

Before the Independent Hearing Commissioners
at West Coast

under: the Resource Management Act 1991

in the matter of: submissions and further submissions in relation to the
proposed Te Tai o Poutini Plan

and: **Radio New Zealand Limited**
Submitter 476

Memorandum of counsel on behalf of Radio New Zealand Limited

Dated: 6 December 2023

Reference: Ben Williams (ben.williams@chapmantripp.com)
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MEMORANDUM OF COUNSEL ON BEHALF OF RADIO NEW ZEALAND LIMITED

- 1 This memorandum is provided on behalf of Radio New Zealand Limited (*RNZ*). *RNZ* lodged submissions (submitter 476) and further submissions (further submitter 141) on the proposed Te Tai o Poutini Plan (*Proposed Plan*).
- 2 This memorandum relates to the Designations hearing topic that is scheduled for 13 December 2023. *RNZ* does not seek to appear at the hearing but wishes to note its support for the section 42A report and recommendations. *RNZ* also notes an apparent error in the legal title reference contained in the reporting officer's recommendation.

Background

- 3 *RNZ*'s submission supported the Proposed Plan's description of its designation at Cape Foulwind but sought that the geographic extent be clearly identified on the Proposed Plan maps.
- 4 After the lodging of submissions and further submissions on the Proposed Plan, *RNZ* contacted the section 42A reporting officer for the Designations hearing topic to offer technical assistance with mapping the Cape Foulwind designation.
- 5 *RNZ* provided the section 42A reporting officer with site plans for mapping purposes. These are included at **Appendix 1** for the benefit of the Hearings Panel. *RNZ* also clarified that the land at Cape Foulwind that is occupied by its facilities is administered by the Department of Conservation (*DoC*). *RNZ* holds a telecommunications concession from *DoC* for Commercial Radio Purposes. The extent of *RNZ*'s designation aligns with the boundaries of the concession.

Section 42A report and *RNZ*'s position

- 6 The section 42A reporting officer supports *RNZ*'s submission and agrees with the designation extent proposed.¹ *RNZ* supports the recommendation to accept its submission and to identify the Cape Foulwind designation on the Proposed Plan maps as shown in Appendix 2 of the section 42A report.
- 7 *RNZ* notes the recommendation at paragraph 54 of the section 42A report should refer to Lot 2 DP 353986 in accordance with the concession plan provided. The reference to "Lot 1 DP 462988" appears to be an inadvertent error. The spatial extent of *RNZ*'s designation that is proposed in Appendix 2 of the section 42A report is correct.

¹ *Section 42A Report – Designations* at [51].

8 RNZ is happy to provide further information or to answer any questions from the Hearings Panel if that would assist.

6 December 2023

A handwritten signature in blue ink, appearing to read 'Ben Williams', with a horizontal line extending to the right.

Ben Williams / Hadleigh Pedler (Radio New Zealand)

APPENDIX 1 - SPATIAL EXTENT OF RNZ'S DESIGNATION AT CAPE FOULWIND



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NOTES

- LEVELS ARE IN TERMS OF AN ASSUMED DATUM
 FOULWIND (6776)
 NZLLM
 ORIGIN OF LEVELS
 FOULWIND (6776)
 80681.24 m
 39050628 mE
- COORDINATES ARE IN TERMS OF NZGD 2000 BULLER CIRCUIT
 ORIGIN OF COORDINATES
 FOULWIND (6776)
 80681.24 m
 39050628 mE
- BOUNDARIES SHOWN ON THIS PLAN ARE FROM LAND INFORMATION NZ COB AND HAVE NOT BEEN SURVEYED. A BOUNDARY DEFINITION SURVEY MUST BE CARRIED OUT TO DETERMINE EXACT BOUNDARY POSITIONS ON SITE.
- ALL RESERVES, COVENANTS AND OTHER LEGAL INSTRUMENTS ASSOCIATED WITH THIS SITE MAY NOT BE SHOWN ON THIS PLAN. AN INVESTIGATION OF THE MOST CURRENT LEGAL RECORDS SHOULD BE UNDERTAKEN PRIOR TO DESIGN AND CONSTRUCTION COMMENCING.
- LEGAL DESCRIPTION
 LOT 1
 COMPASSED IN LG OCG 2010 P1 1372
 TOTAL AREA 33,0681 HA.

LEGEND



CONCESSION AREA - PLOTTED FROM DOC PLAN TITLED PAC 11-45-11 DATED SEP 2006



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NO.	DESCRIPTION	DATE	BY
1	CONCESSION AREA ADDED	14/06/12	SRM
2	CONCESSION AREA ADDED	14/06/12	SRM
3	CONCESSION AREA ADDED	14/06/12	SRM
4	CONCESSION AREA ADDED	14/06/12	SRM

PROJECT:
 RADIO NEW ZEALAND LTD
 CAPE FOULWIND, WESTPORT

TITLE:

OVERALL SITE PLAN

COORDINATOR	DATE	ISSUED	PROJECT BY	SRM
SRM	14/06/12	SRM	SRM	SRM
CHECKED	DATE	ISSUED	SURVEY BY	SRM
APPROVED	DATE	ISSUED	SURVEY DATE	29/05/12
WH	DATE	ISSUED	ISSUE STATUS	

CLIENT ISSUE
 PROJECT NO: 12000 - A1
 1002-200114
 DRAWING NO: A1

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 REV