BEFORE HUTT CITY COUNCIL

IN THE MATTER OF	the Resource Management Act 1991
AND	
IN THE MATTER OF	Hutt City Council's Proposed District Plan: Hearing Stream 7 – Other Topics

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RESPONSE TO MINUTE 22

TOM ANDERSON

ON BEHALF OF

CHORUS NEW ZEALAND LIMITED, CONNEXA LIMITED, FORTYSOUTH GROUP LP AND SPARK NEW ZEALAND TRADING LIMITED

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10 November 2026

i. Minute 22 ("the Minute") from the Hearings Panel was released on 29 October 2026 and details directs and request for expert conferring, information and technical discussions.

ii. Paragraph's 13 and 14 of the Minute are specific to the amendments I have sought through my evidence in chief and hearings appearance to standard SUB-S8. The amendments sought were to ensure that applicants for new subdivisions consult with mobile network operators as well as fibre providers.

iii. The amendment sought to subclause 2(b) of SUB-S8 was as follows:

> 2. *All new allotments must have provision for suitable telecommunication connections as follows:*
>
> a. *Where a connection to a fixed telecommunication line (fibre broadband) is available, all new allotments must be provided with a connection at the allotment boundary; and.*
>
> b. ~~*Where no connection to a fixed telecommunication line (fibre broadband) is available,*~~ *sufficient wireless network capacity (as confirmed by the mobile network operators) must be available to serve all new allotments.*

iv. For completeness, I have reproduced Paragraphs 13 and 14 of the Minute as follows:

> 13. *In response to a question regarding Mr Anderson's requested changes to clause 2 of standard SUB-S8 that would include a requirement for an applicant to include a telecommunication operator response, Mr Anderson agreed to review the requested changes to confirm whether non-compliance with the requested clause might lead to the need for a resource consent in a manner that was not originally intended.*
>
> 14. *We request Mr Anderson to provide confirmation of his requested changes to SUB-S8, after having considered the above within two weeks of the date of this minute.*

v. As indicated when questioned by Commissioner Jones, the intent of my amendment above is not to require a resource consent if a mobile network operator does not confirm coverage, but to ensure that mobile network operators are aware of new subdivisions so they can make decisions regarding any necessary network upgrades.

vi. However, the brackets included above do not make this clear. As such, I propose the following wording, which in my view ensures that mobile network operators are aware of proposed subdivisions, but there is no ability for mobile network operators to require a resource consent for a subdivision if they did not respond to the consultation from the applicant.

vii. As such, my amended wording sought to SUB-S8 is as follows (changes shown in blue and double ~~*strikethrough*~~ or *underlined*).

Amend SUB-S8 as follows:

SUB-S8 Telecommunications

1. *Open access telecommunication connections with sufficient capacity ~~(as confirmed by both the fibre and mobile network operators)~~ must be ~~provided~~ available to service each new allotment.*

2. *All new allotments must have provision for suitable telecommunication connections as follows:*

    a. *Where a connection to a fixed telecommunication line (fibre broadband) is available, all new allotments must be provided with a connection at the allotment boundary; and.*

    b. ~~*Where no connection to a fixed telecommunication line (fibre broadband) is available, sufficient wireless network capacity (as confirmed by the mobile network operators) must be available to serve all new allotments.*~~ *The applicant shall consult the mobile network operators in regard to whether the proposed subdivision creates demand for additional mobile network infrastructure to enable sufficient service to the proposed allotments within the subdivision. Where a mobile network operator does not respond to the applicants consultation within 20 working days, the requirements of this provision will be deemed to be satisfied.*

Matters of discretion if the standard is breached:

1. *The extent to which the proposed telecommunications supply is sufficient for the development or activity it serves.*

2. *Alternative provision of telecommunications services.*

3. *Any site constraints that make compliance impracticable*

Tom Anderson



10 November 2026