

Form 5

**SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR POLICY STATEMENT OR
PLAN, CHANGE OR VARIATION***Clause 6 of Schedule 1, Resource Management Act 1991***To** Porirua City Council

Name of submitter: Radio New Zealand Limited (RNZ)

- 1 This is a submission on the Proposed Porirua District Plan (the *Proposed Plan*).
- 2 RNZ could not gain an advantage in trade competition through this submission.
- 3 The specific provisions of the proposal that RNZ's submission relates to are set out in **Schedule 1** to this submission.
- 4 RNZ welcomes the opportunity to submit on the Proposed Plan. RNZ is generally supportive of the Proposed Plan, subject to the amendments in **Schedule 1**.
- 5 RNZ wishes to be heard in support of the submission.
- 6 A summary of RNZ's facilities in the Porirua City and reasons for RNZ's submission are set out below.

Background

- 7 RNZ is a Crown entity established under the Radio New Zealand Act 1995. RNZ owns and operates radio transmission facilities at Whitireia Park, Porirua City (*RNZ's Facilities*).
- 8 The radiocommunication activities from RNZ's Facilities are carried out by RNZ and other broadcasters, using equipment that is owned, maintained and operated by each broadcaster. RNZ maintains the infrastructure surrounding the equipment.
- 9 It is important that the continued operation, maintenance, and improvement of RNZ's national transmission network can occur unimpeded. RNZ's Facilities are an integral and important part of RNZ's national communication network, and it is appropriate that the Proposed Plan recognises this and provides for RNZ's activities.
- 10 RNZ's Facilities perform an important role in, among other things, providing news and information to the public and performing a civil defence role (radio is a key communication tool in the event of natural disasters and RNZ is designated as a lifeline utility under the Civil Defence Emergency Management Act 2002).
- 11 As a lifeline utility, it is critically important that RNZ is not unduly restricted from carrying out activities that are fundamental to the ongoing operation of its transmission activities.

RNZ's Facilities at Porirua

- 12 RNZ's Facilities at Porirua include:

- 12.1 a main concrete block building containing four AM radio transmitters, an emergency generator and ancillary equipment;
- 12.2 a free standing fuel tank; and
- 12.3 a 137 metre guyed aerial mast, at the base of which there is a reinforced concrete building containing aerial coupling unit components.

13 The location of RNZ’s Facilities is shown in **Figure 1** below.



Figure 1: Location of RNZ’s Porirua transmitter site.

- 14 These facilities broadcast multiple radio programmes (and carry out civil defence functions) to Porirua and surrounding areas. The rest of the facility consists of underground wires and cables.
- 15 The RNZ’s facilities are designated (K0201) for Radio Communication Facilities in the Operative Porirua District Plan. The underlying zoning in the Operative Plan is Open Spaces Zone.

RNZ’s submission – general comments

- 16 RNZ provided two lots of feedback to the Porirua City Council on the rezoning of Owbiti Park.¹ The draft District Plan iterations sought that Owbiti Park (located around 140 metres away from RNZ’s transmitter) be rezoned from Open Space Zone to General Residential Zone. RNZ strongly opposed this rezoning on the basis that it

¹ Being certificate of title 718353, Lot 26 DP 25036.

would result in sensitive activities being established in extremely close proximity to its transmitter which would have resulted in significant reverse sensitivity effects.

- 17 RNZ is pleased to see that the Proposed Plan retains Owhiti Park's zoning as Open Space Zone and supports this.
- 18 RNZ considers it important that the Proposed Plan recognises:
 - 18.1 The critical contribution that infrastructure and network utility operations (such as RNZ's facilities) make to the social, economic and cultural wellbeing of the district;
 - 18.2 The geographical and technical constraints of infrastructure and network utilities in relation to land use and subdivision activities; and
 - 18.3 The need to avoid "reverse sensitivity" effects on significant infrastructure and network utility operations, for the benefit of the community.
- 19 RNZ's primary concern is that subdivision and development in proximity to its transmitter sites could lead to reverse sensitivity effects on its transmission. Reverse sensitivity effects are the adverse effects that a new "sensitive" land use can have on existing activities, i.e. they are effects caused by new development. For example:
 - 19.1 RNZ has had direct experience of people, who live near some of its sites, complaining about interference to their electronic devices after they have purchased land and built a house near a transmitter (television reception and, potentially, broadband, telephone signals, burglar alarms and intercom units can be adversely affected near a transmitters);
 - 19.2 Nearby residents might not be happy that, on the occasions it is used (during emergencies or for testing purposes), RNZ's back-up generator that can be noisy when operating.
- 20 It is important that the Proposed Plan acknowledges that reverse sensitivity effects associated with network utilities often cannot be avoided; and that therefore activities sensitive to these effects should avoid locating in areas where they may be adversely affected by network utility activities.
- 21 The Proposed Plan goes a long way towards recognising and protecting its infrastructure and RNZ is generally supportive of the Proposed Plan. Against this, RNZ considers that some amendments are required in relation to certain provisions. These, along with RNZ's reasons for the proposed amendments, are set out in **Schedule 1**.
- 22 RNZ wishes to emphasise again that reverse sensitivity effects on its facilities can undermine the operation of those facilities, which play an important role in broadcasting news and performing its civil defence obligations, and, in some cases, have required RNZ to relocate its facilities, which is disruptive and costly.

Signed for and on behalf of Radio New Zealand Limited by its solicitors and authorised agents Chapman Tripp



Ben Williams
Partner
20 November 2020

Address for service of submitter:

Radio New Zealand Limited
c/- Ben Williams / Lucy Forrester
Chapman Tripp
5th Floor, PwC Centre
60 Cashel Street
PO Box 2510
Christchurch 8140
Email address: ben.williams@chapmantripp.com / lucy.forrester@chapmantripp.com

SCHEDULE 1 – SPECIFIC SUBMISSIONS ON POLICIES AND OBJECTIVES IN THE PROPOSED PORIRUA DISTRICT PLAN ON BEHALF OF RADIO NEW ZEALAND

Objective/Policy/Rule	Proposed Wording	Support/Oppose	Comment and decision sought
Part 1: Introduction and General Provisions			
INTER-1 DEF - Definitions			
Antenna	<p><i>means a device that receives or transmits radiocommunication or telecommunication signals.</i></p> <p><i>It excludes:</i></p> <ul style="list-style-type: none"> <i>a. small cell units; and</i> <i>b. devices used in amateur radio configuration.</i> 	Support.	Retain definition "Antenna" as notified.
Infrastructure, paragraph (c)	<p><i>has the same meaning as in section 2 of the RMA: means–</i></p> <p>...</p> <ul style="list-style-type: none"> <i>c. a network for the purpose of radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989;</i> 	Support.	<p>RNZ supports the definition of "infrastructure" as prescribed by the RMA.</p> <p>Retain paragraph (c) of the definition as notified.</p>
Maintenance and repair	<p><i>means any work or activity necessary to continue the operation and / or functioning of existing infrastructure. It does not include upgrading.</i></p>	Support.	Retain definition "Maintenance and repair" as notified.

Objective/Policy/Rule	Proposed Wording	Support/Oppose	Comment and decision sought
Network utility operator, paragraph ()	<p><i>has the same meaning as in s166 of the RMA: means a person who-</i></p> <p>...</p> <p><i>b. operates or proposes to operate a network for the purpose of-</i></p> <p>...</p> <p><i>ii. radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989;</i></p>	Support.	<p>RNZ supports the definition of "network utility operator" as prescribed by the RMA.</p> <p>Retain definition as notified.</p>
Noise-sensitive activity	<p><i>means:</i></p> <p><i>a. residential activity;</i></p> <p><i>b. marae;</i></p> <p><i>c. hospital;</i></p> <p><i>d. healthcare activity;</i></p> <p><i>e. educational facility; or</i></p> <p><i>f. visitor accommodation activity.</i></p>	Support.	<p>RNZ generally supports the inclusion of a definition for "noise-sensitive activities." RNZ notes that there is also a definition "sensitive activity" which further includes a retirement village and a place of worship.</p> <p>Places of worship, and in particular retirement villages (being a type of residential activity) are also noise-sensitive activities.</p> <p>RNZ seeks that either the definition for "noise-sensitive activity" is made the same as the definition for "sensitive activity", or that the two activities are combined into one definition that includes places of worship and retirement villages.</p>

Objective/Policy/Rule	Proposed Wording	Support/Oppose	Comment and decision sought
Radiocommunication	<p><i>has the same meaning as given in section 2 of the Radiocommunications Act 1989:</i></p> <p><i>means any transmission or reception of signs, signals, writing, images, sounds, or intelligence of any nature by radio waves.</i></p>	Support.	<p>RNZ supports the definition of “radiocommunication” as prescribed by the Radiocommunications Act 1989.</p> <p>Retain definition as notified.</p>
Regionally significant infrastructure	<p><i>means regionally significant infrastructure including:</i></p> <p>...</p> <p><i>h. Radio New Zealand and NZME Radio Limited’s radio transmission facilities at Titahi Bay, designation unique identifier: RNZ-01;</i></p>	Support.	<p>RNZ strongly supports the recognition of its assets as regionally significant infrastructure.</p> <p>Retain paragraph (h) of the definition of “Regionally significant infrastructure” as notified.</p>
Reverse sensitivity	<p><i>means the vulnerability of an existing lawfully established activity to other activities in the vicinity which are sensitive to adverse environmental effects that may be generated by such existing activity, thereby creating the potential for the operation of such existing activity to be constrained.</i></p>	Support with amendment.	<p>Retain a definition of “Reverse sensitivity” but RNZ is concerned that the existing definition does not fully describe what reverse sensitivity actually is. The focus appears to be on the [degree of] vulnerability or sensitivity rather than the actual effect(s).</p>
Upgrading	<p><i>as it applies to infrastructure, means the improvement or increase in carrying capacity, operational efficiency, security or safety of existing infrastructure, but excludes maintenance and repair.</i></p>	Support.	<p>Retain definition “Upgrading” as notified.</p>

Objective/Policy/Rule	Proposed Wording	Support/Oppose	Comment and decision sought
Part 2: District-Wide Matters			
Strategic Direction			
FC-01 Infrastructure	<p><i>Effective, efficient, resilient and safe infrastructure throughout the City that:</i></p> <ol style="list-style-type: none"> <i>1. Provides essential, reliable and secure services, including in emergencies;</i> <i>2. Facilitates local, regional and national connectivity;</i> <p>...</p>	Support.	<p>RNZ supports the inclusion of strategic directions that expressly recognise the importance of its infrastructure, and in particular emergency infrastructure.</p> <p>Retain as notified.</p>
FC-03 Existing activities	<p><i>The ongoing operation, character and amenity values of existing lawful activities are protected from incompatible activities.</i></p>	Support.	<p>RNZ supports the inclusion of strategic directions which recognise the need to protect activities from the effects of reverse sensitivity.</p> <p>Retain as notified.</p>
Energy, Infrastructure and Transport			
INF-O1 The benefits of Regionally Significant Infrastructure	<p><i>The national, regional and local benefits of Regionally Significant Infrastructure are recognised and provided for.</i></p>	Support.	<p>RNZ supports the recognition and provision for regionally significant infrastructure in the Proposed Plan.</p> <p>Retain as notified.</p>
INF-O2 The protection of Regionally Significant Infrastructure	<p><i>The function and operations of Regionally Significant Infrastructure is protected from the adverse effects, including</i></p>	Support.	<p>RNZ supports the recognition that regionally significant infrastructure</p>

Objective/Policy/Rule	Proposed Wording	Support/Oppose	Comment and decision sought
	<p><i>reverse sensitivity effects, of subdivision, use and development.</i></p>		<p>should be protected from reverse sensitivity effects.</p> <p>Retain as notified.</p>
<p>INF-O5 Providing for infrastructure</p>	<p><i>Infrastructure provides benefits to people and communities and is established, operated, maintained and repaired, and upgraded efficiently, securely and sustainably, while the adverse effects of infrastructure are avoided, remedied or mitigated, including effects on:</i></p> <ol style="list-style-type: none"> <i>1. The anticipated character and amenity values of the relevant zone;</i> <i>2. The identified values and qualities of any Overlay; and</i> <p><i>The change in risk to people's lives and damage to adjacent property and other infrastructure from natural hazards.</i></p>	<p>Support.</p>	<p>RNZ supports the intent of this objective.</p>
<p>INF-P1 The benefits of Regionally Significant Infrastructure</p>	<p><i>Recognise the social, economic, environmental and cultural benefits of Regionally Significant Infrastructure, including:</i></p> <p>...</p> <ol style="list-style-type: none"> <i>3. Effective, reliable and future-proofed communications networks and services, that gives people access to telecommunication and radiocommunication services;</i> 	<p>Support.</p>	<p>RNZ supports the specific recognition of the role that radiocommunication services play in the social, economic, environmental and cultural benefits of Regionally Significant Infrastructure.</p> <p>Retain as notified.</p>
<p>INF-P4 Appropriate infrastructure</p>	<p><i>Enable new infrastructure and the maintenance and repair, upgrading and removal of existing infrastructure, including earthworks, that:</i></p>	<p>Support.</p>	<p>It is important that the maintenance, repair, and upgrading of RNZ's</p>

Objective/Policy/Rule	Proposed Wording	Support/Oppose	Comment and decision sought
	<ol style="list-style-type: none"> 1. <i>Is of a form, location and scale that minimises adverse effects on the environment;</i> 2. <i>Is compatible with the anticipated character and amenity values of the zone in which the infrastructure is located; and</i> 3. <i>For any maintenance and repair, or removal of existing infrastructure in any Overlay, it is of a nature and scale that does not adversely impact on the identified values and characteristics of the Overlay that it is located within.</i> 		<p>Facilities are provided for to ensure its continuing efficient operation.</p> <p>Retain as notified.</p>
<p>INF-P5 Adverse effects on Regionally Significant Infrastructure</p>	<p><i>Protect the safe and efficient operation, maintenance and repair, upgrading, removal and development of Regionally Significant Infrastructure from being unreasonably compromised by:</i></p> <p>...</p> <ol style="list-style-type: none"> 6. <i>Considering any potential adverse effects of subdivision of a site that contains or is adjacent to any Regionally Significant Infrastructure other than the National Grid, including:</i> <ol style="list-style-type: none"> a. <i>The impact of subdivision layout and design on the operation, maintenance and repair, and potential upgrade and development of the infrastructure</i> 	<p>Support in part.</p>	<p>RNZ supports the need to protect regionally significant infrastructure from inappropriate subdivision and land use.</p> <p>RNZ considers INF-P5(6)(c) does not go far enough to protect from reverse sensitivity and proposes the following amendment:</p> <ol style="list-style-type: none"> c. The extent to which the subdivision design and consequential development will minimise-avoid the potential reverse sensitivity effects on and amenity and

Objective/Policy/Rule	Proposed Wording	Support/Oppose	Comment and decision sought
	<p><i>b. The extent to which the design and layout of the subdivision demonstrates that a suitable building platform(s) for a dwelling can be provided;</i></p> <p><i>c. The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity effects on and amenity and nuisance effects of the infrastructure; and</i></p> <p><i>7. Requiring subdivision of a site that contains or is adjacent to any Regionally Significant Infrastructure other than the National Grid to be designed to avoid or mitigate any adverse effects on access to, and the safe and efficient operation and repair of, that infrastructure.</i></p>		<p>nuisance effects of the infrastructure;</p>
<p>INF-P8 Provide for Regionally Significant Infrastructure and other infrastructure outside of Overlays</p>	<p><i>Provide for Regionally Significant Infrastructure and other infrastructure which is not located within an Overlay, where it can be demonstrated that the following matters can be achieved:</i></p> <ol style="list-style-type: none"> <i>1. Compatibility with the site, existing built form and landform;</i> <i>2. Compatibility with the anticipated character and amenity values of the zone it is located in;</i> <i>3. Any adverse effects on amenity values are minimised, taking into account:</i> <ol style="list-style-type: none"> <i>a. The bulk, height, size, colour, reflectivity of the infrastructure;</i> <i>b. Any proposed associated earthworks;</i> 	<p>Support.</p>	<p>RNZ supports the intent of this policy.</p>

Objective/Policy/Rule	Proposed Wording	Support/Oppose	Comment and decision sought
	<p><i>c. The time, duration or frequency of any adverse effects; and</i></p> <p><i>d. Any proposed mitigation measures;</i></p> <p><i>4. Any adverse effects on the health, wellbeing and safety of people, communities and the environment, including nuisance from noise, dust, odour emissions, light spill and sedimentation are avoided, remedied or mitigated;</i></p> <p><i>5. Any adverse effects on the natural character and amenity of water bodies, the coast and riparian margins and coastal margins are minimised;</i></p> <p><i>6. Public access to and along the coastal marine area and water bodies is maintained or enhanced;</i></p> <p><i>7. Any adverse effects on any values and qualities of any adjacent Overlays are minimised;</i></p> <p><i>8. The safe and efficient operation of any other infrastructure, including the transport network, is not compromised; and</i></p> <p><i>9. Any adverse cumulative effects are minimised.</i></p>		
<p>INF-P9 Recognise operational needs and functions needs of infrastructure</p>	<p><i>Recognise the operational needs and functional needs of Regionally Significant Infrastructure and other infrastructure by having regard to the following matters when making decisions on new infrastructure and the maintenance and repair and upgrading of existing infrastructure:</i></p> <p><i>1. The extent to which;</i></p> <p><i>a. The infrastructure integrates with, and is necessary to support, planned urban development;</i></p> <p><i>b. The potential for significant adverse effects have</i></p>	<p>Support.</p>	<p>RNZ supports the recognition of the operation and functional needs of regionally significant infrastructure, and in particular the maintenance, repair and upgrading of existing infrastructure. RNZ supports the matters of consideration set out in this policy.</p> <p>Retain as notified.</p>

Objective/Policy/Rule	Proposed Wording	Support/Oppose	Comment and decision sought
	<p><i>been minimised through site, route or method selection; and</i></p> <p><i>c. The ability to avoid, remedy or mitigate adverse effects of infrastructure is constrained by functional and operational needs;</i></p> <p><i>2. The time, duration or frequency of adverse effects;</i></p> <p><i>3. The necessity of the infrastructure including:</i></p> <p><i>a. The need to quickly repair and restore disrupted services; and</i></p> <p><i>b. The impact of not operating, repairing, maintaining, upgrading, removing or developing infrastructure;</i></p> <p><i>4. The location and operational needs and functional needs of existing infrastructure including:</i></p> <p><i>a. The complexity and connectedness of networks and services; and</i></p> <p><i>b. The potential for co-location and shared use of infrastructure corridors; and</i></p> <p><i>5. Anticipated outcomes for the receiving environment and the purpose, character and amenity values of the zone in which it is located.</i></p>		
<p>INF-P11 Electric and magnetic fields and radiofrequency fields</p>	<p><i>Avoid infrastructure that does not meet national environmental standards and/or other nationally recognised standards or guidelines for electric and magnetic fields and radiofrequency fields.</i></p>	<p>Support in part.</p>	<p>RNZ is concerned that the Policy is uncertain in its application and in particular the reference to “<i>other nationally recognised standards</i>” is unclear.</p> <p>It is unclear what would be required for a standard that may on occasion be used in New Zealand to become</p>

Objective/Policy/Rule	Proposed Wording	Support/Oppose	Comment and decision sought
			<p><i>"nationally recognised"</i>. There may also be situations where <i>"nationally recognised standards"</i> potentially conflict with any relevant National Environmental Standards.</p> <p>RNZ considers that the policy should only reference to National Environmental Standards (in relation to which there is no uncertainty as to their application).</p> <p>Amendment sought as follows:</p> <p><i>Avoid infrastructure that does not meet national environmental standards and/or other nationally recognised standards or guidelines for electric and magnetic fields and radiofrequency fields.</i></p>
INF Rules: Note	<i>Noise from backup emergency generators at Radio New Zealand's Titahi Bay facilities is exempt from the noise limits in the Noise chapter.</i>	Support.	<p>RNZ supports the exemption of noise from its backup emergency generators from the noise limits in the Proposed Plan.</p> <p>Retain as notified.</p>

Objective/Policy/Rule	Proposed Wording	Support/Oppose	Comment and decision sought
Subdivision			
SUB-O1 Subdivision design	<p><i>Subdivision creates allotments and patterns of land development that:</i></p> <ol style="list-style-type: none"> <i>1. Are compatible with the anticipated purpose, character and amenity values of each zone;</i> <i>2. Provide for the health and wellbeing of communities; and</i> <i>3. Maintain the safety and efficiency of the transport network.</i> 	Support in part.	<p>Subdivision close to existing RNZ’s facilities gives rise to reverse sensitivity effects (particularly if land is being used for sensitive activities such as residential developments) that may inhibit RNZ’s ability to operate its facilities. Therefore it is important that reverse sensitivity effects are avoided.</p> <p>RNZ seeks the following subparagraph be added to this objective:</p> <ol style="list-style-type: none"> 4. <u>Avoid reverse sensitivity effects on regionally significant infrastructure.</u>
SUB-P1 Creation of allotments	<p><i>Provide for subdivision where it results in allotments that:</i></p> <ol style="list-style-type: none"> <i>1. Reflect the intended pattern of development and are consistent with the purpose, character and amenity values of the zone; and</i> <i>2. Are of a size and dimension that are sufficient to accommodate the intended development form for that zone;</i> <i>3. Protect stands of significant indigenous vegetation that are not located within an identified Significant Natural Area;</i> 	Support in part.	<p>As above, RNZ seeks the following subparagraph be added to this policy:</p> <ol style="list-style-type: none"> 10. <u>Avoid reverse sensitivity effects on regionally significant infrastructure.</u>

Objective/Policy/Rule	Proposed Wording	Support/Oppose	Comment and decision sought
	<ol style="list-style-type: none"> 4. <i>Ensure the safe operation, maintenance and access to any Regionally Significant Infrastructure on or adjacent to the site, taking into account the outcome of consultation with the Regionally Significant Infrastructure owner;</i> 5. <i>Minimise natural hazard risk to people's lives and properties;</i> 6. <i>Within Urban Zones, are adequately served by public open space that is accessible, useable and well-designed;</i> 7. <i>Have legal and physical access to each allotment created by the subdivision;</i> 8. <i>Create esplanade reserves where land adjoins MHWS and/or rivers whose bed has an average width of 3m or more; and</i> 9. <i>For subdivision around buildings that have been approved by way of resource consent, ensure that the staging of the subdivision relative to building construction is efficient and appropriate to the scale and complexity of the overall development.</i> 		
SUB-P5 Integration with infrastructure	<p><i>Require infrastructure to be provided in an integrated and comprehensive manner by:</i></p> <ol style="list-style-type: none"> 1. <i>Ensuring infrastructure meets Council standards and has the capacity to accommodate the development or anticipated future development in accordance with the purpose of the zone, and is in place at the time of allotment creation;</i> 2. <i>Ensuring that subdivisions in Urban Zones, Settlement Zone and Māori Purpose Zone (Hongoeka) are hydraulically neutral;</i> 	Support in part.	<p>As above, RNZ seeks the following subparagraph be added to this policy:</p> <ol style="list-style-type: none"> 6. <u>Avoiding reverse sensitivity effects on network utilities and infrastructure.</u>

Objective/Policy/Rule	Proposed Wording	Support/Oppose	Comment and decision sought
	<p>3. <i>Requiring reticulated wastewater, reticulated water and stormwater management systems in all Urban Zones to meet the performance criteria of the Wellington Water's Regional Water Standard May 2019;</i></p> <p>4. <i>Where reticulated services are not available, ensuring allotments are of a sufficient size and shape with appropriate soil conditions to accommodate on-site wastewater, stormwater and water supply infrastructure, and that there is sufficient water supply capacity for firefighting purposes; and</i></p> <p>5. <i>Ensuring telecommunications and power supply is provided to all allotments.</i></p>		
Subdivision Rules - Notification	[New rule sought by RNZ]	Support	<p>RNZ is an affected party that ought to be notified of any subdivisions are proposed in close proximity to its facilities, because of the potential for reverse sensitivity effects that may impact on RNZ's ability to continue operating its existing facilities.</p> <p>RNZ has not always been notified of subdivision and development proposals in close proximity to its facilities in the past, and wants to ensure that it is properly notified and given the opportunity to submit in the future. This will help to ensure that adverse effects on RNZ's facilities can be avoided, remedied or</p>

Objective/Policy/Rule	Proposed Wording	Support/Oppose	Comment and decision sought
			<p>mitigated, and allow RNZ to continue operating its facilities into the future.</p> <p>RNZ seeks that a rule be included that requires any proposed subdivision within 500 metres of RNZ's facilities to be (at least) limited notified to RNZ, so that RNZ has the opportunity to submit and have its concerns heard.</p> <p>For example:</p> <p><u>Rule [x]: Notification</u></p> <p><u>Where a proposed subdivision activity falls within 500 metres of an existing radiocommunication transmitter site, the Council will notify the operator of that site of the proposal (regardless of whether the Council considers that the effects of the proposal will be minor).</u></p>

Objective/Policy/Rule	Proposed Wording	Support/Oppose	Comment and decision sought
General District Wide Matters			
Noise			
Introduction	<p><i>The following are all exempt from the rules and standards in this chapter:</i></p> <p>...</p> <p>5. <i>The use of generators and mobile equipment (including vehicles) for emergency purposes, including testing and maintenance not exceeding 48 hours in duration, where they are operated by emergency services or lifeline utilities, or for the continuation of radiocommunication broadcasts from Radio New Zealand’s Titahi Bay facilities;</i></p>	Support	RNZ supports the exemption of its emergency generators from the rules and standards in the Noise chapter.
Part 3: Area Specific Matters			
Open Space and Recreation Zones			
OSZ-02 Character and amenity values of the Open Space Zone	<p><i>The predominant character and amenity values of the Open Space Zone are maintained and where possible enhanced and includes:</i></p> <p>1. <i>Large areas of open space with high natural, ecological, landscape and historic heritage value;</i></p> <p>2. <i>A predominance of vegetation of varying types, with some areas of pasture for grazing and forestry; and</i></p>	Support in part	<p>RNZ seeks to have specific acknowledgment of the need for its network utility operations to be located in the open space zone.</p> <p>RNZ seeks the following subparagraph be added to this objective:</p>

Objective/Policy/Rule	Proposed Wording	Support/Oppose	Comment and decision sought
	<p>3. <i>A low level of development and built form with few structures to support passive and active community activities.</i></p>		<p>4. <u>Network utilities with a functional or operational need to be located in an open space zone.</u></p>
<p>OSZ-P3 Maintaining character and amenity values</p>	<p><i>Enable use and development that maintains the character and amenity values of the Open Space Zone where these:</i></p> <ol style="list-style-type: none"> 1. <i>Ensure a predominance of openness and vegetation;</i> 2. <i>Ensure that buildings are suitably located and of an appropriate size;</i> 3. <i>Provide visual separation between new buildings and existing buildings on neighbouring properties;</i> 4. <i>Minimise hard surfacing and, where possible, retaining or providing visually prominent trees, bush and/or landscaping;</i> 5. <i>Integrate new buildings and structures with existing built form, including walkways, cycleways and pedestrian access points; and</i> 6. <i>Ensure that buildings maximise opportunities for multifunctional use by recreational and community activities.</i> 	<p>Support in part</p>	<p>RNZ wants to ensure that any use and development in the Open Space Zone does not interfere with the operation of its existing facilities at Titahi Bay.</p> <p>RNZ seeks the following subparagraph be added to this policy:</p> <p>7. <u>Do not interfere with the operation of network utilities, including avoiding reverse sensitivity effects.</u></p>
<p>OSZ-P4 Potentially inappropriate activities</p>	<p><i>Only allow potentially inappropriate activities in the Open Space Zone where they can demonstrate that they are:</i></p> <ol style="list-style-type: none"> 1. <i>Consistent with Porirua City Reserves Management Plan 2013, the Greater Wellington Parks Network Plan 2020, Whitireia Park Management Plan and Whitireia Park Bylaws 2016 or the Wellington</i> 	<p>Support in part</p>	<p>As above, RNZ seeks the following subparagraph be added to this policy:</p> <p>8. <u>Not going to interfere with the operation of network</u></p>

Objective/Policy/Rule	Proposed Wording	Support/Oppose	Comment and decision sought
	<p><i>Conservation Management Strategy 2019 (whichever applies to the site);</i></p> <ol style="list-style-type: none"> 2. <i>Compatible with the purpose, character and amenity values of the Zone;</i> 3. <i>Ancillary to and/or support open space activities;</i> 4. <i>Of an appropriate scale and location;</i> 5. <i>Not constraining the establishment and operation of open space activities or restrict public access to and across open space;</i> 6. <i>Of a form, scale, location and nature that will not compromise established and planned open space activities and result in any conflict; and</i> 7. <i>Able to be serviced with adequate on-site infrastructure and services.</i> 		<p><u>utilities, including avoiding reverse sensitivity effects.</u></p>
OSZ-P5 Inappropriate use and development	<p><i>Avoid use and development that is incompatible with the purpose, character and amenity values of the Open Space Zone, unless there is a functional need to operate on the site.</i></p>	Support.	<p>RNZ supports the need to avoid inappropriate use and development in the Open Space Zone unless there is a functional need to operate on the site.</p> <p>Retain as notified.</p>

**Correspondence between
Council and submitter which
forms part of this submission**

Louise White

From: Lucy Forrester <Lucy.Forrester@chapmantripp.com>
Sent: Monday, 23 November 2020 11:37 AM
To: dpreview
Cc: Ben Williams
Subject: [EXTERNAL] RE: Submission on Proposed Porirua District Plan on behalf of Radio New Zealand Limited

Categories: No actions required

Good morning,

Yes RNZ would consider presenting a joint case at the hearing if appropriate.

Kind regards,

LUCY FORRESTER

SOLICITOR

Chapman Tripp

D: +64 3 353 0939

LEGAL ADMINISTRATOR: Suzette Bouwer | D: +64 3 353 0396

www.chapmantripp.com

From: dpreview <dpreview@porirua.govt.nz>
Sent: Monday, 23 November 2020 11:35 AM
To: Lucy Forrester <Lucy.Forrester@chapmantripp.com>; dpreview <dpreview@porirua.govt.nz>
Cc: Ben Williams <Ben.Williams@chapmantripp.com>
Subject: RE: Submission on Proposed Porirua District Plan on behalf of Radio New Zealand Limited

Kia Ora,

Thank you for your submission on the Proposed Porirua District Plan. This is an acknowledgement to let you know we have received your submission.

Could you please confirm as per the requirements under Form 5 of the RMA whether RNZ would consider presenting a joint case at a hearing with other similar submissions?

The submission period is open until 5pm on Friday 20 November 2020. At the close of submissions Council will summarise all of the submissions received. The summary of submissions will be publicly available at all Porirua libraries, at the Council office building and online.

If you require any further information, please feel free to contact any member of the Environment and City Planning team by phoning Council on 04 237 5089 or emailing dpreview@pcc.govt.nz.

Yours sincerely

Environment and City Planning Team