

31 May 2012

Andrew Long  
Christchurch City Council  
PO Box 237  
Christchurch 8140



**Via Email**

Dear Andrew

### **Christchurch City Plan - Proposed Plan Change 63: Utilities**

#### **Introduction**

The New Zealand Telecommunications Forum (TCF) would like to thank you for the opportunity to provide feedback on the draft Proposed Plan Change 63 - Utilities. This document has been referred to our Local Government working party for review. This working party was set up in 2008 to provide a forum for TCF members to discuss local government issues and to co-ordinate any activity that is of common interest. The working party provides a mechanism for the telecommunications industry to engage with local government and vice-versa.

The outcomes of TCF working parties are consensus based and represent an industry perspective. In addition, individual Forum members may provide you with specific comments relevant to those organisations. We would like to highlight several areas of the Proposed Plan Change 63 where the TCF members are seeking clarification or change.

#### **Background**

The Local Government working party has met on several occasions to discuss Proposed Plan Change 63. After providing initial feedback, the working party took Christchurch City Council up on its offer of a workshop to discuss the proposed changes. On the 12th of April 2012 a delegation from the TCF working party met with representatives from Christchurch City Council to discuss Proposed Plan Change 63.

The issues noted by the working party were covered in detail in this setting and the outcomes of the workshop now inform this submission. The working party has also met with CERA and SCIRT to gain a broader understanding of the context of change proposed for the Christchurch City Plan.

In addition to the following comments the Forum invites further discussion on the points raised.

## Proposed Plan Change 63: Utilities

The TCF would like to submit on the following points of importance to ensure industry appropriateness:

1. Provision for new overhead lines to be established in areas that are already serviced by aerial. New permitted activity rule under 4.4.1 Telecommunication Lines in **all zones and legal roads**:
  - New overhead connections from buildings and sites to existing overhead line networks.
  - Addition of overhead telecommunication lines to existing support structures.
2. The use of the abbreviated term “cell towers” in Rule 4.4.3 should be removed. We suggest “telecommunication masts” as a more appropriate terminology. The wording should be amended to read as follows:

### 4.4.3 Communications facilities

1. ~~Cell towers~~ Telecommunication masts and associated cabinets are a permitted activity in Business zones (except in the part of the Central City zone bounded by Lichfield Street, Manchester Street and the Avon River), Rural 1-5 and Quarry zones, Open Space zones except Open Space 1, and Special Purpose zones except SP (Road) and SP (Pedestrian Precinct), where:
  - (a) the ~~cell tower~~ telecommunication mast is less than 20m in height and 0.9m in diameter except that utilities located on an existing light pole may be up to 25m in height.
  - (b) the associated cabinet is less than 1.8m in height or 5m<sup>2</sup>.
  - (c) the utility is attached to a building and:
    - (i) the utility would not exceed zone rules relating to building height by more than 2.2m, except that where there is no building height limit for a zone or where an existing building exceeds the zone rules for height, an attached facility may exceed the existing height of the building by no more than 2.2m in height.
    - (ii) not more than 3 utility structures are erected on a building.
2. ~~Cell towers~~ Telecommunication masts and associated cabinets are a controlled activity:
  - (a) in Business zones except in the part of the Central City zone bounded by Lichfield Street, Manchester Street and the Avon River, Rural 1-5 and Quarry zones, Open Space zones except Open Space 1, and Special Purpose zones except SP (Pedestrian Precinct), where two or more telecommunications network operators utilise the same mast, antenna, or cell tower pole and where they are less than 30m in height and 1.2m in diameter.
  - (b) in the SP (Road) zone adjoining the zones listed at (a), provided they meet the criteria at 4.3.3(1) or 4.4.3(2)(a).
3. ~~Cell towers~~ Telecommunication masts and associated cabinets are a discretionary activity:

- (a) in any Living zone and any other zone where the structure is within 20m of a residence or a school.
  - (b) in the Central City and SP (Road) zones bounded by Lichfield Street, Manchester Street and the Avon River, and in the adjoining Conservation 3 zone, where not attached to a building or meeting the criteria at 4.4.3)(1)(c).
  - (c) in the Open Space 1, Conservation, Cultural, Rural Hills, Rural 6, and Rural 7 zones.
  - (d) within 150m of an Outstanding Natural Landscape, the Coastal Marine Area, or Ecological Heritage Area or within 20m of a waterbody, or heritage item, place or object or within the dripline of a notable tree.
3. New rule under 4.4.3 Communication facilities - 4.4.3.8. The installation of telecommunications and associated support equipment internally within any telephone exchange building in **all zones as a permitted activity**. This rule is in support of any telecommunication company to be able to install equipment within exchange buildings. There are no adverse effects of this activity given that the buildings already exist.
  4. New rule 4.4.3 as a controlled activity - Antennas attached to existing or replacement utility structures in **legal roads**, where these exceed the permitted allowances of the NESTF:
    - Total height of structure may exceed the permitted height allowance by up to an additional 0.5m;
    - Maximum antenna cluster or shroud diameter: 600mm;
    - No limit on the size of antennas where contained within a shroud meeting the above standards.
  5. The maximum height of telecommunication masts in Business Zones (except in the part of the Central City zone bounded by Lichfield Street, Manchester Street and the Avon River) under Rule 4.4.3.1(a) should be increased to 25m, given that Business Zones are a more appropriate receiving environment.
  6. In order to reduce proliferation of multiple small masts in the rural environment, the maximum height of telecommunication masts in the Rural 1-5 and Quarry Zones should be increased to 30m.
  7. The permitted associated cabinet controls listed in Rule 4.4.3.1(b) are unnecessarily restrictive. Ancillary telecommunication cabinets not located within the road reserve are required to be larger to accommodate additional equipment. This is especially true for larger co-locatable telecommunication facilities. Rule 4.4.3.1(b) should be amended to read as follows:
    - (b) the associated cabinet is less than ~~1.8m~~ **2.0m in height (measured from the concrete plinth if there is one) ~~or~~ and 5m<sup>2</sup>.**

8. Rule 4.4.3.1(c)(i) should be more supportive for the use of the top of buildings for antenna, dish and other transmitting or receiving equipment. Antennas should be permitted to exceed the existing height of buildings as follows:

- (i) the utility would not exceed zone rules relating to building height by more than ~~2.2m~~ 3.0m, except that where there is no building height limit for a zone or where an existing building exceeds the zone rules for height, an attached facility may exceed the existing height of the building by no more than ~~2.2m~~ 3.0m in height.
- (ii) ~~not more than 3 utility structures are erected on a building the utility is face mounted to buildings~~

9. It is not clear what the rationale and justification is for Rule 4.4.3.3(a) making telecommunication facilities within 20m of a school a Discretionary Activity. It is understood that telecommunication facilities within 20m of a dwelling are a Discretionary Activity due to potential visual effects. However, provided telecommunication facilities comply with the National Environmental Standards for Telecommunication Facilities (NES) and all other standards in the District Plan we so no reason why they should not be a Permitted Activity. The definition of "school" is broad and could potentially be any form of school including pre-schools, Universities or trade-schools. Instead it is suggested that Rule 4.4.3.3(a) should be amended to read as follows:

- (a) in any Living zone and any other zone where the structure is within 20m of a residence ~~or a school.~~

10. It is not clear what the rationale and justification for Rule 4.4.3.3(d) that makes telecommunication facilities a Discretionary Activity within a 150m of an Outstanding Natural Landscape, Coastal Marine Area or Ecological Area. It is suggested that that Rule 4.4.3.3(d) should be amended as follows:

- (d) within ~~150m~~ 50m of an Outstanding Natural Landscape, ~~the Coastal Marine Area, or Ecological Heritage Area or on the same side of the road as the Coastal Marine Area or within 20m of a waterbody, or heritage item, place or object or within the dripline of a notable tree.~~

11. The policy and rules should not attempt to reinterpret the National Environmental Standards for Telecommunication Facilities (NESF). The NESF has established the appropriate radiofrequency field standards for New Zealand. Rule 4.4.6 Permitted Activities - Radiofrequency Emissions should be amended as follows :

#### **4.4.6 Permitted Activities - Radiofrequency Emission**

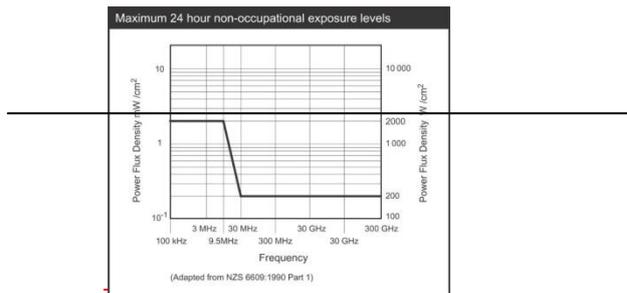
~~Measurement or estimates of "general public" exposure shall be made in respect of areas reasonably accessible to the general public, as provided by the New Zealand Standard (NZS). In addition, for the purposes of these rules, "areas reasonably accessible to the general public" shall, for any site adjacent to the site on which the utility is located, be deemed to include airspace up to 2 metres above the permitted activity building height of that adjacent site, where building development on that adjacent site is a permitted activity in the City Plan.~~ Any utility which emits radiofrequency electro-magnetic radiation, where it is not regulated by an amateur radio licence, that is measured in accordance with NZS

New Zealand Telecommunications Forum Inc.  
PO Box 302469, North Harbour, Auckland  
Tel: + 64 9 475 0203 Fax: + 64 9 479 4530  
Email: info@tcf.org.nz Web: www.tcf.org.nz

6609 (1990) Part 2 and will comply with the applicable reference levels for the "general public" exposure category as specified in Table 6 of NZS 2772.1:1999 Radiofrequency Fields Part 1: Maximum exposure level 3kHz -300GHz ("the New Zealand Standard") is permitted. ~~where the following information is provided to the Environmental Services Unit of the Council at least 20 working days prior to the installation of the utility:~~

- ~~(a) written advice of the locality of the utility; and~~
- ~~(b) a report prepared by a suitably qualified radio engineer/technician containing:
 
  - ~~i. an estimate (undertaken in accordance with the NZS) of radiofrequency exposures relative to the applicable reference levels for the "general public" exposure category as specified in Table 6 of the NZS 2772.1:1999 so as to determine whether the NZS will be complied with;~~
  - ~~ii. Radiofrequency field diagrams illustrating in plan view and elevation: firstly the spatial area where, in accordance with the above mentioned estimate, radiofrequency exposure levels will not exceed the applicable reference levels for the "general public" exposure category as specified in Table 6 of NZS 2772.1:1999; and secondly the spatial area where such estimate determined that such exposure levels will not exceed 25% of those reference levels, and~~
  - ~~iii. A scale diagram of the facility, including the site boundaries and orientation of the radiofrequency emissions; and~~~~
- ~~(c) where the report provided to the Council under (ii) above estimates that radiofrequency exposure levels in any areas reasonably accessible to the general public will exceed 25% of the applicable reference levels for the "general public" exposure category as specified in Table 6 of NZS 2772.1:1999, then, within 3 months of radiofrequency emissions commencing, a report from the National Radiation Laboratory certifying compliance with NZS 2772.1:1999, based on measurements at the site will be provided to the Environmental Services Unit of the Christchurch City Council.~~

**Measurement or estimates of "general public" exposure shall be made in respect of areas reasonably accessible to the general public, as provided by the New Zealand Standard (NZS).**



12. Undergrounding of new and existing lines is supported as a permitted activity and it is suggested that Ecological Heritage Areas should not be extended to the Special Purpose Road Zone.
13. New overhead lines should be a permitted activity where it is an extension of an existing line network especially in rural environments.

The following parties took part in the workshop with Christchurch City Council; Chorus, Enable Networks, LGNZ, Snap, TCF, Telecom, TelstraClear and Vodafone. However, this document is a joint submission on behalf of all members of the TCF working party.

Yours sincerely

A handwritten signature in black ink, appearing to read 'DS', with a large, stylized flourish that loops back to the start of the signature.

David Stone  
TCF CEO  
New Zealand Telecommunications Forum