

31 May 2013

Queenstown Lakes District Council
Private Bag 50072
Queenstown 9348

Jonathan.richards@qldc.govt.nz

Attention: Jonathan Richards

Dear Jonathan,

Notice of Requirement for Designations (which have not lapsed) Telecom New Zealand and Chorus New Zealand: Queenstown Lakes District Plan

Please find attached the Notice of Requirement prepared on behalf of both Chorus New Zealand and Telecom New Zealand with respect to sites designated under the Queenstown Lakes District Plan.

Please do not hesitate to contact me if you have any queries.

Yours sincerely

Chorus New Zealand Limited



Mary Barton
Senior Environmental Planner

QLDC
06 JUN 2013
QUEENSTOWN

REVIEW OF THE QUEENSTOWN LAKES 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: Queenstown Lakes District Council
Private Bag 50072
Queenstown 9348

Attention: Jonathan Richards

From: Chorus New Zealand Limited
P O Box 632
Wellington

and

Telecom New Zealand Limited
C/- P O Box 632
Wellington

QLDC

06 JUN 2013

QUEENSTOWN

Note: this notice relates to sites either designated by Chorus New Zealand Limited, Telecom New Zealand Limited, or both, as set out in Table 1 and Appendix A of this Notice of Requirement.

1 Notice of Requirement

Pursuant to Clause 4 of the First Schedule of the Resource Management Act 1991, Chorus New Zealand Limited (Chorus) and Telecom New Zealand Limited (Telecom) 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 reviewed version of the Queenstown Lakes District Plan.

This notice applies to those Chorus and Telecom designations currently included in the Operative Queenstown Lakes 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:

(a) designations that are to be transferred to Chorus; and

(b) designations that are to be additionally granted back as a secondary designation to Telecom.

As can be seen in Table 1 (below), all former Telecom designations in the Queenstown Lakes District Plan were transferred to Chorus, with three having a secondary designation granted back to Telecom. 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 *Tele-communication, Radiocommunication and Ancillary Purposes*. This is a standardised notation for all Chorus and Telecom sites nationally.

2 Description of the sites to which this Notice applies

The sites to be included in the reviewed version of the Queenstown Lakes District Plan are all four of the existing Chorus and Telecom designations contained in the operative Queenstown Lakes District Plan. These four sites to be rolled over are detailed in Table 1 below.

Table 1: Designated sites to be Rolled Over

Chorus Site Name	Requiring Authority	Underlying Zone	Plan Map	Plan Ref	Legal Description
Arrowtown Exchange	Chorus	Residential Arrowtown Historic Management Zone	28	18	Section 1 SO 19209
Glenorchy Microwave Station	Chorus and Telecom	Rural General Zone	25	19	Section 1 Survey Office Plan 300115
Queenstown Telecom Centre, Exchange & Microwave	Chorus and Telecom	Queenstown Town Centre Zone	36	20	Lot 1 DP 27807
Wanaka Exchange	Chorus and Telecom	Wanaka Town Centre Zone	21	21	Section 6 Block XI Town of Wanaka

These are all long established telecommunications sites that have been given effect to. All are subject to conditions, which are detailed in sections C.12-C.15 of Appendix 7A of the operative Queenstown Lakes District Plan. As noted above, for the Glenorchy Microwave Station; Queenstown Telecom Centre, Exchange and Microwave; and the Wanaka Exchange, Chorus is now the primary requiring authority with Telecom being the secondary requiring authority.

3 Nature of the Proposed Works

The designations all relate to established telecommunications sites which are strategic assets of the Chorus and Telecom networks. 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 will 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.

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

None.

5 Minor Corrections

There are several minor corrections required to the Chorus and Telecom Designations as listed in the Operative Queenstown Lakes 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:

- The deletion of Telecom New Zealand Ltd and addition of Chorus New Zealand Ltd as the Requiring Authority for all designations that are to be rolled over (reflecting NZ Gazette Notice 8265, 2011, page number 5151).
- A new table titled "Telecom New Zealand Ltd" to be added to Appendix 7A detailing Telecom as the Requiring Authority for its secondary designation on designation numbers 19, 20 and 21 (again to reflect NZ Gazette Notice 8265, 2011, page number 5151).
- Removal of part of the designation of the Queenstown Telecom Centre, Exchange & Microwave, as this site has been subdivided and part of it sold. The new legal description is Lot 1 DP 27807 and it is now 908m² in area. The current Certificate of Title for that site is attached.
- A correction needs to be made to the Legal Description for designation No 19, for the Glenorchy Microwave Station, so that it matches what is on the current Certificate of Title for that site (copy attached).
- It is also noted that for the Glenorchy Microwave Station, the area noted in Appendix 7A of the operative District Plan (1097m²) does not match the size of the site shown on District Plan Map 25. The correct area should be that of the Certificate of Title, 3291m²

Appendix A of this Notice of Requirement details the minor corrections required to Appendix 7A of 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 sites, which is not favoured as it would not give Chorus or Telecom the long term certainty it requires for ongoing operation and upgrading of these sites.

7 Consultation

As the requirement relates to sites with telecommunication facilities that have been established for some time, no consultation was considered necessary.

8 Other Resource Consents

No other resource consents are required at this stage.

9 Additional Information

- Appendix A: Minor Corrections to Appendix 7A of the Operative Queenstown Lakes District Plan.
- Appendix E: Certificates of Title for all Chorus/Telecom Designated Sites

Signed: 	Signed: 
Date:	Date: 28/5/2013
Ed Beattie General Manager Infrastructure Build Chorus New Zealand Limited	Paul Hallows Regional Manager Telecom New Zealand Limited

Address for Service – Chorus & Telecom

Mary Barton
Chorus
P O Box 632
Wellington

Telephone: 04 382 5465 or 027 702 8650

Address for Consultant:

Matthew McCallum-Clark
Incite
PO Box 25-289
Christchurch 8144

Telephone: 03 379 9749
E-mail: matthew@incite.co.nz

Appendix A

Modifications and Minor Changes to Appendix 7A of the Operative District Plan

APPENDIX 7A – LIST OF DESIGNATIONS

[Note that existing text to be deleted is shown as ~~strikethrough~~ and proposed text is shown in *italics and underlined*. Further, in those instances where Chorus and Telecom both have a designation over the same site, Chorus holds the primary designation and Telecom holds a secondary designation.]

Ref No	Map Ref	Authority Responsible	Purpose	Site/Legal Description and Conditions
18	28	Telecom New Zealand Ltd <i><u>Chorus New Zealand Limited</u></i>	Tele-communication and radio communication and ancillary purposes.	Arrowtown Exchange, Hertford Street, Arrowtown. Section 1 SO 19209 (630m ²). For conditions refer to C below.
19	25	Telecom New Zealand Ltd <i><u>Chorus New Zealand Limited (Primary Designation)</u></i>	Tele-communication and radio communication and ancillary purposes	Glenorchy Microwave station, Crown Land & Pt Sec 2 BLK XIX (1097m²) <i><u>Section 1 Survey Office Plan 300115 (3291m²)</u></i> . For conditions refer to C below.
20	36	Telecom New Zealand Ltd <i><u>Chorus New Zealand Limited (Primary Designation)</u></i>	Tele-communication and radio communication and ancillary purposes.	Queenstown telephone exchange and microwave station. Ballarat Street Lot 1 DP 27807 (908m²) <i><u>Lot 2 DP 20964 (2121m²)</u></i> . For conditions refer to C below.
21	21	Telecom New Zealand Ltd <i><u>Chorus New Zealand Limited (Primary Designation)</u></i>	Tele-communication and radio communication and ancillary purposes.	Wanaka Exchange, 9 Brownston Street, Wanaka Section 6, Block XI, Town of Wanaka (1312m ²). For conditions refer to C below.

Ref No	Map Ref	Authority Responsible	Purpose	Site/Legal Description and Conditions
<u>19</u>	<u>25</u>	Telecom New Zealand Ltd <i><u>(Secondary Designation)</u></i>	Tele-communication and radio communication and ancillary purposes	Glenorchy Microwave station, Section 1 Survey Office Plan 300115 (3291m²). For conditions refer to C below.
<u>20</u>	<u>36</u>	Telecom New Zealand Ltd <i><u>(Secondary Designation)</u></i>	Tele-communication and radio communication and ancillary purposes.	Queenstown telephone exchange and microwave station. Ballarat Street Lot 1 DP 27807 (908m²). For conditions refer to C below.
<u>21</u>	<u>21</u>	Telecom New Zealand Ltd <i><u>(Secondary Designation)</u></i>	Tele-communication and radio communication and ancillary purposes.	Wanaka Exchange, 9 Brownston Street, Wanaka Section 6, Block XI, Town of Wanaka (1312m²). For conditions refer to C below.

Appendix B

Certificates of Title for all Chorus/Telecom Designated Sites that are to be Rolled Over to the Reviewed Version of the Queenstown Lakes District Plan

Designation	Site name	Legal Description	C/T Reference
18	Arrowtown Exchange	Section 1 SO 19209	13A/1099
19	Glenorchy Microwave Station	Section 1 Survey Office Plan 300115	43934
20	Queenstown Telecom Centre, Exchange & Microwave	Lot 1 DP 27807	19B/533
21	Wanaka Exchange	Section 6 Block XI Town of Wanaka	12D/557



**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



Search Copy


R.W. Muir
Registrar-General
of Land

Identifier 43934
Land Registration District Otago
Date Issued 28 June 2002

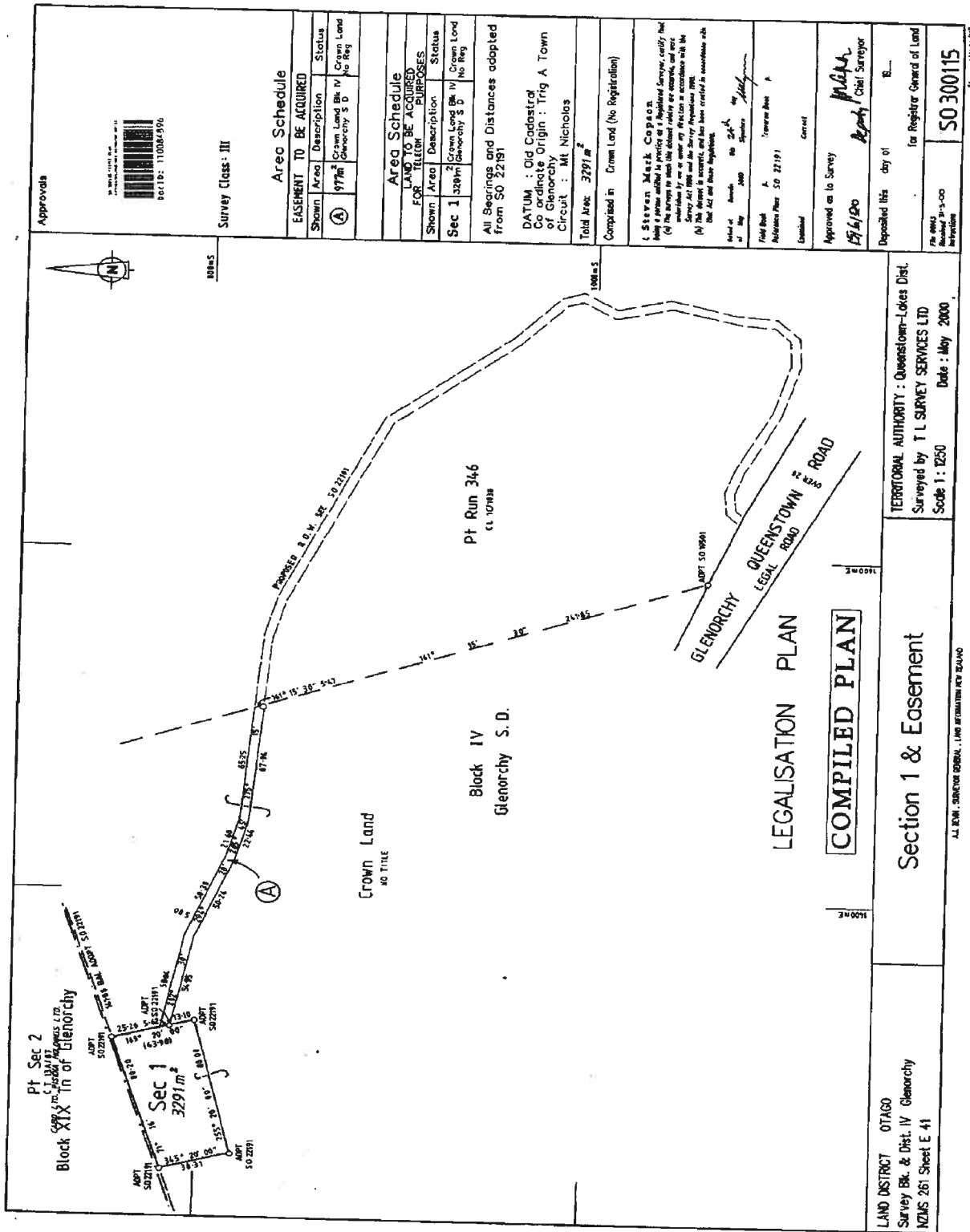
Prior References
30658

Estate Fee Simple
Area 3291 square metres more or less
Legal Description Section 1 Survey Office Plan 300115

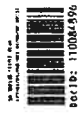
Proprietors
Chorus New Zealand Limited

Interests

Appurtenant hereto is a right of way created by Gazette Notice (2002p258) 5153879.1 - 14.2.2002 at 9:00 am
Appurtenant hereto is a right of way created by Gazette Notice (2002p259) 5153879.2 - 14.2.2002 at 9:00 am
Subject to Section 11 Crown Minerals Act 1991
Subject to Part IVA Conservation Act 1987



Approvals



Survey Class: III

Area Schedule

EASEMENT TO BE ACQUIRED

Shown Area	Description	Status
(A)	Crown Land Bk. IV Glenorchy S.D.	Crown Land No Reg.

Area Schedule

LAND TO BE ACQUIRED FOR TELECOM PURPOSES

Shown Area	Description	Status
Sec 1	Crown Land Bk. IV Glenorchy S.D.	Crown Land No Reg.

All Bearings and Distances adopted from SO 22191

DATUM : Old Cadastral
Coordinate Origin : Trig A Town
Circuit : Mt. Nicholas

Total Area: 3291 m²

Compiled in Crown Land (No Registration)

I, Steven Mark Copson being a person entitled in practice as a Registered Surveyor, certify that (a) the survey to which this document relates was effected, and was conducted by me or under my direction in accordance with the provisions of the Survey Act 1976 and the Survey Regulations 1976; (b) the document is correct, and has been prepared in accordance with the Act and these Regulations.

Surveyed by: Steven Mark Copson
Date: 2000
Signature: *[Signature]*

Field Book: A
Reference Plan: SO 22191
Terrace Book: A

Examined: Correct

Approved on to Survey: 15/6/2000
By: *[Signature]*
Chief Surveyor

Deposited this day of: 15/6/2000

for Register of Land

SO 300115

Approved 15/6/2000

TERRITORIAL AUTHORITY : Queenstown-Lakes Dist.
Surveyed by T L SURVEY SERVICES LTD
Scale 1 : 1250
Date : May 2000

Section 1 & Easement

LAND DISTRICT OTAGO
Survey Bk. & Dist. IV Glenorchy
NZMS 261 Sheet E 41

ALL DIM. SHOWN UNLESS OTHERWISE STATED



**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



Search Copy


R.W. Muir
Registrar-General
of Land

Identifier OT12D/557
Land Registration District Otago
Date Issued 09 August 1989

Prior References

GN 290081 GN 408943 GN 494295

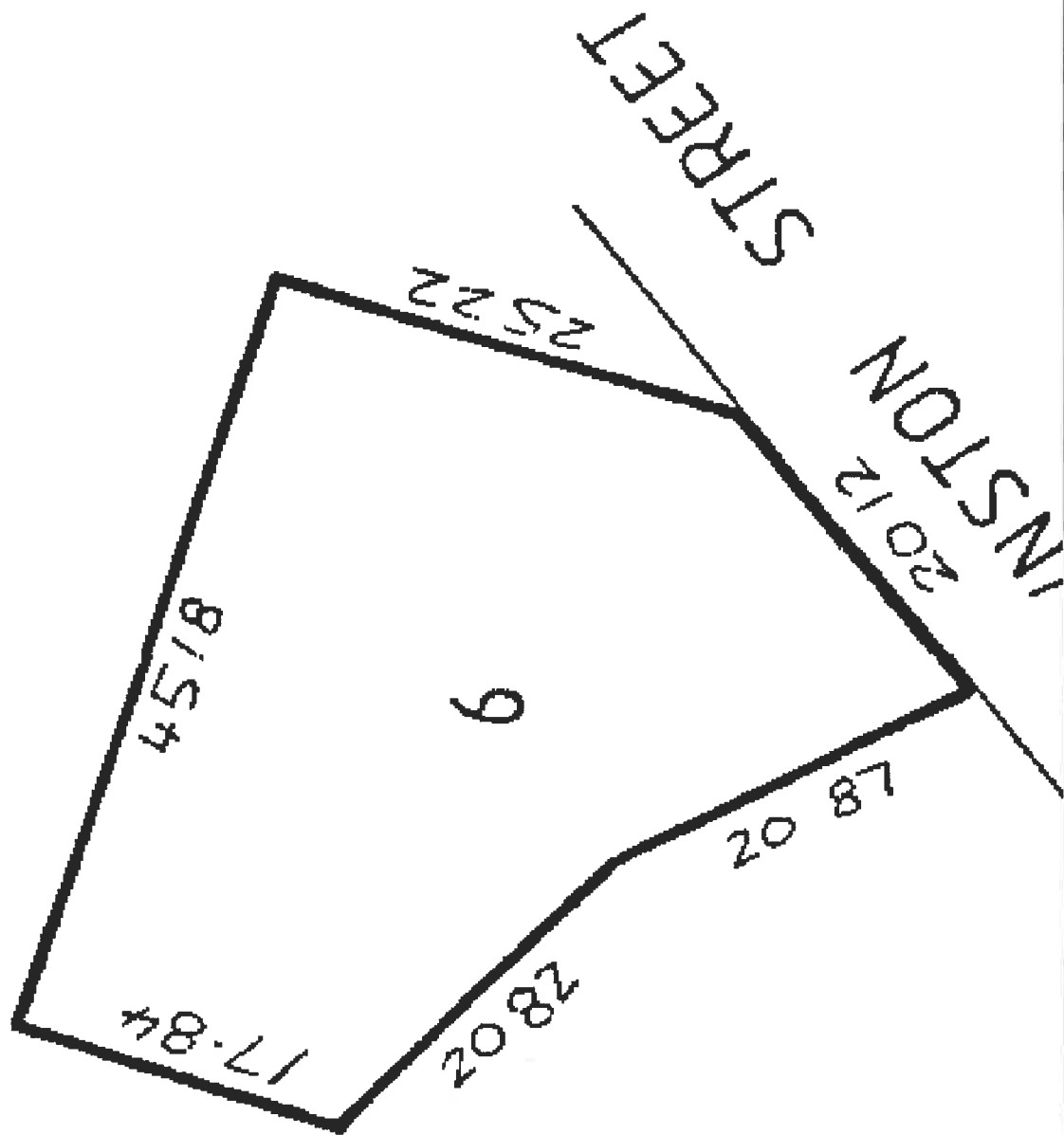
Estate Fee Simple
Area 1312 square metres more or less
Legal Description Section 6 Block XI Town of Wanaka
Purpose Automatic Telephone Exchange

Proprietors
Chorus New Zealand Limited

Interests

Identifier

OT12D/557





**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



Search Copy


R. W. Muir
Registrar-General
of Land

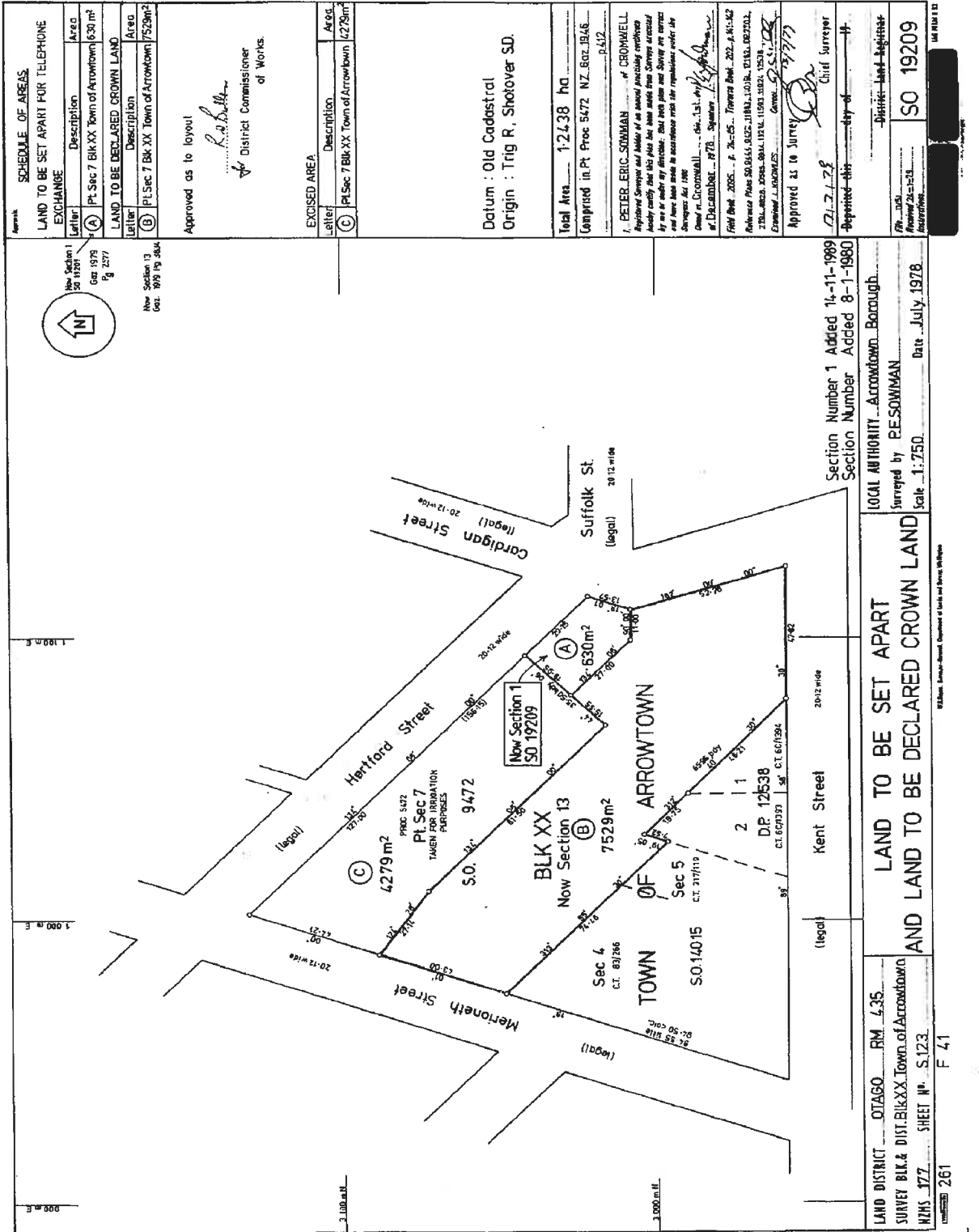
Identifier OT13A/1099
Land Registration District Otago
Date Issued 07 December 1989

Prior References
GN 522635

Estate Fee Simple
Area 630 square metres more or less
Legal Description Section 1 Survey Office Plan 19209

Proprietors
Chorus New Zealand Limited

Interests





**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



Search Copy


R. W. Muir
Registrar-General
of Land

Identifier OT19B/533
Land Registration District Otago
Date Issued 03 July 2003

Prior References
OT15C/613

Estate Fee Simple
Area 908 square metres more or less
Legal Description Lot 1 Deposited Plan 27807

Proprietors
Chorus New Zealand Limited

Interests

Subject to Part IV A Conservation Act 1987
Subject to Section 11 Crown Minerals Act 1991
7171231.4 Certificate pursuant to Section 348 Local Government Act 1974 - 20.12.2006 at 9:00 am
Appurtenant hereto is a right of way, right to convey electricity, gas, water, telecommunications, computer media & right to drain sewage, stormwater and a right of support created by Easement Instrument 7171231.5 - 20.12.2006 at 9:00 am
Appurtenant hereto is a right of way, right to convey electricity, gas, water, telecommunications, computer media & right to drain sewage, stormwater and a right of support created by Easement Instrument 7171231.6 - 20.12.2006 at 9:00 am
Subject to a right of way, right to convey electricity, gas, water, telecommunications, computer media & right to drain sewage, stormwater over part marked C DP 362803 created by Easement Instrument 7171231.7 - 20.12.2006 at 9:00 am
Appurtenant hereto is a right of way, right to convey electricity, gas, water, telecommunications, computer media & right to drain sewage, stormwater created by Easement Instrument 7171231.8 - 20.12.2006 at 9:00 am
Appurtenant hereto is a right to convey water created by Easement Instrument 7171231.10 - 20.12.2006 at 9:00 am
Land Covenant in Easement Instrument 7171231.14 - 20.12.2006 at 9:00 am
Land Covenant in Easement Instrument 7171231.15 - 20.12.2006 at 9:00 am
Land Covenant in Easement Instrument 7171231.16 - 20.12.2006 at 9:00 am

