

18 February 2008

The Environmental Challenge Limited
PO Box 33 215
Petone
LOWER HUTT 5046

Attention: Mr Lawrence Sheriff

Dear Sir

Notice of Requirement for a designation for an Electricity Substation by WEL Networks Limited, Borman Road Hamilton

I refer to the Hearing held on 7, 8 and 15 February 2008 concerning the above application, and advise, as set out below in full, the decision of the Statutory Management Committee acting under delegated authority from Council.

DECISION

That the Statutory Management Committee having had regard to the provisions of the Resource Management Act 1991 and in particular Part II and Part VIII; and having considered the effects on the environment of allowing the requirement; and having particular regard to the provisions of all the relevant planning instruments, the alternative sites and methods considered, whether the designation is reasonably necessary, and any other matter reasonably necessary in order to make a recommendation on the requirement; and having considered the evidence presented by the Requiring Authority, the submissions received and the evidence tendered at the hearing in support of those submissions, and the planning report, recommends that WEL Networks Limited confirms the notice of requirement to designate land in the Hamilton City Proposed District Plan for an 'Electricity Substation', subject to the conditions stated below:

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 NZS 2772.1:1999 Radiofrequency Fields Part 1: Maximum exposure levels 3 kHz-300 GHz 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.

Reasons

That pursuant to Section 171(3) of the Resource Management Act 1991, the reasons for the recommendation are as follows:

1. The notice of requirement has been assessed with consideration of the submissions received and against the relevant criteria stipulated in section 171 of the Resource Management Act 1991. It is considered that the proposal is consistent with Part II of the Act, and the relevant policy statements and plans.
2. It is considered that the Requiring Authority has given sufficient consideration to alternative sites and methods for undertaking the work, and Council is satisfied that the works and designation are reasonably necessary for achieving the objectives of the Requiring Authority.
3. The notice of requirement is consistent with the objectives and policies of the Hamilton City Proposed District Plan, and not contrary to the relevant national and regional policy statements and plans.

4. The extent of adverse environmental effects are no more than minor and can be effectively avoided, remedied or mitigated through conditions on the designation.

In accordance with S172 of the Act would you please confirm WEL Networks' decision in respect of the above recommendation.

Yours faithfully

Sue Thorpe

Committee Secretary

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Copy to: Team Leader District Plan
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