

TO Celia Davison, Manager Planning – Central/South

FROM Vanessa Leddra Policy Planner Central / south





DATE 9 July 2025

SUBJECT **Update requested to the Auckland Unitary Plan
(Operative in Part 2016) (AUP)**

I request an update to the AUP as outlined below:

Reason for update	Alteration to designation confirmed
Chapter(s)	Chapter K Designations Transpower New Zealand Limited
Designation only	
Designation # 8516	Brownhill Road to Pakuranga Underground Electricity Transmission Cables (Transpower New Zealand Limited)
Locations:	143 Brownhill Road, Whitford to 109 Golfland Drive, Howick.
Lapse Date	Given effect to (i.e. no lapse date)
Purpose	Electricity transmission - the construction, operation and maintenance of a double circuit underground 220kV cable as part of the upper North Island Grid Upgrade Project, to convey electricity between the Pakuranga Substation and the substation site at Brownhill Road, and ancillary activities.
Changes to text (shown in underline and strikethrough)	Please refer to Appendix 3 for text changes to existing designation.
Changes to diagrams	N/A
Changes to spatial data	N/A
Attachments	<p>Attachment 1: Copy of the approved recommendation report including Form 18, request from Transpower New Zealand Limited under s181(3) and Figure 1 BHL- PAK Cable Designation</p> <p>Attachment 2: Transpower New Zealand Limited Schedule and Designation 8516 Brownhill Road to Pakuranga Underground Electricity Transmission Cables conditions (strikethrough/underscore)</p> <p>Attachment 3: Transpower New Zealand Limited Schedule and Designation 8516 Brownhill Road to Pakuranga Underground</p>

	Electricity Transmission Cables conditions (clean)
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Maps prepared by: Geospatial Specialist	Text Entered by: Maninder Kaur-Mehta Planning Technician
Signature: N/A	Signature: 
prepared by: Vanessa Leddra Policy Planner	Reviewed by: Craig Cairncross Team Leader
Signature: 	Signature: 
Authorised by: Celia Davison Manager Central/South Planning	
Signature: 	

**Attachment 1: Copy of the approved
recommendation report including Form 18,
request from Transpower New Zealand Limited
under s181(3) and Figure 1 BHL- PAK Cable
Designation**

Notice of requirement for a minor alteration to a designation under section 181(3) of the Resource Management Act 1991

Notice of requirement description

Designation number: 8516
Requiring authority: Transpower New Zealand Limited
Site address: 143 Brownhill Road, Whitford to 109 Golfland Drive, Howick.

Summary

Auckland Council has received a Notice of Requirement (**NoR**) from Transpower NZ Limited [**Transpower**] for the alteration of Designation 8516 under s181(3) of the Resource Management Act 1991 (RMA). This NoR relates to a minor alteration to Designation 8516 Brownhill – Pakuranga Underground Electricity Transmission Cables [**BHL- PAK**] dated 19 May 2025.

The Brownhill to Pakuranga BHL-PAK) designation protects an underground cable route between the Brownhill Road substation and the Pakuranga substation in South Auckland. The cable is in situ.

The purpose of the designation is for “the construction, operation and maintenance of a double-circuit underground 220kV cable as part of the upper North Island Grid Upgrade Project, to convey electricity between the Pakuranga Substation and the substation site at Brownhill Road, and ancillary activities.”

A notice has been sought to amend and update the noise, construction and vibration conditions. Transpower advise that these conditions are inconsistent “with the Auckland Unitary Plan (AUP) rules and standards that address construction noise as well as current case law” and do not satisfy the “overarching aims of the New Zealand construction noise standard NZS 6803:1999 Acoustics – Construction Noise (NZS 6803). “

A minor alteration under s181(3) is proposed to alter the designation and update the conditions.

It is considered that after undertaking an assessment of the NoR, that:

- The proposed alteration meets the statutory tests of section 181(3) of the RMA, and can therefore be processed as a minor alteration, because:
 - the alteration involves no more than minor changes to the effects on the environment associated with the use of the land;
 - the alteration does not involve adjustments to the boundaries of the existing designation;
 - there are no owners or occupiers of land directly affected by the alteration and therefore written approval is not required;
 - both the requiring authority and Auckland Council agree with the alteration.

Recommendations

1. That the proposed minor alteration of Designation 8516 within the Auckland Unitary Plan be confirmed, subject to the conditions recommended in attachments to this report.
2. That Designation 8516 is amended in Chapter K Designations in the Auckland Unitary Plan.

1. Background

1.1. Minor alteration to a designation

Auckland Council has received a request from Transpower for an alteration to the Brownhill Road to Pakuranga (BHL-PAK) Underground Electricity Transmission Cables, Designation 8516 under section 181(3) of the RMA.

Transpower's Designation 8516 was confirmed in 2007. The existing designation route is shown in Figure 1 of the lodged documents as part of the NoR.

The existing conditions are set out in Attachment 1 of the NoR but are included below for completeness.

6. All construction 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.

7. Prior to any significant construction work taking place, a noise management plan shall be prepared with the assistance of a suitably qualified and experienced person, that sets out the management procedures in terms of section 8 and Annex E of NZS6803:1999; and the works shall be undertaken in accordance with that noise management plan (other than emergency works).

8. The noise management plan required by condition 7 shall be submitted to Council's Consents Manager for approval, at least 20 working days prior to the works commencing. The Council's Consents Manager shall respond within 20 working days indicating whether approval is given or refused. Approval shall not be unreasonably withheld.

Transpower have reviewed the designation, and it is proposed to amend existing

designation conditions 6 , 7 and 8 related to construction noise and vibration from carrying out physical works to the underground electricity route as shown in Figure 1 of the NoR documents. Transpower advise that:-

- “The purpose of NZS 6803 is to *manage*, rather than *restrict* construction noise and compliance with the noise limits in NZS 6803 is not mandatory: the limits in the standard are used to determine the level of noise mitigation required. As currently worded, Transpower is unable to comply with condition 6. Condition 6 is also inconsistent with the wording of Section E25.6.1(3) of the AUP, which was notified and made operative after designation 8516 was confirmed.
- Condition 7 makes reference to “significant construction work” but this term is not defined and is therefore ambiguous.
- Condition 8 requires a Noise Management Plan to be submitted for approval by Auckland Council which is not consistent with current case law.”

Transpower propose to update these conditions:-

- to provide certainty and consistency across Transpower’s designated sites in Auckland.
- be consistent with the Auckland Unitary Plan (AUP) rules and standards that address construction noise as well as current case law: and
- satisfy the overarching aims of the New Zealand construction noise standard NZS 6803:1999 Acoustics – Construction Noise (NZS 6803).

As such, this minor alteration proposes to address these matters and update the conditions.

A copy of the proposed [tracked] conditions are included in the NoR [Form 18 and Attachment 1 as part of the application documents and in Appendix 3]

1.2. Relevant resource consents

Transpower has lodged an Outline Plan of Works [OPW] [Ref: 60450300] for works associated with the replacement of cable joints at eight locations on the underground electricity cable [B] between the two substations, Brownhill Road and Pakuranga, the subject of this designation. The works proposed under this OPW are in accordance with this designation and are proposed to be undertaken mid 2025-2026. The AEE lodged with the OPW states “ activities associated with the works may be located outside the designation and are not covered by the OPW and are subject to the relevant rules in the AUP. All works outside the designation are permitted by the AUP...”

The OPW is under consideration at the time of writing this report. Another OPW [[Ref 60429974] for eight replacement cable joints for the other [A] cable within this designation 8516, was issued on 21 March 2024 and construction commenced in June 2024.

1.3. Land affected by the alteration.

Designation 8516 links the Brownhill Substation site to the Pakuranga substation and is part of an extended series of Transpower designations for sites providing underground 220kV cables [and overhead lines] supplying electricity into Auckland and Northland. The designation formed part of the upper North Island Grid Upgrade project.

The designated area covers approx. 21ha. The existing designation is subject to 8 conditions [and an advice note] which address matters such as cultural matters, magnetic fields, compliance with Electricity Regulations and the three conditions relevant to this NoR relate to construction noise.

The existing designation traverses land owned or administered by Auckland Transport [AT] which is road reserve. There are also a number of privately owned land parcels that the designation crosses, the majority of which are on Griggs Road.

Transpower have provided a series of plans [see Figure 1 as part of the NoR] showing the extent of the existing designation area.

1.4. Description of the site and existing environment

The existing designation and route plans are shown in Figure 1 attached to the documents lodged as part of the NoR. The Brownhill to Pakuranga [BHL-PAK] underground cables supply electricity into Auckland and Northland at times of peak demand as part of the high-capacity double circuit. These designations are all part of a larger transmission circuit going through to Penrose substation [Designation 8507]. There are two, parallel running cables, known as BHL-PAK A and B, covered by this designation 8516.

The existing designation route is briefly summarized as:-

From the Brownhill Substation Designation 8515] at 143 Brownhill Road, Designation 8516 follows Brownhill Road north, Whitford Park Road, west along Sandstone Road and Caldwell's Road, north along Point View Drive and through a number of roads in East Tamaki Heights until it crosses Ti Rakau Drive to join the Pakuranga substation at 109 Golflands Drive, Howick [Designation 8514]

The areas in the west [Pakuranga] comprise mainly suburban residential development. At the eastern end [Whitford], the rural area is being developed for residential or rural residential purposes.

1.5. Delegated authority

The Team Leader – Planning Central South has delegated authority, in accordance with Schedule 2A of the Auckland Council Delegations: Chief Executive Officer (updated May 2025) v1.9¹, to exercise the council's functions,

¹ <https://aklcouncil.sharepoint.com/sites/Kotahi/Guides/Forms/AllItems.aspx?id=%2Fsites%2FKotahi%2FGuides%2F>

powers, duties and discretions under the Resource Management Act 1991 in relation to section 181(3), to approve minor alterations to a designation.

The NoR request under section 181(3) can therefore be considered by the Team Leader – Planning - Central South.

1.6. Relevant statutory provisions

Section 181 “Alteration of designation” of the Resource Management Act 1991 states:

- (1) A requiring authority that is responsible for a designation may at any time give notice to the territorial authority of its requirement to alter the designation.*
- (2) Subject to subsection (3), sections 168 to 179 and 198AA to 198AD shall, with all necessary modifications, apply to a requirement referred to in subsection (1) as if it were a requirement for a new designation.*
- (3) A territorial authority may at any time alter a designation in its district plan or a requirement in its proposed district plan if-*
 - (a) The alteration-*
 - (i) Involves no more than minor changes to the effects on the environment associated with the use or proposed use of land or any water concerned; or*
 - (ii) Involves only minor changes or adjustments to the boundaries of the designation or requirement; and*
 - (b) Written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners or occupiers agree with the alteration; and*
 - (c) Both the territorial authority and the requiring authority agree with the alteration –*

and sections 168 to 179 and 198AA to 198AD shall not apply to any such alteration.

2. Analysis of the proposed alteration

The relevant matters to consider are contained in section 181(3) of the RMA provided above.

Assessment of Environmental Effects (s181(3)(a)(i))

The requiring authority has provided assessment of the environmental effect with the NoR (refer Attachment 1 to this report). Transpower advise that the “only potential environmental effect of the proposed change relates to the generation of construction noise”.

2.1 Noise

Transpower’s Assessment and Specialist Review

Transpower addresses construction noise in the NoR documents. A noise effects discussion / assessment from WSP in the form of a Consultant Advice Note **[CAN]** relating to proposed amendments to the conditions is included in Attachment 3 of the NoR. The CAN outlines the existing and proposed designation conditions and addresses the effects of each condition.

The following analysis addresses each condition [6, 7 and 8] in turn as set out in section 1.1 above.

Condition 6

WSP state that “Condition 6 currently restricts any construction works from occurring unless the noise generated is below the recommended noise limits in NZS 6803.

The revision to Condition 6 is less restrictive and permits construction works to occur as long the construction noise is measured, assessed, and managed per NZS 6803. This would allow construction activities to generate higher noise levels than those outlined in NZS 6803, provided that procedures to determine the Best Practicable Option (BPO) for mitigation are developed, followed, and implemented. Note that NZS 6803 states *A noise management plan will often be appropriate to achieve the aims of the Standard*. Therefore, restricting construction work is not in line with the aims of NZS 6803. “

Furthermore, WSP note “The requirement to develop and implement BPO mitigation is already stipulated by existing Designation Conditions 7 and 8, which mandates the implementation of a Construction Noise and Vibration Management Plan (CNVMP), which is in line with the aims of NZS 6803. The use of a CNVMP to manage effects from construction aligns with the objectives of AUP Chapter E26 Infrastructure. Section E26.2.1(4) allows the *development, operation, maintenance, repair, replacement, renewal, upgrading and removal* of infrastructure, as long as adverse effects are avoided, remedied, or mitigated (Section E26.2.1(9)).

It is noted that the operation, maintenance, and repair of utilities (A1) and the use of underground electricity lines (A22) are permitted activities in all zones as per Chapter E26 of the AUP (Table E26.2.3.1). It is therefore reasonable to expect construction to occur as part of utility works and not be prohibited if it does not comply with the NZS 6803 noise limits.

A large proportion of the Designation is located within the road reserve under the AUP. As per Section E25.6.29, construction works in this zone do not need to comply with the construction noise limits in Sections E25.6.27 and E25.6.28 of the AUP, provided a CNVMP is in place. The proposed Condition 6 aligns with the AUP regarding permitted activities within a road reserve.

For works outside the road reserve where the noise limits are exceeded, the AUP does not prohibit construction works from occurring (unlike the existing Condition 6 wording). Instead, works outside the road reserve under the AUP are allowed as long as duration, frequency, and timing are controlled to manage effects

(Objective E25.2(4)). The proposed wording of Designation Condition 6 is in line with this objective within the AUP, allowing construction to occur so long as noise effects are managed. The CNVMP required by Designation Conditions 7 and 8 serves as a method to manage any adverse effects”.

WSP conclude that “the proposed revised wording for Condition 6 aligns with the existing Designation Conditions, the AUP construction noise requirements, and enables construction works while managing effects in line with NZS 6803. Therefore, the acoustic effects are low”.

Condition 7

Existing condition 7 requires a CNVMP when there are “significant construction works” WSP state that “there is ambiguity on what constitutes “significant“ works. ...The wording of the revised Condition 7 clarifies which construction works are required to adopt a CNVMP - all works which exceed the NZS 6803 construction noise criteria.

The use of a CNVMP for construction works that exceed the NZS 6803 noise limits aligns with the aims of NZS 6803 (being to manage noise effects from construction) and Objective E25.2(4) of the AUP. In addition, works within the road corridor (where much of the designation is located), only require a CNVMP under the AUP. The use of a CNVMP where the NZS 6803 construction noise limits are exceeded is also an industry best-practice. Experience on other construction projects of various scales typically have CNVMP's to manage noise effects from construction. The inclusion of the objective of the CNVMP within the revised Condition 7 clarifies that the CNVMP is to minimise noise and vibration effects. This follows the revised Condition 6 which allows noise levels higher than the NZS 6803 noise levels, so long as BPO mitigation is adopted.”

WSP's conclusion in the CAN is that “The acoustic effects associated with revised wording for condition 7 are low.”

Condition 8

Condition 8 currently requires approval from Council prior to works commencing and provides opportunity for refusal of the works. WSP state that “This is not aligned with the process for an OPW which allows for Designation activities to be undertaken so long as works are submitted to Council for certification within a defined number of working days.”

WSP note that “The wording of the revised Condition 8 requires that Council shall certify the CNVMP and also provides opportunity for comment and/or recommendation in an advisory capacity to the Designation holder in advance of the works commencing.’

WSP state that “The revised condition still requires the CNVMP to be submitted to Council for certification at least twenty (20) working days in advance of the works, to allow for enough time for review and response. It is noted that this is fifteen (15) working days longer than the applicable provisions required by the AUP

E25.6.29(2e) and E25.6.29(3d) when providing a CNVMP to Council for works in the road.

WSP conclude that “the acoustic effects associated with the revised wording for Condition 8 are low.”

Proposed Amended Conditions

A clean set of proposed conditions as proposed to be amended is included in Attachment 2 of the NoR documents.

Specialist Review

The potential noise effects from the proposed alteration of the designation conditions have been assessed by Andrew Gordon, Senior Specialist in Council’s Contamination, Air and Noise team. His review is included in Appendix 2 to this report.

Mr Gordon notes that “the electricity transmission route is largely located within the road reserve where works, just for comparison, are managed by E25.6.29 which enables construction as a permitted activity subject to meeting ‘exemptions’ (e.g. providing a CNVMP to council). “ Mr Gordon notes that the amended conditions he reviewed for the alteration of [another Transpower] designation including 8517² and confirms that these changes are very similar to the proposed conditions for this alteration to Designation 8516.

Mr Gordon “agrees that conditions should be amended primarily because in some situations it may not be practicable to meet construction noise limits at all affected receivers (i.e. occupied buildings) at all times”. In his experience, “construction noise exceedances up to 5 or 10 dBA are typical for infrastructure projects but generally do not give rise to significant adverse effects providing works are managed in accordance with a CNVMP (i.e. demonstrate the best practicable option approach or BPO will be implemented).” His view is that “effects are reasonable when put into context with the relevant AUP (OP) E25 objective and policy which enable works to go ahead if permitted standards cannot be practicably met, but controls are in place to manage adverse effects. The temporary construction noise and vibration effects associated with these types of works occur across the Auckland Region on a daily basis and in many cases, it is not practicable for construction works to consistently comply with the AUP (OP) E25 and NZS 6803:1999 construction noise limits. This is acknowledged by Chapter E25.”

Mr Gordon acknowledges that the Resource Management Act (RMA) supports the BPO approach in that “(1) Every occupier of land (including any premises and any coastal marine area), and every person carrying out an activity in, on, or under a water body or the coastal marine area, shall adopt the best practicable option to ensure that the emission of noise from that land or water does not exceed a reasonable level.”

Overall, Mr Gordon agrees with the conclusions in the [WSP] document and “particularly Attachment 3 Consultant Advice Note [CAN] dated 24 April 2025 by WSP. “

² Alteration to Designation #8517 Brownhill to Ōtahuhu electricity transmission cables – updated conditions dated 30 April 2025

Officer comment and conclusions

I rely on Mr Gordon's assessment and agree that the effective implementation of a CNVMP will reduce noise and vibration emissions by as far as practicable and there will be no owners or occupiers directly affected by the proposed changes to these conditions. .

I consider that the original conditions of the designation [see application documents in Appendix 1], and as amended through this request, will ensure that the effects will be appropriately managed during and at the completion of the works. Given the above assessment, I agree with Mr Gordon and consider the noise effects as a result of the updated conditions will be appropriately managed and will be no more than minor.

Effects Conclusion

Transpower has taken the opportunity to review these three conditions relating to construction noise to ensure consistency across Transpower's designated sites and "for the wording of the conditions to be in line with the underlying AUP rules, and to satisfy the overarching aims of the New Zealand construction noise standard NZS 6803:1999 *Acoustics – Construction noise* (NZS 6803)."

Any potential environmental effects arising from the alteration will be appropriately managed by the amendments to existing designation conditions.

I can confirm that Transpower's proposed changes to conditions are acceptable to the Council.

Given the above, I consider that, overall, for the purposes of s181(3)(a)(i), the alteration will involve no more than a minor change to the effects on the environment associated with the proposed use of land.

3.0 Assessment of minor changes or adjustments to the boundary (s181(3)(a)(i))

The alteration to the designation does not involve any changes to the boundary of the existing designation.

4.0 Written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners and occupiers agree with the alteration (s181(3)(b))

Transpower is the requiring authority seeking the minor alteration and supports the proposed alteration.

In the NoR documents, Transpower states "There is no land or landowner directly affected by the proposed change so no written approvals are required."

Transpower state "the designation is predominantly located within the road reserve, and under the AUP, parties can undertake construction works that generate noise within the road reserve as a permitted activity, subject to conditions that are consistent with the requirements of revised conditions 6-8.

Outside the road, construction works are also able to exceed noise limits, subject to conditions that are also consistent with the requirements of revised conditions 6-8. Any landowner adjacent to the cable route will therefore already receive noise from permitted construction works that will occur intermittently over time”.

To undertake construction works in the road, Transpower is required to seek approval from Auckland Transport [AT]. However, Transpower state “the matters Auckland Transport manage in that capacity do not include noise. It is therefore not considered necessary to seek their written approval for this minor alteration.”

I note that the activity authorized by the designation is not being changed and the mitigation measures in place for that activity i.e. construction noise is already required by the existing conditions. This proposal updates the conditions and there will not be any environmental effects arising from the designation. Given that there are potentially no effects from the alteration, there would not, in my view be any directly affected property owners or occupiers.

Therefore, I agree with Transpower’s statement that “There is no land or landowner directly affected by the proposed change so no written approvals are required.”

5.0 Agreement of both the territorial authority and the requiring authority (181(3)(c))

Transpower’s experts have reviewed their proposed conditions and confirm that the amended conditions:-

- *Do not restrict construction occurring where noise limits are predicted to exceed the noise criteria in NZS 6803*
- *Requires BPO mitigation to be implemented at all times*
- *Aligns with the aims of NZS 6803 and the objectives of the AUP. It should be noted that noise from construction is not restricted in the AUP, and in particular construction in the roading zone (where much of the Transpower Designations are located) is allowed at any noise level so long a CNVMP detailing BPO mitigation is adopted.*

Attachment 2, within the email dated 19 May as part of the lodged NoR documents served on Council, includes clean and tracked versions of amended conditions. The relevant conditions are 6, 7 and 8 and all relate to construction and maintenance noise.

I agree that the above referenced changes to conditions proposed for Designation 8516 are administrative in nature in that they reflect changes since the designation was confirmed in 2007. They include aligning the designation with the most up to date versions of documents incorporated by reference, ensuring consistency across Transpower’s sites, updated terminology and relevant AUP policies and objectives. These proposed changes do not change the outcomes sought under the existing conditions of the designation.

Therefore, Auckland Council and Transpower have agreed to a set of conditions.

The alteration to the designation has been requested by Transpower and therefore it agrees to the alteration. Auckland Council agrees with the proposed alteration for the following reasons:

- The alteration involves no more than minor changes to the environmental effects.
- The alteration does not involve any changes to the boundary.
- There are no landowners and/or occupiers directly affected by the proposed alteration.

Adherence with recommended conditions will ensure any potential adverse effects are avoided, remedied or mitigated.

6.0 CONCLUSIONS AND RECOMMENDATIONS

6.1 Conclusions

The proposed alteration meets the statutory tests of Section 181(3) of the Resource Management Act 1991, in that:

- The alteration involves no more than minor changes to the environmental effects.
- Recommended conditions will ensure any potential adverse effects are avoided, remedied or mitigated.
- There are no changes or adjustments to the boundaries of the existing designation.
- No owners and/or occupiers of land are directly affected by the alteration.
- The council and the requiring authority agree with the alteration.

6.2 Recommendations

1. That pursuant to Section 181(3) of the Resource Management Act 1991, Transpower's notice of requirement for an alteration to Designation 8516 be **confirmed** subject to the amended conditions recommended in this report.
2. That Designation 8516 be amended in Chapter K Designations in the Auckland Unitary Plan Operative in part, as recommended in this report.

6.3 Agreed alterations

The text alterations are shown in Appendix 3. Amendments are shown as either ~~striketrough~~ or underlined.

Report Prepared by:

Name: Vanesa Leddra

Title: Policy Planner – Planning: Central/South



Signature:

Date: 25 June 2025

7.0 SECTION 181(3) DETERMINATION

Having read the council planner's report and recommendations on the notice of requirement, I am satisfied 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.

Accordingly, the notice of requirement for an alteration to Designation 8516 Brownhill Road to Pakuranga (**BHL- PAK**) Underground Transmission Cables is confirmed under section 181(3) of the RMA as agreed and set out in section 6.2 of this report.

Name: Craig Cairncross

Title: Team Leader – Planning: Central/South



Signature:

Date: 25 June 2025

APPENDICES

Appendix 1 Transpower New Zealand Limited Notice of Requirement for alterations to Designation #8516 under s181(3) including

- Form 18 dated 11 June 2025
- Email dated 19 May which includes tracked changes to conditions, Attachment 1 [existing designation and conditions], Attachment 2 [proposed conditions – clean) and Attachment 3 [Consultant Advice Note - WSP]
- Figure 1 #8516 Brownhill – Pakuranga Designation Cable area plans – pages 1 -11

Appendix 2 Memo from Council's specialist [Noise] dated 9 June 2025 refer to page 8
of this report

Appendix 3 – Tracked changes of conditions

Appendix 4 – Agreed set of conditions [clean]

Changes to Conditions 6-8

6. ~~All~~ The noise from any construction work activity shall be designed, must be measured, assessed, and managed and conducted in accordance with the requirements of to ensure that construction and maintenance noise from the site does not exceed the limits in NZS6803:1999 Acoustics–Construction Noise. Construction work is defined in New Zealand Standard NZS6803:1999 Acoustics – Construction noise.
- 7.— ~~Prior to any significant construction work taking place, a noise management plan shall be prepared, with the assistance of a suitably qualified and experienced person, that sets out the management procedures in terms of section 8 and Annex E of NZS6803:1999, and the works shall be undertaken in accordance with that noise management plan (other than emergency works).~~
7. A Construction Noise and Vibration Management Plan (CNVMP) must be submitted to Auckland Council for certification prior to commencement of any construction works that cannot comply with the guideline upper limits of New Zealand Standard NZS6803:1999 Acoustics–Construction Noise. The objective of the CNVMP is to identify and require the adoption of the best practicable option to minimise construction noise and vibration effects as far as practical.
8. ~~The noise management plan CNVMP required by condition 7 shall~~ must be submitted to the Council's General Manager, Planning and Resource for Consents Manager, Resource Consents South for approval, at least certification a minimum of twenty (20) working days prior to commencement of the works commencing. The Council's Consents Manager shall respond within 20 working days indicating whether approval is given or refused. Construction works must not commence until certification has been received in writing from the Council. Approval Certification must shall not be unreasonably withheld.

Appendix 4

Clean set of agreed conditions

6. All the noise from any construction work activity must be measured, assessed, and managed in accordance with the requirements of NZS6803:1999 Acoustics–Construction Noise. Construction work is defined in New Zealand Standard NZS6803:1999 Acoustics – Construction noise.
7. A Construction Noise and Vibration Management Plan (CNVMP) must be submitted to Auckland Council for certification prior to commencement of any construction works that cannot comply with the guideline upper limits of New Zealand Standard NZS6803:1999 Acoustics–Construction Noise. The objective of the CNVMP is to identify and require the adoption of the best practicable option to minimise construction noise and vibration effects as far as practical.
8. The CNVMP required by condition 7 must be submitted to the Council's General Manager, Planning and Resource Consents, for certification a minimum of twenty (20) working days prior to commencement of the works. Construction works must not commence until certification has been received in writing from the Council. Certification must not be unreasonably withheld.

Form 18 Notice of requirement by Minister, local authority, or requiring authority for designation or alteration of designation

Sections 145, 168(1), (2), 168A, and 181, and clause 4 of Schedule 1, Resource Management Act 1991

To Auckland Council

Transpower New Zealand Limited gives notice of a requirement for a minor alteration to designation 8516.

The site to which the requirement applies is as follows:

Parcel ID/Appellation	
Sec 1 SO 68292	5260679
Pt Lot 12 DP 169911	5260590
5219998	5260581
Lot 2 DP 189283	5261354
Lot 1 DP 312445 DP 316651 (Unit Titles)	5260593
Lot 182 DP 180655	5263074
Lot 182 DP 180654	5260594
5260962	5263077
Lot 3 DP 192219	5263075
5261289	6603043
5261291	Lot 1 DP 197985
5264569	Lot 29 DP 374495
5264087	Lot 471 DP 207703
5264572	Lot 472 DP 207703
6720378	Lot 2 DP 97587
5260907	Lot 6 DP 179398
5260911	Lot 2 DP 203233
5260678	Pt Lot 1 DP 64803
5260676	5252243
5260681	5237375
5260683	5215085
5260687	5247732

5261005	5222800
5233051	5252256
5251023	5226902
5236295	5257232
5260181	5227265
5236298	Allot 269 Parish of Pakuranga
5260292	5215085
5248198	5260198
5236292	5220420
5260304	5259600
5260397	5237201
Lot 1001 DP 192648	5217143
5260832	5258742
5260575	5217143
Lot 1 DP 209513	Lot 3 DP 147128
Lot 1 DP 175870	Lot 1 DP 177925

The nature of the proposed public work (or project or work) is:

Amendment to the conditions of consent related to construction noise to make them consistent with best practice and the rules of the Auckland Unitary Plan.

*The nature of the proposed conditions that would apply are:

Transpower requests the following changes to Conditions 6-8 to address these matters.

6. ~~All~~ The noise from any construction work activity shall be designed, must be measured, assessed, and managed and conducted in accordance with the requirements of to ensure that construction and maintenance noise from the site does not exceed the limits in NZS6803:1999 Acoustics–Construction Noise. Construction work is defined in New Zealand Standard NZS6803:1999 Acoustics – Construction noise.
- ~~7. Prior to any significant construction work taking place, a noise management plan shall be prepared, with the assistance of a suitably qualified and experienced person, that sets out the management procedures in terms of section 8 and Annex E of NZS6803:1999, and the works shall be undertaken in accordance with that noise management plan (other than emergency works):~~
7. A Construction Noise and Vibration Management Plan (CNVMP) must be submitted to Auckland Council for certification prior to commencement of any construction works that cannot comply with the guideline upper limits of New Zealand Standard NZS6803:1999 Acoustics–Construction Noise. The objective of the CNVMP is to identify and require the adoption of the best practicable option to minimise construction noise and vibration effects as far as practical.

~~8. The noise management plan CNVNP required by condition 7 shall~~ must be submitted to the Council's Consents Manager, ~~Resource Consents South~~ for approval, ~~at least certification a minimum of twenty (20) working days prior to commencement of the works commencing. The Council's Consents Manager shall respond within 20 working days indicating whether approval is given or refused. Construction works must not commence until certification has been received in writing from the Council. Approval Certification must shall~~ not be unreasonably withheld.

The effects that the public work (or project or work) will have on the environment, and the ways in which any adverse effects will be mitigated, are:

The only potential environmental effect of the proposed change relates to the generation of construction noise.

While the proposed revision to Condition 6 is less restrictive and permits construction works to occur as long as the construction noise is measured, assessed, and managed in accordance with NZS 6803, it is unlikely to have any impact, beyond what is already permitted to occur without resource consent under the AUP.

The operation, maintenance and repair of utilities and the use of underground electricity lines are permitted activities in all zones in the AUP (see Chapter E26, Table E26.2.3.1, Rules A1 and A22). Noise and vibration from a range of works within the road do not need to comply with noise limits where the noise produced cannot be made to comply, provided a Construction Noise and Vibration Management Plan (CNVMP) has been provided to Auckland Council (see Chapter E25, section E25.6.29).

For works outside the road, where noise limits are exceeded, the AUP still does not prohibit construction works from occurring as existing designation condition 6 does. Instead, works outside the road reserve under the AUP are allowed as long as duration, frequency, and timing are controlled to manage effects.

The majority of designation 8516 is located within the road. The proposed revised wording for Condition 6 aligns with the existing Designation Conditions, the AUP construction noise requirements, and enables construction works while managing effects in line with NZS 6803. Therefore, the acoustic effects are low.

The proposed wording of Condition 7 is arguably more restrictive than the existing wording. It is also clearer. Proposed condition 7 clarifies that *all works* which exceed NZS 6803 construction noise criteria are required to adopt a CNVMP rather than just significant construction works.

The use of a CNVMP for works that exceed NZS 6803 noise limits align with the aims of the standard and Objective E25.2(4) of the AUP, which states:

“Construction activities that cannot meet noise and vibration standards are enabled while controlling duration, frequency and timing to manage adverse effects.”

It is also industry best practice.

Effects from the revision of condition 7 are low.

The proposed wording of Condition 8 requires the CNVMP to be submitted to Council at least 20 working days prior to construction works commencing to enable time for Council to review and respond. This is 15 working days longer than the equivalent provisions of the AUP relating to permitted works in the road.

The effects of the revised wording of Condition 8 are low.

Because the effects of the revised wording are low, no mitigation is necessary.

Alternative sites, routes, and methods have been considered to the following extent:

N/A

The public work and designation alteration are reasonably necessary for achieving the objectives of the requiring authority because:

Transpower's objective is to enable the maintenance and ongoing operation of the double circuit underground 220kV cable that conveys electricity between the Pakuranga and Brownhill substations. The designation alteration is necessary to ensure maintenance of the cable can occur in a timely manner to ensure the ongoing operation of the cable to supply electricity to the Auckland region.

No consultation has been undertaken with parties that are likely to be affected:

There is no land or landowner directly affected by the proposed change so no written approvals are required.

As outlined above, the designation is predominantly located within road reserve and, under the AUP, parties can undertake construction works that generate noise within the road reserve as a permitted activity, subject to conditions that are consistent with the requirements of revised conditions 6-8. Outside the road, construction works are also able to exceed noise limits, subject to conditions that are also consistent with the requirements of revised conditions 6-8. Any landowner adjacent to the cable route will therefore already receive noise from permitted construction works that will occur intermittently over time.

In order to undertake construction works in the road, Transpower is required to seek approval from Auckland Transport as the road controlling authority however, the matters that Auckland Transport manage in that capacity do not include noise. It is therefore not considered necessary to seek their written approval for this minor alteration.

Constance Daws attaches the following information required to be included in this notice by the district plan, regional plan, or any regulations made under the [Resource Management Act 1991](#).

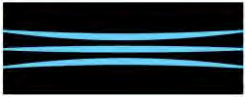
- Letter from Transpower New Zealand Limited dated 19 May 2025
- Consultant Advice Note (CAN 8) from Leonard Terry (WSP)
- Copy of Designation 8516 in the Auckland Unitary Plan



Signature of person giving notice
(*or* person authorised to sign
on behalf of person giving notice)

Date 11/06/2025

(A signature is not required if notice is given by electronic means.)



TRANSPOWER

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Peacocke
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Hamilton 3240
New Zealand

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www.transpower.co.nz

19 May 2025

Manager – Plans and Places
Auckland Council
Private Bag 92300
Victoria Street West
Auckland 1142

Attention: Craig Cairncross

Dear Craig

Minor Alteration to Designation 8516 in the Auckland Unitary Plan

Transpower New Zealand Limited (Transpower) is the requiring authority in respect of designation 8516 which authorises the Brownhill to Pakuranga (BHL-PAK) underground electricity transmission cables in the Auckland Unitary Plan.

A location plan showing the BHL-PAK underground electricity transmission route is shown in Figure 1. The full text of Designation 8516 is shown in Attachment 1.

Purpose of the Minor Alteration

Transpower requests a minor alteration to designation 8516 to amend the construction and maintenance noise conditions. The alteration is needed to update the construction noise conditions to:

- provide certainty and consistency across **Transpower's** designated sites in Auckland;
- be consistent with the Auckland Unitary Plan (AUP) rules and standards that address construction noise as well as current case law; and
- satisfy the overarching aims of the New Zealand construction noise standard NZS 6803: 1999 Acoustics – Construction noise (NZS 6803).

Minor Alteration Requested

The construction and noise conditions in designation 8516 currently state:

6. *All construction 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.*

7. *Prior to any significant construction work taking place, a noise management plan shall be prepared with the assistance of a suitably qualified and experienced person, that sets out the management procedures in terms of section 8 and Annex E of NZS6803: 1999; and the works shall be undertaken in accordance with that noise management plan (other than emergency works).*

8. *The noise management plan required by condition 7 shall be submitted to Council's Consents Manager for approval, at least 20 working days prior to the works commencing. The Council's Consents Manager shall respond within 20 working days indicating whether approval is given or refused. Approval shall not be unreasonably withheld.*

The purpose of NZS 6803 is to *manage*, rather than *restrict* construction noise and compliance with the noise limits in NZS 6803 is not mandatory: the limits in the standard are used to determine the level of noise mitigation required. As currently worded, Transpower is unable to comply with condition 6. Condition 6 is also inconsistent with the wording of Section E25.6.1(3) of the AUP, which was notified and made operative after designation 8516 was confirmed.

Condition 7 makes reference to **"significant construction work"** but this term is not defined and is therefore ambiguous.

Condition 8 requires a Noise Management Plan to be submitted for approval by Auckland Council which is inconsistent with current case law.

Transpower therefore requests the following changes to Conditions 6-8 to address these matters.

6. ~~All~~ The noise from any construction work activity shall be designed, must be measured, assessed, and managed and conducted in accordance with the requirements of to ensure that construction and maintenance noise from the site does not exceed the limits in NZS6803: 1999 Acoustics–Construction Noise. Construction work is defined in New Zealand Standard NZS6803: 1999 Acoustics – Construction noise.
- ~~7. Prior to any significant construction work taking place, a noise management plan shall be prepared, with the assistance of a suitably qualified and experienced person, that sets out the management procedures in terms of section 8 and Annex E of NZS6803: 1999, and the works shall be undertaken in accordance with that noise management plan (other than emergency works).~~
7. A Construction Noise and Vibration Management Plan (CNVMP) must be submitted to Auckland Council for certification prior to commencement of any construction works that cannot comply with the guideline upper limits of New Zealand Standard NZS6803: 1999 Acoustics–Construction Noise. The objective of the CNVMP is to identify and require the adoption of the best practicable option to minimise construction noise and vibration effects as far as practical.

~~8. The noise management plan-CNVNP required by condition 7 ~~shall~~ must be submitted to the Council's Consents Manager, ~~Resource Consents South~~ for ~~approval, at least certification a minimum of twenty (20) working days prior to commencement of the works commencing. The Council's Consents Manager shall respond within 20 working days indicating whether approval is given or refused. Construction works must not commence until certification has been received in writing from the Council. Approval Certification must~~ ~~shall~~ not be unreasonably withheld.~~

A clean version of the proposed text is shown in Attachment 2.

Statutory Context

Section 181(3) of the Resource Management Act (RMA) states:

A territorial authority may at any time alter a designation in its district plan or a requirement in its proposed district plan if—

- (a) the alteration—*
 - (i) involves no more than a minor change to the effects on the environment associated with the use or proposed use of land or any water concerned; or*
 - (ii) involves only minor changes or adjustments to the boundaries of the designation or requirement; and*
- (b) written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners or occupiers agree with the alteration; and*
- (c) both the territorial authority and the requiring authority agree with the alteration—*

and sections 168 to 179 and 198AA to 198AD shall not apply to any such alteration.

Assessment of Change and Environmental Effects (s181(3)(a))

The only potential environmental effect of the proposed change relates to the generation of construction noise. Transpower engaged WSP to prepare an acoustic assessment of the proposed change to the designation conditions. This assessment is contained in Attachment 3.

While the proposed revision to Condition 6 is less restrictive and permits construction works to occur as long as the construction noise is measured, assessed, and managed in accordance with NZS 6803, it is unlikely to have any impact, beyond what is already permitted to occur without resource consent under the AUP.

The operation, maintenance and repair of utilities and the use of underground electricity lines are permitted activities in all zones in the AUP (see Chapter E26, Table E26.2.3.1,

Rules A1 and A22). Noise and vibration from a range of works within the road do not need to comply with noise limits where the noise produced cannot be made to comply, provided a Construction Noise and Vibration Management Plan (CNVMP) has been provided to Auckland Council (see Chapter E25, section E25.6.29).

For works outside the road, where noise limits are exceeded, the AUP still does not prohibit construction works from occurring as existing designation condition 6 does. Instead, works outside the road reserve under the AUP are allowed as long as duration, frequency, and timing are controlled to manage effects.

The majority of designation 8516 is located within the road. In respect of the proposed change to condition 6, WSP conclude:

"the proposed revised wording for Condition 6 aligns with the existing Designation Conditions, the AUP construction noise requirements, and enables construction works while managing effects in line with NZS 6803. Therefore, the acoustic effects are low."

The proposed wording of Condition 7 is arguably more restrictive than the existing wording. It is also clearer. Proposed condition 7 clarifies that *all works* which exceed NZS 6803 construction noise criteria are required to adopt a CNVMP rather than just significant construction works.

The use of a CNVMP for works that exceed NZS 6803 noise limits align with the aims of the standard and Objective E25.2(4) of the AUP, which states:

"Construction activities that cannot meet noise and vibration standards are enabled while controlling duration, frequency and timing to manage adverse effects."

It is also industry best practice.

WSP concludes that effects from the revision of condition 7 are low.

The proposed wording of Condition 8 requires the CNVMP to be submitted to Council at least 20 working days prior to construction works commencing to enable time for Council to review and respond. This is 15 working days longer than the equivalent provisions of the AUP relating to permitted works in the road.

WSP conclude that the effects of the revised wording of Condition 8 are low.

Written Notice and Approval (s181(3)(b))

There is no land or landowner directly affected by the proposed change so no written approvals are required.

As outlined above, the designation is predominantly located within road reserve and, under the AUP, parties can undertake construction works that generate noise within the road reserve as a permitted activity, subject to conditions that are consistent with the requirements of revised conditions 6-8. Outside the road, construction works are also able to exceed noise limits, subject to conditions that are also consistent with the requirements of revised conditions 6-8. Any landowner adjacent to the cable route will therefore already receive noise from permitted construction works that will occur intermittently over time.

In order to undertake construction works in the road, Transpower is required to seek approval from Auckland Transport as the road controlling authority however, the matters

that Auckland Transport manage in that capacity do not include noise. It is therefore not considered necessary to seek their written approval for this minor alteration.

Requiring Authority and Territorial Authority Agreement (s181(3)(c))

As the requiring authority, Transpower agrees to the proposed designation alteration.

This letter is a formal request for Auckland **Council's agreement to the proposed** alteration.

Accordingly, it is considered the proposed alteration to designation 8516 can meet the requirements of s 181(3) of the RMA and Transpower requests that Auckland Council accept the change.

If you have any queries or require any additional information, please contact Sharon Dines on (027 360 4319 or sharon@dinesconsulting.co.nz or, Connie Daws on (021) 901 805 or constance.daws@transpower.co.nz.

Yours sincerely, Connie Daws,



Transpower New Zealand Limited

Attachment 1.

8516 Brownhill Road to Pakuranga Underground Electricity Transmission Cables

Designation Number	8516
Requiring Authority	Transpower New Zealand Ltd
Location	143 Brownhill Road, Whitford to 109 Golfland Drive, Howick
Rollover Designation	Yes
Legacy Reference	Designation 300, Auckland Council District Plan (Manukau Section) 2002
Lapse Date	Given effect to (i.e. no lapse date)

Purpose

Electricity transmission- the construction, operation and maintenance of a double circuit underground 220kV cable as part of the upper North Island Grid Upgrade Project, to convey electricity between the Pakuranga Substation and the substation site at Brownhill Road, and ancillary activities.

The nature of the work is described more particularly in Part VI (excluding section 12 in relation to suggested conditions), and also in Parts II and X of the Notices of Requirement Documentation (dated April 2007).

Conditions

Cultural / Spiritual

1. If any urupā, traditional sites, taonga (significant artefacts), or kōiwi (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 tāngata whenua, the New Zealand Historic Places Trust, the 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.

Magnetic Fields (MF)

2. Any new equipment shall be designed and operated to limit the magnetic field exposures to the International Commission on Non-Ionising Radiation Protection, Guidelines for limiting exposure to time varying electric, magnetic, fields (1Hz- 100kHz) (Health Physic 99(6):818-836; 2010) (ICNIRP Guidelines). That is the public exposure reference level of 200 µT for magnetic flux density when measured at 1 metre above ground level directly above any cable under normal operating conditions. (ie, when there are no faults in the transmission system).

3. In order to reduce long-term public exposure to MFs no habitable buildings shall be constructed within the designation corridor for the underground cable.

Radio Frequency Interference

4. All works shall be designed to comply with NZS 6869:2004 Limits and Measurement Methods of Electromagnetic Noise from High-Voltage a.c. Power Systems, 0.15 to 1000 MHz.

Earth Potential Rise / Induced Voltages

5. Any new works or equipment shall be designed and constructed so as not to cause existing assets of other utilities to be non-compliant with AS/NZS 4853:2012 Electrical Hazard on Metallic Pipelines.

Construction and maintenance noise

6. All construction 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.

7. Prior to any significant construction work taking place, a noise management plan shall be prepared with the assistance of a suitably qualified and experienced person, that sets out the management procedures in terms of section 8 and Annex E of NZS6803:1999; and the works shall be undertaken in accordance with that noise management plan (other than emergency works).

8. The noise management plan required by condition 7 shall be submitted to Council's Consents Manager for approval, at least 20 working days prior to the works commencing. The Council's Consents Manager shall respond within 20 working days indicating whether approval is given or refused. Approval shall not be unreasonably withheld.

Advice note

1. Any new works or equipment means those works which were not existing prior to the notification of the Auckland Unitary Plan.

Attachments

Schedule of Legal Descriptions

Parcel ID/Appellation	
Sec 1 SO 68292	5260679
Pt Lot 12 DP 169911	5260590
5219998	5260581
Lot 2 DP 189283	5261354
Lot 1 DP 312445 DP 316651 (Unit Titles)	5260593
Lot 182 DP 180655	5263074
Lot 182 DP 180654	5260594
5260962	5263077
Lot 3 DP 192219	5263075
5261289	6603043
5261291	Lot 1 DP 197985
5264569	Lot 29 DP 374495
5264087	Lot 471 DP 207703
5264572	Lot 472 DP 207703
6720378	Lot 2 DP 97587
5260907	Lot 6 DP 179398
5260911	Lot 2 DP 203233
5260678	Pt Lot 1 DP 64803
5260676	5252243
5260681	5237375
5260683	5215085
5260687	5247732

5261005	5222800
5233051	5252256
5251023	5226902
5236295	5257232
5260181	5227265
5236298	Allot 269 Parish of Pakuranga
5260292	5215085
5248198	5260198
5236292	5220420
5260304	5259600
5260397	5237201
Lot 1001 DP 192648	5217143
5260832	5258742
5260575	5217143
Lot 1 DP 209513	Lot 3 DP 147128
Lot 1 DP 175870	Lot 1 DP 177925

Attachment 2

6. All the noise from any construction work activity must be measured, assessed, and managed in accordance with the requirements of NZS6803: 1999 Acoustics–Construction Noise. Construction work is defined in New Zealand Standard NZS6803: 1999 Acoustics – Construction noise.

7. A Construction Noise and Vibration Management Plan (CNVMP) must be submitted to Auckland Council for certification prior to commencement of any construction works that cannot comply with the guideline upper limits of New Zealand Standard NZS6803: 1999 Acoustics–Construction Noise. The objective of the CNVMP is to identify and require the adoption of the best practicable option to minimise construction noise and vibration effects as far as practical.

8. The CNVMP required by condition 7 must be submitted **to the Council's** Consents Manager, for certification a minimum of twenty (20) working days prior to commencement of the works. Construction works must not commence until certification has been received in writing from the Council. Certification must not be unreasonably withheld.



Consultant Advice Note (CAN 8)

To	Glenn West (Transpower)
Copy	John Sutherland (Transpower), Sharon Dines (Dines Consulting)
From	Leonard Terry (WSP)
Date	24 April 2025
File/Ref	250424-1-TPA03.00-LT-CAN8-Rev1-Designation 8516 Amendment
Subject	Assessment of Noise Effects Associated with a Designation Condition Amendment

Introduction

WSP has been engaged to assess the potential noise impacts of a change to Condition 6, Condition 7 and Condition 8 of Transpower New Zealand Limited (Transpower) Designation 8516 Brownhill Road to Pakuranga Underground Electricity Transmission Cables.

The primary reason for the alteration to Designation 8516 is to update the construction noise conditions to provide certainty and consistency across Transpower's designated sites in Auckland, for the wording of the conditions to be in line with the underlying AUP rules, and to satisfy the overarching aims of the New Zealand construction noise standard NZS 6803:1999 *Acoustics – Construction noise* (NZS 6803).

This Consultant Advice Note (CAN) outlines the existing designation conditions, the revised conditions, and the noise effects associated with the changes.

Existing Designation Conditions

There are currently three (3) conditions under the *Construction and Maintenance Noise* section of Designation 8516 (Conditions 6 – 8), that are recommended to be revised. These conditions are reproduced below:

6. *All construction 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.*
7. *Prior to any significant construction work taking place, a noise management plan shall be prepared, with the assistance of a suitably qualified and experienced person, that sets out the management procedures in terms of section 8 and Annex E of NZS6803:1999, and the works shall be undertaken in accordance with that noise management plan (other than emergency works).*
8. *The noise management plan required by condition 7 shall be submitted to Council's Consents Manager for approval, at least 20 working days prior to the works commencing. The Council's Consents Manager shall respond within 20 working days indicating whether approval is given or refused. Approval shall not be unreasonably withheld.*

The wording of Condition 6 requires that the noise limits in Table 2 and Table 3 within NZS 6803 are not exceeded. However, the scope and aims of NZS 6803 are not to restrict construction activities in this way, but to enable them by requiring developers, site operators and/or contractors to manage noise emissions. Compliance with the noise limits is not mandatory (unlike the existing Condition 6 wording); instead, these limits are used to determine the level of noise mitigation required.

Condition 7 references “any significant construction work” the construction work which is “significant” is not defined. Therefore, it is recommended this is reworded to clarify what construction works require the implementation of a Construction Noise and Vibration Management Plan (CNVMP).

The wording of Condition 8 requires that the CNVMP is “sent for approval” prior to works commencing. The submission to Council is required under the Outline Plan of Works (OPW), but it is not required to be approved. Council can only provide comment and/or recommendations for this. It is recommended that this condition is updated in line with the requirements of an OPW process.

Proposed Designation Conditions

It is recommended that Condition 6 be revised to align with the scope and objectives of NZS 6803. The proposed wording for Condition 6 is provided below:

6. *All the noise from any construction work activity must be measured, assessed, and managed in accordance with the requirements of NZS6803:1999 Acoustics–Construction Noise. Construction work is defined in New Zealand Standard NZS6803:1999 Acoustics – Construction noise.*

The wording used in the proposed condition aligns with Section E25.6.1(3) of the Auckland Unitary Plan (AUP). It also aligns with the aims of NZS 6803 and the objectives of the AUP to manage, rather than restrict construction noise.

It is recommended that Condition 7 be revised to:

7. *A Construction Noise and Vibration Management Plan (CNVMP) must be submitted to Auckland Council for certification prior to commencement of any construction works that cannot comply with the guideline upper limits of New Zealand Standard NZS6803:1999 Acoustics–Construction Noise. The objective of the CNVMP is to identify and require the adoption of the best practicable option to minimise construction noise and vibration effects as far as practical.*

The wording used in the proposed condition requires the adoption of a CNVMP for all construction works that do not comply with the construction noise limits within NZS 6803. This removes the ambiguity of “significant construction works”. The revised wording also clarifies that the CNVMP is to manage the construction effects rather than achieve noise and vibration limits, which is the purpose of a CNVMP.

It is recommended that Condition 8 be revised to:

8. *The CNVMP required by condition 7 must be submitted to the Council's Consents Manager, for certification a minimum of twenty (20) working days prior to commencement of the works. Construction works must not commence until certification has been received in writing from the Council. Certification must not be unreasonably withheld.*

The wording used in the proposed condition provides Council with sufficient time to review, certify and respond to the Designation holder with comment and/or recommendation in an advisory capacity prior to the commencement of works.

Noise Effects Discussion

Condition 6

Condition 6 currently restricts any construction works from occurring unless the noise generated is below the recommended noise limits in NZS 6803.

The revision to Condition 6 is less restrictive and permits construction works to occur as long as the construction noise is measured, assessed, and managed per NZS 6803. This would allow construction activities to generate higher noise levels than those outlined in NZS 6803, provided that procedures to determine the Best Practicable Option (BPO) for mitigation are developed, followed, and implemented. Note that NZS 6803 states *A noise management plan will often be appropriate to achieve the aims of the Standard*. Therefore, restricting construction work is not in line with the aims of NZS 6803.

The requirement to develop and implement BPO mitigation is already stipulated by existing Designation Conditions 7 and 8, which mandates the implementation of a Construction Noise and Vibration Management Plan (CNVMP), which is in line with the aims of NZS 6803. The use of a CNVMP to manage effects from construction aligns with the objectives of AUP Chapter E26 Infrastructure. Section E26.2.1(4) allows the *development, operation, maintenance, repair, replacement, renewal, upgrading and removal* of infrastructure, as long as adverse effects are avoided, remedied, or mitigated (Section E26.2.1(9)).

Note that the operation, maintenance, and repair of utilities (A1) and the use of underground electricity lines (A22) are permitted activities in all zones as per Chapter E26 of the AUP (Table E26.2.3.1). It is therefore reasonable to expect construction to occur as part of utility works and not be prohibited if it does not comply with the NZS 6803 noise limits.

A large proportion of the Designation is located within the road reserve under the AUP. As per Section E25.6.29, construction works in this zone do not need to comply with the construction noise limits in Sections E25.6.27 and E25.6.28 of the AUP, provided a CNVMP is in place. The proposed Condition 6 aligns with the AUP regarding permitted activities within a road reserve.

For works outside the road reserve where the noise limits are exceeded, the AUP does not prohibit construction works from occurring (unlike the existing Condition 6 wording). Instead, works outside the road reserve under the AUP are allowed as long as duration, frequency, and timing are controlled to manage effects (Objective E25.2(4)). The proposed wording of Designation Condition 6 is in line with this objective within the AUP, allowing construction to occur so long as noise effects are managed. The CNVMP required by Designation Conditions 7 and 8 serves as a method to manage any adverse effects.

In summary, the proposed revised wording for Condition 6 aligns with the existing Designation Conditions, the AUP construction noise requirements, and enables construction works while managing effects in line with NZS 6803. Therefore, the acoustic effects are low.

Condition 7

Existing Condition 7 only requires a CNVMP when there are “significant construction work”. There is ambiguity on what constitutes “significant” works.

The wording of the revised Condition 7 clarifies which construction works are required to adopt a CNVMP - all works which exceed the NZS 6803 construction noise criteria.

The use of a CNVMP for construction works that exceed the NZS 6803 noise limits aligns with the aims of NZS 6803 (being to manage noise effects from construction) and Objective E25.2(4) of the AUP. In addition, works within the road corridor (where much of the designation is located), only require a CNVMP under the AUP.

The use of a CNVMP where the NZS 6803 construction noise limits are exceeded is also an industry best-practice. Experience on other construction projects of various scales typically have CNVMP's to manage noise effects from construction.

The inclusion of the objective of the CNVMP within the revised Condition 7 clarifies that the CNVMP is to minimise noise and vibration effects. This follows the revised Condition 6 which allows noise levels higher than the NZS 6803 noise levels, so long as BPO mitigation is adopted.

The acoustic effects associated with the revised wording for Condition 7 are low.

Condition 8

Condition 8 currently requires approval from Council prior to works commencing and provides opportunity for refusal of the works. This is not aligned with the process for an Outline Plan of Works which allows for Designation activities to be undertaken so long as works are submitted to Council for certification within a defined number of working days.

The wording of the revised Condition 8 requires that Council shall certify the CNVMP and also provides opportunity for comment and/or recommendation in an advisory capacity to the Designation holder in advance of the works commencing.

The revised condition still requires the CNVMP to be submitted to Council for certification at least twenty (20) working days in advance of the works, to allow for enough time for review and response. It is noted that this is fifteen (15) working days longer than the applicable provisions required by the AUP E25.6.29(2e) and E25.6.29(3d) when providing a CNVMP to Council for works in the road.

As such, the acoustic effects associated with the revised wording for Condition 8 are low.

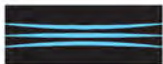
Summary

As discussed above, the change in wording:

- Does not restrict construction occurring where noise limits are predicted to exceed the noise criteria in NZS 6803.
- Requires BPO mitigation to be implemented at all times.
- Aligns with the aims of NZS 6803 and the objectives of the AUP. It should be noted that noise from construction is not restricted in the AUP, and in particular construction in the roading zone (where much of the Transpower Designations are located) is allowed at any noise level so long a CNVMP detailing BPO mitigation is adopted.

Kind Regards,

Leonard Terry
Senior Acoustic Engineer
BSc, MIOA, MASNZ
Email: Leonard.Terry@wsp.com



TRANSPOWER

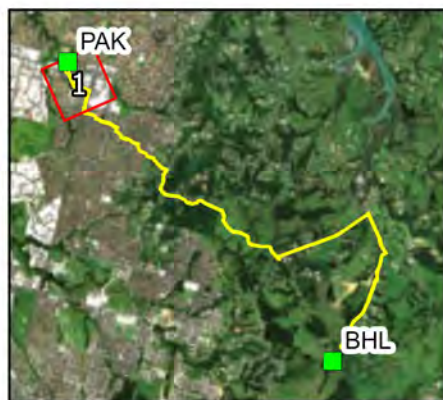
Prepared by: Transpower Geospatial

BHL-PAK Cable Designation Area

Legend

- Transpower Site
- Transpower Designation
- Parcel Boundary
- NZCONTEXT.MAPDATA.ROAD_CL_Dissolve

Page 1 of 11



0 75 150 m

Projection: NZTM 2000 Scale: 1:5,000 Plan Size: A4L

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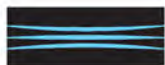
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BHL-PAK Cable Designation Area

Legend

- Transpower Site
- Transpower Designation
- Parcel Boundary
- NZCONTEXT.MAPDATA.ROAD_CL_Dissolve

Page 2 of 11

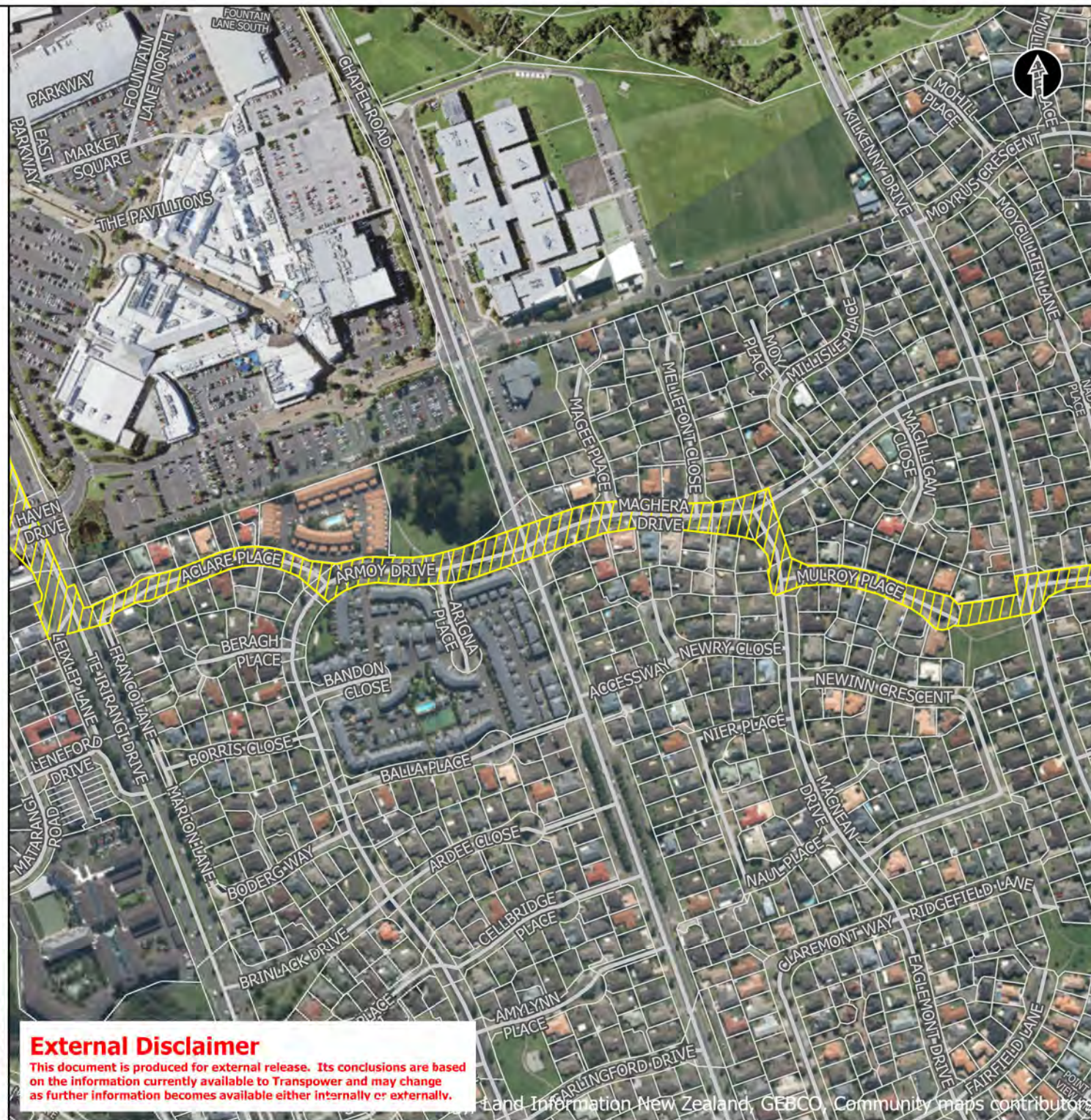


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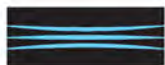
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Page 3 of 11



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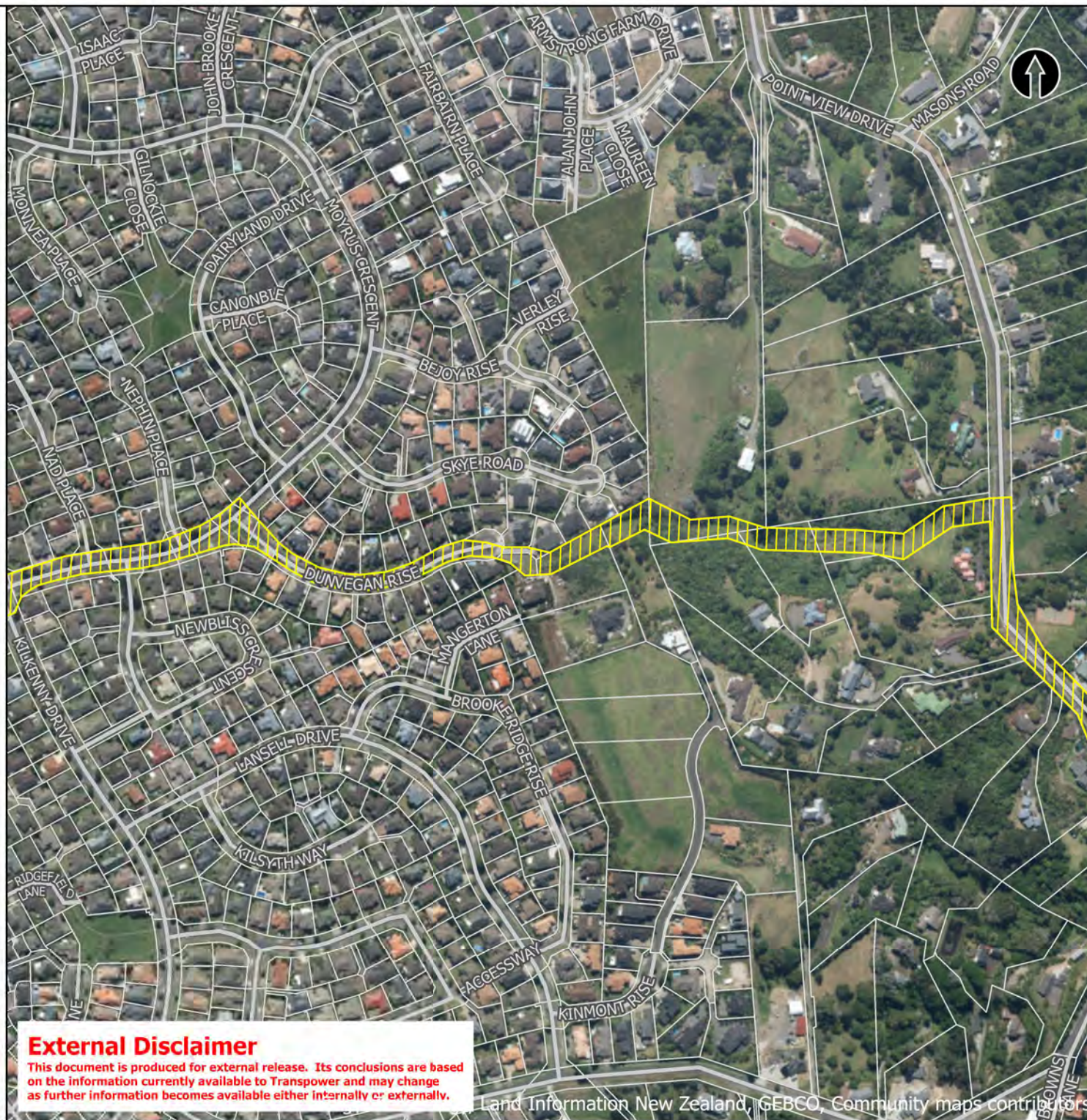
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Page 4 of 11

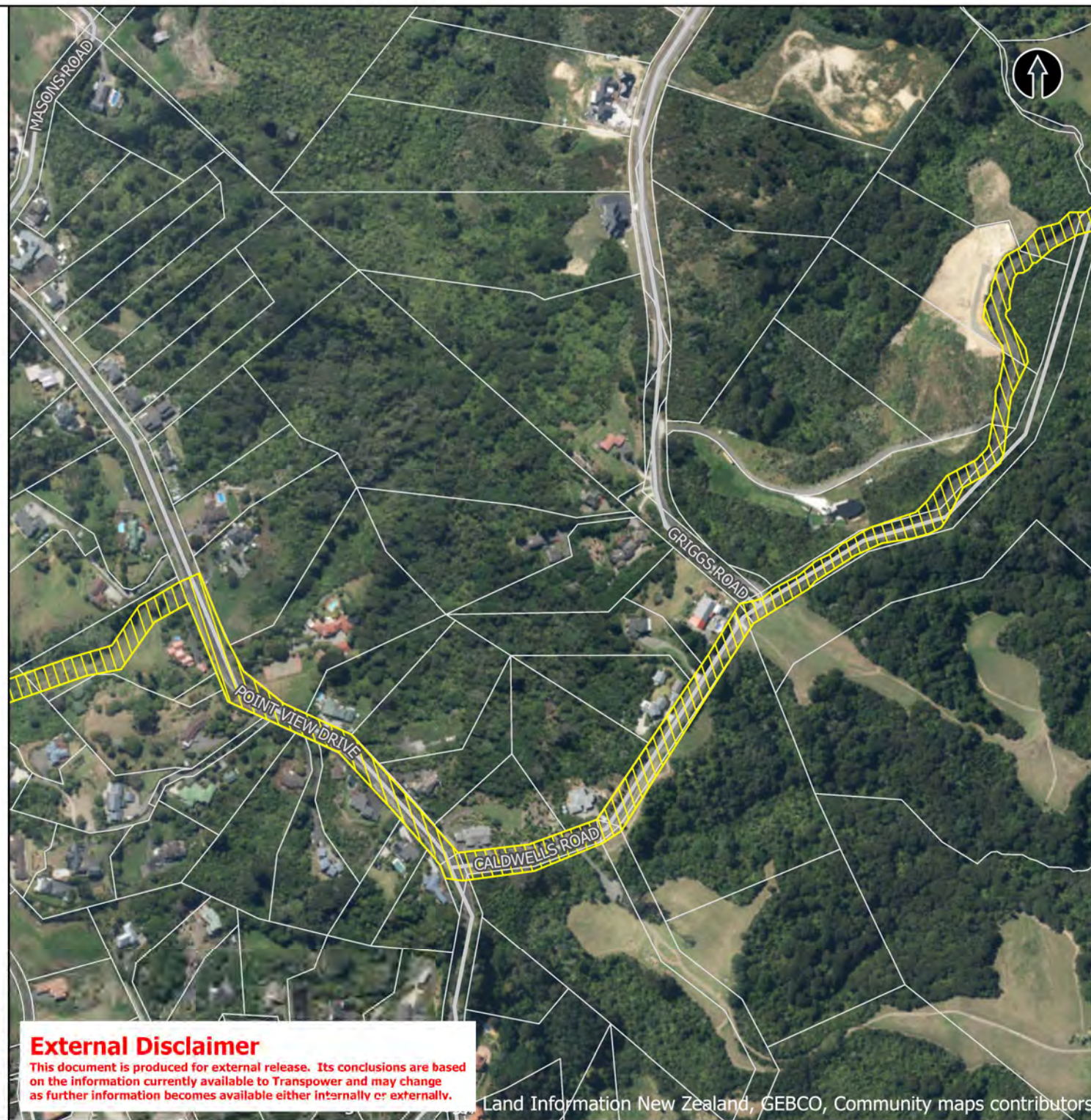


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Page 8 of 11

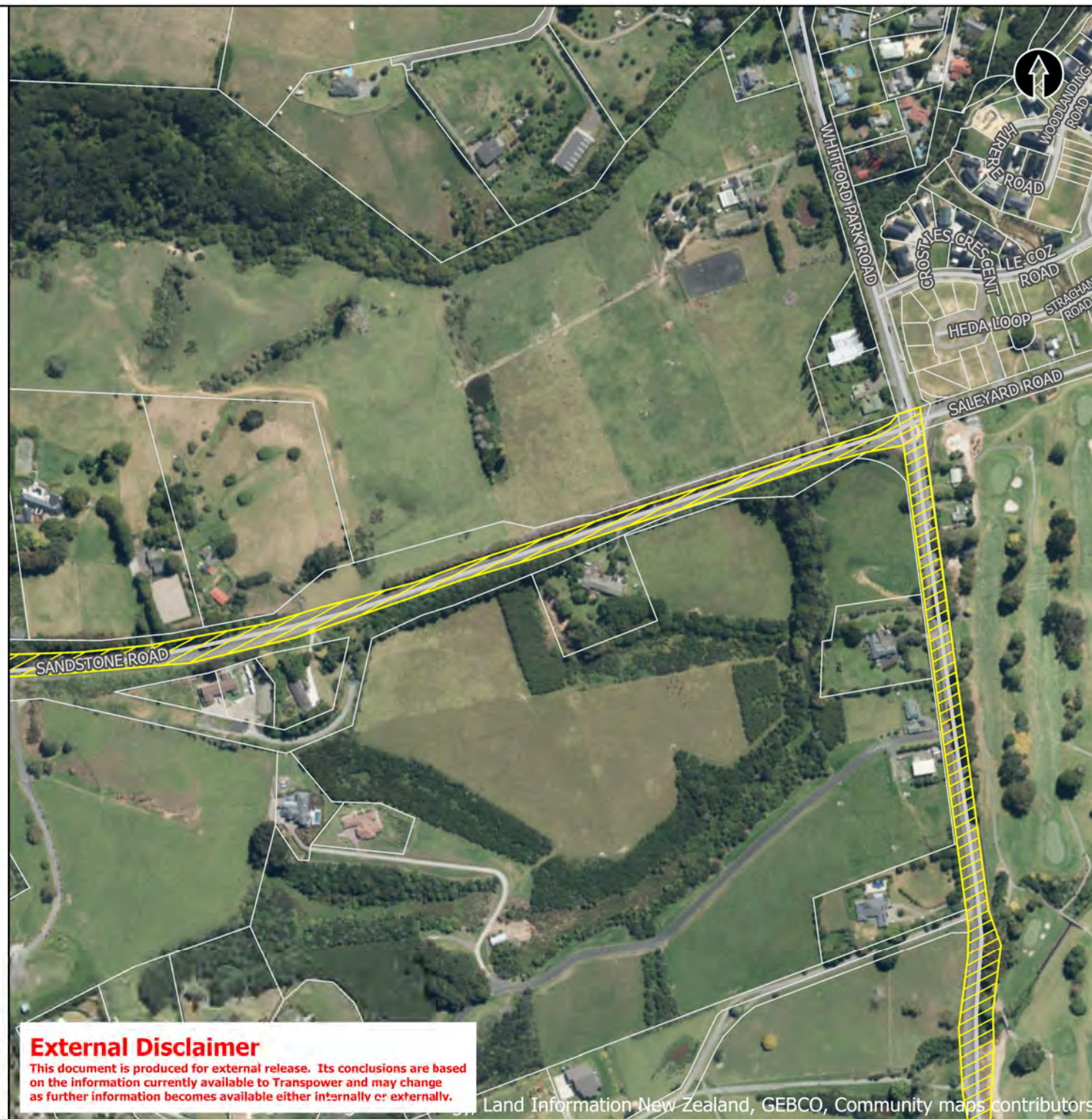


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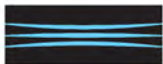
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Page 9 of 11

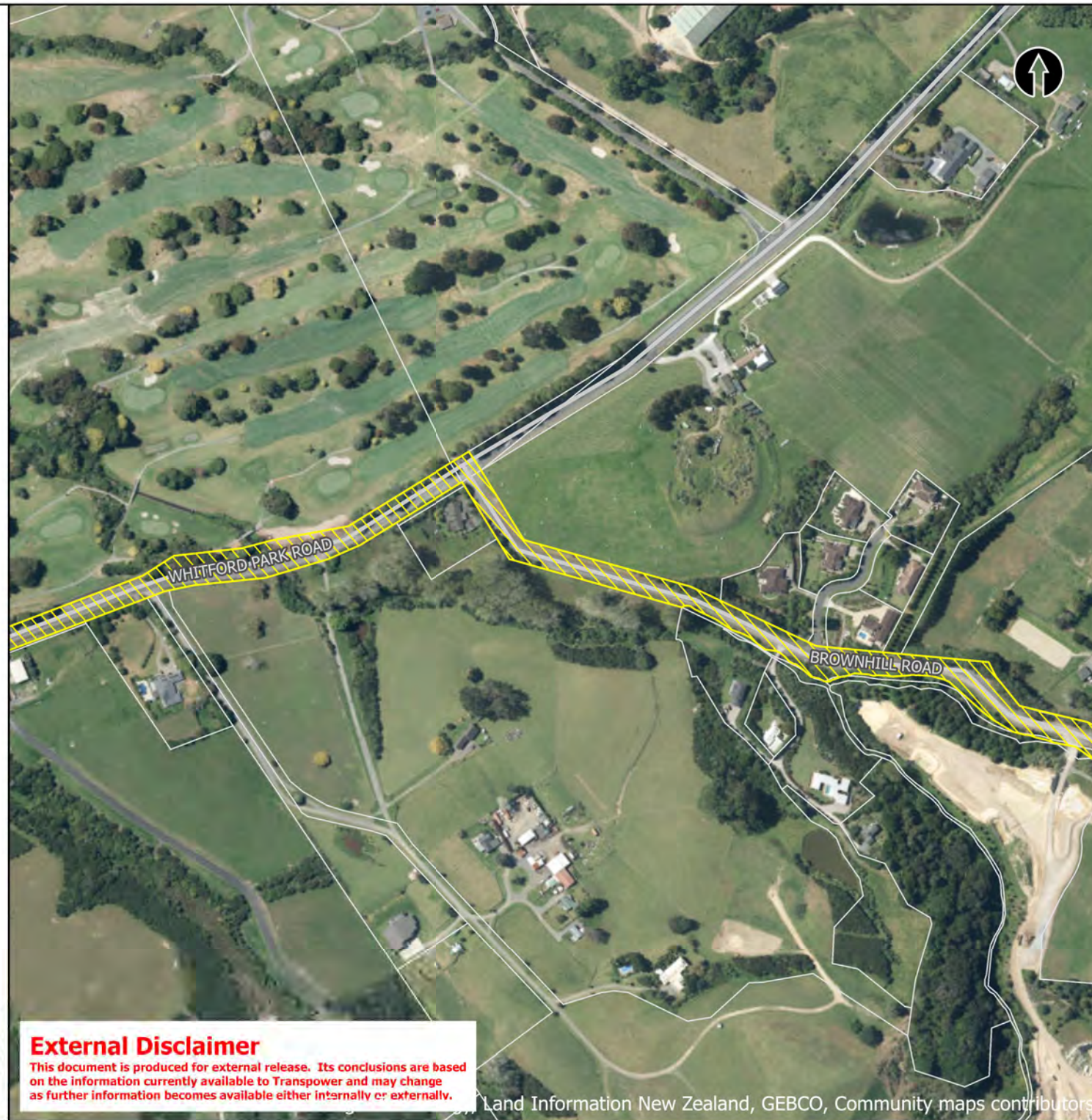


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Page 10 of 11

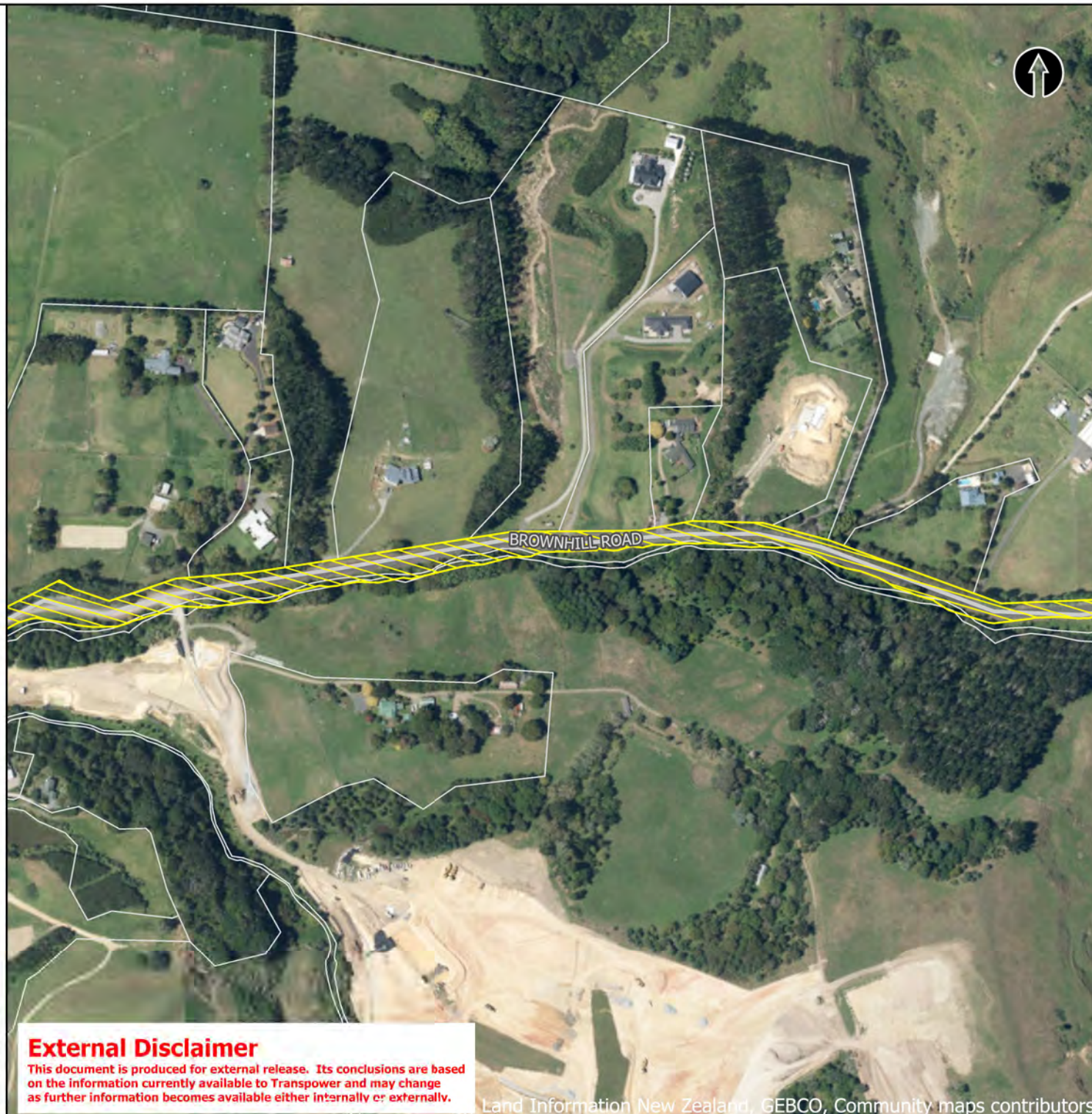


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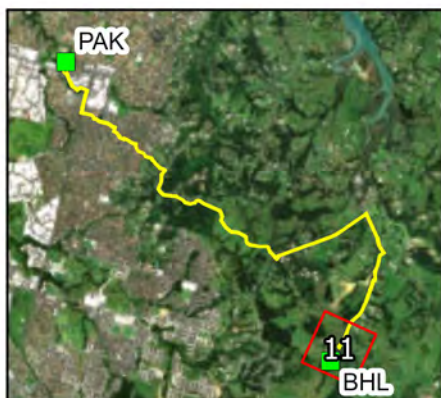
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Page 11 of 11

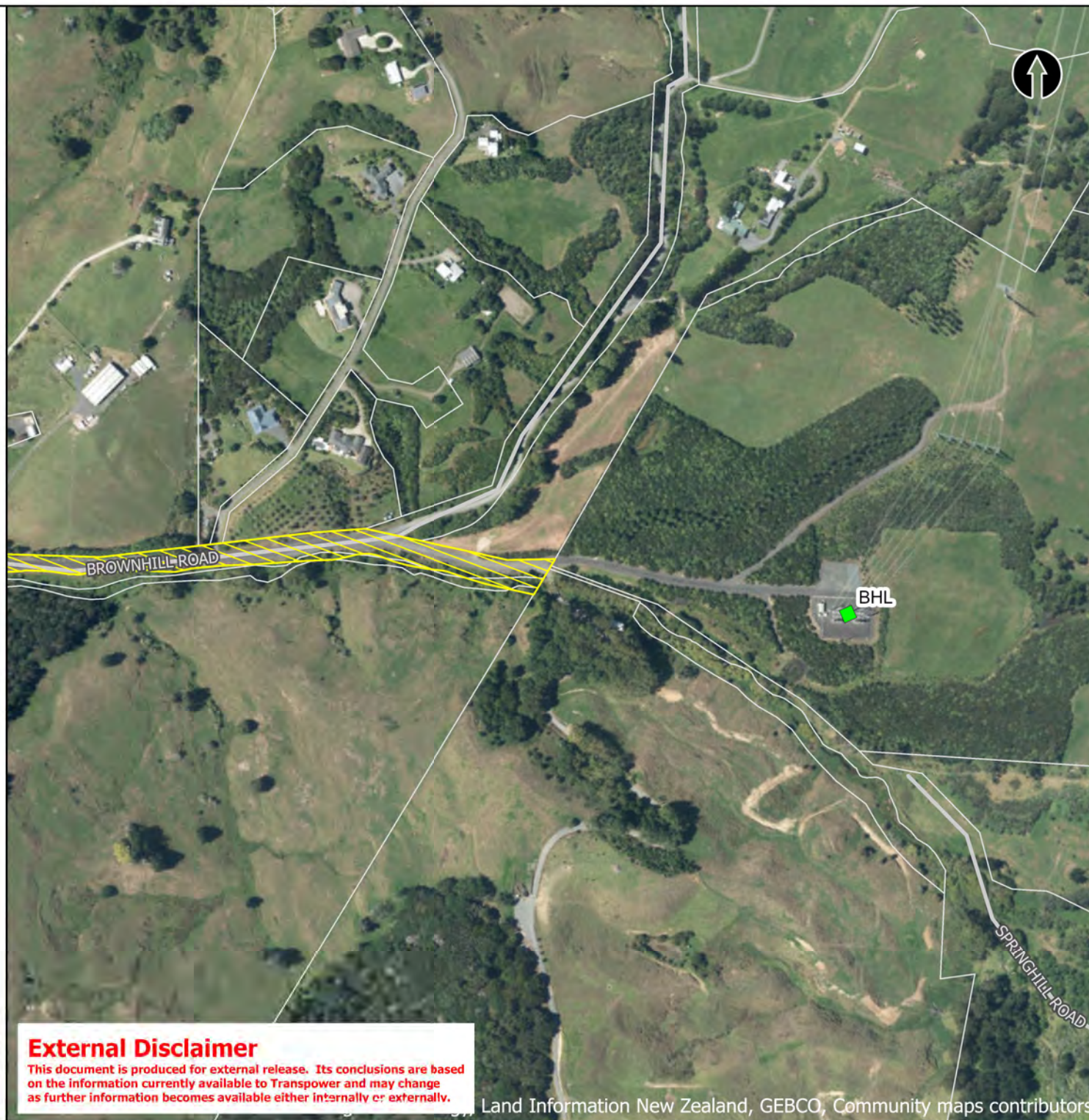


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Changes to Conditions 6-8

6. ~~All~~ The noise from any construction work activity shall be designed, must be measured, assessed, and managed and conducted in accordance with the requirements of to ensure that construction and maintenance noise from the site does not exceed the limits in NZS6803:1999 Acoustics–Construction Noise. Construction work is defined in New Zealand Standard NZS6803:1999 Acoustics – Construction noise.
- 7.— ~~Prior to any significant construction work taking place, a noise management plan shall be prepared, with the assistance of a suitably qualified and experienced person, that sets out the management procedures in terms of section 8 and Annex E of NZS6803:1999, and the works shall be undertaken in accordance with that noise management plan (other than emergency works).~~
7. A Construction Noise and Vibration Management Plan (CNVMP) must be submitted to Auckland Council for certification prior to commencement of any construction works that cannot comply with the guideline upper limits of New Zealand Standard NZS6803:1999 Acoustics–Construction Noise. The objective of the CNVMP is to identify and require the adoption of the best practicable option to minimise construction noise and vibration effects as far as practical.
8. ~~The noise management plan CNVMP required by condition 7 shall~~ must be submitted to the Council's General Manager, Planning and Resource for Consents Manager, Resource Consents South for approval, at least certification a minimum of twenty (20) working days prior to commencement of the works commencing. The Council's Consents Manager shall respond within 20 working days indicating whether approval is given or refused. Construction works must not commence until certification has been received in writing from the Council. Approval Certification must shall not be unreasonably withheld.

Appendix 4

Clean set of agreed conditions

6. All the noise from any construction work activity must be measured, assessed, and managed in accordance with the requirements of NZS6803:1999 Acoustics–Construction Noise. Construction work is defined in New Zealand Standard NZS6803:1999 Acoustics – Construction noise.
7. A Construction Noise and Vibration Management Plan (CNVMP) must be submitted to Auckland Council for certification prior to commencement of any construction works that cannot comply with the guideline upper limits of New Zealand Standard NZS6803:1999 Acoustics–Construction Noise. The objective of the CNVMP is to identify and require the adoption of the best practicable option to minimise construction noise and vibration effects as far as practical.
8. The CNVMP required by condition 7 must be submitted to the Council's General Manager, Planning and Resource Consents, for certification a minimum of twenty (20) working days prior to commencement of the works. Construction works must not commence until certification has been received in writing from the Council. Certification must not be unreasonably withheld.

**Attachment 2: Transpower New Zealand Limited
Schedule and Designation 8516 Brownhill Road
to Pakuranga Underground Electricity
Transmission Cables conditions (~~strikethrough/~~
underscore)**

8516 Brownhill Road to Pakuranga Underground Electricity Transmission Cables

Designation Number	8516
Requiring Authority	Transpower New Zealand Ltd
Location	143 Brownhill Road, Whitford to 109 Golfland Drive, Howick
Rollover Designation	Yes
Legacy Reference	Designation 300, Auckland Council District Plan (Manukau Section) 2002
Lapse Date	Given effect to (i.e. no lapse date)

Purpose

Electricity transmission- the construction, operation and maintenance of a double circuit underground 220kV cable as part of the upper North Island Grid Upgrade Project, to convey electricity between the Pakuranga Substation and the substation site at Brownhill Road, and ancillary activities.

The nature of the work is described more particularly in Part VI (excluding section 12 in relation to suggested conditions), and also in Parts II and X of the Notices of Requirement Documentation (dated April 2007).

Conditions

Cultural / Spiritual

1. If any urupā, traditional sites, taonga (significant artefacts), or kōiwi (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 tāngata whenua, the New Zealand Historic Places Trust, the 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.

Magnetic Fields (MF)

2. Any new equipment shall be designed and operated to limit the magnetic field exposures to the International Commission on Non-Ionising Radiation Protection, Guidelines for limiting exposure to time varying electric, magnetic, fields (1Hz- 100kHz) (Health Physic 99(6):818-836; 2010) (ICNIRP Guidelines). That is the public exposure reference level of 200 µT for magnetic flux density when measured at 1 metre above ground level directly above any cable under normal operating conditions. (ie, when there are no faults in the transmission system).
3. In order to reduce long-term public exposure to MFs no habitable buildings shall be constructed within the designation corridor for the underground cable.

Radio Frequency Interference

4. All works shall be designed to comply with NZS 6869:2004 Limits and Measurement Methods of Electromagnetic Noise from High-Voltage a.c. Power Systems, 0.15 to 1000 MHz.

Earth Potential Rise / Induced Voltages

5. Any new works or equipment shall be designed and constructed so as not to cause existing assets of other utilities to be non-compliant with AS/NZS 4853:2012 Electrical Hazard on Metallic Pipelines.

Construction and maintenance noise

6. ~~All~~ The noise from any construction work activity shall be designed, must be measured, assessed, and managed and conducted in accordance with the requirements of to ensure that construction and maintenance noise from the site does not exceed the limits in NZS6803:1999 Acoustics–Construction Noise. Construction work is defined in New Zealand Standard NZS6803:1999 Acoustics – Construction noise.
7. ~~Prior to any significant construction work taking place, a noise management plan shall be prepared, with the assistance of a suitably qualified and experienced person, that sets out the management procedures in terms of section 8 and Annex E of NZS6803:1999, and the works shall be undertaken in accordance with that noise management plan (other than emergency works).~~
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Advice note

1. Any new works or equipment means those works which were not existing prior to the notification of the Auckland Unitary Plan.

Attachments

Schedule of Legal Descriptions

Parcel ID/Appellation	
Sec 1 SO 68292	5260679
Pt Lot 12 DP 169911	5260590
5219998	5260581
Lot 2 DP 189283	5261354
Lot 1 DP 312445 DP 316651 (Unit Titles)	5260593
Lot 182 DP 180655	5263074
Lot 182 DP 180654	5260594
5260962	5263077
Lot 3 DP 192219	5263075
5261289	6603043
5261291	Lot 1 DP 197985
5264569	Lot 29 DP 374495
5264087	Lot 471 DP 207703
5264572	Lot 472 DP 207703

6720378	Lot 2 DP 97587
5260907	Lot 6 DP 179398
5260911	Lot 2 DP 203233
5260678	Pt Lot 1 DP 64803
5260676	5252243
5260681	5237375
5260683	5215085
5260687	5247732
5261005	5222800
5233051	5252256
5251023	5226902
5236295	5257232
5260181	5227265
5236298	Allot 269 Parish of Pakuranga
5260292	5215085
5248198	5260198
5236292	5220420
5260304	5259600
5260397	5237201
Lot 1001 DP 192648	5217143
5260832	5258742
5260575	5217143
Lot 1 DP 209513	Lot 3 DP 147128
Lot 1 DP 175870	Lot 1 DP 177925

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Schedule and Designation 8516 Brownhill Road
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5260575	5217143
Lot 1 DP 209513	Lot 3 DP 147128
Lot 1 DP 175870	Lot 1 DP 177925