

Porirua's Proposed District Plan 2020

Submission on Porirua's Proposed District Plan

To - Environment and City Planning Team

Date received 20/11/2020

Submission Reference Number #63

Wishes to be heard? Yes

Is willing to present a joint case? Yes

Could gain an advantage in trade competition in making this submission? No

Directly affected by an effect of the subject matter of the submission? No

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Submission points

Point 63.1

Support / Support in part / Oppose

Support in part

Section: SUB - Subdivision

Sub-section:

Provision

SUB-S7 Telecommunications and power supply

Submission

Spark and Vodafone oppose the requirement SUB-S7.1 that specifies the installation of fibre to each all new lot created via subdivision. We support the requirement in the proposed district plan for telecommunication connections, but it should not be exclusive to only one form of network and provide the requirement for developers to only fund that form of network. The standard fails to recognise that there are multiple options for users to connect to a telecommunication network. As a general description of the telecommunication infrastructure, commonly in urban users have the option both fixed line and wireless connections whereas in rural areas wireless is becoming the norm as the copper network beings to be replaced with mainly wireless networks. An increasing % of customers only have a wireless connection to the network and service of their choice. Our request is for amendment to SUB-S7.1 to increase the scope of the requirement to include other forms of telecommunications network being wireless for the following reasons:

1. Telecommunications is an essential service.
2. The telecommunications in New Zealand is a regulated and the industry and government promotes competition for the benefit of end-users of telecommunications services.
3. Council should avoid mandating a particular technology solution as this could unintentionally result in a service provider monopoly and diminish customer choices for the provision of telecommunication services.
4. Telecommunications infrastructure required to support new subdivisions and development should be provided by property

- developers as it is essential to ensure future generations of property owners
5. Porirua City has the opportunity to ensure future proof, yet affordable infrastructure solutions are deployed through the resource consent process and procedures for subdivision and development. Through the resource consent process Council has the ability through consent conditions supporting the district plan requirements to ensure that developers provide telecommunication infrastructure.
 6. *New Zealand Telecommunications Forum (TCF)* is a member organisation representing the majority of telecommunications providers in New Zealand including Spark and Vodafone. The organisation provides neutral, independent information about New Zealand telecommunications products and services and how the industry works in New Zealand. In 2010, so it is a bit out of date and is just starting the process to update, created agreed industry principles for telecommunications infrastructure for new subdivisions. The following is the link to TCF subdivisions document, <https://www.tcf.org.nz/industry/standards-compliance/infrastructure-connections/sub-division-infrastructure/>

Relief sought

SUB-S7	Telecommunications and power supply
All zones	<div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <ol style="list-style-type: none"> 1. All new allotments must have provision for fibre optic cable connections to the legal boundary of the allotments. 2. All new allotments must have provision for electricity connections to the legal boundary of the allotments. </div> <div style="width: 35%;"> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Alternative provision of telecommunication and power supply. </div> </div>

Spark and Vodafone would like to meet Council and any other parties with an interest in this topic to discuss amendments to the SUB-S7.1 there are a number options that could be explored including agreeing the outcome/s of what the requirement is trying to achieve. The outcomes should probably achieve amongst other things the following:

1. requirement for developers to provide telecommunications infrastructure and the ability to supply telecommunications services to each subdivided lot;
2. prior to the release of final Council clearance (S224c) for a subdivision developers should be required to provide written confirmation that the telecommunications infrastructure owner's installation requirements have been met along with written evidence from a telecommunications operator that there is appropriate network.

The following are a couple of options (or something similar) for replacing SUB-S7.1:

Option A

All new allotments must have provision for telecommunication infrastructure.

Comment: as a subdivision requires resource consent the developer is required to show prove to Council how the requirement is achieved.

Option B

All new allotments must have provision for telecommunication infrastructure, as follows;

1. *All new allotments must have provision for telecommunication infrastructure; and*
2. *That the applicant shall provide as part of the subdivision application written confirmation from a telecommunication network operator/s how and what the telecommunication infrastructure will be provided as required by SUB-S7.1; and*
3. *That the applicant shall provide from a telecommunication network operator/s how and what the telecommunication infrastructure has been provided as required in SUB-S7.1 to Council prior to the sign-off of the subdivision condition related to the telecommunication conditions.*

SUB-S7 Telecommunications and power supply

All zones

1.

Option A

All new allotments must have provision for telecommunication infrastructure.

Comment: as a subdivision requires resource consent the developer is required to show prove to Council how the requirement is achieved.

Option B

All new allotments must have provision for telecommunication infrastructure, as follows;

1. *All new allotments must have provision for telecommunication infrastructure; and*
2. *That the applicant shall provide as part of the subdivision application written confirmation from a telecommunication network operator/s how and what the telecommunication infrastructure will be provided as required by SUB-S7.1; and*

That the applicant shall provide from a telecommunication network operator/s how and what the telecommunication infrastructure has been provided as required in SUB-S7.1 to Council prior to the sign-off of the subdivision condition related to the telecommunication conditions.

2. All new allotments must have provision for electricity connections to the legal boundary of the allotments.

Matters of discretion are restricted to:

1. Alternative provision of telecommunication and power supply.