



Form 5

Submission on Proposed Plan Change 30 to the Wanganui District Plan Under Clause 6 of the First Schedule to the Resource Management Act 1991

To: Wanganui District Council
PO Box 637
101 Guyton Street
WANGANUI

Attention: Rachael Pull

Submission on: Proposed Plan Change 30 Designations

Name: Telecom New Zealand Limited

Address: Telecom New Zealand Limited
Private Bag 920028
AUCKLAND
(Please note different address for service below)

1. Introduction:

The purpose of the Resource Management Act 1991, as embodied in section 5, is promotion of the sustainable management of natural and physical resources. Telecommunications infrastructure is a significant physical resource, and the safe, reliable and efficient functioning of the network is vital for the regional economy and is in the public interest.

Telecom is a major telecommunication network provider within Wanganui District. The network is utilised for a wide range of purposes that are essential to modern society. This includes personal and commercial communications, wireless data transfer, linking financial institutions to convey critical financial transaction data, fire and burglary monitoring and control facilities, and other emergency services communications.

The Telecom network is subject to constant maintenance, modification and upgrading as the number of customers and services increase, and changes in technology occur. Further, the provision of resilient telecommunication networks during emergencies is critical, as has been highlighted in the case of the Canterbury earthquakes. Designing and constructing resilient networks is a key focus for future network planning.

2. Trade Competition:

Telecom could not gain an advantage in trade competition through this submission.

3. The specific provisions of the proposed plan change that my submission relates to:

Appendix C Designations Schedule, Ref D224.

4. Telecom's submission is that:

Designation Reference D224 includes a definition of 'Ancillary Purposes' in the *Further Details to be noted in Plan* column. It is considered that the inclusion of the definition of 'Ancillary Purposes' in relation to Designation Ref D224 as notified is ultra vires, as it was not specifically requested by Telecom in the 'roll over' notice (though it is noted that the Council could seek the inclusion by way of a submission).

Further, it is considered that the inclusion of such a definition would be unreasonable and unnecessary for the following reasons:

- (i) No reason or justification is provided for the inclusion of the definition;
- (ii) The inclusion of the definition is inconsistent with the designation for the Chorus facility on the same site (Ref D197), which has the same notation but with no definition of 'Ancillary Purposes' included in the Proposed Plan Change;
- (iii) The description of 'Ancillary Works' in the definition goes way beyond what could be described as 'Ancillary' (i.e. including masts, antennas and equipment buildings) which is potentially confusing and creates uncertainty; and
- (iv) The wording of the designation notation is utilised by Telecom and Chorus nationally. It specifically does not include a definition of 'Ancillary Works', which are very minor activities and can be subject to variation as technology changes.

4. Telecom seeks the following decision from the Council:

That the definition of 'Ancillary Purposes' in the 'Further Details to be noted in Plan' column for Designation D224 (in Appendix C Designation Schedule) be deleted.

AND

Any consequential amendments necessary as a result of the amendments to grant the relief sought above.

5. Telecom New Zealand Limited does wish to be heard in support of its submission.

6. If others make a similar submission Telecom New Zealand Limited would be prepared to consider presenting a joint case with them at any hearing.

Signed: 

Telecom New Zealand Limited

Dated at Auckland this ^{14th} day of October 2013

Address for Service:

Telecom New Zealand Limited
C/- Chorus
PO Box 632
Wellington
Attention: Mary Barton