

REVIEW OF THE TIMARU DISTRICT PLAN – DESIGNATIONS

NOTICE OF REQUIREMENT FOR DESIGNATIONS (WHICH HAVE NOT LAPSED) UNDER CLAUSE 4 OF THE FIRST SCHEDULE TO THE RESOURCE MANAGEMENT ACT 1991

To: Timaru District Council

From: Spark New Zealand Limited
C/- P O Box 632
Wellington

Notice of Requirement

Pursuant to Clause 4 of the First Schedule of the Resource Management Act 1991, Spark New Zealand Limited (Spark) hereby give notice that the designations allowing for telecommunication and radiocommunication works as described below (being designations that have not lapsed) are required to be included in the Proposed Timaru District Plan.

This notice applies to Spark and Chorus designations included in the operative Timaru District Plan.

On 30 November 2011, Chorus and Telecom demerged into two separate companies. Details of how existing Telecom designations were to be treated after that time was dealt with in the Telecommunications (TSO, Broadband, and Other Matters) Amendment Act 2011. Under that Act, a new Section 69XI was inserted into the Telecommunications Act 2001 approving Chorus as a requiring authority under the Resource Management Act 1991 (RMA).

Further, a new Section 69XJ was inserted into the Telecommunications Act 2001. This section allowed the Minister for Communications and Information Technology, before separation day and by way of Gazette notice, to issue lists comprising all of the designations for which Telecom was formerly responsible. One of these lists detailed the designations that are to be transferred to Chorus

Subsequently, Telecom changed its name to Spark.

Many of the former Spark designations in the operative Timaru District Plan were transferred to Chorus. However, one designation remains under Spark and Spark has interest in another five Chorus sites. A copy of the Gazette notice has previously been provided to the Council, and is therefore not attached to this Notice of Requirement.

The designation purpose shall remain *“Telecommunication and Radiocommunication and Ancillary Purposes”*.

Description of the site to which this Notice applies

The sites to be included in the Proposed Timaru District Plan is one Spark designation contained in the operative Timaru District Plan. Table 1 identifies the designated site to remain as a Spark New Zealand Limited designation.

In addition there are five sites that are designated by Chorus, for which Spark will hold a “secondary” designation. These sites are listed in Table 2. This “secondary’ status is provided for under section 177 of the RMA.

Table 1: Designated site to be Rolled Over (Spark) with minor corrections

Site No.	Site Name	Site Address	CT	Legal Description	Designated Purpose	Existing ID No.	Minor Correction
43066	Timaru Exchange	22 Sophia Street, Timaru	33A/643	Lot 2, 56548, Block XI, Arowhenua Survey District	Telecommunications and Radio Communications and Ancillary	76	Nil

The site identified in Table 1 is a long established telecommunications site that has been given effect to. The site is not subject to conditions. Certificates of Title are attached in Appendix A.

Table 2: Chorus designated site to have a Spark secondary designation

Site Name	Site Address	CT	Legal Description	Designated Purpose	Existing ID No.
Gleniti Exchange	391 Wai-iti Road	33A/711	Lot 5 DP 30495	Telecommunications and Radio Communications and Ancillary	34
Mt Horrible Radio Station	Mt Horrible Road, from Whalebone Corner, Claremont, Timaru	33A/923	Part Section 14 Claremont Settlement	Telecommunications and Radio Communications and Ancillary	147
Washdyke Exchange	2-6 Racecourse Road, Washdyke, Timaru	513/255	Lot 21 DP 3363	Telecommunications and Radio Communications and Ancillary	12
Temuka Exchange	21 Fraser Street, Temuka	33B/675	Section 1 SO15125 and, Section 2, SO 17995, Part Lots 4 & 5, DP 24229 and, Part Lot 2 DP 38886	Telecommunications and Radio Communications and Ancillary	174
Clandeboye Exchange	Rolleston Road, Clandeboye	43B/753	Lot 4 DP 75226	Telecommunications and Radio Communications and Ancillary	135

The sites identified in Table 2 are long established telecommunications sites. Certificates of Title are attached in Appendix A.

Nature of the Proposed Works

The designations relates to an established telecommunication sites which are strategic assets of the Spark network. Designation of these existing facilities is required to ensure the on-going security and resilience of essential services, and to provide for flexibility for the network to adapt to changing technologies and community expectations.

A range of different equipment may be required on this site to support telephone and internet services which may be by fixed line and/or wireless means. This may include:

- A building for housing equipment
- A mast or masts to support antennas
- Antennas
- Back up electricity generators (engine alternators) and associated diesel fuel storage
- Air conditioning plant
- On-site parking for technicians

These sites require ongoing maintenance, upgrades and replacement of equipment and other ancillary works as necessary and as required for the continued provision and evolution of telecommunications and radiocommunications services to meet the needs of the community, and to support a modern knowledge economy.

Effects of any Modifications on the Environment

These are long standing telecommunication sites, therefore are largely part of the existing environment.

Visual Effects

The proposed designations are for existing buildings, structures and infrastructure. The visual effects are therefore existing and are unaffected by the proposal to designate the sites. The designation proposals will allow for activities related to the purpose of the designations to continue to occur and any further effects of future proposals will be assessed at the time of an outline plan.

Noise Effects

On-site air conditioning units may emit noise but that would be less than minor and is part of the existing environment.

Maintenance

The ongoing maintenance of the existing sites will mean visits by technicians. However, as maintenance will be of a temporary nature and are inherent to the ongoing functioning of the infrastructure, the effects will be less than minor.

Overall, the effects related to these proposals are existing and any future effects will be assessed at the time of an outline plan.

Resource Management (National Environmental Standards for Telecommunications Facilities) Regulations 2008

In this situation, the telecommunication and radiocommunication site is existing. Therefore the radiofrequency emissions from the equipment are not changing. Any changes in the future will be assessed at the time of outline plan submission.

Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011

The NES applies to land that currently has, or historically had, an activity or industry undertaken on it that is included in the Hazardous Activities and Industries List (HAIL). No excavation and soil disturbance is proposed because the site is existing; therefore the NES for assessing and managing contaminants in soil to protect human health is not relevant.

Alternatives

As the requirement relates to an existing telecommunication and radiocommunication site, a consideration of alternative sites has not been undertaken.

The principle alternative method would be to not designate the site, which is not favoured as it would not give Spark the long term certainty it requires for ongoing operation and upgrading of the site.

Consultation

As the requirement relates to a site with radiocommunication and telecommunication facilities that have been established for some time, no specific consultation is considered necessary. Other than the required notification of the designation through the District Plan review process.

Other Resource Consents

No other resource consents are required at this stage.

Additional Information

Appendix A: Certificate of Title for Spark Designated Site.

Signed:



Date: 12-08-15

Spark New Zealand Limited

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