

Once you have completed your feedback, please email to regionalplan@gw.govt.nz

Please enter your details below

<p>*Submitter Name: Full name, or Name of Organisation / Company</p>	<p>Chorus New Zealand Limited, Connexa Limited, Aotearoa Towers Group (trading as FortySouth), One New Zealand Group Limited and Spark New Zealand Trading Limited</p>
<p>Contact person for submission: (If different to above)</p>	<p>c/- Tom Anderson, Incite</p>
<p>Telephone no: (Not required)</p>	<p>027 231 0246</p>
<p>*Address for service: (Email, or physical address) Please note, an <u>email address</u> is the preferred method</p>	<p>tom@incite.co.nz</p>
<p>*I wish to be heard in support of my submission at a hearing</p>	<p>Yes</p>
<p>*I would consider presenting a joint case at the hearing with others who make a similar submission</p>	<p>Yes</p>
<p>*I could gain an advantage in trade competition through this submission</p>	<p>No</p>
<p>Only answer this question if you answered 'yes' to the above question. I am directly affected by an effect of the subject matter of the submission that: A) adversely affects the environment; and B) does not relate to trade competition or the effects of trade competition</p>	<p>N/A</p>
<p style="text-align: center;">In providing a submission to Greater Wellington, I agree to having read and understood the terms and process outlined in this Information Statement</p>	
<p>If providing a submission on behalf of a company / organisation I confirm that I have authority to do so:</p>	
<p>Date:</p>	<p>13 December 2023</p>

Please enter your feedback in the next worksheet "**2) Feedback on Provisions**". All of the provisions in the proposed change have been included so please place your comments in the corresponding cells. If you have questions on how to use this submission form please visit our [Submitter User Help Guide](#) or email one of our friendly team at regionalplan@gw.govt.nz

Proposed Change 1 to the Natural Resources Plan for the Wellington Region – Chorus, Connexa, FortySouth, One NZ and Spark Submissions

The specific submissions and the decisions sought for Proposed Change 1 to the Natural Resources Plan for the Wellington Region are as follows.

Note, in the relief sought, all changes are shown in red deletions are shown in as ~~strikethrough~~ and additional text shown as underlined.

Chapter No and Name	Provision No. & Title	Type of Change	Stance	RMA Process	Reason for feedback:	Decision Sought *
		Amended New Not applicable to Whaitua Not applicable to Te-Awarua-o-Porirua N/A	Support Oppose Neutral Amend Not stated	Freshwater Part 1 Schedule 1 Both	Please provide a summary of the reasons for your feedback on each provision to help us understand your position.	Please describe the actual changes to the provision that you would like to see and, where possible, include your suggested alternative wording. NOTE: Any deletions should be identified using strikethrough , and insertions should be identified using bold .
Definitions	Earthworks	New	Amend	Part 1 Schedule 1	The Telcos support the use of the National Planning Standards definition in principle. However, exemptions for infrastructure from the Operative Natural Resources Plan definition needs to be carried over into the relevant rules.	Retain definition as notified, and amend relevant rules to exempt infrastructure.
Chapter 8 - Whaitua Te Whanganui-a-Tara	Policy WH.P31: Winter shut down of earthworks.	New	Oppose	Part 1 Schedule 1	<p>This policy is linked to a rule which makes earthworks between June and September a non-complying activity.</p> <p>Telecommunications works are carried out year-round to enable the ongoing supply of this critical infrastructure. The telco industry follows industry standard best practice for earthworks. These earthworks are low-impact due to trenching techniques used where trenches are quickly filled in as soon as cables and other infrastructure is placed in ground.</p> <p>Having to apply for consents to undertake these activities in this period will add significant costs and delays in the provision of telecommunication facilities.</p> <p>Further, large rainfall events can and do occur anytime throughout the year. A poor summer/autumn earthworks season due to adverse weather may result in significant lost time to safely undertake earthworks, and the winter period may be appropriate where needed for projects to catch up on progress and stabilise the land. It is best that any issues with winter earthworks are dealt with through conditions of consent as is common practice.</p>	<p>Delete policy:</p> <p>Policy WH.P31: Winter shut down of earthworks Earthworks over 3,000m2 in area shall: (a) be shut down from 1st June to 30th September each year, and (b) prior to shut down, be stabilised against erosion and have sediment controls in place using good management practices in accordance with the Greater Wellington Regional Council Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Wellington Region (2021).</p>

Chapter 8 - Whaitua Te Whanganui-a- Tara	Rule WH.R5: Stormwater from new and redeveloped impervious surfaces – permitted activity	New	Amend	Part 1 Schedule 1	<p>An exemption is sought from this rule for telecommunications facilities.</p> <p>A typical concrete pad foundation for a cell phone tower and associated cabinets is around 36m². In urban areas these are predominantly located in road reserve, often within or partially within a berm, or otherwise on a private lot.</p> <p>It would be impractical in most situations to provide any form of hydrological controls around new or upgraded telecommunications facilities.</p> <p>In most cases there would be no room to install hydrological controls for facilities within the road reserve as often there is often a very limited amount of space for the facility itself to be located in these areas due to above and below ground infrastructure and services, as well as the need to avoid electromagnetic radiofrequency effects on people.</p> <p>Where it is not possible to establish a new site in the road reserve, leasehold agreements are arranged to establish facilities on private properties. In these cases, facilities are often placed near the boundary to minimise disruption for the landowner, and to avoid adverse electromagnetic radiofrequency effects. This limits the ability to choose a location within a property where stormwater controls could be put in place. The increased footprint required would increase the costs of leases and affect the quantity and location of the site needed to be used for the facility.</p> <p>Where it practical to provide hydrological controls, the costs of compliance with this rule would add significantly to the provision of telecommunications infrastructure.</p>	<p>Amend rule as follows:</p> <p>Rule WH.R5: Stormwater from new and redeveloped impervious surfaces – permitted activity The use of land for the creation of new, or redevelopment of existing impervious surfaces (including greenfield development and redevelopment activities of existing urbanised property) and the associated discharge of stormwater into water, or onto or into land where it may enter a surface water body or coastal water, including through an existing or new local authority stormwater network, that is not a high risk industrial or trade premise or unplanned greenfield development, is a permitted activity, provided the following conditions are met: (...)</p> <p><i>Note</i> This rule excludes new and upgraded telecommunications facilities. Where a property connects to a local authority stormwater network, additional connection requirements and authorisations may be required by the network utility operator. For the creation of new or redevelopment of existing impervious surfaces for high risk industrial and trade premises and the associated discharge of stormwater, refer to Rule WH.R11.</p>
Chapter 8 - Whaitua Te Whanganui-a- Tara	Rule WH.R23: Earthworks – permitted activity.	New	Amend	Freshwater	<p>The earthworks definition is now aligned with the National Planning Standards. While this is supported in principle by the Telcos, this removes existing exemptions for telco infrastructure.</p> <p>These activities involve earthworks for laying cables and the upgrading, repair and maintenance of telecommunications structures and lines.</p> <p>These activities can easily exceed 3000sqm in 12 months due to their linear nature. However, the</p>	<p>Amend rule as follows:</p> <p>Rule WH.R23: Earthworks – permitted activity Earthworks is a permitted activity, provided the following conditions are met: (a) the earthworks are to implement an action in the erosion risk treatment plan for the farm, or (b) the earthworks are to implement an action in the farm environment plan for the farm, and-or</p>

					<p>telco industry follows industry standard best practice for earthworks. These earthworks are low-impact due to trenching techniques used where trenches are quickly filled in as cables and other infrastructure is placed in ground.</p> <p>As such these activities should be exempt to remove the need to apply for unnecessary consents which will add significant costs and delays. Rather than an exclusion in the definition as per the Operative Natural Resources Plan, it would be best to include an exclusion in the rule itself to comply with the National Planning Standards.</p> <p>Further, the ‘and’ after clause b means that any earthworks that are not related to farming activities require consent no matter how small. This is most likely an error in how the rule is drafted and should be corrected.</p>	<p>(c) the area of earthworks does not exceed 3,000m² per property in any consecutive 12-month period, and (d) the earthworks shall not occur within 5m of a surface water body or the coastal marine area, except for earthworks undertaken in association with Rules R122, R124, R130, R131, R134, R135, and R137, and (e) soil or debris from earthworks is not placed where it can enter a surface water body or the coastal marine area, including via a stormwater network, and (f) the area of earthworks must be stabilised within six months after completion of the earthworks, and (g) there is no discharge of sediment from earthworks and/or flocculant into a surface water body, the coastal marine area, or onto land that may enter a surface water body or the coastal marine area, including via a stormwater network, and (h) erosion and sediment control measures shall be used to prevent a discharge of sediment where a preferential flow path connects with a surface water body or the coastal marine area, including via a stormwater network.</p> <p><i>Note</i> <u>This rule excludes:</u></p> <ul style="list-style-type: none"> <u>thrusting, boring, trenching or mole ploughing associated with cable or pipe laying and maintenance; and</u> <u>the construction, repair, upgrade or maintenance of telecommunication structures or lines.</u> <p>Earthworks management guidance is available within the <i>Greater Wellington Regional Council, Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region (2021)</i>.</p>
Chapter 8 - Whaitua Te Whanganui-a- Tara	Rule WH.R24: Earthworks – restricted discretionary activity.	New	Amend	Part 1 Schedule 1	<p>This rule makes earthworks between June and September a non-complying activity.</p> <p>Telecommunications works are carried out year-round to enable the ongoing supply of this critical infrastructure. The telco industry follows industry standard best practice for earthworks. These earthworks are low-impact due to trenching techniques used where trenches are quickly filled in as soon as cables and other infrastructure is placed in ground.</p> <p>Having to apply for consents to undertake these activities in this period will add significant costs and delays in the provision of telecommunication facilities.</p>	<p>Amend rule as follows:</p> <p>Rule WH.R24: Earthworks – restricted discretionary activity Earthworks and the associated discharge of sediment and/or flocculant into a surface water body or coastal water, or onto or into land where it may enter a surface water body or coastal water, including via a stormwater network, that does not comply with Rule WH.R23 is a restricted discretionary activity, provided the following conditions are met: (a) the concentration of total suspended solids in the discharge from the earthworks shall not exceed 100g/m³, except that, if at the time of the discharge the concentration of total suspended solids in the receiving water at or about the point of discharge</p>

					Further, large rainfall events can and do occur anytime throughout the year. A poor summer/autumn earthworks season due to adverse weather may result in significant lost time to safely undertake earthworks, and the winter period may be appropriate where needed for projects to catch up on progress and stabilise the land. It is best that any issues with winter earthworks are dealt with through conditions of consent as is common practice.	exceeds 100g/m3, the discharge shall not, after the zone of reasonable mixing , decrease the visual clarity in the receiving water by more than: (i) 20% in River class 1 and in any river identified as having high macroinvertebrate community health in Schedule F1 (rivers/lakes), or (ii) 30% in any other river, and (b) earthworks shall not occur between 1st June and 30th September in any year.
Chapter 9 Te Awarua-o-Porirua Whaitua	Policy P.P29: Winter shut down of earthworks.	New	Oppose	Part 1 Schedule 1	<p>This policy is linked to a rule which makes earthworks between June and September a non-complying activity.</p> <p>Telecommunications works are carried out year-round to enable the ongoing supply of this critical infrastructure. The telco industry follows industry standard best practice for earthworks. These earthworks are low-impact due to trenching techniques used where trenches are quickly filled in as soon as cables and other infrastructure is placed in ground.</p> <p>Having to apply for consents to undertake these activities in this period will add significant costs and delays in the provision of telecommunication facilities.</p> <p>Further, large rainfall events can and do occur anytime throughout the year. A poor summer/autumn earthworks season due to adverse weather may result in significant lost time to safely undertake earthworks, and the winter period may be appropriate where needed for projects to catch up on progress and stabilise the land. It is best that any issues with winter earthworks are dealt with through conditions of consent as is common practice.</p>	<p>Delete policy:</p> <p>Policy P.P29: Winter shut down of earthworks Earthworks over 3,000m2 in area shall: (a) be shut down from 1st June to 30th September each year, and (b) prior to shut down, be stabilised against erosion and have sediment controls in place using good management practices in accordance with the Greater Wellington Regional Council Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Wellington Region (2021).</p>
Chapter 9 Te Awarua-o-Porirua Whaitua	Rule P.R5: Stormwater from new and redeveloped impervious surfaces – permitted activity	New	Amend	Part 1 Schedule 1	<p>An exemption is sought from this rule for telecommunications facilities.</p> <p>A typical concrete pad foundation for a cell phone tower and associated cabinets is around 36m². In urban areas these are predominantly located in road reserve, often within or partially within a berm, or otherwise on a private lot.</p>	<p>Amend rule as follows:</p> <p>Rule P.R5: Stormwater from new and redeveloped impervious surfaces – permitted activity The use of land for the creation of new, or redevelopment of existing impervious surfaces (including greenfield development and redevelopment activities of existing urbanised property) and the associated discharge</p>

				<p>It would be impractical in most situations to provide any form of hydrological controls around new or upgraded telecommunications facilities.</p> <p>In most cases there would be no room to install hydrological controls for facilities within the road reserve as often there is often a very limited amount of space for the facility itself to be located in these areas due to above and below ground infrastructure and services, as well as the need to avoid electromagnetic radiofrequency effects on people.</p> <p>Where it is not possible to establish a new site in the road reserve, leasehold agreements are arranged to establish facilities on private properties. In these cases, facilities are often placed near the boundary to minimise disruption for the landowner, and to avoid adverse electromagnetic radiofrequency effects. This limits the ability to choose a location within a property where stormwater controls could be put in place. The increased footprint required would increase the costs of leases and affect the quantity and location of the site needed to be used for the facility.</p> <p>Where it practical to provide hydrological controls, the costs of compliance with this rule would add significantly to the provision of telecommunications infrastructure.</p>	<p>of stormwater into water, or onto or into land where it may enter a surface water body or coastal water, including through an existing or new local authority stormwater network, that is not a high risk industrial or trade premise or unplanned greenfield development, is a permitted activity, provided the following conditions are met: (...)</p> <p><i>Note</i> <u>This rule excludes new and upgraded telecommunications facilities.</u></p> <p>Where a property connects to a local authority stormwater network, additional connection requirements and authorisations may be required by the network utility operator.</p> <p>For the creation of new or redevelopment of existing impervious surfaces for high risk industrial and trade premises and the associated discharge of stormwater, refer to Rule P.R10.</p>	
Chapter 9 Te Awarua-o-Porirua Whaitua	Rule P.R22: Earthworks – permitted activity.	New	Amend	Freshwater	<p>The earthworks definition is now aligned with the National Planning Standards. While this is supported in principle by the Telcos, this removes existing exemptions for telco infrastructure.</p> <p>These activities involve earthworks for laying cables and the upgrading, repair and maintenance of telecommunications structures and lines.</p> <p>These activities can easily exceed 3000sqm in 12 months due to their linear nature. However, the telco industry follows industry standard best practice for earthworks. These earthworks are low-impact due to trenching techniques used where trenches are quickly filled in as cables and other infrastructure is placed in ground.</p> <p>As such these activities should be exempt to remove the need to apply for unnecessary</p>	<p>Amend rule as follows:</p> <p><u>Rule P.R22: Earthworks – permitted activity</u> Earthworks is a permitted activity, provided the following conditions are met: (a) the earthworks are to implement an action in the erosion risk treatment plan for the farm, or (b) the earthworks are to implement an action in the farm environment plan for the farm, and-or (c) the area of earthworks does not exceed 3,000m2 per property in any consecutive 12-month period, and (d) the earthworks shall not occur within 5m of a surface water body or the coastal marine area, except for earthworks undertaken in association with Rules R122, R124, R130, R131, R134, R135, and R137, and (e) soil or debris from earthworks is not placed where it can enter a surface water body or the coastal marine area, including via a stormwater network, and</p>

					<p>consents which will add significant costs and delays. Rather than an exclusion in the definition as per the Operative NRP, it would be best to include an exclusion in the rule itself to comply with the National Planning Standards.</p> <p>Further, the 'and' after clause b means that any earthworks that are not related to farming activities require consent no matter how small. This is most likely an error in how the rule is drafted and should be corrected.</p>	<p>(f) the area of earthworks must be stabilised within six months after completion of the earthworks, and</p> <p>(g) there is no discharge of sediment from earthworks and/or flocculant into a surface water body, the coastal marine area, or onto land that may enter a surface water body or the coastal marine area, including via a stormwater network, and</p> <p>(h) erosion and sediment control measures shall be used to prevent a discharge of sediment where a preferential flow path connects with a surface water body or the coastal marine area, including via a stormwater network.</p> <p><i>Note</i> <u>This rule excludes:</u></p> <ul style="list-style-type: none"> • <u>thrusting, boring, trenching or mole ploughing associated with cable or pipe laying and maintenance; and</u> • <u>the construction, repair, upgrade or maintenance of telecommunication structures or lines.</u> <p>Earthworks management guidance is available within the <i>Greater Wellington Regional Council, Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region (2021)</i>.</p>
Chapter 9 Te Awarua-o-Porirua Whaitua	Rule P.R23: Earthworks – restricted discretionary activity.	New	Amend	Part 1 Schedule 1	<p>This rule makes earthworks between June and September a non-complying activity.</p> <p>This policy is linked to a rule which makes earthworks between June and September a non-complying activity.</p> <p>Telecommunications works are carried out year-round to enable the ongoing supply of this critical infrastructure. The telco industry follows industry standard best practice for earthworks. These earthworks are low-impact due to trenching techniques used where trenches are quickly filled in as soon as cables and other infrastructure is placed in ground.</p> <p>Having to apply for consents to undertake these activities in this period will add significant costs and delays in the provision of telecommunication facilities.</p> <p>Further, large rainfall events can and do occur anytime throughout the year. A poor summer/autumn earthworks season due to adverse weather may result in significant lost time to safely undertake earthworks, and the winter</p>	<p>Amend rule as follows:</p> <p><u>Rule P.R23: Earthworks – restricted discretionary activity</u> Earthworks and the associated discharge of sediment and/or flocculant into a surface water body or coastal water, or onto or into land where it may enter a surface water body or coastal water, including via a stormwater network, that does not comply with Rule WH.R23 is a restricted discretionary activity, provided the following conditions are met:</p> <p>(a) the concentration of total suspended solids in the discharge from the earthworks shall not exceed 100g/m³, except that, if at the time of the discharge the concentration of total suspended solids in the receiving water at or about the point of discharge exceeds 100g/m³, the discharge shall not, after the zone of reasonable mixing, decrease the visual clarity in the receiving water by more than:</p> <p>(i) 20% in River class 1 and in any river identified as having high macroinvertebrate community health in Schedule F1 (rivers/lakes), or</p> <p>(ii) 30% in any other river; and</p> <p>(b) earthworks shall not occur between 1st June and 30th September in any year.</p>

					<p>period may be appropriate where needed for projects to catch up on progress and stabilise the land. It is best that any issues with winter earthworks are dealt with through conditions of consent as is common practice.</p>	
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