

AUCKLAND UNITARY PLAN
INDEPENDENT HEARINGS PANEL

Te Paepae Kaiwawao Motuhake o te Mahere Kotahitanga o Tāmaki Makaurau

Report to Auckland Council
Hearing topic 074 Designations

Kordia Limited

Designations 3301 and 3304

May 2016

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 26 August 2015 updated 25 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.

Contents

1. Introduction	3
2. Assessment	3
3. Expert input.....	3
4. Mediation required	3
5. Hearing required	3
6. Recommendation to Panel.....	4
7. Panel recommendations to Auckland Council	5
8. Panel reasons	5
9. Assessment of modifications and submissions	6

1. Introduction

The purpose of this report is to provide an assessment and recommendation in relation to designations, modifications and new designations classified by the Independent Hearings Panel as moderately complex. This classification will generally apply where there is a:

- i. rollover of a designation with no modifications and a submission lodged by third party;
- ii. modification to a designation that will result in more than minor effects and with or without submissions;
- iii. notice of requirement for a new designation for existing works with or without submissions.

2. Assessment

The assessment will address:

- i. effects on the environment of allowing the modification or requirement;
- ii. mitigation measures proposed by requiring authority including any proposed conditions;
- iii. other section 171 matters or section 168A(3) (if the requiring authority is Auckland Council) matters where relevant;
- iv. whether land is owned by the requiring authority.

See section 9 of this report for the assessment of each modification and requirement.

On the basis of the assessment, the report concludes that Designations 3301 and 3304, as set out in the notified version of the Proposed Auckland Unitary Plan be recommended for confirmation.

3. Expert input

Not applicable.

4. Mediation required

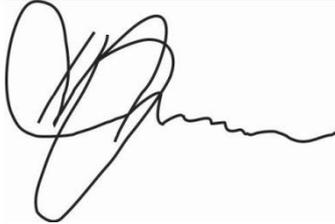
Not applicable

5. Hearing required

Not applicable

6. Recommendation to Panel

That the Panel recommends that Designations 3301 and 3304, as set out in the notified version of the Proposed Auckland Unitary Plan, be recommended for confirmation.

Author	Harry Bhana
Author's Signature	
Date	26 August 2015 updated 25 September 2015 without amendment.

7. 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 designations 3301 and 3304 included in the Proposed Auckland Unitary Plan.

8. Panel reasons

The reasons for the Panel's recommendation are set out in section 9 below.

Panel Chair	David Kirkpatrick
Chair's Signature	
Date	18 May 2016.

9. Assessment of modifications and submissions

Requiring authority	Kordia Limited
Designation number (s)	3301 and 3304
Designation purpose	Broadcasting and telecommunication facilities.
Location	3301 - 539 Scenic Drive, Waiatarua. 3304 - Repeater Road (Pt Allotment 33 Parish of Atou and Pt Allotment 65A Parish of Atou), Hunua Ranges.
Designations given effect to	Both have been given effect to.
Lapse date in operative plan	NA
Land ownership	NA
Land owned by the requiring authority	539 Scenic Drive, Waiatarua - This site is in Crown ownership. Repeater Road - The site is land owned by Auckland Council as reserve and has been occupied by Kordia (and its predecessors) under undisclosed arrangements for a long period of time.
Rollover designation with no modifications	No
Description of the modification	<p>Modifications applying to designation 3301.</p> <p>Operative Plan designation condition 3 ‘...did not preclude the alteration, upgrade or replacement of the existing transmission tower structures or the erection of structures on a temporary basis to allow the repair maintenance or replacement of those towers and stations provided that such work does not alter the height of the structures by more than 5 m” . The term “structures” is defined in the operative plan as “anything constructed”.</p> <p>Proposed rollover conditions 2 and 3 (replacing Operative Plan Condition 3) are as follows:</p> <ol style="list-style-type: none"> 2. An Outline Plan is not required for the addition and replacement of antennas on the existing tower provided the antenna including the mount, the shroud, and ancillary equipment shall fit within the dimensions of a square shape in plan view that, when measured from the centre of the tower, does not increase the effective visual width of the tower by more than 50% (see attached Diagram 1). 3. An Outline Plan is not required for the addition or replacement of antennas attached to or above the existing transmission building provided that: <ol style="list-style-type: none"> a. No gantry, pipe mount or antenna extends to an elevation greater than 3m above the roof line of the building; and/or b. No antenna affixed to a building measures greater than 1.2m in dimension. <p>Other rollover conditions restrict additional structures other</p>

	<p>than the antennas referred to in Condition 2, provide for replacement of existing structures including the use of temporary structures during replacement and control radio frequency radiation admissions in accordance with NZS 2772.1: 1999</p> <p>Modifications applying to designations 3304</p> <p>i. There were no conditions recorded under the Auckland Council District Plan –Operative Franklin Section. In its rollover application the requiring authority requested the introduction of a set of conditions similar to those it had requested to be applied in the rollover of a Designation 3301. However it also requested an increase in height of the tower from 20m to 28m (including lightning rod). This latter request was not included in the rollover provisions and there were no submissions seeking the correction of height to 28m.</p>
<p>Assessment of rollover modifications and reasons</p>	<p>Modifications to designation 3301</p> <p>i. Modifications to conditions relating to rollover conditions 2 and 3 replace the somewhat vague operative plan provision permitting alteration, upgrade or replacement of structures with provisions applying much greater clarity. The structure is well-known and recognised as a broadcast tower. It is sited on a bush-clad ridge-top location well separated from residential neighbours. In my view the addition or alteration of antenna with the dimensions authorised by the conditions would not be unexpected. I consider that the greater clarity provided is a benefit and the modifications proposed will not have a more than minor adverse effect on the environment or on adjacent properties.</p> <p>ii. The introduction of a number of standard conditions which did not appear in the operative plan will be beneficial in providing clarity as to any changes that might occur on a site and in the control of radio frequency radiation.</p> <p>Modifications to designation 3304</p> <p>i. There were no conditions recorded in the Auckland Council District Plan –Operative Franklin Section. The standard conditions proposed are generally similar to those proposed for Designation 3301. The site is in an even more remote bush-clad ridge top within a larger area designated for water conservation purposes. I consider that the introduction of the conditions proposed will add clarity as to any changes that might occur on the site and in regard to the control of radio frequency radiation. I recommend that these modifications to this designation be recommended to Kordia for confirmation.</p>
<p>Notice of requirement</p>	<p>NA</p>
<p>Assessment of new</p>	<p>NA</p>

designation and reasons	
Submitters and summary of relief sought in submissions	There were no submissions recorded in respect of either designation.
Assessment of submissions and reasons	NA
Engagement by requiring authority with submitters.	Not necessary
Recommendation to Panel	That Designations 3301 and 3304, as set out in the notified version of the Proposed Auckland Unitary Plan be recommended for confirmation.
Response from requiring authority	<p>The above recommendations to the Panel accepted the modifications made in the rollover of this designation and there were no submissions from the requiring authority or the Council. No response was received and it is assumed that the requiring authority agrees with the recommendation.</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 response	No amendments to the above recommendations are required.
Recommendation from Panel	The Panel agrees with the report writer's recommendations.
Reasons	The Panel agrees with the report writer's reasons.