

UNITARY PLAN UPDATE REQUEST MEMORANDUM

TO Celia Davison

FROM Ciarán Power

DATE 4 June 2019

SUBJECT



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

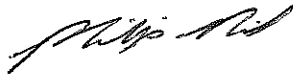
Reason for update: A decision has been made to confirm a requirement for a new designation under Section 172(1) of the RMA

Chapter	Chapter K Designations AUP GIS Viewer – Designations layer
Section	Schedules and Designations – Counties Power Ltd
Designation only	
New Designation	Drury South Substation
Location:	201 Quarry Road, Drury
Lapse Date	5 years from the date on which it is included in the AUP.
Type of Designation	New
Purpose	electricity supply purposes
Requiring Authority	Counties Power Ltd
Changes to text (shown in underline and strikethrough)	Update Chapter K Designations - Schedules and Designations - Counties Power Ltd to introduce a new designation and associated conditions. Refer to conditions in Attachment 2 .
Changes to diagrams	No changes.
Changes to spatial data	Update the AUP GIS Viewer – Unitary Plan Management Layers - Designations to apply a new designation to 201 Quarry Road, Drury, as per the proposed designation extent shown in Attachment 3 . The designation description is: <u>Designations – [TBD], electricity supply purposes, Designations, Counties Power Ltd</u>
Attachments	Attachment 1: Requiring Authority acceptance letter Attachment 2: Text changes Attachment 3: Designation extent

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Report Name: Electricity substation at 201 Quarry Road, Drury – New designation for electricity supply purposes

File No.: UPMODIFICATIONS\DESIGNATIONS\ DesigxxxxDrurySouthSubstation

Executive Summary

Counties Power Ltd as the requiring authority has served notice on Auckland Council pursuant to Section 168 of the Resource Management Act 1991 (**RMA**) to designate land at 201 Quarry Road in Drury South for electricity supply purposes. The designation is intended to provide for a substation on the site that will connect into the national grid to facilitate the future development of the area.

Pursuant to section 171(2) of the RMA, it is recommended that council agrees that to include a new designation for a Drury South Substation into the Auckland Unitary Plan (Operative in Part) (**AUP**).

Once the s171(2) request for a new designation is accepted by council, the Auckland Unitary Plan (Operative in Part) can be amended accordingly.

Recommendation

- a) That the proposed Notice of Requirement for electricity supply purposes at 201 Quarry Road, Drury be confirmed in the Auckland Unitary Plan (Operative in Part) pursuant to Section 171(2) of the RMA; and**
 - b) That a new designation titled ‘Drury South Substation’ be incorporated into the Auckland Unitary Plan (Operative in Part), subject to the conditions in Section 7.0 of this report.**
-

NOTICE OF REQUIREMENT TO THE AUCKLAND UNITARY PLAN (OPERATIVE IN PART)

1.0 REFERENCES

Requiring Authority:	Counties Power Limited
Notice of Requirement:	To designate land for the purposes of 'Electricity Supply Purposes'
Site Involved:	201 Quarry Road, Drury, 2578
Owners:	Counties Power Limited
Legal Description:	Allot 356 Parish of Opaheke
Zoning:	Business – Light Industry Zone
Locality Plan:	



2.0 SITE DESCRIPTION

The Requiring Authority has provided a description of the subject site in a form and manner that is acceptable to council. This is detailed in the Assessment of Environmental Effects¹.

The subject site is located at 201 Quarry Road is approximately 1.84ha in area and is located adjacent to State Highway 1 (Southern Motorway) in the Drury South area. The eastern half of the site is

¹ section 2.0 'Site Description' in the AEE titled 'Notice of Requirement – Indoor substation at 201 Quarry Road, Drury' and also detailed in section 2.1 'Context: Existing Environment' within Appendix D 'Landscape and visual assessment'

currently occupied by two dwellings and two large sheds/warehouse structures; one adjacent to the stream that bisects the site and the other adjacent to the southern boundary. The areas surrounding the building are occupied by a parking and manoeuvring areas. Trees and mature vegetation line the riparian margin of the northern half of the stream. The balance of the site, west of the stream, is mostly grassed with a line of mature tall trees on the western boundary of the site. Currently, the site is served by three vehicle crossings onto Quarry Road.

The wider area currently comprises rural living lots and pastoral farm land. In addition, the area is defined by SH1 immediately west of the site, and the national electricity transmission network. However, much of the surrounding area is zoned for urban or future urban development, including light industrial and residential zonings, and the Future Urban Zone to the west of SH1.

In terms of the immediate surrounds, the nearest dwelling is located on land directly south of the site at 231 Quarry Road and to the north at 195 Quarry Road there is a dwelling approximately 230m from the northern boundary. The remainder of boundaries are defined by Quarry Road to the east and Southern Motorway (SH1) to the west. The nearest residential zoned site is located approximately 380m to the south east of the subject site.

3.0 DESCRIPTION OF PROPOSAL

The Requiring Authority seek to designate 201 Quarry Road, Drury South for 'Electricity Supply Purposes' to enable the construction, operation and maintenance of a new enclosed electrical substation.

A detailed design for the facility and other related infrastructure has not yet been undertaken and will not be confirmed until the Outline Plan (**OP**) is prepared. However, the Requiring Authority note that the proposed works are likely to involve the following features or aspects:

- Removal of the existing structures from the site;
- Conceptual plans submitted illustrate that there will be one substation building in an L shape formation with the part of the building facing Quarry Road housing a 22kv switch room, while a 110kv switch room and two transformers will form the part building that runs parallel to the site's southern boundary. At its highest point the building will be approximately 12m high.
- There will be two termination poles measuring approximately 18.5m high which will be located to the rear of the site, along the western boundary by the motorway;
- Once operational the site will not be staffed. It will be monitored online continuously and visited on a weekly basis to carry out routine and non-routine maintenance tasks;
- A paved area of approximately 4,000m² is proposed, which includes accessory parking areas. Total permeable surfaces, including the building, are proposed to be approximately 5,000m². The building platform and all impervious surfaces will be set back at least 10m from the edge of the stream and 20m from the southern boundary;
- A 2.5m high security fence around the perimeter of the paved area within the body of the site and some low-maintenance landscaping along the boundaries of the site, principally along the southern and road boundary; and
- Earthworks will involve modification of the stream bed and cut and fill work to provide a stable building platform and allow the installation of any underground services.

No regional resource consents have been sought as part of the Notice of Requirement.

4.0 BACKGROUND

Ownership of the site:

Counties Power Ltd purchased the subject site from its previous owners: Drury South Ltd, with the sale and purchase completed on 30th of April 2019.

With regards to 196 Quarry Road, across the road from the subject site, Drury South Limited own this property and have provided their approval to the proposal by way of a landowner's approval document signed by Stephen Hughes who is the CEO of Drury South Limited.

Specialist input:

The following Auckland Council specialists have reviewed the proposal:

- David Russell: Senior Development Engineer;
- Arsini Hanna: Senior Stormwater, Wastewater and Industrial and Trade Activities (SWWWITA) Specialist Unit Specialist;
- Abby Sharma: SWWWITA Specialist;
- Jason Smith & Christina Bloom: Earthworks & Streams & Trees Specialist;
- Ruben Naidoo: Environmental Health Specialist;

Along with Mr. Alastair Lovell: Manager Land Use Policy/Planning with Auckland Transport.

Section 92 process:

Further information was requested under the s92 of the RMA on the 30th of November 2018. Information relating to potential effects on the flood plain that exists on the site, proposed landscaping, vegetation & fencing, proposed parking and methods for the storage of hazardous substances was sought.

A response to the request was received on the 2nd of February 2019. The Requiring Authority confirmed that the substation will not contain any buildings within the flood plain, and that flood management options would be addressed in a report from Tonkin and Taylor.

The s92 response also provided clarification around the other matters and proffered an updated set of conditions to mitigate any perceivable adverse effects.

Flood management report:

The Tonkin and Taylor produced flood management report² was submitted on the 10th of April 2019. The flood report presented three options of how the stream bed and embankment could be modified to result in the substation's building platform being above the 100-year annual recurrence interval flood level as well as how the modified stream will provide alternative flood storage for the flood waters that are expected to be displaced from the placement of the substation within the existing flood plain on the site. The report also demonstrated how each of the approaches would not result in any exacerbated effects either upstream nor downstream.

Implemented resource consents:

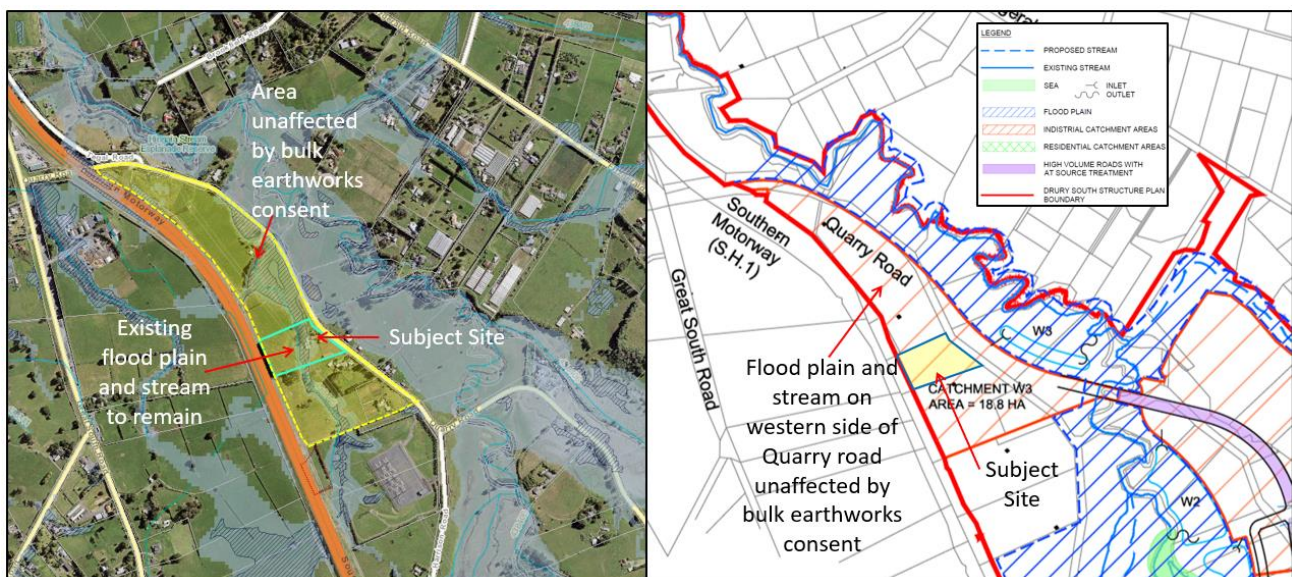
² 201 Quarry Road Substation Concept Development of Flood Management Options (FMO), prepared by Tonkin & Taylor Ltd, Date: April 2019

Drury South Limited, being the previous owners of the subject site prior to its current owner: Counties Power Ltd, purchasing the site, have secured the following resource consents:

BUN60305778 (Bundled number)	• WAT60305793 (Groundwater Diversion)
	• DIS60305790 (Discharge of Contaminants to Land)
	• LUC60305779 (Landuse consent & NES)
	• LUS60305891 (Streamworks)

These consents were approved on the 18th of December 2017 and have a 20-year lapse date. The consents enable staged land development works including bulk earthworks, stream works, vegetation removal, disturbance of contaminated land and associated discharge of contaminants. These works cover the entirety of the Drury South Industrial Precinct and Drury South Residential Precinct area of which the subject site is part of. A condition of the consent requires that an Annual Management Plan process is to be undertaken requiring certification of works on a yearly basis.

The consent³ provided approval for a regional land use consent and water permit for diversion of water throughout the DSIP however, Mr. Krish Nagendran: Three Waters Engineer at Tonkin + Taylor has stated *'the land within 201, Quarry Road is unaffected by the proposed floodplain earthworks to facilitate the development within Drury South Industrial Precinct (DSIP)'*. It is not intended that the works approved under the consent will affect the sites west of Quarry Road. Therefore, the stream, overland flow path and the flood plain over 195, 201 & 231 Quarry Road will be unaffected by the implementation of the consent.



The Tonkin +Taylor flood management report submitted has provided three options which can be undertaken to ensure that there will be no flood storage losses on site and no exacerbated effects either upstream or downstream.

A meeting was held in Manukau Council Buildings on the 17th of April 2019 between council officers, respective representatives from Drury South Ltd, Counties Power Ltd, and Align Consulting (agent

³ Regional streamworks consents (ss13 and 14) – LUS60305891

acting on behalf of the Requiring Authority). At the meeting, it was conveyed to council officers that Counties Power Ltd and Drury South Ltd will take into account all of the above information and work together to achieve an appropriate outcome. Written approvals have been obtained from Drury South Ltd and submitted with the notice by the Requiring Authority.

Outline plan & future consents:

At the time when the Requiring Authority will apply for the OP; the aforementioned specialists have highlighted that the following resource and regional consents (and not limited to) may also be required to be applied for:

- Regional earthworks: over 2500m² in the Sediment Control Protection Area (SCPA) and/or earthworks over 2500m² on land that has a slope greater than 10 degrees;
- Industrial and Trade Activity: Confirmation of Land Use activity status, and application for the discharge of contaminants from an ITA;
- Hazardous Substances;
- Regional Stream works: within 50m landwards of the edge of a watercourse.

5.0 ASSESSMENT OF NOTICE OF REQUIREMENT PURSUANT TO SECTION 171(1) OF THE RESOURCE MANAGEMENT ACT 1991

5.1 SECTION 171(1) OF THE RESOURCE MANAGEMENT ACT 1991

When considering a requirement, a territorial authority must subject to Part 2, consider the effects on the environment of allowing the requirement, having particular regard to the following:

(a) any relevant provisions of—

(i) a national policy statement;

(ii) a New Zealand coastal policy statement;

(iii) a regional policy statement or proposed regional policy statement;

(iv) a plan or proposed plan; and

(b) whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if—

(i) the requiring authority does not have an interest in the land sufficient for undertaking the work; or

(ii) it is likely that the work will have a significant adverse effect on the environment; and

(c) whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and

(d) any other matter the territorial authority considers reasonably necessary in order to make a recommendation on the requirement.

5.2 SECTION 171(1) – ASSESSMENT OF EFFECTS

An adverse effects assessment for public notification and limited notification has been undertaken under the foregoing s.169 notification report⁴. The findings of the report anticipated actual and potential adverse effects on the environment, during both construction and operation of the proposed substation, primarily relate to activities in a flood plain, landscape and visual effects, noise and construction traffic. The Requiring Authority propose to manage these effects through proposed conditions, as described below in relation to the relevant effects.

5.2.1 POSITIVE EFFECTS

The positive effects are outlined in the AEE⁵ which outlines the project will have significant social and economic benefits as it is required in order to facilitate the planned future residential and industrial growth of not only Drury South but the wider area. Without this substation there could be potential delays in development of the industrial business park and the residential development at Drury South. I agree with this assessment.

5.2.2 FLOODING/OVERLAND FLOW PATH EFFECTS

The effects of the construction of the substation upon the stream that runs through the site is addressed in the AEE⁶, the s.92 response and in the FMO Report⁷ appended to the NoR. The FMO report proposed three options of how the stream channel can be modified with each design placing the sub-station platform above the 100-year average recurrence interval (ARI) flood level and providing alternative storage for relative displaced flood volumes. Although these options will require reshaping works to the stream bed and bank, the modifications will not result in any changes to the entry and exit point of the overland flow path that crosses the site.

Mr. David Russell (Councils Senior Development Engineer), has not raised any concerns with either of the three options put forward in the FMO report. The Requiring Authority has offered a condition restricting the modification of the stream to one of the three options outlined in the FMO report:

'The flood management solution for the site shall be carried out in general accordance with one of the three solutions presented in the Tonkin + Taylor report titled '201 Quarry Road Substation – Concept development of flood management options', version 1, dated April 2019.

If for any reason one the solutions identified in the above report cannot be implemented, then a different solution can be used subject to approval from the Team Leader South Monitoring'.

I am satisfied that this condition will sufficiently ensure that the effects of constructing the modified stream bed can be internalized to the subject site thus avoiding any adverse effects upon the environment. Furthermore, the Requiring Authority has acknowledged that a regional stream works consent will be required to be secured before any works can commence which will seek to avoid, mitigate or remedy any effects that may arise.

⁴ Drury Substation s.169 Notification Report

⁵ Section 4.3.7 of the AEE

⁶ section 4.3.4 of the AEE

⁷ 201 Quarry Road Substation Concept Development of Flood Management Options (FMO), prepared by Tonkin & Taylor Ltd, Date: April 2019

5.2.3 AMENITY EFFECTS – VISUAL AND LANDSCAPE

Amenity effects are addressed in the AEE⁸ and within the accompanying LVA report⁹. The detailed design including the bulk, location and height of the proposed buildings has not yet been undertaken and will be confirmed as part of the OP process¹⁰. However, the Requiring Authority anticipates that the substation will have a maximum height of 12m; and the termination poles will be to a maximum height of 18.5m.

I concur with the assessment provided wherein the substation will not look out of place in the anticipated industrial environment that the Light Industry Zone and the Drury South Industrial Sub-Precinct B will provide for. In addition, the existing environments stand of trees along the western boundary are of sufficient maturity and height to screen the 18.5m high termination poles. Furthermore, the trees along northern half of the riparian margin of the stream will be retained also. The substation will feature buildings which in an 'L' shape formation to a maximum of two story's in height and will be similar in appearance to other industrial activities and can be set back from the road boundary and the use of low-maintenance landscaping along the site's road boundary will soften the plant's appearance when viewed from Quarry Road.

The Requiring Authority has offered the following conditions around amenity and landscaping:

'All buildings over 5m² shall be set back by at least 5m from the frontage to Quarry Road and at least 10m from the boundary between the site and Lot 2 DP 120014. Other elements such as electricity poles, landscape mitigation areas and minor works can be located within these nominated yards.

All of the trees outside of the proposed substation development area at 201 Quarry Road are to be retained and maintained for as long as the activity, building and termination poles that are being screened remain on the site.

For the avoidance of doubt the proposed substation development area means any area where works are practicably required to be undertaken to establish the safe operation of the substation on the site. This includes but is not limited to earthworks for the building platform and flood mitigation areas.

Prior to construction commencing, a detailed Landscape Plan based on the mitigation suggestions (section 5.2 of the LVA prepared by Align) must be submitted and certified by the Council's Compliance Monitoring Officer. The purpose of this plan is to demonstrate how mitigation of effects from the substation and fence will be achieved and should show:

- *Plant species schedule and quantity*
- *Plant locations and heights*
- *Vegetation to be retained on site*

All landscaping and planting shall be maintained in good condition for the term of the designation, and any plantings that clearly fail to thrive in the first three years after establishment or which fail to mature thereafter shall be replaced no later than the next planting season.

8 Section 4.3 of the AEE

9 Establishment of Enclosed Zone Substation; Landscape and Visual Assessment (LVA); prepared by Align Ltd, Date: October 2018.

10 under section 176A of the RMA

All areas within the 3m front yard shall be planted with Phorium tenax (flax) except for areas where underground cabling or other features are required for the safe operation of the substation which would otherwise limit planting. If any other plant species is used this shall be agreed to between the Requiring Authority and Auckland Council prior to construction.

The security fence at the front of the site shall be at least 3m from the boundary and shall be no more than 2m in height.'

I am satisfied that these will ensure that the finished site will be visually compatible with the area's surrounding future industrial activities and fits within the urban form anticipated by the AUP(OP) and the adverse landscape and visual amenity effects will be no more than minor.

5.2.4 ELECTRIC MAGNETIC FIELD (EMF) EFFECTS

The requiring authority has offered conditions stating that the substation will be designed and constructed so as to limit the EMF exposure so as to comply with the ICNIRP¹¹ guidelines and within the recommendations from the World Health Organisation¹². This is in compliance with the relevant standard¹³ under the AUP(OP) and I am satisfied that any effects of the proposal in relation to EMF will be less than minor.

5.2.5 STORMWATER AND WASTEWATER EFFECTS

Ms. Arsini Hanna & Ms. Abby Sharma (Council's Stormwater, Wastewater and Industrial and Trade Activities Specialists) along with Mr. David Russell (Councils Senior Development Engineer), have reviewed the proposal and the offered conditions. The Requiring Authority has offered the following conditions around stormwater and wastewater and the councils specialists consider these to be appropriate:

'The Requiring Authority must maintain and regularly clean all stormwater catch pits, channels, grates, pipes and other stormwater collection systems to ensure they operate in an effective manner

A septic tank shall be installed on the site to collect all wastewater prior to the operation of the substation, this shall be located outside of the existing floodplain.

At such a time that a public wastewater connection is available to the site, the sites wastewater shall be connected to the public system, and the existing septic tank shall be disconnected and made safe or removed from the site.'

The experts agree with to the offered conditions in how they will mitigate the effects. Therefore, I am satisfied that these measures are considered to be sufficient to ensure that the effects in relation to stormwater and wastewater upon the environment will be less than minor.

11 International Commission on Non-ionising Radiation Protection Guidelines for limiting exposure to time varying electric and magnetic fields (1Hz – 100kHz) (Health Physics, 2010, 99(6); 818- 836)

12 the World Health Organisation monograph Environmental Health Criteria (No 238, June 2007).

13 E26.2.5.2.(6) Electricity transmission and distribution (Electric and magnetic fields)

5.2.6 EARTHWORKS EFFECTS

Mr. Jason Smith & Ms. Christina Bloom (Council's Earthworks & Streams & Trees Specialists) have reviewed and suggested changes to the proffered conditions around earthworks which have been adopted by the Requiring Authority.

'Prior to the commencement of the earthworks activity on the subject site, a finalised Erosion and Sediment Control Plan (ESCP) shall be prepared in accordance with GD05 and submitted to the Team Leader Monitoring South. No earthworks activity on the subject site shall commence until confirmation from the council is provided that the ESCP satisfactorily meets the requirements of GD05, and the erosion and sediment control measures referred to in that plan have been constructed or certified.'

Advice note:

Given the proximity of the works to the stream, regional earthworks consents may be required for the works in addition to other regional consents. If required these will need to be obtained prior to works commencing on the site.

All earthworks must occur between the hours of 7.00 am and 6.00 pm Monday to Saturday.'

The experts agree with the offered conditions to mitigate effects and I am therefore satisfied that these conditions will sufficiently ensure that the measures will be put in place to ensure that any adverse effects upon the environment will be no more than minor. Furthermore, the Requiring Authority has acknowledged in the advice note that additional regional stream works consent will be required to be secured before any works can commence which will seek to avoid, mitigate or remedy any effects that may arise.

5.2.7 CONSTRUCTION EFFECTS

The effects of the traffic and noise generated during the construction period have been addressed in the AEE¹⁴ and this has been reviewed by Mr. David Russell (Councils Senior Development Engineer) and he does not consider that effects of construction vehicles upon Quarry Road during the construction phase will cause any effects over and above what would be anticipated within this zone and sub-precinct. Notwithstanding, the Requiring Authority has offered the following conditions around the construction noise:

'All construction and maintenance work shall be designed, managed and conducted to ensure that construction and maintenance noise from the site does not exceed the limits in NZS6803:1999 Acoustics– Construction Noise at locations set out in section 6.2 of that standard.'

The noise limits set out in the condition above shall not apply to emergency work required to re-establish continuity of supply, work urgently required to prevent loss of life or other personal injury, or commissioning works at the substation site, but all practicable steps shall be undertaken to control noise and to avoid adverse noise effects.'

¹⁴ section 4.3.2 of the AEE

I am satisfied that these conditions will sufficiently ensure that the measures will be put in place during the construction phase to ensure that any adverse effects upon the environment will be no more than minor.

5.2.8 CONTAMINATION EFFECTS

Mr. Ruben Naidoo (Council's Environmental Health Specialist) has reviewed this aspect of the proposal and suggested changes to the Requiring Authority's proffered condition on hazardous substances:

'The Requiring Authority must ensure that all transformers are banded. Each bund shall be of sufficient capacity to contain the total volume of oil contained within each transformer plus an allowance for rainwater.

All transformers shall be at least 30m from the edge of the watercourse flowing through the site.

The consent holder shall ensure that an Environmental Management Plan including emergency response, spill contingency and maintenance and monitoring procedures, is available on site at all times.'

Furthermore, the Requiring Authority have acknowledged¹⁵ that resource consents may be required to be applied for prior to OP stage due to the proximity of the development to the stream. This will ensure that any adverse effects will be avoided, mitigated or remedied through the regional consenting process, thus localising any adverse contamination effects to the subject site.

I am satisfied that these conditions will sufficiently ensure that any contamination effects can be appropriately managed by the proffered mitigation and the Environmental Management Plan to ensure that the effects upon the environment will be no more than minor.

5.2.9 OPERATIONAL NOISE EFFECTS

The effects of the noise generated by the operation of the substation have been addressed in the AEE¹⁶ and the Requiring Authority have proposed a condition in relation to operational noise.

'Any new equipment (such as transformers, fans and circuit breakers) shall be designed and operated to ensure that the following noise limits shall not be exceeded: 65dB LAeq at the boundary of Allot 356 Parish of Opaheke. All noise levels must be measured in accordance with the New Zealand Standard on the Measurement of Environmental Sound (NZS 6801: 2008) and assessed in accordance with the New Zealand Standard on Acoustic - Environmental Noise (NZS 6802: 2008)'

I am satisfied that this condition will sufficiently ensure that the operation of the new substation will comply with the relevant noise and vibration criteria at all times based on implementing commonly used acoustic mitigation measures, thus ensuring the effects upon the environment will be no more than minor.

¹⁵ Under the 'Hazardous substances' section 11 of the section 92 response dated 5th of February 2019

¹⁶ section 4.3.1 of the AEE

5.2.10 TRAFFIC AND PARKING EFFECTS

Traffic effects are addressed in the AEE¹⁷ and the road is currently rural in nature. The substation will not have any full-time staff and only maintenance staff will need to access the site from time to time, therefore no designated parking spaces are proposed. Mr. Alastair Lovell of Auckland Transport has reviewed this aspect of the proposal and suggested changes to the Requiring Authority's proffered condition on around traffic and the road berm reinstatement which have been adopted by the Requiring Authority.

I am satisfied that the traffic effects of the parking shortfall upon the receiving transport network will have less than minor effects and the Requiring Authority's agreement to upgrade the road berm and vehicle crossing, should the realignment of Quarry Road required them to do so, will no more than minor effects upon the receiving transport network.

5.2.11 EFFECTS CONCLUSION

Based on the information provided by the requiring authority and reviewed by the council's experts, I consider that the adverse effects of the proposed designation are likely to be no more than minor. Environmental effects primarily associated with construction of the facilities will be localised, temporary in nature and can be avoided, mitigated or remedied through the proposed conditions of the designation and through compliance with regional plan provisions of the AUP. The effects associated with the operation of the facilities, which relate primarily to landscape and visual effects, and noise, are considered to be no more than minor.

5.3 SECTION 171(1) – PART 2 RESOURCE MANAGEMENT ACT 1991

The Requiring Authority have provided an assessment against Part 2 of the RMA 1991 in the AEE¹⁸, which is summarised below.

- In respect of the sustainable management purpose under Section 5, the provision of electricity supply infrastructure provides for the social and economic well-being of the Drury South area by ensuring the security of electricity supply and by meeting the increasing demand for electricity;
- In respect of Section 6 matters, the site is not within or proximate to the coastal environment¹⁹, and the proposed development will not require the modification of outstanding natural features²⁰, significant indigenous vegetation or habitats²¹, historic heritage²² and no cultural values²³ are identified on the site or the immediate surrounds. In relation to management of significant risks

¹⁷ Sections 3.4 & 4.3.2 of the AEE

¹⁸ Section 4.6 of the AEE

¹⁹ Section 6(a)

²⁰ Section 6(b)

²¹ Section 6(c)

²² Section 6(f)

²³ Section 6(e)

from natural hazards²⁴, the Tonkin & Taylor report²⁵ provides for 3 designs of stream bed modification which will be formally addressed at the OP phase with regional consents to be applied for also to ensure that no additional natural hazard risks are generated. Of note is that the entry and exit point of the overland flow path will not be altered;

- In respect of Section 7 matters, the AEE notes that the proposal provides for the efficient use of natural and physical resources²⁶ by enabling an efficient use of the site for critical infrastructure, and for the maintenance and enhancement of amenity values²⁷ and the quality of the environment²⁸ as the finished built form housing the substation equipment will be designed in sympathy with the underlying controls of the AUP and will be visually integrated with the surrounding future industrial land uses. Anticipated noise and visual amenity effects have been deemed to be no more than minor and will be addressed at the OP stage thus upholding the quality of the environment; and
- In respect of Section 8, the AEE notes that substation is not anticipated to generate any adverse effects on cultural values given its distance from any culturally significant sites.

I agree with this assessment, and therefore consider that the proposal is consistent with Part 2 of the RMA.

5.4 SECTION 171(1)(A) – RELEVANT PROVISIONS

National Policy Statements²⁹

National Policy Statement on Electricity Transmission 2008 (NPSET)

The proposal aligns with the NPSET 2008. The proposed designation is necessary for the effective operation, upgrading and development of the electricity network³⁰; the designation provides for the ongoing maintenance and upgrade of the proposed assets³¹; the proposal minimises adverse effects on urban amenity, including effects on town centres and areas of high recreational value, given the subject site is located within a functional working environment well-separated from such high-amenity areas³²; and the proposed conditions dealing with electric and magnetic fields associated with electricity transmission³³ are based on the International Commission on Non-Ionising Radiation Protection Guidelines³⁴.

²⁴ Section 6(h)

²⁵ 201 Quarry Road Substation Concept Development of Flood Management Options (FMO), prepared by Tonkin & Taylor Ltd, Date: April 2019.

²⁶ Section 7(b)

²⁷ Section 7(c)

²⁸ Section 7(f)

²⁹ S.171(1)(a)(i)

³⁰ Policy 2 of the national policy statement on electricity transmission 2008

³¹ Policy 5 of the national policy statement on electricity transmission 2008

³² Policy 7 of the national policy statement on electricity transmission 2008

³³ Policy 9 of the national policy statement on electricity transmission 2008

³⁴ Albeit more recently prepared guidelines (2010) are referenced in the proposed conditions than those referenced in the NPS (1998). The NPS was issued in 2008 which explains this discrepancy.

National Policy Statement on Urban Development Capacity 2016 (NPSUDC)

The proposal also broadly aligns with the policy direction of the NPSUDC 2016. In particular, the proposed facilities support effective and efficient environments that enable people to provide for economic and social wellbeing by ensuring secure electricity supply to the surrounding Drury South area³⁵; and the proposal will result in critical infrastructure being integrated with industrial land uses and development occurring in the wider area³⁶.

New Zealand Coastal Policy Statement³⁷

The project will implement erosion and sediment control methods to ensure there will be no discharges of sediment into the watercourse running through the site. This ensures that the notice won't result in any increases in sedimentation within coastal marine areas which is in accordance with policy 22 of the NZCPS.

Regional Policy Statement³⁸

The Requiring Authority has provided an assessment of the proposal against the Regional Policy Statement in the AEE³⁹. I agree with this assessment. In summary, the proposal is consistent with:

- Chapter B2 – Urban Growth and Form: The provision of the infrastructure is necessary for the secure supply of electricity for the future growth the Drury South area. The facility will be similar in character to the surrounding future development anticipated for the area and therefore responds to the characteristics of the site and area. The proposal supports the planned future environment within the Business – Light Industry Zone;
- Chapter B3 – Infrastructure, transport and energy: The proposal will provide for the electricity supply needs of existing customers whilst accommodating future demand from anticipated greenfield growth. The proposal is located in a light industry area, which avoids any potential effects on sensitive land uses and the proposal will not encroach on any outstanding natural features;
- Chapter B7 – Natural Resources: The proposal does not affect any recognised areas of significant indigenous biodiversity, including any Significant Ecological Areas in the AUP. Underground detention/attenuation tanks are proposed for the management of future stormwater runoff; and potential adverse effects relating to stormwater discharge and diversion, can addressed through compliance with the regional plan provisions of the AUP.
- Chapter B10 – Environmental Risk: The proposal will not result in an increase in natural hazards over the site or result in the creation of new risks because the Requiring Authority has proposed three methods of constructing the development to ensure there won't be any exacerbated flood effects on site. The flooding hazards on the site will be addressed at the detailed design stage. Furthermore, the potential of the land being contaminated by the activity will be managed through

³⁵ Objective OA1 of the National Policy Statement on Urban Development Capacity 2016

³⁶ Objective OA1 of the National Policy Statement on Urban Development Capacity 2016

³⁷ S.171(1)(a)(ii)

³⁸ S.171(1)(a)(iii)

³⁹ Section 4.4.2 Auckland Regional Policy Statement (ARPS)

the requiring authority's proffered Environmental Management Plan and through compliance with the AUP's discovery protocols and the conditions of future resource consents required prior to OP stage.

Plan or Proposed Plan⁴⁰

The Requiring Authority has provided an assessment of the proposal against the Drury South Industrial Precinct plan provisions of the AUP in the AEE⁴¹. In addition, I consider that the proposal meets the purpose of the zone and is broadly not contrary to the objectives and policies of the other relevant sections of the district plan component of the AUP, as summarised below:

- Chapter E1 – Water Quality and Integrated Management: Appropriate sediment and erosion control will be implemented throughout the construction phase to ensure that freshwater quality within the catchment is maintained;
- Chapter E11 – Land Disturbance – Regional: Sediment and erosion control methods will be implemented throughout the construction works according to best practice guidance (currently GD05) and regional resource consents will be applied for at OP stage to address any infringements relating to land disturbance, works within and in proximity to a stream in the design phase;
- Chapter E12 – Land Disturbance – District: Soil/sediment will be retained on site where possible and erosion and sediment control measures will be implemented in accordance with GD05 to ensure the ongoing safety of people and that the project avoids, remedies and mitigates adverse effects on the environment;
- Chapter E14 – Air Quality: The operational project will not result in the discharge of contaminants to air that will affect human health. Any discharge of contaminants to air (i.e. dust) during the construction phase will be appropriately managed. Any future air discharges which do not meet AUP-OP standards will be addressed by air discharge applications;
- Chapter E24 – Lighting: The Requiring Authority have offered a condition that appropriate lighting will be provided that will sit within the relevant permitted activity standards the AUP(OP);
- Chapter E25. Noise and vibration: The Requiring Authority have offered a condition that noise effects during construction and when the substation is in operation will sit within the relevant permitted activity standards the AUP(OP).
- Chapter E26 – Infrastructure: The Requiring Authority note that the substation will form part of the electricity network within Auckland, with the provision of a secure supply of electricity being an essential service. The site is considered appropriate taking into account the functional and operational need of the substation, the ability for the site to be easily accessed off the local roading network and its position relative to the area to be serviced. In addition, the substation can be constructed, operated and maintained in a manner where significant adverse effects on the environment are avoided including potential adverse effects on the health and safety of the community and amenity effects;

⁴⁰ S.171(1)(a)(iv)

⁴¹ Section 4.4.3 of the AEE

- Chapter E30 – Contaminated Land: An Environmental Management Plan is to be available on site at all times and which detail the containment methods to be employed should a leak of hazardous substances occur. In the unlikely event that contaminants are found the accidental discovery protocol within the AUP-OP will be followed, as well as any conditions of consent issued for contamination related matters;
- Chapter E36 – Natural Hazards and Flooding: There is a flood plain and an overland flow path over the subject site and the requiring authority is proposing to modify the path of the stream over the site to accommodate the building platform for the substation. The entry and exit point of the overland flow path will not be altered and each of the proposed modifications to the stream channel will not result in any flood storage losses on site nor will it generate any increased flows to the stream and to the floodplain which could result in any adverse effects either downstream or upstream. Furthermore, the Requiring Authority has acknowledged that a regional stream works consent will be required to be secured before any works can commence which will seek to avoid, mitigate or remedy any effects that may arise.
- Chapter H17 – Light Industrial Zone: The proposed substation will support the anticipated development of the Drury South Precinct activities which will contain a mix of light industrial and residential activities, given that the secure supply of electricity is critical for such activities, and that the substation itself is not sensitive to nuisance effects of noise, odour and dust associated with industrial activities. In addition, the site itself does not occupy a large quantum of land and will not result in a large loss of land intended for light industrial uses.
- Chapter I410 - Drury South Industrial Precinct: The proposed substation will be in the Drury South Sub-Precinct B Motorway Edge and complies with the controls requiring additional landscaping and building layout design standards. The land adjoins State Highway 1 and will not be directly visible from the road due to the mature stand of trees along the sites western boundary that screens the property from the motorway. The proposed substation structure will fit within the future permitted building envelope.

5.5 SECTION 171(1)(B) – ALTERATIVE SITES, ROUTES OR METHODS

Section 171(1)(b) requires council to have particular regard to whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if:

i. The requiring authority does not have an interest in the land sufficient for undertaking the work; or

ii. It is likely the work will have a significant adverse effect on the environment.

The Requiring Authority had considered alternative sites for the location of the substation, all within the wider area. Considerations included site size, site contour and proximity to the existing Counties Power 110kV sub transmission lines and the Transpower substation. This is detailed in the AEE⁴². Notwithstanding, since the Notice was served to council, the Requiring Authority have purchased the subject site which now precludes an assessment of alternatives under s171(1)(b) and it has been

⁴² Section 4.5 of the AEE

demonstrated that the Notice will not have a significant adverse effect on the environment. I agree with this assessment and conclusion given that:

- The Requiring Authority have provided a Certificate of Title demonstrating ownership of the site; and
- As outlined in the forgoing notification assessment⁴³ and in section 4.2 of this report, the work will not have a significant adverse effect on the environment.

5.6 SECTION 171(1)(C) – NECESSITY FOR WORK AND DESIGNATION

Section 171(1)(c) requires council to consider whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought. The Requiring Authority note that the designation and works are necessary to support the electrical infrastructure required to service the future development of the Drury South Sub Precinct. I am satisfied that those objectives relating to servicing the population growth anticipated in Drury South, and improving the efficiency, resilience and safety of the electrical supply, given that:

- the proposed infrastructure is not specifically provided for under the Business – Light Industry Zone in the AUP;
- the use of the designation will ensure that the development and use of the site for electrical related infrastructure is future proofed against changes to the AUP and surrounding land uses which could limit the use of the site for electricity supply purposes;
- it provides flexibility for the requiring authority to develop the site in a manner which supports the project's objectives, while also ensuring that its development would not be limited to the AUP's development controls (including any future changes to those controls); and
- a designation will put members of the public on notice of the intended public work, through its identification on the planning maps.

Based on the reasons provided by the Requiring Authority and summarised above, I am satisfied that the designation is reasonably necessary to achieve objectives of the requiring authority for electrical supply in the Drury South Sub Precinct B.

5.7 SECTION 171(1)(D) – ANY OTHER MATTERS

Heritage New Zealand Pouhere Taonga Act 2014

Under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) no person shall modify or destroy an archaeological site unless an authority is granted by the Heritage New Zealand Pouhere Taonga (whether or not a site is a recorded archaeological site).

The site is not identified by the AUP or the New Zealand Archaeological Association as containing any archaeological sites. Given the lack of known sites and the use of the AUP's discovery protocol, the Requiring Authority will not be seeking an archaeological authority from HNZPT.

⁴³ Drury Substation s.169 Notification Report

5.8 CONCLUSION

It is considered that the proposed requirement to designate land at 201 Quarry Road, Drury for electricity supply purposes will have no more than minor adverse effects on the existing environment. Conditions relating to the mitigation of actual and potential adverse environmental effects have been proposed in relation to landscape & visual effects, construction, traffic and noise and vibration effects. The requirement provides for Part 2 of the RMA and aligns with the provisions of the relevant statutory documents. The proposed designation is considered to be reasonably necessary for the purposes of electrical supply. It is therefore considered that the proposal satisfies Section 171(1) of the Act. Accordingly, the proposed designation can be confirmed.

6.0 RECOMMENDATION AND REASONS (SECTION 171(2) AND (3) OF THE ACT)

Recommendation

- a) That the proposed Notice of Requirement for electricity supply purposes at 201 Quarry Road, Drury be confirmed in the Auckland Unitary Plan (Operative in Part) pursuant to Section 171(2) of the RMA; and
 - b) That a new designation titled 'Drury South Substation' be incorporated into the Auckland Unitary Plan (Operative in Part), subject to the conditions in Section 7.0 of this report.
-

Reasons

- a) Designating land at 201 Quarry Road, Drury for electricity supply purposes will have no more than minor effects upon the environment, gives effect to Part 2 of the RMA 1991 and the relevant provisions outlined in s171(1)(c), and is reasonably necessary to achieve the objectives of electricity supply.
- b) Disregarding the effects on those persons who have provided their approval to the designation, no other persons outside the subject site are considered to be directly affected by the proposed designation.
- c) The proposed designation is consistent with Part 8 of the Resource Management Act 1991.

7.0 CONDITIONS

Designation lapse

1. In accordance with section 184(1)(c) of the Resource Management Act 1991 (the "RMA"), this designation will lapse if not given effect to within five years from the date on which it is included in the Auckland Unitary Plan.

The proposed conditions are as follows:

Outline Plan

2. Prior to commencement of construction, the requiring authority must submit an Outline Plan to the territorial authority in accordance with section 176A of the RMA to allow the territorial authority to request changes before construction commences. The Outline Plan will include:
 - a) The height, shape, and bulk of the public work, project, or work; and
 - b) the location on the site of the public work, project, or work; and
 - c) The likely finished contour of the site; and

- d) the vehicular access, circulation, and the provision for parking; and
 - e) The landscaping proposed; and
 - f) any other matters to avoid, remedy, or mitigate any adverse effects on the environment.
3. The outline plan or plans are also to include the following management plans for the development:
- a) Construction Environmental Management Plan ("CEMP") as detailed in condition 7;
 - b) Erosion and Sediment Control Management Plan ("ESCMP") as detailed in condition 11;
 - c) Environmental Management Plan for Hazardous Substances; as detailed in condition 32.

Construction conditions

4. Where a management plan is required as listed in Condition 3 above, the management plan shall be implemented, complied with, and maintained throughout the duration of the construction period.
5. Counties Power shall liaise with Transpower during the detailed design and subsequent construction processes prior to undertaking any work pursuant to this designation to ensure that the proposed works are integrated and managed in a manner suitable to both parties.
6. Any additional consents/approvals will be obtained prior to works commencing.

Advice note:

This may include but not be limited to:

- Regional earthworks;
- Regional streamworks;
- Industrial and trade activities;
- Hazardous substances.

Construction Environmental Management Plan (CEMP)

7. The purpose of the CEMP is to avoid, remedy or mitigate adverse effects associated with the construction works associated with the Project. The CEMP must contain the following:
 - a) Where access points are to be located and procedures for managing construction vehicle ingress and egress to construction support and storage areas;
 - b) Methods for managing and monitoring dust as a nuisance, including methods for minimising dust emissions, monitoring procedures and contingency procedures in the event of a dust nuisance event;
 - c) Measures to be adopted to keep the construction areas in a tidy condition in terms of disposal / storage of rubbish and storage, unloading construction materials (including equipment). All storage of materials and equipment associated with the construction works must take place within the boundaries of the designation;
 - d) The location of any temporary buildings (including workers' offices and portaloos) and vehicle parking (which should be located in the construction area and not on adjacent streets);
 - e) Methods to ensure prevention and mitigation of adverse effects associated with the

- storage, use, disposal, or transportation of hazardous substances;
- f) Information on designated staff parking areas for construction workers; and
 - g) Training requirements for employees, sub-contractor and visitors on construction procedures, environmental management and monitoring;
 - h) Environmental incident and emergency management procedures (including spills);
 - i) An outline of the construction programme of the work, including construction hours of operation, indicating linkages to the other management plans which address the management of adverse effects during construction.
8. All construction and maintenance work shall be designed, managed and conducted to ensure that construction and maintenance noise from the site does not exceed the limits in NZS 6803:1999 Construction Noise at locations set out in section 6.2 of that standard.
9. In accordance with NZS 6803:1999 Construction Noise, construction activities are to occur between 7.30am and 6.00pm Monday to Saturday, with no construction to occur on Sundays or public holidays unless otherwise authorised through the CNVMP.
10. The noise limits set out in Condition 9 above shall not apply to emergency work required to re-establish continuity of supply, work urgently required to prevent loss of life or other personal injury, or commissioning works at the substation site, but all practicable steps shall be undertaken to control noise and to avoid adverse noise effects.

Erosion and Sediment Control Management Plan (ESCMP)

11. The purpose of the ESCMP is to describe the methods and practices to be implemented to minimise the effects of sediment generation and yield on the receiving environment associated with the construction phase. The ESCMP shall be prepared in accordance with the council's *Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region Guideline Document 2016/005 (GD05)* and any subsequent updates. The requiring authority must undertake construction in accordance with ESCMP and must contain the following;
- a) Specific erosion and sediment control works for each stage (location, dimensions, capacity) in accordance with industry best practice as well as GD05;
 - b) supporting calculations and design drawings;
 - c) details of construction methods;
 - d) monitoring and maintenance requirements;
 - e) catchment boundaries and contour information; and
 - f) details relating to the management of exposed areas (e.g. grassing, mulch).
12. No earthworks activity on the subject site shall commence until confirmation from the council is provided that the ESCMP satisfactorily meets the requirements of GD05, and the erosion and sediment control measures referred to in that plan have been constructed or certified.

Advice note:

For the purpose of compliance with this condition, "the council" refers to the council's monitoring inspector unless otherwise specified. Please contact the Team Leader Monitoring South at monitoring@aucklandcouncil.govt.nz to identify your allocated officer.

13. The operational effectiveness and efficiency of all erosion and sediment control measures

specifically required as a condition of this Notice of Requirement or by a certified ESCMP are to be maintained throughout the duration of earthworks activity, or until the site is permanently stabilised against erosion.

14. There must be no deposition of earth, mud, dirt or other debris on any public road or footpath outside the construction site resulting from earthworks activity on the project route.
15. In the event that such deposition does occur, it is to be removed immediately. In no instance are roads and/or footpaths to be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the public stormwater drainage system, watercourses and/or receiving waters.
16. On completion or abandonment of earthworks on the site all areas of bare earth must be permanently stabilised against erosion to the satisfaction of council.
17. The sediment and erosion controls at the site of the works are to be inspected on a regular basis and within 24 hours of each rainstorm event that is likely to impair the function or performance of the erosion and sediment controls. A record is to be maintained of the date, time and any maintenance undertaken in association with this condition which is to be forwarded to the council on request.
18. All earthworks must occur between the hours of 7.30am and 6.00pm Monday to Saturday.

Advice note:

Given the proximity of the works to the stream, regional earthworks consents may be required for the works in addition to other regional consents. If required these will need to be obtained prior to works commencing on the site.

Site Access

19. The site must be safe and secure from unauthorised public access at all times during construction and operation.

Accidental Discovery Protocols

20. If any archaeological sites, urupa, traditional sites, taonga (significant artefacts), or koiwi (human remains) are exposed during site works, then the following procedures shall apply:
 - a) Works in the immediate vicinity of the site that has been exposed shall cease;
 - b) The site supervisor shall immediately secure the area in a way that ensures that any remains or artefacts are untouched;
 - c) The site supervisor shall notify representatives of relevant tangata whenua, the New Zealand Historic Places Trust, the Auckland Council and, in the case of human remains, the New Zealand Police; and
 - d) The notification in (c) above shall allow such persons being given a reasonable time to record and recover archaeological features discovered before work may recommence on the exposed site.
 - e) Works shall not commence in the immediate vicinity of the archaeological site until any approval required from the NZ Historic Places Trust is obtained.

General conditions

Amenity

21. All buildings with a gross floor area over 5m² shall be set back by at least 5m from the frontage to Quarry Road and at least 10m from the boundary between the site and Lot 2 DP 120014. Other elements such as electricity poles, landscape mitigation areas and minor works can be located within these nominated yards.
22. The security fence at the front of the site shall be at least 3m from the boundary and shall be no more than 2m in height.

Landscaping

23. All of the trees outside of the proposed substation development area at 201 Quarry Road are to be retained and maintained for as long as the activity, building and termination poles that are being screened remain on the site.

For the avoidance of doubt the proposed substation development area means any area where works are practicably required to be undertaken to establish the safe operation of the substation on the site. This includes but is not limited to earthworks for the building platform and flood mitigation areas.

24. Prior to construction commencing, a detailed Landscape Plan based on the mitigation suggestions (section 5.2 of the LVA prepared by Align) must be submitted and certified by the Council's Compliance Monitoring Officer. The purpose of this plan is to demonstrate how mitigation of effects from the substation and fence will be achieved and should show:
 - Plant species schedule and quantity;
 - Plant locations and heights;
 - Vegetation to be retained on site.
25. All landscaping and planting shall be maintained in good condition for the term of the designation, and any plantings that clearly fail to thrive in the first three years after establishment or which fail to mature thereafter shall be replaced no later than the next planting season.
26. All areas within the 3m front yard shall be planted with Phorium tenax (flax) except for areas where underground cabling or other features are required for the safe operation of the substation which would otherwise limit planting. If any other plant species is used this shall be agreed to between the Requiring Authority and Auckland Council prior to construction.

Electric Magnetic Fields (EMF)

27. The works shall be designed and constructed to limit the EMF exposure at or beyond the boundary of Allot 356 Parish of Opaheke to the International Commission on Non-Ionising Radiation Protection Guidelines for limiting exposure to time-varying electric and magnetic fields (1Hz – 100kHz)(Health Physics, 2010, 99(6); 818-836) and recommendations from the World Health Organisation monograph Environmental Health Criteria (No 238, June, 2007).
28. Within 6 months of the substation commencing operation the Requiring Authority shall engage an electrical engineer to confirm compliance with the CNIRP guidelines as evidenced by actual measurement of electric and magnetic fields at relevant locations. The engineer's report shall

be submitted to council's relevant officer. In the event of any non-compliance, the report shall demonstrate how compliance will be achieved and the timeframes for completion.

Electrical Interference

29. The Requiring Authority must make every reasonable effort to ensure that the substation is operated, managed and controlled so that there is no electrical interference with television or radio reception at any adjacent property including complying with the requirements of the Radio Communications Regulations 2001, the Ministry of Economic Development's Radio Spectrum Management "Compliance Guide" (November 2004) and relevant Gazetted Notices.

Operational Noise

30. Any new equipment (such as transformers, fans and circuit breakers) shall be designed and operated to ensure that the following noise limits shall not be exceeded: 65dB LAeq at the boundary of Allot 356 Parish of Opaheke. All noise levels must be measured in accordance with the New Zealand Standard on the Measurement of Environmental Sound (NZS 6801: 2008) and assessed in accordance with the New Zealand Standard on Acoustic - Environmental Noise (NZS 6802: 2008).

Lighting

31. All exterior on-site lighting must be positioned and aimed within the site, away from adjacent properties and public roads so as to minimise the level of spill light and glare.

Hazardous Substances Environmental Management Plan (HSEMP)

32. The purpose of the HSEMP is to outline the methodologies and processes that will be adopted to ensure that the risks of storing and using hazardous substances within the subject site will be appropriately managed by the Requiring Authority for the duration of the operation of the electrical substation.

The HSEMP forms part of the comprehensive suite of management plans that have been prepared for the construction phase of the Requiring Authority's substation project.

The HSEMP shall contain the following:

- a) the appropriate hazardous substance methodologies for:
 - Storage;
 - Handling;
 - Transport; and
 - Disposal.
- b) provide information to regulatory authorities to demonstrate that the possible risks as a result of storage and use of hazardous substances have been considered and will be appropriately managed by the Requiring Authority;
- c) Methods to ensure prevention and mitigation of adverse effects associated with the storage, use, disposal, or transportation of hazardous substances;
- d) Training requirements for employees, sub-contractor and visitors on construction procedures, environmental management and monitoring;
- e) The document management system for administering the HSEMP, including review and

Requiring Authority / constructor / council requirements;

- f) Environmental incident and emergency management procedures (including spills);
 - g) Environmental complaint management procedures;
 - h) Methods to provide for the safety of the general public.
33. The Requiring Authority must ensure that all transformers are bunded. Each bund shall be of sufficient capacity to contain the total volume of oil contained within each transformer plus an allowance for rainwater.
34. The proposed bunding around the transformers must be at least 30m from the edge of the watercourse flowing through the site.

Surface Water

35. The Requiring Authority must maintain and regularly clean all stormwater catch pits, channels, grates, pipes and other stormwater collection systems to ensure they operate in an effective manner.

Wastewater

36. A septic tank shall be installed on the site to collect all wastewater prior to the operation of the substation, this shall be located outside of the existing floodplain.
37. At such a time that a public wastewater connection is available to the site, the sites wastewater shall be connected to the public system, and the existing septic tank shall be disconnected and made safe or removed from the site.

Transport

38. Any new vehicle crossing shall be designed and formed in accordance with the Auckland Transport Code of Practice and the vehicle crossing standards 2017.
39. Prior to the operation of the substation, all redundant vehicle crossings shall be removed and reinstated with grass.
40. The requiring authority must upgrade the road berm of Quarry Road in front of the designated site to an urban standard and shall include the following elements, plus any additional specifications/amendments required by the engineering plan approval:
- Curb and channel on the frontage of the designated site;
 - Footpaths;
 - Carriageway;
 - Roadside stormwater;
 - Street lighting;
 - Street trees;
 - Signage and road markings.

Provided that this condition is not required to be carried out:

- a) Until such a time as Auckland Transport serves notice of its intention to upgrade Quarry Road fronting the property; or
- b) If the alignment of Quarry Road is moved from its current location.

Advice note:

Works within the road reserve require prior approval from Auckland Transport. This includes vehicle crossings, reinstatement of kerbing and temporary occupation of the footpath/verge/berm during construction. The requiring authority is to contact Auckland Transport as soon as possible to ensure any required approvals are issued prior to construction.

Operational Floor Level

- 41. The finished operational floor level of the substation shall be located above the 100-year annual return interval floodplain.

Advice note:

For the avoidance of doubt, the level of the cable basements can be located below the 100-year ARI floodplain level.

Floodplain



- 42. The Requiring Authority must undertake the flood management of the site in general accordance with one of the three methods presented in the Tonkin + Taylor report titled '201 Quarry Road Substation – Concept development of flood management options', version 1, dated April 2019.

If for any reason one the solutions identified in the above report cannot be implemented, then a different solution can be used subject to approval from the council.

Advice note:

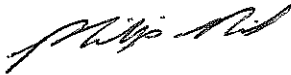
For the purpose of compliance with this condition, “the council” refers to the council’s monitoring inspector unless otherwise specified. Please contact the Team Leader Monitoring South at monitoring@aucklandcouncil.govt.nz to identify your allocated officer

Signatories

Author	 Ciarán Power, Planner: Planning - Auckland Wide Date: 16 th May 2019
Report reviewed by	 Steve van Kampen, Team Leader: Planning - Auckland Wide Date: 16 th May 2019

8.0 SECTION 171(2) DETERMINATION

The above Notice to designate land at 201 Quarry Road, Drury for the purposes of electricity supply purposes in the Auckland Unitary Plan (Operative in Part) has been considered under Delegated Authority by the Auckland Council and is hereby **AGREED WITH** in accordance with Section 171 of the Resource Management Act 1991. The Auckland Unitary Plan (Operative in Part) shall be amended accordingly to incorporate a designation titled Drury South Substation.

Authoriser	 Phill Reid, Manager: Planning - Auckland Wide Date: 30 th May 2019
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Notification report – Assessment of a Notice of Requirement under the Resource Management Act 1991 to designate 201 Quarry Road in Drury for electricity supply purposes.



To: Phill Reid– Manager Planning – Auckland-wide

From: Ciarán Power – Planner, Planning Auckland-wide

Date: 29th May 2019

Summary

Counties Power Ltd (the **Requiring Authority**), has lodged a notice of requirement (**NoR**) to designate land at 201 Quarry Road, Drury, for 'Electricity Supply Purposes' in the Auckland Unitary Plan (Operative in part) (**AUP**) under Section 168 of the Resource Management Act 1991 (**RMA**). The new substation will connect into the national grid to facilitate the future development of the area which will feature both large scale industrial and residential development. The substation is expected to provide for more than 1000 new households in Drury South precincts and wider area and development of over 90ha of industrial land.

Auckland Council (**council**) must assess a NoR in two broad steps under the RMA.

1. Where a Requiring Authority has not requested public notification, but has requested limited notification or non-notification, a 'notification decision' must be made under the RMA¹. If the council requests further information from the Requiring Authority under section 92(1), but the Requiring Authority does not provide the information before the deadline concerned, or refuses to provide the information, public notification is required (s169(1A)).
2. A recommendation needs to be made under section 171(2) of the RMA on whether the notice should be confirmed with or without modification or withdrawn.

This report is limited to an assessment under the first step: Notification.

Recommendation

In accordance with sections 168 and 95 to 95G of the RMA 1991, the Notice of Requirement for the designation of 201 Quarry Road, in Drury for 'Electricity Supply Purposes' should proceed on a **NON-NOTIFIED** basis for the following reasons:

- a. The Requiring Authority has provided a full assessment of environmental effects and all 'further information' requested, in particular pertaining to flooding, hazardous substances and visual effects (building and landscaping);
- b. Under the RMA¹, the adverse effects on the environment will be, or are likely to be, less than minor for the following reasons:
 - i. The potential effects are predominantly related to construction activities within a flood plain which are temporary and localised in nature. The Requiring Authority has proposed three

¹ Under sections 95 to 95G, s149ZCB(1) to (4), 149ZCC(1) to (4), 149ZCE, and 149ZCF

methods of constructing the substation within the floodplain and in proximity of the stream which will avoid, remedy or mitigate effects upon the environment;

- II. The potential adverse effects of any significance for potentially 'affected persons' are noise and visual effects. The properties² sharing a common boundary with the subject site and the property³ directly across Quarry Road have provided their approval to the designation and the effects upon them are disregarded. As for the remaining adjacent western properties⁴, compliance with the permitted activity noise levels standard will ensure the likelihood of any nuisance from noise is low, and with the immediate context having the southern motorway corridor separating them from the subject site, any actual impact is likely to be indiscernible and less than minor. The potential adverse visual effects of the substation will be indiscernible because of the existing stand of mature trees along the subject sites western common boundary with the southern motorway which will screen the substation development and the two termination poles;
- III. All other potential environmental effects will be contained within the confines of the substation site or will not be of any appreciable significance, and therefore less than minor.
- c. There is no district or regional rule or national environment standard that requires public notification and the applicant has not requested it.
- d. Under section 95A(4) there are no special circumstances to warrant notification.
- e. There is nothing about the specifics or issues of the proposed designation that warrants exercise of any residual discretion under section 95A(1) for public notification, to better inform substantive decision making in achieving the purpose of the RMA.

1 The Proposal, Site and Locality Description

1.1 Notice of requirement description

Designation purpose:	Electricity Supply Purposes
Requiring Authority:	Counties Power Limited
Site address:	201 Quarry Road, Drury, 2578
Legal description:	Allot 356 Parish of Opaheke
Site area:	1.8424 Ha
Auckland Unitary Plan (Operative in part)	
Zoning:	Business - Light Industry Zone
Precincts:	Drury South Industrial Sub-Precinct B
Overlays:	Natural Resources: <ul style="list-style-type: none"> High-Use Aquifer Management Areas Overlay [rp] - Drury Sand Aquifer

² 195 & 231 Quarry Road, Drury

³ 196 Quarry Road, Drury

⁴ 1159 Great South Road, Drury and its neighbour to the south

	<ul style="list-style-type: none"> • High-Use Aquifer Management Areas Overlay [rp] - Bombay Drury Kaawa Aquifer • Quality-Sensitive Aquifer Management Areas Overlay [rp] - Drury Sand Aquifer <p>Infrastructure:</p> <ul style="list-style-type: none"> • National Grid Corridor Overlay - National Grid Yard Uncompromised • National Grid Corridor Overlay - National Grid Subdivision Corridor
Controls:	Macroinvertebrate Community Index - Rural
Designations:	Nil

1.2 Proposal

The Requiring Authority has served a NoR on council pursuant to section 168A of the RMA to designate land for electricity supply purposes at 201 Quarry Road, Drury.

The proposed development on the site will be an electricity substation, with paved areas and fences. Currently, the surrounding area is predominantly undeveloped rural land. The site is zoned as Light Industry Zone, while the surrounding area is zoned both Light Industrial and Heavy Industry. Other parts of the area are zoned Future Urban, so will likely be rezoned and developed in the medium-term future. The substation will provide for secure electricity demand for the future growth of the large scale industrial and residential development of the area. The substation is expected to provide for more than 1,000 new households and over 90ha of industrial land in the Drury South and wider area once complete.

At this stage proposed development within the designation is conceptual, with full plans to be provided at the Outline Plan (**OP**) stage. Conceptual plans submitted illustrate that there will be one substation building in an L shape formation. The part of the building facing Quarry Road will house a 22kv switch room, while a 110kv switch room and two transformers will form the part building that runs parallel to the site's southern boundary, adjoining 231 Quarry Road. For ventilation purposes the two transformers will not be covered by a roof. At its highest point the building will be approximately 12m high.

To connect the existing Bombay-Opaheke 110kV (west) line to the proposed substation, there will be two termination poles measuring approximately 18.5m high which will be located to the rear of the site, along the western boundary by the motorway. These poles are required to provide connection to the substation via an underground 110kV cable. The installation of these poles will establish separate sub transmission lines linking the new substation to the Bombay substation in the south and similarly, a separate link to the Opaheke substation to the north of the area.

A paved area of approximately 4,000m² is proposed, which includes accessory parking areas. Total permeable surfaces, including the building, are proposed to be approximately 5,000m². The building platform and all impervious surfaces will be set back at least 10m from the edge of the stream and 20m from the southern boundary.

A 2.5m high security fence around the perimeter of the paved area is also proposed. Planting along the southern boundary is proposed to screen the substation from the nearest neighbour at 231 Quarry Road.

1.3 Background

Ownership of the site:

Counties Power Ltd purchased the subject site from its previous owners: Drury South Ltd, with the sale and purchase completed on 30th of April 2019.

With regards to 196 Quarry Road, across the road from the subject site, Drury South Limited own this property and have provided their approval to the proposal by way of a landowner's approval document signed by Stephen Hughes who is the CEO of Drury South Limited.

Specialist input:

The following Auckland Council specialists have reviewed the proposal:

- David Russell: Senior Development Engineer;
- Arsini Hanna: Senior Stormwater, Wastewater and Industrial and Trade Activities (SWWWITA) Specialist Unit Specialist;
- Abby Sharma: SWWWITA Specialist;
- Jason Smith & Christina Bloom: Earthworks & Streams & Trees Specialist;
- Ruben Naidoo: Environmental Health Specialist;

Along with Mr. Alastair Lovell: Manager Land Use Policy/Planning with Auckland Transport.

Section 92 process:

Further information was requested under the s92 of the RMA on the 30th of November 2018. Information relating to potential effects on the flood plain that exists on the site, proposed landscaping, vegetation & fencing, proposed parking and methods for the storage of hazardous substances was sought.

A response to the request was received on the 2nd of February 2019. The Requiring Authority confirmed that the substation will not contain any buildings within the flood plain, and that flood management options would be addressed in a report from Tonkin and Taylor.

The s92 response also provided clarification around the other matters and proffered an updated set of conditions to mitigate any perceivable adverse effects.

Flood management report:

The Tonkin and Taylor produced flood management report⁵ presented three options of how the stream bed and embankment could be modified to ensure the substation's building platform is above the 100-year annual recurrence interval flood level; as well as identifying how the modified stream will provide alternative flood storage for the flood waters that are expected to be displaced from the substation being located within the existing flood plain. The report also demonstrated

⁵ 201 Quarry Road Substation Concept Development of Flood Management Options (FMO), prepared by Tonkin & Taylor Ltd, Date: April 2019

how each of the approaches would not result in any exacerbated effects either upstream nor downstream.

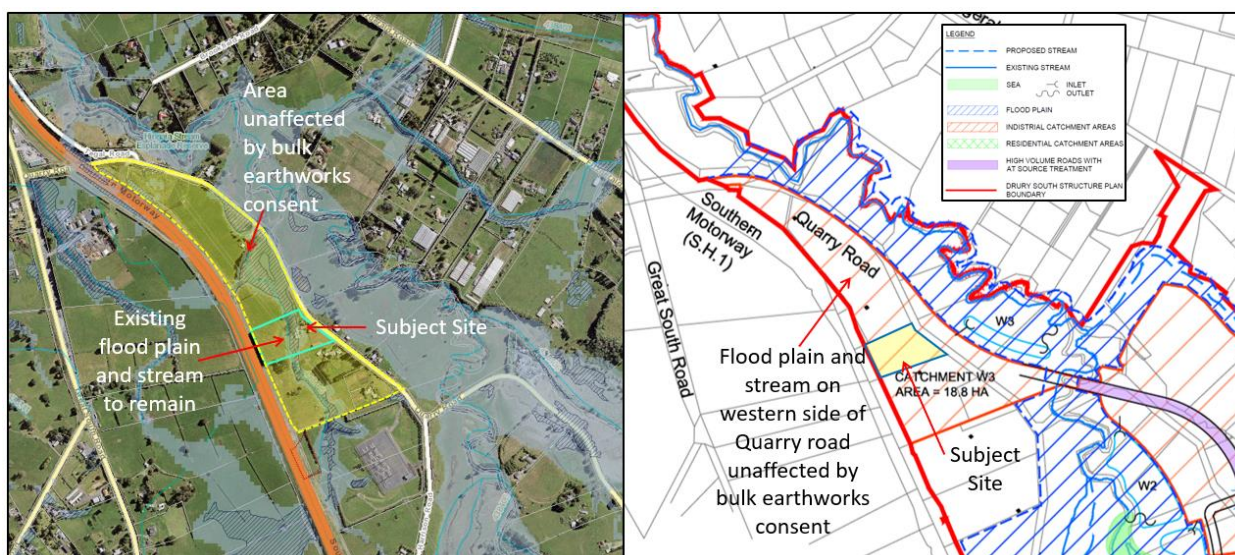
Implemented resource consents:

Drury South Limited, being the previous owners of the subject site prior to its current owner: Counties Power Ltd, purchasing the site, have secured the following resource consents:

BUN60305778 (Bundled number)	• WAT60305793 (Groundwater Diversion)
	• DIS60305790 (Discharge of Contaminants to Land)
	• LUC60305779 (Landuse consent & NES)
	• LUS60305891 (Streamworks)

These consents were approved on the 18th of December 2017 and have a 20-year lapse date. The consents enable staged land development works including bulk earthworks, stream works, vegetation removal, disturbance of contaminated land and associated discharge of contaminants. These works cover the entirety of the Drury South Industrial Precinct and Drury South Residential Precinct area of which the subject site is part of. A condition of the consent requires that an Annual Management Plan process is to be undertaken requiring certification of works on a yearly basis.

The consent⁶ provided approval for a regional land use consent and water permit for diversion of water throughout the DSIP however, Mr. Krish Nagendran: Three Waters Engineer at Tonkin + Taylor has stated *'the land within 201, Quarry Road is unaffected by the proposed floodplain earthworks to facilitate the development within Drury South Industrial Precinct (DSIP)'*. It is not intended that the works approved under the consent will affect the sites west of Quarry Road. Therefore, the stream, overland flow path and the flood plain over 195, 201 & 231 Quarry Road will be unaffected by the implementation of the consent.



⁶ Regional streamworks consents (ss13 and 14) – LUS60305891

The Tonkin+Taylor flood management report⁷ has provided three options which can be undertaken to ensure that there will be no flood storage losses on site and no exacerbated effects either upstream or downstream.

A meeting was held in Manukau Council Buildings on the 17th of April 2019 between council officers, respective representatives from Drury South Ltd, Counties Power Ltd, and Align Consulting (agent acting on behalf of the Requiring Authority). At the meeting, it was conveyed to council officers that Counties Power Ltd and Drury South Ltd will take into account all of the above information and work together to achieve an appropriate outcome. Written approvals have been obtained from Drury South Ltd and submitted with the notice by the Requiring Authority.

Outline plan & future consents:

At the time when the Requiring Authority will apply for the OP; the aforementioned specialists have highlighted that the following resource and regional consents (and not limited to) may also be required to be applied for:

- Regional earthworks: over 2500m² in the Sediment Control Protection Area (SCPA) and/or earthworks over 2500m² on land that has a slope greater than 10 degrees;
- Industrial and Trade Activity: Confirmation of Land Use activity status, and application for the discharge of contaminants from an ITA;
- Hazardous Substances;
- Regional Stream works: within 50m landwards of the edge of a watercourse.

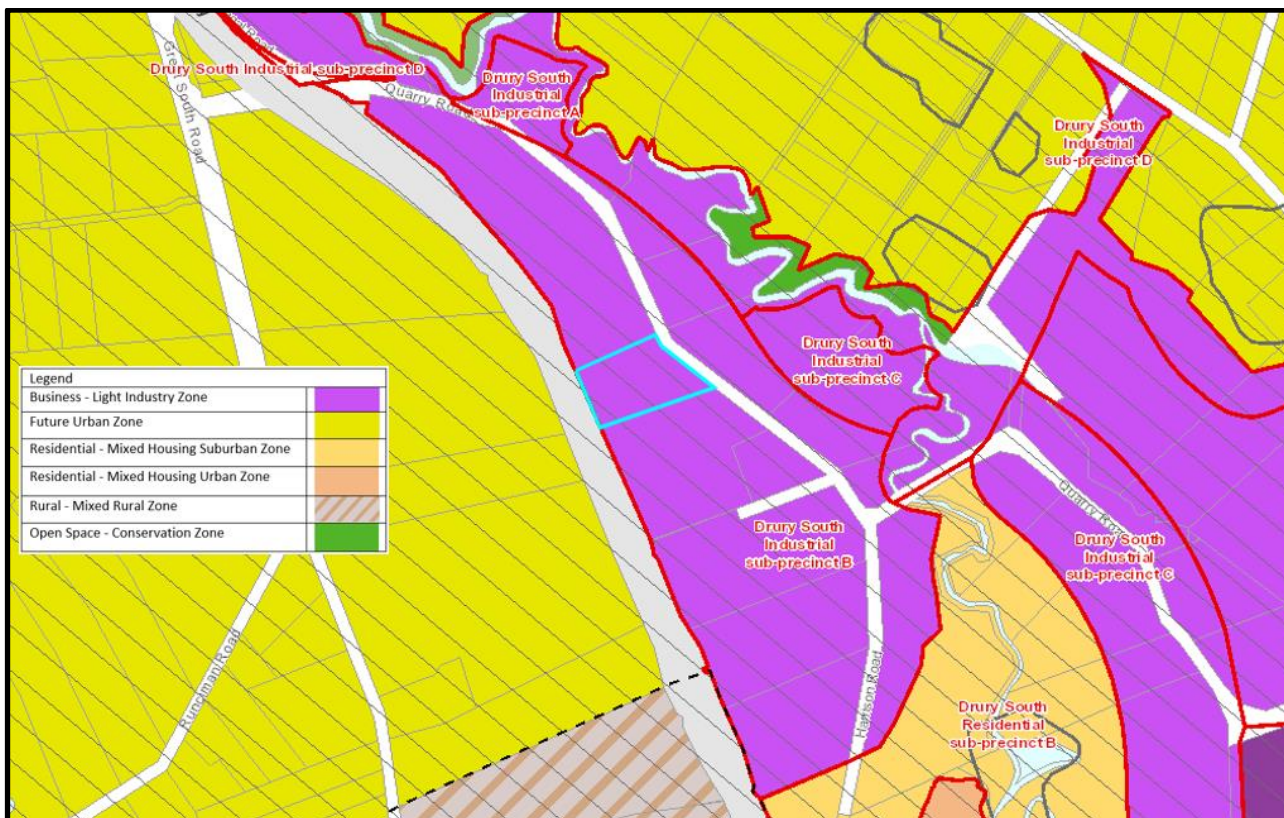
⁷ 201 Quarry Road Substation Concept Development of Flood Management Options (FMO), prepared by Tonkin & Taylor Ltd, Date: April 2019

1.3 Locality plan

Figure 1: Aerial photograph of site and surrounds



Figure 2: Zoning of site and surrounds



1.4 Site and surrounding environment description

The Requiring Authority has provided a description of the subject site in a form and manner that is acceptable to council. This is detailed in section 2.0 'Site Description' in the Assessment of Environmental Effects⁸ (AEE) titled 'Notice of Requirement – Indoor substation at 201 Quarry Road, Drury' and also detailed in section 2.1 'Context: Existing Environment' within Appendix D 'Landscape and visual assessment'.

Having undertaken a site visit on 16 November 2019, I concur with the description of the site and note that the stream is a modified watercourse lined and layered on both sides with rock. See Figure 3 below.

Figure 3 – Rock lined stream running through 201 Quarry Road



I also note that the subject site is directly adjacent to the southern motorway corridor on its western boundary and along that boundary is a stand of mature trees. See figures 4 & 5 below.

Figure 4 - View to subject sites western boundary from the southern motorway



⁸ section 2.0 'Site Description' in the AEE titled 'Notice of Requirement – Indoor substation at 201 Quarry Road, Drury' and also detailed in section 2.1 'Context: Existing Environment' within Appendix D 'Landscape and visual assessment'

Figure 5 - View to subject sites western boundary from within 201 Quarry Road



2 Notification

Where a Requiring Authority has not requested that a NoR be fully notified, or has requested limited notification or non-notification, Auckland Council must make a notification decision under the RMA⁹. This decision needs to be made before the council makes a recommendation on whether the designation should be confirmed with or without modification or withdrawn under section 171(2) of the RMA.

2.1 Public notification assessment

The council has the discretion to decide whether to publicly notify an notice, unless a rule or National Environmental Standard (NES) precludes public notification or the Requiring Authority requests notification.

It is noted that the Requiring Authority has not requested notification (but rather, non-notification) and there is no rule in a relevant plan or in any NES that precludes, or requires, notification.

The key consideration under section 95A(2)(a) is whether the proposed designation "will have or is likely to have adverse effects on the environment that are more than minor" (underlining added). If the adverse effects will be more than minor, then full notification must occur.

2.2 Adverse effects assessment

2.2.1 Effects to be disregarded in terms of full public notification

The assessment of 'more than minor' involves, firstly, considering whether adverse effects would or are likely to occur beyond the immediate context of the site. For this purpose, the RMA¹⁰ states that council must disregard any effects on persons who own or occupy the land to be designated and "any land adjacent to that land". The adjacent land includes the following properties shown in Figure 6 and Table 1 below.

⁹ Under sections 95 to 95G, s149ZCB(1) to (4), 149ZCC(1) to (4), 149ZCE, and 149ZCF

¹⁰ Under sections 95D(a) and 149ZCE

Figure 6 – Adjacent land



Table 1 – Adjacent Land

Address	Legal Description
195 Quarry Road, Drury	Lot 2 DP 172690
196 Quarry Road, Drury	ALLOT 64 & 66 Parish OF OPAHEKE
231 Quarry Road, Drury	Lot 2 DP 120014
1159 Great South Road, Drury	PT ALLOT 39 Parish OPAHEKE DISTRICT
Great South Road, Drury (Corner Great South and Runciman Roads)	Pt Lot 1 DP 61853

All the above sites are deemed to have the potential to be affected in some way because of their proximity to the subject site. They are therefore excluded (initially) from a consideration of 'more than minor' effects.

Council must also disregard any effects on a person who has given written approval to the notice of requirement and not withdrawn that approval prior to the notification decision being made.

The following persons have provided their written approval and any adverse effects on them have been disregarded:

Table 2 – Secured Written Approvals

Address	Legal Description	Owner/Occupier
195 Quarry Road, Drury	Lot 2 DP 172690	Jk Phillips Limited

Address	Legal Description	Owner/Occupier
196 Quarry Road, Drury	ALLOT 64 & 66 Parish OF OPAHEKE	Stevenson Properties Limited (Drury South Limited)
231 Quarry Road, Drury	Lot 2 DP 120014	Robert Russell Thomson

2.2.2 Effects that must be disregarded - effects of trade competition

Council must disregard trade competition and the effects of trade competition. No trade competition effects are relevant to this proposal.

2.2.3 Effects that may be disregarded – permitted baseline assessment

The RMA¹¹ provides that a territorial authority **may** disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect. This is referred to as the permitted baseline.

In this instance the permitted baseline is not considered to be an appropriate comparison because the substation works proposed would be considered small in scale relative to what the Drury South Industrial Precinct and the Business Light Industry Zone provides for.

Furthermore, under standard I410.6.3 of the Drury South Industrial Precinct, the standard requires that all roads, reticulated water and wastewater services are to be supplied to the precinct prior to development occurring. The subject site sits within the Drury South Industrial Sub-Precinct B which is not scheduled to be serviced in this manner by May 2020, being the time stated in the AEE that the substation is to be constructed. Therefore, the development of the site would trigger a non-complying resource consent in regard to the above standard.

In these circumstances no permitted baseline applies, as there are no permitted activities.

2.2.4 Receiving environment

The receiving environment is made up of:

- the existing environment and associated effects from lawfully established activities;
- effects from any consents on the subject site (not impacted by proposal) that are likely to be implemented;
- the existing environment as modified by any resource consents granted and likely to be implemented; and
- the environment as likely to be modified by activities permitted in the plan.

This is the reasonably foreseeable environment within which the adverse effects of the proposal are considered. As discussed earlier under the background section (s.1.3) there is an existing bundled consent which was approved on the 18th of December 2017 with a 20-year lapse date. The consents within the bundle enable staged land development works including bulk earthworks, stream works, vegetation removal, disturbance of contaminated land and associated discharge of contaminants. These works cover the entirety of the Drury South Industrial Precinct and Drury South Residential Precinct area of which the subject site is part of, however it is not anticipated

¹¹ Sections 149ZCE(b) and 149ZCF(2)(a)

that the implementation of the consent will result in any earthworks that could affect the stream, overland flow path and the flood plain over 195, 201 & 231 Quarry Road.

2.2.5 Assessment of adverse effects

The Requiring Authority has provided an Assessment of Environmental Effects (**AEE**) with the NoR. This is supported by the following technical reports:

- 201 Quarry Road Substation Concept Development of Flood Management Options (**FMO**), prepared by Tonkin & Taylor Ltd, Date: April 2019.
- Establishment of Enclosed Zone Substation; Landscape and Visual Assessment (**LVA**); prepared by Align Ltd, Date: October 2018.

The Requiring Authority has also proffered a set of conditions to mitigate any perceived effects as part of the application for the proposed designation.

Flooding/overland flow path effects:

The effects of the construction of the substation upon the stream that runs through the site is addressed in the AEE¹², the s.92 response and in the FMO Report appended to the NOR. The FMO report has considered the existing environment and the construction of the proposed infrastructure. The AEE and FMO report note the following:

- It is proposed to demolish and remove the existing buildings on the site. As there is a large shed to be removed that is located within the 10m riparian margin of the stream edge, controls are proposed to be put in place within the riparian margin to protect the stream from any sedimentation runoff during the demolition phase.
- The FMO report proposed three options of how the stream channel can be modified. Each proposed design will result in the sub-station platform to be above the 100-year ARI flood level and providing alternative storage for relative displaced flood volumes. These options require reshaping works along the existing stream bank within the site.
- The proposed modifications to the stream channel will not result in any changes to the entry and exit point of the overland flow path that crosses the site.
- Having regard to the receiving environment, the consents secured will not result in any modification to the environment at 201 Quarry Road nor to the properties directly to the north: 195 Quarry Road and to the south at 231 Quarry Road.

Comment:

Mr. David Russell (Councils Senior Development Engineer), has reviewed the notice, the FMO report and proffered conditions. Mr. Russell has not raised any concerns with either of the three options put forward in the FMO report. I concur with his opinion in that each of the proposed modifications to the stream channel will not result in any flood storage losses on site nor will it generate any increased flows to the stream and to the floodplain which could result in any adverse effects either downstream or upstream. Furthermore, the Requiring Authority has acknowledged that a regional stream works consent will be required to be secured before any works can commence which will seek to avoid, mitigate or remedy any effects that may arise. The Requiring Authority has proffered a condition restricting the modification of the stream to one of the three

¹² section 4.3.4 of the AEE

options outlined in the FMO report and this is considered to sufficiently ensure that the effects of constructing the modified stream bed can be internalized to the subject site thus avoiding any adverse effects upon the wider environment.

Furthermore, at the time when the consent holder intends to undertake the bulk earthworks, ground water diversion and stream works within the Drury Sub Precinct B Area, the substation will be constructed and in operation. These future works won't affect the substation because the works will be undertaken on the eastern side of Quarry Road beyond the boundaries of the site.

Amenity effects – visual and landscape:

Amenity effects are addressed in the AEE¹³ and within the accompanying LVA report¹⁴.

The detailed design including the bulk, location and height of the proposed buildings has not yet been undertaken and will be confirmed as part of the OP process¹⁵. However, the Requiring Authority anticipates the following:

- *The substation will have a maximum height of 12m;*
- *The 18.5m high termination poles will be the tallest part of the proposal, however these will be located in line with the existing 110kV line running through the rear of the site and will be screened from the motorway by the existing vegetation on the western boundary¹⁶.*

The Requiring Authority note that minimal vegetation is proposed to be removed and the mature trees along the stream embankments northwards of the proposed development area will be retained providing screening from the southern motorway. The Requiring Authority also state that the substation is required to be operational to provide power supply before the surrounding industrial area is developed. The substation will not look out of place in the anticipated industrial environment that the Light industry zoning and the Drury South Industrial sub-precinct B will provide for. In addition, the Light Industrial Zone does not impose urban design or precinct controls and applies few development standards which are limited to considerations of height and yards.

Comment:

I concur with the assessment provided and expand in that the existing environments stand of trees along the western boundary are of sufficient maturity and height to screen the 18.5m high termination poles. Furthermore, the rear area of the subject site is approx. 100m away from Quarry Road which mitigates any visual dominance effects caused by the termination poles. The s.171(2) recommendation will have a condition to ensure the retention of the mature stand of trees along the western boundary and should any of these trees be required to be removed in future, a suitable range of replacement trees are to be planted in their place to screen the substation from when viewed from its western boundary. The substation will feature a mixture of buildings which will be sited in an 'L' shape formation which will generally be one to two story's in height. These buildings will be similar in appearance to other industrial activities and can be set back from the road boundary to limit any visual effects from public viewpoints. They will also fall well below the underlying 20m height control for the light industry zone. It is considered that the finished site will be visually compatible with the area's surrounding future industrial activities and fits within the

¹³ Section 4.3 of the AEE

¹⁴ Establishment of Enclosed Zone Substation; Landscape and Visual Assessment (LVA); prepared by Align Ltd, Date: October 2018.

¹⁵ under section 176A of the RMA

¹⁶ Section 4.6: summary of effects from Establishment of Enclosed Zone Substation; Landscape and Visual Assessment (LVA); prepared by Align Ltd, Date: October 2018

urban form anticipated by the AUP(OP). Furthermore, the use of low-maintenance landscaping along the site's road boundary will soften the plant's appearance when viewed from Quarry Road. In consideration of the above, the adverse landscape and visual amenity effects generated by the substation upon the wider environment will be no more than minor.

EMF (electro magnetic fields) effects:

The requiring authority has proffered a condition stating that the substation will be designed and constructed so as to limit the EMF exposure so as to comply with the ICNIRP¹⁷ guidelines and within the recommendations from the World Health Organisation¹⁸. This is in compliance with the relevant standard¹⁹ under the AUP(OP).

Comment:

The Requiring Authority's proffered condition seeks to ensure that the EMF exposure will fall within the permitted thresholds of the AUP(OP) as it refers to the ICNIRP²⁰ guidelines. In the light of this, it is concluded that any effects from EMF will be 'less than minor' for both 'adjacent' properties and those beyond these.

Stormwater and wastewater effects:

The effects of the construction of the Stormwater & Wastewater infrastructure for the substation is addressed in the AEE²¹:

- The stormwater runoff generated from the impervious surfaces associated with the substation will collect into an underground detention tank which when full will attenuate its flows into the stream;
- The wastewater will collect into an underground septic tank which is proposed to be located outside of the flood plain.

Comment:

Ms. Arsini Hanna & Ms. Abby Sharma (Councils Stormwater, Wastewater and Industrial and Trade Activities Specialists) along with Mr. David Russell (Councils Senior Development Engineer), have not raised any concerns with how the substation will manage their stormwater and wastewater. I concur with their positions in that the stormwater detention/attenuation tank will not generate any increased flows to the stream and to the floodplain which could result in any adverse effects either downstream or upstream. In terms of wastewater, they are proposing an underground septic tank on site and the anticipated wastewater volumes generated will be low because will be not be any permanent staff onsite once it's in operation. When the public wastewater service becomes available to the site, the Requiring Authority intends to connect to the public system along with disconnecting and removing the septic tank from the site. Both of these measures are considered to be sufficient to ensure that the effects upon the environment will be less than minor.

Earthworks effects:

¹⁷ International Commission on Non-ionising Radiation Protection Guidelines for limiting exposure to time varying electric and magnetic fields (1Hz – 100kHz) (Health Physics, 2010, 99(6); 818- 836)

¹⁸ the World Health Organisation monograph Environmental Health Criteria (No 238, June 2007).

¹⁹ E26.2.5.2.(6) Electricity transmission and distribution (Electric and magnetic fields)

²⁰ International Commission on Non-ionising Radiation Protection Guidelines for limiting exposure to time varying electric and magnetic fields (1Hz – 100kHz) (Health Physics, 2010, 99(6); 818- 836)

²¹ section 4.3.5 of the AEE

The Requiring Authority have proposed a condition stating that at the OP stage, an erosion and sediment control plan complying with Auckland Council's Guidance Document GD05 Guidance for Erosion & Sediment Control will be submitted to the team leader of monitoring for approval prior to commencement of works.

Comment:

Mr. Jason Smith & Christina Bloom (Earthworks & Streams & Trees Specialists) have reviewed and suggested changes to the Requiring Authority's proffered conditions around earthworks and I consider these to be sufficient measures to be applied. I consider that earthworks effects of the proposal can be appropriately mitigated at the detailed design stage in accordance with the proposed conditions of the designation. Furthermore, it was highlighted to the Requiring Authority that regional consents will be required to be applied for prior to OP stage due to the proximity of the works to the stream. This will ensure that any adverse effects will be avoided, mitigated or remedied through the conditions of the regional consents. In consideration of the above, the effects of the earthworks upon the wider environment will be no more than minor.

Construction effects:

The effects of the traffic and noise generated during the construction period have been addressed in the AEE²².

- The construction works required are typical construction works in an industrial area and are carried out almost daily within the Auckland area. The proposal's construction phase will result in increased noise levels across the site resulting in potential adverse amenity effects;
- Construction noise and vibration from the project can be controlled to acceptable levels with appropriate mitigation and management measures in place;

During the construction phase there will be heavy vehicle movements to bring construction materials and construction vehicles to the site to construct and install the transformers and switchgear.

Comment:

I agree with the Requiring Authority's assessment that the residual effects are considered to be negligible and Mr. Russell (Councils Senior Development Engineer) has evaluated the notice from an engineering perspective and does not consider that effects of construction vehicles upon Quarry Road during the construction phase will cause any effects over and above what would be anticipated within this zone and sub-precinct. The surrounding sites have not, and are unlikely to, be developed as anticipated by the zoning and sub-precinct, before the construction phase for the substation. The nearest access route to the southern motorway is to the north of the subject site being at Highway 1, exit 461 and entrance off state Highway 22. The construction phase will be temporary in nature and due to the scale of works, will be of a relatively short duration. In consideration of the above, the effects generated during the construction phase upon the wider environment will be no more than minor.

Contamination effects:

²² section 4.3.2 of the AEE

Potential contaminated land effects are addressed in the AEE²³ and the s.92 response²⁴. The substation will house two tanks of transformer oil for cooling purposes, each holding 27,000 litres of oil (combined total of 54,000 litres).

- The transformers are proposed to be 30m away from the edge of the stream;
- The Requiring Authority is proposing the following mitigation measures in the events of leakage:

For a minor leak, oil and water will pass through an oil separator to ensure that the oil content in the discharged water is at or below an acceptable level.

For a major leak, the oil will be contained within the transformer bund around each of the two transformers. Each bund will have enough capacity to contain the full volume of oil from a single transformer and have extra capacity to deal with a 1 in 100yr ARI rainfall event in the form of bunds around each of the transformers with each having capacity to contain the total volume of oil during a leakage event and/or a flood event²⁵.

In addition, the s.92 response²⁶ acknowledge that future resource consents may be required under the AUP during site development, but such consents can be prepared once a detailed design and construction methodology has been established.

Comment:

Mr. Ruben Naidoo (Councils Environmental Health Specialist) has reviewed this aspect of the proposal and suggested changes to the Requiring Authority's proffered condition on hazardous substances to include a suitable Environmental Management Plan is to be available on site at all times. Furthermore, the Requiring Authority have acknowledged²⁷ that resource consents may be required to be applied for prior to OP stage due to the proximity of the development to the stream. This will ensure that any adverse effects will be avoided, mitigated or remedied through the regional consenting process thus localising any adverse contamination effects to the subject site. In light of this I consider that any contamination effects can be appropriately managed by the proffered mitigation and the Environmental Management Plan to ensure that the effects upon the receiving environment will be no more than minor.

Operational noise effects:

The effects of the noise generated by the operation of the substation have been addressed in the AEE²⁸ and the Requiring Authority have proposed a condition in relation to operational noise.

'Any new equipment (such as transformers, fans and circuit breakers) shall be designed and operated to ensure that the following noise limits shall not be exceeded: 65dB LAeq at the boundary of Allot 356 Parish of Opaheke. All noise levels must be measured in accordance with the New Zealand Standard on the Measurement of Environmental Sound (NZS 6801: 2008) and assessed in accordance with the New Zealand Standard on Acoustic - Environmental Noise (NZS 6802: 2008).'

²³ section 4.3.6 of the AEE

²⁴ under 'Hazardous substances' Sections 9, 10 & 11 of the section 92 response dated 5th of February 2019

²⁵ Under the 'Hazardous substances' section 9 of the section 92 response dated 5th of February 2019

²⁶ Under the 'Hazardous substances' section 10 & 11 of the section 92 response dated 5th of February 2019

²⁷ Under the 'Hazardous substances' section 11 of the section 92 response dated 5th of February 2019

²⁸ section 4.3.1 of the AEE

The operation of the new substation is anticipated to comply with the relevant noise and vibration criteria at all times based on implementing commonly used acoustic mitigation measures.

Comment:

The AEE notes that the 110kv and 22kv switch rooms will be roofed and enclosed. To increase ventilation, the area enclosing the transformers is not intended to be roofed. This transformer area is on the northern side of the building, which will minimise noise effects to the nearest property at 231 Quarry Road to the south. The specifics of the design to achieve this will be finalised at the OP stage.

Noise levels within the Business – Light Industry Zone are set in the Noise and vibration²⁹ chapter of the AUP(OP) while Substation noise limits are set in the Infrastructure³⁰ chapter of the AUP (OP). In the Light Industry Zone, a noise limit of 65dB LAeq³¹ applies at the boundary of the subject site and while the applicant has not offered an expert noise assessment, the noise limits in the Light Industry Zone are relatively generous and the applicant has offered a condition that this noise limit will not be exceeded. In my view any adverse potential noise effects can be dealt with at the OP stage and during operation, in accordance with the proffered condition.

I agree with the applicant's assessment that the noise effects associated with the operation of the facility will be no more than minor.

Traffic and parking:

Traffic effects are addressed in the AEE³² and a traffic impact assessment has not been provided. The road is currently rural in nature, although a significant number of trucks use it as they go to and from the nearby quarry.

In terms of post construction traffic, the substation will not have any full-time staff attached to it and only maintenance staff will need to access the site from time to time.

In terms of parking, no designated parking spaces are proposed. The building is proposed to be approximately 1000m². Parking rates in the Transport chapter of the AUP(OP)³³ require a minimum rate of 1 parking space per 50m² which means that approximately 20 carparks are required to be provided.

Mr. Alastair Lovell of Auckland Transport was consulted and provided feedback that the road berm and vehicle crossing is required to be upgraded to an urban standard. As the future developer of the area: Drury South Limited, has not confirmed the future realignment of Quarry Road within the Drury South Industrial Sub-precinct, therefore it was agreed by all parties that it would not be prudent to upgrade the road berm until such time that the realignment is confirmed. The Requiring Authority has proffered a condition to the notice to cover each eventuality which has been agreed with Mr. Lovell.

Comment:

In consideration of the applicant's assessment and Mr Lovells expert opinion, I consider that the activity's traffic generation will minimal because the activity does not include an office space and there will not be any permanent staff required for the running of the substation. The only persons

²⁹ Table E25.6.5.1 Noise levels in the Business – Light Industry Zone

³⁰ E26.2.5.3(3) Specific activities within zones in Table E26.2.3.1.

³¹ E25.6.5(1)

³² Sections 3.4 & 4.3.2 of the AEE

³³ Table E27.6.2.4 Parking rates (T61)

who may require a few parking spaces would be the occasional maintenance staff. Given the large proposed paved area, if there are more vehicles than parks on-site at any one time, they will be able to park in other informal places.

Furthermore, at the time when the realignment of Quarry Road is undertaken, the Requiring Authority has proffered conditions that they will upgrade the road berm and vehicle crossing in front of the subject site, should the realignment result in the subject site being continued to be bound by Quarry Road.

Considering the above, the traffic effects of the parking shortfall upon the receiving transport network will have less than minor effects and the Requiring Authority's agreement to upgrade the road berm and vehicle crossing, should the realignment of Quarry Road required them to do so, will no more than minor effects upon the receiving transport network.

2.2.6 Adverse effects conclusion

Based on the information provided by the Requiring Authority and reviewed by the council's experts, I consider that the adverse effects of the proposed designation on the wider environment are likely to be no more than minor. Environmental effects primarily associated with construction of the substation will be localised, temporary in nature and can be avoided, mitigated or remedied through the proposed conditions of the designation, and through compliance with regional plan provisions of the AUP. Any effects associated with the operation of the substation, which relate to flooding, landscape and visual effects, stormwater and wastewater, contamination, operational noise, parking and traffic are considered to be no more than minor.

2.2.7 Special circumstances and general discretion

Special circumstances

I do not consider that the application has any unusual features that would justify public notification under special circumstances of the RMA³⁴.

General discretion

I have also considered the residual discretion left under the RMA³⁵ and I consider that there is adequate information supplied and that there is no reason that the notice requires public notification.

2.2.8 Public notification assessment conclusion

The NoR can be processed without public notification for the following reasons:

- The potential adverse effects of the proposed designation on the environment will be no more than minor, provided the proffered conditions are imposed and the substation is developed in accordance with the documents submitted with the notice, and the further information submitted;
- the Requiring Authority has not requested public notification;
- there are no relevant rules or national environmental standards that require public notification;

³⁴ Under sections 95A(4) & s149ZCB(4)

³⁵ Under section 95A(1).

- there are no special circumstances;
- there are no reasons to exercise a general discretion.

2.2.9 Limited notification assessment

If the NoR is not publicly notified, the council must decide if there are any affected persons, or customary rights or title groups.

A person is affected if the adverse effects of the activity on them are minor or more than minor (but are not less than minor).

Council must also have regard to any statutory acknowledgement under schedule 11 of the RMA.

The following persons have provided their written approval and any adverse effects on them have been disregarded:

Table 2 – Secured Written Approvals

Address	Legal Description	Owner/Occupier
195 Quarry Road, Drury	Lot 2 DP 172690	Jk Phillips Limited
196 Quarry Road, Drury	ALLOT 64 & 66 Parish OF OPAHEKE	Stevenson Properties Limited (Drury South Limited)
231 Quarry Road, Drury	Lot 2 DP 120014	Robert Russell Thomson

This limited notification assessment will only consider the effects upon the persons who own and/or reside at the two adjacent properties who have not provided their written approval to the designation (shown in yellow on figure 7 below). These properties are 1159 Great South Road, Drury and the property on Great South Road, Drury (Corner Great South and Runciman Roads) which are both located beside each other to the west, on the other side of the southern motorway relative to the subject site.

Figure 7 – Adjacent landowner approvals



I consider the Notice should not be limited notified to the two sets of landowners of the properties highlighted above in figure 6 for the following reasons:

- With regards to flooding/overland flow path effects, the effects upon these persons will be negligible as the effects of the works to construct the substation will be internalised to the subject site and will not be discernible beyond its boundaries;
- With regards to visual and landscape amenity effects, the effects upon these persons will be less than minor because the dwelling on 1159 Great South Road is located to the west of the property, in proximity to Great South Road, and the persons residing there are separated from the subject sites western boundary by approximately a distance of 420m. Furthermore, there are also mature lines of trees on the site, between the dwelling and the eastern common boundary with the southern motorway, which provides visual screening to the subject site.
- The neighbouring property to the south is currently not used for residential purposes but contains a storage yard directly adjacent to Great South Road, so the owners will not suffer any adverse visual and landscape amenity effects as they don't reside there. Notwithstanding, should this site be developed to its potential permitted under its Future Urban zoning, any future dwelling will require its access to be from Great South Road and will likely be situated in proximity to Great South Road due to the noise effects of the motorway to the east. Any future dwelling will be sufficiently separated from the subject site and the mature trees along its northern boundary will provide screening to the subject site.
- Furthermore, only rubbish and/or storage activities within the Business - Light Industry Zone require landscaping, a solid wall or a fence at least 1.8m high, to provide screening to a neighbouring residential zone. Therefore, as the proposed substation doesn't fall into that category, minor visual and landscape amenity effects are anticipated but as there is the southern motorway and the existing environments stand of mature trees on the subject sites western boundary which effectivity screens the substation both during the construction phase and after its completed, any discernible adverse effects are less than minor.
- With regards to EMF effects, the effects upon these persons will be negligible as the level of EMF exposure will comply with the relevant permitted thresholds of the AUP(OP) as it refers to the ICNIRP³⁶ guidelines and it is concluded that this will result in less than minor effects for both 'adjacent' properties.
- With regards to stormwater and wastewater effects, the effects upon these persons will be negligible as the effects of the works to construct the stormwater and wastewater infrastructure will be internalised to the subject site and will not be discernible beyond its boundaries;
- With regards to earthworks and construction effects, the effects upon these persons will be negligible as the effects of the works to construct the substation will be internalized to the subject site and construction traffic will avoid the part of Great South Road in front of the aforementioned properties because shorter routes to access the motorway are to the north and south of the subject site;

³⁶ International Commission on Non-ionising Radiation Protection Guidelines for limiting exposure to time varying electric and magnetic fields (1Hz – 100kHz) (Health Physics, 2010, 99(6); 818- 836)

- With regards to contamination effects, the effects upon these persons will be less than minor because measures are proposed to mitigate any contamination effects, internalising them to the subject site and will therefore not be discernible beyond its boundaries;
- With regards to operational noise effects, the effects upon these persons will be negligible because any noise effects will be drowned out by the noise of the southern motorway which separates these sites from the subject site and any noise effects generated by the substation will be within the permitted thresholds of the AUP(OP);
- With regards to parking and traffic effects, the effects upon these persons will be indiscernible because the traffic route is separated from their respective properties by the southern motorway and the parking shortfall generates effects that are internalised to the subject site; and
- No customary rights or marine title groups are considered adversely affected.

3 Local board views

A detailed memorandum, dated 21st of November 2018, was sent to the Franklin Local Board providing information on the proposed designation, its effects and the designation process. This provided an opportunity for the local board to express views on notification and on the project itself.

An email was received in response from Karen Gadomski, who is the Senior Local Board Adviser for the Franklin Local Board, on the 28th of November 2018 which stated:

'Members have no issues with the proposed substation, which will be necessary to support growth in the area'.

4 Notification recommendation

This NoR should proceed on a non-notified basis because:

- the Requiring Authority has provided all further information requested by the agreed date;
- the adverse effects on the environment are likely to be no more than minor. Potential adverse effects predominantly relate to construction works and are likely to be temporary and localised in nature. Such effects can be adequately addressed by way of the conditions proposed;
- there is no rule or national environment standard that requires public notification and the Requiring Authority has not requested it;
- there are no special circumstances to warrant notification;
- persons owning and/or residing on the neighbouring sites that have not provided their written approval to the designation are not adversely affected by the NoR because:
 - the potential adverse effects relating to flooding/overland flow path; stormwater and wastewater; earthworks and construction; contamination; operational noise; parking and traffic do not extend beyond 'adjacent' properties;
 - persons owning and/or residing in these sites are sufficiently separated from the subject site and compliance with the permitted activity noise levels standard will ensure the likelihood of any nuisance from noise is low, and with the immediate context

- having the southern motorway corridor separating these persons and their properties from the subject site, any actual impact is likely to be indiscernible and less than minor;
- the potential adverse visual effects of the substation will also be indiscernible because of the existing stand of mature trees along the subject sites western common boundary with the southern motorway which will screen the substation development and the two termination poles;
 - those effects principally related to construction works are likely to be temporary and localised, and will be suitably avoided, remedied or mitigated by the proposed conditions;
 - the operational effects of the proposal in terms of traffic will not be perceptible by the persons on these sites because of them being separated by the motorway.
- There are no protected customary right groups or marine title groups in the region affected by this NoR.

Accordingly, I recommend that the notice of requirement to designate 201 Quarry Road, Drury for 'Electricity Supply Purposes' be processed on a **NON NOTIFIED** basis.

Report Prepared by:



Ciarán Power

Planner: Auckland Wide

Date: 29th May 2019

Report Reviewed by:



Steve van Kampen

Team Leader: Auckland Wide - Planning

Date: 29th May 2019

5 Notification determination

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

This NoR is to be non-notified because:

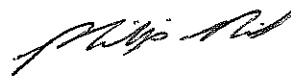
1. The Requiring Authority has provided all required further information by the required date;
2. The adverse effects on the environment will be no more than minor because potential adverse effects predominantly relate to construction works and are likely to be temporary and localised in nature. Such effects can be adequately addressed by way of the conditions proposed;
3. There is no rule or national environment standard that requires public notification and the Requiring Authority has not requested it;
4. There are no special circumstances;
5. No persons are not adversely affected by the Notice of Requirement;
6. There are no protected customary rights groups or marine title groups in the region affected by this proposal.

Accordingly, this notice of requirement to designate 201 Quarry Road for 'Electricity Supply Purposes' be processed on a **NON NOTIFIED** basis.

Name: Phill Reid

Title: Manager Planning, Auckland Wide

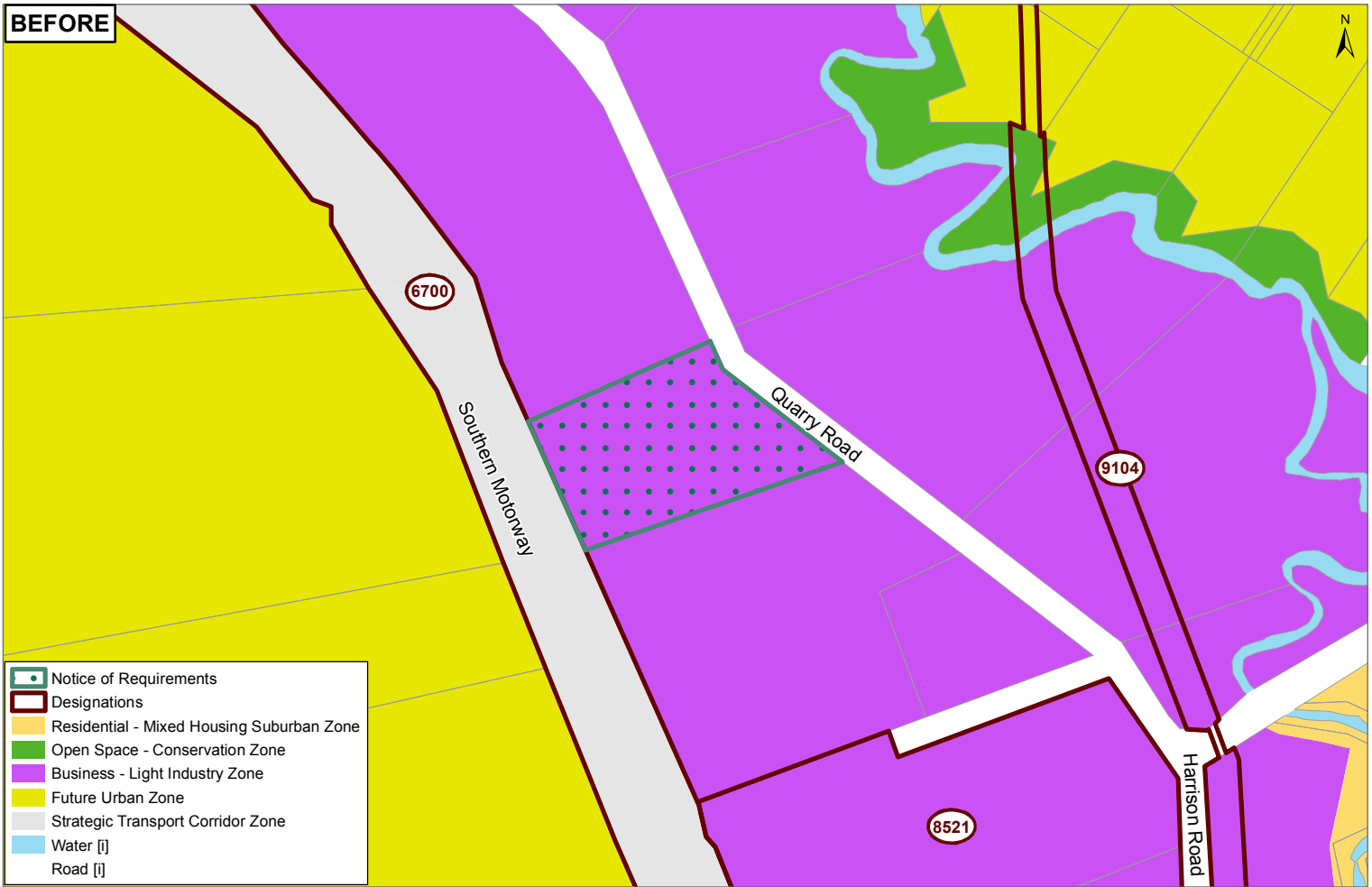
Signed:



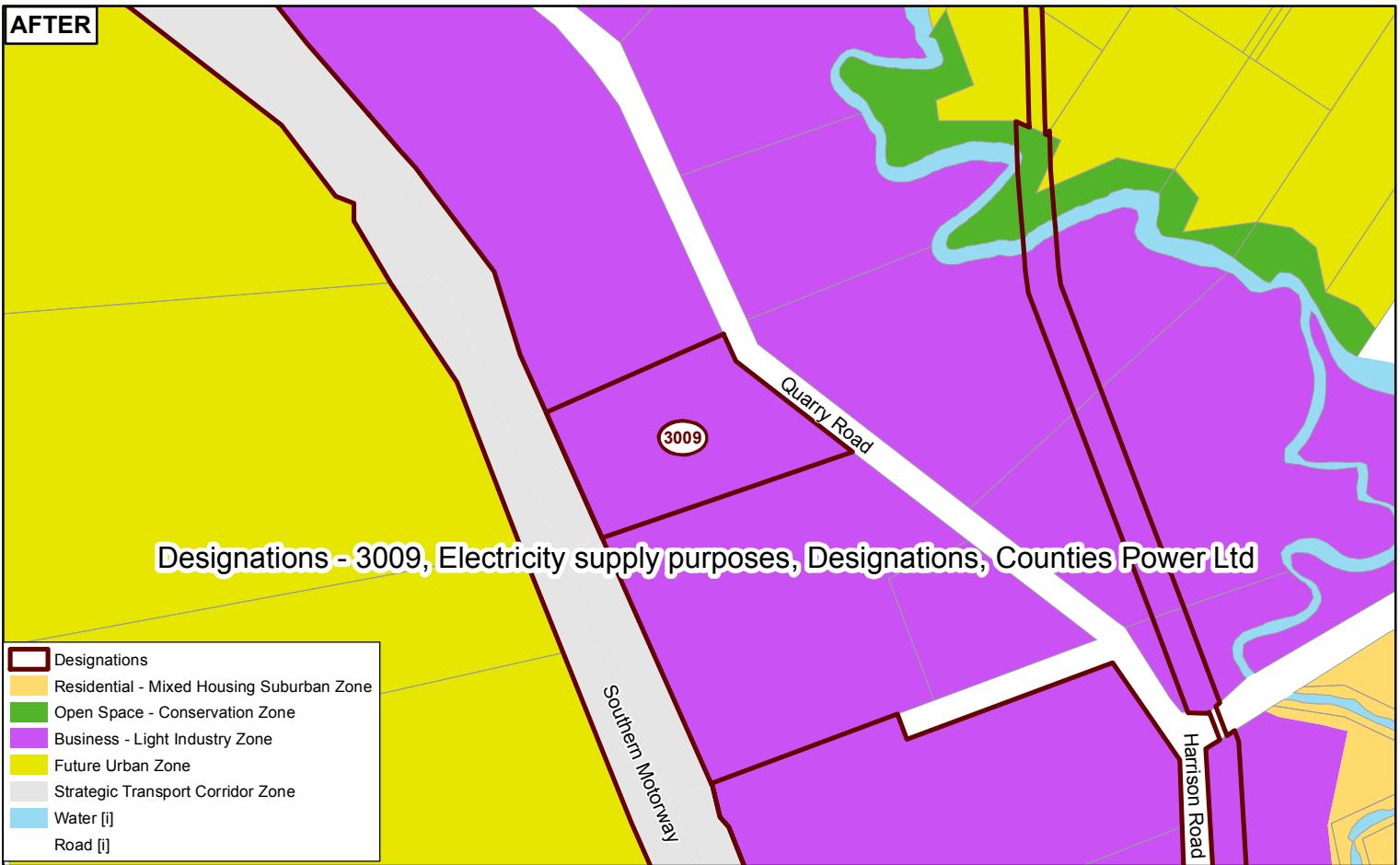
30 May 2019

Date: _____

BEFORE



AFTER



0 40 80 160 Metres

Whilst due care has been taken, Auckland Council gives no warranty as to the accuracy and completeness of any information on this map/plan and accepts no liability for any error, omission or use of the information.

Date: 18/06/2019

Designation - Drury Substation



Plans and Places

3009 Drury South Substation

Designation Number	3009
Requiring Authority	Counties Power Ltd
Location	201 Quarry Road, Drury
Rollover Designation	No
Legacy Reference	N/A
Lapse Date	21 June 2024

Purpose

Electricity supply purposes.

Conditions

Outline Plan

1. Prior to commencement of construction, the requiring authority must submit an Outline Plan to the territorial authority in accordance with section 176A of the RMA to allow the territorial authority to request changes before construction commences. The Outline Plan will include:
 - a) The height, shape, and bulk of the public work, project, or work; and
 - b) the location on the site of the public work, project, or work; and
 - c) The likely finished contour of the site; and
 - d) the vehicular access, circulation, and the provision for parking; and
 - e) The landscaping proposed; and
 - f) any other matters to avoid, remedy, or mitigate any adverse effects on the environment.
2. The outline plan or plans are also to include the following management plans for the development:
 - a) Construction Environmental Management Plan ("CEMP") as detailed in condition 7;
 - b) Erosion and Sediment Control Management Plan ("ESCMP") as detailed in condition 11;
 - c) Environmental Management Plan for Hazardous Substances; as detailed in condition 32.

Construction conditions

3. Where a management plan is required as listed in Condition 3 above, the management plan shall be implemented, complied with, and maintained throughout the duration of the construction period.
4. Counties Power shall liaise with Transpower during the detailed design and subsequent construction processes prior to undertaking any work pursuant to this designation to ensure that the proposed works are integrated and managed in a manner suitable to both parties.
5. Any additional consents/approvals will be obtained prior to works commencing.

Advice note:

This may include but not be limited to:

- Regional earthworks;
- Regional streamworks;
- Industrial and trade activities;
- Hazardous substances.

Construction Environmental Management Plan (CEMP)

6. The purpose of the CEMP is to avoid, remedy or mitigate adverse effects associated with the construction works associated with the Project. The CEMP must contain the following:
 - a) Where access points are to be located and procedures for managing construction vehicle ingress and egress to construction support and storage areas;
 - b) Methods for managing and monitoring dust as a nuisance, including methods for minimising dust emissions, monitoring procedures and contingency procedures in the event of a dust nuisance event;
 - c) Measures to be adopted to keep the construction areas in a tidy condition in terms of disposal / storage of rubbish and storage, unloading construction materials (including equipment). All storage of materials and equipment associated with the construction works must take place within the boundaries of the designation;
 - d) The location of any temporary buildings (including workers' offices and portaloos) and vehicle parking (which should be located in the construction area and not on adjacent streets);
 - e) Methods to ensure prevention and mitigation of adverse effects associated with the storage, use, disposal, or transportation of hazardous substances;
 - f) Information on designated staff parking areas for construction workers; and
 - g) Training requirements for employees, sub-contractor and visitors on construction procedures, environmental management and monitoring;
 - h) Environmental incident and emergency management procedures (including spills);
 - i) An outline of the construction programme of the work, including construction hours of operation, indicating linkages to the other management plans which address the management of adverse effects during construction.
7. All construction and maintenance work shall be designed, managed and conducted to ensure that construction and maintenance noise from the site does not exceed the limits in NZS 6803:1999 Construction Noise at locations set out in section 6.2 of that standard.
8. In accordance with NZS 6803:1999 Construction Noise, construction activities are to occur between 7.30am and 6.00pm Monday to Saturday, with no construction to occur on Sundays or public holidays unless otherwise authorised through the CNVMP.
9. The noise limits set out in Condition 9 above shall not apply to emergency work required to re-establish continuity of supply, work urgently required to prevent loss of life or other personal injury, or commissioning works at the substation site, but all practicable steps shall be undertaken to control noise and to avoid adverse noise effects.

Erosion and Sediment Control Management Plan (ESCMP)

10. The purpose of the ESCMP is to describe the methods and practices to be implemented to minimise the effects of sediment generation and yield on the receiving environment associated with the construction phase. The ESCMP shall be prepared in accordance with the council's *Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region Guideline Document 2016/005 (GD05)* and any subsequent updates. The requiring authority must undertake construction in accordance with ESCMP and must contain the following;
 - a) Specific erosion and sediment control works for each stage (location, dimensions, capacity) in accordance with industry best practice as well as GD05;
 - b) supporting calculations and design drawings;
 - c) details of construction methods;

- d) monitoring and maintenance requirements;
 - e) catchment boundaries and contour information; and
 - f) details relating to the management of exposed areas (e.g. grassing, mulch).
11. No earthworks activity on the subject site shall commence until confirmation from the council is provided that the ESCMP satisfactorily meets the requirements of GD05, and the erosion and sediment control measures referred to in that plan have been constructed or certified.

Advice note:

For the purpose of compliance with this condition, “the council” refers to the council’s monitoring inspector unless otherwise specified. Please contact the Team Leader Monitoring South at monitoring@aucklandcouncil.govt.nz to identify your allocated officer.

12. The operational effectiveness and efficiency of all erosion and sediment control measures specifically required as a condition of this Notice of Requirement or by a certified ESCMP are to be maintained throughout the duration of earthworks activity, or until the site is permanently stabilised against erosion.
13. There must be no deposition of earth, mud, dirt or other debris on any public road or footpath outside the construction site resulting from earthworks activity on the project route.
14. In the event that such deposition does occur, it is to be removed immediately. In no instance are roads and/or footpaths to be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the public stormwater drainage system, watercourses and/or receiving waters.
15. On completion or abandonment of earthworks on the site all areas of bare earth must be permanently stabilised against erosion to the satisfaction of council.
16. The sediment and erosion controls at the site of the works are to be inspected on a regular basis and within 24 hours of each rainstorm event that is likely to impair the function or performance of the erosion and sediment controls. A record is to be maintained of the date, time and any maintenance undertaken in association with this condition which is to be forwarded to the council on request.
17. All earthworks must occur between the hours of 7.30am and 6.00pm Monday to Saturday.

Advice note:

Given the proximity of the works to the stream, regional earthworks consents may be required for the works in addition to other regional consents. If required these will need to be obtained prior to works commencing on the site.

Site Access

18. The site must be safe and secure from unauthorised public access at all times during construction and operation.

Accidental Discovery Protocols

19. If any archaeological sites, urupa, traditional sites, taonga (significant artefacts), or koiwi (human remains) are exposed during site works, then the following procedures shall apply:
- a) Works in the immediate vicinity of the site that has been exposed shall cease;
 - b) The site supervisor shall immediately secure the area in a way that ensures that any remains or artefacts are untouched;
 - c) The site supervisor shall notify representatives of relevant tangata whenua, the New Zealand Historic Places Trust, the Auckland Council and, in the case of human remains, the New Zealand Police; and
 - d) The notification in (c) above shall allow such persons being given a reasonable time to record and recover archaeological features discovered before work may recommence

- on the exposed site.
- e) Works shall not commence in the immediate vicinity of the archaeological site until any approval required from the NZ Historic Places Trust is obtained.

General conditions

Amenity

20. All buildings with a gross floor area over 5m² shall be set back by at least 5m from the frontage to Quarry Road and at least 10m from the boundary between the site and Lot 2 DP 120014. Other elements such as electricity poles, landscape mitigation areas and minor works can be located within these nominated yards.
21. The security fence at the front of the site shall be at least 3m from the boundary and shall be no more than 2m in height.

Landscaping

22. All of the trees outside of the proposed substation development area at 201 Quarry Road are to be retained and maintained for as long as the activity, building and termination poles that are being screened remain on the site.

For the avoidance of doubt the proposed substation development area means any area where works are practicably required to be undertaken to establish the safe operation of the substation on the site. This includes but is not limited to earthworks for the building platform and flood mitigation areas.

23. Prior to construction commencing, a detailed Landscape Plan based on the mitigation suggestions (section 5.2 of the LVA prepared by Align) must be submitted and certified by the Council's Compliance Monitoring Officer. The purpose of this plan is to demonstrate how mitigation of effects from the substation and fence will be achieved and should show:
- Plant species schedule and quantity;
 - Plant locations and heights;
 - Vegetation to be retained on site.
24. All landscaping and planting shall be maintained in good condition for the term of the designation, and any plantings that clearly fail to thrive in the first three years after establishment or which fail to mature thereafter shall be replaced no later than the next planting season.
25. All areas within the 3m front yard shall be planted with *Phorium tenax* (flax) except for areas where underground cabling or other features are required for the safe operation of the substation which would otherwise limit planting. If any other plant species is used this shall be agreed to between the Requiring Authority and Auckland Council prior to construction.

Electric Magnetic Fields (EMF)

26. The works shall be designed and constructed to limit the EMF exposure at or beyond the boundary of Allot 356 Parish of Opaheke to the International Commission on Non-Ionising Radiation Protection Guidelines for limiting exposure to time-varying electric and magnetic fields (1Hz – 100kHz)(Health Physics, 2010, 99(6); 818-836) and recommendations from the World Health Organisation monograph Environmental Health Criteria (No 238, June, 2007).
27. Within 6 months of the substation commencing operation the Requiring Authority shall engage an electrical engineer to confirm compliance with the CNIRP guidelines as evidenced by actual measurement of electric and magnetic fields at relevant locations. The engineer's report shall be submitted to council's relevant officer. In the event of any non-compliance, the report shall demonstrate how compliance will be achieved and the timeframes for completion.

Electrical Interference

28. The Requiring Authority must make every reasonable effort to ensure that the substation is operated, managed and controlled so that there is no electrical interference with television or radio reception at any adjacent property including complying with the requirements of the Radio Communications Regulations 2001, the Ministry of Economic Development's Radio Spectrum Management "Compliance Guide" (November 2004) and relevant Gazetted Notices.

Operational Noise

29. Any new equipment (such as transformers, fans and circuit breakers) shall be designed and operated to ensure that the following noise limits shall not be exceeded: 65dB LAeq at the boundary of Allot 356 Parish of Opaheke. All noise levels must be measured in accordance with the New Zealand Standard on the Measurement of Environmental Sound (NZS 6801: 2008) and assessed in accordance with the New Zealand Standard on Acoustic - Environmental Noise (NZS 6802: 2008).

Lighting

30. All exterior on-site lighting must be positioned and aimed within the site, away from adjacent properties and public roads so as to minimise the level of spill light and glare.

Hazardous Substances Environmental Management Plan (HSEMP)

31. The purpose of the HSEMP is to outline the methodologies and processes that will be adopted to ensure that the risks of storing and using hazardous substances within the subject site will be appropriately managed by the Requiring Authority for the duration of the operation of the electrical substation.

The HSEMP forms part of the comprehensive suite of management plans that have been prepared for the construction phase of the Requiring Authority's substation project.

The HSEMP shall contain the following:

- a) the appropriate hazardous substance methodologies for:
 - Storage;
 - Handling;
 - Transport; and
 - Disposal.
- b) provide information to regulatory authorities to demonstrate that the possible risks as a result of storage and use of hazardous substances have been considered and will be appropriately managed by the Requiring Authority;
- c) Methods to ensure prevention and mitigation of adverse effects associated with the storage, use, disposal, or transportation of hazardous substances;
- d) Training requirements for employees, sub-contractor and visitors on construction procedures, environmental management and monitoring;
- e) The document management system for administering the HSEMP, including review and Requiring Authority / constructor / council requirements;
- f) Environmental incident and emergency management procedures (including spills);
- g) Environmental complaint management procedures;

- h) Methods to provide for the safety of the general public.
32. The Requiring Authority must ensure that all transformers are bunded. Each bund shall be of sufficient capacity to contain the total volume of oil contained within each transformer plus an allowance for rainwater.
33. The proposed bunding around the transformers must be at least 30m from the edge of the watercourse flowing through the site.

Surface Water

34. The Requiring Authority must maintain and regularly clean all stormwater catch pits, channels, grates, pipes and other stormwater collection systems to ensure they operate in an effective manner.

Wastewater

35. A septic tank shall be installed on the site to collect all wastewater prior to the operation of the substation, this shall be located outside of the existing floodplain.
36. At such a time that a public wastewater connection is available to the site, the sites wastewater shall be connected to the public system, and the existing septic tank shall be disconnected and made safe or removed from the site.

Transport

37. Any new vehicle crossing shall be designed and formed in accordance with the Auckland Transport Code of Practice and the vehicle crossing standards 2017.
38. Prior to the operation of the substation, all redundant vehicle crossings shall be removed and reinstated with grass.
39. The requiring authority must upgrade the road berm of Quarry Road in front of the designated site to an urban standard and shall include the following elements, plus any additional specifications/amendments required by the engineering plan approval:
- Curb and channel on the frontage of the designated site;
 - Footpaths;
 - Carriageway;
 - Roadside stormwater;
 - Street lighting;
 - Street trees;
 - Signage and road markings.

Provided that this condition is not required to be carried out:

- a) Until such a time as Auckland Transport serves notice of its intention to upgrade Quarry Road fronting the property; or
- b) If the alignment of Quarry Road is moved from its current location.

Advice note:

Works within the road reserve require prior approval from Auckland Transport. This includes vehicle crossings, reinstatement of kerbing and temporary occupation of the footpath/verge/berm during construction. The requiring authority is to contact Auckland Transport as soon as possible to ensure any required approvals are issued prior to construction.

Operational Floor Level

- 40. The finished operational floor level of the substation shall be located above the 100-year annual return interval floodplain.

Advice note:

For the avoidance of doubt, the level of the cable basements can be located below the 100-year ARI floodplain level.

Floodplain

- 41. The Requiring Authority must undertake the flood management of the site in general accordance with one of the three methods presented in the Tonkin + Taylor report titled '201 Quarry Road Substation – Concept development of flood management options', version 1, dated April 2019.

If for any reason one the solutions identified in the above report cannot be implemented, then a different solution can be used subject to approval from the council.

Advice note:

For the purpose of compliance with this condition, “the council” refers to the council’s monitoring inspector unless otherwise specified. Please contact the Team Leader Monitoring South at monitoring@aucklandcouncil.govt.nz to identify your allocated officer

Attachments

No attachments.