

7 March 2022

Far North District Council
Attn: District Plan Review & Sarah Trinder
Via email: Letsplantogether@fndc.govt.nz & sarah.trinder@fndc.govt.nz

Tēnā koe Sarah,

Far North District Plan Review- Rollover of Designations under Schedule 1 Resource Management Act 1991 – Top Energy

Barker & Associates (**B&A**) have been engaged by Top Energy Limited (**Top Energy**) to assist in their response to the letter received from Far North District Council (**FNDC**) dated 11 January 2022 which advises that Council intends to publicly notify the Proposed Far North District Plan (**PDP**) in May 2022. The purpose of the letter from FNDC was to invite Top Energy to advise whether existing designations are to be included in the Proposed District Plan, with or without modification, and to call for any new Notice of Requirements for new destinations.

The purpose of this letter is to formally notify Council that pursuant to Schedule 1 (Clause 4) of the Resource Management Act 1991, Top Energy gives notice that its existing designations under the Operative Far North District Plan are required to be included in the Proposed Far North District Plan both with a number of minor amendments made to:

- Reflect that a number of designations have now been constructed and associated conditions redundant; and
- Address inconsistencies in legal descriptions where identified.

Top Energy does not seek to include any new designations. For the purpose of clarity, we note that while Top Energy provided feedback to FNDC on the Draft Far North District Plan on the 4th May 2021, this feedback included an indication of the modifications that would be sought; this letter provides a formal response in accordance with Schedule 1 (Clause 4) and includes additional alterations to those noted in the feedback provided on the draft plan.

Attachment 1 includes a table of each of the designations as shown in the Draft Far North District Plan with modifications sought in the feedback provided on the 4th May 2021 highlighted in red, and additional modifications in blue. Justification as to why the modifications have been sought, has also been included in accordance with Schedule 1 (Clause 4).

At this stage we have not suggested any new conditions and as noted above, only made changes to conditions where they have become redundant. This is because no formal response has been received regarding requested changes as outlined in Top Energy's feedback on the Draft District Plan. On this basis, Top Energy wishes to reserve the right to further modify their designations through the submissions process

once the PDP has been notified and there is more certainty in terms of what activities will be permitted, for instance in the Infrastructure Chapter and underlying zones.

Yours sincerely | Nā māua noa, nā

Barker & Associates Limited



Alice Hosted

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Attachment 1 – Table of Top Energy Designations and Amendments

Reservoir Road Kaikohe	
Designation unique identifier	TE202
Designation purpose	<p> Kaikohe Substation – Land uses for the supply of line function services and storage, including substation and ancillary structures. Telecommunications, and the generation, supply and storage of electricity including the operation, maintenance and upgrade of substation and related infrastructure for electricity supply and distribution. </p>
Site identifier	<p> Kaikohe Substation Reservoir Road, Kaikohe Taraire 2T2 Blk; 1.8667ha RoT NA1980/79 </p>
Lapse date	Given effect
Designation hierarchy under section 177 of the RMA	Primary
Conditions	No
Additional information	
Reason for modification:	The designation has been given effect to and the reference to land use is no longer relevant. Other amendments relate to discrepancies in legal description, inclusions to reflect National Planning Standards template and streamlining the purpose.

Factory Road, Moerewa	
Designation unique identifier	TE203
Designation purpose	<p> Moerewa Substation – Land use as above </p>

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	<u>Telecommunications, and the generation, supply and storage of electricity including the operation, maintenance and upgrade of substation and related infrastructure for electricity supply and distribution.</u>
Site identifier	<u>Moerewa Substation, Factory Road, Moerewa</u> Pt Lot 3 DP12753, Blk XV Kawakawa SD; 3176.93sqm <u>RoT NA18B/1164</u>
Lapse date	<u>Given effect</u>
Designation hierarchy under section 177 of the RMA	<u>Primary</u>
Conditions	<u>Ne</u>
Additional information	
Reason for modification	The designation has been given effect to and the reference to land use is no longer relevant. Other amendments relate to discrepancies in legal description, inclusions to reflect National Planning Standards template and streamlining the purpose.

Near SH 10, Waipapa	
Designation unique identifier	TE204
Designation purpose	Waipapa Substation – land use as above <u>Telecommunications, and the generation, supply and storage of electricity including the operation, maintenance and upgrade of substation and related infrastructure for electricity supply and distribution.</u>
Site identifier	<u>Waipapa Substation, near SH10 Waipapa</u> Pt Lot 2 DP22952 on SO44715, Blk X Kerikeri SD; 3541.25sqm

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	NA60/248 <u>NA60/148</u> Environmental
Lapse date	<u>Given effect</u>
Designation hierarchy under section 177 of the RMA	<u>Primary</u>
Conditions	No
Additional information	
Reason for modification	The designation has been given effect to and the reference to land use is no longer relevant. Other amendments relate to discrepancies in legal description, inclusions to reflect National Planning Standards template and streamlining the purpose.

SH12, near Duddy Road, Omanaia	
Designation unique identifier	TE205
Designation purpose	Omanaia Substation – land use as above <u>Telecommunications, and the generation, supply and storage of electricity including the operation, maintenance and upgrade of substation and related infrastructure for electricity supply and distribution.</u>
Site identifier	<u>Omanaia Substation, near Duddy Road, Omanaia</u> Pt Lot 2 DP22952 on SO44715, Blk X Kerikeri SD; 3541.25sqm <u>NA121C/615</u>
Lapse date	<u>Given effect</u>
Designation hierarchy under section 177 of the RMA	<u>Primary</u>

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Conditions	No Urban & Environmental
Additional information	
Reason for modification	The designation has been given effect to and the reference to land use is no longer relevant. Other amendments relate to discrepancies in legal description, inclusions to reflect National Planning Standards template and streamlining the purpose.

Oruru Road, Taipa	
Designation unique identifier	TE206
Designation purpose	Taipa Substation – land use as above <u>Telecommunications, and the generation, supply and storage of electricity including the operation, maintenance and upgrade of substation and related infrastructure for electricity supply and distribution.</u>
Site identifier	<u>Taipa Substation, Oruru Road, Taipa</u> Lot 64 Taipa Parish Blk IV Mangonui SD; <u>Allotment 64 Parish of Taipa</u> 4360sqm <u>NA52B/581</u>
Lapse date	<u>Given effect</u>
Designation hierarchy under section 177 of the RMA	<u>Primary</u>
Conditions	No
Additional information	

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Reason for modification	The designation has been given effect to and the reference to land use is no longer relevant. Other amendments relate to discrepancies in legal description, inclusions to reflect National Planning Standards template and streamlining the purpose.
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Lamb Road, Pukenui	
Designation unique identifier	TE207
Designation purpose	Pukenui Substation — land use as above <u>Telecommunications, and the generation, supply and storage of electricity including the operation, maintenance and upgrade of substation and related infrastructure for electricity supply and distribution.</u>
Site identifier	<u>Pukenui Substation, Lamb Road, Pukenui</u> <u>Sec 74 Blk X Houhora East SD Section 74 Block X Houhora East Survey District; 1225m²</u> <u>NA35A/1056</u>
Lapse date	<u>Given effect</u>
Designation hierarchy under section 177 of the RMA	<u>Primary</u>
Conditions	No
Additional information	
Reason for modification	The designation has been given effect to and the reference to land use is no longer relevant. Other amendments relate to discrepancies in legal description, inclusions to reflect National Planning Standards template and streamlining the purpose.

Settlement Road, Kawakawa	
Designation unique identifier	TE208

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Designation purpose	Urban & Environmental Kawakawa Substation — land use as above <u>Telecommunications, and the generation, supply and storage of electricity including the operation, maintenance and upgrade of substation and related infrastructure for electricity supply and distribution.</u>
Site identifier	<u>Kawakawa Substation, Settlement Road, Kawakawa</u> Lot 2 DP184846; <u>2670m²</u> <u>NA115B/816</u>
Lapse date	<u>Given effect</u>
Designation hierarchy under section 177 of the RMA	<u>Primary</u>
Conditions	No
Additional information	
Reason for modification	The designation has been given effect to and the reference to land use is no longer relevant. Other amendments relate to discrepancies in legal description, inclusions to reflect National Planning Standards template and streamlining the purpose.

Near Puketona Road, Haruru	
Designation unique identifier	TE209
Designation purpose	Haruru Substation — land use as above <u>Telecommunications, and the generation, supply and storage of electricity including the operation, maintenance and upgrade of substation and related infrastructure for electricity supply and distribution.</u>
Site identifier	<u>Haruru Substation, near Puketona Road, Haruru</u>

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	Lot 2 DP180533 6404m² NA111D/19
Lapse date	Given effect
Designation hierarchy under section 177 of the RMA	Primary
Conditions	No
Additional information	
Reason for modification	The designation has been given effect to and the reference to land use is no longer relevant. Other amendments relate to discrepancies in legal description, inclusions to reflect National Planning Standards template and streamlining the purpose.

Cnr Reservoir & Guy Roads, Kaikohe	
Designation unique identifier	TE245
Designation purpose	Kaikohe Substation Telecommunications, and the generation, supply and storage of electricity including the operation, maintenance and upgrade of substation and related infrastructure for electricity supply and distribution.
Site identifier	Kaikohe Substation, Cnr Reservoir & Guy's Road, Kaikohe Lot 1 & 2 DP 136600 Lot 1 DP 453270; 1.4743ha 580892
Lapse date	Given effect
Designation hierarchy under section 177 of the RMA	Primary
Conditions	Yes 1. Where the designated area's external boundaries adjoin land zoned for residential or rural living purposes (and not designated for other purposes): the

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	<p>Urban & Environmental i. Maximum building height of any new substation structures shall not exceed 2m plus the shortest horizontal distance to the affected boundary; ii. provision shall be made for landscaping, fences, walls or a combination to at least 1.8m in height along the length of the affected boundary. Where landscaping is provided, it shall be for a minimum depth of 2m.</p>
Additional information	
Reason for modification	Amendments made to clarify and streamline the purpose, amend discrepancies in legal description and reflect National Planning Standards template.

SH 1, Kaitaia	
Designation unique identifier	TE246
Designation purpose	<p>Kaitaia Substation</p> <p><u>Telecommunications, and the generation, supply and storage of electricity including the operation, maintenance and upgrade of substation and related infrastructure for electricity supply and distribution.</u></p>
Site identifier	<p><u>Kaitaia Substation, SH1, Kaitaia</u> Lot 1 DP44904, Lot 1 & 2 DP136112; <u>1.8224ha</u> <u>NA80B/21, NA80B/22 & NA77D/766</u></p>
Lapse date	<u>Given effect</u>
Designation hierarchy under section 177 of the RMA	<u>Primary</u>
Conditions	No
Additional information	

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Reason for modification	Amendments made to clarify and streamline the purpose, amend discrepancies in legal description and reflect National Planning Standards template.
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Okahu Road, Kaitaia	
Designation unique identifier	TE240
Designation purpose	<p>Okahu Substation – Land uses for the supply of line function services and storage, including substation and ancillary structures</p> <p><u>Telecommunications, and the generation, supply and storage of electricity including the operation, maintenance and upgrade of substation and related infrastructure for electricity supply and distribution.</u></p>
Site identifier	<p><u>Okahu Substation, Okahu Road, Kaitaia</u> Lot 3 DP147780, Pt Allot NE Psh of Taipa; 3254m² <u>NA88A/86</u></p>
Lapse date	<u>Given effect</u>
Designation hierarchy under section 177 of the RMA	<u>Primary</u>
Conditions	Ne
Additional information	
Reason for modification	The designation has been given effect to and the reference to land use is no longer relevant. Other amendments relate to discrepancies in legal description, inclusions to reflect National Planning Standards template and streamline the purpose.

Whangatane Drive, Kaitaia

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Designation unique identifier	TE241
Designation purpose	<p>Urban & Environmental</p> <p>NPL Substation — Land use as above</p> <p><u>Telecommunications, and the generation, supply and storage of electricity including the operation, maintenance and upgrade of substation and related infrastructure for electricity supply and distribution.</u></p>
Site identifier	<p><u>Whangatane Substation, Whangatane Drive, Kaitaia</u></p> <p>Lots 1 and 2 DP194406;</p> <p><u>NA121C/616</u></p>
Lapse date	<u>Given effect</u>
Designation hierarchy under section 177 of the RMA	<u>Primary</u>
Conditions	No
Additional information	
Reason for modification	The designation has been given effect to and the reference to land use is no longer relevant. Other amendments relate to discrepancies in legal description, inclusions to reflect National Planning Standards template and streamline the purpose.

SH10, Bulls Gorge	
Designation unique identifier	TE243
Designation purpose	<p>Mt Pokaka Substation — the establishment, operation, construction, maintenance, repair and replacement of a substation, and parts of, and works for, or relating to, electricity</p>

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	<p>transformation and distribution, including impermeable surfaces and carparking</p> <p><u>Telecommunications, and the generation, supply and storage of electricity including the operation, maintenance and upgrade of substation and related infrastructure for electricity supply and distribution.</u></p>
Site identifier	<p><u>Mt Pokaka Substation, SH10 Bulls Gorge</u></p> <p>Portion of Lot 1 DP 407838 and Lot 2 DP 383036, shown on SO 438995; 1047sqm <u>Lot 1 DP 452232; 1032m² 577789</u></p>
Lapse date	<u>Given effect</u>
Designation hierarchy under section 177 of the RMA	<u>Primary</u>
Conditions	<p>Yes</p> <p>1.The subject site is within close proximity to a conservation reserve administered by the Department of Conservation. The reserve is considered to be a kiwi habitat. As such Top Energy Limited staff and contractors shall not bring dogs to the designated site.</p> <p>2.An Outline Plan is not required to be submitted to Council, subject to the activity being in accordance with the plans submitted with the Notice of Requirement (refer RC-2100406-RMADES).</p>
Additional information	
Reason for modification	The designation has been given effect to and the reference to establishment and construction, including in conditions, is no longer relevant. Other amendments relate to discrepancies in legal description, inclusions to reflect National Planning Standards template and streamline the purpose.



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Cobham Rd, Kerikeri	
Designation unique identifier	TE244
Designation purpose	<p>Kerikeri SubstationThe preparation, establishment, construction, operation, maintenance, replacement, upgrading of, and entrance to and exit from a substation, and parts of, and works for, or relating to, electricity transformation and distributionConfirm</p> <p><u>Telecommunications, and the generation, supply and storage of electricity including the operation, maintenance and upgrade of substation and related infrastructure for electricity supply and distribution.</u></p>
Site identifier	<p><u>Kerikeri Substation, Cobham Road, Kerikeri</u> Lot 1 DP 441604; 2943m² <u>549936</u></p>
Lapse date	<u>Given effect</u>
Designation hierarchy under section 177 of the RMA	<u>Primary</u>
Conditions	<p>General</p> <p>1. The works to give effect to the designation of the Kerikeri Substation shall be generally in accordance with the information submitted by Top Energy Ltd in support of the Notice of Requirement, and referenced "Top Energy Cobham Road, Kerikeri Proposed Contours REF 11331", dated 04/06/10 and attached to RC2110152-RMADES with the Councils approved stamp affixed to them.</p>

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~~2. The requiring authority shall notify Far North District Council Urban & Planning Monitoring Team in writing two weeks prior to the commencement of activities associated with this designation.~~

Construction Works

~~3. Sediment control measures shall be installed around earthwork activities (including temporary stockpiles) to prevent discharge and run off.~~

~~4. At the beginning of the planting season following the works, areas of the site that are not forming the sealed or metalled yard or that provides access to the site shall be planted, re-grassed, landscaped or otherwise stabilised where earth has been disturbed.~~

Noise

~~5. The substation site shall be designed and used to ensure the noise levels do not exceed the following limits when measured at the site boundary~~

~~55dBA (L10) at all times when measured at any point within the commercial or industrial zones.~~

~~45dBA (L10) at all times when measured at any point within the residential zone~~

~~Noise from the substation operation shall be measured in accordance with the requirements of NZS 6801: 'Measurement of Sound'~~

~~Noise from the substation operation shall be assessed in accordance with the requirements of NZS6802: 1991 'Assessment of Environmental Sound'.~~

~~6. Construction at the substation site shall be restricted to the following hours:~~

~~Monday to Saturday: 8am to 6pm~~

~~This restriction does not apply to testing and commissioning works.~~

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~~7.Noise from temporary construction and maintenance shall not exceed the limits recommended in, and shall be measured and assessed in accordance with, the requirements of NZS6803:1999 'Acoustic Construction noise'.~~

~~8.Within two months of commissioning of the substation, the noise levels at the site boundaries shall be measured to determine compliance with Condition 5. The results shall be forwarded to the Far North District Council within one month of the measurements being completed.~~

~~9.If the noise levels undertaken in accordance with Condition 8 do not comply with the standards specified in Condition 5, Top Energy shall carry out necessary noise attenuation measures within six months and repeat the noise level measurements as required by Condition 8 within three months of the noise attenuation measures being in place. The results shall be forwarded to the Far North District Council within one month of the measurements being completed.~~

~~Stormwater~~

~~10.A Stormwater Management Plan shall be submitted for the approval of Council's duly appointed officer prior to the construction works being commenced on site. The plan shall include:~~

~~A site plan showing all proposed drainage works in relation to the substation and site infrastructure.~~

~~Design plans for these works shall include diameters, length and gradients of any pipes, flumes, and culverts; collection and disposal point detail calculations to support the sizes selected.~~

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	<p>11. Provide confirmation from a Chartered Professional Engineer that all works have been completed in accordance with the approved plan required by Condition 10.</p> <p>Landscaping 12. Trees and/or shrubs not exceeding a height of 2 metres are to be planted on the boundary between the substation and the adjoining Esplanade Strip so as to provide some screening between the substation and the Esplanade Strip. The trees and/or shrubs are to be planted before the end of the planting season following the commissioning of the substation.</p> <p>Hazardous Substances 13. The substation shall be operated in accordance with the Top Energy procedure for "oil handling" (Procedure No CS E01 dated February 1996) and subsequent amendments.</p> <p>Electronic and Magnetic Fields 14. Exposures to extremely low frequency electric and magnetic fields at the boundary of the site and at all publicly accessible areas within the site, shall comply with the guidelines recommended by the International Commission on Non-Ionising Radiation Protection in 1998.</p> <p>Lighting 15. All lighting shall be directed away from Cobham Road to prevent any glare towards traffic.</p> <p>Signs 16. Any signage erected at the site shall comply with the signage provisions of the Far North District Plan.</p>
Additional information	

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Reason for modification	The designation has been given effect to and the reference to establishment and construction, including in conditions, is no longer relevant. Other amendments relate to discrepancies in legal description, inclusions to reflect National Planning Standards template and streamline the purpose.
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496 Wiroa Road, Kerikeri	
Designation unique identifier	TE247
Designation purpose	<p>Wiroa Substation The operation, maintenance, and upgrading of an electricity substation, and related infrastructure, required for electricity supply and distribution</p> <p><u>Telecommunications, and the generation, supply and storage of electricity including the operation, maintenance and upgrade of substation and related infrastructure for electricity supply and distribution.</u></p>
Site identifier	<p><u>Wiroa Substation, Wiroa Road, Kerikeri</u></p> <p>Portion of Lot 1 DP 407838 and Lot 2 DP 383036, shown on SO 438995; 1047sqm Lot 2 DP 461681. 1.216ha <u>607620</u></p>
Lapse date	<u>Given effect</u>
Designation hierarchy under section 177 of the RMA	<u>Primary</u>
Conditions	<p>Yes</p> <p>1. The works to give effect to the designation of the Wiroa Substation shall be generally in accordance with the information submitted by Top Energy Ltd in support of the Notice of Requirement, and the resource consent 2130173-RMALUC.</p>

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~~2. The requiring authority shall notify the Far North District Council Monitoring Team in writing 2 weeks prior to the commencement of activities associated with this designation.~~

~~3. Sediment control measures shall be installed around earthwork activities (including temporary stockpiles) to prevent discharge and run off.~~

~~4. At the beginning of the planting season following the works, areas of the site that are not forming the sealed or metalled yard or that provides access to the site shall be planted, re-grassed, landscaped or otherwise stabilised where earth has been disturbed.~~

~~5. The substation site shall be designed and used to ensure the noise levels from the site shall not exceed the following noise limits as measured at or within the boundary of any other site in this zone:~~

~~0700 to 2200 - 65dBA (L10)~~

~~2200 to 0700 - 45dBA (L10)~~

~~-70dBA (LMAX)~~

~~Noise from the substation operation shall be measured in accordance with the requirements of NZS 6801: 'Measurement of Sound'.~~

~~Noise from the substation operation shall be assessed in accordance with the requirements of NZS6802: 1991 'Assessment of Environmental Sound'.~~

~~6. Construction at the substation site shall be restricted to the following hours:~~

~~Monday to Saturday 8am to 6pm~~

~~This restriction does not apply to testing and commissioning works.~~

~~Noise from temporary construction and maintenance shall not exceed the limits recommended in, and shall be measured and assessed in accordance with, the requirements of NZS6803: 1999 'Acoustic Construction Noise'.~~

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	<p>Urban & Environmental</p> <p>7.The substation shall be operated in accordance with the Top Energy procedure for "oil handling" (Procedure No CS E01 dated February 1996) and subsequent amendments.</p> <p>8.Exposures to extremely low frequency electric and magnetic fields at the boundary of the site and at all publically accessible areas within the site, shall comply with the guidelines recommended by the International Commission of Non Ionising Radiation Protection in 1998.</p> <p>9.All lighting shall be directed away from Wiroa Road to prevent any glare towards traffic.</p> <p>10.Any signage erected at the site shall comply with the signage provisions of the Far North District Plan.</p> <p>11.The existing landscaping shall be maintained for the duration of the activity in accordance with Resource Consent 2130173.</p>
Additional information	
Reason for modification	The designation has been given effect to and the reference to establishment and construction, including in conditions, is no longer relevant. Other amendments relate to discrepancies in legal description, inclusions to reflect National Planning Standards template and streamline the purpose.

Omaunu Road, Kaeo 0479	
Designation unique identifier	TE248
Designation purpose	Omaunu Road Substation The operation, maintenance, and upgrading of an electricity substation, and related infrastructure, required for electricity supply and distribution

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	<p>Telecommunications <u>Telecommunications and the generation, supply and storage of electricity including the operation, maintenance and upgrade of substation and related infrastructure for electricity supply and distribution.</u></p>
Site identifier	<p><u>Omaunu Road Substation, Omaunu Road, Kaeo</u> <u>Lot 1 DP 496549; 4029m²</u> <u>731400</u></p>
Lapse date	<p><u>Given effect</u></p>
Designation hierarchy under section 177 of the RMA	<p><u>Primary</u></p>
Conditions	<p>Yes</p> <p>1.The works to give effect to the designation of the Omaunu Road Substation shall be generally in accordance with the information submitted by Top Energy Ltd in support of the Notice of Requirement, and the resource consent 2160418-RMACOM, Decision B; and the retrospective land use consent granted under this consent [RC 2190107-RMADES-Decision B].</p> <p>2.The landscape Planting approved as part of RC 2160418-RMACOM shall be maintained for the duration of the activity.</p> <p>3.Any construction works at the substation shall be restricted to the following hours: Monday-Saturday 8.00am – 6.00pm</p> <p>4.The substation shall be operated in accordance with the power Co standard for Mineral Insulating Oil Maintenance 393S067 dated December 2011 and subsequent amendments.</p> <p>5.Exposures to extremely low frequency electric and magnetic fields at the boundary of the site and at all publicly accessible areas within the</p>

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	<p>site shall comply with the guideline recommended by the International Commission of Non-Ionising radiation Protection in 1998.</p> <p>6. All lighting shall, as far as practicable, be directed away from Omaunu Road to prevent any glare towards traffic, and away from the adjoining Residential Zone.</p> <p>7. Any signage erected at the site shall comply with the signage provisions of the Far North District Plan.</p>
Additional information	
Reason for modification	The designation has been given effect to and the reference to establishment and construction, including in conditions, is no longer relevant. Other amendments relate to discrepancies in legal description, inclusions to reflect National Planning Standards template and streamline the purpose.

Oruru Road, Peria	
Designation unique identifier	TE249
Designation purpose	<p>Oruru Road Substation</p> <p>The construction, operation, maintenance, and upgrading of an electricity substation, and related infrastructure, required for electricity supply and distribution.</p>
Site identifier	<p>Oruru Road Substation, Oruru Road, Peria</p> <p>Lot 1 DP 486988; 1.2130ha 695845</p>
Lapse date	Lapse Date 10 years after the date on which the designation is included in the District Plan
Designation hierarchy under section 177 of the RMA	Primary

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Conditions

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1. The works to give effect to the designation of the Oruru Road Substation shall be generally in accordance with the information submitted by Top Energy Ltd in support of the Notice of Requirement, ~~and the resource consent 2160078-RMACOM.~~

~~2. The area to be designation shall be 1.2130Ha in extent within Lot 1 DP 486988 as shown in the approved plan that is attached to this recommendation with the Council's 'Approved Stamp' affixed to it. Prior to site and building works commencing, an outline plan of works shall be provided to the Council.~~

3. The works to give effect to the designation of the Oruru Road substation shall be generally in accordance with the information by Top Energy Ltd in support of the Notice of Requirement, ~~and the resource consent RC 2160078-RMACOM.~~

4. The Requiring Authority shall install a stormwater retention/detention pond in general accordance with the report title "Engineering Report for the Proposed Substation" prepared by Haigh Workman Ltd, dated 13th February 2015 ~~and submitted in support of the application for RC 2160078-RMACOM.~~

5. Prior to the operation of the substation, provide certification from a chartered professional engineer that the stormwater retention/detention pond has been installed in accordance with condition 3.

6. The site is located within a 'kiwi present' area. Any dogs brought onto the site must be effectively controlled (i.e. secured or tied up) at all times.

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7.The landscaping of the site shall be carried out in general accordance with the approved Landscape Plan and Plant Schedule/ Planting Method / Maintenance Schedule prepared by Hawthorn Landscape Architects ~~and approved as part of RC 2160078 RMACOM~~. The landscaping specified must be implemented within six months of the issue of a Code of Compliance Certificate for the building (s), or within six months of its use (whichever comes first), and adequately maintained thereafter. Plants requiring removal due to damage, disease or other cause shall be replaced with a similar specimen before the end of the next planting season (1st May to 30th September).

8.The Requiring authority shall provide a post construction assessment and report on the noise generated by the substation. The assessment shall be undertaken by a suitably qualified acoustic engineer and demonstrate that the substation operation complies with the relevant permitted activity thresholds ~~rule 8.6.5.1.7 "Noise"~~ of the Far North District Plan.

9.The substation shall be operated in accordance with the PowerCo Standard for Mineral Insulating Oil Maintenance 393SO67, dated Dec 2011, and subsequent amendments.

10.Exposures to extremely low frequency electric and magnetic fields at the boundary of the site and at all publicly accessible areas within the site, shall comply with the guidelines recommended by the International Commission of Non-Ionising Radiation Protection in 1998.

11.All lighting shall, as far as practicable, be directed away from Oruru Road to prevent any glare towards traffic.



	<p>12. Any signage erected at the site shall comply with the signage provision of the Far North District Plan.</p>
Additional information	
Reason for modification	<p>The Oruru Substation has not been constructed yet, and is only required if the construction of the new 110kV line proceeds; this process has been significantly delayed. There is a possibility that the works may not start within the 5-year lapse date of the landuse component of RC 2160078-RMACOM. As such we have modified the designation to remove any references specifically to RC 2160078-RMACOM and generalised the conditions so that if at the time of construction, the land use consent has lapsed, and a new planning framework applies, the conditions of the designation will not conflict with those of the new resource consent. We consider that compliance with the above conditions will still achieve effects less than minor, and note that should any replacement consents be required, Council would be the decision maker.</p>