



Planning Standards Team
Ministry of the Environment
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17 August 2018

Dear Sir/Madam,

TCF Submission – National Planning Standards

The NZ Telecommunications Forum Inc (TCF)* welcomes the opportunity to make a submission on the proposed National Planning Standards (NPS).

The TCF is a pan-industry organisation which aims to encourage cooperation and develop standards for telecommunications equipment and services. Our members provide telecommunications services to 95 per cent of telecommunications customers in New Zealand.

Our members are continuously investing in mobile and fixed data networks and systems across New Zealand and as such are significant network utility operators. To support their activities, our members work with Local Government and make submissions on proposed regional and district plan documents to ensure that maintaining, upgrading existing, building new mobile and fixed data networks are appropriately enabled throughout New Zealand.

Every regional and district plan deals with network utility provisions differently meaning there is limited consistency of permitted or consented activities from district to district and from city to city. This contrasts with our members' networks which are generally manufactured and built in a reasonably consistent form to achieve the performance that the equipment is designed for and meet customers' expectation.

Presently, the upgrade and development of telecommunications networks are partially enabled in the road and rural areas throughout New Zealand through the standards of the National Environmental Standards for Telecommunication Facilities Regulations 2016 (NESTF). The S.32 report, page 5, on the NESTF recognised the following benefits:

“The main benefits associated with the proposed NESTF Regulations 2016 are:

- *national consistency and certainty for the telecommunications industry;*
- *reduced consent processing and compliance costs;*
- *reduced time delays for infrastructure deployment;*
- *enabling New Zealanders to realise the benefits of UFB and RBI sooner.*

New Zealand Telecommunications Forum Incorporated (TCF)



The efficiency gains for the telecommunications industry and local government will also enable them have more time and resources to invest elsewhere. Improved telecommunication coverage and services will also contribute to the economic and social well-being of businesses and communities.”

The NESTF has been significantly successful in achieving some national consistency and certainty for the industry. However, our members who are building new infrastructure, both fixed line and mobile, across New Zealand, still rely on regional and district plans to enable new networks primarily outside the road and in urban areas. Consequently, our members are heavy users of planning documents as they seek to evaluate each site as to what is permitted or where resource consents are required. This creates a range of issues including:

- Variation in layout of planning documents, plus limited use of electronic plans and wide use of PDF documents that make it difficult to navigate planning documents;
- Variation in build costs from district to district because the inconsistency in district plan rules and resource consenting thresholds leads to bespoke solutions for each site;
- Time delays in the site acquisition and build programmes through having to undertake complex planning assessments or resource consent applications, in addition to the time local government takes to process and consider an application;
- Uncertainty of outcomes where telecommunications infrastructure and/or associated installation activities are not permitted;
- Planning restrictions, which may reduce optimisation in the design of the network resulting in increased inefficiencies and network risk. Moreover, these restrictions lead sometimes to a less than optimal service experience for customers or to potential users missing out because the facility must be constructed at a height to meet permitted standards that is too low to provide coverage of the full potential user catchment;
- Time and cost of submitting, attending hearings on each plan review process, at which our members seek to tell a consistent story but often achieve inconsistent outcomes. With intensive engagement processes and collaborative efforts, our members are starting to achieve greater consistency of district plan provisions, but it is an ongoing and demanding process with no certainty of outcome;
- Councils face costs for staff time required to prepare telecommunications and network utility provisions in District Plans that are technical and have been described as ‘boring’ to prepare and work on. The resourcing costs of staff and/or consultants to process and monitor resource consents and enforce district plan provisions can be unnecessary; and
- Delays and uncertainty in building new or upgrading telecommunication networks and technology affect customers that rely on communications technologies to be competitive internationally, or other users being able to fully realise the benefits of improved telecommunication coverage and services.

Draft first set of National Planning Standards

The TCF supports the draft set of National Planning Standards. We have some suggestions for amendments and some additional definitions.

Development of additional National Planning Standards

The TCF supports the development of additional National Planning Standards. TCF supported the Ministry for the Environment in establishing the working group in August 2016 to explore the opportunities to develop a National Planning Standard for Infrastructure. The working group continues to work on the preparation of what is now a National Planning Standard for Network Utilities (NPSNU).

The concept for the working party was created via submissions to the Resource Legislation Amendment Bill 2016. That suggested potential content for the National Planning Template (NPT).



Of the range of suggestions put forward, topics relating to infrastructure and utilities are commonly raised. Submissions included the following comments:

- There are high costs for network providers and interested parties to submit on multiple plans, on essentially the same or similar topics;
- Welcomed consistency in resource management plans and policy statements structure and form, in order to reduce complexity, improve the clarity and user friendliness of plans;
- Providing a level of consistency in definitions and terms would be beneficial to all users of the plans;
- It is critical to protect the national grid from inappropriate development; and
- Issues centred on reverse sensitivity.

During the Auckland Unitary Plan and the Christchurch Replacement Plan review processes, many of these network utility providers worked co-operatively to support these plan reviews. In both reviews, the network utility providers participated in mediation sessions and were required to work together to achieve workable provisions for their respective activities. Due to industry-specific technical requirements and knowledge required about each network, Councils have been seeking guidance on what is required to support network utilities. Collaborations in a range of plan reviews have significantly improved the provisions, reduced time and resources required to prepare network utility chapters for Councils and industry alike.

The NPSNU working group has been working closely with Ministry for the Environment and has been able to road test the first planning standards, including the F-5 draft chapter from draft National Planning Standard. Comments are based on the experience of using a range of the draft planning standards but with a focus on the standards for Infrastructure and Energy Chapter provisions.

Standardised structure of document

The following draft standards provide the opportunity for professionals who access regional and district plan documents on a regular basis to know and understand the layout and how the plan is going to work in relation to other chapters of National Environmental Standards:

S-RPS: Regional policy statement structure standard, S-DP: District plan structure, standard, S-CP: Combined plan structure standard, S-IGP: Introduction and general provisions standard – Part 1 of all plans and policy statements and S-DWM: District wide matters standard – Part 4 of District plans.

TCF supports the proposals in each of the standards and is pleased to see that for councils that have recently completed plan reviews have seven years to transition to the planning standards format.

The TCF also considers the use of discretionary direction for zones is appropriate as it enables the right level of flexibility depending on the type/scale of city or district provisions that the planning document covers.

The requirement for a colour palette as per Table 21 on page 54/55 is not supported as it fails to recognise the cost of printing colour and environmental issues. Moreover, the colour palette, especially when printed, is not always easy to read without symbols. Our members' environmental sustainability policies include a focus on limiting printing and where printing is necessary, to enable that in black and white. In our members' opinion, the planning standard needs to enable printing in black and white only. Therefore we support the development of a black and white palette of symbols and/or abbreviations.



The requirement to set out details of which rules are more lenient or stringent than the NES under S-IGP table 15 is supported. This will provide clarity for plan users.

F-1: Electronic accessibility and functionality standard

Currently 97% New Zealanders have the ability to access electronic planning documents. Mobile and fixed line access via the rural broadband and ultra-fast fibre projects, will lead to the ability to access these just about anywhere in NZ. Access is continually being improved by the rollout of new technology and networks, including 5G.

The requirement to transition to electronic plans is critical for New Zealanders and will significantly improve access to planning documents and the planning process for everyone. Users will be able to access the document as required and read the information relevant to any proposal they are considering. This will significantly reduce the time it takes to find relevant provisions and improve access to the right information, resulting in improved administrative processes. Consequently, for our members, this will improve their ability to assess telecommunication projects across the New Zealand.

F-2: Mapping standard, F-3 and F-4: Spatial planning tools (District) standard

The requirement to have printed maps should be a discretionary. An electronic plan provides the ability to print the material relevant to a particular project, including the plans. For Councils that continue to use and search pdf documents, the requirement to have printed plans/maps is important.

F-5: Chapter Form standard & F-6: Status of rules and other text and numbering form standard.

Part of the work that has been completed for the development of the NPSNU, is the use of the standard template format in F6. Some of our members' experience of transferring information from a Christchurch District Plan type of format to the new layout is that it is reasonably straight forward and creates an easy-to-use and understand document. The user is able quickly understand the status of the activity and what happens if the rules are infringed. Whilst initially drafting provisions in this format takes a bit of getting used to, it should not be a barrier or reason not to use or incorporate the planning standards.

CM-1: Definitions standard

Our members consider that the following definitions need to be added or altered. During drafting of the NPSNU document, a wide range of new definitions or alterations will be required to ensure that the NPSNU functions and is interpreted as intended. Our members consider that it is too narrow only to recognise a "functional need". "Operational need" should also be included as it is in the Auckland Unitary Plan and Christchurch District Plans":

The need for a proposal or activity to traverse, locate or operate in a particular environment because of technical or operational characteristics or constraints.

The definition of "Height" while simple to read is open to interpretation and will potentially trigger a lot of consequential plan changes to height rules in plan function. The definition on how height is measured is in direct conflict with NESTF 2016 regulation 7(6). Our members consider this conflict should be recognised and resolved potentially by the inclusion of the NESTF height measurement regulations.

Designations format

Our members consider that the format and information requirements for a designation are appropriate, as these will help ensure everyone has access and knowledge about what a requiring authority can execute on a designated site.



Future content for standards – Utilities provisions

We support the development of content standards such as the draft NPSNU that is currently being developed. Network utilities are core infrastructure that all new Zealanders rely upon. To that extent there should be consistency of the regulatory framework but flexibility to recognise the geographical variation of standards in appropriate circumstances. Such flexibility could include how telecommunication facilities or mobile sites are permitted such as in the Queenstown Lakes District outstanding national landscape or on the Canterbury plains.

Our members consider that NPSNU should resolve all the issues identified on page two of this submission. Collaboration between the technical experts and local and central government with drafting controlled by an independent expert, plus inputs and comments from other stakeholders means what may be viewed as a technical and 'boring' chapter to prepare by those writing plans, is replaced by the draft NPSNU. In addition, it resolves the difficult issue of integrating the NESTF 2016 into district plans for telecommunications provisions for telecommunication operators that do not rely on the NESTF 2016 such as Councils.

The TCF would welcome the opportunity to present its views in person if required.

Yours faithfully,



Geoff Thorn

Chief Executive Officer

New Zealand Telecommunications Forum (TCF)

*TCF members Enable, Ultrafastfibre and Vocus have not supported this submission.

