

Amateur Radio Statement

1.0 Amateur Radio Section 42A Report

- 1.1 This Section 42A report considers submissions regarding Amateur Radio. The scope of the report relates to submissions 203 and 452 and further submission 29 and 175
- 1.2 Consideration is given, for example, to issues including consistency, terminology and the need for new provisions. The submissions sought recognition of amateur radio as a specific activity and requiring specific provisions which separated amateur radio configurations from network utilities and buildings.

2.0 Structure

- 2.1 The report has been structured around four topics being: general issues, scale of facilities, location of facilities and radiofrequency.
- 2.2 The section 42A report identifies submissions, then provides an assessment of these submissions before recommending amendments, and includes a marked up version of recommended changes as they relate to Chapter 12. Text proposed to be added is underlined and text proposed for deletion is struck through.

3.0 Relationship to PDP Chapters

- 3.1 The topic of amateur radio was not included in the Proposed Plan when notified. The provisions now recommended in the Section 42A report relate to all zones. I recognise the need to be consistent with other provisions relating to ecological sites and landscapes as well as natural hazards. At this time, due to this topic being addressed toward the end of the hearing process it is recommended that all provisions for amateur radio configurations be placed in a specific section in chapter 12.
- 3.2 I have considered the alternative option of providing provisions integrated into other chapters approach with the policies located in chapter 2A, and amendments to rules located in chapters 5, 6, 7, 8, 9 and 10. I consider that given the discrete nature of the activity it is efficient to have the provisions located in one place and recommend that chapter 12 is an appropriate location.

4.0 Key Submission Topics

General

- 4.1 The two submissions raised general comments in relation to amateur radio activities. They largely related to:
 - Amateur Radio not being a network utility
 - Need for specific Amateur Radio provisions
 - Seek permitted activity status for
 - a) 20m towers in residential areas (with aerials on top of this)
 - b) 30m towers in residential areas (with aerials on top of this)
 - c) aerials within 0.5m of any property boundaries
 - d) up to 6 aerials per propertyso long as they are not located in ecological sites or historic places

- seek controlled activity status for aerials not meeting permitted standards

4.2 The further submission from Joan Allin, Rob Crozier and the Allin and Crozier Trusts (further submission 29) opposed these submissions due to the potential adverse effects of the requested structures.

4.3 The further submission from Heritage New Zealand (Further Submission 175) supported in part the submission in relation to protection of historic heritage.

5.0 Matters Resolved / Still to be Resolved

5.1 Two pre hearings were held on amateur radio activities with significant changes made to the provisions as a result of these meetings and the submissions received. These are reflected in the recommendations in the section 42A report.

5.2 The submitters have requested taller and more structures be allowed closer to property boundaries on all properties than I have recommended in the section 42a report.

6.0 Issues that I Would Like to Draw to the Attention of the Panel

6.1 Submission 271.19, Lyndon Enterprises was not included in the section 42A report. This submission point was recommended to be moved to this topic in the Chapter 3 section 42A report to this topic and this recommendation was not identified prior to completing the section 42A report. The request was to make Masts for Amateur Radio stations a permitted activity within Outstanding Natural landscapes and significant amenity landscapes. The request was to amend rule 3A.5.3 which was:

“Masts (other than masts used for Amateur Radio Stations) and wind turbines over 12 metres in height within outstanding landscapes and significant amenity landscapes.”

6.2 This rule was moved to Chapter 11 and considered in the Section 42A report for that chapter as rule 11A.5.2. The rule was recommended as follows:

“~~Masts and other~~ Network utility structures over 123 metres in height within outstanding natural landscapes.”

6.3 The amendment to this rule means that it would not apply to amateur radio structures and therefore the Restricted Discretionary Activity rule for Amateur Radio Configuration recommended would apply. I therefore consider that this submission is been accepted in part by the recommendations included in my section 42A report.

6.4 I note that the 42A report did not consider the objectives that the proposed policies and rules in the proposed new section for Amateur Radio in Chapter 12 would implement. I consider that the provisions recommended would implement the following objectives:

- 2.3 Development Management
- 2.8 Strong communities
- 2.11 Character and amenity

6.5 I have looked at the objectives as recommended to be modified by hearings held to date and consider that these objectives are implemented by the recommended provisions as set out below.

Objective 2.3 – Development management

To maintain a consolidated urban form within *existing urban areas* and a limited number of *identified growth areas* which can be efficiently serviced and integrated with existing townships, delivering:

- a) urban areas which maximise the efficient end use of energy and integration with necessary infrastructure;
- b) a variety of living and working environments areas in a manner which reinforces the function and vitality of *centres*;
- c) resilient communities where development does not result in an increase in risk to life or severity of damage to property from natural hazard events;
- d) higher residential densities in locations that are close to centres and public open spaces, with good access to public transport appropriate areas, and avoidance of such development where it would adversely affect areas of special character or amenity;
- e) the management of development in areas of special character or amenity so as to maintain, and where practicable, enhance those special values;
- f) sustains preserves natural processes including freshwater systems, and areas characterised by productive soils the productive potential of the land, ecological and landscape importance ecological integrity, identified landscapes and features, and other places of significant natural amenity; and
- g) an adequate supply of housing and areas for business/employment to meet the needs of the District's anticipated population which is provided at a rate and in a manner that can be sustained within the finite carrying capacity of the District; and.
- h) management of the location and effects of potentially incompatible land uses including any interface between such uses

Comment [SR1]: 208.13 Transpower NZ Ltd

Comment [SR2]: Consequential Amendment to Submission 451.28 Rob Crozier and Joan Allin seeking that where environments s used it is consistent with the defined term.

Comment [SR3]: 451.35 & 451.38 Rob Crozier and Joan Allin

Comment [SR4]: 451.35 & 451.38 Rob Crozier and Joan Allin

Comment [SR5]: 440.33 Kapiti Coast District Council

Comment [SR6]: 219.26 Horticulture New Zealand

Objective 2.8 – Strong Communities

To support a ~~cohesive and inclusive~~ community where people:

- a) have easy access and connectivity to high quality and attractive public places and local social and community services and facilities;
- b) ~~have capacity to respond to change and ability recover from sudden environmental and economic system shocks and stresses~~;
- c) have increased access to locally produced food, and energy and other products and resources; and
- d) have improved health outcomes through opportunities for active living and/or access to health services;
- e) ~~have access to high quality and attractive places~~;
- f) ~~can efficiently and effectively use community resources, places and spaces~~;
- g) ~~have a strong sense of safety and security in public and private spaces~~;
- h) ~~feel part of and pride in a distinct shared identity and wellbeing~~; and
- i) ~~find opportunities and places for community involvement and interaction~~.

Comment [SR7]: 191.22 Landlink Ltd

Comment [SR8]: 92.23 Winstone Aggregates

Comment [SR9]: 191.22 Landlink Ltd

Objective 2.11 – Character and amenity values

To ~~protect~~ maintain and enhance the unique character of the District's distinct communities so that residents and visitors enjoy:

- a) relaxed, unique and distinct village identities and predominantly low-density residential areas environments characterised by the presence of mature vegetation, a variety of built forms, the retention of landforms and unique community identities;
- b) vibrant, lively town centres supported by higher density residential and mixed use areas environments;
- c) neighbourhood centres, village communities and employment areas characterised by high levels of amenity, accessibility and convenience;
- d) productive and attractive rural areas, characterised by openness, infrequent buildings natural landforms, areas and corridors of indigenous vegetation, and primary production activities [277-6 Poultry Industry Association & Egg Producers Federation of NZ]; and
- e) a high amenity well managed interfaces between different types of land use environment (e.g. between living, and working and rural areas environments) and between potentially conflicting land uses, to minimise adverse effects.

Comment [SR10]: 451.41 Rob Crozier and Joan Allin

Comment [SR11]: 92.25 Winstone Aggregates, 115.3 Richard Jessup, 136.10 and 136.11 New Zealand Wind Energy Association, 194.24 Landlink Ltd, 218.13 Coastlands Shoppintown Ltd, 369.3 Anthony and Anne McEwan, 372.3 Michael and Elizabeth Welch, 380.5 Barry, Suzanne and Timothy Mansell, 492.4 Kennott Trust Company Limited and Kauri Trust, 500.4 Ngatotara Farms Ltd and Rod Agar

Comment [SR12]: Consequential Amendment to Submission 451.28 Rob Crozier and Joan Allin seeking that where environment s used it is consistent with the defined term.

Comment [SR13]: Consequential Amendment to Submission 451.28 Rob Crozier and Joan Allin seeking that where environment s used it is consistent with the defined term.

Comment [SR14]: [92.26 Winstone Aggregates]

Comment [SR15]: 236-2 Kensington Farm Park Limited, 257.2 Julie Darke, Geoffrey Alexander & MC2 Group Ltd

Comment [SR16]: 92.27 Winstone Aggregates

Comment [SR17]: 219.29 Horticulture NZ

Comment [SR18]: Consequential Amendment to Submission 451.28 Rob Crozier and Joan Allin seeking that where environment s used it is consistent with the defined term.

6.6 I consider that enabling amateur radio configurations at the scale and in the locations recommended implements objective 2.3(h). I note however that (h) was not included in the Notified Plan. I consider that the amateur radio provisions also implements aspects of Objective 2.8 (a) and (c) as the activities and facilities for amateur radio have a social and potential community function and the provisions enable increased access to the activity (by enabling larger towers than are provided for in the ODP as a permitted activity). In relation to Objective 2.11 I consider these provisions implement the objective by controlling the scale and location of the structures to maintain and enhance the character of the District's communities.

7.0 Areas in Which Evidence has Led me to Recommend Further Changes

- 7.1 There has been no evidence provided subsequent to the section 42A report being released.
- 7.2 I am not recommending any further changes to my report at this stage, but maintain an open mind as I hear submissions during the course of this hearing.
- 7.4 Thank you Mr Chair and Panel.