Institute. I am a principal of Sigma Consultants, Rotorua, and I have over 35 years experience as a planning consultant. I have been engaged by the Ōpōtiki District Council to assist with the preparation of the draft district plan and the Proposed District Plan and to report on submissions to the Proposed District Plan.

The scope of my report is to provide an evaluation of submission and further submissions received in relation to Chapter 17 Network Utilities. The data, information, facts and assumptions I have considered in forming my recommendations are set out in this report.

2. STRUCTURE AND SUMMARY OF THE CHAPTER

The structure of Chapter 17 Network Utilities is set out with issues, objectives, policies, activity status, standards, assessment criteria, other methods and expected environmental results. This chapter is an existing chapter in the Operative District Plan and seeks to provide a framework for activities to occur within the zone. It stands alone in managing the establishment, operation and maintenance of network utilities. It also sets out controls on other activities within the National Grid Yard. Therefore, it is referenced from Zone chapters.

3. RELEVANT STATUTORY CONSIDERATIONS

The overall Section 42A report provides the statutory framework for the District Plan and the review process and any changes since the Plan was notified. The provisions in this chapter have been developed in accordance with the specific statutory requirements as set out in the Section 32 report prepared and made available at the time that the Plan was notified.

Section 74 of the RMA requires that the District Plan must give effect to the Operative RPS. The RPS identifies regionally significant issues as including:

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- Reverse sensitivity effects on infrastructure;
- Ineffective integration of land use, regionally significant infrastructure and transportation networks;
- Improving security of electricity supply;
- Increasing the use of renewable energy sources and improving energy efficiency and conservation.
- Effects of infrastructure.

The National Policy Statement on Electricity Transmission 2011 (NPSET) provides objectives and policies to recognise the national importance of the national grid and to guide the effects on and from the national grid in relation to other activities. The NPSET helps to ensure that there is a nationally consistent approach to the National Grid.

There are two relevant National Environmental Standards which influence this chapter. The NESETA 2009 applies to existing National Grid transmission lines owned and operated by Transpower. It recognises and provides for the operation, maintenance, upgrading, relocation and removal of the existing transmission network, having considered operational constraints and technical requirements. The NESTF 2016 was developed to provide a nationally consistent planning framework for radiofrequency fields of all telecommunication facilities and low impact telecommunications infrastructure on road reserves.

4. SUBMISSIONS

4.1 SUBMISSION OVERVIEW

16 submitters lodged submissions on this chapter with a further 16 parties lodging further submissions. The broad issues raised in submissions are as follows:

- Restructure rules to be clearer
- Amateur Radio Configurations to be provided for as permitted activities
- Broaden scope of policies to include network utilities in general
- National Grid – include specific rules and notes consistent with NES/ NPS
- Enable infrastructure provision in sensitive environments such as within 50m of MHWS and in the Coastal Environment and ONFLs, where there is a functional requirement
- Include statements about the NESET and NESTF
- Telecommunications kiosks in road reserves and elsewhere

- New overhead lines in Rural Zone and connections to customers in all zones from existing overhead lines
- Increase height or exempt antennas and lightning rods
- Structures to be controlled in National Grid Yards
- Fire fighting water supply requirement

The main issues to be addressed has been to clarify the intent of the chapter to be self contained in relation to network utilities and to clarify the text to be more user friendly and align correctly with the NESET and NESTF (which has been updated).

4.2 SUBMITTERS

The submitters who lodged submissions on provisions relevant to this chapter are as follows:

Submitter Number	Submitter Name	Provisions submitted on
5	J Gregory	17
8	Eastern Bay of Plenty – Forest and Bird	17.2.1, 17.2.2, 17.3.1.2.1, 17.3.1.2.3, 17.3.1.3, 17.3.1.4, 17.3.3.2, 17.3.4, 17.4, 17.5, 17.5.6
11	Horticulture NZ	17.2.3.3, 17.2.3.4, 17.3.1.2, 17.3.4.6, 17.5
17	Bay of Plenty Regional Council	17.4
18	Heritage NZ	17.2.2, 17.3, 17.3.4.6.3, 17.4.1.2, 17.5
24	Ōpōtiki District Council	17, 17.5
36	First Gas Ltd	17.1.1, 17.1.3, 17.1.7, 17.1.8, 17.1.9, 17.2.1, 17.2.1.1, 17.2.1.2, 17.2.1.3, 17.2.1.4, 17.2.2.2, 17.2.3, 17.2.3.1, 17.2.3.2, 17.3.1.1, 17.3.1.2, 17.4.1, 17.4.1.4, 17.5.13
37	NZ Fire Commission	17.5.4
39	Transpower NZ Ltd	17.1.1, 17.1.2, 17.1.3, 17.1.4, 17.1.5, 17.1.6, 17.1.7, 17.1.8, 17.1.9, 17.2, 17.3, 17.3.1.2, 17.3.1.6, 17.3.1.7, 17.3.3.2.1, 17.3.3, 17.3.4.2, 17.3.4.6, 17.3.5, 17.3.5.1, 17.3.5.2, 17.4.1.4, 17.4.2, 17.5
48	NZ Association of Radio Transmitters	17
50	Z Energy	17.53, 17.53.2.2
53	Vodafone	17.1, 17.2, 17.2.1, 17.2.1.2, 17.2.1.3, 17.2.1.4, 17.2.2, 17.2.2.1, 17.2.2.2, 17.2.3, 17.2.3.2, 17.3, 17.3.1, 17.3.1.2, 17.3.1.4, 17.3.1.5
54	Chorus	17.1, 17.2, 17.2.1, 17.2.1.2, 17.2.1.3, 17.2.1.4, 17.2.2, 17.2.2.1, 17.2.2.2, 17.2.3, 17.2.3.2, 17.3, 17.3.1, 17.3.1.2, 17.3.1.4, 17.3.1.5
55	Spark	17.1, 17.2, 17.2.1, 17.2.1.2, 17.2.1.3, 17.2.1.4, 17.2.2, 17.2.2.1, 17.2.2.2, 17.2.3, 17.2.3.2, 17.3, 17.3.1, 17.3.1.2, 17.3.1.4, 17.3.1.5

Submitter Number	Submitter Name	Provisions submitted on
57	Toi Te Ora	17.3.4, 17.3.4.6.2, 17.5
60	Federated Farmers of NZ	17.2.3.1, 17.2.3.3

4.3 Further submitters in relation to the above submissions are as follows:

Further Submitter Number	Further Submitter Name	Submission Number and Name submitted on	
		Number	Name
3.152	Bay of Plenty Regional Council	50.24	Z Energy
4.8	Transpower NZ Ltd	53.27	Vodafone
4.9	Transpower NZ Ltd	36.25	First Gas Ltd
4.11	Transpower NZ Ltd	36.20	First Gas Ltd
4.12	Transpower NZ Ltd	60.117	Federated Farmers of NZ
4.13	Transpower NZ Ltd	11.171	Horticulture NZ
4.14	Transpower NZ Ltd	60.115	Federated Farmers of NZ
4.15	Transpower NZ Ltd	11.172	Horticulture NZ
4.16	Transpower NZ Ltd	39.83	Transpower NZ Ltd
4.17	Transpower NZ Ltd	39.84	Transpower NZ Ltd
4.18	Transpower NZ Ltd	11.174	Horticulture NZ
4.20	Transpower NZ Ltd	8.248	Eastern Bay of Plenty – Forest and Bird
4.19	Transpower NZ Ltd	11.175	Horticulture NZ
6.1	Vodafone	39.83	Transpower NZ Ltd
6.2	Vodafone	39.84	Transpower NZ Ltd
7.1	Chorus	39.83	Transpower NZ Ltd
7.2	Chorus	39.84	Transpower NZ Ltd
8.1	Spark	39.83	Transpower NZ Ltd
9.46	Department of Conservation	39.42	Transpower NZ Ltd
11.48	Federated Farmers of NZ	39.42	Transpower NZ Ltd
11.51	Federated Farmers of NZ	53.45	Vodafone
11.52	Federated Farmers of NZ	54.45	Chorus
11.54	Federated Farmers of NZ	39.83	Spark
11.56	Federated Farmers of NZ	39.88	Transpower NZ Ltd
11.57	Federated Farmers of NZ	39.89	Transpower NZ Ltd
11.58	Federated Farmers of NZ	39.80	Transpower NZ Ltd
13.8	Michael B Spearman	48.8	NZ Association of Radio Transmitters
18.67	Heritage NZ	24.93	Ōpōtiki District Council
18.68	Heritage NZ	36.25	First Gas Ltd
18.70	Heritage NZ	36.29	First Gas Ltd
18.71	Heritage NZ	53.45	Vodafone
18.72	Heritage NZ	54.45	Chorus
18.73	Heritage NZ	55.45	Spark
18.69	Heritage NZ	36.30	First Gas Ltd

Further	Further Submitter Name	Submission Number and Name submitted on	
19.126	Horticulture NZ	24.93	Ōpōtiki District Council
19.127	Horticulture NZ	60.114	Federated Farmers of NZ
19.128	Horticulture NZ	60.115	Federated Farmers of NZ
19.29	Horticulture NZ	39.83	Transpower NZ Ltd
19.131	Horticulture NZ	39.85	Transpower NZ Ltd
19.132	Horticulture NZ	39.87	Transpower NZ Ltd
19.133	Horticulture NZ	39.89	Transpower NZ Ltd
19.134	Horticulture NZ	39.86	Transpower NZ Ltd
19.104	Horticulture NZ	8.13	Eastern Bay of Plenty – Forest and Bird
19.136	Horticulture NZ	39.90	Transpower NZ Ltd
24.1	Brian Heywood	24.93	Ōpōtiki District Council
24.9	Brian Heywood	48.8	NZ Association of Radio Transmitters
25.8	Craig Shepard	48.8	NZ Association of Radio Transmitters
29.8	Robert K Taylor	48.8	NZ Association of Radio Transmitters
31.1	Douglas Birt	24.93	Ōpōtiki District Council
33.1	Michael David Newman	24.93	Ōpōtiki District Council
34.1	DB Hardwick	24.93	Ōpōtiki District Council
34.8	DB Hardwick	48.8	NZ Association of Radio Transmitters

5. CONCLUSION

The changes recommended as a result of the analysis of submissions in Appendix 1 are outlined in the Tracked Changes Version of the Chapter (Appendix 2).

Appendices

Appendix 1 - Chapter 17– Submissions Analysis

Appendix 2 – Chapter 17 - Track Changes