



Hutt City District Plan Review – rollover of existing designations

Notice of requirement for designations (which have not lapsed) under clause 4 of the first schedule to the Resource Management Act 1991

To: Hutt City Council
Private bag 31-912,
Lower Hutt
5040

Attention: Sean Bellamy

From: Spark New Zealand Limited
Private Bag 92028
Auckland 1010
New Zealand

and

Chorus New Zealand Limited
PO Box 632
Wellington 6140

1. Notice of Requirement

Pursuant to Schedule 1, Clause 4 of the Resource Management Act 1991 (RMA), Chorus New Zealand Limited (Chorus) and Spark New Zealand Trading Limited (Spark, formerly known as Telecom New Zealand Limited and Telecom Mobile Limited) 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 next generation Hutt City District Plan.

This Notice of Requirement applies to the eight Telecom New Zealand Limited (Telecom) designations currently included in the Operative Hutt City Plan.

On 30 November 2011, Chorus and the former 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 of the designations for which Telecom was formerly responsible. These lists detailed the:

- Designations that are to be transferred from Telecom to Chorus; and
- Designations additionally granted back as a secondary designation to Telecom.

On 8 August 2014, Telecom New Zealand Limited and Telecom Mobile Limited were rebranded to Spark New Zealand Trading Limited. Spark New Zealand Trading Limited was granted requiring authority status and, through New Zealand Gazette Notice number 5232, 2014, page number 2718, became the requiring authority responsible for all former Telecom New Zealand Limited and Telecom Mobile Limited designations.

Seven of the former Telecom New Zealand designations in the Operative District Plan were transferred to Chorus, with Spark having a secondary designation over four of these sites, (table 1 and table 2). One former Telecom New Zealand designations remained with Spark (table 3).

An updated Designation Schedule, consistent with the National Planning Standard requirements, is set out in Appendix B and should be included in the next generation Hutt City District Plan.

Table 1: Designated sites to be Rolled Over as Chorus New Zealand Limited Designations

Operative Plan Designation Code	Operative Plan Map No	Operative Plan Designation Title	Operative Plan Legal Description
TELE 4	E7	Telecommunication and Radiocommunication and Ancillary Purposes	Section 1 SO 36342; Section 1 SO 18908: Sec 1 SO 33128 (see Section 5 Minor Correction)
TELE 7	C3, R1	Telecommunication and Radiocommunication and Ancillary Purposes	Section 1 SO 25275
TELE 8	D3	Telecommunication and Radiocommunication and Ancillary Purposes	Lot 107 DP 32675

Table 2: Designated sites to be rolled over as a Chorus New Zealand Limited Designation, with a Spark New Zealand Trading Limited Secondary Designation

Operative Plan Designation Code	Operative Plan Map No	Operative Plan Designation Title	Operative Plan Legal Description
TELE 1	B8	Telecommunication and Radiocommunication and Ancillary Purposes	Section 1 SO 23413
TELE 2	B5	Telecommunication and Radiocommunication and Ancillary Purposes	Lot 2 DP 16767; Section 1 SO 32358
TELE 3	G2	Telecommunication and Radiocommunication and Ancillary Purposes	Lot 5 DP 12783
TELE 5	C4	Telecommunication and Radiocommunication and Ancillary Purposes	Section 1 SO 36342; Section 1 SO 18908: Sec 1 SO 33128

Table 3: Designated sites to be Rolled Over as Spark New Zealand Trading Limited Designations

Operative Plan Designation Code	Operative Plan Map No	Operative Plan Designation Title	Operative Plan Legal Description
TELE 6	E3	Telecommunication and Radiocommunication and Ancillary Purposes	Lot 13 DP 14152

3. Nature of the Proposed Works

There are no proposed works as a result of this Notice of Requirement.

The designations to be rolled over relate to established telecommunications sites. Designation of these existing facilities continues to be required to ensure the on-going security and resilience of essential communication 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 communication 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; and
- On-site parking for technicians.

The sites require ongoing maintenance, upgrades and replacement of equipment and other ancillary works. This is necessary 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.

4. Proposed Modifications and the Effects of any Modifications on the Environment

No modifications to the designations, or to any of the existing buildings and structures on the designated sites, are proposed as part of this rollover.

5. Minor Corrections

There are several minor corrections required to the Chorus and Spark Designations as listed in the Operative Hutt City District Plan.

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. The minor corrections are as follows:

- Chorus New Zealand Limited to replace Telecom New Zealand Limited as the requiring authority for TELE 1, TELE 2, TELE 3, TELE 4, TELE 5, TELE 7 and TELE 8.
- Spark New Zealand Trading Limited to be detailed as a secondary designation over TELE 1, TELE 2, TELE 3 and TELE 5, reflecting the fact that the site contains both Chorus and Spark assets.
- Spark New Zealand Trading Limited to be detailed as the requiring authority for the designation over TELE 8.
- Amending the legal description of TELE 4 from Section 1 SO 36342; Section 1 SO 18908; Sec 1 SO 33128 to Lot 29 DP 18687. This is the legal description of TELE 5 and appears to have been incorrectly copied over into the Operative District Plan.

6. Alternatives

As the requirement relates to existing telecommunication and radiocommunication sites, 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 Chorus or Spark the long term certainty required for ongoing operation and upgrading of these sites.

7. Consultation

As the requirement relates to a site with telecommunication facilities that have been established for some time, and no changes to the site are proposed, no consultation was considered necessary.

8. Other Resource Consents

No other resource consents are required at this stage.

9. Additional Information

- Appendix A: Records of Title
- Appendix B: Updated Designation Schedule as per National Planning Standard Requirements
- Appendix C: Gazette Notice (2001) Telecom Resource Management Act Designations Pursuant to Section 69XJ of the Telecommunications Act 2001

Signed: 	Signed: 
Date: 29.08.24	Date: 30.08.24
Andrew Kantor <i>Environmental Planner and RMA Advisor</i>	Graeme McCarrison <i>Property Management, Planning and Engagement Manager</i>
Chorus New Zealand Limited	Spark New Zealand Trading Limited

Address for Service – Chorus New Zealand Limited

Andrew Kantor
Chorus
PO Box 6640, Wellesley Street
Auckland 1141

Telephone: 09 975 3399
Email: Andrew.Kantor@chorus.co.nz

Address for Service – Spark New Zealand Trading Limited

Graeme McCarrison
Spark
Private Bag 92028
Auckland 1010

Telephone: 09 357 2807 or 027 481 1816

Email: Graeme.McCarrison@spark.co.nz

Address for Consultant:

Megan Rickerby
Incite
PO Box 2058
Wellington 6140

Telephone: 04 801 6862

Email: Megan@incite.co.nz

Appendix A

Records of Title

Appendix B

Updated Designation Schedule as per National Planning Standard Requirements

Chorus New Zealand Limited Designation sites

Eastbourne Exchange	
Designation unique identifier	CNZ-01
Designation Purpose	Telecommunication and Radiocommunication and Ancillary Purposes
Site Identifier	Section 1 SO 23413
Lapse date	Given effect to
Designation hierarchy under Section 177 of the Resource Management Act	Primary
Conditions	No
Additional information	N/a

Petone Exchange	
Designation unique identifier	CNZ-02
Designation Purpose	Telecommunication and Radiocommunication and Ancillary Purposes
Site Identifier	Lot 2 DP 16767; Section 1 SO 32358
Lapse date	Given effect to
Designation hierarchy under Section 177 of the Resource Management Act	Primary
Conditions	No
Additional information	N/a

Stokes Valley Exchange	
Designation unique identifier	CNZ-03
Designation Purpose	Telecommunication and Radiocommunication and Ancillary Purposes
Site Identifier	Lot 5 DP 12783
Lapse date	Given effect to
Designation hierarchy under Section 177 of the Resource Management Act	Primary
Conditions	No
Additional information	N/a

Wainuiomata Exchange	
Designation unique identifier	CNZ-04
Designation Purpose	Telecommunication and Radiocommunication and Ancillary Purposes
Site Identifier	Lot 29 DP 18687
Lapse date	Given effect to
Designation hierarchy under Section 177 of the Resource Management Act	Primary
Conditions	No
Additional information	N/a

Lower Hutt Exchange	
Designation unique identifier	CNZ-05
Designation Purpose	Telecommunication and Radiocommunication and Ancillary Purposes
Site Identifier	Section 1 SO 36342; Section 1 SO 18908: Sec 1 SO 33128
Lapse date	Given effect to
Designation hierarchy under Section 177 of the Resource Management Act	Primary
Conditions	No
Additional information	N/a

Normandale	
Designation unique identifier	CNZ-06
Designation Purpose	Telecommunication and Radiocommunication and Ancillary Purposes
Site Identifier	Section 1 SO 25275
Lapse date	Given effect to
Designation hierarchy under Section 177 of the Resource Management Act	Primary
Conditions	No
Additional information	N/a

Belmont Exchange	
Designation unique identifier	CNZ-07
Designation Purpose	Telecommunication and Radiocommunication and Ancillary Purposes
Site Identifier	Lot 107 DP 32675
Lapse date	Given effect to
Designation hierarchy under Section 177 of the Resource Management Act	Primary
Conditions	No
Additional information	N/a

Spark New Zealand Trading Limited Designation Sites

Avalon Exchange	
Designation unique identifier	SPK -01
Designation Purpose	Telecommunication and Radiocommunication and Ancillary Purposes
Site Identifier	Lot 13 DP 14152
Lapse date	Given effect to
Designation hierarchy under Section 177 of the Resource Management Act	Primary
Conditions	No
Additional information	N/a

Eastbourne Exchange	
Designation unique identifier	SPK -02
Designation Purpose	Telecommunication and Radiocommunication and Ancillary Purposes
Site Identifier	Section 1 SO 23413
Lapse date	Given effect to
Designation hierarchy under Section 177 of the Resource Management Act	Secondary
Conditions	No
Additional information	N/a

Petone Exchange	
Designation unique identifier	SPK -03
Designation Purpose	Telecommunication and Radiocommunication and Ancillary Purposes
Site Identifier	Lot 2 DP 16767; Section 1 SO 32358
Lapse date	Given effect to
Designation hierarchy under Section 177 of the Resource Management Act	Secondary
Conditions	No
Additional information	N/a

Stokes Valley Exchange	
Designation unique identifier	SPK-04
Designation Purpose	Telecommunication and Radiocommunication and Ancillary Purposes
Site Identifier	Lot 5 DP 12783
Lapse date	Given effect to
Designation hierarchy under Section 177 of the Resource Management Act	Secondary
Conditions	No
Additional information	N/a

Lower Hutt Exchange	
Designation unique identifier	SPK-05
Designation Purpose	Telecommunication and Radiocommunication and Ancillary Purposes
Site Identifier	Section 1 SO 36342; Section 1 SO 18908: Sec 1 SO 33128
Lapse date	Given effect to
Designation hierarchy under Section 177 of the Resource Management Act	Secondary
Conditions	No
Additional information	N/a

Appendix C

**Gazette Notice (2001) Telecom Resource Management Act
Designations Pursuant to Section 69XJ of the Telecommunications
Act 2001**