

22/11/2024



☞/- Hearing Administrator – Nicola North

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**Attention:** The Hearings Panel for the Proposed Napier District Plan, Hearing Stream 2

### **Statement – Unison’s Submission points on the Proposed Napier District Plan (PDP): Hearing Stream 2**

The Napier Proposed District Plan (PDP) was notified on 21 September 2023, with submissions closing on 15 December 2023.

Unison Networks Limited provided a submission on the PDP.

This statement responds to further submissions and Council’s s42A on matters covered in Hearing Stream 2 that Unison submitted on. We ask that the statement be accepted in lieu of evidence, as Unison will not be attending this hearing.

We have grouped our relevant submission points into two topics in this statement, being SUB-O3 and SUB-P9, and subdivision standards.

#### **Objective SUB-O3 and Policy SUB-P9**

Our submission points 240.11 and 240.12 sought relief in relation to SUB-O3 and SUB-P9.

#### **Overview of our submission**

Unison requested that the objective and policy be amended to recognise that it is necessary for subdivision to be supported by development infrastructure and additional infrastructure. We consider that it is necessary for the PDP to be future focused, and subdivisions should be required to confirm that there is sufficient network capacity available for utility services to serve the development/subdivision.

The following amendments were sought:

- SUB-O3: To include ‘planned’ network utilities and regionally significant infrastructure, in addition to ‘established’ services.
- SUB-P9: To include ‘planned’ infrastructure networks and to include ‘provide utility reserves where necessary to position new infrastructure to service large lot subdivision’ to the policy.

### **Opposing further submission – Kainga Ora**

In Kainga Ora's further submission, they stated that they oppose our submission points relating to SUB-O3 and SUB-P9 as they are concerned with the implication that consideration around planned network utilities could have on residential subdivision which can create a greater sense of uncertainty in the consenting process. Furthermore, they consider that provisions around the criteria and standards to set out requirements for the size and location of land for utilities would add complexity in developing land for housing.

### **Councils s42A recommendation**

Council have recommended rejecting our submission points 240.11 and 240.12 relating to proposed amendments to SUB-O3 and SUB-P9 and accepting Kainga Ora's recommendation. Council stated that considering future network utilities during the subdivision stage would be premature and alternative tools are available to network providers (e.g. designations).

Council does, however, state that they concur with the following submission points from other submitters in relation to SUB-O3 and SUB-P9:

- Transpower's submission point (99.61) to amend SUB-O3 to give effect to the NPS-ET and reflect the amendments sought to subsequent policies.
- Telecommunications Companies submission point (184.2) seeking to amend SUB-P9 to request clearer requirements for electricity and telecommunications connections to reticulated networks (i.e. seek to amend the wording 'enable connections' to 'ensure connections').
- Guy Panckhurst's submission point (210.6) which seeks to remove requirements for electricity on rural sites and telecommunications on rural and infill sites.
- FENZ submission point (289.49) which seeks to amend SUB-P9 to include direction for firefighting water supply in urban environments.

### **Relief sought**

Taking into account the reasoning provided in our original submission, Kainga Ora's opposing further submission points and Council's recommendation to reject our relief sought, we still consider it to be reasonable to include our proposed amendments in the PDP. This will ensure any planned network utilities are provided for at the subdivision stage to avoid any related issues when these utilities become established.

Kainga Ora's submission that planning for future infrastructure at subdivision stage is a potential constraint to residential development seems short sighted and does not take account of existing situations where subdivision has occurred, and infrastructure has not been constructed to keep up with growth.

In addition, providing for future utilities at subdivision stage is a much more robust and efficient way of ensuring infrastructure is in place to service the subdivision than designating land for infrastructure at a later date.

### **Subdivision Standards**

Our submission points 240.13 and 240.14 sought relief in relation to the subdivision standards.

## **Overview of our submission**

Our submission sought an amendment to SUB-S16 to include measurable criteria for the size and location of land for utility services as we are concerned with large subdivisions that do not set aside utility reserves. Furthermore, we sought a new standard that specifically requires a setback from the electricity distribution network. This network is critical to the economic and social wellbeing of Napier residents, therefore, developments encroaching nationally within recognized electrical safety standards should trigger the need for resource consent.

## **Opposing further submission – Kainga Ora**

Council have recommended rejecting our submission points 240.13 and 240.14 relating to proposed amendments to SUB-16 and the addition of a new standard for the following reasons:

- The electricity distribution network is not mapped, therefore offers plan users no clear direction in where these limitations apply.
- Council considers SUB-S16 adequate in directing plan users to design and locate subdivision so that provision is made for power lines.
- There is an absence of any further compelling reasons for supporting section 32AA evaluation being supplied by Unison.

Council does, however, state that they concur with the following submission points from other submitters in relation to SUB-S16:

- Accepted Telecommunications Companies submission points (151.66 and 184.3) to allow for telecommunication connections via either fibre or wireless, providing flexibility and options for plan users.
- Accepted Guy Panckhurst's submission point (210.3) to confirm when connections must be made, differentiating between the rural and urban environment.

## **Relief sought**

Taking into account the reasoning provided in our original submission, Kainga Ora's opposing further submission points and Council's recommendation to reject our relief sought, we still consider it to be reasonable to include our proposed amendments in the PDP. This will ensure that utility reserves are set aside where necessary during the subdivision stage and recognises the importance of utility networks to be provided for under the PDP.

We appreciate the opportunity to provide this statement for consideration by the Hearings Panel during the Hearing for the Napier PDP (Hearing Stream 2).

Yours sincerely

A handwritten signature in black ink, consisting of several overlapping loops and a vertical stroke, positioned above a horizontal line.

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**Riley Kupa**

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