

Working draft conditions version 2, dated 5 December 2021

- Red ~~strike through~~/underline from Counties Energy revised conditions dated 17 November.
- Yellow highlight proposed amendments proposed by Auckland Transport 26 November 2021
- Green highlight additional condition proposed by Counties Energy 5 December 2021

\*These conditions are a working draft. They are not agreed and may change.

## Appendix G – Proposed Conditions

### XXXX Counties Energy Whangapouri Road Substation

Designation Number	XXXX
Requiring Authority	Counties Energy Limited
Location	Whangapouri Road, Karaka
Lapse Date	10 years from date of inclusion in the Auckland Unitary Plan

#### Purpose

'Electricity supply purposes'

#### Conditions

##### General

1. The designation shall lapse 10 years from the date of inclusion in the Auckland Unitary Plan in accordance with section 184(1)(c) of the Resource Management Act 1991 (RMA).
2. Any additional matters requiring regional consents or approvals (such as National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) must be obtained prior to works commencing.

##### Outline Plan(s)

3. 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 crossings, circulation, and the provision for parking conforming with the relevant Auckland Transport standards and guidelines, based on a boundary defined by the Waka Kotahi NZTA designation boundary; and
- e. A detailed Landscape Plan generally in accordance with the landscape concept plan set out in the LVIA prepared by Align Ltd prepared by a suitably qualified person. The landscaping proposed; and
- f. The extent of any stormwater discharges to the road reserve; and
- g. Any other matters to avoid, remedy, or mitigate any adverse effects on the environment including compliance with the following Rules of the Auckland Unitary Plan:
  - i. Rule E26.2.5.2(6) – Electricity transmission and distribution (Electric and magnetic fields).
  - ii. Rule E26.2.5.2(7) – Radio Frequency Fields (RF fields).
  - iii. Rule E26.2.5.3(2) – Noise from substations.
  - iv. Rule E24.6.1 – General standards for Lighting.

### Consultation with Waka Kotahi

4. Counties Energy shall liaise with Waka Kotahi 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.

### Consultation with Ngati Tamaoho

5. Counties Energy shall consult with Ngati Tamaoho during the detailed design and subsequent construction processes prior to undertaking any work pursuant to this designation to ensure that the proposed design addresses their suggestions about switch room colour and finish.
6. The outcome of such consultation shall be provided to the Council as part of any Outline Plan of Works required by section 176A of the Resource Management Act 1991.

### Consultation with Adjoining Owners

- 6A. Counties Energy shall consult with the owners of 5 & 14 Whangapouri Road during the detailed design process to ensure that their suggestions and preferences are taken into

account when preparing the detailed Landscaping Plan required by Condition 3(e).

### Construction Environmental Management Plan (CEMP)

7. A Construction Environmental Plan shall be prepared by a suitably qualified person and submitted to Auckland Council Resource Consents department for certification at least one month prior to the initial construction commencement date.
8. 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. Information on designated staff parking areas for construction workers; and
  - f. Training requirements for employees, sub-contractor and visitors on construction procedures, environmental management and monitoring;
  - g. Environmental incident and emergency management procedures (excluding spills); and
  - h. 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.
9. 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.
10. 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.

11. 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 effect

### **Noise**

11A. Noise from the substation must not exceed the following noise limits when measured within the notional boundary of all adjacent properties:

- a. 55 dB L<sub>Aeq</sub> between Monday to Saturday 7am to 10pm and Sundays 9am to 6pm and
- b. 45 dB L<sub>Aeq</sub>/75 dB L<sub>Amax</sub> for all other times

Advice note: The noise limits set out in this Condition 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 effect.

### **Site access**

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

### **Accidental Discovery Protocols**

13. 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 Heritage New Zealand Pouhere Taonga, 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 Heritage New Zealand Pouhere Taonga is obtained.

### **Landscaping and visual**

~~14. A detailed Landscape Plan generally in accordance with the landscape concept plan set out in the LVIA prepared by Align Ltd shall be prepared by a suitably qualified person and submitted in conjunction with the Outline Plan of Works to Auckland Council Resource Consents department for approval.~~

15. 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.

16. The substation switchroom is required to have exterior cladding and colours that are recessive, such as grey or earthy tones, so that it modulates its form and surfaces. The purpose of this condition is to ensure that the substation building does not appear excessively mono-textural and/or monolithic.

### **Maximum Height of Structures**

16A. The maximum height of poles (excluding insulators) and support structures within the designated area shall be 17m, and all other buildings must not exceed the maximum 15m height limit for buildings in rural zones.

### **Setbacks**

16B. Buildings must not be located within 10m of the Whangapouri Road boundary.

### **Electric Magnetic Fields (EMF)**

17. The operation of the substation shall at all times comply with the International Commission on Non-ionising Radiation Protection Guidelines (ICNIRP) 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).

### **Electrical Interference**

18. ~~The Requiring Authority must make e~~Every reasonable effort must be made to ensure that the substation is operated, managed ~~and or~~ 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), NZ Standard for Radiofrequency Fields Part 1 (1999) and relevant Gazetted Notices.

### **Lighting**

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

### **Surface water**

20. 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.

### **Hazardous Substances Environmental Management Plan (HSEMP)**

21. 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 shall be submitted to Council prior for approval to operation and 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.
22. The Requiring Authority must ensure that all transformers containing more than 1000L of oil are bunded. Each bund must be of sufficient capacity to contain the total volume of oil contained within each transformer plus an allowance for rainwater.

### **Vehicle Crossing**

- ~~23. The vehicle crossing for the sub-station must be designed and formed in accordance with either the GD020A Rural Vehicle Crossing standard set out~~

~~in Auckland Transport's Code of Practice (ATCOP) or VX0303 Rural Crossing Standards set out in Auckland Transport's Transport Design Manual (TDM), whichever is operative at the time of construction.~~

~~24. Prior to operation of the substation, the berm must be re-instated to Auckland Council's "Code of Practice for Working in the Road" (<https://at.govt.nz/about-us/working-on-the-road>).~~

### **Construction Traffic Management Plan**

~~25. The Requiring Authority must prepare a detailed Construction Traffic Management Plan (CTMP) for the project by a suitably qualified person to be submitted as part of the Construction Environmental Management Plan (CEMP) to Auckland Council for approval, in conjunction with Auckland Transport.~~

*Advice note: The Requiring Authority will need to submit details on the vehicle crossing for approval by Auckland Transport prior to construction.*

### **Erosion and Sediment Control Management Plan (ESCMP)**

26. The 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; Auckland Unitary Plan Operative in Part
- 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).

27. The Requiring Authority must ensure that all transformers containing more than 1000L of oil are bunded. Each bund must be of sufficient capacity to contain the total volume of oil contained within each transformer plus an allowance for rainwater.

28. 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](mailto:monitoring@aucklandcouncil.govt.nz) to identify your allocated officer.*

29. 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.
30. 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.
31. 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.
32. 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.
33. 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.*