

19 February 2008

Our Ref: WN 005 1205

Environmental Management Services
PO Box 1307
HAMILTON

Attn: Craig Sharman

Dear Sir,

Re: Decision of Requiring Authority on Recommendations made by the Territorial Authority for Designation of Land for Borman Road Substation (Ref: 123/3/130)

On behalf of WEL Networks Limited (WEL) I hereby advise the Hamilton City Council that pursuant to section 172(1) of the Resource Management Act 1991 (RMA), WEL has made a decision to accept the recommendation of the Hamilton City Council that it confirm that notice of requirement to designate land at Borman Road, Hamilton for an electricity substation. Please find this decision enclosed.

WEL Networks Limited awaits notification of the decision on the designation by the Hamilton City Council in accordance with section 173 of the RMA.

Yours faithfully,
The Environmental Challenge Limited



Kimberley Rolton
Resource Management Advisor

Cc:

- Dave Mollekin, WEL Networks Ltd, PO Box 925, Hamilton
- Warner Nichol, WEL Networks Ltd, PO Box 925, Hamilton
- Simon Berry, Simon Berry Barrister Environmental Law, PO Box 3144, Auckland

**DECISION OF WEL NETWORKS LIMITED ON A
RECOMMENDATION BY THE HAMILTON CITY COUNCIL
FOR THE DESIGNATION OF LAND FOR THE BORMAN
ROAD SUBSTATION (Ref: 123/3/130)**

DECISION

That pursuant to section 172(1) of the Resource Management Act 1991 (RMA), WEL Networks Limited accepts in whole the recommendation of Hamilton City Council that it confirms the notice of requirement to designate land at Borman Road for an electricity substation.

The requirement is confirmed subject to the conditions specified in the Hamilton City Council resolution and attached in Schedule 1. The reasons for WEL's decision are set out in Schedule 2.

On behalf of WEL Networks Limited



Laurence Sherriff

**MANAGING DIRECTOR
The Environmental Challenge Limited**

Date: 19 February 2008

SCHEDULE 1

Conditions

1. Construction noise emanating from the site shall not exceed the limits in, and be measured and assessed in accordance with, the New Zealand Standard NZS 6803:1999 '*Acoustics – Construction Noise*'.
2. The substation shall be designed and operated to not exceed a noise level of 40dBA (L10) at or as near as practicable to the boundary of any other site within the Residential Zone. Noise levels shall be measured in accordance with NZS 6801:1999 '*Acoustics – Measurement of Environmental Sound*' and assessed in accordance with NZS 6802:1991 '*Assessment of Environmental Sound*'.
3. A building design report demonstrating acoustic attenuation performance sufficient to meet the standard specified in condition 2, shall be provided to Council's Environmental Health Unit with the building consent application for the substation building.
4. Exposures to extremely low frequency electric and magnetic fields around the boundary of the site and at all publicly accessible areas within the site shall comply with the guidelines recommended by the International Commission on Non-Ionizing Radiation Protection in 1998. A report from a suitably qualified expert shall be provided to Council's Environmental Health Unit to demonstrate compliance with these guidelines, within six months of the substation commencing operation. The report shall state the operating conditions at the time of measurement.
5. Exposures to radiofrequency fields from any transmitters at the site, in conjunction with exposures from other transmitters nearby, shall not exceed the non-occupational limits in the New Zealand Standard NZS 2772.1:1999 '*RadioFrequency Fields Part 1: Maximum exposure levels 3kHz – 300GHz*' in areas which are reasonably accessible to the public.
6. Landscaping and the construction of fencing within the site shall be undertaken in general accordance with the Mansergh Graham Landscape Architects Planting Plan (R1) and Concept Plan (R3) submitted February 2008. A detailed landscape plan shall be submitted prior to or with the building consent application for the substation building for approval by Hamilton City Council. The landscaping shall be completed in accordance with the approved plan prior to commencement of the operation of the substation, and be maintained for the life of the substation with replacement planting as required.
7. The management of hazardous substances shall be in general accordance with the information submitted in the notice of requirement, unless otherwise agreed with the Environmental Health Unit of Hamilton City Council.
8. During construction compliance shall be maintained with Rule 5.5.1a) of the Hamilton City Proposed District Plan relating to dust management, at all times. Any stockpiles of loose material shall be contained or maintained to prevent dispersal of material into the air.
9. In the event that any archaeological artefacts, features or remains are accidentally uncovered or are suspected to have been discovered, all works within the vicinity shall cease immediately. Evidence of archaeological sites

can include oven stones, charcoal, shell middens, ditches, banks, pits, old building foundations, artefacts of Maori and European origin or human burials.

In cases other than suspected human remains, WEL Networks shall immediately secure the area and advise Nga Mana Toopu O Kirikiriroa and the New Zealand Historic Places Trust of the occurrence. WEL Networks must consult with Nga Mana Toopu O Kirikiriroa and the New Zealand Historic Places Trust to determine what further actions are appropriate to safeguard the site or its contents.

Where human remains are suspected, WEL Networks must take steps immediately to secure the area in a way that ensures human remains are not further disturbed and notify the Police as soon as is practicably possible after the remains have been disturbed. WEL Networks shall notify Nga Mana Toopu O Kirikiriroa and the New Zealand Historic Places Trust within 12 hours of the suspected human remains being disturbed or otherwise as soon as practicably possible. Excavation of the site shall not resume until the Police, New Zealand Historic Places Trust and kaumatua have each given the necessary approvals for excavation to proceed.

10. All security and night lighting installed within the substation site shall be positioned to avoid a spill of light onto any other site exceeding 3 lux (horizontal and vertical) when measured at or within the boundary of any other site, or result in illumination on roads which may dazzle or distract road users or interfere with any traffic aids or signals.

Advisory Notes

- a) All necessary consents must be obtained from Environment Waikato prior to commencement of construction works.
- b) An Outline Plan application may be required pursuant to Section 176A of the Resource Management Act 1991, if the design of the substation building changes significantly from that provided with the notice of requirement, or for any future works undertaken on the designated land. In these circumstances the Planning Guidance Unit should be contacted on (07) 838-6800 to discuss whether an Outline Plan need be submitted.
- c) The building consent application will be reviewed by the Water and Waste Services Unit in terms of the on-site wastewater disposal proposed, and the proposed stormwater disposal to demonstrate compliance with the Te Awa O Katapaki Catchment Management Plan.

SCHEDULE 2

Reasons for the Decision

1. The proposed substation is required to fulfil WEL's objective to ensure the secure supply of electricity to the north east of Hamilton, particularly given the rapid growth in the area over recent years and the impact of that growth on the capacity of WEL's network. The secure and efficient supply of electricity is essential to the economic and social wellbeing and the health and safety of the people in communities of Horsham Downs and Chartwell. To that extent, the proposed substation fulfils the sustainable management purpose of the RMA.
2. The proposed substation represents the efficient use of the proposed substation site in terms of section 7(b) of the RMA.
3. The proposed substation will maintain and enhance amenity values (noise and visual) in terms of section 7(c) of the RMA, particularly through the design of the building and landscaping measures.
4. The proposal will maintain and enhance the quality of the environment in terms of section 7(f) of the RMA, particularly insofar as it attends to stormwater attenuation and wastewater disposal.
5. The proposal is consistent with the objectives, policies or rules in the relevant planning instruments.
6. Adequate consideration has been given to alternative sites and methods for undertaking the work.
7. The proposed substation is reasonably necessary for achieving the objectives of the requiring authority.
8. The proposal is consistent with the Rototuna Structure Plan, CityScope and Vista, and the Te Awa o Katapaki Catchment Management Plan.
9. The potential adverse effects of the proposal are minor and can be effectively avoided, remedied or mitigated through conditions on the designation.