



Office of Hon Amy Adams

Member of Parliament for Selwyn

Minister of Justice

Minister for Courts

Minister of Broadcasting

Minister for Communications

OIA 236

11 FEB 2016

Mr Iain Palmer

By email: fyi-request-3516-97dee3b3@requests.fyi.org.nz

Dear Mr Palmer

Thank you for your email dated 1 January 2016 requesting the following information under the Official Information Act 1982 (the Act):

What advice and guidelines etc... has either yourself or your ministry given to installers of Fibre (UFB) where there is a heritage building (pre 1900) involved regardless of heritage listing status?

All installers of fibre are expected to comply with relevant legislation, including the Heritage New Zealand Pouhere Taonga Act 2014. This is emphasised in the Code of Access to Multi Unit Complexs that came into effect in 2013, which specifies that any potential breach of such legislation is a reasonable ground to not continue with the installation of fibre. You can view the Code on the Ministry of Business, Innovation and Employment's (MBIE's) website here: www.mbie.govt.nz/info-services/sectors-industries/technology-communications/communications/broadband-mobile-initiatives/documents-image-library/muc-code.pdf.

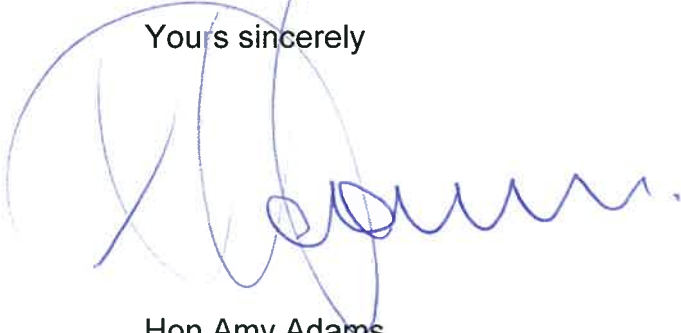
As no further guidance to industry has been issued by either MBIE, or I, on this matter, your request is refused under the following section of the Act:

- 18(g) the information is not held by the department or Minister of the Crown or organisation and the person dealing with the request has no grounds for believing that the information is either –
- (i) held by another department or Minister of the Crown or organisation, or by a local authority; or
 - (ii) connected more closely with the functions of another department or Minister of the Crown or organisation or of a local authority.

However, you may be interested to note that a new planning framework for telecommunications equipment is being jointly developed between MBIE and the Ministry for the Environment. This framework sets national standards under the Resource Management Act 1991 for cabling installation, but will require operators to comply with the local rules for historic heritage areas, including heritage buildings.

This means that local authorities can continue to set conditions that best respect the heritage needs of their geographic areas. You can find more information on this process here: <http://202.36.137.86/rma/rma-legislative-tools/national-environmental-standards/nes-telecommunication-facilities/proposed>.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Amy Adams', with a large, loopy initial 'A'.

Hon Amy Adams
Minister for Communications