

DISTRICT RULES - DESIGNATED LAND - APPENDICES

APPENDIX 16B : WARKWORTH SATELLITE EARTH STATION (BUILDING AND LAND USE RESTRICTIONS)

1. The plans associated with the requirement (TP/8228/4 TP15616) together with this specification comprise the "Warkworth Satellite Earth Station: (Building and Land Use Restrictions)". (Refer to specification plan below.)
2. The area affected by the restrictions is that area outlined in light stipple on TP/8228/4, TP15616 and the specification plan below. The boundary of the requirement corresponds to the Safe Contour Line. The Safe Contour Line is defined as "the locus of points which are 10 m below the level of the ridge line on the side of the ridge away from the Satellite Earth Station antennas. The ridge lines is the locus of points on the brow of the ridge which are on a grazing ray from the top of the antenna tangent to the ridge. If a ridge brow is within 1,200 mm of both antennas, then the ridge line associated with the antenna which gives the lower safe contour has been taken. The top heights of the antennas are 122 m R.L. for the No: 1 antenna and 102 m R.L. for the No: 2 antenna".
3. To ensure the safe and efficient functioning and operation of the Warkworth Satellite Earth Station a restriction is necessary to prevent the use of the land (within the requirement area) in a manner which would cause interference with the electronic integrity of the station.

Therefore the:

- (a) Proliferation of devices, or
- (b) The excavation of land, or
- (c) The construction, reconstruction, alteration or addition to any building or other structure in a form of or by the use of reflecting or re-radiating materials

which could cause interference to the efficient functioning of the Satellite Earth Station is prohibited except with the consent of the Telecom New Zealand International Limited pursuant to Clause 4 hereof.

4. Any person who wishes to carry out any work in any manner prohibited by Clause 3 above may make an application to Telecom New Zealand International Limited, under Section 176 of the Resource Management Act 1991 by writing to:

Telecom New Zealand International Limited
PO Box 1092
WELLINGTON

(Attention: Mr Craig Hardiman)

Ph: (04) 498-9040 Fax: (04) 473-5926

A reply to any request will be made within one month of receiving the request. The granting of any consent will be made on the merits of each individual proposal as measured against the criteria for protecting the operation of the Satellite Earth Station.

The applicant may contest a refusal of consent or a consent granted subject to conditions by lodging an appeal with the Planning Tribunal. Such an appeal must be lodged within one month of receipt of the decision on an application for consent under Section 176 of the Resource Management Act 1991.

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5. In considering applications under Section 176 the Company will apply the criteria set out in Clause 6. These criteria not only state the objective behind the restrictions on the use of land but as far as possible detail the types of activities which are likely to be permitted in the area.

6. **CRITERIA FOR APPLICATIONS UNDER SECTION 176**

6.1 **Need for the Restrictions:**

The control over the use of land as contained in Clause 3 is necessary for two broad and interacting reasons. Firstly, to restrict the proliferation of interference-producing devices which singly may not produce sufficient interference to be detrimental to the operation of the Satellite Earth Station but which in number will increase the risk. Secondly, to prevent the erection of buildings and structures within the area constructed of materials with reflecting or re-radiating properties which could affect the performance of the Satellite Earth Station.

The Company must be satisfied that the proposed use of land will not produce unacceptable interference or reflections.

6.2 **Administration of the Restrictions:**

(a) The restrictions only relate to the use of land in a manner which would cause interference with the electronic integrity of the station. A change in farming type for example from agriculture to horticulture or to forestry would not need to be controlled unless it interfered with the functioning or operation of the Satellite Earth Station.

(b) Subdivision of land will be controlled in order to maintain the existing rural, low density development and land use character and to minimise the occurrence of electrical interference sources.

6.2.2 (a) Over all that land within the boundary of the requirement the following shall apply:

(i) Any buildings or structures with metallic exterior or interior surfaces shall be oriented so as not to produce reflection from the satellite into the antennas.

Explanatory Note: Buildings or structures with metallic surfaces greater than 40 m² in any one plane have the potential to cause unacceptable interference.

(ii) Height

Any buildings and structures should be of such a height as not to cause interference to the Satellite Earth Station.

Explanatory Note: Buildings and structures less than 5 m in height are generally unlikely to present a problem, although some resiting may be necessary in specific cases.

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(iii) Transmission and Reticulation:

Aerial power transmission and reticulation will not be permitted. This restriction also applies to all aerial telephone reticulation. Should any new supply be required this need shall be met by using an underground transmission and reticulation service.

Where the effect of this provision is to require undergrounding of existing or future services which would otherwise not be required the difference in cost shall be met by Telecom New Zealand International Limited.

Maintenance work on aerial services shall be deemed, excepting only in the case of emergency work, to be work within the meaning of Section 176 of the Act and shall be subject to an application in terms of Clause 4.

(iv) Earthworks:

No earthworks will be permitted affecting the ridgeline determining the safe contour line.

- (b) In the area shown cross-hatched on the attached Specification Plan, the following shall also apply:

New buildings or structures potentially creating man-made electrical noise sources shall not be permitted in this area.

6.3 **Rodney District Plan Provisions**

The provisions of the Rodney District Plan for the area shall continue to apply but be subject to the restrictions contained in the requirement.

APPENDIX 16B : WARKWORTH SATELLITE EARTH STATION (BUILDING AND LAND USE RESTRICTIONS) SPECIFICATION PLAN

APPENDIX 16C : NOT ALLOCATED

**APPENDIX 16D : PROPOSED RUBBISH TRANSFER STATION (WITHIN EXISTING COUNCIL
DEPOT) TAVERN ROAD, SILVERDALE**

APPENDIX 16E : REFUSE TRANSFER STATION AND WATER SUPPLY PURPOSES
OMAHA DRIVE, OMAHA

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**APPENDIX 16F : RUSTYBROOK ROAD (WELLSFORD) AND LAWRIE ROAD (SNELLS BEACH)
REFUSE DISPOSAL SITES (Designations 45 and 122)**

1. ACTIVITIES ALLOWED

- (a) The disposal of solid waste (excluding those substances listed in paragraph 4) and all activities ancillary thereto including the collection and disposal of leachate, recycling, composting, storage and sale of recycled articles and compost, and use of the site as a rubbish transfer station, all in accordance with the environmental and management controls listed in Paragraph 2 and in the terms of the water right granted by the Auckland Regional Water Board and the licence granted by the Auckland Regional Council.
- (b) Buildings and structures ancillary to the above activities.
- (c) The grazing of stock on land not in use for refuse disposal or the collection and disposal of leachate.
- (d) Afforestation and screen planting.

2. ENVIRONMENTAL AND MANAGEMENT CONTROLS

(a) Operation

In addition to any specific conditions imposed in the granting of a licence to operate, the following general conditions and controls apply.

- (i) That part of the site in use for refuse disposal and for the collection and spray irrigation of leachate shall be fenced to exclude stock.
- (ii) All refuse other than that intercepted for recycling in accordance with specific arrangements made by the Council or intercepted for redirection to a refuse disposal facility accepting hazardous wastes, shall be placed in the final position and covered within 48 hours with not less than 75 mm of clean cover material.
- (iii) Removal of refuse from the tip face shall not be allowed.
- (iv) Adequate measures shall be taken to exclude or control vermin and wild cats.
- (v) No fires shall be allowed to be lit within areas of the site currently or previously used for the on-site disposal of waste.
- (vi) At the Lawrie Road site the uses of land within 30 metres of the site boundary shall be limited to the following:

Adjoining allotment 153

- Afforestation, screen planting and grazing.
- Contouring by filling with clean fill and topsoil to merge the slope of the land with the contour of the adjacent finished landfill.

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- Earthworks to allow for the construction of access roading, subject to:
 - (i) these earthworks being to the design of a geotechnical engineer to ensure the continuing stability of the land along the boundary of Allotment 153, and
 - (ii) the prior agreement of the adjoining owner, provided that such agreement shall be withheld only on the grounds that the earthworks are likely to cause instability within Allotment 153.
- Spray irrigation of leachate over land adjacent to that part of the boundary of Allotment 153 between its intersection with Allotment 197 and a point 160 metres to the south-west, but no closer than 10 metres to the boundary of Allotment 153, and subject to the agreement of the owner of Allotment 153 having first been obtained. (See plan at Appendix 16G)

Adjoining the road boundaries

- Afforestation, screen planting and grazing
- Access roading and any related earthworks.
- Cut off drains to intercept stormwater runoff from land above the refuse disposal areas.
- Winning of cover material down to the finished contour level (such material to be won only for the purposes of finally capping the adjacent stage of the landfill or contouring the completed landfill and adjoining land).
- Contouring by excavation or filling with clean fill and topsoil to merge the slope of the land with the contour of the adjacent finished landfill.
- An area adjacent to the closed Stage 1 for the receipt and temporary storage of materials and goods for recycling or transfer to another refuse disposal facility.

Adjoining Allotment 197 (Lawries Scenic Reserve)

For the first 150 metres from Lawrie Road along the common boundary between the landfill site and the reserve:

- Afforestation, grazing and screen planting.
- Winning of cover material down to the finished contour level for use in Stage 1 of the landfill and construction of earthworks for Stage 1A.
- Contouring by excavation or filling with clean fill and topsoil to merge the slope of the land with the contour of the adjacent finished landfill.

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For the remaining length of the common boundary between the landfill site and the reserve:

- afforestation, grazing and screen planting.
- Spray irrigation of leachate subject to no leachate being allowed to flow or drift onto Allotment 197. (See plan at Appendix 16G)

(b) Contamination Prevention

- (i) The formation surface of the fill shall be of impervious material.
- (ii) The sanitary landfill area shall be sealed with a clay blanket below the refuse to prevent contamination of underground waters by leachate.
- (iii) All rain falling onto the sanitary landfill area shall be collected in a leachate pond and spray irrigated on land within the site in accordance with the conditions of any water right issued by the Auckland Regional Water Board. Such collection and disposal of leachate shall continue for as long as necessary after the cessation of tipping operations.

(c) Access

- (i) A well-graded and maintained road with an adequate depth of metal shall be provided to the tipping face at all times.

(d) Appearance

- (i) The site shall be kept tidy at all times. All loose material other than material for recycling or composting is to be removed or covered.
- (ii) Planting with trees and shrubs shall be undertaken as necessary so that the tipping operations will be screened from adjoining properties and from the road.
- (iii) The immediate working area of the site shall be fenced to control tipping and minimise loose papers, plastic, etc, blowing about.
- (iv) Spoil or other material stock-piled for tipping operations shall not exceed a height of 2.5 m, provided that this shall not refer to the height of the landfill face or other materials placed and compacted in the operation of the refuse disposal site.

(e) Restoration of Land

Once the refuse disposal site is no longer required for refuse disposal purposes it shall be restored to a state suitable for rural use by appropriate contouring and grassing or planting with trees. The part of the Lawries Scenic Reserve adjoining the landfill site shall also be cleared of rubbish and litter that has emanated from the landfill site, in consultation with the Department of Conservation, after the closure of Stage 1 of the landfill and subsequently if required and requested by the Department.

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3. Management Plans

The Council shall prepare and adopt a management plan for each landfill site that shall be observed at all times in the operation of the landfill and for as long as is relevant after its interim or final closure. Such management plans shall be regularly reviewed in consultation with the Auckland Regional Council and Auckland Area Health Board and at least prior to the preparation of tender documents for each new contract for the operation of the landfill.

4. LIST OF SUBSTANCES TO BE PROHIBITED FROM BEING DISPOSED OF IN THE LANDFILL

- Wastes in a liquid state;
- Substances declared to be poisons under the Toxic Substances Act 1979;
- Pesticides as defined by the Pesticides Act 1979 and Regulations thereto;
- Wastes which are explosive, oxidising, highly flammable or radioactive;
- Hazardous inorganic chemicals (including heavy metals and blue asbestos);
- Any other chemical in liquid or powder form, whether for agricultural or industrial use, in sealed drums or otherwise;
- Any paunchings, animal bones, dead stock, game, fish or poultry wastes (except as contained in domestic refuse);
- Septic tank sludge;
- Sewage;
- Grease trap wastes;
- Paint;
- Glues;
- Latex;
- Oil;
- Caustic or corrosive wastes;
- Resins;
- Bitumen products;
- Electroplating wastes;
- Cosmetic wastes;
- Acids;
- Chemically derived lime products;
- Infectious (medical) wastes;
- Wastes generated from mining operations which may contain hazardous components;
- Dry ash;
- Tree stumps.

Footnote: References to the stages of the landfill are to the stages defined in the 1992 Management Plan for the Lawrie Road site.