

AUCKLAND UNITARY PLAN  
INDEPENDENT HEARINGS PANEL

*Te Paepae Kaiwawao Motuhake o te Mahere Kotahitanga o Tāmaki Makaurau*

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Report to Auckland Council  
Hearing topic 074 Designations

Chorus New Zealand Ltd

Minor matters and errors

May 2016

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**Report first prepared by Harry Bhana in accordance with the Auckland Unitary Plan Independent Hearing Panel procedure and in accordance with section 142 of the Local Government (Auckland Transitional Provisions) Act 2010, on 2015-8-29 updated and amended 28 September 2015.**

**Adopted as Auckland Unitary Plan Independent Hearings Panel recommendations in accordance with the Auckland Unitary Plan Independent Hearing Panel procedure and in accordance with section 144 of the Local Government (Auckland Transitional Provisions) Act 2010 on date of signature.**

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## 1. Introduction

The purpose of this report is to provide an assessment and recommendation in relation to modifications to and submissions on designations classified by the Independent Hearings Panel as minor matters and errors. This classification applies where there is a:

- i. modification to a designation and no submissions;
- ii. rollover of a designation with no modification and submissions lodged by the requiring authority or others (submissions to correct errors or address minor matters);
- iii. modification to a designation and submissions lodged by the requiring authority or others (modifications address minor matters and submissions to correct errors or address minor matters);
- iv. where the modification involves changes to the boundary to incorporate additional land, the requiring authority has an interest in the land sufficient for undertaking the proposed work.

## 2. Assessment

Errors do not require an assessment. The assessment applies the following criteria.

Does the modification/submission:

- i. involve 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. involve only minor changes or adjustments to the boundaries of the designation?

See section 6 of this report for the application of these criteria to the individual designations.

On the basis of the assessment, this report concludes that the modifications and designations in section 6 meet the above criteria.

## 3. Recommendation to Panel

That the Panel recommends to Auckland Council the modifications/designation be confirmed subject to the amendments set out in Attachment 1.

<b>Author</b>	Harry Bhana
<b>Author's Signature</b>	
<b>Date</b>	29 August 2015 updated and amended 28 September 2015

#### 4. Panel recommendations to Auckland Council

The Auckland Unitary Plan Independent Hearings Panel recommends that Auckland Council recommends to the requiring authority that it confirms the notice of requirement for the modifications to the designations included in the Proposed Auckland Unitary Plan subject to the further modifications shown in Attachment 1.

This recommendation applies to the designations listed in section 6 below.

#### 5. Panel reasons

The reasons for the Panel's recommendation are set out in section 6 below.

<b>Panel Chair</b>	David Kirkpatrick
<b>Chair's Signature</b>	
<b>Date</b>	18 May 2016

## 6. Assessment of modifications and designations

Requiring authority	Chorus Ltd
Designation number (s)	2601, 2602, 2604, 2605, 2607, 2608- 2622, 2632-2634, 2636-2643, 2655-2670
Designation purpose	Telecommunication and radio communication and ancillary purposes
Location	<p>2601 - 46 Hauraki Road, Leigh</p> <p>2602 - 6 Okahukura Road, Taporā</p> <p>2604 - 180 Kraack Road, Warkworth</p> <p>2605 - 26 Old Woodcocks Road, Kaipara Flats</p> <p>2607 - Moirs Hill Road (Lot 1 DP 139886), Moirs Hill, Warkworth</p> <p>2608 - 572 Mahurangi East Road, Algies Bay</p> <p>2609 - Shelley Beach Road (Pt Sec 7 SO46285), South Kaipara Head</p> <p>2610 - Mahurangi West Road (Pt Allot 116 SO46774), Puhoi</p> <p>2611 - 27 Red Beach Road, Red Beach</p> <p>2612 - State Highway 16 (Pt Allot 12 SO55728), Kaukapakapa</p> <p>2613 - 463A Whangaparaoa Road, Stanmore Bay</p> <p>2614 - 13 Tower Hill, Manly</p> <p>2615 - 21 Commercial Road, Helensville</p> <p>2616 - Old North Road (Lot 1 DP135364), Helensville</p> <p>2617 - Corner Waimauku Station Road and Factory Road (Pt Lot 24 SO54691), Waimauku</p> <p>2618 - 5658 State Highway 16, Kumeu</p> <p>2619 - 22A Mokoia Road, Birkenhead</p> <p>2620 - 21 Birkdale Road, Birkdale</p> <p>2621 - 2 Mozeley Avenue, Devonport</p> <p>2622 - Quinns Road (Lot 1 DP 139432), Waiatarua</p> <p>2632 - 4 Summer Street, Ponsonby</p> <p>2633 - 168B St Heliers Bay Road, St Heliers</p> <p>2634 - 402 St Johns Road, Meadowbank</p> <p>2636 - 6 St Jude Street, Avondale</p> <p>2637 - 2 Jasper Avenue, Mt Roskill</p> <p>2638 - 1 Kalmia Street, Ellerslie</p> <p>2639 - 6 Stewart Avenue, Panmure</p> <p>2640 - 589 Mount Albert Road, Royal Oak</p> <p>2641 - 135 Boundary Road, Blockhouse Bay</p> <p>2642 - 58 Princes Street, Onehunga</p> <p>2643 - 12 Piki Thompson Way, Otahuhu</p> <p>2653 - 175 Great South Road, Manurewa</p> <p>2655 - 180 Flanagan Road, Drury</p> <p>2656 - McKenzie Road (Lot 13 DP 37599), Waiau Pa</p> <p>2657 - 7B Hall Street, Pukekohe</p>

	<p>2658 - Brookside Road (Pt Allotment 318 PSH of Waiuku East), Waiuku</p> <p>2659 - Charles Road (Lot 2 DP 23793), Karaka</p> <p>2660 - 11 Mauku Road, Puni</p> <p>2661 - Awhitu Road (Pt Allotment 18 PSH of Waitara), Waiuku</p> <p>2662 - Hunua Road (Pt Allotment 24 PSH of Hunua and Pt Allotment 24B PSH of Hunua), Hunua</p> <p>2663 - Paparimu Road (Lot will 1 DP 139880), Hunua</p> <p>2664 - 75 Main Road (near Puketutu Road), Bombay</p> <p>2665 - 187 Hurstmere Road Takapuna</p> <p>2666 - 43 Greenhithe Road Greenhithe</p> <p>2667 - 161 Forrest Hill Road Glenfield</p> <p>2668 - 356 Glenvar Road Torbay</p> <p>2669 - 634-636 Beach Road North Shore</p> <p>2670 - 363 Albany Highway North Shore</p>
Designations given effect to	All have been given effect to.
Lapse date in operative plan	NA
Land ownership	NA
Land owned by the requiring authority	NA
Rollover designation with no modifications	No
Description of the modification	<p><b>Modifications applying to Designations 2601, 2602, 2604, 2605, 2607-2618</b></p> <p>Minor formatting amendments to fit Proposed Auckland Unitary Plan format, otherwise rolled over without modification.</p> <p><b>Modifications applying to Designations 2619,2620 and 2621</b></p> <p>No conditions were found for these designations in the North Shore operative plan. The rollover added standard conditions in respect of the height of masts and antenna, situations where outline plans would not be required, noise, radio frequency emissions and land disturbance. These are standard conditions consistent across the Proposed Auckland Unitary Plan Chorus designations.</p> <p><b>Modifications applying to Designations 2632, 2633, 2634, 2636-2643</b></p> <p>There were no modifications. These designations were rolled over without change from operative plan.</p> <p><b>Modifications applying to Designations 2655, 2656-2664</b></p> <p>No conditions were found for these in the Papakura and Franklin operative plans. The rollover added standard conditions in respect of the height of masts and antennas,</p>

	<p>situations where outline plans would not be required, noise, radio frequency emissions and land disturbance. These are standard conditions consistent across the Proposed Auckland Unitary Plan Chorus designations.</p> <p><b>Modifications applying to Designations 2617 and 2622</b> The operative plan provisions contained outdated requirements in respect of outline plans and a series of definitions of various components of telecommunication equipment. There were no other conditions except in regard to removal of vegetation in respect of the Quinns Road site (2622). The rollover provisions provided a new condition clarifying the extent of minor changes that would be permitted without the requirement for outline plans and also provided new conditions setting maximum height of buildings and masts, noise limits and control of radio frequency effects.</p> <p><b>Modifications applying to designations 2665, 2666, 2667, 2668, and 2669</b> These are new designations that were confirmed after the Proposed Auckland Unitary Plan was notified. No modifications apply to these designations.</p>
<p>Assessment of rollover modifications and reasons</p>	<p><b>Modifications applying to Designations 2601, 2602, 2604, 2605, 2607-2618</b> Minor formatting amendments only - no assessment required.</p> <p><b>Modifications applying to Designations 2619, 2620 and 2621</b> There is no record of conditions or other provisions applying to these designations. The addition of standard conditions which are consistent across the Proposed Auckland Unitary Plan Chorus designations will add clarity and certainty to the control of operational effects from these designations. Any effects on the environment arising from the modifications will most likely be beneficial.</p> <p><b>Modifications applying to Designations 2632, 2633, 2634, 2636-2643</b> There were no modifications to these designations.</p> <p><b>Modifications applying to Designations 2655, 2656-2664</b> There is no record of conditions or other provisions applying to these designations. The addition of standard conditions which are consistent across the Proposed Auckland Unitary Plan Chorus designations will add clarity and certainty to the control of operational effects from these designations. Any effects on the environment arising from the modifications will most likely be beneficial.</p> <p><b>Modifications applying to Designations 2617 and 2622</b> The modifications resulted in the removal of outdated conditions and replaced these generally with standard</p>

	<p>conditions which are consistent across the Proposed Auckland Unitary Plan Chorus designations. This will add clarity and certainty to the control of operational effects from these designations. Any effects on the environment arising from the modifications will most likely be beneficial.</p> <p><b>Modifications applying to Designations 2665, 2666, 2667, 2668, and 2669</b>  These are new designations that were confirmed after the Proposed Auckland Unitary Plan was notified. No modifications apply to these designations.</p>
Notice of requirement	NA
Assessment of new designation and reasons	NA
Submitters and summary of relief sought in submissions	<p><b>2601, 2602, 2604, 2605, 2607-2618 and 2622</b>  Submission by requiring authority to change noise limits to reference specific zones instead of possible alternative zones referenced in rollover. In regard to 2602 only the requiring authority requested the correction of a minor typographical error.</p> <p><b>2619</b>  Submissions by the requiring authority to change noise limits to reference specific zones rather than referencing adjacent residential-zoned boundaries. Submissions by both requiring authority and the Council to delete Condition 9 on the basis it is no longer relevant.</p> <p><b>2620 and 2621</b>  Submissions by the requiring authority to update the height in relation to boundary references in conditions to conform with the Proposed Auckland Unitary Plan requirements.</p> <p><b>2632, 2633, 2634, 2636-2643</b>  Submissions by the requiring authority to change noise limits to reference specific zones rather than referencing adjacent residential-zoned boundaries and to update the height in relation to boundary references in conditions to conform with the Proposed Auckland Unitary Plan requirements.</p> <p>In regard to 2632, 2641 and 2643 only the requiring authority and the Council sought to also add advice notes regarding the control of hazardous substances and protocols in respect of archaeology. In regard to 2632 the Council sought correction of minor typographical errors, inclusion of a full stop following the words 'Condition 1' in Condition 3 and numbering of Condition 13 as '13'.</p> <p><b>2655, 2657, 2658, 2659, 2660, 2662, 2663, and 2664</b>  Submissions by the requiring authority to change noise limits to reference specific zones rather than referencing adjacent residential-zoned boundaries.</p> <p><b>2656, and 2661</b></p>

	<p>Submissions by the requiring authority to change noise limits to reference specific zones rather than referencing adjacent residential-zoned boundaries and to update the height in relation to boundary references in conditions to conform with the Proposed Auckland Unitary Plan requirements.</p> <p><b>2665</b> Submission by the requiring authority seeking the deletion of the height to boundary provisions on the basis that no height in relation to boundary control applies in the underlying Terrace Housing and Apartment Buildings Zone.</p> <p><b>2666, 2667 &amp; 2668</b> Submission by the requiring authority to update the height in relation to boundary controls to reflect the Proposed Auckland Unitary Plan provisions.</p> <p><b>2669 and 2670</b> Submissions by the requiring authority to change noise limits to reference specific zones rather than referencing adjacent residential-zoned boundaries and to update the height in relation to boundary controls to reflect the Proposed Auckland Unitary Plan provisions.</p>
<p>Assessment of submissions and reasons</p>	<p>The requests by the requiring authority to amend the height in relation to boundary provisions in respect of Designations 2620, 2621, 2632, 2633, 2634, 2636- 2643, 2656, 2661, 2666, 2667, 2668, 2669 and 2670 are recommended for confirmation subject to amending the relief to reference the height in relation to boundary provision to the underlying zoning, rather than the specific provision requested as both it and the interface zones may change.</p> <p>The request by the requiring authority to delete the height in relation to boundary provision in respect of designation 2665 is appropriate on the basis of the zoning and interfaces in the Proposed Auckland Unitary Plan and is recommended.</p> <p>The submissions by the requiring authority in respect of designations 2601, 2602, 2604, 2605, 2607-2618, 2619, 2622, 2632, 2633, 2634, 2636-2643, 2655-2664, 2669, and 2670 all seeking amendment of the noise conditions to better reflect Proposed Auckland Unitary Plan provisions is recommended but subject to directly referencing the noise control to the provisions applying in the underlying zoning.</p> <p>The submissions by the Council and the requiring authority requesting corrections of various typographical errors do not require assessment and are recommended.</p>
<p>Engagement by requiring authority with submitters.</p>	<p>Not necessary</p>

Recommendation to Panel	That Designations 2601, 2602, 2604, 2605, 2607, 2608-2622, 2632-2643, 2655-2670, as set out in the notified version of the Proposed Auckland Unitary Plan be recommended for confirmation subject to the amendments set out in Attachment 1.
Response from Requiring Authority	<p>Agrees with the above recommendations to Panel that the designations be confirmed.</p> <p>Disagrees with the above recommendations to the Panel that the noise and height in relation to boundary conditions be referenced to the underlying zoning. Concerns relate to certainty and ease and efficiency of determining relevant provisions in respect of any particular designated site.</p> <p>Disagrees with insertion of advice notes regarding archaeology in Designations 2632, 2641 and 2643.</p> <p>Wishes to be heard on the following matters: Not required.</p> <p>Mediation requested on the following matters: Not required.</p>
Report writer's further recommendations	I accept the requiring authority's position regarding potential uncertainty, future change and potential difficulty in ascertaining relevant requirements during day-to-day operations of their facilities. Accordingly I have recommended the noise and height in relation to boundary conditions are related directly to the noise limits and height in relation to boundary provisions applicable under the Proposed Auckland Unitary Plan for the underlying zoning at the time the Proposed Auckland Unitary Plan was notified. Recommendations have been amended accordingly.
Recommendation from Panel	The Panel agrees with the report writer's recommendations.
Reasons	The Panel agrees with the report writer's reasons.

## 7. Attachment 1 changes to text of the Proposed Auckland Unitary Plan

### Designations 2620, 2621, 2632, 2633, 2634, 2636, 2639, 2640, 2641, 2642, 2643

Delete all attachments and insert: No attachments.

### Designations 2622, 2664

Delete Condition 2 and replace with the following:

2. Any new noise generating equipment (excluding any engine alternator required for emergency back-up power generation) shall not exceed the following noise limits:  
At the notional boundary 20m from the facade of any dwelling in a rural zone, or at the site boundary, whichever is closest to the dwelling: 7am-10pm on any day: Leq 55 dB(A) 10pm-7am on any day: Leq 45dB(A).

### Designations 2601, 2602, 2605, 2611, 2613, 2614, 2615, 2617

Delete Condition 3 and replace with the following:

3. Any new noise generating equipment (excluding any engine alternator required for emergency back-up power generation) shall not exceed the following noise limits:  
At the boundary of any adjacent residential zoned property: 7am-10pm on any day: Leq 50 dB(A) 10pm-7am on any day: Leq 40 dB(A).

### Designations 2604, 2607-2610, 2616, 2655, 2659, 2662 and 2663

Delete Condition 3 and replace with the following:

3. Any new noise generating equipment (excluding any engine alternator required for emergency back-up power generation) shall not exceed the following noise limits:  
At the notional boundary 20m from the facade of any dwelling in a rural zone, or at the site boundary, whichever is closest to the dwelling: 7am-10pm on any day: Leq 55 dB(A) 10pm-7am on any day: Leq 45 dB(A).

### Designation 2612

Delete Condition 3 and replace with the following:

3. Any new noise generating equipment (excluding any engine alternator required for emergency back-up power generation) shall not exceed the following noise limits:

- a. At the boundary of any adjacent property zoned Local Centre:  
7am-10pm on any day: Leq 60 dB(A) 10pm-7am on any day:  
Leq 50 dB(A).
- b. At the boundary of any adjacent residential zoned property:  
7am-10pm on any day: Leq 55 dB(A) 10pm-7am on any day:  
Leq 45 dB(A).

### **Designation 2618**

Delete Condition 3 and replace with the following:

- 3. Any new noise generating equipment (excluding any engine alternator required for emergency back-up power generation) shall not exceed the following noise limits:
  - a. At the boundary of any adjacent property zoned Mixed Use:  
7am-10pm on any day: Leq 65 dB(A) 10pm-7am on any day:  
Leq 55 dB(A).
  - b. At the boundary of any adjacent residential zoned property:  
7am-10pm on any day: Leq 55 dB(A) 10pm-7am on any day:  
Leq 45 dB(A).

### **Designations 2619, 2653, 2657**

Delete Condition 4 and replace with the following:

- 4. Any new noise generating equipment (excluding any engine alternator required for emergency back-up power generation) shall not exceed the following noise limits:
  - a. At the boundary of any adjacent property zoned Town Centre:  
7am-10pm on any day: Leq 65 dB(A) 10pm-7am on any day:  
Leq 55 dB(A).
  - b. At the boundary of any adjacent residential zoned property:  
7am-10pm on any day: Leq 55 dB(A) 10pm-7am on any day:  
Leq 45 dB(A).

### **Designations 2658**

Delete Condition 4 and replace with the following:

- 4. Any new noise generating equipment (excluding any engine alternator required for emergency back-up power generation) shall not exceed the following noise limits:
  - a. At the boundary of any adjacent Heavy Industry zoned property:  
7am-10pm on any day: Leq 70 dB(A) 10pm-7am on any day:  
Leq 70 dB(A).
  - b. At the boundary of any adjacent residential zoned property:  
7am-10pm on any day: Leq 55 dB(A) 10pm-7am on any day:  
Leq 45 dB(A).

## Designations 2636

Delete Condition 5 and replace with the following:

5. Any new noise generating equipment (excluding any engine alternator required for emergency back-up power generation) shall not exceed the following noise limits:
  - a. At the boundary of any adjacent property zoned Town Centre:  
7am-10pm on any day: Leq **65** dB(A) 10pm-7am on any day:  
Leq **55** dB(A).
  - b. At the boundary of any adjacent residential zoned property:  
7am-10pm on any day: Leq **55** dB(A) 10pm-7am on any day:  
Leq **45** dB(A).

## Designations 2637

Delete Condition 5 and replace with the following:

5. Any new noise generating equipment (excluding any engine alternator required for emergency back-up power generation) shall not exceed the following noise limits:
  - a. At the boundary of any adjacent property zoned Local Centre:  
7am-10pm on any day: Leq **60** dB(A) 10pm-7am on any day:  
Leq **50** dB(A).
  - b. At the boundary of any adjacent residential zoned property:  
7am-10pm on any day: Leq **55** dB(A) 10pm-7am on any day:  
Leq **45** dB(A).

## Designations 2638

Delete Condition 5 and replace with the following:

5. Any new noise generating equipment (excluding any electricity alternator required for emergency back-up power generation) shall not exceed the following noise limits:
  - a. At the boundary of any adjacent Light Industry zoned property:  
7am-10pm on any day: Leq **65** dB(A) 10pm-7am on any day:  
Leq **65** dB(A).
  - b. At the boundary of any adjacent residential zoned property:  
7am-10pm on any day: Leq **55** dB(A) 10pm-7am on any day:  
Leq **45** dB(A).

## Designation 2642

Delete Condition 7 and replace with the following:

7. Any new noise generating equipment (excluding any engine alternator required for emergency back-up power generation) shall not exceed the following noise limits:

- a. At the boundary of any adjacent property zoned Town Centre: 7am-10pm on any day: Leq 65 dB(A) 10pm-7am on any day: Leq 55 dB(A).
- b. At the boundary of any adjacent residential zoned property: 7am-10pm on any day: Leq 55 dB(A) 10pm-7am on any day: Leq 45 dB(A).

### **Designations 2656, 2661**

Delete Condition 7 and replace with the following:

- 7. Any new noise generating equipment (excluding any engine alternator required for emergency back-up power generation) shall not exceed the following noise limits:  
At the boundary of any adjacent residential zoned property: 7am-10pm on any day: Leq 50 dB(A) 10pm-7am on any day: Leq 40 dB(A).

### **Designation 2660**

Delete Condition 7 and replace with the following:

- 7. Any new noise generating equipment (excluding any engine alternator required for emergency back-up power generation) shall not exceed the following noise limits:
  - a. At the boundary of any adjacent property zoned Neighbourhood Centre: 7am-10pm on any day: Leq 60 dB(A) 10pm-7am on any day: Leq 50 dB(A).
  - b. At the boundary of any adjacent residential zoned property: 7am-10pm on any day: Leq 55 dB(A) 10pm-7am on any day: Leq 45 dB(A).

### **Designation 2670**

Delete Condition 7 and replace with the following:

- 7. Any new noise generating equipment (excluding any electricity alternator required for emergency back-up power generation) shall not exceed the following noise limits:
  - a. At the boundary of any adjacent Light Industry zoned property: 7am-10pm on any day: Leq 65 dB(A) 10pm-7am on any day: Leq 65 dB(A).
  - b. At the boundary of any adjacent residential zoned property: 7am-10pm on any day: Leq 55 dB(A) 10pm-7am on any day: Leq 45 dB(A).

### **Designation 2632**

Delete Condition 9 and replace with the following:

9. Any new noise generating equipment (excluding any engine alternator required for emergency back-up power generation) shall not exceed the following noise limits:

a. At the boundary of any adjacent property zoned Town Centre:  
7am-10pm on any day: Leq **65** dB(A) 10pm-7am on any day:  
Leq **55** dB(A).

b. At the boundary of any adjacent residential zoned property:  
7am-10pm on any day: Leq **50** dB(A) 10pm-7am on any day:  
Leq **40** dB(A).

### **Designations 2633, 2639, 2640**

Delete Condition 9 and replace with the following:

9. Any new noise generating equipment (excluding any engine alternator required for emergency back-up power generation) shall not exceed the following noise limits:

At the boundary of any adjacent residential zoned property: 7am-10pm on any day: Leq **50** dB(A) 10pm-7am on any day: Leq **40** dB(A).

### **Designation 2634**

Delete Condition 9 and replace with the following:

9. Any new noise generating equipment (excluding any engine alternator required for emergency back-up power generation) shall not exceed the following noise limits:

At the boundary of any adjacent residential zoned property: 7am-10pm on any day: Leq **55** dB(A) 10pm-7am on any day: Leq **45** dB(A).

### **Designations 2641, 2669**

Delete Condition 10 and replace with the following:

10. Any new noise generating equipment (excluding any engine alternator required for emergency back-up power generation) shall not exceed the following noise limits:

At the boundary of any adjacent residential zoned property: 7am-10pm on any day: Leq **50** dB(A) 10pm-7am on any day: Leq **40** dB(A).

### **Designation 2643**

Delete Condition 10 and replace with the following:

10. Any new noise generating equipment (excluding any engine alternator required for emergency back-up power generation) shall not exceed the following noise limits:

- a. At the boundary of any adjacent property zoned Town Centre:  
7am-10pm on any day: Leq 65 dB(A) 10pm-7am on any day:  
Leq 55 dB(A).
- b. At the boundary of any adjacent residential zoned property:  
7am-10pm on any day: Leq 50 dB(A) 10pm-7am on any day:  
Leq 40 dB(A).

## Designations 2620, 2621

Amend Condition 2 to read as follows:

2. Any new mast and associated antennas shall comply with the height in relation to boundary controls ~~[included in Attachment 1 to this Notice] from any adjoining residential zoned boundaries and road boundaries~~ must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along any side and rear boundary where the adjoining sites have a residential zoning.

Amend Condition 4 to read as follows:

4. Antennas mounted on the roof of buildings shall not extend more than 3m above the maximum height of the highest part of the roof, provided that they comply with Condition 1, and ~~shall comply with the height in relation to boundary controls [included in Attachment 1 to this Notice] from any adjoining residential zoned boundaries and road boundaries~~ must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along any side and rear boundary where the adjoining sites have a residential zoning.

## Designation 2632

Amend Condition 2 to read as follows:

2. Any new masts and associated antennas ~~shall comply with the relevant height in relation to boundary controls from any adjoining residential zoned boundaries and road boundaries as included in the Auckland Council District Plan (Isthmus Section) 1999 as at the 1 January 2009~~ must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along any side and rear boundary where the adjoining sites have a residential zoning. Any mast and associated antennas shall not exceed a diameter of 1m for those parts of the equipment exceeding 8m in height above ground level.

Amend Condition 3 to read as follows:

3. Antennas mounted on the roof of buildings shall not extend more than 3m above the maximum height of the roof, provided that they comply with Condition 1 and ~~shall comply with the height in relation to boundary controls from any adjoining residential zone boundaries and the road boundary as included in the Auckland Council District Plan (Isthmus Section) 1999 as at January 2009~~ must not project beyond a 45 degree recession plane measured

from a point 2.5m vertically above ground level along any side and rear boundary where the adjoining sites have a residential zoning. This control applies where antennas are mounted above the roof line (will not apply to antennas mounted against the building fascia and not extending above the roof line).

Amend Condition 7(c) as follows:

- c. Height in relation to boundary - buildings must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along any side and rear boundary where the adjoining sites have a residential zoning. ~~shall comply with the relevant height in relation to boundary controls from adjoining residential zone boundaries and the road boundary as included in the Auckland Council District Plan (Isthmus Section) 1999 as at 1 January 2009; and...~~

### **Designations 2633, 2634, 2640**

Amend Condition 2 to read as follows:

2. Any new masts and associated antennas ~~shall comply with the relevant height in relation to boundary controls from adjoining residential zoned boundaries and the road boundary as included in the Auckland Council District Plan (Isthmus Section) 1999 as at 1 January 2009.~~ must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along any side and rear boundary where the adjoining sites have a residential zoning. Any new mast and associated antennas shall not exceed a diameter of 1m for those parts of the equipment exceeding 8m in height above ground level.

Amend Condition 3 to read as follows:

3. Antennas mounted on the roof of buildings shall not extend more than 3m above the maximum height of the roof, provided that they comply with Condition 1, and ~~shall comply with the relevant height in relation to boundary controls from any adjoining residential zoned boundaries and road boundaries as included in the Auckland Council District Plan (Isthmus Section) 1999 as at 1 January 2009.~~ must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along any side and rear boundary where the adjoining sites have a residential zoning. This control applies where antennas are mounted above the roof line (will not apply to antennas mounted against the building fascia and not extending above the roof line).

Insert a space after "7." in Condition 7 and amend Condition 7(c) as follows:

- c. Height in relation to boundary - buildings must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along any side and rear boundary where the adjoining sites have a residential zoning. ~~shall comply with the relevant height in relation to boundary controls from adjoining residential zone boundaries and the road boundary as included in~~

~~the Auckland Council District Plan (Isthmus Section) 1999 as at 1 January 2009;~~  
and...

### **Designation 2640**

Amend Advice Note 3 as follows:

3. Any new building or permanent structure located within the designation Building Line Restriction referenced ~~F0604 as 1643~~ will be required to follow the relevant process under the RMA, including obtaining approval from the Auckland Transport Council as Requiring Authority for the designation 1643 Building Line Restriction. This restriction shall not apply if the road widening is uplifted or taken.

### **Designation 2639**

Amend Condition 2 to read as follows:

2. Any new masts and associated antennas shall ~~comply with the relevant height in relation to boundary controls from adjoining residential zone boundaries and the road boundary as included in the Auckland Council District Plan (Isthmus Section) 1999 as at 1 January 2009.~~ must not project beyond a 45 degree recession plane measured from a point 3m vertically above ground level along any side and rear boundary where the adjoining sites have a residential zoning. Any mast and associated antennas shall not exceed a diameter of 1m for those parts of the equipment exceeding 8m in height above ground level.

Amend Condition 3 to read as follows:

3. Antennas mounted on the roof of buildings shall not extend more than 3m above the maximum height of the roof, provided that they comply with Condition 1, and ~~shall comply with the relevant height in relation to boundary controls from adjoining residential zone boundaries and the road boundary as included in the Auckland Council District Plan (Isthmus Section) 1999 as at 1 January 2009~~ must not project beyond a 45 degree recession plane measured from a point 3m vertically above ground level along any side and rear boundary where the adjoining sites have a residential zoning. This control applies where antennas are mounted above the roof line (will not apply to antennas mounted against the building fascia 6 and not extending above the roof line).

Amend Condition 7(c) as follows:

- c. Height in relation to boundary - Buildings must not project beyond a 45 degree recession plane measured from a point 3m vertically above ground level along any side and rear boundary where the adjoining sites have a residential zoning. ~~shall comply with the relevant height in relation to boundary controls from adjoining residential zone boundaries and the road boundary as included in the Auckland Council District Plan (Isthmus Section) 1999 as at 1 January 2009;~~ and...

## Designation 2641

Amend Condition 3 to read as follows:

3. Any new masts and associated antennas shall comply with the relevant height in relation to boundary controls from adjoining residential boundaries and the road boundary as included in the Auckland Council District Plan (Isthmus Section) 1999 as at 1 January 2009. must not project beyond a 45 degree recession plane measured from a point 3m vertically above ground level along any side and rear boundary where the adjoining sites have a residential zoning. Any new mast and associated antennas shall not exceed a diameter of 1m for those parts of the equipment exceeding 8m in height above ground level.

Amend Condition 4 to read as follows:

4. Antennas mounted on the roof of buildings shall not extend more than 3m above the maximum height of the roof, provided they comply with Condition 1, and ~~shall comply with the relevant height in relation to boundary controls from adjoining residential boundaries and the road boundary as included in the Auckland Council District Plan (Isthmus Section) 1999 as at 1 January 2009~~ must not project beyond a 45 degree recession plane measured from a point 3m vertically above ground level along any side and rear boundary where the adjoining sites have a residential zoning. This control applies where antennas are mounted above the roof line (will not apply to antennas mounted against the building fascia 6 and not extending above the roof line).

Amend Condition 8(c) as follows:

- c. Height in relation to boundary - Buildings must not project beyond a 45 degree recession plane measured from a point 3m vertically above ground level along any side and rear boundary where the adjoining sites have a residential zoning. ~~shall comply with the relevant height in relation to boundary controls from adjoining residential zone boundaries and the road boundary as included in the Auckland Council District Plan (Isthmus Section) 1999 as at 1 January 2009;~~ and...

## Designations, 2643

Amend Condition 3 to read as follows:

3. ~~Any new masts and associated antennas shall comply with the relevant height in relation to boundary controls from adjoining residential zone boundaries and the road boundary as included in the Auckland Council District Plan (Isthmus Section) 1999 as at 1 January 2009~~ Any new mast and associated antennas shall not exceed a diameter of 1m for those parts of the equipment exceeding 8m in height above ground level.

Amend Condition 4 to read as follows:

4. Antennas mounted on the roof of buildings shall not extend more than 3m above the maximum height of the roof, provided that they comply with Condition 1. ~~and shall comply with the relevant height in relation to boundary controls from adjoining residential zone boundaries and the road boundary as included in the Auckland Council District Plan (Isthmus Section) 1999 as at 1 January 2009 where antennas are mounted above the roofline (will not apply to antennas mounted against the building fascia and not extending above the roofline).~~

Delete Condition 8(c)

### **Designations 2656, 2661**

Amend Condition 2 to read as follows:

2. Any new mast and associated antennas ~~shall comply with the height in relation to boundary controls from any adjoining residential zoned boundaries and road boundaries.~~ must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along any side and rear boundary where the adjoining sites have a residential zoning.

Amend Condition 4 to read as follows:

3. Antennas mounted on the roof of buildings shall not extend more than 3m above the maximum height of the highest part of the roof, provided that they comply with Condition 1, ~~and shall comply with the height in relation to boundary controls from any adjoining residential zoned boundaries and road boundaries.~~ must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along any side and rear boundary where the adjoining sites have a residential zoning.

### **Designation 2636**

Amend Condition 3(b) to read as follows:

- b. Height in relation to boundary - buildings must not project beyond a 60 degree recession plane measured from a point 8m vertically above ground level along any side and rear boundary where the adjoining sites have a Mixed Use zoning. ~~;- shall comply with the relevant height in relation to boundary controls from any adjacent residential zone boundaries as included in the Auckland Council District Plan (Isthmus Section) 1999 as at 1 January 1999 (road boundary height in relation to boundary doesn't apply in this case as it is zoned business).~~

### **Designation 2642**

Amend Condition 5(b) to read as follows:

- b. Height in relation to boundary - buildings must not project beyond a 45 degree recession plane measured from a point 8.5m vertically above ground level

along any side and rear boundary where the adjoining sites have a public open space zoning. ~~the adjoining open space zone property and the daylight controls for any mixed use zone property as included in the Auckland Council District Plan (Isthmus Section) 1999 as at 1 January 2009.~~

### **Designation 2665**

Amend Condition 7 by deleting Clause (c) (maximum height in relation to boundary)

### **Designations 2666, 2667**

*Delete Condition 2 and replace with the following:*

2. Any new mast and associated antennas must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along any side and rear boundary where the adjoining sites have a residential zoning. Any new mast and associated antennas shall not exceed a diameter of 1m for those parts of the equipment exceeding 8m in height above ground level.

Delete Condition 3 and replace with the following:

3. Antennas mounted on the roof of buildings shall not extend more than 3m above the point of attachment provided they comply with Condition 1, and must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along any side and rear boundary where the adjoining sites have a residential zoning.

Amend condition 7(c) as follows:

- c. Height in relation to boundary - Buildings must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along any side and rear boundary where the adjoining sites have a residential zoning. Maximum height in relation to boundary - shall comply with the height in relation to boundary controls included in Attachment 1 to these conditions from any adjoining residential zoned boundaries and road boundaries  
Except that the above shall not restrict any maintenance and upgrading of any existing building where it already infringes this condition, provided there is no additional exceedance of the standards within this condition.

### **Designation 2668**

Delete Condition 4 and replace with the following:

4. Antennas mounted on the roof of buildings shall not extend more than 3m above the maximum height of the roof at the point of attachment, and must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along any side and rear boundary where the adjoining sites have a residential zoning.

Amend condition 6 (c) as follows:

- c. Height in relation to boundary - Buildings must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along any side and rear boundary where the adjoining sites have a residential zoning. Maximum height in relation to boundary - shall comply with the height in relation to boundary controls included in Attachment 1 to these conditions from any adjoining residential zoned boundaries and road boundaries.  
Except that the above shall not restrict any maintenance and upgrading of any existing building where it already infringes this condition, provided there is no additional exceedance of the standards within this condition.

## Designation 2669

Delete Condition 2 and replace with the following:

2. Any new mast and associated antennas must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along any side and rear boundary where the adjoining sites have a residential zoning. Any new mast and associated antennas shall not exceed a diameter of 1m for those parts of the equipment exceeding 8m in height above ground level.

Delete Condition 4 and replace with the following:

4. Antennas mounted on the roof of buildings shall not extend more than 3m above the point of attachment, provided that they comply with Condition 1, and must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along any side and rear boundary where the adjoining sites have a residential zoning.

Amend condition 8(c) as follows:

- c. Height in relation to boundary - Buildings must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along any side and rear boundary where the adjoining sites have a residential zoning. Maximum height in relation to boundary - shall comply with the height in relation to boundary controls included in Attachment 1 to these conditions, from any adjoining residential zoned boundaries and road boundaries.  
Except that the above shall not restrict any maintenance and upgrading of any existing building where it already infringes this condition, provided there is no additional exceedance of the standards within this condition.

## Designation 2670

Amend condition 4(b) as follows:

- b) ~~Maximum height in relation to boundary— shall comply with the height in relation to boundary controls included in Attachment 1 to this notice, from the site's eastern boundary.~~ Height in relation to boundary - buildings must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along any side and rear boundary where the adjoining sites have a residential zoning.

## Designation 2602

Amend condition 2(c) to read as follows:

- c. The replacement of any antennas with antennas of similar size provided that there is no increase in the overall height of the facility; ~~or~~

### **Designation 2619**

Delete condition 9.

### **Designation 2632**

Amend condition 8(c) to read as follows:

- c. The replacement of any antennas with antennas of similar size provided that there is no increase in the overall height of the facility; ~~or~~

Amend the numbering of condition 13 from ~~13~~ to 13

### **Designation 2634**

Amend condition 8(c) to read as follows:

- c. The replacement of any antennas with antennas of similar size provided that there is no increase in the overall height of the facility; ~~or~~

### **Designation 2632 2641 2643**

Add the following advice note immediately preceding any attachments.

Advice Notes

Hazardous substances

1. Any new development, maintenance, upgrading or replacement works shall comply with the necessary requirements of the Hazardous Substances and New Organisms Act 1996.