

Planning Report

Plan Change 42 – Maximum height of radio and telecommunication facilities

1.0 Introduction

- 1.1** The purpose of this report is to provide recommendations on submissions and further submissions to Plan Change 42 – Maximum height of radio and telecommunication facilities.
- 1.2** Plan Change 42 addresses an existing “loophole” in the District Plan rules which potentially allows the total height of certain radio or telecommunication facilities (such as a cell-phone mast or tower) to exceed the height actually intended when the District Plan rules were drafted. The loophole is created by virtue of the fact that the District Plan definition of “*building/structure*” includes a mast, pole or aerial exceeding 7.0m in height.
- 1.3** For a full background to the Plan Change and the proposed provisions please refer to the Section 32 Report. For a list of the proposed provisions only, please refer to the document titled ‘Proposed Plan Change Combined Notification Document’.
- 1.4** Any recommended amendments to rules in this report will be shown as follows; existing District Plan text in black, proposed changes as included in the Section 32 Report in red, and recommendations as a result of this report in blue.

2.0 Topic 1: limitations on amateur radio operators communications

2.1. Submissions

One principal submission and 35 further submissions have been received on this proposed Plan Change, all from amateur radio operators who are concerned that the proposed amendments to the existing District Plan rules will limit their ability to communicate. Such fears are considered misplaced and appear to reflect a misunderstanding of the purpose of the proposal which is to remedy an existing potential loophole rather than impose restrictions on radio operators who are unlikely to in fact be affected by the change. It is likely that the submitters were not aware of the loophole prior to notification of the proposed Change.

2.2. Recommendation

That no change be made to the notified version of Plan Change 42.

2.2. The following submissions are therefore:

Rejected

Submission	Point Number	Name
FS 36	1	Amateur Radio Emergency Corps Branch 88
FS 38	1	Anthony Greaves Watson
FS 68	1	B E Stewart
FS 47	1	Cliff Gray
FS 40	1	David Horne
FS 50	1	David Hugh McGuire
FS 48	1	David King
FS 41	1	Donald Allan Horne
FS 66	1	Donald Gordon Spackman
FS 61	1	Eric Sears
FS 57	1	George Leonard Burt
FS 33	1	Hamilton Amateur Radio Club
FS 60	1	James Meachen
FS 69	1	Jason Wallace
FS 35	1	Jetta Pieternella Siegh
FS 63	1	John Cullen
FS 55	1	John Powell
FS 70	1	John Wakely
FS 54	1	Kevin Hampshire
FS 71	1	Markus Aniker
FS 49	1	Michael Bull
FS 62	1	Neil Francis Woodward
FS 56	1	Neill Ellis
FS 34	1	NZ Association of Radio Transmitters
FS 67	1	Peter Frederick Callow
FS 58	1	Peter Scott
FS 53	1	Phillip King
FS 52	1	Ross Alexander Hislop
FS 51	1	Spirit Networks
FS 59	1	Stewart Robinson
FS 46	1	Sydney John Rowe
11	1	Tauranga Emergency Communications Group
FS 64	1	Tauranga Emergency Communications Group
FS 37	1	Tauranga Search and Rescue
FS 45	1	Te Puke Amateur Radio Club Inc
FS 65	1	William Richardson

2.3. Reason

The proposed amendments to the District Plan will not affect the ability of amateur radio operators to communicate.

2.0 Plan Change 42 - Recommended Changes to the District Plan First Review

- 4.1 The purpose of this part of the report is to show the Proposed Plan Change in full including any recommended changes in response to the submissions and further submissions.
- 4.2 Recommended changes to the District Plan First review are shown as follows; existing District Plan text in black, proposed changes as included in the Section 32 Report in red, and recommendations as a result of this report in blue.
- 4.3 **That clauses (s) and (t) of Rule 10.3 (Activity Table for Infrastructure and Network Utilities) are amended as follows:**
- (s) When attached to a *building* or *structure* (other than a mast, pole or aerial falling within the District Plan definition of "building/structure") permitted within an activity zone, that complies with the maximum *height* of the zone for which it will be located, the following are provided for:
- (i) Radio and telecommunication *aerials* up to 4m in *height*;
 - (ii) Dishes not exceeding 1.8m in diameter for Residential/Future Urban/Rural Residential/Lifestyle Zones, and 5m in all other zones;
 - (iii) *Antennas* not exceeding 1.2m² in area for Residential/Future Urban and Rural Residential Zones, and not exceeding 2m² in all other zones.
- (t) Telecommunication and radio communication facilities (including *aerials*, *antennas*, dish *antennas* and associated mounts) attached to *buildings/structures* (other than a mast, pole or aerial falling within the District Plan definition of "building/structure") can exceed the maximum *height* limit of the zone for which it will be located provided it is contained within the following dimensions:
- (i) Residential Zones – 2m high x 1m wide x 1m long ie 2m³ in volume;
 - (ii) All other zones – 5m high x 1m wide z 1m long ie 5m³ in volume.