



## NOTICE OF MEETING

# HEARINGS COMMITTEE

I hereby give notice that an Ordinary Meeting of the Hearings Committee will be held on:-

**DATE:**        **Thursday, 27 November 2003**        **TIME:**        **9.30 am**

**VENUE:**       **Civic Centre, 6 Waipareira Avenue, Lincoln, Waitakere City**

to consider the business as set out herein and to take any necessary action connected therewith.

20 November 2003

Owena Schuster  
**COMMITTEE SECRETARY**

Telephone (09) 836 8000 extn 8864

### **MEMBERSHIP:**

Councillors	GE	Nash, JP (Chairperson)
	DA	Yates, JP (Deputy Chairperson)
	DQ	Battersby, JP
	BA	Brady, JP
	PA	Hulse
	VS	Neeson, JP

Ward Representative  
Mrs DJ Webster (Massey Community Board)

Alternate Representative  
Ms KG Perri (Massey Community Board)

(Quorum 4 members)

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(The reports and recommendations contained in all agendas are reports and recommendations only and are not to be construed, in any way, as Council policy until adopted.)

**AGENDA FOR AN ORDINARY MEETING OF THE HEARINGS COMMITTEE TO BE HELD  
IN THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,  
ON THURSDAY, 27 NOVEMBER 2003, COMMENCING AT 9.30 AM.**

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**TABLE OF CONTENTS**

<b><u>ITEM</u></b>		<b><u>PAGE NO.</u></b>
1	<b>APOLOGIES</b>	1
2	<b>URGENT BUSINESS</b>	1
3	<b>CONFIRMATION OF MINUTES</b>	1
4	<b>NOTIFIED APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE RESOURCE MANAGEMENT ACT 1991 BY VODAFONE NEW ZEALAND LIMITED TO CONSTRUCT A TELECOMMUNICATIONS FACILITY, INCLUDING THE ERECTION OF A 30M HIGH POLE STRUCTURE, WITH SIX PANEL ANTENNAS AND A 0.3M DIAMETER PARABOLIC DISH, ATTACHED TO THIS STRUCTURE. THREE EQUIPMENT CABINETS WOULD BE ERECTED AT THE BASE OF THE POLE AT 11 SCOTT ROAD, HOBSONVILLE</b>	2

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**1 APOLOGIES**



**2 URGENT BUSINESS**

Section 46A(7) and (7A) of the Local Government Official Information Act and Meetings Act 1987 provides that where an item of business is not on the agenda, it may only be dealt with at the meeting if:

- (i) the item is a minor matter; and
- (ii) the Chairperson has explained at the beginning of the meeting (when open to the public) that the item will be raised for discussion, why the item is not on the agenda, and why it cannot be delayed until a subsequent meeting; and
- (iii) the Committee resolves to deal with the item.

No resolution, decision, or recommendation may be made in respect of the item except to refer the item to a subsequent meeting for further discussion.

**NOTE:** Urgent Business need not be dealt with now and may be delayed until later in the meeting.



**3 CONFIRMATION OF MINUTES**

Ordinary - Thursday, 16 October 2003

**RECOMMENDATION**

That the minutes of the Ordinary Meeting of the Hearings Committee held on Thursday, 16 October 2003, as circulated, be taken as read and now be confirmed.



4 **NOTIFIED APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE RESOURCE MANAGEMENT ACT 1991 BY VODAFONE NEW ZEALAND LIMITED TO CONSTRUCT A TELECOMMUNICATIONS FACILITY, INCLUDING THE ERECTION OF A 30M HIGH POLE STRUCTURE, WITH SIX PANEL ANTENNAS AND A 0.3M DIAMETER PARABOLIC DISH, ATTACHED TO THIS STRUCTURE. THREE EQUIPMENT CABINETS WOULD BE ERECTED AT THE BASE OF THE POLE AT 11 SCOTT ROAD, HOBSONVILLE**

**MASSEY WARD**

**N.B.** This report sets out the advice of Consent Services to the Hearings Committee on the environmental issues raised by the application for resource consent. It is not the decision of the Council. The Hearings Committee will make the decision after considering the application.

**APPLICATION DETAILS**

Planner:	Chloe Trenouth
Site Address:	11 Scott Road, Hobsonville
Applicant:	Vodafone New Zealand Limited
Date Received:	24 December 2002
Resource Consent No:	RMA20022425
Building Consent No:	Not yet applied for
Legal Description:	Lot 15 DP66174
Address for Service:	C/- Natalie Bedggood Connell Wagner Limited PO Box 9762 Newmarket
Site Area:	4.4566ha
District Plan:	
Human Environment:	Countryside Living
Natural Area:	General Natural Area
Landscape Elements:	Special Soils; Riparian Margin (10m)
Hazards:	None known
Roading Hierarchy:	Local
Further Information Required:	Yes; affected party approval and landscape assessment
Date Requested:	16 May 2003; 25 May 2003; 23 July 2003
Date Received:	26 May 2003; 07 August 2003; 10 October 2003

## 1.0 INTRODUCTION AND RECOMMENDATION

### 1.1 Nature of the Application

The applicant seeks consent to construct a telecommunications facility, including the erection of a 30m high pole structure (plus a further 3.7m associated lightning rod), with six panel antennas and a 0.3m diameter parabolic dish, attached to the structure. The facility would be contained within an area of approximately 70m<sup>2</sup> (including the fenced off area around the base of the mast) and would also contain three equipment cabinets adjacent to the base of the pole structure. The proposal is considered a discretionary activity under the Operative District Plan infringing the maximum height of buildings (8m) and infrastructure (12m) within the Countryside Living Environment. The applicant requested that the application be publicly notified.

### 1.2 Resource Management Issues Raised

The Resource Management Act 1991 requires that, when considering an application for a resource consent, a consent authority shall have regard to the environmental effects of the proposed activity, together with any relevant objectives, policies and rules of the District Plan.

The significant resource management issues associated with the proposal are the adverse effects on visual amenity and landscape character created by the height of the structure within a rural-residential environment where there are no tall structures existing. The applicant indicates that the proposed height is required due to the tall trees throughout the area, and these trees are also used to mitigate visual impacts by screening the facility. As the height of the proposed structure would be taller than nearby trees there are issues of physical dominance of adjacent sites and a loss of amenity values due to the visual prominence from various sites within the area.

Additional issues raised by submitters relate to potential health and safety effects on nearby residents from electromagnetic radiation emissions from the facility and whether the proposal would potentially compromised future development potential.

### 1.3 Planner's Recommendation

The planner who has prepared this report recommends that, subject to any contrary or additional evidence submitted at the Hearing, **consent be granted** to the establishment of a telecommunications facility on the property located at 11 Scott Road, Hobsonville. It is considered that the environmental effects that may be generated by the activity would be minor or could be adequately avoided, remedied or mitigated by the imposition of conditions, and that the relevant objectives and policies of the District Plan will be satisfied.

2.0 LOCATION PLANS

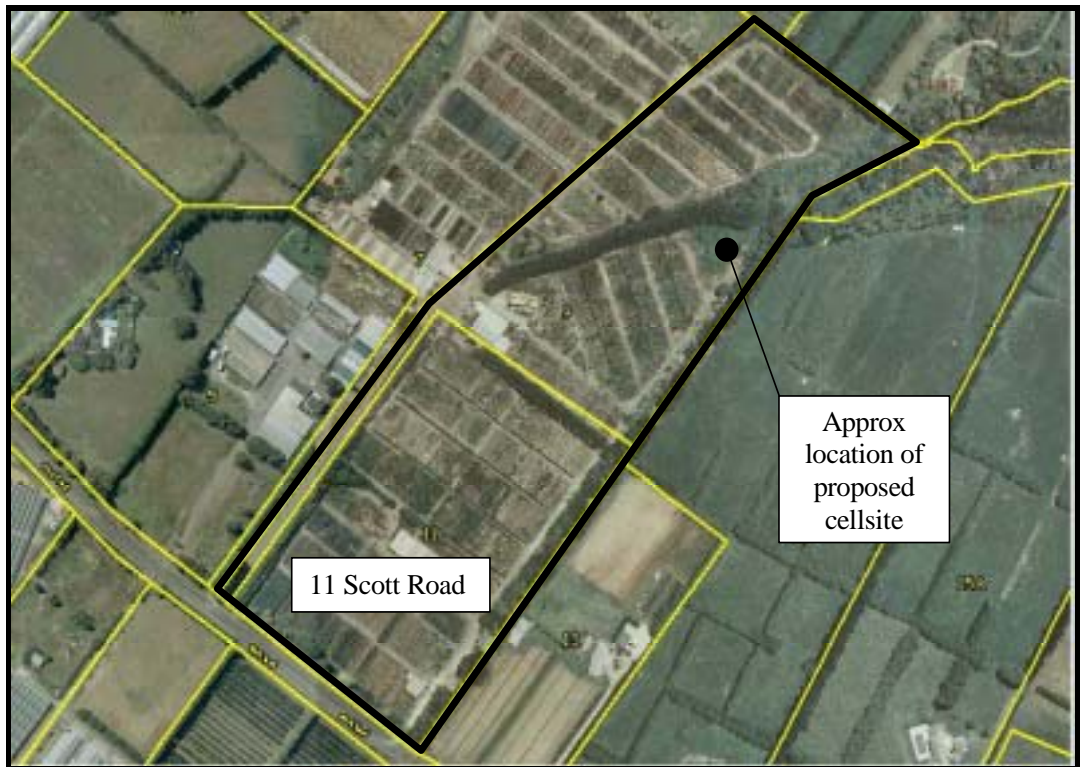


Diagram A: Aerial Photograph

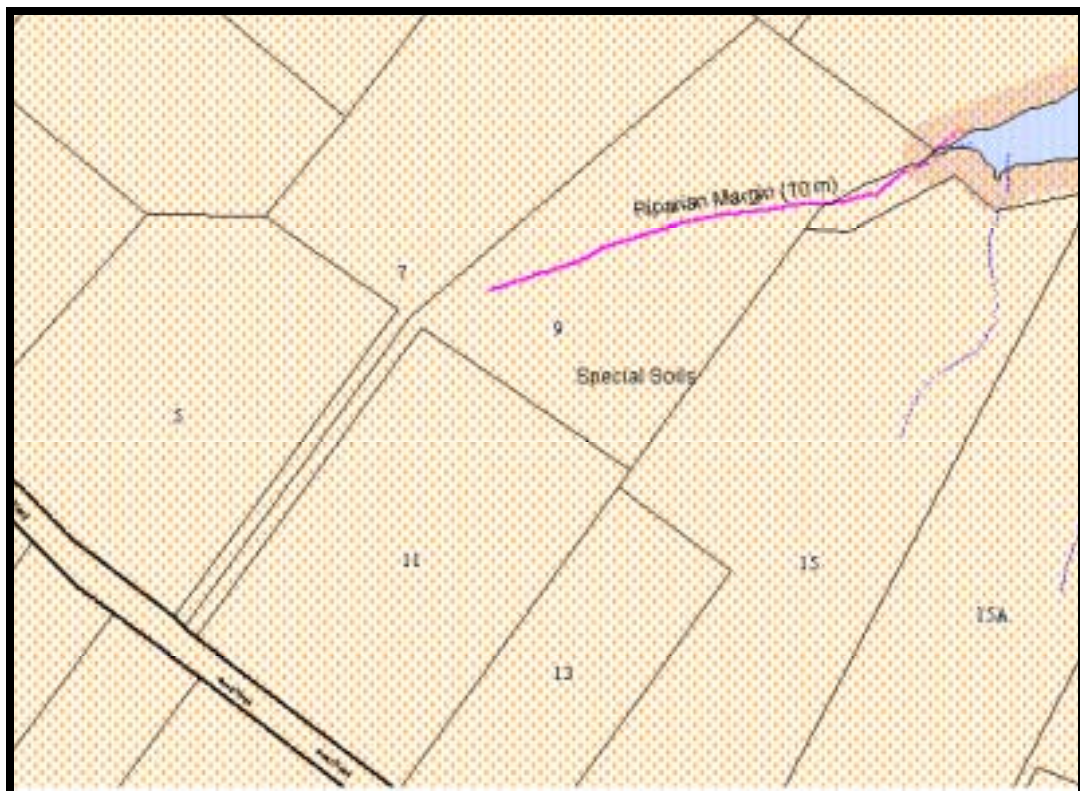


Diagram B: Natural Area Maps

### 3.0 THE SITE AND NEIGHBOURHOOD DESCRIPTION

#### 3.1 Site Description

The subject site is irregular in shape located at 11 Scott Road, accessed via a right of way along the northern boundary of 11 Scott Road. The site is identified on the Council's GIS as 9 Scott Road with an area of 4.4566ha. The site comprises three adjacent sites (7-11 Scott Road) that are occupied by Hortex Big Trees Nursery and are operated as one site. The slope of the site is relatively flat, and existing vegetation consists of riparian planting and shelterbelts along boundary margins. Currently the majority of the site is planted with nursery trees, and there are a few associated buildings on the site. There are no residential dwellings currently existing on the site. A stream runs diagonally across the site from the north-eastern corner in a south-westerly direction for approximately 300m. Vegetation lines both sides of the stream bank.

The subject area of the site is within the north-eastern corner of the site and is currently grassed and surrounded by trees and scrub. A stand of tall casuarinas trees (15m - 18m) lines the waters edge to the west of the site, and a row of 10m high pine trees separates the subject site from the property to the north, shelter belt planting also exists along the eastern boundary adjacent to the subject area of the site (Diagram C).



Diagram C: North to Subject Area of Site

#### 3.2 Site Surrounds

The surrounding area is largely rural in character, with lot sizes around 4ha and few residential dwellings. Activities within the area are primarily rural and rural-residential with a number of lifestyle lots. Rural activities include horticulture, grazing, and orchards, with associated sheds and some dwellings. Residential development in the area is at a low density, and the landscape is characterised by large areas of pasture and exotic vegetation. A lattice of shelterbelts exists within the surrounding sites as historic evidence of the horticultural background of the area.

Scott Road has an open road speed limit and is lined with shelterbelt planting for most of its length.

Within the northern half of the Hobsonville Peninsula lies the Hobsonville Airbase, which has occupied this area since the late 1920's. The Airbase contains a large number of residential dwellings, a runway and large sheds. Sovereign Yachts also have a large factory/warehouse within the Airbase. A number of heritage sites exist within Hobsonville, all of which are located on the Airbase.

#### **4.0 PROPOSAL**

A1-A2

The applicant seeks consent to construct a telecommunications facility at 11 Scott Road, Hobsonville to provide coverage to the surrounding area and across the water to Beach Haven West. The component parts of the proposal and its location are illustrated in the accompanying plans (numbered 554971-P01 rev. 2 and 554971-P02 rev. 2 and dated 2.12.02), which are attached at pages A1 to A2 and are described in detail below.

#### **4.1 Antennas**

This proposal seeks to attach six panel antennas (measuring approximately 2.3m in length) and one parabolic dish antenna (measuring approximately 0.3m in diameter) to a 30m mast structure. The panel antennas will be attached to the top of the mast resulting in a maximum height of 31.2m, with the dish antenna attached at a height of approximately 20m.

#### **4.2 Pole Structure**

The base of the pole structure would have a diameter of 1.2m for approximately half the height of the pole, decreasing to a diameter of 700mm at the top of the pole. With the lightning rod attached (3.7m high), the overall height of the proposed tower would be approximately 33.7m. A concrete base would be constructed at the foot of the tower (3.7m x 3.7m) as part of construction.

#### **4.3 Equipment**

The equipment necessary to operate the antennas will be housed in three equipment cabinets, to be located adjacent to the base of the pole. Cabinets measure approximately 1.9m high x 0.8m wide x 0.75m deep and a timber stock fence with a height of approximately 1.2m would fence off the entire facility.

#### **5.0 REASONS FOR THE APPLICATION**

Consent is required under those provisions of the Operative District Plan for the following reasons:

#### **5.1 District Plan**

**5.1.1** Discretionary Activity consent for erection of a building with a height exceeding 8.0m, where the proposed pole structure would have a total height of 33.7m inclusive of lightning rod (Countryside Living, Rule 4.2 Building Height). The proposal constitutes a building as defined under the District Plan as it would exceed 1.5m in height.

**5.1.2** Discretionary Activity consent for infrastructure exceeding 12.0m in height, which is not on a sensitive ridge, where the proposal would be 33.7m high inclusive of lightning rod (Countryside Living, Rule 13.4 Infrastructure). The proposal constitutes infrastructure as defined under the District Plan as it is for telecommunications.

## 5.2 Non-Residential Activity

The applicant considered the proposal as a non-residential activity in the Countryside Living Environment. It is Council's contention that the proposal is not a non-residential activity as it is infrastructure, which is neither a *residential* or *non residential* activity but a separate entity. The activity does not have any of the intrinsic characteristics of a non-residential activity, such as traffic generation or noise. For these reasons it is considered the proposal need not be considered against Rule 7 of the Countryside Living Environment.

## 5.3 Proposed Plan Change 3

A soil reclassification study involving soil sampling and analysis has shown that only 8% of the soils in the area of the City identified as being "special soils" do in fact meet the definition of special or high fertility soils.

Dr Richard Chapman undertook a reclassification of special soils in 2001, identifying the subject site as containing Class III Soils. The study determined that soils could not be described as elite or outstanding and hence worthy of protection as an outstanding feature.

Proposed Plan Change 3 was notified by the Council on 14 July 2003 deleting all references to special soils within the Operative District Plan. Therefore although the site is identified as containing High Fertility Soils as an "outstanding natural feature" the Council has recognised through the proposed plan change that the identification of special soils has been based on inaccurate information and the plan will be changed to reflect accurate information about the City's soils. Therefore the consideration of any potential adverse effects on special soils from the proposal is considered inappropriate.

5.4 Overall, the application is considered to be a discretionary activity. The proposal complies with all other development controls under the District Plan.

5.5 No other consents under the District Plan are required in respect of this application.

A3-A4

5.6 Consultation with Council and the adjacent site at 145 (149) Clark Road altered the original proposal to re-site the structure from within 30m of the northern boundary to the current proposed location 14.3m from the eastern boundary. A photomontage comparing the visibility of the proposal from 145 (149) Clark Road was submitted with the application, as attached at pages A3 to A4 and was reassessed by the Council's Landscape Architect. The applicant also consulted the Minister of Defence due to the sites proximity to the Hobsonville Airbase. The Minister of Defence confirmed in writing that his consent was not required as the proposed facility would not penetrate the conical surface.

## 6.0 ISSUES IDENTIFIED THROUGH THE SUBMISSION PROCESS

A5-A229

The application was publicly notified on Wednesday, 18 June 2003, and the period for submissions closed on Thursday, 17 July 2003, 59 submissions were received within the timeframe and 1 submission was received late. All 60 submissions opposed the application, with no submissions in support. A summary of each submission has been prepared as attached at pages A5 to A10, along with copies of the submissions that were received, as attached at pages A11 to A228. A map showing the location of the submitters is attached at page A229.

## 6.1 Submissions

The opposing submissions can be summarised as follows:

1. Concerns were raised about the potential adverse effects on the rural character of the area by introducing a structure with a height of 33.7m being significantly higher than any other structure within the area.
2. All submitters were concerned about the adverse visual effects created by the prominence of the proposed structure as viewed from various sites throughout the Hobsonville Peninsula.
3. Submitters were concerned about potential health and safety risks associated with electromagnetic radiation emissions from the facility, and also the safety issue of children attempting to climb the pole structure.
4. A number of concerns were raised about the effect such a proposal would have on the future development of the area for higher density residential activities, and the fact that a previous concept plan proposed by the Council identified the subject area of the site as a future local shopping area.
5. The issue of alternative locations was raised in submissions, to improve the service by locating within the Airbase and/or on existing buildings to reduce the visual impact of the structure. Primarily submitters sought for the proposal to be located on publicly owned land. Further comments were made as to whether the improved service was required in Hobsonville area and whether it was predominantly to improve services for Beach Haven West.
6. Some submitters recognised the coastal environment and the proposed location's proximity to Nimrod Inlet as resulting in adverse visual effects on the coastal environment, wetlands and foreshore as a matter of national importance.
7. A couple of submissions raised concerns that the proposed pole structure would overshadow adjacent sites and impact on privacy of neighbours from construction and maintenance of the facility.
8. Most submitters indicated that nearby trees were approximately 15m in height, and any specimen trees were no greater than 20m. Submissions raised concerns about the health of the shelterbelts due to disease and the need for the proposal to be significantly higher than these trees. Particular reference was made to the row of pine trees along the northern boundary, which are dead and therefore will not be growing any higher and will require removal.
9. A few submitters recognised the presence of "special soils" on the site, which are identified within the District Plan. Comments made raised the issue of protecting these sites for productive activities.
10. Issues regarding the historical significance of Hobsonville with a number of heritage sites existing within the surrounding area including Clark House, and the site of the old Clark Brickworks, and various sites within the Hobsonville Airbase. Comments raised concerns that the proposal would be visible from these sites and would therefore adversely affect the visual amenity from these sites.
11. A number of submitters were concerned about the effect development would have on property values in the area.
12. Some concerns were raised by submitters that the applicant had not provided sufficient mitigation measures to reduce the visual impact of the proposal on surrounding sites.

13. Submitters stated that the proposal would be contrary to District Plan, and particularly the Objectives and Policies.
14. One submitter included comments in their submission that they would like any proposal to use Hobsonville Airbase housing for state housing to be rejected.

## 6.2 Pre Hearing Meeting

The option of a pre-hearing meeting was discussed but the applicant preferred to undertake further consultation with the submitters individually.

## 7.0 STATUTORY REQUIREMENTS

### 7.1 Discretionary Activities

A230-A234

The relevant policies and criteria which apply under the District Plan and the Resource Management Act 1991 are set out in more detail, as attached at pages A230 to A234. This should be referred to as the legal framework within which the application should be addressed.

Section 104 of the Resource Management Act 1991 sets out those matters to be considered when assessing an application for resource consent. Amongst other things, these matters require consideration of any actual and potential effects on the environment arising from the proposal, together with an assessment as to whether the application is consistent with relevant objectives, policies and rules of the District Plan. All considerations are subject of the provisions of Part II of the Resource Management Act 1991, which sets out the purpose and principles that guide this legislation.

The District Plan has been prepared with an “effects based” emphasis, in keeping with the Resource Management Act 1991. As such, consideration of the application in relation to each of the assessment criteria relating to the various infringements would ensure that all the relevant matters contained in Section 104 of the Resource Management Act 1991 would have been addressed. In addition, a brief summary is presented below of the main effects on the environment generated by the application.

## 8.0 EVALUATION IN ACCORDANCE WITH SECTION 104 OF THE RESOURCE MANAGEMENT ACT 1991

### 8.1 Assessment of Environmental Effects (104(1)(a)): Actual and potential effects on the environment.

#### 8.1.1 Native Vegetation, Vegetation and Fauna Habitat

The proposal would not require the clearance of any vegetation for the construction of the base and pole structures. Currently the area proposed for the telecommunications facility is covered in grass and scrub. Therefore there would be no adverse effects on vegetation and fauna habitat.

#### 8.1.2 Land/Soil

Earthworks would be limited to creating a building platform for the equipment cabinet and pole structure. The site is not identified as being subject to any hazards and has already been significantly modified through previous resource consents to remove topsoil from the site. Therefore there would be no adverse effects on land/soil from the proposal.

Submitters (49) and (54) raised the issue of developing such a facility on a site identified as having special soils, and that such soils should be preserved for horticultural or productive rural activities. However, consents issued on this site in the early eighties have already removed a majority of these "special soils". A study done by Richard Chapman to reclassify the City's soils identified that the subject site contains Class III and not Class II soils as indicated in the District Plan. Although such soils are considered suitable for productive purposes these soils are not considered to warrant the level of protection that they are currently afforded under the District Plan as per Proposed Plan Change 3 discussed further in paragraph 7.1.4.

It is considered that the relatively small area of land required to site the structure (being the 70m<sup>2</sup> fenced off area) would not significantly impact on the productive capacity of the subject site, which would continue to operate as a tree nursery.

Provided adequate sediment and erosion control measures are implemented prior to the commencement of construction any potential adverse effects from earthworks on the nearby creek would be de minimis as an adequate separation distance would be retained and the subject area is relatively flat.

### **8.1.3 Ecosystem Stability**

A stream with a maximum width of approximately 2m runs diagonally through the middle of the subject lot, leading from the end of Nimrod Inlet in a south-westerly direction. The proposed location of the facility would be located approximately 15m to the east of the stream and would therefore be outside the riparian margin (10m). Vegetation within the proposed location is predominantly scrub and grasses and the removal of this would have no adverse effects on the stability of the ecosystem.

### **8.1.4 Outstanding Natural Features; Landforms, Geological Sites**

The subject site is identified as containing High Fertility Soils as an "outstanding natural feature" within the City (refer Map 3.5E, Part 3 Maps). However, as previously discussed in paragraph 4.3 Proposed Plan Change 3 would remove all references to special soils from the District Plan, in accordance with a survey to reclassify soils within Waitakere City undertaken in 2001 by Dr Richard Chapman. As the proposed plan change deletes all references to special soils it would be inappropriate to consider any potential adverse effects on the outstanding natural feature of high fertility soils given the evidence to the contrary. Therefore there would be no adverse effects on outstanding natural features.

### **8.1.5 Natural Character of Coast and Margins of Lakes, Rivers and Wetlands**

Submissions regarding the visual impact of the proposed tower on the natural character of the coast, wetlands and foreshore indicate that visibility of the facility would degrade the quality of the natural environment. The proposed location of the facility would not be located either within the riparian margin, or the coastal natural area but setback within the general natural area of the site.

The proposal would be located over 100m west of the coastal edge at the upper reaches of Nimrod Inlet. There is significant vegetation between the proposed area of the site and the coastal edge that would screen the mast, where the overall distance to the Scotts Point and the Waitemata Harbour would be approximately 800m. Visibility of the proposal from the sea would therefore be obscured by existing vegetation along the coastal edge and the distance from which it is viewed.

Therefore although the proposal may be partially visible from the coast, wetlands and foreshore this is considered to be no more than minor as any visual impact would decrease as distance from the facility increases.

Therefore any adverse effects on the natural character of the coast would be no more than minor.

### 8.1.6 Amenity Values - Health and Safety, Landscapes, Local Areas and Neighbourhood Character

- **Visual Amenity and Neighbourhood Character**

Currently the surrounding area is characterised by a mixture of residential and rural activities, with a number of lifestyle blocks and activities such as grazing, orchards, nurseries and horticulture. There are few residential dwellings within the vicinity of the subject site as the lot sizes remain on average at around 4ha, ranging from 1.7ha - 7.5ha.

The proposed location of the telecommunications facility would be setback from site boundaries by a distance of approximately 14.3m from the eastern boundary, 100m from the northern and western boundaries, and approximately 425m from the road boundary. The proposed location would be placed to the south of an existing shelterbelt of tall casuarinas (approximately 18m high) within the riparian margin of the adjacent stream, and the surrounding area of the site is relatively flat.

Scotts Point has an extensive lattice of mature shelterbelt planting including casuarinas, willows, alders, pines, Leyland cypress, macrocarpa, cryptomerias and eucalyptus. These shelter trees are generally 15m - 18m maximum height. There are also specimen trees including some stand-alone eucalyptus trees, up to about 25m in height within the surrounding landscape on neighbouring sites. Although overall height of the structure would be 33.7m, the last few metres are for a thin lightning rod. The bulk of the structure would have a maximum height of 30.0m with the top of the panel antennas reaching 31.2m. With a height of 31.2m the facility would be approximately 13m higher than adjacent trees, and 6m higher than the tallest trees in this landscape.

A full visual assessment was undertaken by the applicant at the request of the Council to further consider potential adverse effects on visual amenity. Ms Bedggood undertook this assessment by placing a 28m high cherry picker on the subject site to provide an approximate reflection of the height of the proposed facility. The assessment determined that the tower would be visible from Scott Road at the entrance to 13 Scott Road and would be visible from adjacent sites at 7, 13, and 15 Scott Road, and 149 Clark Road. The assessment indicates that the facility would be partially visible from other properties, but the topography and rural landscape make it difficult to determine the extent of the mast that would be seen. The landscape assessment indicates:

*"... the landform, existing built structures and mature trees will largely obstruct views of the facility from properties in the near vicinity of the subject site. It is considered that, even if the facility is able to be seen from these properties, only the very top portion of the mast and antennas will be visible, and the adverse visual effects will be no more than minor."*

A235-A238

Four photomontages were submitted as part of the application demonstrating the visibility of the facility from three locations, as attached at pages A235 to A238. These images recognise the location of the facility and the level of screening provided by surrounding trees. It is possible to determine from these images that the proposed facility would not be obtrusively visible or physically dominating within the landscape due to the relatively narrow character of the mast and the context of the visual environment including the scale of surrounding vegetation.

Generally submitters have commented that the trees discussed within the Vodafone application are no greater than 15m high and that a number of these are in fact dead or diseased and likely to die in the near future. Furthermore, submitters are concerned that future development throughout the area would see the removal of the existing shelterbelts that would leave the proposed site unscreened.

The Council's Landscape Architect considered the application and determined the following:

*"In a flat and open landscape a tall mast is a very contrasting element. However, the abundant presence in this landscape of tall trees provides other vertical elements in this landscape, which would reduce the visual impact of the mast and provide significant screening of the mast. The mast would be placed well within the subject site, thereby reducing any potential adverse visual effects on adjacent properties."*

Although partially screened by adjacent shelterbelts, the taller trees throughout the landscape are considered to provide further mitigation. As these trees are on other sites there is no control over the retention of them as part of this application, and as mentioned by some submitters a number of trees within surrounding shelterbelts are suffering from disease. Upon visiting the site it was apparent that the existing row of pine trees along the northern boundary adjoining 149 Clark Road are dead and would not provide any long term mitigation of visual effects. The existing shelterbelts on the site are considered adequate to provide sufficient screening of the mast from most view points, however it would be appropriate for the applicant to undertake planting along the northern boundary to provide that longer term screening of the mast from the adjacent site at 149 Clark Road.

The photomontages illustrate the visibility of the top of the mast both within and above trees. By painting the mast grey the tower as viewed against the sky would recede into the background. The applicant also recognises that the receiving landscape has been modified with signage, electricity poles, overhead power lines, substantial dwellings and out buildings resulting in an environment that is not pristine. Therefore the location of the proposed facility, although partially visible from a number of vantage points throughout the area, would have no more than minor adverse effects on visual amenity and would not detract from neighbourhood character.

On the approach along Scott Road it is unlikely that the proposed tower would be visible if at all given the extensive shelterbelt planting along the road boundary. The proposal may be partially visible from Clark Road as this area lies slightly higher than the Scott Road land and does not contain tall shelterbelts along the roadside. However, as previously indicated there are a number of specimen trees in the vicinity of the tower that would offset the vertical height of the tower. It is considered likely that the proposal would not create any additional environmental effects on the visual amenity given that the skyline is interrupted by the existing environment and the mast would be only partially visible above the trees.

It is likely that the tower may be visible from Beach Haven, which is located at a significantly higher ground level than Hobsonville. The proposal is therefore likely to be seen against a backdrop of land and trees and would not interrupt the skyline, and would not be visually obtrusive. Furthermore the structure would be viewed over a considerable distance, further mitigating any adverse effect on the Beach Haven area.

Submitters from adjoining sites are concerned about the visual prominence of the mast from their sites. The owners/occupants at No. 149 consider the proposal would overshadow their property and be clearly visible. Other submissions indicate a reduction in privacy from construction and maintenance of the structure with people working able to overlook into neighbouring sites. The separation distances from nearby residential dwellings and the relative low maintenance requirements of the facility are considered to have no more than de minimis adverse effects on privacy of adjacent sites.

Given that the proposed location of the site would be well setback from site boundaries and would be only partially visible from various locations it is not considered to have any significant adverse effects on the rural residential character of the surrounding area. Although there are no other large buildings of this type of scale within the vicinity, the mast would not be of a bulk that would create a sense of dominance to adjoining sites. The rural-residential neighbourhood, and horticultural activity base within the area would therefore not be compromised.

The facility is considered to be fairly well obscured from public view by existing mature vegetation on the site and throughout the landscape, with a relatively small number of people able to clearly view the facility from adjoining sites. Any views of the facility are over a distance of approximately 150m. Therefore any adverse effects are considered no more than minor.

- **Physical Dominance and Height**

The proposed tower would be significantly higher than any structure within the vicinity, exceeding the permitted building height of 8m and the permitted infrastructure height of 12.0m for the Countryside Living Environment. Submitters raised concerns about the physical dominance such a proposal would have within the area given that generally buildings have a height no greater than 8m.

Submitter (41) states:

*"Tall trees/shelterbelts are one of the reasons the Tower will need to be so tall. In an area without these obstacles a Tower of this magnitude would not be required."*

*"The existing shelterbelts may only be in place as long as the property continues to be used for cultivating plants and does not become residential or have another commercial use. The removal of trees would further impact on surrounding properties, as the Tower would become totally exposed."*

*"We do not consider painting the Tower grey would in any way mitigate any visual effects. The Tower would always be visible on the skyline and, in our particular case at 5 Scott Road, will be highly intrusive"*

Submitter (6) states:

*"The height of the proposed mast is incompatible with and would significantly detract from the existing character of the local environment, which is characterised by a range of productive rural and horticultural activities combined with rural-residential and residential activities, with few large buildings or tall structures."*

As discussed previously, height is a critical factor for location of BTS antennas and trees can significantly attenuate the coverage. Therefore the mast must extend above surrounding trees to provide the required service. Most cell towers constructed today have a minimum height of approximately 20m to get clear line of site to other cells and avoid nearby structures. By providing a single mast of approximately 30m located within a site screened by vegetation, and well setback from the road, the need for many smaller masts is reduced.

Surrounding trees obscure much of the mast, although they are not of the same height. The Council's Landscape Architect acknowledges that a number of taller specimen trees (20m - 25m) within the landscape would provide further mitigation within the foreground off setting the relative height of the facility. Furthermore, as discussed by the consultant landscape architect the degree of visual effect will lessen as the distance from the facility increases. Therefore the scale of the structure would decrease, appearing more narrow as a spire in the skyline of trees as demonstrated by photomontages.

Originally the application was proposed closer to the northern boundary. However, after consultation with the owners of the adjacent property at 149 Clark Road the proposal was moved to the current location over 100m south-east of their boundary. Although the proposed structure would be taller than anything within the vicinity of the proposed site the separation distance from the northern boundary is considered to reduce any physical domination effects on the occupants at 149 Clark Road who are the nearest residence. The proposed location of the facility would be closest to the eastern boundary adjoining 15 Scott Road, which is predominantly pasture with a residential dwelling located toward the roadside approximately 330m away. Therefore any views from the main living areas of residential dwellings in the vicinity would be of a sufficient distance to reduce any potential adverse effects of physical dominance.

- **Health and Safety**

The proposal would result in electromagnetic emissions to air through the transmission of radio signals on the mobile phone network. The applicant indicates that emissions would comply with the NZ Standard NZS 2772.1:1999 which sets a 450 microwatts/cm<sup>2</sup> standard that people can be exposed to in a public place. Engineering calculations and drawings were submitted with the application, demonstrating that the proposal would comply with the New Zealand Standard. The application was referred to the National Radiation Laboratory for consideration, and the following response was received:

*"... maximum exposures at ground level will be only a very small percentage of the limit recommended for the public in New Zealand Standard 2772.1:1999 Radio Frequency Fields Part 1: - Maximum exposure levels 3 kHz - 300 GHz. On this basis, exposures to radio frequency fields from this site should not cause any adverse health effects."*

In response to perceived health effects from electromagnetic radiation the Ministry for Environment and the Ministry of Health produced a document "National Guidelines for Managing the Effects of Radio Frequency Transmitters" (MfE, 2000, ME No.377) indicating that there are no established health effects from facilities which produce radio frequency energy, provided exposures comply with the limits in NZS 2772.1:1999. The applicant indicates that they are familiar with the contents of the National Guidelines, and that in designing the facility Vodafone has implemented the suggestions set out in the National Guidelines to design a site so as to minimise public exposure to radio frequency energy. Therefore any adverse effects on health from electromagnetic radiation is considered de minimis.

### 7.1.7 Heritage

The history of the surrounding land in Hobsonville Peninsula up until the time that it was subdivided for private sale in the late 1800's is currently unknown. Early survey plans indicate the division of the Peninsula into quite large rural blocks of 10ha or more. Early landowners in the area included Henry Clark who purchased about 27ha at the northern end of the Peninsula in 1893, and established the Clark Brickworks.

Hobsonville Airbase was established in the north-eastern portion of the Peninsula in the late 1920's. Development on the site included extended reclamation areas, provision of housing and personnel facilities and other ancillary buildings and activities associated with base operations.<sup>1</sup>

Six heritage sites identified in the District Plan are within Hobsonville Peninsula, all of which are on defence land, these sites are:

- Clark House, 25 Clark Road (Category I).
- The 5<sup>th</sup> Movements Squadron Building in Boundary Road (Category III).
- Married Quarters Buildings in Marlborough Crescent (Category III).
- The Base Chapel in Buckley Avenue (Category III).
- The Base Commander's Residence (Mill House) in Buckley Avenue (Category II).
- The seaplane slipway and associated taxiing area (Category II).

A significant number of submissions raised concerns about the visual impact of the proposed tower on the recognised heritage value of the area, as the proposal is likely to be visible from these sites.

Submission (41) states the following:

*"Historically, the Scott Road area has considerable heritage importance. Scott Road is one of the earliest settled parts of West Auckland and is also home to the oldest church (once Hobsonville School), and graveyard in the area (circa 1875). Scott Road was also the site of the original Clark Brickworks, and Clark House is located in nearby Clark Road. Remnants of pottery from the Clark Brickworks are found throughout the Scott Road peninsula. The Tower will be located within approximately 1km of all of these sites and will be visible from all of them. The height of the Tower will have a significant adverse visual impact on all of these historically significant heritage sites."*

Although the proposal may be visible from the sites identified above, there would be an extensive separation distance between them reducing any potential to physically dominate heritage sites. As discussed above in paragraph 7.1.6, vegetation screening the facility and specimen trees throughout the area and the distance over which the tower is viewed would mitigate effects on the visual amenity of surrounding sites. The proposal does not have any direct impact on the ability to retain these sites as heritage sites or adversely affect their status or historical significance. Any adverse effects on heritage sites are therefore considered de minimis.

A few submitters raised concerns about potential impacts on tangata whenua, however, consultation undertaken with both Ngati Whatua and Te Kawerau a Maki did not raise any particular concerns. A report provided by Te Kawerau a Maki undertaken in response to previous consultation on Hobsonville identify two locations of particular interest to tangata whenua. The proposal would not be located within either of these locations and any adverse effects would therefore be de minimis.

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<sup>1</sup> "Hobsonville Peninsula – Hobsonville Taskforce Report" (Waitakere City Council, 2000)

### 8.1.8 Summary

Any adverse effects on visual amenity and neighbourhood character are considered no more than minor given the location of the sit, setback from site boundaries, and extensive vegetation between 15-18m tall, and a number of specimen trees of approximately 20m providing both screening and offsetting the vertical impression of the facility on the skyline.

It is the report writer's opinion, that the potential adverse effects of the proposed activity are no more than minor, and can be adequately mitigated through appropriate conditions of consent. Further, having regard to the meaning of the word 'effect', the potential adverse effects are such that this activity can meet the requirements of section 104(1)(a).

## 8.2 District Plan Considerations (104(1)(d)): Relevant Objectives, Policies, Rules and other provisions of a Plan or Proposed Plan

### 8.2.1 District Plan

#### 8.2.1.1 Objectives, Policies, Rules and Assessment Criteria

The applicants propose to construct a telecommunication facility with a pole structure of 30m in height, and a lightning rod of 3.7m in height, and associated equipment cabinets at 11 Scott Road, Hobsonville.

A230-A234

The District Plan provides a range of objectives, policies, rules and assessment criteria to be considered in relation to development in the Countryside Human Environment and these have been used as a guide in considering the proposal and are discussed below under the headings of Health and Safety, and Bulk and Visual Dominance. The full assessment criteria and relevant objectives and policies, as attached at pages A230 to A234. If a specific Objective or Policy is considered particularly relevant it has been included, in its entirety, prior to the discussion.

### Health and Safety

**Objective 10** To maintain and enhance those natural and physical characteristics (amenity values) that contribute to the wellbeing of residents and workers including a safe environment.

*Explanation: This objective is intended to achieve, at the very least, a minimum level of physical health and wellbeing for residents, workers and visitors. The Resource Management Act requires the District Plan to manage the effects of activities on the environment and humans. It also requires the Plan to have particular regard for the maintenance and enhancement of those natural and physical characteristics that contribute to people's appreciation of, amongst other things, its pleasantness. Any enjoyment of sense of pleasantness derived from the environment is fundamentally dependant on whether residents, workers and visitors find it a healthy place to be.*

#### Policies 10.1

Non-residential activities should be managed in a way that emissions of odour, dust, electro-magnetic radiation, radio frequency radiation and other discharges to air do not cause nuisance, or otherwise have an adverse effect on the health of occupants of surrounding residential properties.

### Discussion

The potential health and safety issues and therefore risks to people surrounding the electromagnetic radiation have already been discussed in paragraph 7.1.6. Given that the proposal would meet the appropriate levels set by the New Zealand Standard the facility is not considered to potentially harm nearby residents. Furthermore, it is known that exposure levels decrease with distance from emissions, where the proposed antennas would be located approximately 30m off the ground and the nearest residential dwellings would be located approximately 150m from the proposed facility. Although potential health effects from electromagnetic radiation from such facilities is still unknown, the location of the proposed site is setback from boundaries providing an adequate buffer from public exposure. The National Radiation Laboratory reviewed the application by Vodafone and confirm that provided emissions comply with the NZS 2772.1:1999 there are no concerns about potential health risks.

### **Bulk and Visual Dominance**

**Objective 11** To achieve a quality of settlement and associated activities within each of the City's Human Environments which is sympathetic to, and protects and enhances, the dominant natural and physical (including building) features which contribute to the amenity value and the neighbourhood character of an area, including maintaining and enhancing the pastoral/rural character of the northern parts of the City.

*Explanation: This Objective recognises the importance of maintaining and enhancing the particular elements and characteristics that define the various landscapes, local areas and neighbourhoods of the City. This Objective is concerned with protecting those aspects of the environment that are particularly valued by the community and recognising the varying character of each part of the City.*

### Policy 10.6

Buildings should be designed and placed on-site, or screened in a way that maintains the privacy and onsite amenity of adjacent residential properties.

### Discussion

The proposed structure would be screened by existing vegetation both on the site and on surrounding sites. A couple of submissions raised concerns regarding the impact on privacy from construction and maintenance of the facility and the ability to overlook adjacent sites. Clearly any privacy issues surrounding the construction of the facility would be temporary in duration and the proposed location is considered to be adequately setback by a minimum of 17m from any adjoining site boundaries. Although the height of the structure may be visible from adjoining sites this is not considered to adversely affect the privacy and onsite amenity of adjacent residential sites. Sufficiently setback from site boundaries and well setback from the road frontage, the top of the mast structure would perhaps be visible above the trees, although from many sites within the area it is unlikely to be visible at all and is therefore not considered to intrude on privacy of adjoining sites.

### Policy 11.3

Structures should be located so that they maintain the neighbourhood character, visual amenity of the surrounding area.

### Policy 11.7

Infrastructure should be designed and managed in a way that:

- will maintain, and not adversely affect the amenity values and neighbourhood character of the surrounding area, including streetscape character;
- placement on sensitive ridgelines in a way that visual intrusion above that ridgeline when viewed from a public place is avoided, or where unavoidable, remedied or mitigated;
- does not detract from the significance to tangata whenua of any ridgeline;
- minimises disturbance of natural and physical features;
- does not physically dominate adjoining sites.

### Policy 11.9

Structures should be placed in such a way that they do not encroach visually on those natural landscape elements that have been identified as contributing to the amenity of an area.

### Discussion

Although the proposal would result in a pole structure of 33.7m (including a lightning rod of 3.7m) and would therefore be significantly higher than any other structure within the vicinity, it is not considered to intrude on the surrounding rural landscape or physically dominate adjoining sites. The proposal would be only partially visible from various locations and would be offset by existing vegetation with a height of between 15m - 20m that would provide both screening and vertical impressions on the skyline. The top of the tower, including the antennas would therefore be visible above the trees but would be viewed from distances of over 100m. Painted grey the facility would generally recede into the skyline. The tower would provide telecommunications facilities and services to the Hobsonville and Beach Haven areas and is an activity that would not restrain or significantly impact on the ability for rural (horticultural) or rural-residential activities to continue occurring within the area.

As previously discussed, the proposal may be partially visible above the trees from some sites within Hobsonville Peninsula. However, there are no recognised views that would be interrupted by the mast, and views of the skyline would not be significantly interrupted. As the distance increases from the facility the scale of the structure would decrease reducing any impact on views from sites in the vicinity. The base of the structure would be well screened by existing vegetation and would not be visible from neighbouring sites, and although the top of the mast (including the antennas) would create a taller structure in the environment. The separation distances of at least 150m to the nearest residential dwelling would mitigate any impact on visual amenity.

It is considered that the proposal would be consistent with this policy because the proposed location would be adequately setback from site boundaries and screened by existing vegetation to mitigate any impact on amenity values of adjacent neighbours.

For the aforementioned reasons it is considered the application meets **assessment criteria 4(a) - (d) and 13(a) - (f)** and is consistent with **Objectives 10** and **11** and **Policies 10.1, 10.6, 11.3, 11.7, 11.9**.

### 8.3 Auckland Regional Policy Statement (104(1)(c))

The Auckland Regional Policy Statement sets out the broad resource management issues, objectives and policies for the Auckland Region to achieve the integrated management of its natural and physical resources. The Policy Statement functions as an umbrella policy document for environmental planning and policy development within the region under which the District Plan has been prepared.

With respect to the proposed development it is considered that Section 2 (Regional Overview and Strategic Direction) is of relevance. In particular Policy 2.6.4 (Rural Areas) which states:

*"The use, development and protection of natural and physical resources and the subdivision of land in the rural parts of the Region (except as provided by Policy 2.6.1-3) is to be managed in an integrated manner, that:*

- *gives effect to Part II of the Resource Management Act;*
- *is consistent with the Strategic Direction and with the relevant provisions of Chapters 3 to 18 inclusive of this Auckland Regional Policy Statement;*
- *takes account of and makes appropriate provision for the following matters:*
  - (i) *the avoidance of significant adverse effects (including cumulative adverse effects) on;*
    - *the environmental values protected by defined limits to metropolitan Auckland and defined limits to rural or coastal settlements*
    - *the safe and efficient operation of existing regional infrastructure*
    - *the necessary upgrading of existing regional infrastructure*
    - *the provision of new regional infrastructure*
    - *the rural character of the region*
  - (ii) *Avoiding prematurely foreclosing or compromising options for accommodating the further growth and development of urban areas.*
  - (v) *Avoidance of conflicts between incompatible activities. Where such conflicts cannot be avoided they shall be remedied or mitigated.*
  - (vi) *Minimising the loss of versatility and productive potential of soil resources. Where it is necessary for the better achievement of the purposes of the Resource Management Act to compromise the versatility and/or productivity of the soil resource, the greatest protection shall be given to the most versatile soils.*
  - (vii) *Consideration of alternative locations (including locations in the urban areas) for activities which give rise to significant adverse effects on the environment."*

It is considered that the proposal would be consistent with this policy as it would not adversely affect the quality or life supporting capacity of soils within the site. Although the site is identified as having High Fertility Soils, this classification has been identified as inaccurate and the scale of the proposed building platform would have limited impact on the ability of the site to be productive. The applicant has identified alternative locations and indicated that this site within the Hobsonville area is appropriate because of the relatively flat topography, low density population and limited impact on a small number of people. Overall the proposal is considered to be consistent with the policy of the Auckland Regional Policy Statement.

### 8.4 Any Other Matters the Consent Authority Considers Relevant (104(1)(i)).

#### 8.4.1 Other Issues Raised by Submitters Not Covered Elsewhere in Report

##### Property Values

Eight submitters raised concerns about the effects such a development would have on property values within the area. However, case law has been clear that the economic value of property cannot be considered as an environmental adverse effect. Therefore no further consideration of any effects on property value will be undertaken.

### Identification of Alternative Sites

The applicant identified a number of alternative sites considered to improve coverage to the surrounding Hobsonville/Beach Haven West areas:

5a Scott Road  
163 Clark Road  
17a Scott Road  
Hobsonville Air Base  
7 Scott Road  
157 Clark Road  
149 Clark Road  
17b Scott Road

The applicant stated that:

*"The proposed site will enable Vodafone New Zealand to meet the radio frequency coverage requirements for this area without any interference and at the same time avoid, remedy and mitigate any potential adverse effects on the surrounding environment. The subject site has the capability to visually absorb the facility better than other localities in the area due to the flat nature of the property and location away from the road."*

42 of the submissions were concerned that the applicant had not undertaken sufficient investigation into alternative sites, and indicated that as customers of Vodafone they were unconvinced that an improved service was actually required within the Hobsonville area.

Given that no information was provided with the application as to why sites within the Beach Haven West area had not been considered, further information was requested from the applicant to determine why.

The consultant confirmed that alternative sites in Beach Haven were considered however the subject site was chosen for its ability to absorb the facility with no more than minor adverse effects.

#### 8.4.3 Monitoring

The performance of the activities under this consent will be subject to Council's standard monitoring procedures. These procedures include scheduled inspections to ascertain compliance with conditions of consent, together with periodic inspections as and when required to establish whether conditions are being complied with on an ongoing basis. In particular, attention is likely to be directed toward the implementation of conditions relating to the provision of landscaping and protection of trees to retain screening of the proposed facility.

#### 8.4.4 Any Other Relevant Non-Statutory Documents

##### Auckland Regional Growth Strategy

A number of submitters raised concerns about the impact such a structure would have on the future development of Hobsonville. The Council has done a number of studies for Hobsonville, predominantly to do with the vacation of the Hobsonville Air Base and potential development of that land for marine based industry and residential development. Although the southern part of the peninsula has also been identified as being suitable for residential development, this is a long-term future proposal and is not likely to occur for some time yet.

A239-A240 Currently the area lies outside the Metropolitan Urban Limits and the Auckland Regional Councils Growth Forum has not identified any future urban development beyond this area for a number of years. The application was referred to John Mackay, Manager Urban Development and Design for comment on potential adverse effects on future development, his report as attached at pages A239 to A240. Mr Mackay considers:

*"The subject site is essentially at a cul-de-sac, on the edge of future development, and would not be visually prominent from any significant [future] streets."*

Although the proposed tower may be considered to conflict with any high density residential development in the future, the site is near the head of the Nimrod Inlet and the associated esplanade reserve along the south side of the creek. Mr Mackay indicates that the Council would be seeking to continue the esplanade reserve around the head of the creek, near the subject site, and along the north side to link up with the existing reserve alongside Bomb Creek. As the eventual aim would be to establish a foreshore walkway around the whole of the Hobsonville Peninsula, higher density residential development is unlikely to be proposed within the subject area and the proposed facility is not considered to be incompatible with the use of the area for esplanade reserve and public walkway. Future extension of the esplanade reserve would continue to provide ongoing screening of the facility.

Mr Mackay's comments indicate that the proposed location of the cell phone tower is not near a likely location for a future neighbourhood centre, as it would not be at a prominent node within the future street system. The facility would be located on the edge of any future urban development. In summary, Mr Mackay indicates that the proposed location would be less visible and less offensive than most others on Scotts Point, both now and in the future.

In response to submitters concerns about Housing New Zealand development in the Hobsonville Airbase, it is noted here that such development does not form part of this consent or assessment.

## **9.0 PART II OF THE RESOURCE MANAGEMENT ACT 1991**

It is considered that the proposal would be consistent with Sections 5, 6, 7 and 8 of the Resource Management Act 1991.

The purpose and principles of the Resource Management Act 1991 have primacy over all other considerations that are set out in section 104 of the legislation. In summary, sections 5, 6 and 7 require that resources must be sustainably managed in such a way that any adverse effects on the environment can be avoided, remedied or mitigated. Furthermore, the Resource Management Act 1991 requires that amenity values and the quality of the environment are to be maintained and enhanced.

It is considered that the granting of this application would not be contrary to the purpose of the Act. The proposal will enable people and communities to provide for their economic, social and cultural well-being and their health and safety without significantly compromising the needs of future generations or the life supporting capacity of natural resources such as air, water and soils. Through the imposition of appropriate conditions of consent, it is considered that the proposed activity can sufficiently avoid, remedy or mitigate any adverse effects on the environment.

## 10.0 CONCLUSION

The applicant seeks consent to construct a telecommunications facility on the property at 11 Scott Road, Hobsonville. The site is zoned Countryside Living Environment and General Natural Area within the District Plan. The proposed facility would cover an area of approximately 70m<sup>2</sup> including the fenced off area around the mast and the mast would have a maximum height of 33.7m (inclusive of lightning rod).

It is considered that the proposal meets the criteria for granting consent as the potential adverse environmental effects are no more than minor and can adequately be mitigated through the imposition of appropriate conditions of consent. It is considered that the establishment and operation of a telecommunications facility at this location will not lead to a decline in the amenity values of the area in which it seeks to locate.

The proposal is considered to be consistent with the objectives and policies of the Operative District Plan, which seek to protect the environment from any adverse effects of proposed activities in Waitakere City that do not meet the rules of the District Plan.

It is considered that the issues raised by the submitters can be adequately addressed through the imposition of appropriate conditions.

Subject to any additional and/or contrary evidence being presented at the hearing, it is concluded that the application merits consent in accordance with Sections 104 and 105 of the Resource Management Act 1991.

## **RECOMMENDATIONS**

That pursuant to Sections 104, 105, 108 and 113 of the Resource Management Act 1991, and subject to additional or contrary information being presented at the hearing, **consent be granted** to the application by Vodafone New Zealand Limited to construct a telecommunications facility involving a tower with a maximum height of 33.7m (including a 3.7m lightning rod) at 11 Scott Road, Hobsonville being Lot 15 DP66174 for the following reasons:

- (i) The telecommunications facility would be located well away from public view points and would be screened from most areas by existing shelterbelt trees on the site and throughout the landscape.
- (ii) Visibility of the facility would be confined to the top of the mast above surrounding trees prominent on immediately adjoining sites, with glimpses available from along Clark Road and Scott Road over a separation distance of at least 400m.
- (iii) Dwellings on adjacent properties are located a considerable distance from the location chosen for the facility and it is considered the orientation of dwellings on those sites, existing screening on those sites and the topography of the area would mean the tower would not be visually dominant in this setting, or impact on privacy to adjoining sites.
- (iv) Painting the facility in recessive grey would assist to blend the tower into the background of the sky.
- (v) Development would not fragment or detract from the rural character of the area.
- (vi) Electromagnetic radiation emissions from the proposal would be in accordance with New Zealand Standards and exposure levels to public would be in line with the guidelines set out by the Ministry of Health and Ministry for the Environment.
- (vii) The proposal is consistent with the Assessment Criteria and Objectives and Policies of the District Plan.

Consent shall be subject to the following conditions:

- (1) The development shall proceed in accordance with the Plans titled "Vodafone New Zealand Limited Henderson Valley BTS Site 312 Henderson Valley Road Henderson: drawings P01 and P02" prepared by Connell Wagner, dated 30 March 2003 and all referenced by Council as RMA 20022425 and the information, including further information submitted with the application.
- (2) In the event of contractors uncovering archaeological evidence, for example midden, work shall cease and the Council's Maori Liaison Officer is to be contacted for further advice. Work shall only proceed on the authority of the Manager, Resource Consents.
- (3) The consent holder shall certify in writing, to Council, that the antenna are working at the levels proposed within one month of completion of construction.
- (4) The facility shall be painted grey within one month of completion of construction (if not done prior to construction).
- (5) Screen planting shall be undertaken along the northern boundary adjacent to 149 Clark Road to replace existing row of pine trees that are dead. A suitable evergreen species to provide a minimum height of 10m within a 3-5 year growing cycle, to be planted within the first planting season (May - September) after construction has commenced. All planting is to be irrigated and maintained for a minimum of one further planting season. Any plant losses within this time are to be replaced and to be maintained for a further planting season from the date of replacement.

Species, grade and spacing shall be approved by Council's Environmental Monitoring Officer (839 0400) prior to undertaking planting.

A241-A243

- (6) Before commencement of any works and until completion of exposed earth site works, adequate sediment and erosion control measures shall be constructed and maintained by the consent holder. The control measures must be maintained until the site has been adequately stabilised against erosion. The construction and maintenance shall be in accordance with Appendix 3, Erosion and Sediment Control Measures Appendix to the Natural Area Rules of the Waitakere City Council District Plan, as attached at pages A241 to A243.

Please advise Council's Environmental Monitoring Officer (839 0400) when the controls are in place and await the approval of the monitoring officer before commencing work.

- (7) A consent compliance monitoring fee of \$410.00 (inclusive of GST) shall be paid to the Council. This fee is to recover the actual and reasonable costs incurred ensuring compliance with the conditions of this consent. If, on inspection all conditions have not been satisfactorily met, a re-inspection shall be required at the relevant hourly rate.

The \$410.00 fee shall be paid as part of the resource consent and the resource consent holder shall be advised of any further monitoring fees if they are required.

Report prepared by: Chloe Trenouth, Resource Planner.

