

**Summary of Submissions  
Proposed District  
Plan Change 74 -  
Telecommunications Structures**



# Proposed District Plan Change 74

## Telecommunications Structures

### Summary of Submissions

Submission Number	Name	Address for Service	Wishes to be heard
1	Mr and Mrs Trang	75 Kauri Street Miramar Wellington 6022	No
<p>Submitter supports the Plan Change.</p> <p><b>Decision Requested:</b> To approve the plan change as proposed.</p>			
2	Ngaio Progressive Association	199A Cockayne Road Ngaio Wellington 6035	No
<p>The submitter supports all of Plan Change 74, in particular rule 23.1.8.5 which relates to the distance a mast must be from a residential boundary as 5m is able to mitigate visual effects and give residents some piece of mind.</p> <p><b>Decision Requested:</b> That the plan change should stay in its current form.</p>			
3	Wellington City Council	c/- City Planning PO Box 2199 Wellington 6140	Yes
<p>Plan Change 74 proposed to amend rule 23.1.13.2 to increase the setback of antennas from residential property boundaries from 1m to 5m in response to concerns from the community about the proximity of antennas to their properties. Officers from the Infrastructure Directorate have recently advised that antennas will become a future requirement on all Council water reservoirs, pump stations and the like. Many existing pump stations are situated very close to residential property boundaries and in some cases occupy the whole parcel of land. As a result, these antennas would not meet the standard outlined above, requiring a resource consent. Taking a wider perspective, it is possible in the future that other public service infrastructure may also need ancillary antennas and the like to allow the activity to function effectively. This issue needs further consideration during the hearing.</p> <p><b>Decision Requested:</b> That the Hearing Committee takes into account the future needs of ancillary antennas etc on public service infrastructure when deciding an appropriate setback for new antennas from residential property boundaries, preferring that no resource consent is required for the small scale of antennas likely to be used.</p> <p>Three rules cross reference to horizontal diameter circles set out in rules 23.1.8.7 and 23.1.8.8. Plan Change 74 deleted some aspects of rule 23.1.8.7. A change is needed to ensure that alternative wording is used instead of the cross references. The wording outlines that a 3m horizontal diameter circle is now required. Wording changes are required to rules: 23.1.8.9, 23.1.8A.6 and 23.1.13.4.</p> <p><b>Decision Requested:</b></p> <ul style="list-style-type: none"> <li>• <b>Rule 23.1.8.9</b> In the standard, the words "the horizontal diameter circle in 23.1.8.7 or 23.1.8.8" should be replaced by the following words "a 3m horizontal diameter circle where 23.1.8.7 applies or a 750mm horizontal diameter circle where 23.1.8.8 applies".</li> <li>• <b>Rule 23.1.8A.6</b> In this standard, the words "the horizontal diameter circle in 23.1.8.7 or 23.1.8.8" should be replaced by the following words "a 3m horizontal diameter circle".</li> <li>• <b>Rule 23.1.13.4</b> In this standard, the words "to comply with the horizontal diameter circle provided for in rule in 23.1.8.7 or 23.1.8.8 as appropriate" should be replaced by the following words "within a 3m horizontal diameter circle".</li> </ul>			
4	Angela White	8 Indus Street Khandallah Wellington 6035	Unknown
<p>The submitter is concerned about the number of telecommunication devices one person has on a property and the placement of these devices. Neighbour is an amateur radio operator and has several installations on the property (incl. very tall ham radio tower, a regular satellite dish, a huge satellite dish and a satellite scanner with aerials attached), affecting the enjoyment of the</p>			

submitters own property.			
<b>Decision Requested:</b> Seeks that the Council have some control over the number and placement of these devices.			
5	Two Degrees Mobile Limited	PO Box 25 465 Panama Street Wellington 6146	Yes
<p>Rule 23.1.4.1 relating to utility structure footprint: acknowledges that this has been amended to clarify an issue over how height is interpreted, but considers that the footprint of 1.5m<sup>2</sup> should also be reviewed to better provide for conjoined cabinets, which are visually more minor in comparison with a complying detached cabinet configuration.</p> <p><b>Decision Requested:</b></p> <ul style="list-style-type: none"> <li>Rule 23.1.4.1: That the permitted standard for utility structures be altered to allow for an increased footprint of up to 3m<sup>2</sup> where no more than 3 cabinets of 1.5m<sup>2</sup> or less are joined together in configuration, OR, that the standards allow for an increased footprint of some kind where more than one cabinet is involved in a joined configuration.</li> </ul> <p>Rule 23.1.13.2 relating to distance of antennas from residential property boundaries: considers that as a result of other rule changes in the Plan Change, there will be an increased reliance on rooftop antennas to bring coverage to residential areas. Rooftop sites are often preferred over pole sites in the road reserve (ie. under the NES), however many of these areas have significantly reduced boundary setbacks to Suburban Centre areas, and it is considered that the 5m setback will not allow for a number of potential designs to be implemented as permitted activities. Further, increasing the setback means that an increased antenna height is required to avoid shading caused by the rooftop edge. The result of an increased setback will be taller residential rooftop structures if the proposed setback is maintained.</p> <p><b>Decision requested:</b></p> <ul style="list-style-type: none"> <li>Rule 23.1.13.2: decreased setback for antennas in residential areas to 3m to allow for more feasible and reliable outcomes for rooftop residential sites.</li> </ul> <p>Assessment criteria 23.4.1 for Discretionary Unrestricted Activities. Does not consider that 'existing vegetation and surrounding building forms and development' should be relied upon to mitigate effects (23.4.1.1).</p> <p><b>Decision Requested:</b></p> <ul style="list-style-type: none"> <li>That criteria 23.4.1.1 be amended, or a new criteria added, to include planting, screening and external colour as ways that a proposal can be modified to better reflect the area in which it is located and to reduce visual effects.</li> </ul> <p>The submitter wishes to acknowledge the process used in formulating the plan change, including a draft plan change stage and discussions between the council officer and the Telco providers. The result was a plan change that reflected the balances involved, provided for some compromise and dramatically decreased the need for formal submissions and a lengthy formal process.</p> <p><b>Decision requested:</b></p> <ul style="list-style-type: none"> <li>Acknowledgement of a successful informal consultation and workshop process that has reduced reliance upon a lengthier formal notification submissions and appeals process.</li> </ul>			
6	NZ Transport Agency	PO Box 5084 Lambton Quay Wellington 6145	Yes
<p>The Submitter opposes part of the plan change. It is in the process of commissioning a refurbishment project for the Mt Victoria and Terrace Tunnels to improve their safety. Whilst the SH1 motorway is designated (including the tunnels), land above and adjacent to the tunnels is zoned Open Space B and C. PC74 limits the location and placement of telecommunication utilities in Open Space B and C zones which is of concern to the submitter who may propose, as part of refurbishment, to include such structures.</p> <p>The submitter seeks amendment to:</p> <ul style="list-style-type: none"> <li>Policy 22.2.1.1B regarding the need to recognise reserve land values in the siting of utilities,</li> <li>Rule 23.1.4 regarding the construction of utility structures above ground (Permitted Activities), and</li> <li>23.2.1A regarding the construction of utility structures above ground (Controlled Activities).</li> </ul> <p>The submitter does not support these provisions as they potentially create a barrier for all utility providers, not just Telco providers, in managing utility assets in these zones. As currently written, other utilities such as water reservoirs and fire protection works would be included in this policy. The submitter does not consider it appropriate to discourage all utilities in the Open Space B and C, but accepts restricting telecommunication utilities might be appropriate.</p> <p><b>Decision Requested:</b></p>			

The submitter seeks that either or its two options for alternative wording to the policy and both be adopted. The options effectively narrow the focus of the policy and rules to telecommunication structures (ie. aerials, antennas, or masts), not utilities in general.			
7	Mary Redmayne	19 Moana Road Kelburn Wellington 6012	Unknown
<p>Submitter opposes PC74 in its current form. The distance from masts to homes should be at least 100m. The Council also needs to weight up the disadvantage of tall masts with the possible health effects of lower ones and ones that are close to homes. Co-location has both benefits and drawbacks (explained in more detail in submission) and should be approached with caution. Public pressure to improve coverage is based on a lack of understanding of the implications; three providers are more than enough.</p> <p><b>Decision Requested:</b> That the distance from masts to homes be at least 100m for visual and health reasons.</p>			
8	Wellington VHF Group Inc and Wellington Amateur Radio Club	C/- John Andrews 68 Khandallah Road Ngaio Wellington 6035	Yes
<p>The submitter opposes the proposed plan change since it fails to reasonably accommodate the reasonable requirement of amateur radio operators, and the amateur radio service, through excessive limitation on the height, location, dimension and type of radio antennas and their supporting structures, onerous and costly testing and monitoring.</p> <p>The submission contains detailed information on what the Amateur Radio Service does and also the New Zealand Association of Radio Transmitters Inc, including information about their role in providing a public service in relation to emergency communications. The submission provides information on the Radio Spectrum and Antennas dimensions typically used by amateur radio operators and explains why antenna height is crucial to achieving effective antenna performance. The submission also addresses concerns with the rules relating to the structures that support antennas (ie. poles and masts) and the testing of radiofrequency emissions.</p> <p><b>Decision Requested:</b> That the Council amend the proposed plan change to remove the unduly severe restrictions on the amateur radio service, so as to allow as permitted uses antennas erected to proper height and dimensions and in sufficient number for communications effectiveness and experimentation and otherwise to reasonably accommodate amateur radio service communications.</p> <p>Specifically, in all residential, rural and business zones as permitted uses for amateur radio operators:</p> <ul style="list-style-type: none"> <li>• Allow antennas supporting structures to a height of 18 metres</li> <li>• Height limitations are not applied to directly to antennas</li> <li>• Allow the use of guyed pole antenna supporting structures without bulk dimension constraint.</li> <li>• Allow self-supporting lattice mast supporting structures with maximum horizontal dimensions of <ul style="list-style-type: none"> <li>800mm to a maximum height of 8 metres</li> <li>650 mm to a maximum height of 14 metres</li> <li>450 mm to a maximum height of 18 metres</li> </ul> </li> <li>• Allow antennas and their support structures mounted on buildings to a maximum height of 18 metres</li> <li>• Remove the application of height control planes to amateur radio antennas and their supporting structures</li> <li>• Reduce the set-backs for simple pole structures to 0.5 metres on all boundaries</li> <li>• Reduce the set-backs for mast structures to 1.5 metres on all boundaries,</li> <li>• Allow amateur radio satellite communication dish antennas to a maximum diameter of 4 metres, provided they do not exceed 5 metres in height</li> <li>• Allow amateur radio communication dish antennas to a maximum height of 12 metres, provided they do not exceed 1.2 metres in diameter</li> <li>• No limit to the number of antennas installed on any site</li> <li>• Allow self assessment and emission field testing by amateur radio operators</li> </ul>			
9	NZ Association of Radio Transmitters Inc.	C/- Mike Newman 30 Nikau Street Wanganui 4501	Yes
The submitter opposes the plan change in its entirety as it is unduly harsh and egregious in its application to the amateur radio service. The plan change fails to recognise the needs of the amateur radio service in respect of antennas, aerials and their supporting structures, poles and masts.			

<p><b>Decision Requested:</b> That the Council:</p> <ul style="list-style-type: none"> <li>• Exempts the Amateur Radio Service from the provisions of the proposed plan change, and</li> <li>• Consults with the amateur radio fraternity, and</li> <li>• Considers and devises new definitions and rules for application to the amateur radio service which recognise the needs of the service.</li> </ul>			
10	Vodafone	c/- Harrison Grierson Consultants Ltd PO Box 5760 Wellesley Street Auckland 1141	Yes
<p>Policy 22.2.1.1 and Method 22.2.1: object to the use of the word 'vulnerable' as it is an emotive word and not appropriate in a statutory document.</p> <p><b>Decision Requested:</b></p> <ul style="list-style-type: none"> <li>• Replace the term 'vulnerable' with similar, yet less emotive, term such as 'sensitive' (draft wording supplied).</li> </ul> <p>Rule 23.1.4.1 relating to utility structures: notes the height and area dimensions in the rule for utility structures are not consistent with the NES dimensions.</p> <p><b>Decision Requested:</b></p> <ul style="list-style-type: none"> <li>• Amend rule 23.1.4.1 to be consistent with the dimensions set out in the NES (draft wording supplied) ie. the height of cabinets would increase to 1.8m.</li> </ul> <p>Seeks clarification about how the Heritage Area provisions and its relationship to road reserve is intended to operate (23.1.4.4, 23.1.8.2, 23.1.8A.2, 23.1.23.5, 23.1.14.6, 23.1.15.5, 23.1.17.5, 23.2.14).</p> <p><b>Decision Requested:</b> Clarify that the heritage provisions of the Plan Change only apply to road reserve in heritage areas and not apply to road reserve adjacent to heritage sites or sites containing heritage items.</p> <p>The submitter supports the inclusion of provisions relating to co-location and the non-notification of applications that result in a mast increase of up to 3.5m (rule 23.3.1), but considers the rule also needs to refer to replacement masts in addition to existing masts.</p> <p><b>Decision requested:</b> Insert references to 'replacement masts' in the non-notification statement in rule 23.3.1, 23.3.1.9b and 23.4.1.3 (draft wording supplied).</p> <p>Rules 23.1.8A.4, 23.1.8A.6 and 23.1.17.1 contain inaccuracies or incorrect references.</p> <p><b>Decision Requested:</b> Fix inaccuracies (draft wording supplied).</p>			
11	Bob Waters	32 Taft Street Brooklyn Wellington 6021	Yes
<p>Supports the general thrust of the plan change but opposes restrictions to Amateur Radio stations (caused by lack of consultation with the amateur radio community). These changes would severely affect the existence and operation of amateur radio in Wellington. The amateur radio community performs a public service in their endeavour to maintain a network of radio communication worldwide, eg. Search and Rescue, Wellington Civil Defence and the NZ Police. Any comparison with commercial telecommunications is spurious and yet the plan change has potentially imposed drastic restrictions upon amateur radio. Of particular concern is rule 23.1.13.2 which outlines the distance of aerials and antennas from a boundary as this could make it impossible for HF amateur radio aerials to be sited in most suburban sections.</p> <p><b>Decision Requested:</b> That provision for Amateur Radio aerials not be restricted.</p>			
12	Telecom New Zealand Ltd	c/-Incite (Wellington Ltd) PO Box 2058 Wellington	Yes
<p>The submitter considers that, in general, the provisions in Plan Change 74 are a reasonable compromise. But the submitter notes there was one particular aspect of the plan change that it does not agree with; this being the proposed amendments to the permitted activity rule for new masts in the Open Space A area (rules 23.1.8 and 23.3.1). The submitter considers that the removal of a permitted activity for new masts in the Open Space A zone is unreasonably restricted in relation to the actual and potential environmental effects. This zone provides many suitable options for the establishment and operation of</p>			

<p>telecommunication facilities where other sites are not appropriate. This is particularly the case in residential areas where sites are necessary to respond to customer demand. The Open Space A area often provides better alternatives than siting on road reserve as a permitted activity under the NES and also means they can avoid siting the structures too close to residential dwellings.</p> <p><b>Decision Requested:</b> Amend proposed Rule 23.1.8, 23.1.8.8 and 23.3.1 to provide for mast up to 15m in height in the Open Space A area as a Permitted Activity; and consequential amendments required to give effect to this amendment.</p>			
13	Else Noeline Gannaway	83 Wright Street Mt Cook Wellington 6021	Yes
<p>Supports Rule 22.2.4, relating to the relocation underground of existing overhead line networks, reducing health risks of radiation from power lines. Oppose Rule 23.2.4, relating to antennas being a controlled activity as this is invasive and undemocratic, not to say dangerous. The rule should be amended to allow residents the right to consultation on the siting of cell phone antenna in their vicinity.</p> <p><b>Decision Requested:</b> It is not right that telecommunication companies can legally put up transmitters and antennas near peoples homes without having to consult with them. Council should lead by example and enact its own bylaw requiring consultation with communities by telecommunication companies prior to erection of cell phone towers.</p>			
14	David Parish	25 Truscott Ave Johnsonville Wellington 6037	Yes
<p>Cites concerns with all provisions relating to antennas as these prescriptions will adversely affect radio amateurs as the rules appear to have been written without regard to our requirements.</p> <p><b>Decision Requested:</b> Allow greater flexibility for antennas for amateur radio use.</p>			