



**NOTICE OF MEETING**

**RESOURCE CONSENTS HEARINGS PANEL**

**TO:** Chairperson                      Les Simmons  
         Crs                                      June Turner  
            Suzanne Weld

A meeting of the Resource Consents Hearings Panel will take place in the Council Chamber, Rodney District Council, Centreway Road, Orewa on Friday, 3 July 2009 commencing at 3.00 p.m.

for: CHIEF EXECUTIVE  
     Rodger Kerr-Newell

OREWA  
12 June 2009

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<u>Time</u>	<b>PROGRAMME</b>	<u>Page</u>
3.00 p.m.	<b>NOTICE OF REQUIREMENT BY VECTOR LIMITED TO DESIGNATE THE PROPERTY LOCATED AT 2 MAHURANGI EAST ROAD, SNELLS BEACH FOR AN ELECTRICITY SUBSTATION</b>  Address: 2 Mahurangi East Road, Snells Beach  <b>APPLICANT: VECTOR LIMITED</b>	1

## I N D E X

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2.	<b>NOTICE OF REQUIREMENT BY VECTOR LIMITED TO DESIGNATE THE PROPERTY LOCATED AT 2 MAHURANGI EAST ROAD, SNELLS BEACH FOR AN ELECTRICITY SUBSTATION</b> Address: 2 Mahurangi East Road, Snells Beach  <b>APPLICANT: VECTOR LIMITED</b>	1

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ITEM NO: 1

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**APOLOGIES**

ITEM NO: 2

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**REPORT**



**TO** Resource Consents Hearings Panel  
**ON** 3 July 2009  
**FROM** Laura Christian – Reporting Planner  
**SIGNATURE**

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**APPROVED BY** Denise Grandfield – Team Leader  
**SIGNATURE**

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**SUBJECT** **NOTICE OF REQUIREMENT BY VECTOR LIMITED TO DESIGNATE THE PROPERTY LOCATED AT 2 MAHURANGI EAST ROAD, SNELLS BEACH FOR AN ELECTRICITY SUBSTATION**  
Address: 2 Mahurangi East Road, Snells Beach

**APPLICANT: VECTOR LIMITED**

**FILE REF** L55148  
**WARD** Northern

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**PART A:**

**LOCATION:** 2 Mahurangi East Road, Snells Beach  
**LEGAL DISCRIPTION:** Part Allotments 109, 110, & 111 Village of Matakana  
**ZONING** Operative District Plan as amended by Plan Change 55: General Rural  
Proposed District Plan 2000 – Operative in Part: General Rural

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**EXECUTIVE SUMMARY**

Vector Limited, a requiring authority under the Resource Management Act 1991, seeks to designate the property located at 2 Mahurangi East Road, Snells Beach, legally described as Part Allotments 109, 110, & 111 Village of Matakana, for an electricity substation. The proposed work involves the development and operation of a 33/11kV electricity zone substation and ongoing maintenance and upgrading of the substation. The exterior of the substation will be fully enclosed within a building and will supply electricity to the wider Sandspit/Snells Beach area.

The electricity substation will accommodate the standard switchboards and two 20MVA transformers.

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Figure 2 – North & South Substation Elevations

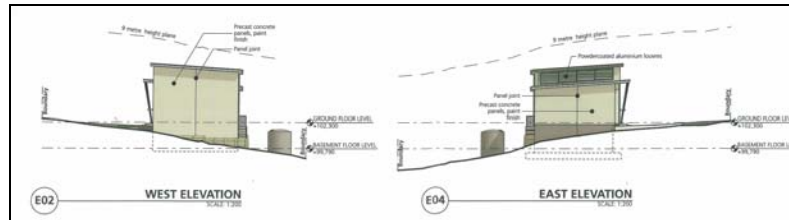


Figure 3 – West & East Elevations

Vector Limited advised in their Notice of Requirement (NoR) that the subject site has been chosen as it is close to the load centre, there were no issues in terms of the Rodney District Plans and the owner is a willing vendor. Other sites investigated did not meet these criteria.



Figure 4 – Landscaping Plan

The figures below detail the proposed building with the proposed landscaping:



Figure 5 – Prior to landscaping being implemented



Figure 6 - After landscaping has been implemented



Figure 7 - Prior to landscaping being implemented



Figure 8 - After landscaping has been implemented



Figure 9 - Prior to landscaping being implemented



Figure 10 – After landscaping has been implemented

## 2.0 DESCRIPTION OF THE SITE

The NoR relates to the site located at 2 Mahurangi East Road, Snells Beach, which is legally described as Part Allotments 109, 110 and 111 Village of Matakana. The site has an area of 4.6080 hectares in area and is vacant of buildings. The site is located on the intersection of Mahurangi East Road, Road and Sandspit Road. The site is shown below in Figure 11.



Figure 11 – Aerial Photograph of the Subject Site and Surrounds

## 3.0 PUBLIC NOTIFICATION

The Notice of Requirement (NoR) was publicly notified on 23 April 2009 in accordance with Sections 93 and 168 of the Resource Management Act 1991. The closing date for submissions was 29 May 2009.

One submission was received, which was in support of the proposal. The submission received is attached as **Appendix 4** to this report.

A summary of the submission, together with the decision sought is detailed in the table below:

No	Submitter	Address	Support/ Oppose	Summary of Relief Sought & Reasons	Wish to be heard
1	Sandspit Residents & Ratepayers Inc.	Sandspit	Support	<ul style="list-style-type: none"> <li>▪ Appropriate site</li> <li>▪ Will improve reliability of electricity supply in Sandspit</li> </ul>	No

#### **4.0 STATUTORY ASSESSMENT**

The application is for a Notice of Requirement by a Requiring Authority under Section 168 of the Resource Management Act 1991.

Under Section 171 of the Act, when considering a requirement and any submission received, a territorial authority must, subject to Part II, consider the effects on the environment of allowing the requirement and having particular regard to:

- a) Any relevant provisions of
  - (iii) a regional policy statement or proposed regional policy statement;
  - (iv) a plan or proposed plan; and
- b) Whether adequate consideration has been given to alternative sites, routes or methods of undertaking work if –
  - (i) the requiring authority does not have an interest in the land sufficient for undertaking the work; or
  - (ii) it is likely that the work will have a significant adverse effect on the environment; and
- c) whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and
- d) any other matter the territorial authority considered reasonably necessary in order to make a decision on the requirement.

In accordance with section 171(2) after considering a notice of requirement the territorial authority may decide to:

- a) confirm the requirement
- b) modify the requirement
- c) impose conditions
- d) withdraw the requirement

Within 30 working days of the day on which it receives the territorial authority's recommendation under section 171, the requiring authority makes a decision whether to accept or reject that recommendation, in whole or part. The territorial authority or any submitter to the notice of requirement may appeal the decision made by the requiring authority under section 174, to the Environment Court.

Depending on the outcome of the decision or appeal, the designation may be placed in the district plan.

#### **5.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS**

Subject to Part II of the Resource Management Act, when considering an application for a designation and the submissions received, Council shall have regard to any actual and potential effects on the environment. The assessment of environmental effects is outlined below:

##### **5.1 Visual Character and Amenity**

Due to the construction of a building to house the electricity substation, on a site within close proximity to a busy intersection, the proposal has the ability to adversely affect the visual character and current levels of amenity currently enjoyed by the surrounding landowners and general public.

As previously discussed the external cladding of the building will be a mix of painted concrete panels, timber, aluminium louvres and a Colorsteel roof. The recessive colours of the cladding will enable the building to be integrated into the surrounding rural/residential environment.

It is noted that the site is zoned General Rural under the Rodney District Plans and this zoning does not provide any special restrictions on the location and use of colour on the external cladding of buildings.

In addition to the use of materials and colour of the cladding, the Applicant has proposed to undertake landscaping around the perimeter of the site to provide a long-term degree of visual screening from the road network and surrounding sites.

Overall it is considered that the proposed substation will integrate with the surrounding rural residential environment, with any effects being mitigated by the use of colour and materials on the external cladding of the building and landscaping.

## **5.2 Transportation & Access**

The NoR application has stated that it is proposed to access the substation via a new crossing place off Sandspit Road.

The substation will not house any permanent staff and will only be accessed when required. The application has stated that the proposal will result in a maximum of two vehicle trips per day. It is therefore considered that the traffic generation of the proposal is low and Council's Transportation Engineer has advised that this will have a less than minor impact to the surrounding road networks.

The Council's Transportation Engineer (Mairi Joyce) advised that an earlier assessment from the Council confirmed that the proposed crossing place location is acceptable in terms of sight distance and safety access at the intersection, subject to certain conditions. The Engineer has advised that these conditions will form part of the subdivision consent. The Engineer has proposed the following conditions, and it is recommended that these conditions form part of the NOR restrictions:

- Driveway and access to be constructed to RDC Standards for Engineering Design and Construction (SEDC) requirements;
- A sightline covenant as shown in the plans provided with the subdivision application (R55151) (to the east of the driveway) is to be established;
- The small bunch of agapanthus within the road reserve near the driveway crossing for 836 Sandspit Road is to be removed at the cost of the Applicant, to the approval of the Team Leader Resource Consents, or similar position;
- Further details of the drainage design for the driveway should be provided by the applicant, including culvert size and end treatment;
- The open channel surrounding the driveway shall be built up to a slope no steeper than 1 in 4 on either side of the driveway.

In addition to the above requirements, and prior to any construction being undertaken, a temporary Traffic Management Plan is required to be submitted to and approved by the Council.

The Council's Transportation Engineer has also advised that there is sufficient space onsite for parking and manoeuvring.

Taking into account the above comments from the Council's Transportation Engineer (Mairi Joyce), it is considered by the processing planner that access to the site can be constructed to ensure that vehicles have safe egress and ingress to the subject site. The above measures will also ensure that the safe and sustainable function of the roading network will not be adversely affected by the proposal.

## **5.3 Positive Effects**

The NoR application has stated that the proposal will have positive effects for the district, given that the proposed substation will supply electricity to meet the growing needs of the Sandspit/Snells Beach areas.

## **6.0 RELEVANT PLAN PROVISIONS**

### **6.1 Auckland Regional Policy Statement**

The Auckland Regional Policy Statement sets out the broad resource management issues, objectives and policies for the Auckland Region to achieve the integrated management of its natural and physical resources. The purpose of a Regional Policy Statement as required under Section 59 of the RMA is:

*'...to achieve the purpose of the Act by providing an overview of the resource management issues in the Region, and Policies and methods to achieve integrated management of the natural and physical resources of the whole Region'*

The following objectives and policies are relevant to the proposal:

Objective 5.3-1

*The sustainable use of energy resources (excluding minerals), and the efficient use and development of energy resources*

Objective 5.3 -2

*To avoid, remedy or mitigate any adverse effects of development proposals relating to the production, distribution, and use of energy.*

Policy 5.4.4 – 1

*Assessment of environmental effects for energy generating and transmission proposals, shall, where necessary, be carried out in accordance with the requirements of the Fourth Schedule of the RM Act and any relevant provisions of the RM Act.*

**6.1.1 Comments**

The above objectives and policy are concerned with sustainable use and development of energy resources and the avoidance, remediation, or mitigation of adverse environmental effects, and the avoidance of impairment to human health that may potentially arise from the development proposal of distribution or transmission of energy.

It is considered that the NoR for a designation of an electricity substation is consistent with the objectives and policies of the Auckland Regional Policy Statement in that it aims to provide for the community's social, cultural and economic well-being while avoiding or mitigating any significant adverse effects on the environment.

**6.2 Rodney District Plan(s)**

**6.2.1 Operative District Plan as amended by Plan Change 55**

The Site is zoned General Rural Activity Area under this Plan. The following objectives and policies are relevant to this proposal:

Objective 4.1(a)

*To maintain and reasonably protect rural character, amenity, and a diverse and representative range of heritage resources, so that they are not significantly altered from their present state while enabling people and communities to meet their own needs.*

Policy 4.1.2

*Maintain and enhance the overall character and productive capacities of the main rural production area. Land, soil, mineral and water resources will be managed so that they remain available for a wide range of rural production activities now and in the future ...*

Objective 4.2(a)

*To protect from inappropriate or intensive building and development, and enhance where possible, landscape and natural features of regional and local significance.*

Objective 4.3(a)

*To avoid conflicts between the provision and operation of regionally and locally significant infrastructure and adjacent land uses.*

Policy 4.3.3

*Apply restrictions on activities on land surrounding or adjacent to regionally or locally significant utilities where the activity could limit the efficient operation of the utilities. There will be instances where significant investment has been made in utilities such as reticulated water, sewerage treatment and disposal systems, gas pipelines and power transmission and distribution lines.*

Objective 4.4(a)

*To retain soils and the productive potential of land by avoiding erosion*

Policy 4.4.2

*Limit or control inappropriate earthworks and other land development activities involving soil disturbance because of their potential to cause accelerated erosion. The need for earthworks and any avoidance or mitigation measures proposed will be offset against the risks of erosion.*

General Rural Activity Area specific objectives & policies

Objective 5.1

*To maintain and enhance the rural character of the General Rural Activity Area.*

Policy 5.2(i)

*Activities should not adversely affect the established rural character of an area*

Policy 5.2(ii)

*The ratio of buildings to open land to remain low and buildings to be limited to those which have a non-urban character including bulky (but generally single level) and simple utilitarian type structures and which individually or cumulatively do not adversely affect the established rural character of an area.*

Objective 5.11

*To enable a limited number of activities that service either primary production or the needs of the local rural community, or which because of the effects they generate are best sited in areas of low population density and larger sites to become established in the General Rural Activity Area provided their adverse effects are avoided, remedied or mitigated.*

Policy 5.12

*To provide for the establishment of such activities, and to allow subdivision to create sites appropriate for their needs once they have reached resource consent if a long term need for a separate site can be demonstrated.*

Comments:

The above provisions of the Plan seek to protect rural character and amenity, while enabling people to meet their needs. As has been previously discussed in this report, the proposed substation has been designed to ensure that the colours and materials used integrate with the surrounding rural character. It is considered that the proposed landscaping, will also contribute to the rural character of the area.

**6.2.2 Proposed District Plan 2000**

The Site is zoned General Rural under this Plan. The following objectives and policies are relevant to this proposal:

Chapter 7 Rural

Objective – 7.3.1

*To maintain and enhance the rural character of the district*

Objective - 7.3.3

*To maintain and protect the amenity values present in the rural parts of the district.*

Objective 7.3.4

*To avoid or minimise conflict between different land uses which can result in adverse effects upon amenity values.*

Policy 7.4.2

*Rural subdivision and activities should be of a nature, scale, intensity and location consistent with the existing rural character of the relevant part of the District and the foreseeable future rural character of those areas and should be undertaken in a manner which avoids, remedies and mitigates adverse effects, including cumulative effects, and enhances the character, associated with rural areas, which includes but is not limited to:*

- (a) *Very high ration of open space in relation to area which contain buildings;*
- (b) *A predominance of nature features (sometimes modified by human activity);*
- (c) *The open space areas being in pasture, trees, crops or indigenous vegetation;*
- ...
- (i) *few buildings and activities of n urban scale and nature, other than residential dwellings, and appropriate rural production and related commercial activities as provided for as permitted activities or by way of resource consent;*
- ...
- (k) *a general absence of urban scale and urban type infrastructure such as roads with full kerb and channel, sealed footpaths and vehicle crossings, streetlights, bus shelters, sealed and demarcated parking areas, and so on;*
- ...

Policy 7.4.4

*Subdivision and activities should be undertaken so that adverse effects, including cumulative effects, on amenity values are avoided, remedied or mitigated and in particular that:*

- (a) *buildings and service areas, such as those for parking, are sited and designed so as to maintain and protect visual and aural privacy for neighbouring sites;*
- (b) *buildings and service areas are sited and designed so as t maintain admission of sunlight to neighbouring sites;*
- (c) *activities occur without generating dust nuisance, objectionable or offensive odours, or glare or intrusion from exterior lighting;*
- (d) *activities occur without generating unreasonable noise and vibration which adversely affect the health, safety and enjoyment of people on neighbouring sites;*
- ...
- (g) *subdivisions, buildings and land uses are of a space and intensity that enable a high proportion of open space to buildings to be maintained;*
- ...
- (i) *subdivisions and land uses do not adversely affect the safety and efficiency of the roading network ... through access design, location, number, frequency of use, parking provision, traffic volumes and traffic types generated, and the density of subdivision or intensity of land use;*
- ...
- (k) *activities do not generate adverse effects on the health and safety of people;*
- ...

Comments:

Land use activities have the potential to have adverse effects on the character and amenity values of surrounding areas. Factors such as scale and intensity of development, the design and external appearance of buildings and their location can create adverse effects on the surrounding land. It is considered that the proposed building housing the substation has been designed with the sensitivities of the surrounding rural environment in mind and that any effects to the character of the area have been satisfactorily mitigated, avoided or remedied.

Land use activities also have the potential to generate adverse effects to the safe and efficient functioning of roading networks. As has been discussed in the assessment of effects, Council's Transportation Engineer has assessed the proposal and has concluded that works can be undertaken to ensure that safe egress and ingress to the site can be obtained and that the safe and efficient functioning of the roading network is not adversely affected by this proposal.

Section 7.8.1 – General Rural Zone

Objective 7.8.1.1.1

*To ensure that natural resources, rather than built forms, dominate the rural character and amenity values of the General Rural Zone*

Objective 7.8.1.1.3

*To avoid, remedy, or mitigate adverse effects arising from conflict between residential and non-residential land use activities.*

#### Policy 7.8.1.2.7

*Non-residential activities should seek to be located where adverse effects of the proposed activity can be internalised on the site or any off site effects can be avoided, remedied or mitigated such that they are no more than minor.*

#### Comments:

The General Rural zone is characterised by minimal development areas of bush, scrub and wetlands which provide biodiversity, rural character and amenity values. The above objectives and policies seek to manage and protect these values from inappropriate development.

However it is noted that the proposed substation is not to be located in an environment with significant bush or wetlands. The subject site namely consists of grass-cover and it is therefore considered that the proposed building and associated landscaping will not adversely affect the rural value of the surrounding environment.

### Chapter 19 Utilities

#### Objective 19.3.1

*To ensure that utilities are designed, located, constructed, operated, maintained and upgraded in a way that avoids, remedies or mitigates any adverse effects on:*

- (a) The natural and physical environment including both land and water; and*
- (b) Amenity values and on the health, safety and wellbeing of people and communities; and*
- (c) Sites, buildings, places or area of heritage and of archaeological value.*

#### Objective 19.3.2

*To ensure that the design and location of activities does not adversely affect the operation and options for future use of existing utilities wherever possible.*

#### Policy 19.4.1

*Utilities should be designed and located so that they achieve their intended purpose in an efficient way, are compatible with existing networks where this is technically feasible and have an appropriate design life, to ensure adverse effects are avoided, remedied or mitigated in the long term.*

#### Policy 19.4.2

*Utilities should be designed, located, operated and maintained in such a way that adverse effects on the natural environment are minimised, including:*

- (a) Minimising discharges to natural water during construction and operation, and ensuring that systems are designed so that discharges have no more than minor adverse effects on the natural environment including all receiving environments;*
- (b) Minimising disturbances to highly valued natural resources (such as areas of native bush and wetlands and other landforms), significant natural areas and landscapes as far as practicable, through design and other measures, and restoring areas which have to be modified.*

#### Policy 19.4.3

*Utilities should be designed, located, operated and maintained and upgraded in such a way that adverse effects on health and safety, and amenity values of surrounding sites are minimised, including minimising effects on the following:*

- (a) The safety of people as a result of emissions from telecommunications networks or electromagnetic fields associated with electricity transmissions;*
- (b) The health and safety of people as a result of the possibility of electrocution from structures supporting electricity lines, and of stormwater channels, culverts and outfalls posing risks of drowning;*
- (c) The health and wellbeing of people as a result of noise levels and vibrations;*
- (d) The health or enjoyment of people as a result of odour generation;*
- (e) The safety and efficiency of traffic movement (including pedestrians) on roads and streets as a result of disruption caused by maintenance of utilities;*

- (f) *The enjoyment of people as a result of loss of visual privacy;*
- (g) *Sites, buildings, places or areas of heritage and archaeological value;*
- (h) *The health and safety effects from waste water discharge (both controlled and uncontrolled) and acute chronic health effects from stormwater discharges.*

Policy 19.4.4

*Utilities should be designed, located, operated and maintained in such a way that they do not unduly impede the ability of roads to be used for conveying traffic or pedestrians to use footpaths safely and do not reduce the amenity values of land within roads.*

Policy 19.4.5

*Activities to be located in close proximity to existing utilities should be designed and constructed so that people using the activity are protected from any adverse effects generated by that utility.*

Comments:

The above objectives and policies recognise that utilities should be designed to ensure that they are compatible with the existing networks and surrounding environment.

The construction of the substation has the potential to adversely affect natural systems, such as runoff to waterways. It is therefore important that the works are designed so that any adverse effects of construction are minimised. However, it is noted that there are no highly valued natural resources in the vicinity of the site.

As has been discussed previously in this report, the Applicant has proposed to use construction materials, colours and landscaping to ensure that the building is integrated into the surrounding rural environment.

The above policies note that utility structures present a potential hazard in the form of electrocution. Noise and vibration from transformers is also a potential effect. The Applicant has advised that the proposed construction and operation of the substation will comply with the relevant noise levels and vibration standards. In addition the substation will be housed within a secure building, therefore restricting any potential electrocution hazards. Overall it is considered that the proposal will not result in any adverse health effects to the general public.

The above policies also note that traffic generation can also affect the amenity of the neighbourhood in which a utility is located. The report has already considered the potential effects on the safe and sustainable functioning of the roading network and has considered them to be no more than minor.

**6.3 Permitted Baseline**

Although the purpose of a designation is to allow the requiring authority to undertake activities in compliance with the designation, rather than the District Plan Rules, it is useful to review the rules that apply to permitted activities in the zone for comparison.

The table below sets out the subsequent compliance of the proposal to the standards for permitted activities of the underlying zoning (General Rural) under the Operative Plan (as amended by Plan Change 55) and the Proposed District Plan 2000.

<b>Standards for permitted activities</b>	<b>Operative Plan as amended by Plan Change 55</b>	<b>Proposed District Plan 2000</b>	<b>Compliance</b>
<b>Max. height</b>	No limit	No limit	9m
<b>Height in relation to boundary</b>	3m + 45 <sup>0</sup>	3m + 45 <sup>0</sup>	Complies

<b>Site coverage</b>	4608m <sup>2</sup>	5808m <sup>2</sup>	222.1m <sup>2</sup>
<b>Yard setback</b>	Front – 10m Side – 1.2m Rear – 3m Shoreline – 20m	Front – 10m Side – 6m Rear – 6m Shoreline – 50m	Front – 11m Side – 6.123m Rear – 6.121m Shoreline – N/A
<b>Earthworks</b>	200m <sup>3</sup> – <b>infringement</b>	1000m <sup>3</sup>	425m <sup>3</sup> (cut & fill)
<b>Noise</b>	N/A	45dBA <sub>1eq</sub> 6pm – 6am (Mon – Sat), 9pm – 6am (Sundays & Public Holidays)	Conditions require compliance with 40dBA @ boundary

As can be seen from the above table, that proposal fits within the majority of the development controls for the General Rural zone. The only infringement is with earthworks under the Operative Plan.

## 7.0 CONSIDERATION OF ALTERNATIVES & NECESSITY OF REQUIREMENT

### 7.1 Consideration of Alternative Sites

The NOR Application advised that the Applicant has reviewed the following alternative sites:

- Area of road reserve immediately opposite the subject site, which is currently used for metal stockpiling – unsuitable due to yard setback requirements;
- A site in Cross Street (an RDC paper road) – unsuitable from a technical perspective;
- RDC owned site in Lawrie Road – unsuitable as it is too far from load centre;
- 809 Sandspit Road – unsuitable as the owner was unwilling to sell.

The subject site has been chosen as it is close to the load centre, there were no issues in terms of the Rodney District Plans and the owner is a willing vendor. Other sites investigated did not meet these criteria.

### 7.2 Consultation

The NOR Application advised that the Applicant has entered into a property agreement with the current landowner of the subject site. Once the designation has been confirmed the designated site will be subdivided from the parent site. The subject site is shown on Figure 12 below.

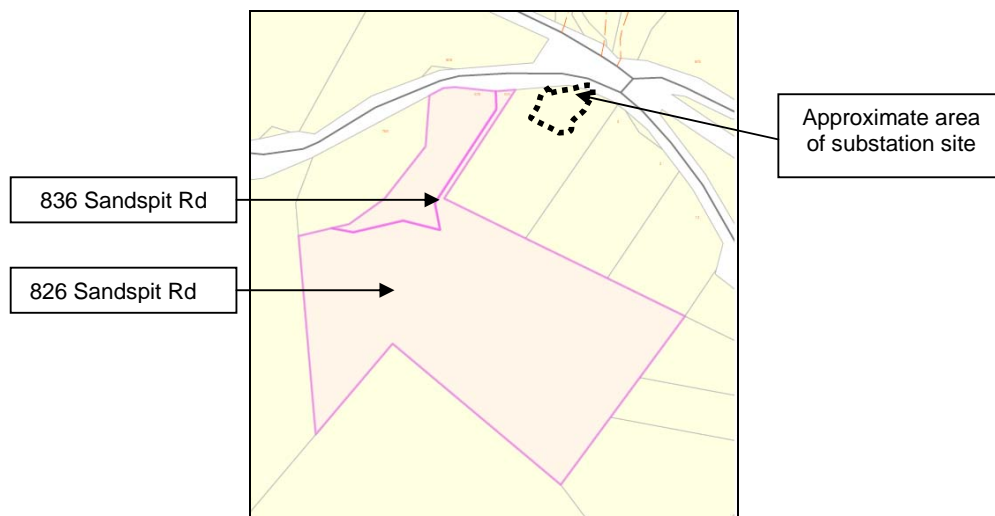


Figure 12: Plan showing the 2 consulted parties (highlighted in pink) in relation to subject site

The NOR Application has also stated that in March 2009, the Applicant met with the owners of the two adjoining sites, being 826 and 836 Sandspit Road (highlighted in pink on the above figure). These parties were shown a draft copy of the plans and were also provided with a question and answer sheet which addressed common questions. The Council has not been provided with any comments/concerns from these parties. It is noted that these parties were also directly notified of the proposal through the notification process, and they chose not to provide any comments.

### **7.3 Necessity of Requirement**

Section 171(1)(c) of the RMA states that Council must have particular regard to"

*whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought.*

Vector has the responsibility for the development, design and maintenance of the line and cables that distribute electricity to ensure the needs of residential and commercial customers are met.

The NOR Application has stated that a substation in this location is required to distribute electricity to the Sandspit/Snells Beach area, for the long term security of power supply to the area. The designation of a site in this area for the purpose of establishing, operating and maintaining a substation is therefore necessary to meet this objective. The designation will also provide flexibility for Vector to upgrade the site in the future to reflect market demand and changing technology.

## **8.0 PART II OF THE RESOURCE MANAGEMENT ACT**

### **8.1 Section 5 – Purpose of the Act**

The purpose of the Act is the sustainable management of natural and physical resources. Sustainable management is defined in section 5 as:

*Managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while –*

- a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- b) Safeguarding the life-supporting capacity of air, water, soil and ecosystem; and*
- c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment*

The proposal represents the sustainable management of natural and physical resources as it will use a vacant area of land for the purpose of an electricity substation. The substation will provide for the social and economic wellbeing and for the health of the community, while avoiding, remedying and mitigating any adverse effects on the environment.

### **8.2 Section 6 – Matters of National Importance**

Matters of national importance include preserving the natural character of the coastal environment, wetlands, lakes and rivers; the protection of outstanding natural features and landscape, areas of significant vegetation; maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers.

The subject site is not located within the coastal environment, and is not located within any other area mentioned above. It is therefore considered that the proposal is not contrary with the above section.

### **8.3 Section 7 – Other Matters**

Other matters from Section 7 that are relevant to this proposal include:

- The efficient use and development of natural and physical resources
- The maintenance and enhancement of amenity values
- Maintenance and enhancement of the quality of the environment

It is considered that the proposed designation will promote the efficient use of natural and physical resources. There will be a minor disturbance during the construction of the substation, however this effect will be temporary and any effects can be avoided, remedied or mitigated.

Overall, it is considered that the proposed substation is not contrary to Section 7 matters.

### **8.4 Section 8 – Treaty of Waitangi**

This section of the RMA requires that the principles of the Treaty of Waitangi are taken into account when considering a proposal. There are no known archaeological or wahi tapu sites on the subject site. However should any sites be unearthed during the construction process, all works are required to cease and the Historic Places Trust informed, under the Historic Places Act.

### **9.0 CONCLUSION**

A designation is a provision in a district plan which provides notice to the community of an intention by a requiring authority to use land in the future of a particular work or project. Once a site is designated for a particular purpose (in this case for an electricity substation), the requiring authority is able to proceed with the specific work on the site as if it was permitted by the district plan.

Vector Limited seeks to designate the property located at 2 Mahurangi East Road, Snells Beach, for an electricity substation. The designation will enable the construction, operation and maintenance of the substation and all ancillary structures and activities associated with these works.

It is considered that the adverse environmental effects resulting from the proposed designation will be no more than minor. The proposal is also considered to be consistent with the objectives and policies of the General Rural zone and those of the Utilities Chapter of the Rodney District Plans. It is considered that the proposal is consistent with the objectives and policies of the Auckland Regional Policy Statement.

It is considered that the Notice of Requirement is consistent with Part II of the Resource Management Act in that it will enable an efficient use of resources and can be undertaken in a sustainable manner with no more than minor adverse effects.

It is recommended that this Notice of Requirement be confirmed, subject to conditions.

### **RECOMMENDATION:**

**That pursuant to Section 168 of the Resource Management Act 1991, and subject to additional and contrary information being presented at the hearing, the Notice of Requirement to designate the property located at 2 Mahurangi East Roads, Snells Beach, to enable the development and operation of a 33/11kV electricity substation, is confirmed subject to the following conditions:**

## REASONS FOR THE RECOMMENDATION:

1. The designation is necessary to allot the Requiring Authority to efficiently provide electricity to the wider Sandspit/Snells Beach area.
2. The Requiring Authority has adequately considered alternative sites before selecting the subject site for the proposed project.
3. Any environmental effects of the designation and the proposed electricity substation can be adequately mitigated by appropriate landscaping and acceptable noise levels.
4. The proposal is considered to be generally consistent with the objectives, policies for the General Rural zone of the Operative Plan as amended by Plan Change 55 and the Rodney District Plan 2000 Operative in Part.
5. The proposal is consistent with the objectives and policies of the Rodney District Plan(s) and the Auckland Regional Policy Statement.
6. It is considered that this outcome will help to achieve the purpose and principles contained in Part II of the Resource Management Act 1991, in that the designation will result in an efficient use of the land resource to enable the supply of electricity which is critical for the social, cultural and economic well-being of the community.

## CONDITIONS:

1. (general) the activity shall proceed in general accordance with the Notice of Requirement submitted to Council dated 2 April 2009 and the plans drawn by Construct Architects Limited, including the Proposed Site Plan dated 20/04/09, Building Elevations, Basement & Ground Floor Plans and Building Sections plans dated 1/04/09, all numbered L55148 and signed by Processing Planner Laura Christian, dated 08/06/09.
2. (outline plan) if the final design and layout of the substation does not reflect that submitted with the Notice of Requirement, an outline plan shall be submitted in accordance with section 176A of the Resource Management Act 1991 to the Rodney District Council, before any construction is commenced.
3. (landscape plan) the landscaping plan (Isthmus Group Ltd, Drawing 2633, Figure 5, dated March 2009) shall be implemented during the first planting season after the construction of the substation. The landscaping shall be maintained thereafter.
4. (fencing) the applicant shall construct a fence around the perimeter of the substation site.
5. (traffic management plan) prior to any construction being undertaken, a temporary Traffic Management Plan is required to be submitted to Council and approved by the Team Leader Resource consents or similar position.
6. (access) The following measures shall be implemented prior to the operation of the substation:
  - Driveway and access to be constructed to RDC SEDC requirements;
  - A sightline covenant as shown in the plans provided with the subdivision application (to the east if the driveway) is to be established;
  - The small bunch of agapanthus within the road reserve near the driveway crossing for 836 Sandspit Road is to be removed at the cost of the Applicant, to the approval of the Team Leader Resource Consents, or similar position;
  - Further details of the drainage design for the driveway should be provided by the applicant, including culvert size and end treatment;
  - The open channel surrounding the driveway shall be built up to a slope no steeper than 1 in 4 on either side of the driveway.
7. (construction noise) noise from construction activities shall not exceed the limits recommended in and shall be measured and assessed in accordance with, NZS6803:0999, Acoustics – Construction Noise.

Note that the noise limit between the hours of 2000 to 0630 weekdays, 1800 to 0630 Saturdays and at all times on Sundays and Public Holidays, may mean that no construction work can take place.

8. (operation noise) the operation noise from the substation shall comply with the requirements of the Rodney District Plan 2000 – Operative in Part at all times, as follows:

Mon – Sat: 6:00am to 6:00pm	Sundays & Public Holidays: 6:00am to 6:00pm	At all other times
55 dBA $L_{eq}$	50 dBA $L_{eq}$	45 dBA $L_{eq}$ 75 dBA $L_{max}$

and in compliance with the following:

- ii. The transformers shall be low noise emission units and anti-vibration pads of an approved type shall be provided for the main tank. The sound pressure level measured at one metre from the transformer shall not exceed 45dBA when tested using the sound intensity meter method as specified in AS 2374.6-1994.
  - iii. Prior to installation the requiring authority shall verify that the transformers comply with the above. Adequate records of independently supervised testing by the manufacturer shall be adequate to satisfy this condition.
  - iv. In the event that fans are used for ventilating the transformer room, then best practice shall be applied in the design and installation of the fans to minimise noise emission.
  - v. The inlet and exhaust vents shall be acoustically designed and treated to best practice to minimise noise emission from the transformer room, and best practice shall be applied in the detailed design of the building envelope to ensure any other significant gaps are acoustically treated.
9. (archaeological) if any artefact, including human remains is exposed during any site works the following procedures shall apply:
- vi. Immediately when an artefact is unearthed, all site works shall cease; and
  - vii. The site supervisor shall immediately secure the area in a way that ensures any artefacts or remains are untouched; and
  - viii. The site supervisor shall notify the following groups that an archaeological site has been unearthed, so that appropriate action can be taken:
    - tangata whenua,
    - the New Zealand Historic Places Trust,
    - the Department of Conservation, and
    - the Council's RMA Compliance Administration Officer (telephone 0800426 5169) and
    - in the case of human remains, the police.
10. (monitoring charges) The applicant shall pay to the Council within one month prior to the activity commencing, the cost, including specialist services, staff time and administration for the processing of this application together with initial charges for the following inspections:
- Specialist x1
  - Environmental protection x 2

Monitoring deposits will be invoiced by the Council together with the consent processing charges.

Should further monitoring be required to ensure compliance, the Council will recover the actual and reasonable costs that are incurred for this monitoring as set out in the Council's Schedule of Fees and Charges.

11. (lapse of consent) This requirement shall lapse 10 years from the date it has been approved.

## **APPENDICES**

**Appendix 1:** Application as notified

**Appendix 2:** Plans

**Appendix 3:** Public Submission

**Appendix 4:** Review of the Noise Impact Assessment by Daniel Winter (Council's Health Protection Officer)

**Appendix 5:** Engineering Report – Cameron Ure

**Appendix 6:** Transportation Engineer Report – Mairi Joyce

**Appendix 7:** Planning Policy comments – Ian Bayliss