

## UNITARY PLAN UPDATE REQUEST MEMORANDUM

**TO** Warren MacLennan, Manager – Planning Regional, North, West, and Islands

**FROM** Jo, Hart, Senior Policy Planner – Planning Regional, North, West and Islands

**DATE** 23 May 2023





**SUBJECT** **Designation in accordance with s181(3) of the Resource Management Act of the Auckland Unitary Plan(AUP) Operative in part (15 November 2016)**



This memorandum requests an update to Auckland Unitary Plan Operative in part

<b>Reason for update – alteration to D101</b>	
<b>Chapter</b>	Chapter K – Designations
<b>Section</b>	Schedules and Designations (Airways Corporation)
<b>Designation only</b>	
<b>Designation #101</b>	Airways Corporation NZ Limited
<b>Locations:</b>	600 Scenic Drive, Waiatarua
<b>Lapse Date</b>	Given effect to (i.e., no lapse date)
<b>Purpose</b>	The maintenance, operation, replacement and upgrade of communication facilities for aerodrome purposes, including all associated infrastructure.
<b>Changes to text (shown in underline and strikethrough)</b>	Amendments to Conditions 4 and 5 - Refer to Attachment E
<b>Changes to diagrams</b>	N/A
<b>Changes to spatial data</b>	N/A
<b>Attachments</b>	<ul style="list-style-type: none"> <li>• Attachment A: section 181(3) request – AEE (and appendices)</li> <li>• Attachment B: Transpower NZ Limited written approval</li> <li>• Attachment C: Section 181(3) report and approval</li> <li>• Attachment D: Visual amenity effects assessment – Melean Absolum</li> <li>• Attachment E: Amendment of text for Designation 101 (Conditions 4 and 5)</li> <li>• Attachment F: Updated text</li> </ul>

<b>Prepared by:</b> Jo Hart Senior Policy Planner	<b>Text Entered by:</b> Sarah El Karamany Planning Technician
<b>Signature:</b>	<b>Signature:</b>

	
<b>Maps prepared by:</b> N/A Geospatial Specialist	<b>Reviewed by:</b> Eryn Shields Team Leader - Planning Regional, North, West, and Islands
<b>Signature:</b>	<b>Signature:</b> 
<b>Signed off by:</b> Warren MacLennan, Manager – Planning Regional, North, West and Islands	
<b>Signature:</b> 	

**Attachment A: section 181(3) request – AEE (and  
appendices)**

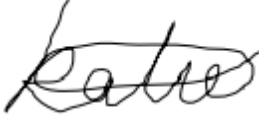

# Rua o te whenua

Notice of Requirement for the Minor Alteration of Existing Designation 101  
Prepared for Airways Corporation of New Zealand Ltd

31 March 2023



## Document Quality Assurance

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Form 18

Notice of Requirement by Minister, Local Authority, or Requiring Authority for Designation or Alteration of Designation

Sections 145, 168(1), (2), 168A and 181 and Clause 4 of Schedule 1

Resource Management Act 1991

To: Auckland Council

Airways Corporation of New Zealand Ltd (as Requiring Authority) gives notice of a requirement ("NOR") for a minor alteration to conditions 4 and 5 of designation 101 of the Auckland Unitary Plan (Operative in part), pursuant to s181(3) of the RMA.

The site to which the requirement applies is as follows:

600 Scenic Drive, Waitakere, legally described as Lot 2 DP 137549, Part Lot 1 DP 37071 and Part Allotment 430 Parish of Waipereira.

The site location is further described in the attached report.

The nature of the proposed project is:

The Rua o te whenua radome is nearing the end of its operational life, therefore Airways are planning to remove the existing radome and replace it with a new radome, as is enabled under the designation. The existing tower structure will remain and be reused to support the new radome, and associated decking surrounding the radome. One tree will be removed on-site as well as trees trimmed along the access road to allow construction vehicles to enter the site.

Due to the design of modern radar equipment, the radome is larger than the previous one and will require a ventilation cowl and lightning rod on the top of it for protection measures. These two necessary features will exceed the maximum height specified in conditions 4 and 5, which require any development to be no more than 25m above ground level.

Therefore, Airways Corporation of New Zealand Ltd ("Airways") proposes to amend conditions 4 and 5 of designation 101. These amendments do not change the original intent of the designation.

Airways proposes to amend conditions 4 and 5 as follows (insertions are underlined and deletions are shown in ~~striketrough~~):

*4. The maximum height of any development on the site shall be not more than 25.5 metres above ground level (excluding the ventilation cowl and lightning rod structures on top of the radome, which will be no more than 3.0m in height above the radome or 28 metres above ground level).*

*5. Development which is additional to that on the site as at 1 February 2000 (which included a tower structure, three "slim-line" masts, the Airways Corporation equipment building and the Transpower repeater building) shall be limited to:*

*(a) The replacement of the existing tower structure with another facility, provided that when the new facility is completed and commissioned, the existing tower is decommissioned and demolished:*

*(b) Antennae attached to the existing tower or new tower, existing buildings or new accessory buildings owned and operated by Airways Corporation New Zealand Limited (provided that these do not exceed the overall height limit of 25.5 metres as required by Condition 4);*

*(c) Up to four additional "slim-line" masts of similar design to the three existing masts;*

*(d) Accessory buildings with a maximum height of 4.5 metres; and*

*(e) The extension of the site access road*

**The effects that the public work will have on the environment, and the ways in which any adverse effects will be mitigated, are:**

There will be minimal change in the effects on the environment arising from the minor amendments. Further detail of the change in effects is contained within the following report.

**Alternative sites, routes, and methods have been considered to the following extent:**

The effects associated with the minor alteration to conditions 4 and 5 of designation 101 will be insignificant as the nature and scale of works are small-scale and are consistent with the designation purpose. In addition, the subject site is owned by the requiring authority. For these two reasons, no assessment of alternatives is necessary in terms of s171(1)(b) of the RMA.

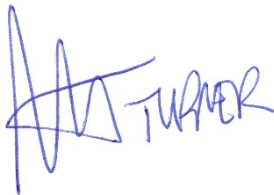
**The public work and designation are reasonably necessary for achieving the objectives of the requiring authority because:**

The new radome's larger size and additional features were not originally anticipated by the height limitations placed on the designation. These features are required to ensure the long-term use of the radome and its protection and meet Airways requirement to provide air navigation services across New Zealand. The current wording of conditions 4 and 5 restricts the replacement of the existing radome and prevent Airways from completing future works essential to securing and achieving the safe and efficient operation of New Zealand's airways, which would undermine the purpose of the designation and the objectives held by Airways.

**The following consultation has been undertaken with parties that are likely to be affected:**

Airways has undertaken consultation with Transpower New Zealand Ltd as they have a designation on the same site.

**A detailed AEE including appendices is attached to this Notice of Requirement.**



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Signature of person giving notice  
Alan Turner  
Project Manager

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31/03/2023

Address for Service:

**Katie Maxwell**

Address: PO Box

Level 4 Huddart Parker Building

1 Post Office Square

Wellington 6011

Telephone: +64 4 901 3592

Email: [katie.maxwell@boffamiskell.co.nz](mailto:katie.maxwell@boffamiskell.co.nz)

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## Appendices

Appendix 1: Gazette Notice

Appendix 2: Certificate of Title

Appendix 3: Photographs of the site

Appendix 4: Email Communications

Appendix 5: Landscape Effects Assessment



## Appendix 6: Consultation

# 1.0 Introduction

## 1.1 Purpose of Notice

This Notice of Requirement (NoR) for the minor alteration of designation 101 (within the Auckland Unitary Plan (Operative in part)) is submitted on behalf of Airways Corporation of New Zealand Ltd (“Airways”), and has been prepared in accordance with section 181(3) of the Resource Management Act 1991 (“RMA”).

The NoR proposes a minor alteration to conditions 4 and 5 of designation 101 at 600 Scenic Drive, Waitakere, legally described as Lot 2 DP 137549, Part Lot 1 DP 37071 and Part Allotment 430 Parish of Waipereira. The purpose of the minor alteration is to enable the requiring authority to continue to undertake necessary radome replacement works to achieve the designation’s purpose and the requiring authority’s objective to provide an “Approach Control Service (Air traffic control service provided for the control of aerodrome traffic)”.

## 1.2 Background

Airways is a state-owned-enterprise, a fully-owned subsidiary of the New Zealand Government operating as a commercial business. Airways operates under rules set out by the Civil Aviation Authority of New Zealand, which are developed using international Civil Aviation Organisation guidelines. Airways manages key aviation infrastructure around New Zealand and manages more than one million traffic movements per year into and around New Zealand’s 30 million square kilometres of airspace. Airways is a requiring authority with the objective to provide “Approach Control Service (Air traffic control service provided for the control of aerodrome traffic)” (please refer to the gazette notice in **Appendix 1**).

## 2.0 Requiring Authority and Requirement Details

Summary details of the requiring authority and the area the subject of the notice of requirement are as follows:

To:	Auckland Council
Requiring Authority:	Airways Corporation of New Zealand Ltd
Requiring Authority Purpose:	Approach Control Service (Air traffic control service provided for the control of aerodrome traffic) [refer gazette notice in <b>Appendix 1</b> ]
Address for Service:	Boffa Miskell Ltd PO Box 11340, Wellington 6142 Attn: Katie Maxwell Phone: +64 4 901 3592 Email: katie.maxwell@boffamiskell.co.nz
Address for Fees:	Airways New Zealand Ltd PO Box 53093, Auckland Airport, Auckland 2150 Attn: Alan Turner Phone: +64 21 916 000 Email: alan.turner@airways.co.nz
Physical Location and Area:	600 Scenic Drive, Waitakere 2.8342 ha
Legal Description:	Lot 2 DP 137549, Part Lot 1 DP 37071 and Part Allotment 430 Parish of Waipereira (refer Certificate of Title, in <b>Appendix 2</b> )
Designation reference and purpose	Designation 101 – The maintenance, operation, replacement and upgrade of communication facilities for aerodrome purposes, including all associated infrastructure.
Auckland Unitary Plan (Operative in part) Zoning:	Open Space – Conservation zone

## 3.0 Site Description and Existing Environment

The subject site is located at 600 Scenic Drive, Waitakere (also known as Rua o te whenua), within the Auckland Region's Waitakere Ranges. The site is 2.8342ha in area, and is legally described as Lot 2 DP 137549, Part Lot 1 DP 37071 and Part Allotment 430 Parish of Waipereira, owned by Airways. The site is accessible via a private vehicle entrance located on Scenic Drive, with the vehicle accessway extending to the centre of the subject site. The site is predominantly covered in dense native vegetation.

The site contains an existing Airways navigation structure and transmission building, located within the western corner of the subject site. A location plan is shown in Figure 1 below. Photos of the existing tower structure are contained in **Appendix 3**.

The navigation structure is approximately 22.3 metres in height with a radome<sup>1</sup> situated at its highest point with a diameter of 9.8m. The transmission building is a single storey and contains an equipment room, generator room and bathroom facilities, which supports the ongoing operation and maintenance of the navigation structure. Transpower New Zealand Ltd ("Transpower") also occupies the subject site with an operations building and structure for the purpose of electricity transmission. The transmission building's roof top is currently occupied by aerials and antennae operated by various other entities. The existing structures and buildings are screened by dense vegetation and not evidently visible from the vehicle entrance-way. There is an approximately 280m long and 6m wide sealed access road from Scenic Drive to the navigation structure site.

The existence of the navigation structure within the Waitakere Ranges is not generally apparent because of the existing native forest cover and the nature of the topography. However, it is visible from two public road viewpoints nearby and may be visible from a distance. The nearest cluster of residential dwellings (550-574 Scenic Drive) are located approximately 1km west of the site and are screened from the site by dense vegetation and subject to a rolling topography. The surrounding environment consists of dense native bush, and is part of the Waitakere Ranges Regional Park, administered by Auckland Council. The area is also protected under the Waitakere Ranges Heritage Area Act 2008.

The Waitakere Ranges provides a backdrop to the residents of the Auckland Region and contains large areas of natural bush, which provide popular walking and mountain biking tracks.

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<sup>1</sup> A radome is a dome or other structure protecting radar equipment and made from material transparent to radio waves, especially one on the outer surface of an aircraft.



Figure 1: Location Plan of Airways' Rua o tu whenua Site, at 600 Scenic Drive, Waitakere

## 4.0 Proposal and Reason

### 4.1 Description of Proposal

The purpose of designation 101 is for “The maintenance, operation, replacement and upgrade of communication facilities for aerodrome purposes, including all associated infrastructure”. The conditions to be altered (**condition 4 and 5**) currently read:

*4. The maximum height of any development on the site shall be not more than 25 metres above ground level.*

*5. Development which is additional to that on the site as at 1 February 2000 (which included a tower structure, three “slim-line” masts, the Airways Corporation equipment building and the Transpower repeater building) shall be limited to:*

*(a) The replacement of the existing tower structure with another facility, provided that when the new facility is completed and commissioned, the existing tower is decommissioned and demolished:*

*(b) Antennae attached to the existing tower or new tower, existing buildings or new accessory buildings owned and operated by Airways Corporation New Zealand Limited (provided that these do not exceed the overall height limit of 25 metres as required by Condition 4);*

*(c) Up to four additional “slim-line” masts of similar design to the three existing masts;*

*(d) Accessory buildings with a maximum height of 4.5 metres; and*

*(e) The extension of the site access road*

Airways are replacing their existing radars around the country, as they are nearing the end of life and new technology exists which will assist Airways better meeting their air navigation

functions. This replacement programme includes the Rua o te whenua site, with a replacement radar and radome proposed at the location of the existing radome. The existing tower structure is to be retained, the existing radome is to be removed and replaced with a new radome. The new radome is larger than the existing radome to accommodate the new radar, resulting in a slight breach of the existing 25 metre height limit. The new radome also requires a ventilation cowl and lightning rod on the top of it, to protect the new radar as it is in an exposed location and ensure it is not damaged by humidity or lightning. As these two structural elements will extend above the current maximum height limit in the designation condition, but are necessary to ensure the radome operates effectively, it is proposed to exclude them from the height condition and any associated references to condition 4 meeting the 25m height limit. The minor breach to the existing height limit will also need to be addressed and reflected in the conditions.

To ensure that the replacement of the radome and its associated equipment is possible and to continue to achieve the purpose of the designation and the objective held by the requiring authority, Airways proposes a minor amendment to conditions 4 and 5 as follows (insertions are underlined):

*4. The maximum height of any development on the site shall be not more than 25.5 metres above ground level (excluding the ventilation cowl and lightning rod structures on top of the radome, which will be no more than 3.0m in height above the radome or 28 metres above ground level).*

*5. Development which is additional to that on the site as at 1 February 2000 (which included a tower structure, three "slim-line" masts, the Airways Corporation equipment building and the Transpower repeater building) shall be limited to:*

*(a) The replacement of the existing tower structure with another facility, provided that when the new facility is completed and commissioned, the existing tower is decommissioned and demolished:*

*(b) Antennae attached to the existing tower or new tower, existing buildings or new accessory buildings owned and operated by Airways Corporation New Zealand Limited (provided that these do not exceed the overall height limit of 25.5 metres as required by Condition 4);*

*(c) Up to four additional "slim-line" masts of similar design to the three existing masts;*

*(d) Accessory buildings with a maximum height of 4.5 metres; and*

*(e) The extension of the site access road*

The proposed amendments enable the replacement of the existing radome. These amendments will ensure Airways can successfully achieve the designation purpose and efficiently undertake the maintenance, management and upgrade of the existing infrastructure to ensure the ongoing effective, efficient and safe operation of air traffic control, which shall in turn support the growth of air travel in New Zealand and improve the health, safety and wellbeing of residents and visitors of New Zealand.

## 4.2 Reason for Alteration

As noted in section 4.1 above, the designation's current conditions (4 and 5) at present would restrict necessary future works within the designated site. The new radome is larger in size, due to advances in technology and equipment design which was not anticipated in the original designation and its conditions. The minor amendment will enable two specific structures which are excluded from the designations height limit and allow for a slightly taller structure to provide

for the proposed replacement radome structure. Airways proposes a minor amendment to allow the requiring authority the ability to undertake essential maintenance and upgrade works critical to achieving the purpose of the designation and enabling the effective, efficient and safe operation of traffic control and support the growth of air travel in New Zealand, whilst improving the health, safety and wellbeing of residents and visitors of New Zealand. Therefore, the proposed minor amendment will ensure Airways can continue to perform its functions and responsibilities as a requiring authority.

## 5.0 Assessment of Effects

### 5.1 Visual Effects

The amended conditions 4 and 5 would explicitly exclude the required ancillary structures and accommodate the proposed radome resulting in a marginally taller structure. The minor change to the maximum height and associated ventilation cowl and lightning rod will have a less than minor effect on the predominance of the existing radome and impact on the surrounding landscape character (see Appendix 5 for a full Landscape Effects Assessment).

The existing navigation structure extends above the natural landform and existing vegetation along the ridgeline of the Waitakere Range and is considered part of the existing environment. This being said, the dense vegetation surrounding the subject site screens the navigation structures from the general public view, particularly nearby views. Airways will undertake future maintenance and upgrade works within the designated site that will remain consistent with the nature and scale of the existing infrastructure, that shall continue to be screened by the dense vegetation, resulting in less than minor effects on the amenity of the site and surrounding area.

It is important to note that all future works shall continue to be located within the boundaries of the “Defined Development Area” as required under condition 3 of the designation. Airways shall ensure that all future works observe the requirements of all conditions and will ensure development/works of a similar nature and scale to the existing infrastructure. Therefore, the potential effects on the amenity of the site and wider environment will be less than minor.

### 5.2 Traffic Effects

The amendment to designation 101 will result in no traffic effects as it relates only to the exclusion of two structures above the proposed new radome and a minor amendment to the height limit – an activity which is already anticipated and provided for within the current designation.

### 5.3 Noise Effects

The minor amendment to the designation will result in no noise effect as it relates only to the height condition and the exclusion of two small structures, neither of which produce noise.

## 5.4 Cultural & Heritage Effects

It is understood that at least eight tribal groups (iwi) have an interest in or responsibility to the land in which the subject site located. There are no identified archaeological sites or sites of significant to Mana Whenua within the vicinity of the subject site, except the Waitakere Ranges Heritage overlay. The Waitakere Ranges Heritage overlay gives effect to the Waitakere Ranges Heritage Area Act 2008 (“WRHAA”). The WRHAA recognises the nationally significant heritage values of the Waitakere Ranges. Section 7(j) of the WRHAA states *“the historical, traditional, and cultural relationships of people, communities, and tangata whenua with the area and their exercise of kaitiakitanga and stewardship”* is nationally significant.

The minor amendment to the designation conditions will continue to ensure that all future works shall be confined within the “Defined Development Area” noted in condition 3 of designation 101 and be well screened by dense vegetation surrounding the subject site. Future works undertaken by Airways shall be restricted within a specific area and will be accessible via the established vehicle entrance. Consequently, the minor amendment to designation 101 will not adversely affect the cultural and heritage values of the area.

## 5.5 Positive Effects

The proposed minor amendment to the designation conditions 4 and 5 will allow for the existing platform and structure to be reused to support the new radar and radome, minimising effects on the site and environment associated with replacing the existing radar. Airways will continue to utilise, maintain and upgrade the existing infrastructure whilst avoiding unnecessary and inappropriate land use and development within other sites. Airways could efficiently undertake the necessary upgrade works at the designated site to provide for the ongoing effective, efficient and safe operation of traffic control, which shall in turn support the growth of air travel in New Zealand and improve the health, safety and welling of residents and visitors of New Zealand.

# 6.0 Statutory Considerations

## 6.1 Requiring Authority

In recognition of its statutory responsibilities for operating the New Zealand Air Space service, Airways is both a network utility operator and a requiring authority under the RMA (please refer to the gazette notice in **Appendix 1**). Requiring authority status allows Airways to utilise the designation provisions contained in the RMA in order to secure and use land for nationally significant air traffic control services. This includes the ability to alter existing designations under section 181 of the RMA.

## 6.2 RMA Part II – Purpose and Principles

Part II of the RMA includes a range of matters that need to be considered when apply for a change in designation. As the environmental effects associated with the proposed amendment to conditions 4 and 5 of the designation are considered less than minor, and that there will be no substantial works arising that will affect significant natural features of landscapes or any other matters listed in Part II of the RMA, it is considered no further assessment is needed.



## 6.3 Section 181 Requirements for Alteration of Designation

### *Section 181 Alteration of designation*

- (1) A requiring authority that is responsible for a designation may at any time give notice to the territorial authority of its requirement to alter the designation.*
- (2) Subject to subsection (3), sections 168 to 179 and 198AA to 198AD shall, with all necessary modifications, apply to a requirement referred to in a subsection (1) as if it were a requirement for a new designation.*
- (3) A territorial authority may at any time alter a designation in its district plan or a requirement in its proposed district plan if –
  - (a) the alteration –
    - (i) involves no more than a minor change to the effects on the environment associated with the use or proposed use of land or any water concerned; or*
    - (ii) involves only minor changes or adjustments to the boundaries of the designation or requirement; and**
  - (b) written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners or occupiers agree with the alteration; and*
  - (c) both the territorial and the requiring authority agree with the alteration –  
and sections 168 to 179 and 198AA to 198AD shall not apply to any such alteration.**
- (4) This section shall apply, with all necessary modifications, to a requirement by a territorial authority to alter its own designation or requirement within its own district.*

#### 6.3.1 Section 181(3)(a) – Nature of the Alteration

The proposed amendment is considered to have less than minor changes to the effects on the environment and therefore within the scope of section 181(3)(a)(i). The amendments will result in less than minor effects on the environment because:

- Future maintenance and upgrade works within the designated site will remain consistent with the nature and scale of the existing infrastructure and will be completed within the “Defined Development Area”. The development will comply with the amended height condition, and the two excluded structures ensuring the ongoing operation and protection of the radar from environmental conditions, whilst continuing to be screened by dense vegetation, resulting in less than minor effects on the amenity of the site and surrounding area.
- The proposed minor amendment will result in negligible effects relating to traffic, noise, culture and heritage (please refer to section 6.0).
- The proposed amendment will allow for the continued use, maintenance and upgrade of existing infrastructure, whilst avoiding unnecessary and inappropriate land use development within other sites.
- Airways shall be able to efficiently undertake the necessary ongoing maintenance or upgrade works at the site to provide for social and economic wellbeing, and improvements to health and safety through more efficient air traffic control.

### 6.3.2 Section 181(3)(b) - Written Notice of Directly Affected Landowner/Occupier

Airways owns and occupies the designated site. This being said, Transpower New Zealand Limited (“Transpower”) also occupies the site and is responsible for designation 8527. Designation 8527’s purpose is for “Electricity transmission – Rua o te whenua telecommunications facility”. Airways has provided written notice of the intention to alter designation 101 to Transpower and will provide confirmation to Auckland Council as soon as it is received.

### 6.3.3 Section 181(3)(c) – Agreement of the Territorial Authority

Initial discussions have been undertaken with Jo Hart from Auckland Council, whom has stated that it is highly likely that the minor alteration to the designation will be processed under section 181(3) of the RMA. Please refer to the email exchange with Jo Hart in **Appendix 4**.

## 6.4 Reason for Non-Notification

As noted section 5.1, the minor alteration to designation 101 is necessary to enable the replacement of the existing radar and radome, and the ventilation cowl and lightning rod required to protect the radome. These amendments to the designation will allow Airways to complete appropriate works within the designated site that shall achieve the purpose of the designation and the requiring authority’s objective to provide “Approach control service (Air traffic control service provided for the control of aerodrome traffic)”. Therefore, the proposed amendments aim only to enable the necessary works Airways is required to undertake to continue to provide its air navigation service.

Furthermore, as noted in section 6.0, the proposed amendments will have less than minor effects on the amenity value of the site and wider environment. The amendment will also result in negligible effects associated with traffic, noise, culture and heritage. Additionally, consultation has been undertaken with the only affected party, Transpower, and confirmation they accept the proposal will be provided as soon as it is received. Therefore, pursuant to section 181(3), the proposed amendment to designation 101 will result in less than minor effects and consequently can be processed on a non-notified basis.

## 7.0 Consultation

Airways has provided written notice and an explanation of the proposed amendment of designation 101 to Transpower, as required under section 181(3)(b) of the RMA. Once confirmation is received from Transpower, it will be provided at the earliest opportunity to Council.

## 8.0 Conclusion

This Notice of Requirement (NoR) for the minor alteration of designation 101 (within the Auckland Unitary Plan (Operative in part)) is submitted on behalf of Airways, and has been prepared in accordance with section 181(3) of the RMA.

Designation 101 is applied to 600 Scenic Drive, Waitakere and in its current form will hinder Airways from completing the necessary radome replacement works required to achieve the purpose of the designation and the requiring authority's responsibility to provide an "Approach Control Service".

The nature of the alteration will result in negligible effects on the amenity, traffic, noise, cultural and heritage values within the site and wider environment.

Pursuant to section 181(3), this notice of requirement for a minor alteration to designation 101 under the Auckland Unitary Plan (Operative in part) is to be processed on a non-notified basis.

# Appendix 1: Gazette Notice

Gas Corporation of New Zealand Limited as Requiring Authority) Notice 1994.

(2) This notice shall come into force on the 28th day after the date of its publication in the *New Zealand Gazette*.

**2. Approval as requiring authority**—Natural Gas Corporation of New Zealand Limited is hereby approved as a requiring authority for its network operation of undertaking the distribution and transmission by pipeline of natural gas and petroleum.

Dated at Wellington this 18th day of July 1994.

S. UPTON, Minister for the Environment.

go5501

### **The Resource Management (Approval of Airways Corporation of New Zealand Limited as Requiring Authority) Notice 1994**

Pursuant to section 167 of the Resource Management Act 1991, the Minister for the Environment, hereby gives the following notice.

#### **Notice**

**1. Title and commencement**—(1) This notice may be cited as the Resource Management (Approval of Airways Corporation of New Zealand Limited as Requiring Authority) Notice 1994.

(2) This notice shall come into force on the 28th day after the date of its publication in the *New Zealand Gazette*.

**2. Interpretation**—In this notice, unless the context otherwise requires, "approach control service" has the same meaning as in section 2 of the Civil Aviation Act 1990.

**3. Approval as requiring authority**—Airways Corporation of New Zealand Limited is hereby approved as a requiring authority for its network operation of the provision of any approach control service.

Dated at Wellington this 18th day of July 1994.

S. UPTON, Minister for the Environment.

go5502

## **Justice**

### **District Courts Act 1947**

#### **Acting District Court Judge Appointed**

Pursuant to section 10A of the District Courts Act 1947, Her Excellency the Governor-General has been pleased to appoint

Ewen Brownlie Robertson, retired District Court Judge to be an Acting District Court Judge, to exercise civil and criminal jurisdiction at such place or places and for such period or periods only as the Chief District Court Judge may fix, pursuant to the said section 10A of the District Courts Act 1947, for a term of 12 months on and from the date hereof.

Dated at Wellington this 21st day of July 1994.

D. A. M. GRAHAM, Minister of Justice.

go5676

### **Marriage Act 1955**

#### **Marriage Celebrants for 1994, Notice No. 22**

Pursuant to the provisions of section 11 of the Marriage Act 1955, the following names of marriage celebrants within the meaning of the said Act are published for general information:

Adams, Marie, 3A Oldham Way, Chartwell, Wellington.  
Amos, Geoffrey Wellard, 24 Magnolia Avenue, Papakura.

Anaru, Mai Peter Heremia, 9 Robertson Street, Rotorua.  
Antunovich, Stephen John, 19 Ferry Parade, Herald Island, Auckland.

Barnes, Edith Hazel, 3 Pollen Crescent, Hamilton.

Beadle, Margaret Rona, Huntly West Road, R.D. 1, Ngaruawahia, Hamilton.

Bennett, Murray Leonard, 130 Wharf Road, Port Albert, Wellsford.

Bethell, Trude Jean, Main Road, Bethells Beach, Auckland.

Birdling, David James, 15 Heaphy Street, Richmond, Nelson.

Bolitho, Eileen, 4 Nansen Place, Levin.

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Brown, Catherine Elizabeth, O'Connell Street, Southbridge 8150, Canterbury.

Bruce, Audrey, 9 Glebe Place, Waiuku.

Bryan, Peter Robert, Aniseed Valley Road, Aniseed Valley, Nelson.

Buchanan, Jeanette Helen, 82 S.H. 1, Motuopa, R.D. 2, Turangi.

Burge, Mary Millicent, Northern Boundary Road, R.D. 3, Rerewhakaaitu, Rotorua.

Cameron, Virginia Sutton, Cable Bay, Block Road, Coopers Beach, Kaitia.

Campbell, Valarie Irene, 7 Highlight Parade, Te Atatu South, Auckland.

Cardey, Edward Reginald, 133 Maunsell Road, Port Waikato, R.D. 5, Tuakau.

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Clifton, Georgena Gillan, 63 Gloria Avenue, Te Atatu North, Auckland.

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Crowley, Patrick George, 9C Miro Street, Upper Hutt.

Daly, Michael Thomas, 14 Riverview Road, New Lynn, Auckland.

Davies, Allen Edwin, 31 Moire Road, Massey, Waitakere City.

Davis, Te Aue, 13 Carroll Street, Ngaio, Wellington.

Dixon, Ron Ashton, 52 Woodbay Road, Titirangi, Auckland.

Dryland, John Croydon, 67B Pleasant Road, Glen Eden, Auckland.

Fegan, Peter Ralph, Main Road, Franz Josef.

Fifita, Lois Elizabeth, 16A Coronation Road, Mangere Bridge, Auckland.

Fisher, Peter John, 8 Belloc Street, Cambridge, Waikato.

Flett, Winifred Yvonne, 11 Moana Terrace, Maraetai, Auckland.

George Peter, 895 West Coast Road, Oratia, Auckland.

Hall, Grahame Walter, "Hillsdale", Oturoa Road, R.D. 1, Rotorua.

Hardy, David Calder, 10 Wilmay Avenue, Papatoetoe, Auckland.

Hardy, Neville George Fortnum, 82 Mein Street, Newtown, Wellington.

Haycock, Kelvin Henry, 21 Reeves Street, Stoke, Nelson.

Hewison, John George, 18 Heaphy Street, Richmond, Nelson.

Irvine, Denise Marian, 8 Menzies Place, Hamilton.

## Appendix 2: Certificate of Title



# COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



Search Copy

  
R. W. Muir  
Registrar-General  
of Land

**Identifier** NA75C/561  
**Land Registration District** North Auckland  
**Date Issued** 06 March 1990

**Prior References**  
PROC 17447

---

**Estate** Fee Simple  
**Area** 1.3445 hectares more or less  
**Legal Description** Part Lot 1 Deposited Plan 37071 and Part  
Allotment 430 Parish of Waipareira

**Proprietors**  
Airways Corporation of New Zealand Limited

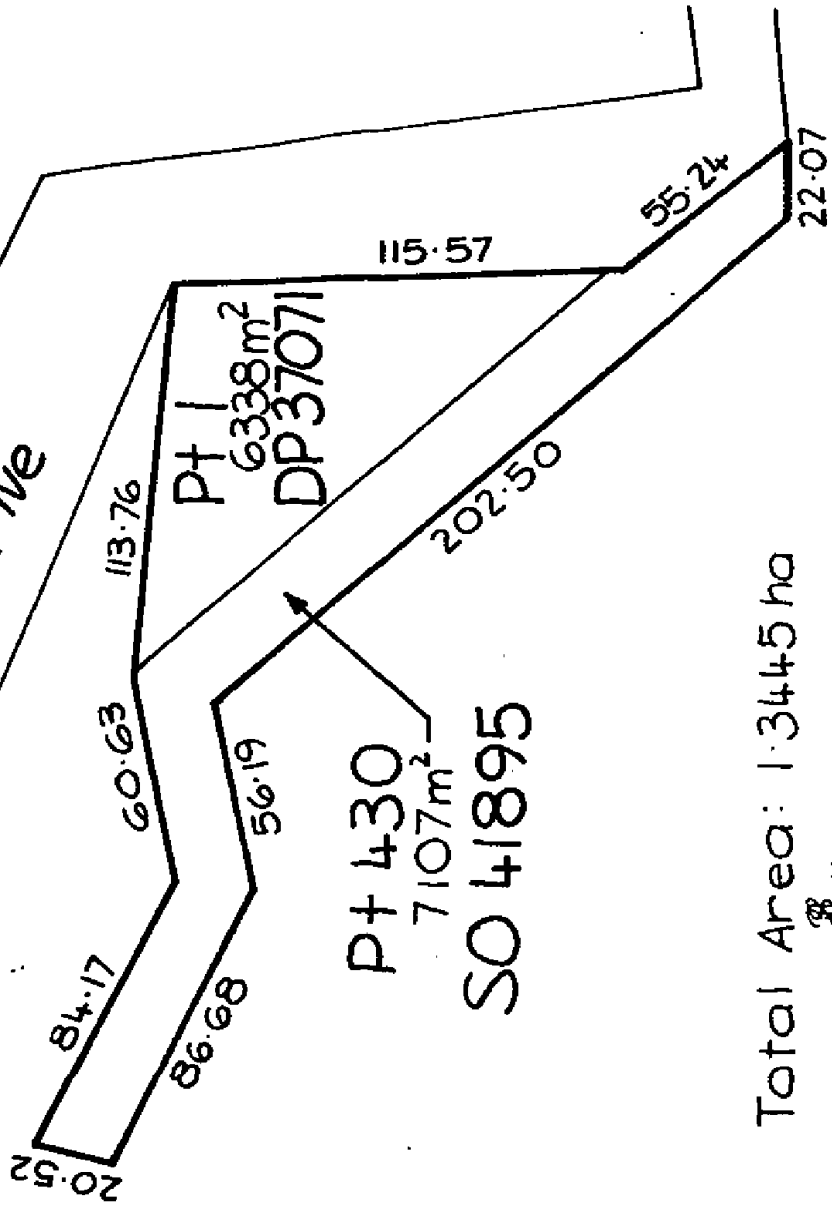
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**Interests**

Subject to Section 27B State-Owned Enterprises Act 1986 (which provides for the resumption of land on the recommendation of the Waitangi Tribunal and which does not provide for third parties, such as the owner of the land, to be heard in relation to the making of any such recommendation)



Scenic Drive



Total Area: 1.3445 ha  
88 X 92





# COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



Search Copy

  
R. W. Muir  
Registrar-General  
of Land

**Identifier** NA81C/197  
**Land Registration District** North Auckland  
**Date Issued** 18 May 1990

## Prior References

PROC 17448

---

**Estate** Fee Simple  
**Area** 1.4897 hectares more or less  
**Legal Description** Lot 1 Deposited Plan 137549

## Proprietors

Airways Corporation of New Zealand Limited

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## Interests

Subject to Part IV A Conservation Act 1987

Subject to Section 27B State-Owned Enterprises Act 1986 (which provides for the resumption of land on the recommendation of the Waitangi Tribunal and which does not provide for third parties, such as the owner of the land, to be heard in relation to the making of any such recommendation)



## Appendix 3: Photographs of the site





## Appendix 4: Email communications

# Appendix 5: Landscape Effects Assessment



# Ruaotewhenua Radar Replacement

Landscape Effects Assessment  
Prepared for Airways Corporation of New Zealand Ltd

30 March 2023







Boffa Miskell is proudly a  
Toitū net carbonzero certified consultancy

## Document Quality Assurance

<p><b>Bibliographic reference for citation:</b>          Boffa Miskell Limited 2023. Ruaotewhenua Radar Replacement: <i>Landscape Effects Assessment</i>. Report prepared by Boffa Miskell Limited for Airways Corporation of New Zealand Ltd.</p>		
Prepared by:	Izack Franklin Landscape Architect Boffa Miskell Limited	
Reviewed by:	Julia Wick Principal Landscape Architect Boffa Miskell Limited	
Status: [FINAL]	Revision / version: [1]	Issue date: 30 March 2023
<p><b>Use and Reliance</b>          This report has been prepared by Boffa Miskell Limited on the specific instructions of our Client. It is solely for our Client's use for the purpose for which it is intended in accordance with the agreed scope of work. Boffa Miskell does not accept any liability or responsibility in relation to the use of this report contrary to the above, or to any person other than the Client. Any use or reliance by a third party is at that party's own risk. Where information has been supplied by the Client or obtained from other external sources, it has been assumed that it is accurate, without independent verification, unless otherwise indicated. No liability or responsibility is accepted by Boffa Miskell Limited for any errors or omissions to the extent that they arise from inaccurate information provided by the Client or any external source.</p>		

Template revision: 20230310 0000

File ref: BM220005\_Ruaotewhenua\_Radar\_Replacement\_LEA\_FINAL.docx

Cover photograph: Ruaotewhenua Radar Site Photo (BML March 2023)

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Graphic Supplement (bound separately)



# 1.0 Introduction

Airways Corporation of New Zealand Ltd (Airways NZ Ltd) has engaged Boffa Miskell Ltd (BML) to undertake an assessment of landscape and visual amenity effects for a proposed replacement of the Ruaotewhenua Radar in Waiatarua, Waitākere Ranges. This landscape effects assessment is one of several technical assessments prepared to support a minor alternation to an existing designation that currently exists on the subject site.

This assessment has considered the proposal in the context of the existing environment, the zoning, and the relevant planning framework. Within the Auckland Unitary Plan – Operative in Part ('AUP(OP)') – the Site is located within the Open Space – Conservation Zone and has a designation overlay for electricity transmission and Waiatarua Communications Facility<sup>1</sup>. The Site is also subject to an Outstanding Natural Landscape overlay<sup>2</sup>, Ridgeline Protection overlay<sup>3</sup> and is identified as being within the Waitakere Ranges Heritage Area<sup>4</sup>.

The key matters discussed in this report relate to the character and existing values of the existing and receiving environment, the components of the proposal, the nature of visual effects generated by the proposal in relation to the surrounding environment and an assessment of the effects of the proposal in relation to the landscape character.

Boffa Miskell is assisting the applicant with both planning advice and landscape planning aspects of the proposal. Site visits to the site and surrounding environment were undertaken by our landscape architects in March 2023.

The Landscape Effects Assessment is set out under the following headings:

- Methodology
- Proposal Description
- Existing Environment
- Statutory Context
- Visual Catchment and Viewing Audience
- Assessment of Effects; and
- Conclusion

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<sup>1</sup> AUP(OP) Designations - 8527, Electricity transmission - Rua o te Whenua telecommunications facility, Designations, Transpower New Zealand Ltd and Designations - 101, Waiatarua Communications Facility, Designations, Airways Corporation of New Zealand Ltd

<sup>2</sup> AUP(OP) Natural Heritage: Outstanding Natural Landscapes Overlay [rcp/dp] - Area 73, Waitakere Ranges and coastline

<sup>3</sup> AUP(OP) Natural Heritage: Ridgeline Protection Overlay - Natural

<sup>4</sup> AUP(OP) Natural Heritage: Waitakere Ranges Heritage Area Overlay

## 2.0 Methodology

Tuia Pito Ora / The New Zealand Institute of Landscape Architects endorsed (July 2022) new guidance for the assessment of landscape under the RMA context in Aotearoa / New Zealand. The guidance replaces earlier guidance and landscape architects' reliance on other international best practice / guidance. This guidance, *Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines [July 2022]*, has been used to guide the methods adopted in this assessment.

In assessing the scale of landscape effects, a seven-point scale of effects has been applied, as recommended in Te Tangi a te Manu, comprising: very low, low, moderate low, moderate, moderate high, high and very high. Effects have been assessed in terms of the values of the landscape having first understood its characteristics in terms of the physical, associative and perceptual realms of the landscape. Importantly, it is understood that change in a landscape and the introduction of new elements or features into the landscape does not of itself necessarily generate adverse effects.

In summary, the method has entailed (i) thorough site visits including to the site and surrounding environment, (ii) description of the proposal, (iii) description of relevant attributes of the existing environment, (iv) a review of the relevant<sup>5</sup> planning context (including objectives and policies), (v) identification of the visual catchment and viewing audiences (including a review of any potentially affected properties), (vi) identification of key matters with regard to the proposal, provisions and context, and (vii) assessment of effects with respect to landscape visual effects.

A site visit was undertaken on 15 March 2023 to determine the nature of the receiving environment and the landscape aspects of the proposal. Photographs were taken from the site and surrounding environment to illustrate the site and its landscape context.

This report is supported by a graphic supplement document which includes a series of maps to illustrate the site context - Refer attached **Graphic Supplement** (bound separately). Visual simulations were not prepared as part of the assessment and due to the limited visual catchment of the proposal and existing site context were not considered necessary in order to determine visual effects of the proposal.

## 3.0 Proposal Description

*Refer to application drawings by Airways NZ Ltd and BECA, dated March 2023.*

Airways NZ Ltd propose the demolition/removal of an existing radome<sup>6</sup> and installation of a new CKS12.5-10 radome structure at 600 Scenic Drive, Waitakere. The installation will involve the removal of the existing deck surrounding the current radome whilst retaining the tower structure. A new larger deck, radome with ventilation cowl and lightning rod will then be installed (Refer figure 1 below).

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<sup>5</sup> Related to landscape, visual and natural character matters

<sup>6</sup> A Radome (a portmanteau of radar and dome) is a structural, weatherproof enclosure that protects a radar antenna.

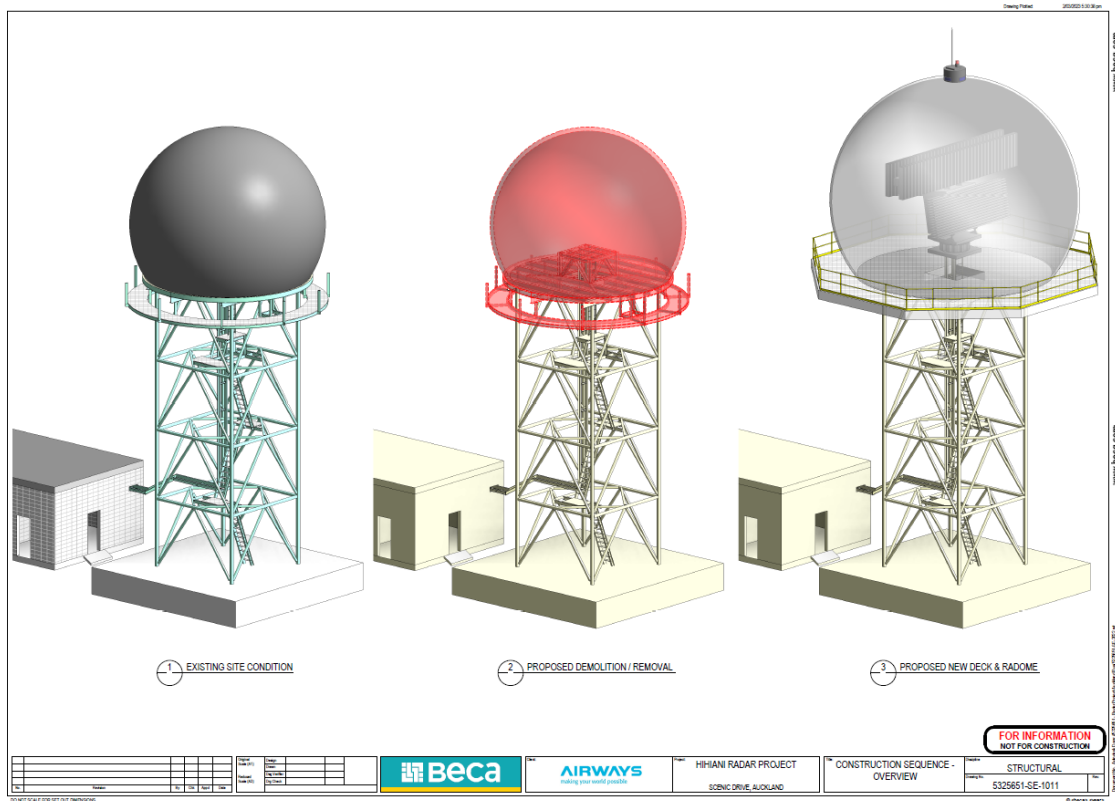


Figure 1: Ruaotewhenua Radar Project. Red indicates proposed demolition with image to right showing new radome, deck and antenna structure.

The radome is a rigid self-supporting ‘sandwich type’ radome with curved panels bolted together to form a truncated spherical structure. The radome is 12.5m in diameter and has a vertical height of 10m. There is a 2.48m ventilation cowl and lightning rod to the top of the radome. The height of the proposed structure is 25.15m to the top of the dome, and 27.630m in total (including lightning rod). This represents a height increase of 3.13m when compared to the existing structure (refer Figure 2 and Figure 3 below), and a height breach of 2.48m above the permitted 25m height.

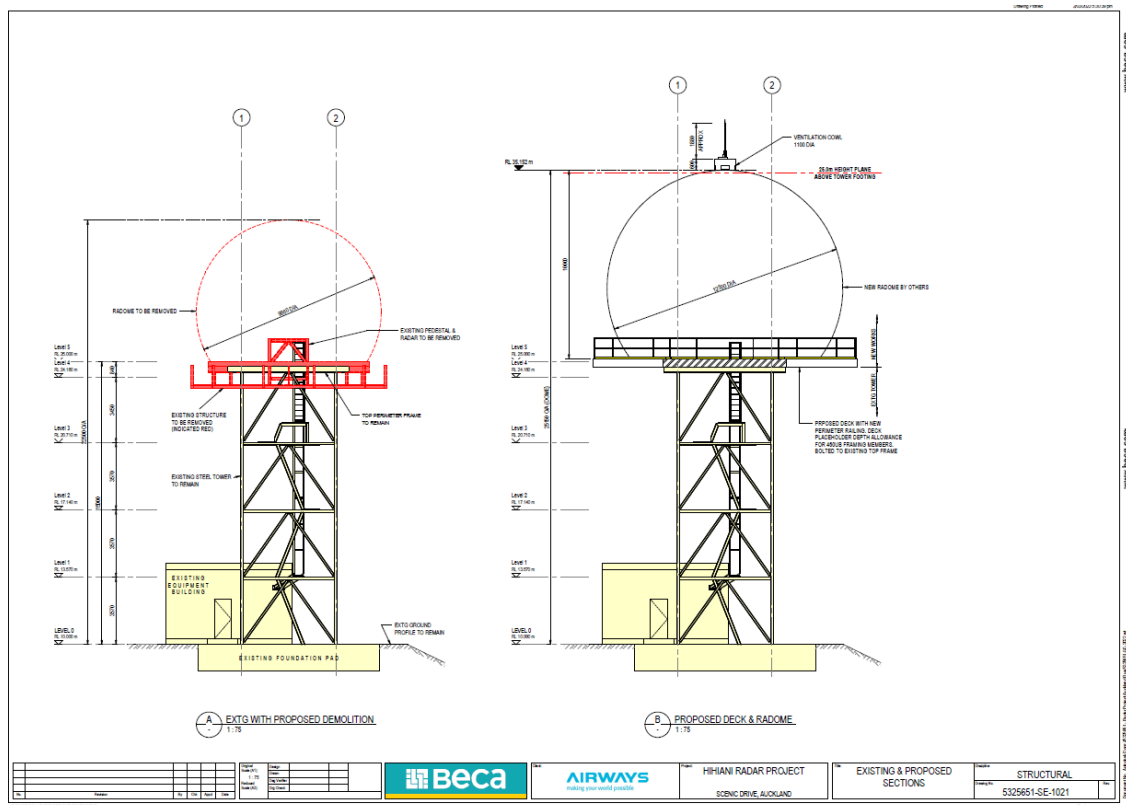


Figure 2: Ruaotewhenua Radar Project – Cross Sections. New dome structure on right of image (Source: BECA)

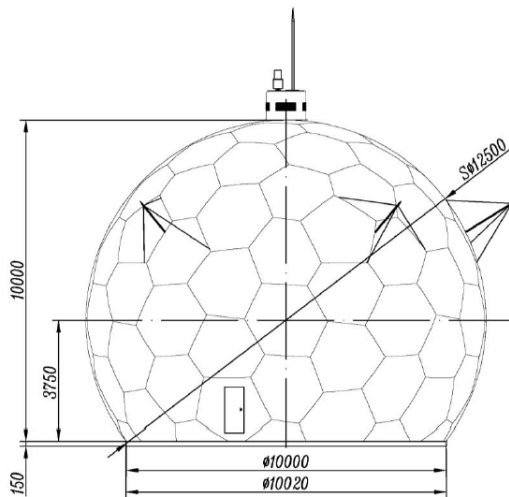


Figure 3: Ruaotewhenua Radar Project – Technical drawing for new CKS12.5-10 Radome

In summary the key elements of the proposal (as they relate to landscape and visual matters) include:

- The radome will be RAL9010 olive in colour (standard for this type of structure).
- The dome is composed of a polyurethane core and two glass fabric reinforced plastic skin.

- The exterior surface of panels inhibits the formation of a water film and minimise radome maintenance.
- All structural elements will be Stainless steel.

An Outline Plan of Works is being prepared by Airways NZ Ltd as part of the designation process (refer Figure 4 below). The proposed location of the radome removal and replacement works is located to the western edge of the site. Some minor earthworks will be required on the western edge of the site where the crane will be parked during lifting activities to stabilise the slope and ensure crane stability. The ground in this location is already modified and no vegetation will be removed. A proposed heavy vehicle turning point requires minor grading around a turning path zone. This will entail the removal of a small tree to the east of the site to allow for manoeuvring and construction activities to take place in this area.

The proposed construction works anticipate the crane will be on site for 2 months (maximum). A temporary storage unit (20ft container) will be placed on site for the storage during the construction period.

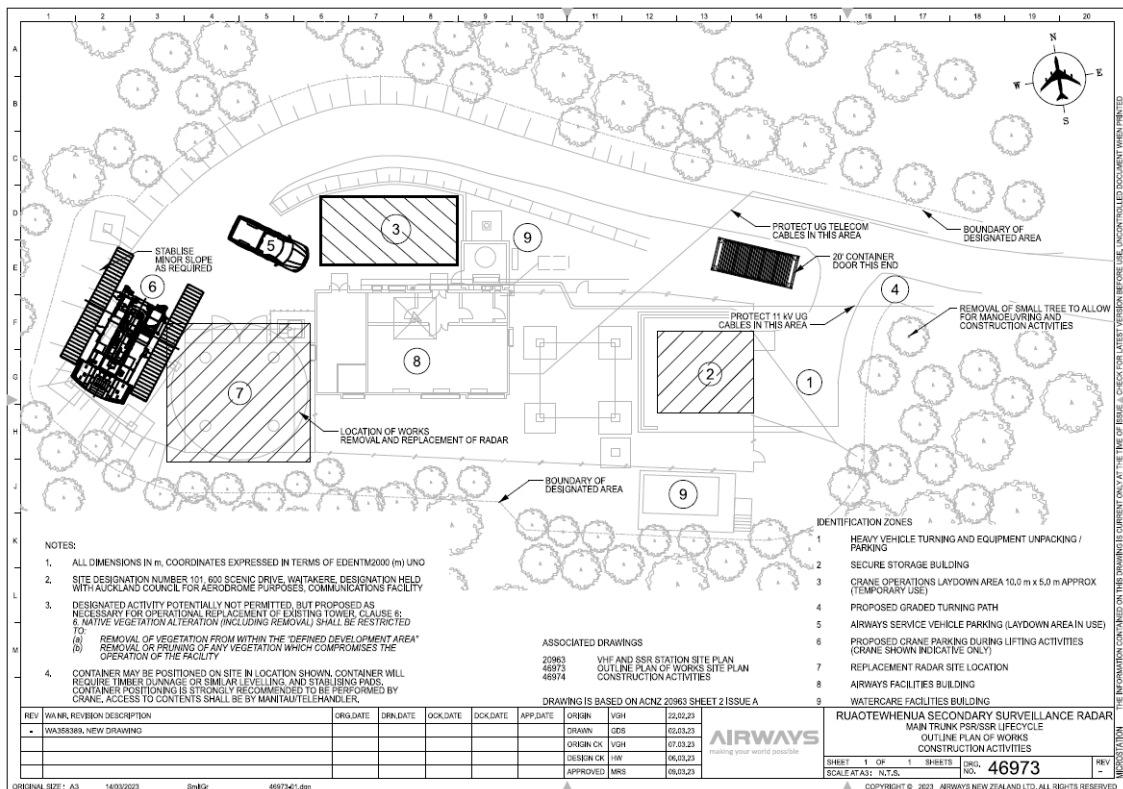


Figure 4: Ruaotewhenua Radar Project – Outline Plan of Works

### 3.1 Proposed Designation Amendment

Due to the increased size of the radome and the need to incorporate a ventilation cowl and lighting rod on top of the new radome it is proposed to alter the designation conditions as follows:

- 4. The maximum height of any development on the site shall be not more than 25.5 metres above ground level (excluding the ventilation cowl and lightning rod structures on top of the**



radome, which will be no more than 3.0m in height above the radome or 28 metres above ground level).

5. Development which is additional to that on the site as at 1 February 2000 (which included a tower structure, three “slim-line” masts, the Airways Corporation equipment building and the Transpower repeater building) shall be limited to:

(a) The replacement of the existing tower structure with another facility, provided that when the new facility is completed and commissioned, the existing tower is decommissioned and demolished:

(b) Antennae attached to the existing tower or new tower, existing buildings or new accessory buildings owned and operated by Airways Corporation New Zealand Limited (provided that these do not exceed the overall height limit of 25.5 metres as required by Condition 4);

(c) Up to four additional “slim-line” masts of similar design to the three existing masts;

(d) Accessory buildings with a maximum height of 4.5 metres; and

(e) The extension of the site access road

The effects of these changes are addressed in the below assessment.

## 4.0 Existing Environment

This section of the report provides a description of the existing environment (site) within which the proposed radome is to be located and provides context for the assessment of landscape and visual effects. It provides a description of the existing natural environment and any associated land uses, infrastructure and built form. The description also references a series of photos to illustrate the local context of the site and surrounding environment.

### 4.1 Wider Site Context

The site is located at 600 Scenic Drive, Waiatarua in the Waitākere ranges approximately 2.3km to the west of the settlement of Waiatarua (refer Figure 5 below).



Figure 5: Wider Site Context Aerial (google earth). Site is located to the west of Auckland in the Waitākere Ranges. Refer also Graphic Supplement Map 1 (attached separately)

As identified in the 'State of the Waitākere Ranges Heritage Area 2018' report by Auckland Council, the Site is located in the 'Parkland' (Regional Park) landscape type, which is characterised by regenerating native forest of various ages and stage of development (Refer Figure 6 below). These landscape units display the least amount of change in their heritage features and landscape character. The area is characterised by steep ridge and gully systems and predominately covered in second growth native vegetation (following historical logging of the Waitakere Ranges indigenous forest in the 1800s and early 1900s).

The Site is fully located to the north-eastern extent of the Waitākere Ranges Regional Park with a number of 'bush living' areas (Residential – Large Lot Zone) to the north (refer Figure 6 below). These low-density residential areas are characterised by houses set within regenerating forest and also comprise the more settled residential parts of the Waitākere Ranges including bush settlements at Waiatarua and Titirangi. These small-scaled settlements are largely contained within a cover of dense native bush with the relative density of settlement hard to determine visually from the adjacent road network or other public viewpoint locations.

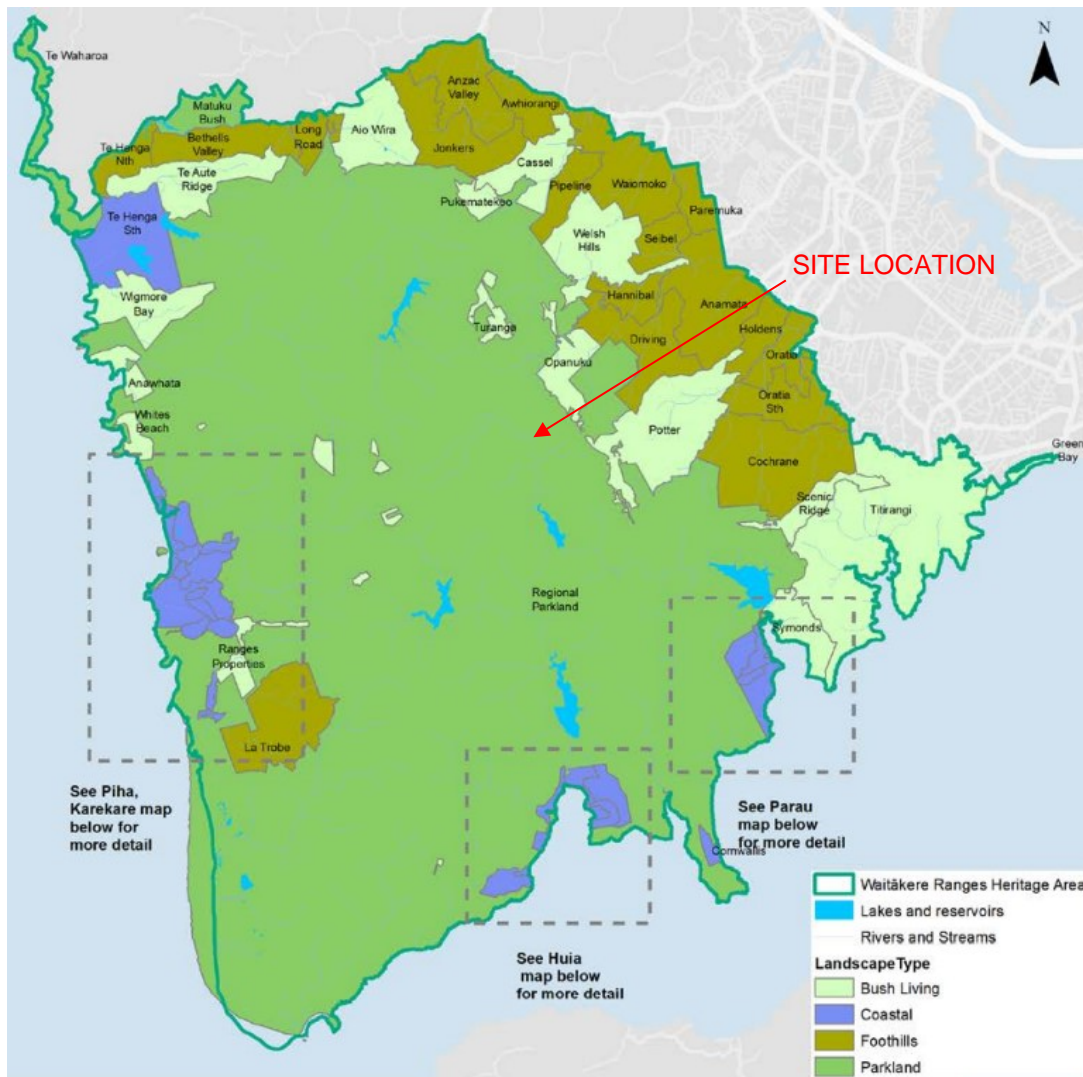


Figure 6: Extract from Map 7 Landscape Types and Units, Waitākere Ranges Local Board, State of the Waitākere Ranges Heritage Area (2018). (Refer Report 'State of the Waitākere Ranges Heritage Area, 2018) Auckland Council

The steep topography and limited number of low-level settlements in the area limit the road network through the Regional Parkland. The site is located off one of the main driving routes through the ranges, Scenic Drive, which extends along the top of a prominent ridge. This ridge provides a vegetated back drop to a few settlements along eastern edge. The Scenic Drive Ridgeline is included within a Ridgeline Protection Overlay within the AUP(OP).

Views within the wider landscape as well as road views are generally enclosed and limited as dissected valleys / gullies and associated dense evergreen vegetation allow a sense of intimacy and isolation while some elevated locations offer occasional elevated glimpses of the Manukau Harbour to the southeast. To the immediate north of the site across Scenic Drive is the 'Auckland City Lookout'. This lookout provides panoramic views away from the site across the wider Auckland landscape (refer Figure 7 below).



*Figure 7: Site photo. View from the Auckland City Lookout (approx. 551 Scenic Drive) towards wider panoramic views of Auckland. Boffa Miskell (2023)*

The site is located between several biodiversity focus areas that are a part of a wider landscape connection between reservoirs in the area (refer Figure 8 below). This increase in protected areas within the region has significantly increased the satiability of bird life and other endangered wildlife within the wider landscape. The project site sits outside of those protected areas that surround the site to the North and South.



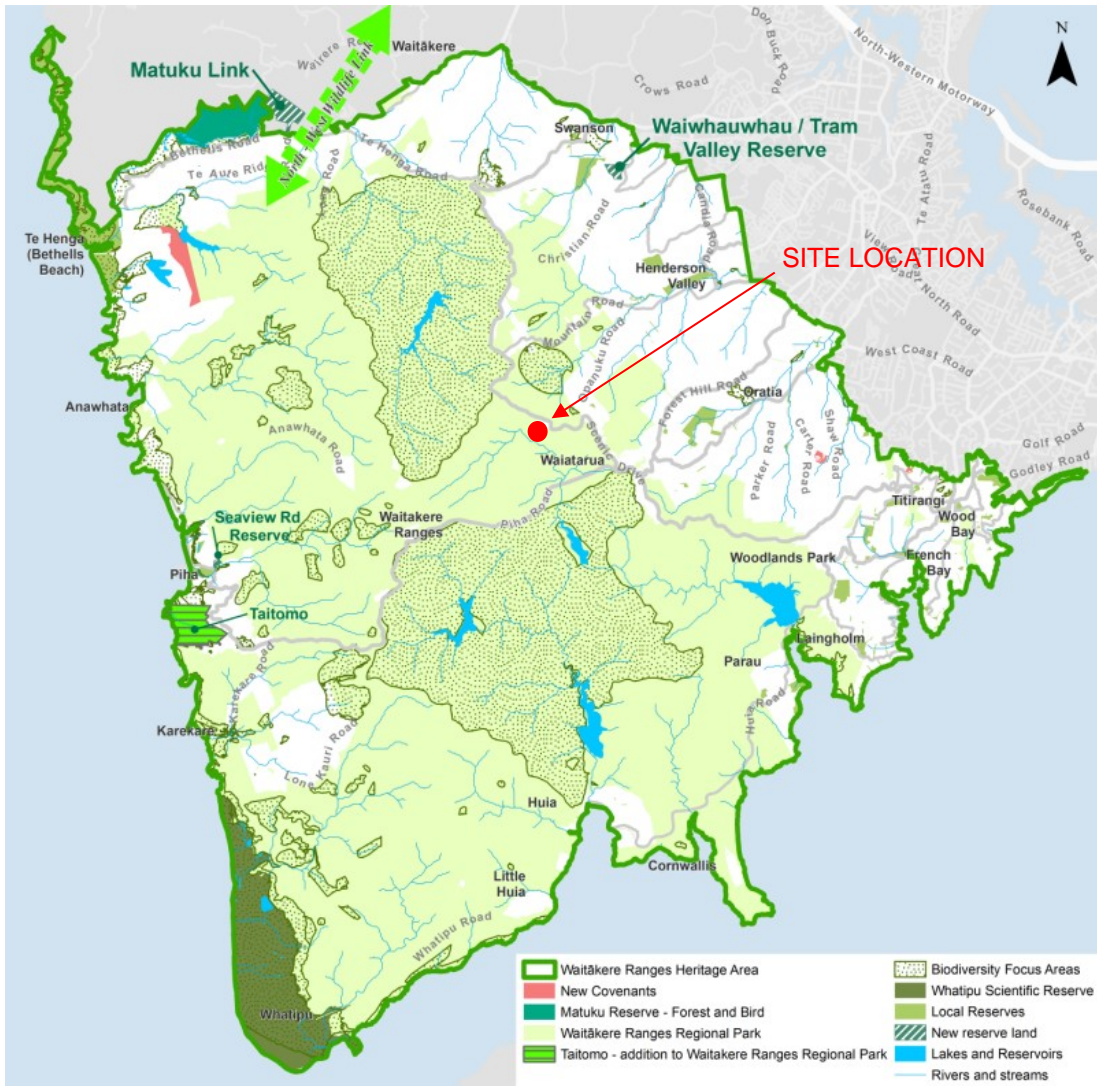


Figure 8: Extract from Map 1 New reserves, covenants and Biodiversity Focus Areas, Waitākere Ranges Local Board, State of the Waitākere Ranges Heritage Area (2018). (Refer Report 'State of the Waitākere Ranges Heritage Area, 2018) Auckland Council

The Site as well as the wider Waitākere Ranges Area is identified as an Outstanding Natural Landscape (ONL) in the AUP(OP)<sup>7</sup> (refer Figure 9 below).

<sup>7</sup> Natural Heritage: Outstanding Natural Landscapes Overlay [rcp/dp] - Area 73, Waitakere Ranges and coastline

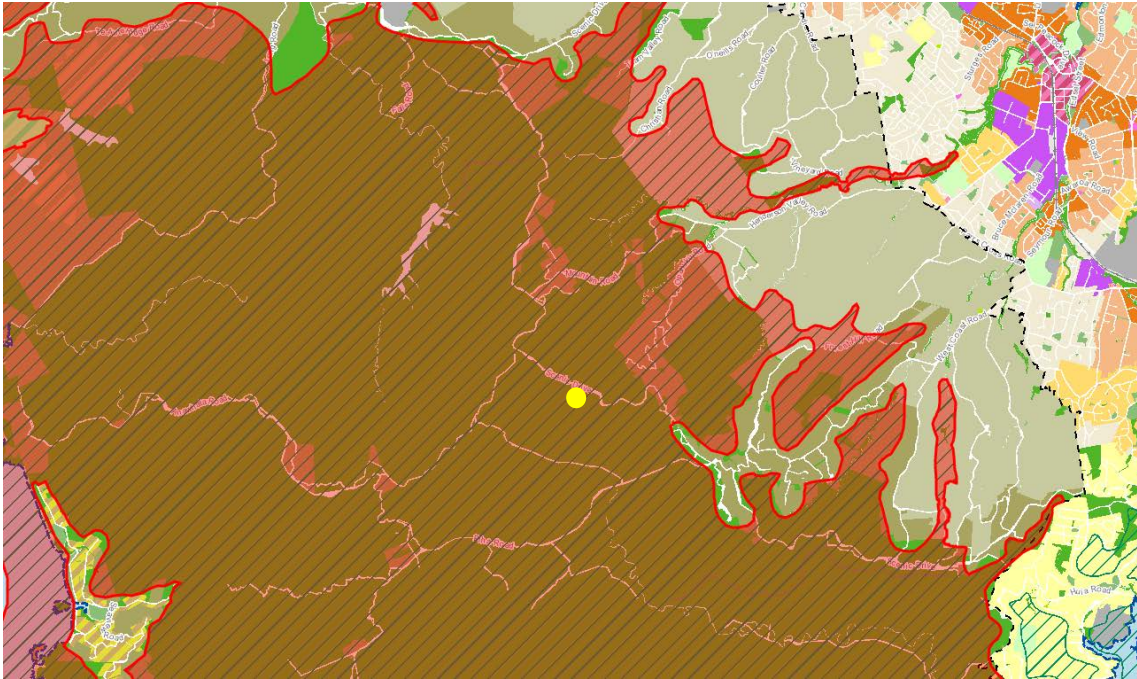


Figure 9: AUP(OP) Outstanding Natural Landscapes Overlay [rcp/dp] - Area 73, Waitakere Ranges and coastline identifies in red. Site located in yellow. .

Directly south of the site approximately 800m is 'The Nihotupu Auxiliary Dam'. This is identified as a historic heritage site and sits within a few natural stream management areas that surround the site. There are a number of walkways located to the south and west of the site (refer Figure 10 below), these are largely densely covered bush tracks and historic access tracks that follow the valley system within the Waitākere ranges. Access to these tracks is currently restricted due to Kauri dieback and recent subsidence from Auckland weather events. There is no public access or walkways directly through the site.





Figure 10: Topo Map. Ruatowhenua Radar identified in red (and noted in Topo Map).

The site is located within a Ridgeline Protection Overlay (refer Figure 11 below). This overlay covers the entirety of the site and extends onto part of Scenic Drive Road to the east.

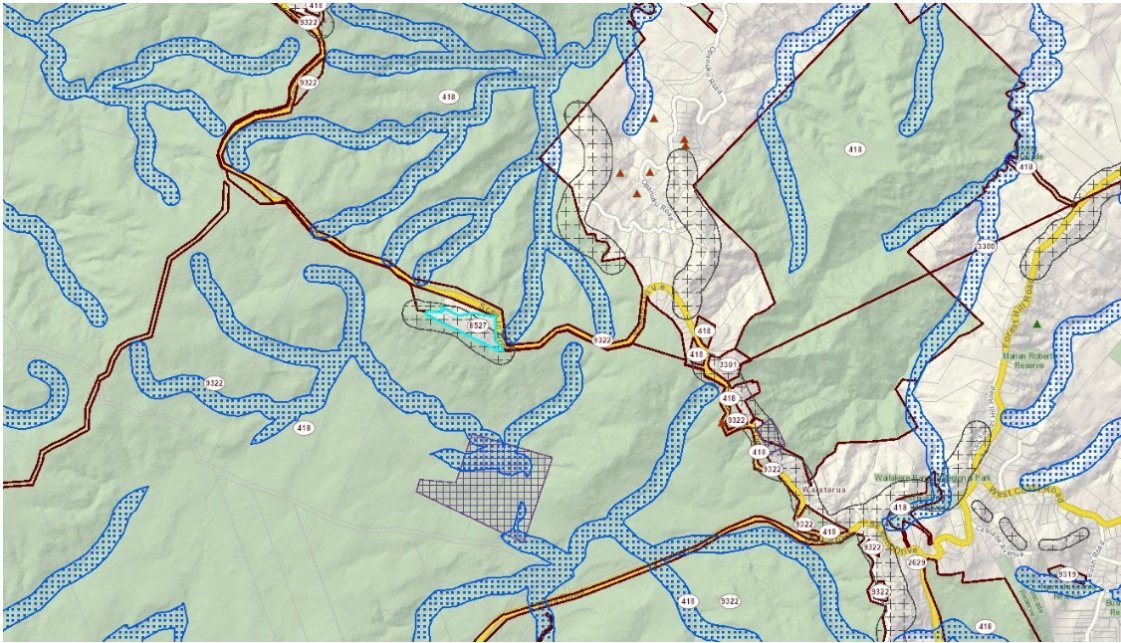


Figure 11: Site Context Map. Proposed site identified in teal. Map shows Ridgeline Protection areas (cross hatch), Natural Stream Management Area Overlay (blue) and Historic Heritage and Special Character Overlay.

The site is generally located in a remote area with the closest residential properties located 1km to the east on Scenic Drive.



## 4.2 Site Description

The Ruaotewhenua Radar site has been operating at 600 Scenic Drive since approximately the early 1990's. The site is a total of 2.8 hectares in area and is subject to Designation (Ref# 8527) held by Transpower New Zealand and Designation (Ref#101) held by Airways NZ Ltd. The designation (Ref# 101) held by Airways provides for a communications facility. The stated purpose of this designation is for "the maintenance, operation, replacement and upgrade of communication facilities for aerodrome purposes, including all associated infrastructure."

Access is from Scenic Drive via a gated single lane driveway on the eastern boundary site. There is an existing 22.5m tall radome and associated infrastructure located to the western edge of the site (refer Figure 12 and Figure 13 below). The built elements on site are located within a 2000m<sup>2</sup> cleared section of the site. The remainder of the site is in established native bush typical of the Waitākere ranges.



Figure 12: Site Context. Site boundary in red. Existing Radome structure and associated infrastructure to the western edge of the site. Remainder of Site planted in well-established native vegetation.





Figure 13: Site Photo. View from access road looking towards existing Radome structure. Note cleared area, associated infrastructure and existing native vegetation.

The radome and buildings are located at an elevation of approximately 425 masl, the tallest section of the site. There is a steep cliff to the northern boundary that drops sharply to Scenic Drive and provides an approximate 15m – 20m height difference from the road. The topography also drops away south of the site more gradually.

## 5.0 Visual Catchment and Viewing Audiences

The potential viewing locations of the proposal have been identified by a computer-generated analysis (using ArcGIS 10.3.1) known as a zone of theoretical visibility (“ZTV”) and represented in the **Map 4, Graphic Supplement**. This analysis utilises LIDAR<sup>8</sup> data to determine the areas within which the proposed radome would be theoretically visible (taking into account existing vegetation and structures that may obscure views), and therefore may have an effect upon the visual amenity experienced by people and sensory qualities of the landscape. Importantly, theoretical visibility does not equate to visual effect, and to this extent the ZTV analysis is used as a guide only to aid identification of the potential visual catchment and viewing audiences, and to assist with identifying locations from which to take representative photographs and model simulated views.

<sup>8</sup> LIDAR is a Light Detection and Ranging survey method that measures the distance to a target by illuminating the target with a pulsed laser light

The ZTV for this analysis took the existing radome structure at the highest point (22.5 m) and demonstrated the viewshed (refer green). The proposed new radome and aerial height (27.630 m) viewshed is shown in red. (refer **map 4 Graphic Supplement**)

This analysis demonstrates that as with the established radome structure, the visual catchment of the site is limited, due to the surrounding topography of the area and the established native bush. A large part of the predicted visibility picks up existing vegetation / treetops. Both the existing landform and the vegetation act as the intervening elements in limiting potential views of the radome structure. The overall extent of the visual catchment of the Site relative to the surrounding context is extremely limited.

There are no views of the radome / site from the surrounding walkways, nor any views from the residential catchment to the east of the site (around Waiatarua and Scenic Drive).

Occasional glimpses of the existing radome and site can be obtained when driving along scenic drive in two locations i) from the west of the site when travelling in an easterly direction at a distance of approximately 580m and ii) when travelling along Piha Road northwest towards the site at a distance of approximately 1.8km (refer Figure 14 and Figure 15 below). When seen, it is the dome part of the existing radome that is seen against a sky backdrop above the existing vegetation.

Views from further afield beyond 2km are screened by existing vegetation, topography and orientation of the road network.



Figure 14: Site Photo. View from Scenic Drive looking east towards the site. Approximate viewing distance 580m.





Figure 15: Site Photo: View from Piha Road looking northwest towards the site. Approximate viewing distance 1.8km

## 6.0 Statutory Context

A full description of the statutory planning context for this proposal is set out in the Assessment of Environmental Effects (AEE) accompanying the notice to alter the designation. A summary of the national statutory and regional policy context, relevant to this assessment of landscape effects, is summarised below.

### 6.1 Resource Management Act 1991 (RMA)

Part 2 of the RMA sets out the purpose and principles of the Act. Section 5 states that the purpose of the RMA is to promote the sustainable management of natural and physical resources.

Section 6 sets out the matters of national importance that must be recognised and provided for in achieving the purpose of the RMA, including the protection of outstanding natural features and outstanding natural landscapes from inappropriate subdivision, use and development (Section 6(b)). The Site is located entirely within an Outstanding Natural Landscape overlay.

Another matter of national importance is the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins and the protection of them from inappropriate subdivision, use and development as identified in section 6(a). However, the proposed development is not located within the coastal

environment nor is it within or on the margins of the lake. There are no identified streams within the Site and therefore Section 6(a) is not relevant to this assessment.

Section 7 identifies a range of matters that shall be given regard to in achieving the purpose of the RMA. Section 7(c) in relation to the maintenance and enhancement of amenity values is particularly relevant to this project. This is considered in this report in relation to potential effects on views and visual amenity.

## 6.2 Auckland Unitary Plan (Operative in Part) ('AUP(OP)')

The proposed site is located in the Waitākere Ranges Heritage Area and is subject to the Waitākere Ranges Heritage Area Act 2008<sup>9</sup> (WRHAA2008) and the AUP(OP) provisions.

The site is designated for electricity transmission and the Waitatarua Communications Facility<sup>10</sup>.

### 6.2.1 Outstanding Natural Landscape (ONL)

The site is subject to an Outstanding Natural Landscape (ONL) Overlays (Natural Heritage: Outstanding Natural Landscapes Overlay [rcp/dp] - Area 73, Waitakere Ranges and coastline). With the existing site (and future site) located to the eastern edge, and almost entirely within the overlay.

The ONL overlay applies to entire extent of the Waitakere Ranges and Coastline (Refer table 1 Figure 16 below). Table 1 below identifies the specific values attributed to ONL 73. The key elements, patterns and processes of ONL 73 include the extensive re-emerging to mature native forest on hill country and the coastal and inland ranges with largely intact remnant indigenous vegetation that reinforce this topography.

<b>ONL Description – Area 73 Waitakere Ranges and coastline</b>	Landscape type, Nature and Description	Hill country Wild nature/cultured nature (hill country) Wild nature (estuary & harbour) Wild nature(coastal) A truly iconic landscape insofar as it is strongly and uniquely associated with the Auckland Region and includes a very extensive sequence of re-emerging to mature native forest on hill country including Manukau Harbour margins, water catchments and lakes and a dynamic, dramatic West Coast. Excludes major areas of settlement e.g. Piha
	Elements patterns and processes	Coastal and inland ranges landforms with largely intact remnant indigenous vegetation reinforcing topography.
WESI Criteria – Natural Science Factors	Geological Topographical	High Strong elevated relief as part of wider hill sequence extending into both the dramatic west coast “black sand” beaches and cliffs, and sedimentary Manukau Harbour coastal edge
	Ecological	High Extensive areas of native forest, native shrubland and stream corridors, combined with enclosed harbour, and very exposed Tasman Sea, coastal margins. Natural sequence includes bays, wetlands, stream corridors, dune landforms, and native forest; home to a wide range of indigenous species.
	Dynamic	Very high Signature West Coast landscape combined with very extensive native forest/ ranges landscape.

<sup>9</sup> Waitākere Ranges Heritage Area Act 2008, Reprint 20 May 2014

<sup>10</sup> AUP(OP) Designations - 8527, Electricity transmission - Rua o te Whenua telecommunications facility, Designations, Transpower New Zealand Ltd and Designations - 101, Waitatarua Communications Facility, Designations, Airways Corporation of New Zealand Ltd

WESI Criteria – Aesthetic Values	Memorability	Very high an iconic Auckland landscape that is very strongly linked to the identity of the wider region. Very marked naturalness values and strong interplay of underlying topography with areas of bush and more peripheral pockets of pasture. Dramatic sequence of coastal landscapes.
	Naturalness	High Strong sense of naturalness evident in the forest together with the terrain linked to both Tasman Sea and Manukau Harbour margins.
Expressiveness		Very high Very strongly articulated greywacke hill landforms and water catchments overlain with forest and coastal margin sequences.
Transient Values		High Highly atmospheric interaction with both the Tasman Sea and Manukau Harbour, affected by weather and light conditions, time of year/day. Abundant coastal and forest birdlife.

Table 1: ONL Area 73 – Schedule 7 Outstanding Natural Landscapes Overlay Schedule



Figure 16: AUP(OP) ap overlay. Green – public open space conservation and Green hatch overlay is Outstanding Natural Landscape Overlay. Site boundary identifies in red.

It is noted that the ONL covers a large area of the Ranges and does not in places entirely follow the features and elements that it is designed to protect. As a consequence, the ONL overlay applies to areas that do not display or exhibit the characteristics described above and include areas of open pasture and built form such the existing radome structure, residential and built development and larger infrastructure such as the radio tower at 541 Scenic Drive.

### 6.2.2 The Waitākere Ranges Heritage Area Overlay

The Waitākere Ranges Heritage Area has features and qualities that are of national, regional, and local importance which have been recognised in the Waitākere Ranges Heritage Area Act 2008. The Act aims to ensure that the valued features and qualities of the Heritage Area are not degraded by inappropriate building development or other activities, but will be protected, enhanced, restored, and thereby maintained in perpetuity.

The Act creates certainty for the long-term protection of the Heritage Area, providing a benchmark for the assessment of resource consent applications, and objectives which must be considered in the preparation of Regional Policy Statements and District Plans. The 'heritage features' are elements of the area that are particularly valued and that individually and in combination contribute to the national, regional, and local importance of the Heritage Area. These include:

- the terrestrial and aquatic ecosystems, the classes of natural landforms and landscapes; the natural functioning of streams.
- the functioning of the area as a visual backdrop to the Auckland metropolitan area; and the functioning of the eastern foothills as a buffer to and transition from metropolitan Auckland.
- the Heritage Area's provision of wilderness experience, recreational, and relaxation opportunities.
- the subservience of the built environment to the natural and rural landscape.
- the historic, traditional, and cultural relationships of people, communities and tangata whenua.
- the distinctive local communities.
- the origins of the Waitākere Ranges Regional Park, its natural and historic values, its accessibility, and importance as a public place; and
- the operation, maintenance and development of the public water catchment and supply system.

In addition to overlay provisions, land within the heritage area is managed by a number of zones. The Rural – Waitākere Ranges and Rural – Waitākere Foothills Zones are specific to the heritage area. All other zones within the heritage area are the zones that are applied across Auckland.



### 6.2.3 Natural Ridgeline Overlay



Figure 17: Extract from AUP(OP) with Ridgeline Overlay (cross pattern)

Auckland contains a number of prominent ridgelines that ‘contribute to the diverse scenic character and amenity of the region’. These are both modified and natural ridgelines and identified in the AUP(OP). A Natural ridgeline protection overlay applies to the subject site. This overlay applies across the whole site and includes part of Scenic Drive to the east. The existing tower and associated infrastructure are currently located within this ridgeline overlay and had modified the ridgeline.

The AUP(OP) seeks to ensure that ‘... the integrity of ridgelines is protected and maintained in accordance with their context’. Within the Regional policy section of the AUP(OP). Chapter D15 of the AUP(OP) sets out the relevant objectives and policies for these identified ridgelines:

#### **D15.2. Objective**

- (1) *The visual landscape qualities of Auckland’s natural and modified ridgelines are protected and maintained or enhanced.*

Two associated policies provide more specific details on the expected outcomes from the ridgeline controls of the Plan, and the methods by which those outcomes may be achieved, as follows:

#### **D15.3. Policies**

- (1) *Recognise the landscape values of the ridgelines in accordance with their particular context and attributes by:*
  - a. *Managing adverse effects from subdivision, land use and development on the visual landscape qualities of ridgelines when viewed from public places;*
  - b. *Utilising planting of new vegetation to mitigate the adverse effects of buildings and*

- c. *Retaining the low-density and natural character (including retaining the vegetated appearance) of natural ridgelines.*

- (2) *Control the location and scale of buildings to ensure they do not protrude above or dominate the identified ridgelines when viewed from a public place.*

As the site is covered by a designation, these provisions are irrelevant and do not need to be considered as they were considered at the time the designation was created, through the notice of requirement process. AUP(OP) Designation 101, Waiatarua Communications Facility.

The designation (Ref# 101) held by Airways provides for a communications facility. The stated purpose of this designation is for “the maintenance, operation, replacement and upgrade of communication facilities for aerodrome purposes, including all associated infrastructure.

This designation is subject to six conditions, which are:

1. *To ensure that section 176A 3(f) of the Act has been adequately addressed an outline plan shall include, as appropriate:*
  - a. *A statement on the relevant Plan objectives, policies and rules;*
  - b. *A statement on any adverse effects the works will have on the environment and the mitigation measures to be carried out;*
  - c. *A visual impact and mitigation assessment where the proposed work is a new tower structure at Rua o te Whenua Designation 8527 (as provided for in Condition 5(a)).*
2. *Appropriate sedimentation and erosion control measures shall be employed for any earthworks on the designated site.*
3. *All development on the site shall be within the “defined development area” as defined on plan number AL20963 sheets 1 and 2.*
4. *The maximum height of any development on the site shall be not more than 25 metres above ground level.*
5. *Development which is additional to that on the site as at February 2000 (which included a tower structure, three “slim-line” masts, the Airways Corporation equipment building and the Transpower repeater building) shall be limited to:*
  - a. *The replacement of the existing tower structure with another facility, provided that when the new facility is completed and commissioned, the existing tower is decommissioned and demolished;*
  - b. *Antennae attached to the existing tower or new tower, existing building or new accessory buildings owned and operated by Airways Corporation New Zealand Limited (provided that these do not exceed the overall height limit of 25 metres as required by Condition 4);*
  - c. *Up to four additional “slim-line” masts of similar design to the three existing masts;*
  - d. *Accessory buildings with a maximum height of 4.5 metres; and*
  - e. *The extension of the site access road.*
6. *Native vegetation alteration (including removal) shall be restricted to:*
  - a. *Removal of vegetation from within the “defined development area”; and*



- b. *Removal or pruning of any vegetation which compromises the operation of the facility.*

The proposed Radome (at 27.630m in height) does not comply with maximum height limit in Condition 4, due to the need to include a ventilation cowl and lightning rod on the top it. It is therefore proposed to amend the designation condition as follows:

4. *The maximum height of any development on the site shall be not more than 25.5 metres above ground level (excluding the ventilation cowl and lightning rod structures on top of the radome, which will be no more than 3.0m in height above the radome or 28 metres above ground level).*

5. *Development which is additional to that on the site as at 1 February 2000 (which included a tower structure, three “slim-line” masts, the Airways Corporation equipment building and the Transpower repeater building) shall be limited to:*

(a) *The replacement of the existing tower structure with another facility, provided that when the new facility is completed and commissioned, the existing tower is decommissioned and demolished:*

(b) *Antennae attached to the existing tower or new tower, existing buildings or new accessory buildings owned and operated by Airways Corporation New Zealand Limited (provided that these do not exceed the overall height limit of 25.5 metres as required by Condition 4);*

(c) *Up to four additional “slim-line” masts of similar design to the three existing masts;*

(d) *Accessory buildings with a maximum height of 4.5 metres; and*

(e) *The extension of the site access road*

## 7.0 Assessment of Effects

Landscape and visual impacts result from natural or induced change in the components, character or quality of the landscape. Usually these are the result of landform or vegetation modification or the introduction of new structures, facilities or activities. Landscape effects arise when such change affects the values of that landscape either in beneficial or adverse ways.

The landscape effects generated by any particular proposal can, therefore, be perceived as:

- positive (beneficial), contributing to the character and quality of the environment.
- negative (adverse), detracting from existing character and quality of environment; or
- neutral (benign), with essentially no effect on existing character or quality of environment.

The degree to which landscape effects are generated by a development depends on a number of factors, these include:

- The degree to which the proposal contrasts, or is consistent, with the qualities of the surrounding landscape.
- The proportion of the proposal that is visible, determined by the observer's position relative to the objects viewed.
- The distance and foreground context within which the proposal is viewed.
- The area or extent of visual catchment from which the proposal is visible.
- The number of viewers, their location and situation (static, or moving) in relation to the view.
- The backdrop and context within which the proposal is viewed.
- The predictable and likely known future character of the locality.
- The quality of the resultant landscape, its aesthetic values and contribution to the wider landscape character to the area.

Change in a landscape and 'visibility' of a proposal does not of itself, constitute an adverse landscape or visual effect.

The following section assesses the proposal and its level of potential effects and appropriateness in this setting. Issues to be addressed relating to the landscape, character and visual amenity matters include the following:

- a) Landscape character effects
- b) Visual Amenity
  - i. Views from the road network.

## 7.1 Landscape Effects

### Physical Landscape Effects

The assessment of biophysical effects considers the nature and significance of modifications to the landform through the Site and vegetation. The site has an existing radome structure and associated infrastructure. The proposal includes upgrades to the radome and surrounding deck, with no proposed alterations to the steel tower or buildings within the site.

As part of the construction works there will be some minor earthworks and the removal of one tree to provide an appropriately sized turning circle. There may also be a requirement for some pruning of vegetation up the main access road to allow for the crane and other larger equipment pieces to be brought on site. Other than this the proposed works will not require the removal of any vegetation on Site. The 2000m<sup>2</sup> area of site has already been cleared as part of the existing consent, no further clearance will be required.

Physical effects associated with the proposal will be **very low** (adverse).

### Landscape Character Effects

Effects on the landscape character include the introduction of a larger radome structure (with lightning rod). The site comprises an existing radome structure with the associated drive and infrastructure. The wider site context will remain unchanged and continue to consist of a radome structure situated amongst dense native bush.

At a broader scale, the site will be contained by the surrounding topography and dense native vegetation. Replacing a piece of infrastructure with comparable structural components is not considered incongruent with the ranges – with examples of other larger built infrastructure visible in the Waitakere ranges and immediate surrounding area (including a radio mast at 541 Scenic Drive).

The natural ridgeline on site has been modified from its natural form by the small amount of clearance associated with the existing Radome and associated infrastructure. The proposed development involves the introduction of a new, slightly larger Radome and maintenance deck. Overall, the characteristics (extensive vegetation, topography and infrastructure) associated with the existing sensitive ridgeline will be retained.

Whilst the proposal introduces a slightly larger radome with a different colour to the existing radome on site, the surrounding ridgelines and overall vegetated landform character will be maintained. The proposal will sit within the context of the forests natural topography for this region of the Waitakere Ranges.

Based on the above the effects to landscape character on the surrounding area considering the anticipated change is **very low** (adverse).

#### **Effect of proposed alteration to conditions.**

The effects of the proposed alteration to the designation conditions (the exclusion of the ventilation cowl and lightning rod and the minor height increase) on both the physical landscape and landscape character will be very low (adverse), less than minor.

## 7.2 Visual Amenity Effects

Visual effects relate to the amenity values of a landscape. They are included in the “natural and physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, cultural and recreational attributes”<sup>11</sup>. Visual effects result from the nature of change to the visual amenity values of a landscape and / or to specific views and experiences to people / users of that landscape.

Visual amenity effects are influenced by several factors including the nature of the proposal, the ability of the landscape to accommodate the nature of the change without compromise to the values of the landscape influenced by the nature of the proposal, the character of the site and the surrounding area. Visual amenity effects are also dependent on distance between the viewer and the proposal, the complexity of the intervening landscape and the nature of the view.

The principal elements of the proposal that will give rise to potential landscape and visual effects is the proposed slightly larger radome structure. To understand who may potentially be affected by the proposed radome, an analysis of the potential viewing audience was carried out (refer section 5.0 above). The viewing audience falls into one group: transient viewers in the surrounding road network. These views are however largely screened by existing vegetation / topography and when seen glimpsed transient views.

#### ***Effects from Public Vantage Points***

As described above in Section 4.0 there is a limited road network in proximity to the site. The surrounding steep topography and intact dense bush limit views of the radome structure. It is anticipated there will be glimpsed views from Piha Road when travelling west and Scenic Drive when travelling east. These views are at a distance between 800m and 1.8km from site. As

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<sup>11</sup> Resource Management Act 1991

part of these views the existing radome structure is present. These views of the existing radome are located on the carriageway with no sidewalks meaning the structure is only visible for a few seconds as there are no stopping points for the public in these locations. The proposed radome replacement will introduce a slightly larger, different radome into these views. It is anticipated that the visual effects will be **very low** (negligible) for a larger portion of the surrounding road network, when direct views of the radome can be obtained the change in dome size will result in up to **low** (adverse) effects.

#### ***Effects from Private Vantage Points***

There are no views of the proposal from private vantage points. The nearest residential area is 800m to the east of the site and views of the dome are screened by existing topography and dense vertical vegetation.

#### **Effect of proposed alteration to conditions.**

The visual effects of the proposed alteration to the designation conditions (the exclusion of the ventilation cowl and lightning rod and minor height increase) will be very low (adverse), less than minor for a larger portion of the surrounding road network. When direct views of the radome can be obtained the change will result in up to low adverse effects (less than minor).

### 7.3 Effects in Relation to Statutory Provisions

Overall, it is considered that the proposal maintains the landscape values identified in the AUP(OP) and the respective natural heritage overlays. The proposal will result in a minor addition (height) to an existing consented land use. In the context of the Waitākere Ranges environment, the proposal will not result in a change to the valued landscape character and attributes of the ranges.

In relation to D15 and the ridgeline protection overlay, the existing ridgeline has been partially modified from its natural form through the clearance and introduction of the existing radome and infrastructure. The proposed development, whilst introducing a slightly larger built element within the overlay is not considered to detract from the landscape qualities and values of the ridgelines.

## 8.0 Conclusion

The proposed development is located within the Open Space Conservation Zone and has taken into account the relevant objectives and policies of the AUP(OP) which relate to the area.

Construction works associated with the proposed replacement of the radome structure involve a small area of earthworks for crane manoeuvring, drainage whist shipping containers are on site for storage and the removal of one tree along the existing access turn around / unloading space. There are no additional earthworks or vegetation removal proposed as part of the works. On the site visit it was identified some of the overhead vegetation up the accessway may need to be pruned to allow the crane and other equipment pieces to be transported to required site location. The proposed radome structure will utilise the existing infrastructure and steel tower that is on site. Overall, it is considered that the proposal will have a negligible impact on the physical landscape values.

The proposal is located on the eastern edge of the Waitākere Ranges - Natural Heritage: Outstanding Natural Landscape. Overall, it is considered that the proposed development will have a negligible impact on this ONL due to the fact it is a replacement of existing infrastructure that is already part of this landscape character and does not result in the removal of vegetation or modification of topography.

The main viewing audiences of the proposal have been identified and assessed in section 7.2 of this report. The visual catchment of the site is limited, due to the surrounding topography of the area and the established native bush. Both the existing landform and the dense vegetation act as the intervening elements in limiting potential views of the radome structure. The overall extent of the visual catchment of the Site relative to the surrounding context is extremely limited with views only available to limited sections of Piha Road and Scenic Drive. No residential properties have views of the radome structure. The proposal, when seen will have a slight increase in the size from the existing radome structure. It is anticipated that the visual effects will be very low (negligible) for a larger portion of the surrounding road network, when direct views of the radome can be obtained the change in dome size will result in up to low (adverse) effects (less than minor).

The proposed Radome (at 27.630m in height) does not comply with maximum height limit in Condition 4 of the designation. It is therefore proposed to amend the designation condition to address this. The amended wording of the purpose of the designation would result in no additional or different landscape and visual effects. Overall, the potential landscape and visual effects on the site and wider environment will be less than minor.



#### About Boffa Miskell

Boffa Miskell is a leading New Zealand professional services consultancy with offices in Whangarei, Auckland, Hamilton, Tauranga, Wellington, Nelson, Christchurch, Dunedin, and Queenstown. We work with a wide range of local and international private and public sector clients in the areas of planning, urban design, landscape architecture, landscape planning, ecology, biosecurity, cultural heritage, graphics and mapping. Over the past four decades we have built a reputation for professionalism, innovation and excellence. During this time we have been associated with a significant number of projects that have shaped New Zealand's environment.

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**Attachment B: Transpower NZ Limited written approval**

26 April 2023

Katie Maxwell

Senior Planner

Boffa Miskell

Via email - [katie.maxwell@boffamiskell.co.nz](mailto:katie.maxwell@boffamiskell.co.nz)

Dear Katie,

**RE: PROPOSED MINOR ALTERATION TO THE CONDITIONS OF AIRWAY CORPORATION OF NEW ZEALAND'S DESIGNATION 101 AT 600 SCENIC DRIVE, HENDERSON VALLEY, AUCKLAND.**

This letter is in response to your request for written approval from Transpower New Zealand Limited (Transpower) to the proposed minor alteration to the conditions of Designation 101 "Waiatarua Communications Facility" in the Auckland Unitary Plan Operative in part (AUP), for which Airways Corporation of New Zealand (Airways) is the requiring authority. The purpose of Designation 101 is to provide for "The maintenance, operation, replacement and upgrade of communication facilities for aerodrome purposes, including all associated infrastructure" at 600 Scenic Drive, Waitakere, Auckland. We understand that the proposed alteration to Designation 101 is required in order to allow for the replacement and upgrade of the existing radome on the subject site at 600 Scenic Drive, Henderson Valley.

Transpower is the requiring authority for Designation 8527 "Rua o te Whenua Telecommunications Facility" under the AUP at 600 Scenic Drive. However, we note that Transpower no longer has assets on the subject site. We understand that Designation 101 was established prior to Designation 8527 and is the primary designation on the subject site.

The proposed alteration to Designation 101 involves changes to the wording of Conditions 4 and 5b to allow an additional 0.5 m in height for the new radome (from 25 m to 25.5 m) and a height requirement exclusion for the ventilation cowl and lightning rod on top of it. Total height of the whole radome structure is expected to be no more than 28 m above the ground level.

Transpower has considered the proposed alterations to the conditions of the Airways designation and is of the view that the changes will not affect Transpower's assets or telecommunications facility to which the designation relates (noting that the assets have been removed) or the purpose of Transpower's designation. As such, Transpower is comfortable in providing written approval to the proposed alteration to the conditions of Airways designation 101 set out in the attached letter prepared by Boffa Miskell and provided to Transpower on 31<sup>st</sup> March 2023.



Please contact me on [andy.eccleshall@transpower.co.nz](mailto:andy.eccleshall@transpower.co.nz) should you wish to discuss the above.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'A. Eccleshall', with a long horizontal stroke extending to the right.

Andy Eccleshall  
Senior Environmental Planner  
**TRANSPower NZ LTD**

**Attachment C: Section 181(3) report and approval**

# Notice of Requirement for an alteration to a designation under Section 181(3) of the Resource Management Act 1991



## (a) Application description

Designation Number:	Designation 101 – Waiatarua Communications Facility
Designation Purpose	The maintenance, operation, replacement and upgrade of communications facilities for aerodrome purposes, including all associated infrastructure.
Requiring Authority:	Airways Corporation of New Zealand Limited
Site address:	600 Scenic Drive, Waiatarua (Waitākere)
Legal description:	Part Lot 1 DP 37071, Pt Allot 2 SO Waipareira, Lot 1 DP 137549
Auckland Unitary Plan (Operative in part) zoning & precincts:	Open Space – Conservation Zone
Auckland Unitary Plan (Operative in part) special features, overlays etc.:	Waitākere Ranges Overlay Ridgeline Protection Overlay Outstanding Natural Landscapes Overlay – Area 73 Waitākere Ranges and Coastline Significant Ecological Area – SEA_T_5539 Water Supply Management Area - Waitākere Designation 8527 – Electricity Transmission (Transpower New Zealand Limited)

## SUMMARY

Auckland Council has received a notice of requirement for an alteration to a designation under section 181(3) of the Resource Management Act 1991. The notice of requirement from the Airways Corporation of New Zealand Limited (Airways), dated 31 March 2023, seeks to alter Designation 101 – Waiatarua Communications Facility (also referred to as Te rua o te whenua) in the Auckland Unitary Plan (Operative in part).

Airways has requested for the NoR to be processed as a minor alteration as the amendments involves conditions. Airways considers that there are no more than minor changes to the effects on the environment associated with the use of the land.

It is considered (after undertaking an assessment of the notice of requirement) that the proposed alteration meets the statutory tests of Section 181(3) of the RMA and can therefore be processed as a 'minor alteration'.

## RECOMMENDATIONS

1. That pursuant to Section 181(3) of the Resource Management Act 1991, the Airways Corporation of New Zealand Limited Notice of Requirement for an alteration to Designation 101 – Waiatarua Communications Facility is **approved** subject to the amended conditions recommended in Section 4 of this report for the following reasons:

- the alteration involves no more than minor changes to the environmental effects associated with the use of the land
  - the alteration does not involve any changes to the boundary
  - the owners and/or occupiers of all land directly affected by the proposed alteration have been given written notice and agree with the proposed alteration
  - both the requiring authority and Auckland Council agree with the alteration.
2. That conditions 4 and 5 of Designation 101 – Waitatarua Communications Facility are amended in Chapter K Designations in the Auckland Unitary Plan (Operative in part) as recommended in Section 4 of this report.

## **1. BACKGROUND**

### **1.1. Details of Designation**

Airways Corporation New Zealand Limited (Airways) is a state-owned-enterprise, being a fully owned subsidiary of the New Zealand Government, operating as a commercial business. Airways operates under rules, set out by the Civil Aviation Authority of New Zealand, which are developed using international Civil Aviation Organisation guidelines. Airways manages key aviation infrastructure around New Zealand and manages more than one million air traffic movements per year into and around New Zealand's 30 million square kilometres of airspace.

Airways is a requiring authority, as gazetted in July 1994, with the objective to provide "Approach Control Service (Air traffic control service provided for the control of aerodrome traffic)".

Airway's designation was formerly in the Waitākere City District Plan. The certificate of title shows that Airways Corporation has owned the subject site from at least March 1990. The designation was rolled over from the former Auckland Council District Plan (Waitākere Section) 2003 into the proposed Auckland Unitary Plan in September 2014. The rollover designation was confirmed in December 2016 in the Auckland Unitary Plan (Operative in part) (AUP).

A previous section 181(3) alteration was approved in 2017 which amended the purpose and several of the designation's conditions.

The purpose of Designation 101 is as follows:

*For the maintenance, operation, replacement and upgrade of communication facilities for aerodrome purposes, including all associated infrastructure.*

### **1.2. Land affected by alteration**

The land affected by the alteration to the designation is located at 600 Scenic Drive, Waitatarua (also known as Rua o te whenua) in the Waitākere Ranges. The subject site is approximately 2.8 hectares in area. The legal description of the site is Part Lot 1 DP 37071, Part Allot 430 Parish of Waipereira and Lot 2 DP 137549. The location of the site is shown below in Figure 1.

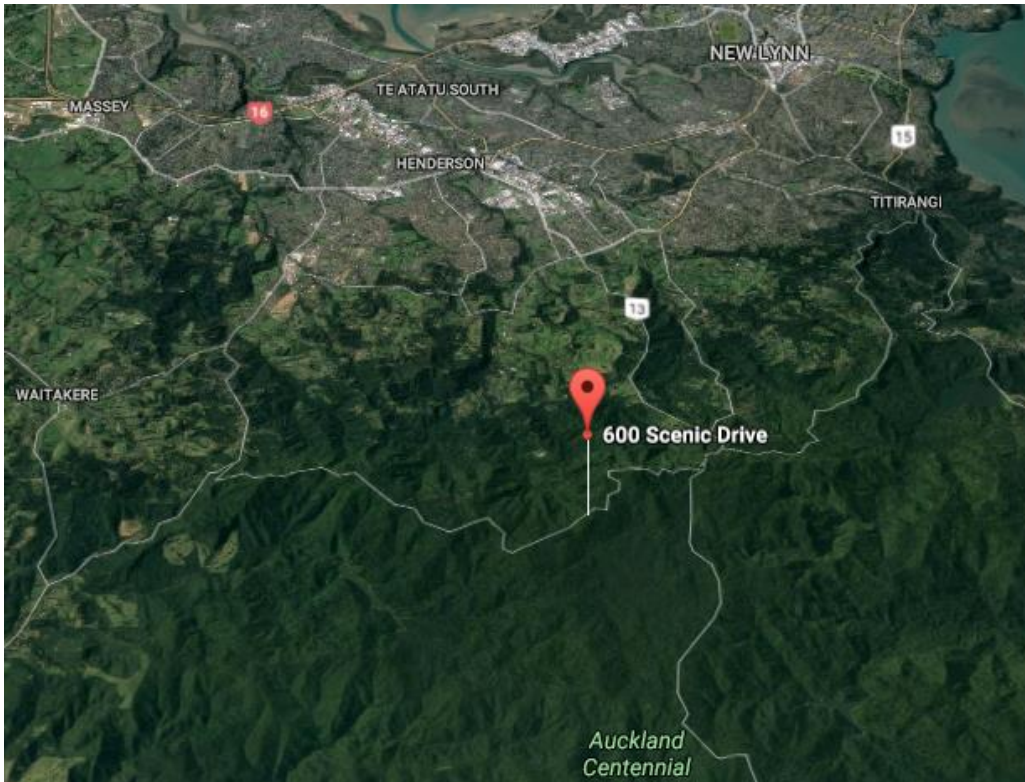


Figure 1: Aerial showing location of 600 Scenic Drive, Waikato (Google Maps 2017)

### 1.3. Description of the site and existing environment

Boffa Miskell prepared the report, for the requiring authority, which includes a description of the site and existing environment. The report states the following:

*'The site contains an existing Airways navigation structure and transmission building, located within the western corner of the subject site...*

*The navigation structure is approximately 22.3 metres in height with a radome<sup>1</sup> situated at its highest point with a diameter of 9.8m. The transmission building is a single storey and contains an equipment room, generator room and bathroom facilities, which supports the ongoing operation and maintenance of the navigation structure. Transpower New Zealand Limited ("Transpower") also occupies the subject site with an operations building and structure for the purpose of electricity transmission. The transmission building's roof top is currently occupied by aerials and antennae operated by various other entities. The existing structures and buildings are screened by dense vegetation and not evidently visible from the vehicle entrance-way. There is an approximately 280m long and 6m wide sealed access road from Scenic Drive to the navigation structure site.'*

I have undertaken a site visit, along with council's visual landscape specialist on 10 May 2023. I agree with the requiring authority's description of the site and existing environment as set out in Section 3.0 of the notice of requirement and associated report (the report).<sup>2</sup>

<sup>1</sup> A radome is a dome or other structure protecting radar equipment and made from material transparent to radio waves especially one on the outer surface of an aircraft.

<sup>2</sup> Boffa Miskell Limited (prepared for Airways Corporation of New Zealand Ltd). Rua o te whenua. Notice of Requirement for the Minor Alteration of Existing Designation 101. 31 March 2023.

The site is screened by existing native forest cover and the nature of the topography. Although the ridgeline is visible along points of the Piha Road, the radar dome and other infrastructure on the site is not clearly visible from road level.

An aerial photo of the site is shown below in Figure 2.



Figure 2: Aerial showing the radome and existing buildings (Google Maps 2023)

#### 1.4. Alteration to a Designation

Auckland Council has received a notice of requirement for a minor alteration to Designation 101 – Waiatarua Communications Facility from Airways Corporation New Zealand Limited.

Airways is seeking amendments to conditions 4 and 5 of the designation. Airways are replacing their existing radars that are located around New Zealand, as they are nearing the end of their operational life. New technology also exists which will better assist Airways in meeting their air navigation functions.

Section 4.1 Description of proposal of the report states the following:

*This replacement programme includes the Rua o te whenua site, with a replacement radar and radome proposed at the location of the existing radome. The existing tower structure is to be retained, the existing radome is to be removed and replaced with a new radome. The new radome is larger than the existing radome to accommodate the new radar, resulting in a slight breach of the existing 25 metre height limit. The new radome also requires a ventilation cowl and lightning rod on the top of it, to protect the new radar as it is in an exposed location and ensure it is not damaged by humidity or lightning. As these two structural elements will extend above the current maximum height limit in the designation condition, but are necessary to ensure the radome operates effectively, it is proposed to exclude them from the height condition and any associated references to condition 4 meeting the 25m height limit. The minor breach to the existing height limit will also need to be addressed and reflected in the conditions.*

Airways proposes minor alterations to conditions 4 and 5. The alterations will ensure that the replacement of the radome and its associated infrastructure is possible, and that the facility will be able to continue to achieve the purpose of the designation and objectives of the requiring authority.

*4. The maximum height of any development on the site shall be not more than 25.5 metres above ground level (excluding the ventilation cowl and lightning rod structures on top of the radome, which will be no more than 3.0m in height above the radome or 28 metres above ground level).*

*5. Development which is additional to that on the site as at 1 February 2000 (which included a tower structure, three “slim-line” masts, the Airways Corporation equipment building and the Transpower repeater building) shall be limited to:*

*(a) The replacement of the existing tower structure with another facility, provided that when the new facility is completed and commissioned, the existing tower is decommissioned and demolished:*

*(b) Antennae attached to the existing tower or new tower, existing buildings or new accessory buildings owned and operated by Airways Corporation New Zealand Limited (provided that these do not exceed the overall height limit of 25.5 metres as required by Condition 4);*

*(c) Up to four additional “slim-line” masts of similar design to the three existing masts;*

*(d) Accessory buildings with a maximum height of 4.5 metres; and*

*(e) The extension of the site access road*

Comment:

A discussion on the proposed alterations to conditions 4 and 5 is in Section 2 of this report.

### **1.5. Delegated authority**

The Team Leader - Planning Regional, North, West, and Islands has delegated authority, in accordance with Schedule 2A of the Auckland Council Delegations: Chief Executive Officer (updated May 2022), to exercise the Council's functions, powers, duties and discretions under the Resource Management Act 1991 in relation to Section 181(3) to approve a minor alteration to a designation.

The section 181(3) notice of requirement request to alter the designation can therefore be considered by the Team Leader – Planning Regional North, West, and Islands and approved or declined.

### **1.6. Relevant statutory provisions**

The statutory provisions that are relevant to this minor alteration to a designation include Section 181 of the Resource Management Act 1991 and Section 15 of the Waitākere Ranges Heritage Act 2008.



## Resource Management Act 1991

Section 181 "Alteration of designation" of the Resource Management Act 1991 states:

- (1) *A requiring authority that is responsible for a designation may at any time give notice to the territorial authority of its requirement to alter the designation.*
- (2) *Subject to subsection (3), sections 168 to 179 and 198AA to 198AD shall, with all necessary modifications, apply to a requirement referred to in subsection (1) as if it were a requirement for a new designation.*
- (3) *A territorial authority may at any time alter a designation in its district plan or a requirement in its proposed district plan if-*
  - (a) *The alteration-*
    - (i) *Involves no more than minor changes to the effects on the environment associated with the use or proposed use of land or any water concerned; or*
    - (ii) *Involves only minor changes or adjustments to the boundaries of the designation or requirement; and*
  - (b) *Written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners or occupiers agree with the alteration; and*
  - (c) *Both the territorial authority and the requiring authority agree with the alteration –*

*and sections 168 to 179 and 198AA to 198AD shall not apply to any such alteration.*
- (4) *This section shall apply, with all necessary modifications, to a requirement by a territorial authority to alter its own designation or requirement within its own district.*

## Waitākere Ranges Heritage Area Act 2008

Section 15 of the Waitākere Ranges Heritage Act 2008 (WRHAA) states:

- (1) *Subsection (2) applies to a person if the person is making a decision or recommendation that relates to the heritage area or a part of it for –*
  - (a) *A designation under sections 168A, 171, 172, 174, 179, 181, or 182 of the Resource Management Act 1991; or*
  - (b) *A heritage order under sections 189, 189A, 191, 192, 195, and 196 of the Resource Management Act 1991.*
- (2) *The person, when making a decision or recommendation, must have particular regard to –*
  - (a) *The purpose of this Act and the objectives; and*
  - (b) *The relevant provisions of any national policy statement or New Zealand coastal policy statement.*



- (3) *The requirements in subsection 2(a) are in addition to the requirements in the Resource Management Act 1991.*

The purpose of the WRHAA is to:

- (a) *Recognise the national, regional, and local significance of the Waitakere Ranges heritage area; and*
- (b) *Promote the protection and enhancement of its heritage features for present and future generations.*

The objectives of the WRHAA are:

- (a) *To protect, restore, and enhance the area and its heritage features;*
- (b) *To ensure that impact on the area as a whole are considered when decisions are made affecting any part of it;*
- (c) *To adopt the following approach when considering decisions that threaten serious or irreversible damage to a heritage feature:*
  - (i) *Carefully consider the risks and uncertainties associated with any particular course of action; and*
  - (ii) *Take into account the best information available; and*
  - (iii) *Endeavour to protect the heritage feature;*
- (d) *To recognise and avoid adverse potential, or adverse cumulative, effects of activities on the area's environment (including its amenity) or its heritage features;*
- (e) *To ensure that any subdivision or development in the area, of itself or in respect of its cumulative effect, -*
  - (i) *Is of an appropriate character, scale and intensity; and*
  - (ii) *Does not adversely affect the heritage features; and*
  - (iii) *Does not contribute to urban sprawl;*
- (f) *To maintain the quality and diversity of landscapes in the area by –*
  - (i) *Protecting landscapes of local, regional, or national significance; and*
  - (ii) *Restoring and enhancing degraded landscapes; and*
  - (iii) *Managing change within a landscape in an integrated way, including managing change in a rural landscape to retain a rural character;*
- (g) *To manage aquatic and terrestrial ecosystems in the area to protect and enhance indigenous habitat values, landscape values, and amenity values;*
- (h) *To recognise that people live and work in the area in distinct communities, and to enable those people to provide for their social, economic, environmental, and cultural well-being;*
- (i) *To provide for future use of rural land in order to retain a rural character in the area;*
- (j) *To protect those features of the area that relate to its water catchment and supply functions;*
- (k) *To protect in perpetuity the natural and historic resources of the Waitakere Ranges Regional Park for their intrinsic worth and for the benefit, use, and enjoyment of the people and communities of the Auckland region and New Zealand.*

Comments:

The provisions of section 181(3) discussed in Section 2 of this report.

I consider that discussion of effects in Section 2.1 below and the recommendations contained in Section 3.2 of this report also meet the requirements to have regard to the purpose and objectives of the WRHAA. This includes ensuring that the effects are considered on the WRHAA as a whole when making a decision on the minor alteration; and in recognising and avoiding adverse potential or adverse cumulative effects of activities on the Area's environment (including its amenity values) or its heritage features.

## **2. ANALYSIS OF THE PROPOSED ALTERATION**

The relevant matters to consider are contained in Section 181(3) of the RMA as outlined above.

### **2.1. Assessment of Environmental effects (181(3)(a)(i))**

The requiring authority has provided an Assessment of Environmental Effects (AEE) with the NoR. The following effects have been considered:

#### **(a) Visual Effects**

Section 5.1 of the report, and associated Landscape Effects Assessment, discusses the visual effects associated with the alterations to conditions 4 and 5 of the designation. Airways Corporation considers that the minor alterations will have a less than minor effect on environment.

The AEE report states:

*The amended conditions 4 and 5 would explicitly exclude the required ancillary structures and accommodate the proposed radome resulting in a marginally taller structure. The minor change to the maximum height and associated ventilation cowl and lightning rod will have a less than minor effect on the predominance of the existing radome and impact on the surrounding landscape character (see Appendix 5 for a full Landscape Effects Assessment).*

*The existing navigation structure extends above the natural landform and existing vegetation along the ridgeline of the Waitakere Range and is considered part of the existing environment. This being said, the dense vegetation surrounding the subject site screens the navigation structures from the general public view, particularly nearby views. Airways will undertake future maintenance and upgrade works within the designated site that will remain consistent with the nature and scale of the existing infrastructure, that shall continue to be screened by the dense vegetation, resulting in less than minor effects on the amenity of the site and surrounding area.*

*It is important to note that all future works shall continue to be located within the boundaries of the "Defined Development Area" as required under condition 3 of the designation. Airways shall ensure that all future works shall observe the requirements of all conditions and will ensure development/works of a similar nature and scale to the existing infrastructure. Therefore, the potential effects on the amenity of the site and wider environment will be less than minor.*

## Specialist Assessment

Ms Melean Absolum, council's visual landscape specialist, has done a review of the AEE and associated technical report<sup>3</sup> (refer to Attachment C). Ms Absolum has identified that the technical report only considers the transient viewing audience on local roads as part of the assessment of visual amenity effects. In her opinion, a short discussion on the effects of the proposal on those more distance residences in the eastern foothills should have been included in the report. However, in her view, the limited visual changes being proposed, combined with the distance of the viewing audience from the site means that adverse visual amenity effects for this audience will be very low or negligible. Ms Absolum's assessment concludes:

*Overall, the minor alteration to the existing designation will result in adverse landscape and visual effects that are less than minor, when compared with the existing designation.*

### Comments:

I rely on the expertise of Ms Absolum. I agree that the visual amenity effects on the environment will be less than minor.

#### (b) Traffic Effects

As stated in section 5.2 of its report, Airways considers that the amendment to Designation 101 will result in no traffic effects as it relates only to the exclusion of two structures above the proposed new radome and minor amendment to the height limit – an activity which is already anticipated and provided for within the existing designation.

#### (c) Noise Effects

As stated in section 5.3 of its report, Airways considers that the minor amendment to the designation will result in no noise effects as it relates only to the height condition and the exclusion of two small structures, neither of which produce noise.

### Comments:

I agree with the requiring authority regarding traffic and noise effects.

Auckland Transport is the road controlling authority and any approvals from Auckland Transport are a separate process outside the purpose and conditions of Airway's designation. Airways would need to apply to Auckland Transport for a corridor access request (CAR) for any works which affect the normal operation of a road, footpath or berm. The CAR process also requires that a Traffic Management Plan (TMP) is submitted.

In addition, an outline plan of works would still be required unless a waiver is approved by Auckland Council. An Outline Plan of Works (OPW) must show the following:

- (a) *the height, shape, and bulk of the public work, project or work; and*
- (b) *the location on the site of the public work, project or work; and*
- (c) *the likely finished contour of the site; and*
- (d) *the vehicular access, circulation, and the provision for parking; and*
- (e) *the landscaping proposed; and*
- (f) *any other matters to avoid, remedy, or mitigate any adverse effects on the environment.*

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<sup>3</sup> Appendix 5 Ruaotewhenua Radar Replacement Landscape Effects Assessment. Boffa Miskell (prepared for Airways Corporation of New Zealand Limited). 30 March 2023.

Airways has not requested that the requirement for an OPW be waived. The environmental effects of any future development for the purposes of the designation, including the effects of construction traffic, noise, or earthworks, would be considered as part of the OPW. Regional resource consents may also be required depending on whether the works trigger the regional provisions of the AUP.

(d) Cultural and Heritage Effects

As stated in section 5.4 of its report, Airways Corporation considers that the minor alterations to the conditions will not adversely affect the cultural and heritage values of the area. The AEE report states:

*It is understood that at least eight tribal groups (iwi) have an interest in or responsibility to the land in which the subject site is located. There are no identified archaeological sites or sites of significant to Mana Whenua within the vicinity of the subject site, except the Waitakere Ranges overlay. The Waitakere Ranges overlay gives effects to the Waitakere Ranges Heritage Area Act 2008 ("WRHAA"). The WHRAA recognises the nationally significant heritage values of the Waitakere Ranges. Section 7(j) of the WRHAA states "the historical, traditional, and cultural relationships of people, communities, and tangata whenua with the area and their exercise of kaitiakitanga and stewardship" is nationally significant.*

*The minor amendment to the designation will continue to ensure that all future works shall be confined within the "Defined Development Area" noted in condition 3 of designation 101 and be well screened by dense vegetation surrounding the subject site. Future works undertaken by Airways shall be restricted within a specific area and will be accessible via the established vehicle entrance. Consequently, the minor amendment to designation 101 will not adversely affect the cultural and heritage values of the area'.*

Comments:

I agree with the requiring authority in that the alterations to the conditions will not result in any potential or actual adverse effects on heritage or archaeology.

There are no sites and places of significance to Mana Whenua identified in the AUP GIS viewer maps. The site is well established, and the future works described in the report are unlikely to require earthworks.

The designation in the AUP takes precedence over the district plan provisions of the AUP where the proposed works are for the purpose of the designation. However, if future works, confined to within the 'Defined Development Area' (Condition 3), did require earthworks, then the Heritage New Zealand Pouhere Taonga Act 2014 would apply irrespective of whether an archaeological site is recorded or not if earthworks uncovered archaeological material.

An OPW would be required unless otherwise waived by Auckland Council. A regional resource consent for earthworks may also be required depending on the scale of the earthworks. The regional consent would include an assessment against *Chapter E11: Land Disturbance – Regional*. Chapter E11 relates to the management of the adverse effects of land disturbance, such as the amount of sediment generated through erosion and discharged into water bodies during the earthworks. The management of land disturbance during the earthworks extends to the effects on historic heritage, special character and Mana Whenua cultural heritage.

Chapter E11 Policy 11.2(a) of the AUP requires the avoidance, remediation or mitigation of adverse effects on accidentally discovered sensitive material. Chapter E11 Policy 11.3(3) of the

AUP requires the management of earthworks on Mana Whenua cultural heritage that is discovered during land disturbance.

(e) Positive Effects

As stated in section 5.5 of its report, Airways considers that the proposed amendment to conditions 4 and 5 of the designation will allow for the existing platform and structure to be reused to support the new radar and radome, minimising effects on the site and environment associated with replacing the existing radar. The AEE further states:

*Airways will continue to utilise, maintain and upgrade the existing infrastructure while avoiding unnecessary and inappropriate land use and development within other sites. Airways could efficiently undertake the necessary works at the designated site to provide for the ongoing effective, efficient and safe operation of traffic control, which shall in turn support the growth of air travel in New Zealand and improve the health, safety, and wellbeing [presumed to be wellbeing] of residents and visitors of New Zealand.*

Comment:

I rely on the requiring authority's report regarding the positive effects. I recognise that the function of this communications facility is significant in supporting the objectives of the requiring authority.

While an assessment against Part 2 of the RMA is not required for a minor alteration to a designation, the proposed alterations to conditions 4 and 5 of Designation 101 provide for:

- the management, use, development, and protection of the natural and physical resources through the ongoing utilisation, maintenance and upgrading, of existing infrastructure
- the health, safety and wellbeing of peoples and communities, including residents and visitors of New Zealand
- the avoidance, remedying, or mitigation of any potential adverse effects of the activity on the environment.

**Environmental effects conclusion**

The existing conditions confine development to within the "defined development area" (condition 3). Condition 5 limits additional development to the replacement of the tower (radome), four slim-line masts, antennae attached to the existing tower (radome) or its replacement (provided that these do not exceed the overall height limit of 25m) and accessory buildings (with a maximum height of 4.5 metres). Vegetation alteration, including removal, is restricted to within the "defined development area" and elsewhere where it compromises the operation of the facility (condition 6).

There are a number of antennae and other structures on top of the existing Airways transmission building. I consider that this forms part of the existing environment. When assessing the adverse effects of the proposed amendments to the conditions, only those effects which are of greater significance than the permitted baseline would need to be considered.

As part of the OPW, Airways is required to show any other matters to avoid, remedy, or mitigate any adverse effects on the environment. I consider that the OPW process and the conditions of the designation are sufficient to ensure that the potential adverse effects of future development will be avoided, remedied or mitigated. In addition, the recommended

amendments to Conditions 4 and 5 of Airways's designation will ensure the ongoing provision of significant air traffic control infrastructure and provide for the health, well-being and safety of visitors to, and residents of, the Auckland region.

Therefore, I conclude that the alteration involves no more than a minor change to the effects on the environment.

## **2.2. Assessment of minor changes or adjustments to the boundary (181(3)(a)(ii))**

The alteration to the designation does not involve any changes or adjustments to the boundary of the existing designation.

## **2.3. Written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners and occupiers agree with the alteration (181(3)(b))**

Airways owns and occupies the designated site. Transpower New Zealand Limited also occupies the site and has a designation (Designation 8527 – Electricity Transmission – Rua o te whenua telecommunications facility) over the subject site. Airways has given written notice to Transpower and Transpower agrees with the alteration (refer to Attachment B).

## **2.4. Agreement of both the territorial authority and the requiring authority (181(3)(c))**

The alteration to the designation has been requested by Airways and Airways therefore agrees to the alteration. Auckland Council agrees with the proposed alteration for the following reasons:

- the alteration involves no more than minor changes to the environmental effects
- the alteration does not involve any changes to the boundary
- the owners and/or occupiers of all land directly affected by the proposed alteration have been given notice and agree with the proposed alteration
- adherence with the recommended conditions will ensure any potential adverse effects are avoided, remedied or mitigated.

## **3. CONCLUSIONS AND RECOMMENDATIONS**

### **3.1. Conclusions**

The proposed alteration meets the statutory test of Section 181(3) of the Resource Management Act 1991, in that:

- the alteration to the designation involves no more than minor changes to the environmental effects associated with the use of the land
- there are no minor changes or adjustment to the boundaries of the existing designation
- Airways is the landowner of 600 Scenic Drive, Waiatarua
- written notice of the proposed alteration has been given to, and the associated agreement received from, owners and occupiers of land (being Transpower New Zealand Limited), directly affected by the alteration
- both the requiring authority and Auckland Council agree with the alteration.



### 3.2 Recommendation

1. That pursuant to Section 181(3) of the Resource Management Act 1991, the Airways Corporation of New Zealand Limited Notice of Requirement for an alteration to Designation 101 – Waiatarua Communications Facility is **approved** subject to the amended conditions recommended in Section 4 of this report.
2. That conditions 4 and 5 of Designation 101 – Waiatarua Communications Facility are amended in Chapter K Designations and Schedules (Airways Corporation New Zealand Limited) in the Auckland Unitary Plan (Operative in part) as recommended in Section 4 of this report.

### 4. Recommended conditions

The recommended conditions are shown below. Amendments to the existing conditions are shown as either strikethrough or underlined.

#### 101 Waiatarua Communication Facility

Designation Number	101
Requiring Authority	Airways Corporation of New Zealand Limited
Location	600 Scenic Drive
Rollover Designation	Yes
Legacy Reference	Designation ACNZ2, Auckland Council District Plan (Waitakere Section) 2003
Lapse Date	Given effect to (i.e. no lapse date)

#### Purpose

The maintenance, operation, replacement and upgrade of communication facilities for aerodrome purposes, including all associated infrastructure.

#### Conditions

1. To ensure that section 176A 3(f) of the Act has been adequately addressed, an outline plan shall include, as appropriate:
  - (a) A statement on the relevant Plan objectives, policies and rules;
  - (b) A statement on any adverse effects the works will have on the environment and the mitigation measures to be carried out;
  - (c) A visual impact and mitigation assessment where the proposed work is a new tower structure, at Rua o tea-Whenua Designation 8527 (as provided for in Condition 5(a))

#### Explanation:

While it is accepted that the project or works will be (or should be) in accordance with the designated purpose, the Council wishes to be reasonably assured that the specific works to be carried out will not unnecessarily compromise the objectives, policies and rules of the Plan or adversely affect the environment. The Council's principal opportunity to influence the works to assist the requiring authority to meet its environmental responsibilities is through the outline plan,

and the assessment of compliance and effects will assist it in determining whether to request changes.

- 2 Appropriate sedimentation and erosion control measures shall be employed for any earthworks on the designated site.

*Explanation:*

The Plan outlines erosion and sediment control measures for earthworks which are above a certain threshold, with that threshold varying according to the particular environment. Compliance with these measures would generally satisfy condition. Note that major earthworks may require a consent from the council.

3. All development on the site shall be within the “defined development area” as defined on plan number AL20963 sheets 1 and 2.
4. The maximum height of any development on the site shall be not more than 25.5 metres above ground level (excluding the ventilation cowl and lightning rod structures on top of the radome, which will be no more than 3.0m in height above the radome or 28 metres above ground level).
5. Development which is additional to that on the site as at 1 February 2000 (which included a tower structure, three “slim-line” masts, the Airways Corporation equipment building and the Transpower repeater building) shall be limited to:
  - (a) The replacement of the existing tower structure with another facility, provided that when the new facility is completed and commissioned, the existing tower is decommissioned and demolished;
  - (b) Antennae attached to the existing tower or new tower, existing buildings or new accessory buildings owned and operated by Airways Corporation New Zealand Limited (provided that these do not exceed the overall height limit of 25.5 metres as required by Condition 4);
  - (c) Up to four additional “slim-line” masts of similar design to the three existing masts;
  - (d) Accessory buildings with a maximum height of 4.5 metres; and
  - (e) The extension of the site access road.
6. Native vegetation alteration (including removal) shall be restricted to:
  - (a) Removal of vegetation from within the “defined development area”; and
  - (b) Removal or pruning of any vegetation which compromises the operation of the facility.

*Explanation (Conditions 3-6):*

It is noted that the site is also the subject of another designation (8527), and the above conditions apply to any development on the site. The site subject to this designation is visually prominent and substantially bush-clad. It contains communications facilities, including a dome radar tower, which have an important function for the region and beyond. The conditions are intended to provide for future development but to ensure such development is within a confined area of the site, and that natural and landscape values of the balance of the site are not compromised. The conditions are designed to allow the replacement of the existing dome radar tower, allowing the existing facility to continue to operate until the new facility is commissioned. The conditions are also intended to provide for the operation and limited expansion of other communications facilities on the site, specifically those for Airways Corporation and Transpower New Zealand Limited.

**Report prepared by:**

Jo Hart  
Senior Policy Planner  
Regional, North, West, and Islands Planning

**Signature:**



**Date:** 23 May 2023


**5. SECTION 181(3) DETERMINATION**

Having read the council planner's report and recommendations on the NoR, I am satisfied I have adequate information to consider the matters required by the Resource Management Act 1991 (the RMA) and to make a decision under delegated authority.

Accordingly, this notice of requirement for an alteration to Designation 101 – Waiaatarua Communications Facility in the Auckland Unitary Plan (Operative in part) is approved under section 181(3) of the RMA subject to the conditions recommended above in Section 4.

**Name:** Eryn Shields

**Title:** Team Leader – Planning Regional, North, West, and Islands

**Signed:** 

**Date:** 23 May 2023

**SCHEDULE OF ATTACHMENTS:**

- Attachment A:** Airways Corporation s181(3) Notice of Requirement for an alteration to Designation 101
- Attachment B:** Written approval from Transpower Limited
- Attachment C:** Visual landscape amenity Assessment Report (Melean Absolum Limited)



**Attachment D: Visual amenity effects  
assessment – Melean Absolum**

# Memorandum



To Jo Hart - Auckland Council

From Melean Absolum  
Landscape Architect - MALtd

Date 16th May 2023

Subject Landscape Effects Assessment for Rua o te Whenua Radar  
Replacement - Peer Review

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Dear Jo,

## INTRODUCTION

Melean Absolum Ltd have been asked to prepare a peer review of the Landscape Effects Assessment for Rua o te Whenua Radar Replacement report. The report has been prepared by Boffa Miskell Ltd (BML), on behalf of Airways Corporation of New Zealand Ltd (ACNZ), in support of a minor alternation to a designation that currently exists on the subject site at 600 Scenic Drive.

A site visit and tour of the local area was undertaken on 10th May 2023 to assist in fully understanding the proposal and its potential effects.

## STATUTORY FRAMEWORK

ACNZ, as Requiring Authority has given notice of a requirement ("NOR") for minor alterations to conditions 4 and 5 of designation 101 of the Auckland Unitary Plan (AUP), (Operative in part), pursuant to s181(3) of the RMA.

For a NOR to be processed as a minor alteration, the alteration needs to involve:

- No more than a minor change to the effects on the environment associated with the use or proposed use of the land;
- Only minor changes or adjustments to the boundaries of the designation;
- Written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners or occupiers agree with the alteration; and
- Both Airways and Auckland Council agree with the alteration.

Airways is seeking the alterations to conditions 4 and 5 in order to increase the allowable heights of structures within the designation conditions. No changes to the designation boundary are proposed. The increased height limit is required because the existing facility is due to be replaced by a slightly larger structure. The increase in height sought is from 25m to 28m above ground level, including the new ventilation cowl and lightning rod.



## PEER REVIEW

The Landscape Effects Assessment report is set out under the following headings:

- Methodology
- Proposal Description
- Existing Environment
- Visual Catchment and Viewing Audience
- Statutory Context
- Assessment of Effects; and
- Conclusion

I note that this list is included in a slightly different order in the Introduction to the report. I shall address each section in turn.

### Methodology

The report carefully sets out the methodology used in the preparation of the report, including an acknowledgement that it is in line with *Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines [July 2022]*.

In my opinion, the methodology adopted, outlined below, is appropriate:

- thorough site visit including to the site and surrounding environment;
- description of the proposal;
- description of relevant attributes of the existing environment;
- a review of the relevant planning context;
- identification of the visual catchment and viewing audiences (including a review of any potentially affected properties);
- identification of key matters with regard to the proposal, provisions and context; and
- assessment of effects with respect to landscape and visual effects.

### Proposal description

A good understanding of the proposed changes to the radome facility is provided along with drawings prepared by Beca that illustrate the proposal and compare the dimensions of the existing and proposed structures.

The report also includes a copy of the Outline Plan of Works drawing no 46973, prepared by ACNZ. This illustrates the location of the minor earthworks required to ensure a stable platform for the crane which will be used in lifting operations and the location of the small pigeonwood tree, (*Hedycarya arborea*), to be removed to enable vehicle turning access. I note that the location of the container described during our site visit is different from that shown on this drawing.

### Existing Environment

The report provides both a written description of the site and surrounding environment and accompanying photographs (in a separate document). It also provides details of the zoning and overlays applicable to the site in the AUP, as well as referencing the 2018 *State of the Waitākere Ranges Heritage Area* report by Auckland Council. This usefully provides an understanding of the site in relation to the wider environment and the local landscape and ecological values.

## Visual Catchment and Viewing Audience

The Zone of Theoretical Visibility (ZTV) has been provided in the separate graphic document and shows both the visibility of the existing and slightly taller proposed radome in pale green and just the proposed radome in pale pink. Thus the pink identifies those areas where the additional height of the new radome means it will become visible, even though the existing radome is not. The colours chosen are very pale and difficult to pick up without enlarging the plan considerably. I also note that the base plan that the visibility information is provided on, has very little information on it. Only one road is named and walking tracks have the same graphic as roads.

The absence of any other information may explain why the potential viewing audience of the changes being proposed has, in my opinion, not been adequately identified. The report states "*Views from further afield beyond 2km are screened by existing vegetation, topography and orientation of the road network*"<sup>1</sup>, "*[T]he viewing audience falls into one group: transient viewers in the surrounding road network*"<sup>2</sup> and "*[T]here are no views of the proposal from private vantage points*".<sup>3</sup> Unfortunately, all these statements are inaccurate.

As illustrated in the images below, (but much clearer on the ground) the existing radome is visible from a number of residential areas to the east of the site. This includes, Gum Road, Henderson Valley Road, Coulter Road and Scenic Drive North and may well include other locations.



*The Radome visible from #8 Gum Road, left and #101 Coulter Road, right*

I am fully aware that the distance from the illustrated locations and the radome site (4km and 5.5km respectively) will strongly influence the visual effects likely to arise from the proposal, but am concerned that the visual catchment and potential viewing audiences have not been accurately identified.

As a result of not recognising a residential audience of the existing radome, the report concludes that the viewing audience comprises only a transient audience travelling on local roads.

<sup>1</sup> *Rua o te Whenua Radar Replacement Landscape Effects Assessment report page 15*

<sup>2</sup> *ibid page 24*

<sup>3</sup> *ibid page 25*

## Statutory context

This section of the report provides a comprehensive review of the relevant statutory framework for a landscape effects assessment in this location. It includes references to:

- the RMA, particularly sections 6 (b) and 7 (a);
- the AUP, including:
  - the Outstanding Natural Landscape overlay;
  - the Waitakere Ranges Heritage Area overlay;
  - the Ridgeline Protection overlay; and
  - the existing designation.

I am not aware of any additional matters that should have been considered.

## Assessment of Effects

This section is divided into three parts, Landscape Effects; Visual Amenity Effects and Effects in Relation to Statutory Provisions.

### *Landscape Effects*

The report considers the removal of one tree, the minor earthworks for the crane and the introduction of a slightly larger radome with a ventilation cowl and lightning rod on top will create very low adverse physical effects. I agree with this conclusion.

The report also concludes that the proposal will result in very low adverse effects on the landscape character. Again, I agree with this conclusion.

I note that the key elements of the proposal are described in the report <sup>4</sup> as including a new radome that is olive in colour, while in the discussion of the landscape character effects it is stated that the new radome will be a different colour from the existing radome.<sup>5</sup> The existing radome is an olive green colour which, in certain light conditions, can appear either dark grey or almost white. It is not clear how different from the existing colour the new colour will be, but I anticipate 'olive' to be very close to the existing colour.

### *Visual Amenity Effects*

As identified above, the report only considers the transient viewing audience on local roads as part of the assessment of visual amenity effects. The report correctly identifies views from a short stretch of Scenic Drive to the west of the site and another from Piha Road to the south-east of the site as the closest publicly available views.

There may be some glimpses of the radome from high points on the local track network, but as the majority of the tracks are closed, it's difficult to be sure.

The report concludes that adverse visual effects for the majority of the local roading network will be very low or negligible. I agree with this conclusion. For those few

<sup>4</sup> *Rua o te Whenua Radar Replacement Landscape Effects Assessment report page 4*

<sup>5</sup> *ibid page 24*

portions of local roads that do provide direct views to the site, the report concludes that adverse visual effects will be low. Again I agree with this conclusion.

In my opinion this section of the report should include a short discussion on the effects of the proposal on those more distant residences in the eastern foothills that do have a view of the existing radome. In my view, the limited visual changes being proposed, combined with the distance of the viewing audience from the site mean that adverse visual amenity effects for this audience will be very low or negligible.

#### *Effects in relation to statutory provisions*

The report includes a short discussion on the effects of the proposal in terms of the landscape values and natural heritage overlays in the AUP. While this consideration goes beyond what is required for a minor alteration to a designation under s 181(3) of the RMA, I agree with the conclusions that the valued landscape character of the Ranges and ridgeline will not be adversely affected by the proposal.

#### **Conclusion**

The conclusion section of the report summarises the findings of the Assessment of Effects section with which I agree.

#### **CONCLUSION**

Overall, the minor alteration to the existing designation will result in adverse landscape and visual amenity effects that are less than minor, when compared with the existing designation.



**Melean**  
Dip LA  
16 May

**Absolum**  
FNZILA  
2023

**Attachment E: Amendment of text  
for Designation 101 (Conditions 4  
and 5)**

### 101 Waiatarua Communications Facility

Designation Number	101
Requiring Authority	Airways Corporation of New Zealand Ltd
Location	600 Scenic Drive, Waitakere
Rollover Designation	Yes
Legacy Reference	Designation ACNZ2, Auckland Council District Plan (Waitakere Section) 2003
Lapse Date	Given effect to (i.e. no lapse date)

### Purpose

The maintenance, operation, replacement and upgrade of communication facilities for aerodrome purposes, including all associated infrastructure.

### Conditions

1. To ensure that section 176A 3(f) of the Act has been adequately addressed, an outline plan shall include, as appropriate:
  - (a) A statement on the relevant Plan objectives, policies and rules;
  - (b) A statement on any adverse effects the works will have on the environment and the mitigation measures to be carried out;
  - (c) A visual impact and mitigation assessment where the proposed work is a new tower structure at Rua o te Whenua Designation 8527 (as provided for in Condition 5(a))

#### Explanation:

While it is accepted that the project or works will be (or should be) in accordance with the designated purpose, the Council wishes to be reasonably assured that the specific works to be carried out will not unnecessarily compromise the objectives, policies and rules of the Plan or adversely affect the environment. The Council's principal opportunity to influence the works to assist the requiring authority to meet its environmental responsibilities is through the outline plan, and the assessment of compliance and effects will assist it in determining whether to request changes.

2. Appropriate sedimentation and erosion control measures shall be employed for any earthworks on the designated site.

#### Explanation:

The Plan outlines erosion and sediment control measures for earthworks which are above a certain threshold, with that threshold varying according to the particular environment. Compliance with these measures would generally satisfy condition. Note that major earthworks may require a consent from the council.

3. All development on the site shall be within the "defined development area" as defined on plan number AL20963 sheets 1 and 2.
4. The maximum height of any development on the site shall be not more than 25.5 metres above ground level (excluding the ventilation cowl and lightning rod structures on top of the radome, which will be no more than 3.0m in height above the radome or 28 metres above ground level).
5. Development which is additional to that on the site as at 1 February 2000 (which included a tower structure, three "slim-line" masts, the Airways Corporation equipment building and the Transpower repeater building) shall be limited to:
  - (a) The replacement of the existing tower structure with another facility, provided that when the new facility is completed and commissioned, the existing tower is decommissioned and demolished:

Commented [JH1]: Amendment to Condition 4



Attachment D: Amended conditions (shown as underlined and strikethrough)

- (b) Antennae attached to the existing tower or new tower, existing buildings or new accessory buildings owned and operated by Airways Corporation New Zealand Limited (provided that these do not ~~exceed the overall height limit of 25.5 metres as required by Condition 4~~);
  - (c) Up to four additional "slim-line" masts of similar design to the three existing masts;
  - (d) Accessory buildings with a maximum height of 4.5 metres; and
  - (e) The extension of the site access road
6. Native vegetation alteration (including removal) shall be restricted to:
- (a) Removal of vegetation from within the "defined development area"; and
  - (b) Removal or pruning of any vegetation which compromises the operation of the facility.

*Explanation (Conditions 3-6:*

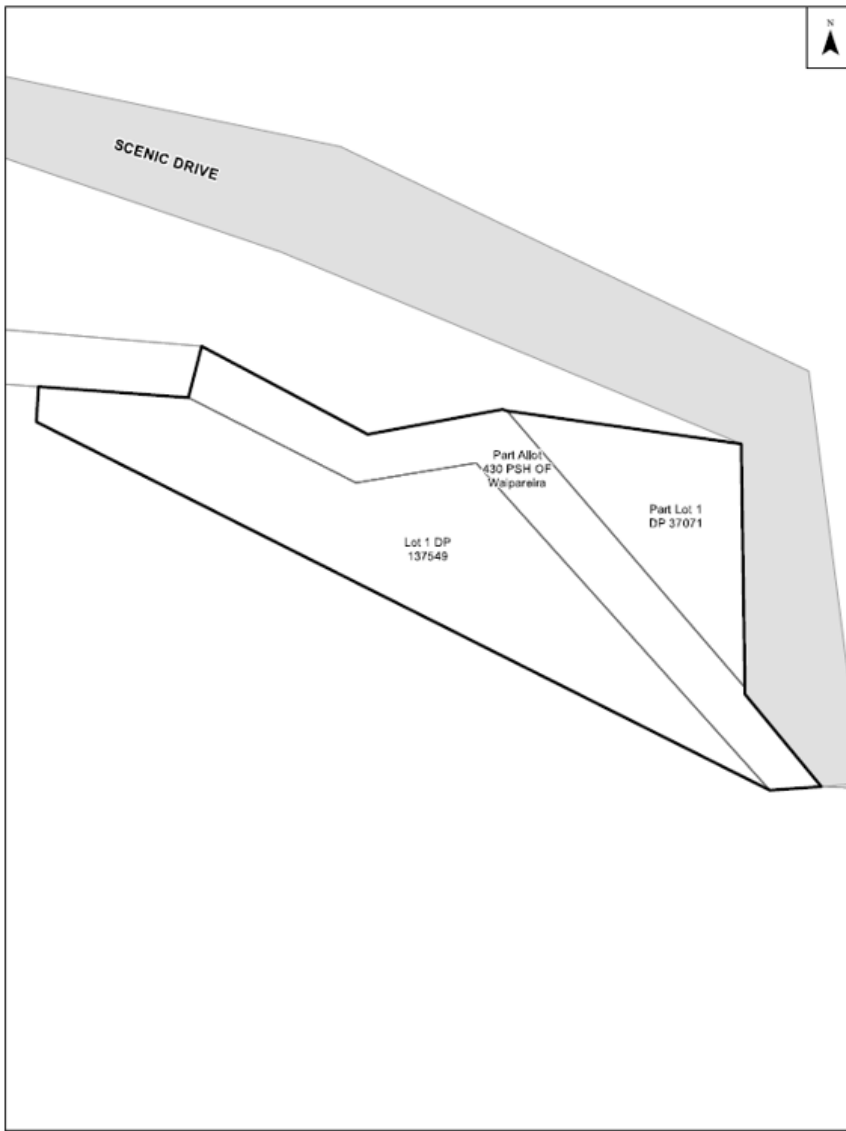
It is noted that the site is also the subject of another designation (8527) and the above conditions apply to any development on the site. The site subject to this designation is visually prominent and substantially bush-clad. It contains communications facilities, including a dome radar tower, which have an important function for the region and beyond. The conditions are intended to provide for future development but to ensure such development is within a confined area of the site, and that natural and landscape values of the balance of the site are not compromised. The conditions are designed to allow the replacement of the existing dome radar tower, allowing the existing facility to continue to operate until the new facility is commissioned. The conditions are also intended to provide for the operation and limited expansion of other communications facilities on the site, specifically those for Airways Corporation and Transpower New Zealand Limited.

Commented [JH2]: Amendment to Condition 5

Attachment D: Amended conditions (shown as underlined and strikethrough)

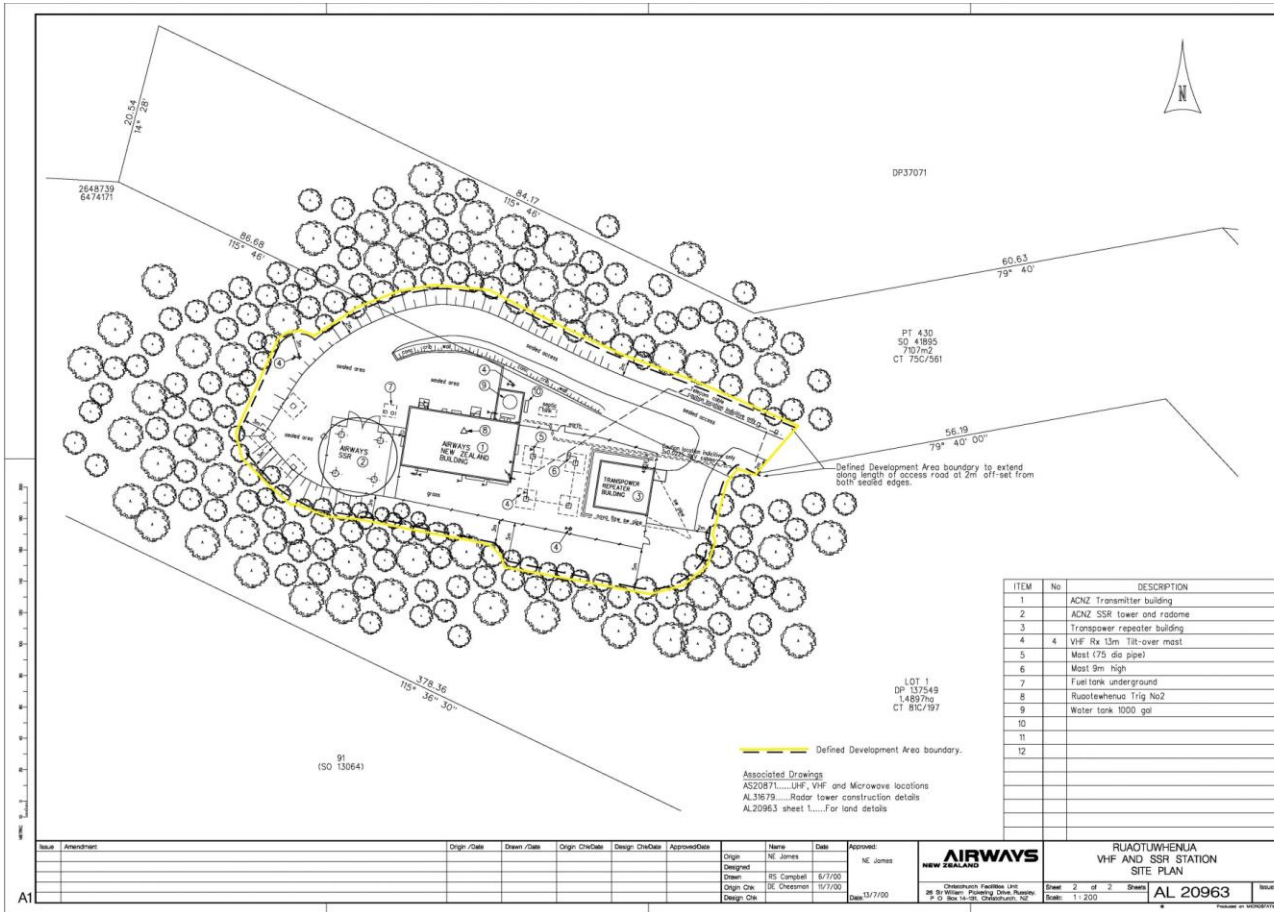
## Attachment

### 2: Designation Plan



Attachment D: Amended conditions (shown as underlined and strikethrough)

**Ruaotuhenua VHF and SSR Station Site Plan AL 20963**



**Attachment F: Updated text**

## 101 Waitarua Communications Facility

Designation Number	101
Requiring Authority	Airways Corporation of New Zealand Ltd
Location	600 Scenic Drive, Waitakere
Rollover Designation	Yes
Legacy Reference	Designation ACNZ2, Auckland Council District Plan (Waitakere Section) 2003
Lapse Date	Given effect to (i.e. no lapse date)

### Purpose

The maintenance, operation, replacement and upgrade of communication facilities for aerodrome purposes, including all associated infrastructure.

### Conditions

1. To ensure that section 176A 3(f) of the Act has been adequately addressed, an outline plan shall include, as appropriate:
  - (a) A statement on the relevant Plan objectives, policies and rules;
  - (b) A statement on any adverse effects the works will have on the environment and the mitigation measures to be carried out;
  - (c) A visual impact and mitigation assessment where the proposed work is a new tower structure at Rua o te Whenua Designation 8527 (as provided for in Condition 5(a))

#### *Explanation:*

While it is accepted that the project or works will be (or should be) in accordance with the designated purpose, the Council wishes to be reasonably assured that the specific works to be carried out will not unnecessarily compromise the objectives, policies and rules of the Plan or adversely affect the environment. The Council's principal opportunity to influence the works to assist the requiring authority to meet its environmental responsibilities is through the outline plan, and the assessment of compliance and effects will assist it in determining whether to request changes.

2. Appropriate sedimentation and erosion control measures shall be employed for any earthworks on the designated site.

#### *Explanation:*

The Plan outlines erosion and sediment control measures for earthworks which are above a certain threshold, with that threshold varying according to the particular environment. Compliance with these measures would generally satisfy condition. Note that major earthworks may require a consent from the council.

3. All development on the site shall be within the "defined development area" as defined on plan number AL20963 sheets 1 and 2.
4. The maximum height of any development on the site shall be not more than 25.5 metres above ground level (excluding the ventilation cowl and lightning rod structures on top of the radome, which will be no more than 3.0m in height above the radome or 28 metres above ground level).
5. Development which is additional to that on the site as at 1 February 2000 (which included a tower structure, three "slim-line" masts, the Airways Corporation equipment building and the Transpower repeater building) shall be limited to:
  - (a) The replacement of the existing tower structure with another facility, provided that when the new facility is completed and commissioned, the existing tower is decommissioned and demolished:

- (b) Antennae attached to the existing tower or new tower, existing buildings or new accessory buildings owned and operated by Airways Corporation New Zealand Limited (provided that these do not exceed the overall height limit of 25.5 metres as required by Condition 4);
  - (c) Up to four additional “slim-line” masts of similar design to the three existing masts;
  - (d) Accessory buildings with a maximum height of 4.5 metres; and
  - (e) The extension of the site access road
6. Native vegetation alteration (including removal) shall be restricted to:
- (a) Removal of vegetation from within the “defined development area”; and
  - (b) Removal or pruning of any vegetation which compromises the operation of the facility.

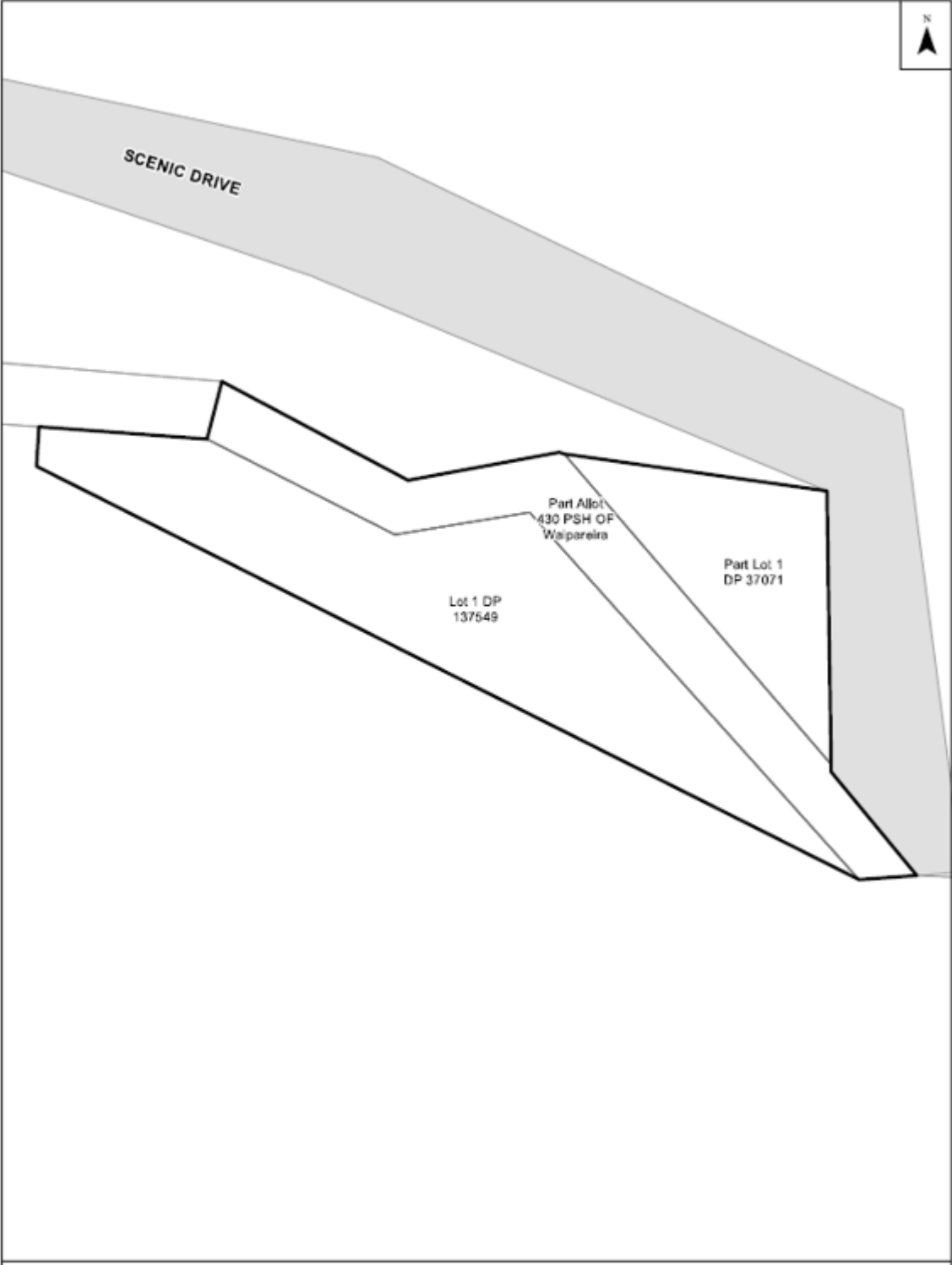
*Explanation (Conditions 3-6:*

It is noted that the site is also the subject of another designation (8527) and the above conditions apply to any development on the site. The site subject to this designation is visually prominent and substantially bush-clad. It contains communications facilities, including a dome radar tower, which have an important function for the region and beyond. The conditions are intended to provide for future development but to ensure such development is within a confined area of the site, and that natural and landscape values of the balance of the site are not compromised. The conditions are designed to allow the replacement of the existing dome radar tower, allowing the existing facility to continue to operate until the new facility is commissioned. The conditions are also intended to provide for the operation and limited expansion of other communications facilities on the site, specifically those for Airways Corporation and Transpower New Zealand Limited.

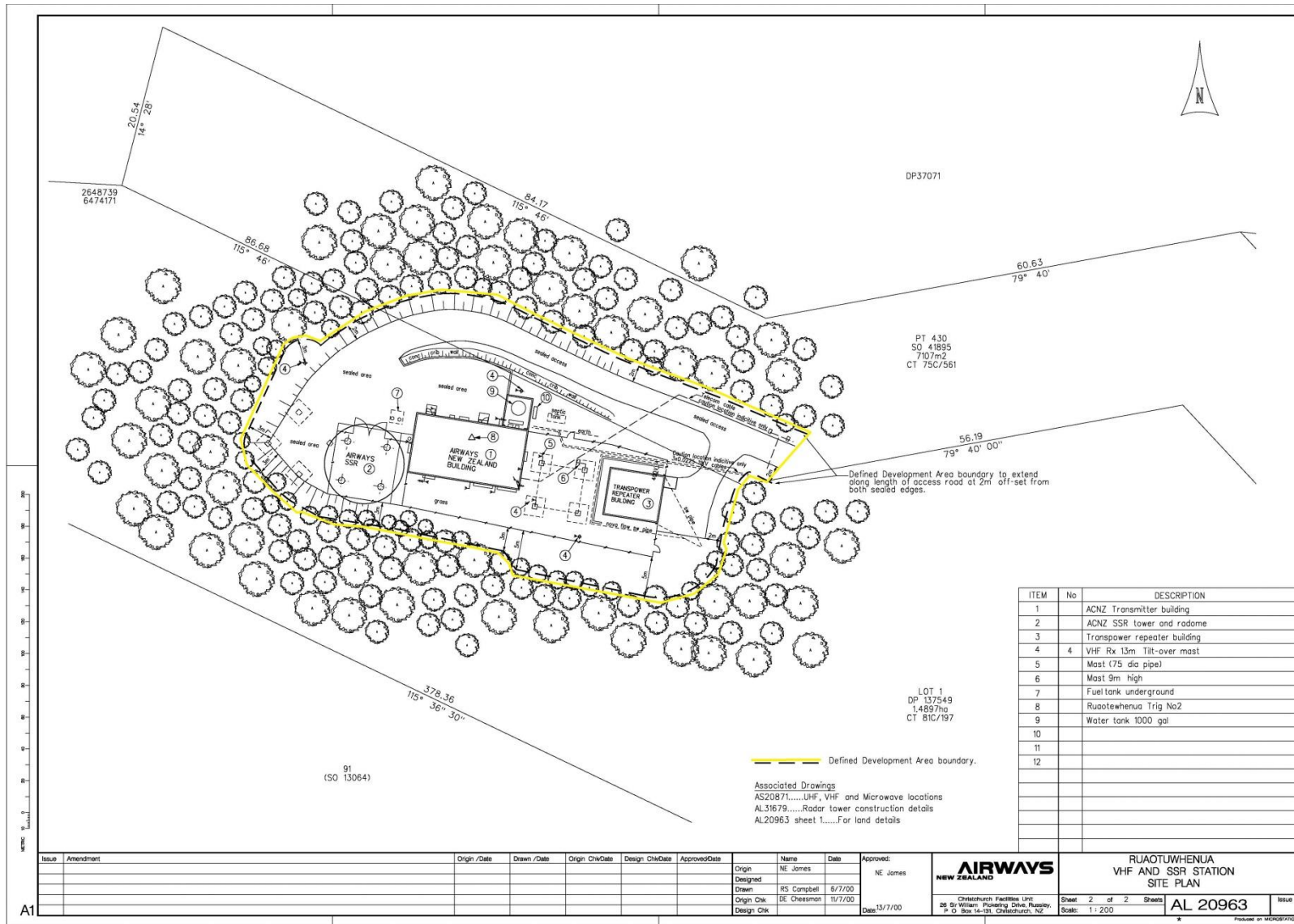


Attachment

2: Designation Plan



# Ruaotuhenua VHF and SSR Station Site Plan AL 20963



ITEM	No	DESCRIPTION
1		ACNZ Transmitter building
2		ACNZ SSR tower and radome
3		Transpower repeater building
4		VHF Rx 13m Tilt-over mast
5		Mast (75 dia pipe)
6		Mast 9m high
7		Fuel tank underground
8		Ruaotuhenua Trig No2
9		Water tank 1000 gal
10		
11		
12		

--- Defined Development Area boundary.

Associated Drawings  
 AS20871.....UHF, VHF and Microwave locations  
 AL31679.....Radar tower construction details  
 AL20963 sheet 1.....For land details

Issue	Amendment	Origin /Date	Drawn /Date	Origin ChtwDate	Design ChtwDate	ApprovedDate	Origin	Name	Date	Approved:	RUAOTUHENUA VHF AND SSR STATION SITE PLAN		Issue
							Origin	NE James		NE James		Sheet 2 of 2 Sheets Scale: 1:200 <b>AL 20963</b>	Issue
						Designed							
						Drawn	RS Campbell	6/7/00					
						Origin Cht	DE Chesson	11/7/00					
							Design Cht			Date: 13/7/00			