

## D9 14.9 Amateur radio

This report section is D9 of Part D Submissions Analysis of the section 42A report on the Infrastructure and Energy topic, Proposed Waikato District Plan. The report provides consideration of submissions on section 14.9, which contains the rules for amateur radio configurations. Although amateur radio operations may not meet the definition of infrastructure, including them in the infrastructure chapter is an efficient way of grouping the rules together.

### I Introduction

1. The main theme in submissions on the Amateur Radio section is enabling amateur radio configurations, their aerials/antennas and support structures.

### 2 14.9.1 Permitted Activities General

Submission point	Submitter	Decision requested
594.9	NZART	No specific decision sought, but submission considers that where amateur radio clubrooms are set up, amateur radio configurations should be erected on a permitted basis at those clubroom sites.
<i>FS1034.9; FS1030.9; FS1184.9; FS1082.9; FS1069.9</i>	<i>Warren Philip Nelson Semmens; Phillip King; Sam Birch; David George King; Gavin William Petrie</i>	<i>FS1034.9 Supports 594.9; FS1030.9 Supports 594.9; FS1184.9 Supports 594.9; FS1082.9 Supports 594.9; FS1069.9 Supports 594.9</i>
697.37	Waikato District Council	Amend Rule 14.9.1(b) Permitted Activities as follows: (b) Rule 14.2.1.1 will apply to the activities set out in this table unless there is a specific area, height, location and noise condition listed below.
594.3	NZART	Amend Rule 14.9.1 Permitted Activities, by removing inconsistencies between P2 Aerials associated with amateur radio configurations (Rule 14.9.1.2) and P3 Support structures associated with amateur radio configurations (Rule 14.9.1.3), so that there are consistent references across the clauses in these two rules to zone height plus 2 metres (as per Rule 14.9.1.3 (a)(iv)).
<i>FS1082.3; FS1034.7; FS1069.3; FS1030.3; FS1184.3</i>	<i>David George King; Warren Philip Nelson Semmens; Gavin William Petrie; Phillip King; Sam Birch</i>	<i>FS1082.3 Supports 594.3; FS1034.7 Supports 594.3; FS1069.3 Supports 594.3; FS1030.3 Supports 594.3; FS1184.3 Supports 594.3</i>

#### 2.1 Analysis

2. **NZART** [594.9] The submission considers that where amateur radio clubrooms are set up, amateur radio configurations should be erected on a permitted basis at those clubroom sites. The submitter states that the Proposed District Plan is silent on this issue.
3. *FS1034.9 Warren Philip Nelson Semmens; FS1030.9 Phillip King; FS1184.9 Sam Birch; FS1082.9 David George King; FS1069.9 Gavin William Petrie support 594.9: They state that the Proposed Plan covers*

*amateur radio configurations of private properties and there needs to be similar provisions for places like radio clubrooms.*

4. The Section 14.9 Amateur Radio provisions apply over all zones, and allow as permitted activities, the associated antennas, aerials and support structures, where they meet the activity specific conditions. While the PWDP may not have specific provisions for the address(es) where clubrooms are located, it enables amateur radio configurations across the district and therefore is not silent on that issue.
5. As the clubroom amateur radio configurations are permitted by the Section 14.9 provisions, I recommend accepting NZART [594.9]; *FS1034.9 Warren Philip Nelson Semmens; FS1030.9 Phillip King; FS1184.9 Sam Birch; FS1082.9 David George King; FS1069.9 Gavin William Petrie.*
6. **Waikato District Council** [697.37] seeks to amend Rule 14.9.1(b) Permitted Activities to delete references to area and height.
7. This is a consequential amendment of changes to Rule 14.2.1.1(1), where area and height are recommended as no longer providing an exception to the rule (from submission Waikato District Council [697.527]). Each permitted activity has any required area and height standards listed as activity-specific conditions.
8. I recommend accepting submission 697.37 as a consequential amendment in response to another recommended amendment.
9. **NZART** [594.3] The submitter states that it is appropriate to have consistency across the rules in respect to expressing the allowable dimensions for aerials and support structures.
10. *FS1082.3 David George King; FS1034.7 Warren Philip Nelson Semmens; FS1069.3 Gavin William Petrie; FS1030.3 Phillip King; FS1184.3 Sam Birch Supports 594.3: The submitters state that there is ambiguity in legal documents which results in confusion.*
11. The height control for Aerials (14.9.1.2(a)(v) P2) allows 2m above the Zone height, and for one aerial up to 20m height (height measured above ground level) where the aerial or support structure beneath that 20m aerial is no taller than 2m above the Zone height limit. The height control for aerial support structures (14.9.1.3) is more complex to cater for a range of structure configurations, and includes up to 6 poles at no more than the Zone height, or a single pole or lattice structure up to 9m, and one support structure per site with height greater than the Zone height and up to 20m. Aerials may be mounted atop the support structures, and provides the reason why the support structures have height limits different to aerials. No configurations and combinations of aerial and support structure can exceed 20m height. Although I accept that the rule is complex, it responds to the various configurations possible for aerials and support structures. I recommend rejecting NZART [594.3]; *FS1082.3 David George King; FS1034.7 Warren Philip Nelson Semmen; FS1069.3 Gavin William Petrie; FS1030.3 Phillip King; FS1184.3 Sam Birch*, as the activity-specific conditions distinguish between aerials and support structures and combinations of those.

## 2.2 Recommendations

12. For the reasons above I recommend the Hearings Panel:
  - a. Accept 594.9 NZART; Accept *FS1034.9 Warren Philip Nelson Semmens; FS1030.9 Phillip King; FS1184.9 Sam Birch; FS1082.9 David George King; FS1069.9 Gavin William Petrie*

- b. Accept 697.37 Waikato District Council
- c. Reject 594.3 NZART; *FS1082.3 David George King; FS1034.7 Warren Philip Nelson Semmen; FS1069.3 Gavin William Petrie; FS1030.3 Phillip King; FS1184.3 Sam Birch.*

## 2.3 Recommended amendments

13. Amend Rule 14.9(b) as follows:

14.9.1(b) Rule 14.2.1.1 will apply to the activities set out in this table unless there is a specific ~~area, height,~~ location and noise condition listed below. [697.32 Waikato District Council]

## 2.4 Section 32AA evaluation

14. As this is a consequential amendment to another amendment in Rule 14.2.1.1, a s.32AA re-evaluation is not required.

# 3 Rule 14.9.1.1 Permitted Activities PI Antennas associated with amateur radio configurations

Submission point	Submitter	Decision requested
559.174	Heritage NZPT	Retain activity-specific condition 14.9.1.1 (a)(iii) relating to PI Antennas associated with amateur radio configurations
594.4	NZART	Retain Rule 14.9.1 PI Antennas associated with amateur radio configurations.
<i>FS1082.4; FS1030.4; FS1034.8; FS1069.4; FS1184.4</i>	<i>David George King; Phillip King; Warren Philip Nelson Semmens; Gavin William Petrie; Sam Birch</i>	<i>FS1082.4 Supports 594.4; FS1030.4 Supports 594.4; FS1034.8 Supports 594.4; FS1069.4 Supports 594.4; FS1184.4 Supports 594.4</i>
594.2	NZART	Amend the Proposed District Plan including Rule 14.9.1 PI and P2 Permitted Activities, by clarifying the difference between antennas and aerials.
<i>FS1030.2; FS1034.6; FS1069.2; FS1082.2; FS1184.2</i>	<i>Phillip King; Warren Philip Nelson Semmens; Gavin William Petrie; David George King; Sam Birch</i>	<i>FS1030.2 Supports 594.2; FS1034.6 Supports 594.2; FS1069.2 Supports 594.2; FS1082.2 Supports 594.2; FS1184.2 Supports 594.2</i>

## 3.1 Analysis

15. **Heritage NZPT** [559.174] supports the amateur radio configuration antenna rule, as this condition will ensure the integrity of the Identified Areas is retained.
16. **NZART** [594.4] supports amateur radio configuration antennas being a permitted activity. *FS1082.4 David George King; FS1030.4 Phillip King; FS1034.8 Warren Philip Nelson Semmens; FS1069.4 Gavin William Petrie; FS1184.4 Sam Birch Support 594.4: The wording of clause 14.9.1 PI in the Proposed Plan is agreed to.*
17. I recommend accepting Heritage NZPT [559.174] and NZART [594.4]; *FS1082.4 David George King; FS1030.4 Phillip King; FS1034.8 Warren Philip Nelson Semmens; FS1069.4 Gavin William Petrie; FS1184.4 Sam Birch*, as the amateur radio operators' group supports the provision, and the rule will ensure that antennas associated with amateur radio configurations are not located within an

Identified Area and will avoid adverse impacts on existing Identified Areas. The RPS also provides policy direction for protection of Identified Area values, which is given effect in the PWDP by a more stringent activity status for structures in those areas.

18. **NZART [594.2]** seeks clarification of the difference between antennas and aerials.
19. The submitter states that the term 'antenna' is defined although 'aerial' is not, and from a technological point of view, these are alternative terms for the same thing.
20. *FS1030.2 Phillip King; FS1034.6 Warren Philip Nelson Semmens; FS1069.2 Gavin William Petrie; FS1082.2 David George King; FS1184.2 Sam Birch Supports 594.2: The concept of aerials and antennas are synonymous in all technical literature.*
21. Within the PWDP, the term antenna generally applies to a panel or dish, and the term aerial applies to combinations of rods and wires. I accept that it is difficult to find any other distinguishing characteristics in the technical literature, but in my opinion, the terms are adequately described within the different activity-specific conditions, such as “2m diameter for an antenna dish, 2m maximum width for a panel antenna...” or “maximum 80mm diameter for any elements of an aerial”. The terms are used in this way to manage the different effects of area/volume for antennas and linear elements of aerials.
22. For the reason that I do not consider further definition is necessary, I recommend rejecting **NZART [594.2]**; *FS1030.2 Phillip King; FS1034.6 Warren Philip Nelson Semmens; FS1069.2 Gavin William Petrie; FS1082.2 David George King; FS1184.2 Sam Birch.*

### 3.2 Recommendations

23. For the reasons above, I recommend the Hearings Panel:
  - a. Accept 559.174 Heritage NZPT
  - b. Accept 594.4 NZART; *FS1082.4 David George King; FS1030.4 Phillip King; FS1034.8 Warren Philip Nelson Semmens; FS1069.4 Gavin William Petrie; FS1184.4 Sam Birch.*
  - c. Reject 594.2 NZART; *FS1030.2 Phillip King; FS1034.6 Warren Philip Nelson Semmens; FS1069.2 Gavin William Petrie; FS1082.2 David George King; FS1184.2 Sam Birch.*
24. No changes are recommended to this provision.

## 4 Rule 14.9.1.2 Permitted Activities P2 Aerials associated with amateur radio configurations

Submission point	Submitter	Decision requested
559.175	Heritage NZPT	Retain activity-specific condition 14.9.1.2(a)(vii) relating to P2 Aerials associated with amateur radio configurations.
594.5	NZART	Amend Rule 14.9.1 P2 (a)(v) Aerials associated with amateur radio configurations, to correct a reference error as follows: (a)(v) No part of the aerial exceeds the maximum stated height applying to buildings in the applicable zone by more than 2m (except for vertical aerials as provided for in <del>Rule 14.9.1.2(f)(f) below</del> ) <u>Rule 14.9.1.2(a)(vi)</u> ;

FS1034.1; FS1184.5; FS1082.5; FS1030.5; FS1069.5	Warren Philip Nelson Semmens; Sam Birch; David George King; Phillip King; Gavin William Petrie	FS1034.1 Supports 594.5; FS1184.5 Supports 594.5; FS1082.5 Supports 594.5; FS1030.5 Supports 594.5; FS1069.5 Supports 594.5
594.6	NZART	Amend Rule 14.9.1.2 P2 Aerials associated with amateur radio configurations, to enable at least one additional pole structure which exceeds the height limits applying to zone height rules.
FS1030.6; FS1082.6; FS1034.2; FS1069.6; FS1184.6	Phillip King; David George King; Warren Philip Nelson Semmens; Gavin William Petrie; Sam Birch	FS1030.6 Supports 594.6; FS1082.6 Supports 594.6; FS1034.2 Supports 594.6; FS1069.6 Supports 594.6; FS1184.6 Supports 594.6
594.7	NZART	Amend Rule 14.9.1 P2 (a)(vi) Aerials associated with amateur radio configurations, delete "Rule 14.9.1.3(1)(c) below" and add "Rule 14.9.1.3(a)(iii)" as follows:  For vertical aerials, one vertical aerial to a maximum height of 20m, provided there is only one vertical aerial or one supporting structure (and attached aerial(s) or antenna(s) under <del>Rule 14.9.1.3(1)(c) below</del> Rule 14.9.1.3(a)(iii) per site that exceeds the maximum stated height applying to buildings in the applicable zone by more than 2m;
FS1082.7; FS1184.7; FS1034.3; FS1069.7; FS1030.7	David George King; Sam Birch; Warren Philip Nelson Semmens; Gavin William Petrie; Phillip King	FS1082.7 Supports 594.7; FS1184.7 Supports 594.7; FS1034.3 Supports 594.7; FS1069.7 Supports 594.7; FS1030.7 Supports 594.7

#### 4.1 Analysis

25. **Heritage NZPT** [559.175] supports the rule relating to amateur radio aerials not being located in Identified Areas.
26. The submitter supports permitted activity Rule P2 Aerials associated with amateur radio configurations, activity-specific condition 14.9.1.2 (vii), as this condition will ensure the integrity of the identified areas is retained.
27. I recommend accepting Heritage NZPT [559.175]. This will ensure that aerials associated with amateur radio configurations are not located within an Identified Area and will avoid adverse impacts on existing Identified Areas.
28. **NZART** [594.5] seeks correction of a rule reference number.
29. *FS1034.1 Warren Philip Nelson Semmens; FS1184.5 Sam Birch; FS1082.5 David George King; FS1030.5 Phillip King; FS1069.5 Gavin William Petrie Support 594.5 and state there are reference errors in the Rule 14.9.1 P2 in the Proposed Plan.*

30. I recommend accepting NZART [594.5] to correct a numbering error, and therefore recommend accepting *FS1034.1 Warren Philip Nelson Semmens; FS1184.5 Sam Birch; FS1082.5 David George King; FS1030.5 Phillip King; FS1069.5 Gavin William Petrie.*
31. **NZART [594.6]** seeks at least one additional pole structure for aerials, which exceeds the height limits applying to zone height rules.
32. The submitter states that for 3.6MHz aerials, one end of such a wire could be attached to the main supporting structure, but unless some other provision is made in 14.9.1.2(a), there is no way of holding up the other end at the required height because zone height plus 2m is not high enough. The submitter contends that there needs to be provision for one additional pole to be at, say, 14m height, as without this exception a very simple low visual impact wire antenna cannot be used in its preferential horizontal configuration.
33. *FS1030.6 Phillip King; FS1082.6 David George King; FS1034.2 Warren Philip Nelson Semmens; FS1069.6 Gavin William Petrie; FS1184.6 Sam Birch support 594.3: the submitters state that a second (reasonably) high pole is needed if horizontal wire aerials are to be used.*
34. Licensed amateur radio operators can have an important role in civil defence activities in the district. The rules can recognise this by permitting certain amateur radio configurations for use by licensed amateur radio operators. I recommend accepting NZART [594.6] to the extent that 14.9.1.3 P3 is amended so a second pole or support structure up to 14m height is permitted for operation of 3.6MHz radio; and therefore recommend accepting *FS1030.6 Phillip King; FS1082.6 David George King; FS1034.2 Warren Philip Nelson Semmens; FS1069.6 Gavin William Petrie; FS1184.6 Sam Birch.*
35. **NZART [594.7]** seeks correction of a rule reference number.
36. *FS1082.7 David George King; FS1184.7 Sam Birch; FS1034.3 Warren Philip Nelson Semmens; FS1069.7 Gavin William Petrie; FS1030.7 Phillip King: Support 594.7: There are reference errors in Rule 14.9.1 P2 (a)(vi) in the Proposed Plan.*
37. I recommend accepting NZART [594.7] to correct a numbering error; and therefore recommend accepting *FS1082.7 David George King; FS1184.7 Sam Birch; FS1034.3 Warren Philip Nelson Semmens; FS1069.7 Gavin William Petrie; FS1030.7 Phillip King.*

## 4.2 Recommendations

38. For the reasons above I recommend the Hearings Panel:

- Accept 559.175 Heritage NZPT
- Accept 594.5 NZART; accept *FS1034.1 Warren Philip Nelson Semmens; FS1184.5 Sam Birch; FS1082.5 David George King; FS1030.5 Phillip King; FS1069.5 Gavin William Petrie.*
- Accept 594.6 NZART; accept *FS1030.6 Phillip King; FS1082.6 David George King; FS1034.2 Warren Philip Nelson Semmens; FS1069.6 Gavin William Petrie; FS1184.6 Sam Birch*
- Accept 594.7 NZART; accept *FS1082.7 David George King; FS1184.7 Sam Birch; FS1034.3 Warren Philip Nelson Semmens; FS1069.7 Gavin William Petrie; FS1030.7 Phillip King.*

## 4.3 Recommended amendments

39. Amend Rule 14.9.1.2 P2 as follows:

P2	Aerials associated with amateur radio configurations	<p>14.9.1.2</p> <p>(a) Aerials associated with amateur radio configurations that comply with all of the following:</p> <ul style="list-style-type: none"> <li>(i) Any of the elements making up the aerial do not exceed 80mm in diameter;</li> <li>(ii) For horizontal HF yagi aerials, the maximum element length does not exceed 14.9m, and the boom length does not exceed 13m;</li> <li>(iii) No part of the aerial (including aerial wires) overhangs a <b>site boundary</b>;</li> <li>(iv) The setback standards applying to <b>buildings</b> in the applicable zone, except that aerial wires are not required to comply with the setback standards;</li> <li>(v) No part of the aerial exceeds the maximum stated height applying to buildings in the applicable zone by more than 2m (except for vertical aerials as provided for in <del>Rule 14.9.1.2(f) below</del> <b>Rule 14.9.1.2(a)(vi)</b>; [594.5 NZART])</li> <li>(vi) For vertical aerials, one vertical aerial to a maximum <b>height</b> of 20m, provided there is only one vertical aerial or one supporting structure (and attached aerial(s) or antenna(s)) under <del>Rule 14.9.1.3(1)(c) below</del> <b>Rule 14.9.1.3(a)(iii)</b> per <b>site</b> that exceeds the maximum stated height applying to buildings in the applicable zone by more than 2m;<sup>1</sup></li> <li>(vii) Are not located within an Identified Area;</li> <li>(viii) Is not located on a road, or unformed road.</li> </ul>
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[The amendment for a second pole for 3.6MHz radio configurations is recorded under 14.9.1.3 P3 (a)(iv)Bf below].

#### 4.4 Section 32AA evaluation

40. Numbering corrections do not require s.32AA re-evaluation.
41. The permitted activity second pole for 3.6MHz radio configurations will more appropriately achieve the enabling Objective 6.1.1 Development, operation and maintenance of infrastructure, and is more efficient and effective than requiring a resource consent. There may be a small adverse amenity effect on neighbours, but the occurrence will be relatively rare and is outweighed by the benefits of the infrastructure.

## 5 Rule 14.9.1.3 Permitted Activities P3 Support structures associated with amateur radio configurations

Submission point	Submitter	Decision requested
559.176	Heritage NZPT	Retain activity specific condition 14.9.1.3 (a)(v) relating to P3 Permitted Activities.
594.8	NZART	Amend Rule 14.9.1 P3 Support structures associated with amateur radio configurations, so that the numbering of clauses and format are improved. AND Amend Rule 14.9.1.3 P3 to as follows: <u>(a) Support structures associated with amateur radio configurations that comply with all of the following:</u>

<sup>1</sup> 594.7 NZART

		<p>(i) <u>For wire aerials of less than 115mm in outside diameter, no more than six support poles per site provided that:</u>  <u>A. The maximum height of the support poles does not exceed the maximum building height in the zone in which they are located by more than 2m;</u>  <u>B. The setback and height in relation to boundary shall not apply to these support poles;</u></p> <p>(ii) <u>Where guy wires are used, they must not exceed 12mm in diameter;</u></p> <p>(iii) <u>At no point must any guy wire or aerial overhang the boundary;</u></p> <p>(iv) <u>For each site, one support structure can exceed the maximum stated height applying to buildings in the applicable zone by more than 2m provided that:</u>  <u>A. The maximum height of the support structure and any attached aerials or antennas is 20m;</u>  <u>B. The support structure may be a pole or lattice mast, it may be guyed or self-supporting, but the inscribed circle of the structure below 9m shall be 1000mm, and above 9m must fit within a tapering envelope with a maximum inscribed circle of 660mm at 9m, and 420mm at 20m. AND</u></p> <p>Amend Rule 14.9.1.2 P2 (a) (vi) as follows:</p> <p>(a)(vi) For each site, one pole structure or vertical antenna to a maximum height of 14 metres, provided there is only one vertical aerial <u>in addition to</u> the one supporting structure under rule 14.9.1.3 below per site that exceeds the maximum stated height applying to buildings in the applicable zone by more than 2m</p>
<p>FS1034.4;  FS1030.8;  FS1184.8;  FS1069.8;  FS1082.8;</p>	<p>Warren Philip  Nelson  Semmens; Phillip  King; Sam Birch;  Gavin William  Petrie; David  George King</p>	<p>FS1034.4 Supports 594.8; FS1030.8 Supports 594.8; FS1184.8 Supports 594.8; FS1069.8 Supports 594.8; FS1082.8 Supports 594.8</p>

## 5.1 Analysis

42. **Heritage NZPT** [559.176] supports the rule relating to amateur radio configuration structures not being located in Identified Areas, as this condition will ensure the integrity of the Identified Areas is retained.
43. I recommend accepting Heritage NZPT [559.176]. This will ensure that support structures associated with amateur radio configurations are not located within an Identified Area and will avoid adverse impacts on existing Identified Areas.
44. **594.8 NZART**: seeks improvement of the numbering of clauses and format.
45. *FS1034.4 Warren Philip Nelson Semmens; FS1030.8 Phillip King; FS1184.8 Sam Birch; FS1069.8 Gavin William Petrie; FS1082.8 David George King: Support 594.8: The P3 Rules in the Proposed Plan were unnecessarily complex and repetitive. The submission proposal will avoid compliance confusion in future.*



46. I agree with parts of the suggested simplified approach to numbering of clauses and format, and the description of tapering dimensions of the upper parts of taller support structures. The suggested replacement rule also states that setback and height, in relation to boundary, shall not apply to support structures taller than 9m, but the notified PWDP exempted them only from the height in relation to boundary and not from the setback control. The suggested amendments also omit the references to roads and Identified Areas. I only support the amendments to a certain extent, but with the setback control continuing to apply to the taller masts.
47. The second part of the submission point refers to an additional pole of up to 14m height and that is addressed under submission NZART [594.5] above, but involves an amendment to this Rule on poles and support structures. I recommend accepting 594.8 NZART in part, to the extent that parts of the provisions are amended as requested, but that the longer format remains and a setback control continues to apply to taller masts, and the second pole for 3.6MHz radio configurations is included within this rule. I recommend accepting in part *FS1034.4 Warren Philip Nelson Semmens; FS1030.8 Phillip King; FS1184.8 Sam Birch; FS1069.8 Gavin William Petrie; FS1082.8 David George King* to the same extent as the original NZART submission.

## 5.2 Recommendations

48. For the reasons above I recommend the Hearings Panel:
- a. Accept 559.176 Heritage NZPT [559.176]
  - b. Accept in part 594.8 NZART, to the extent that the provisions are amended as requested, but that the setback control continues to apply to taller masts. Accept in part *FS1034.4; FS1030.8; FS1184.8; FS1069.8; FS1082.8* to the same extent.

## 5.3 Recommended amendments

49. Amend 14.9.1.3 P3 as follows:

P3	Support structures associated with amateur radio configurations	<p>14.9.1.3</p> <p>(a) Support structures associated with amateur radio configurations that comply with all of the following:</p> <ol style="list-style-type: none"> <li>(i) For wire aerials of less than 115mm in outside diameter, no more than six support poles per site provided that: <ol style="list-style-type: none"> <li>A. The maximum height of the support poles is the maximum building height applying in the zone in which they are located;</li> <li>B. The setback and height in relation to boundary standards shall not apply to these support poles;</li> </ol> </li> <li>(ii) Where guy wires are used these must not exceed 12mm in diameter;</li> <li>(iii) One pole support structure (excluding support poles for wire aerials) or lattice support structure per site, provided that: <ol style="list-style-type: none"> <li>A. The maximum height of the pole support structure is 9m and the maximum inscribed circle of the pole and any lowering mechanism shall be 600mm below 4m in height and 115mm above 4m; or</li> <li>B. The maximum height of the lattice support structure is 9m and the maximum inscribed circle and any lowering mechanism shall be 900mm below 8m in height and 660mm above 8m;</li> <li>C. The pole or lattice structure is located in accordance with setback standards applying to buildings in the zone in which they are located. For the purpose of this rule the height in relation to boundary standards shall not apply to the pole or lattice support structure;</li> </ol> </li> </ol>
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		<p>D. Where guy wires are used these must not exceed 12mm in diameter;</p> <p>E. At no point must any guy wire overhang the boundary;</p> <p>(iv) For each site, one support structure can exceed the maximum stated height applying to buildings in the applicable zone by more than 2m, provided that:</p> <p>A. The maximum height of the support structure and any attached aerials or antennas is 20m;</p> <p>B. Theis single, tall supporting structure may be one of the following:</p> <p><u>Ba</u> A pole, a tubular guyed mast, a lattice mast, and may be guyed or self-supporting. The maximum inscribed circle of the mast below 9m shall be 1000mm, and above 9m must fit within a tapering envelope with a maximum inscribed circle of 660mm at 9m, and 420mm at 20m shall be 115mm, or</p> <p><u>Bb</u> A guyed lattice mast. The maximum inscribed circle of the mast below 9m shall be 1000mm, and above 9m shall be 300mm. The mast may be of constant width or tapering, or</p> <p><u>Bc</u> A self-supporting lattice mast. The maximum inscribed circle of the mast below 9m shall be 1000mm, and above 9m must fit within a tapering envelope with a maximum inscribed circle of 660mm at 9m and 420mm at 20m, or</p> <p><u>Bd</u> A self-supporting tubular mast. The maximum inscribed circle of the mast below 9m shall be 1000mm, and above 9m must fit within a tapering envelope with a maximum inscribed circle of 230mm at 9m and 115mm at 20m; and</p> <p><u>Bb</u> There may be local enlargement of the support structure to accommodate a rotator mechanism; and</p> <p><u>Bc</u> The supporting structure is located in accordance with setback standards applying to buildings in the applicable zone. For the purpose of this rule the height in relation to boundary standards shall not apply to the supporting structure; and</p> <p><u>Bd</u> Where guy wires are used, these must not exceed 12 mm in diameter; and</p> <p><u>Be</u> At no point must any guy wire overhang the boundary;</p> <p><u>Bf</u> A second pole or support structure up to 14m height is permitted for operation of 3.6MHz radio;<sup>2</sup></p> <p>(v) Are not located within an Identified Area; and</p> <p>(vi) Is not located on a road, or unformed road.</p>
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#### 5.4 Section 32AA evaluation

50. The amendments are principally intended to simplify the description of dimensional limits, and improve the efficiency and effectiveness of the provision. A permitted activity second pole for 3.6MHz radio configurations will more appropriately achieve the enabling Objective 6.1.1 Development, operation and maintenance of infrastructure, and is more efficient and effective than requiring a resource consent. There may be a small adverse amenity effect on neighbours, but the occurrence will be relatively rare and is outweighed by the benefits of the infrastructure.

## 6 14.9.2 Restricted Discretionary Activities

Submission point	Submitter	Decision requested
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<sup>2</sup> 594.8 NZART

697.38	Waikato District Council	Amend Rule 14.9.2 RDI Restricted Discretionary Activities as follows:  Amateur radio configurations that <u>are not located on a road, unformed road or Identified Area, and do not comply with one or more of the conditions of Rules 14.9.1.1, 14.9.1.2 and 14.9.1.3</u>
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## 6.1 Analysis

51. **Waikato District Council** [697.36]: The submitter seeks to add additional clarity to the rule and reducing duplication where one activity could be covered by multiple rules.
52. I recommend accepting Waikato District Council [697.38] as this will aid interpretation of the rule.

## 6.2 Recommendation

- a. Accept Waikato District Council [697.38]

## 6.3 Recommended amendments

53. Amend Rule 14.9.2 as follows:

Activity		Matters of Discretion
RDI	Amateur radio configurations that <u>are not located on a road, unformed road or Identified Area, and</u> <sup>3</sup> do not comply with one or more of the conditions of Rules <u>14.9.1.1, 14.9.1.2 and 14.9.1.3</u>	Discretion is restricted to: (a) The bulk, form, scale, location and number of antennas, aerials and supporting structures; (b) Location on <u>site</u> ; and (c) Visual, streetscape and amenity effects.

## 6.4 Section 32AA evaluation

54. A s32AA evaluation is not required, as the amendments are to aid clarity and avoid duplication.

# 7 14.9.3 Discretionary Activities D2 Antennas, aerials and support structures associated with amateur radio configurations located within Identified areas

Submission point	Submitter	Decision requested
559.177	Heritage NZPT	Retain Rule 14.9.3, D2 Discretionary Activities.

## 7.1 Analysis

55. **Heritage NZPT** [559.177]: The submitter supports discretionary activity D2, and considers that this level of resource consent activity provides the appropriate level of protection and assessment to provide protection as required under section 6 of the Resource Management Act 1991.

<sup>3</sup> 697.38 Waikato District Council

56. I consider the discretionary activity classification appropriately recognises and provides for the matters of national importance addressed by Identified Areas. The siting of structures in Identified Areas may be an efficient and effective use of resources, and a discretionary activity can take account of the objectives and policies of the Identified Areas.

## **7.2 Recommendations**

57. I recommend accepting Heritage NZPT [559.177] as support for the provision and no changes are recommended.