

Before the Independent Hearing Commissioners  
at Far North

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*under:* the Resource Management Act 1991

*in the matter of:* submissions and further submissions in relation to the  
proposed Far North District Plan

Hearing 11 - Energy, Infrastructure, Transport and  
Designations

*and:* **Radio New Zealand Limited**  
*Submitter 489*

Legal submissions on behalf of Radio New Zealand Limited -  
Hearing 11 - Energy, Infrastructure, Transport and Designations

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Dated: 24 April 2025

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## **LEGAL SUBMISSIONS ON BEHALF OF RADIO NEW ZEALAND LIMITED**

- 1 These legal submissions are provided on behalf of Radio New Zealand Limited (*RNZ*) for Hearing 11 – Energy, Infrastructure, Transport and Designations.
- 2 *RNZ* operates an AM radio transmission facility at facilities at Spains Road, Waipapakauri and SH 12, Ōheaewai (*RNZ's Facilities*). *RNZ's Facilities* are an integral part of *RNZ's* national communication network and broadcast multiple radio programmes (and perform a critical civil defence role) to the Far North District and surrounding areas.
- 3 *RNZ's Facilities* are currently designated RNZ 120 and RNZ 142 in the Far North District Plan. *RNZ* provided a rollover notice for the two designations on 31 March 2022 and lodged submissions (Submission 489) and further submissions (FS 304) on the proposed Far North District Plan (*Proposed Plan*).

### **Designations**

- 4 These legal submissions are to clarify to the Panel that *RNZ* is seeking (only) that current designations RNZ 120 and RNZ 142 are *retained* in the Proposed Plan.
- 5 The S42A report on designations assesses RNZ 142 as if it were a notice of requirement for a *new* designation. With respect to the S42A Officer, this is a mistake, potentially caused by some unfortunate historic wording about a 'new designation' in the existing district plan listing which was attached to *RNZ's* rollover notice.
- 6 *RNZ* is not seeking any new designation and respectfully asks that the two existing designations be retained. There are two minor errors in the designations as recorded in the Proposed Plan that *RNZ's* submission sought to be corrected:
  - 6.1 Restoring the introductory text which provides important clarity on the types of activities authorised by the designations; and
  - 6.2 Restoring the '(c)' numbering to the final designation condition.
- 7 Counsel has corresponded with the S42A Officer who has been very helpful, and it is understood she will be updating her recommendation on *RNZ's* designations.

**Conclusion**

- 8 On the basis there are no outstanding issues between RNZ and the Council Officer, and no submitter has raised any issues on RNZ's Facilities, RNZ proposes not to attend the hearing for this matter, but representatives can be available to assist the Panel if that would be useful.

24 April 2025

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Hadleigh Pedler / Ben Williams (Radio New Zealand)