

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: Chorus New Zealand Limited
P O Box 632
Wellington

Notice of Requirement

Pursuant to Clause 4 of the First Schedule of the Resource Management Act 1991, Chorus New Zealand Limited (Chorus) 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 those 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 two lists comprising all of the designations for which Telecom was formerly responsible. 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. 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”*.

Five of these Chorus designations are subject to “secondary” designations by Spark.

Description of the sites to which this Notice applies

The sites to be included in the Proposed Timaru District Plan are 11 existing Chorus designations contained in the operative Timaru District Plan. Table 1 identifies these designated sites to be rolled over with minor corrections to the requiring authority. Two other sites that are in the operative Timaru District Plan as designations require minor corrections to the legal description, location, and requiring authority. These are shown in Table 2.

Table 1: Group “A” Designated sites to be Rolled Over (Chorus) with minor corrections

Site Name	Site Address	CT	Legal Description	Designated Purpose	Existing ID No.	Minor Correction
Arundel Exchange	397 Coopers Creek - Peel Forest Road	33A/615	Part Rural Section 28574	Telecommunications and Radio Communications and Ancillary	87	Name change (Chorus)
Cave Exchange	51 Elizabeth Street Cave	34D/788	Part Section 14 Cave Village	Telecommunications and Radio Communications and Ancillary	159	Name change (Chorus)
Gleniti Exchange	391 Wai-iti Road	33A/711	Lot 5 DP 30495	Telecommunications and Radio Communications and Ancillary	34	Name change (Chorus)
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	Name change (Chorus)
Pleasant Point Exchange	Cnr Manse & Afgan Street, Pleasant Point	33A/794	Part Rural Section 10169	Telecommunications and Radio Communications and Ancillary	185	Name change (Chorus)
Rangitata Fibre Optic Building	4 Edgar Road, Rangitata	33A/796	Part Sections 9 & 10 Block X Town of Rangitata	Telecommunications and Radio Communications and Ancillary	103	Name change (Chorus)
Waitohi Hill Microwave Station	Waitohi Hill, Geraldine	43B/1200	Lot 2 DP 75410	Telecommunications and Radio Communications and Ancillary	101	Name change (Chorus)
Washdyke Exchange	2-6 Racecourse Road, Washdyke, Timaru	513/255	Lot 21 DP 3363	Telecommunications and Radio Communications and Ancillary	12	Name change (Chorus)
Woodbury Exchange	1 Burdon Road, Woodbury	33A/1231	Part Lot 1 DP 112	Telecommunications and Radio Communications and Ancillary	158	Name change (Chorus)

Geraldine Exchange & Line Depot	Talbot Street, Geraldine	43B/705	Lot 1, DP 75210	Telecommunications and Radio Communications and Ancillary	160	Name change (Chorus)
Otipua Exchange	Beaconsfield Road, Otipua	33A/795	Rural Section 40628	Telecommunications and Radio Communications and Ancillary	152	Name change (Chorus)

Table 2: Group “B” Designated sites to be Rolled Over (Chorus) with minor corrections

Site Name	Site Address	CT	Legal Description	Designated Purpose	Existing ID No.	Minor Correction
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	Legal description change, boundary change and name change (Chorus)
Clandeboye Exchange	Rolleston Road, Clandeboye	43B/753	Lot 4 DP 75226	Telecommunications and Radio Communications and Ancillary	135	Legal description change, location change and name change (Chorus)

All of the sites identified in Table 1 and Tables 2 are long established telecommunications sites that have been given effect to. The Group “A” sites are existing designation sites under the operative Timaru District Plan. The Group “B” are also existing designation sites but require more changes than those of Group A. None of the sites are subject to conditions. Certificates of Title are attached in Appendix A.

The Gleniti Exchange, Mt Horrible, Washdyke Exchange, Temuka Exchange and Clandeboye Exchange sites are all subject to secondary Spark designation, as per the notice from Spark.

Nature of the Proposed Works

The designations all relate to established telecommunications sites which are strategic assets of the Chorus 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 networks to adapt to changing technologies and community expectations.

A range of different equipment may be required on these sites 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.

Group “A” Sites

Proposed Corrections and the Effects of any Corrections on the Environment

There are minor corrections to the designations (Group “A”) as listed in the operative Timaru District Plan. These minor corrections are as follows:

- The deletion of Telecom New Zealand/Spark New Zealand Trading Ltd and addition of Chorus New Zealand Ltd as the Requiring Authority for the designations that are to be rolled over (reflecting NZ Gazette Notice 8265, 2011 page number 5151)

These corrections are considered minor in nature because the sites are existing. The minor corrections are not considered to be modifications to the designations, as they do not alter the nature of the designations or the extent of the sites. Subsequently, it is considered that there would be no effects on the environment from the minor corrections.

Group “B” Sites

Proposed Corrections and the Effects of any Corrections on the Environment

There are minor corrections to the designations as listed in the operative Timaru District Plan. These minor corrections are as follows:

- The deletion of Telecom New Zealand Limited/Spark New Zealand Trading Ltd and addition of Chorus New Zealand Ltd as the Requiring Authority for the designations that are to be rolled over (reflecting NZ Gazette Notice 8265, 2011 page number 5151);
- The minor correction of legal descriptions for the two sites; and
- The minor correction of the locations for the two sites.
 - For the Clandeboye Exchange, there is an error in the current designation in that the wrong site is designated. This Notice of Requirement seeks to correct this error. The site shown as designated in the operative Timaru District Plan (site 135) is within the factory buildings of the Fonterra complex and is not the location of the existing telecommunications exchange and mobile phone site. The site to be designated in this Notice is owned by Chorus (see attached Certificate of Title/Computer Freehold Register) and has been used for telecommunications and radiocommunications and ancillary purposes for many years.
 - For the Temuka Exchange, this Notice seeks to encompass the entirety of the land in the Certificate of Title/Computer Freehold Register. This results in the addition of a small area to the area shown in the operative Timaru District Plan.

The minor corrections of the requiring authority and legal descriptions are not considered to be modifications to the designations, as they do not alter the nature of the designations or the extent of the sites. The minor corrections to the location and boundaries are modifications of the existing designations. However, as these proposed designations are for existing telecommunication and radiocommunication sites, it is considered that there will be very minor effects on the environment.

Assessment of Effects

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 Chorus technicians. However, as this sites are rurally located, and maintenance will be of a temporary nature and are inherent to the ongoing functioning of the infrastructure, the effects will be less than minor. Visits are not expected to exceed once or twice per month.

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

Group “A” and “B” Sites

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

In this situation, the telecommunication and radiocommunication sites are 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 sites are 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, under the ownership of the requiring authority, a consideration of alternative sites has not been undertaken.

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

Consultation

As the requirement relates to sites 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 designations through the District Plan review process.

Other Resource Consents

No other resource consents are required at this stage.

Additional Information

Appendix A: Certificates of Title for all Chorus Designated Sites

Signed:



Date: 11 August 2015

Gretchen Joe

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