

Before a Board of Inquiry

Under the Resource Management Act 1991

In the matter of Notices of requirement for designations and resource consent applications for the Transmission Gully Proposal

Between **NZ Transport Agency**
Requiring Authority and Applicant

And **Porirua City Council**
Local Authority and Applicant

And **Transpower New Zealand Limited**
Applicant

**Statement of rebuttal evidence of Lesley Ann Hopkins
for Transpower New Zealand Limited**

20 January 2011

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INTRODUCTION

1. My full name is Lesley Ann Hopkins.
2. I have the qualifications and experience set out at paragraph 3 of my first statement of evidence in chief, dated 18 November 2011 (EIC).
3. I repeat the confirmation given in that statement that I have read, and agree to comply with, the Code of Conduct for Expert Witnesses (Consolidated Practice Note 2011).
4. In this statement of rebuttal evidence, I:
 - (a) Respond to the evidence of Emily Thomson on behalf of the Kapiti Coast District Council (KCDC).
 - (b) Respond to the evidence of Ms Sally Peake on behalf of the KCDC.
 - (c) Respond to the section 42A report – Part 1, provided by Mr John Kyle (*the section 42A report*).
5. An additional focus of this brief is to provide the Board with revised conditions derived from both my own evaluation of matters raised in the evidence and Section 42A report and as a result of planning expert and officer conferencing to date.
6. The fact that this rebuttal statement does not respond to every matter raised in the evidence of submitter witnesses within my area of expertise should not be taken as acceptance of the matters raised. Rather, I rely on my EIC and this rebuttal statement to set out my opinion on what I consider to be the key planning matters for this hearing.

SUMMARY OF EVIDENCE

7. I have read the evidence provided by submitters relevant to planning matters and the relevant parts of the section 42A report. As a result I recommend changes to the proposed conditions of consent for the Transmission Line Relocation Works in respect of:
 - (a) A purpose statement for the management plans and guidelines to be applied to the Transmission Line Relocation Works.

- (b) Providing for landscape mitigation planting adjacent to Towers 2A and 3A.
- (c) Providing for pest animal and plant management for landscape mitigation planting.

These changes are discussed in Paragraphs 10 – 19 of my evidence.

- 8. Conferencing between planning experts and with council officers has agreed a number of changes to consent conditions. The changes and associated discussion are set in the Planning Expert Conferencing Joint Report dated 12th December 2011 and the Joint Report from Territorial Authority Officer Meetings dated 15th December 2011. These changes are discussed in Paragraphs 20 - 21 of this evidence.
- 9. In all other respects I re-confirm the evidence contained in my EIC.

EVIDENCE OF MS EMILY THOMSON

- 10. In her evidence, Ms Thomson recommends amendments to the proposed conditions for the Transmission Line Relocation Works to further mitigate adverse effects identified in the evidence of the Council's landscape and ecological experts.
- 11. In Paragraph 9.3, Ms Thomson requests a clear "sign-off" process for management plans.

Response: In regard to the Transmission Line Relocation Works, a Construction Environmental Management Plan (CEMP) and Landscape Mitigation Plans are proposed.. I agree with Ms Thomson that the sign-off process for these needs to be clear. Condition TL11 and TL16 already provide for the certification of these plans by the relevant Consent Manager. It is my opinion that no changes are required to this condition to address the request by Ms Thomson.

- 12. In Paragraph 9.4, Ms Thomson requests a clear statement in the conditions that the certified management plans must be complied with.

Response: Condition TL18 requires that the "CEMP shall be implemented and maintained throughout the entire construction period". Condition TL12 requires implementation of the landscape mitigation plans within one season following completion of the works. In my opinion, these

conditions address the compliance requirement sought in paragraph 9.4 of Ms Thomson's evidence.

13. In paragraph 9.6, Ms Thomson recommends amending condition TL7 to add as the objective of the condition, minimising visual effects of tower relocations.

Response: I agree with Ms Thomson that the objective of the Best Practice Earthworks Design Principles should be added to this condition. However, I note that the Best Practice Earthworks Design Principles are intended to address more than just the visual effects of earthworks, but also the biophysical effects of land disturbance activities. Therefore, I recommend that the objective is expanded as set out in Annexure A to my evidence.

14. In paragraph 9.8, Ms Thomson recommends amending condition TL9 to add reference to planting adjacent to the relocated towers within the Kapiti District section of the transmission line and changes to the stated objective of the condition.

Response: Mitigation planting for the towers in the Kapiti District as recommended by Ms Thomson is addressed in the rebuttal evidence of Mr Lister. Based on Mr Lister's evidence, I recommend amending the condition to require visual mitigation planting adjacent to Towers 2A and 3A.

Ms Thomson has recommended amending the wording of the stated objective for this condition to use the term "minimise" rather than "mitigate". I consider that the use of the term "mitigate" is appropriate in this context as the condition addresses visual mitigation. The visual effects of the line relocation can be minimised through the location and design of towers, and the design of foundations, access tracks and other land disturbance activities and this is specifically addressed through Condition TL6. and TL7.

15. In paragraph 9.10, Ms Thomson recommends amending condition TL10 to include the purpose of the landscape mitigation plan; planting heights; an animal and pest management programme and timing for certification of the plan.

Response: I agree with Ms Thomson that the purpose of the landscape mitigation plans should be added to this condition. This is also aligns

with a general recommendation in the Section 42A report. I agree with Ms Thomson that the approximate minimum heights of planting achieved after 10 years and at maturity should be added to this condition. The requirement for a pest animal and plant management programme during construction and maintenance period is addressed in the rebuttal evidence of Mr Fuller and based on this I recommend that this is added to the condition. I agree with Ms Thomson that the timing for certification of the landscape mitigation plan should be included in the consent conditions however I note that this is already addressed by Condition TL11. In addition, I note that no outline plan will be required for the Transmission Line Relocation Works as they are not subject to a designation but rather the resource consents currently being sought by Transpower. Therefore I consider it appropriate that the landscape mitigation plan is submitted at the same time as the CEMP (ie. 20 working days before construction commences).

16. In paragraph 9.12, Ms Thomson recommends amending new condition TL12.A which was provided to council officers during conferencing. The amendments include the addition of a 10 year maintenance period for landscape mitigation planting and expanding the management of these areas to include all areas where earthworks have occurred.

Response: The maintenance period for landscape mitigation planting is addressed in the rebuttal evidence of Mr Fuller. Based on the evidence of Mr Fuller, I consider that a 3 year maintenance period is appropriate for landscape mitigation planting. This is consistent with the maintenance period for proposed landscape planting associated with the Transmission Gully Project. I note that in paragraph 9.49, Ms Thomson has suggested a 5 year maintenance period for the landscape planting associated with the Transmission Gully Project, or half the timeframe proposed for the Line Relocation Works. I am of the opinion that the same maintenance period (ie. 3 years) should apply to all the projects.

In regards expanding the condition to cover the management of all areas where earthworks have occurred, I reiterate that Transpower has not applied for resource consents for earthworks associated with the project. The visual effects of earthworks are addressed by Regulation 34(d) of the National Environmental Standards for Electricity Transmission Activities (NESETA). Therefore, I do not consider it necessary for consent condition TL12.A to also address this matter.

17. In paragraph 9.14, Ms Thomson recommends amending condition TL25 to include the maximum area of native vegetation and riparian vegetation to be removed per tower and access track.

Response: The removal of vegetation for the Line Relocation works is addressed in paragraph 21 of my second EIC. This confirms that the line relocation works avoid all areas in indigenous vegetation and significant habitats of indigenous fauna. In addition, the removal of vegetation is addressed by Regulation 30 of the NESETA. If vegetation removal cannot meet the requirements set out in Regulation 30, then a resource consent will need to be applied for. I do not consider it necessary for consent condition TL25 to include maximum areas of vegetation removal that are more onerous or reiterate the requirements in the NESETA.

EVIDENCE OF MS SALLY PEAKE

18. In paragraph 4.19 of her evidence, Ms Peake considers that alternative alignments and tower locations have not been sufficiently considered at the northern end of Transmission Gully. In paragraph 22 she also queries whether there is potential for undergrounding in this location.

Response: The route selection process for the Transmission Line Relocation Works is addressed in my EIC. I consider that the route selection process included adequate consideration of line routes at the northern end of Transmission Gully.

In regards to relocating Tower 2A to the east side of the road, Ms Yorke confirms in her rebuttal statement that she has considered two options for the relocation of Tower 2A. Neither option is considered by Ms Yorke to be preferable. In his EIC, Mr Lister confirmed that he does not recommend the relocation of Tower 2A. Based on the evidence of Ms Yorke and Mr Lister, I do not consider that the changes sought by Ms Peake will lessen the effects for travellers descending the Te Puka Valley.

In regards to the potential for undergrounding of this section of the transmission line, in her rebuttal statement, Ms Yorke sets out the technical and operational reasons why undergrounding was not considered a practical solution for this section of transmission line. In his rebuttal evidence, Mr Lister identifies that the termination structures associated with the undergrounding will have visual effects.

As set out in my first statement of EIC, the National Policy Statement for Electricity Transmission Activities (NPSETA) provides guidance on managing the adverse effects of the electricity network. I consider that the NPSETA requires alternatives such as undergrounding to be considered where there are significant adverse effects on urban amenity, town centres, outstanding natural landscapes, areas of high natural character and areas of high recreation value and amenity and existing sensitive activities. I do not consider that the effects of the relocation of this section of transmission line are of such significance that they require the undergrounding of the line and note that the undergrounding would give rise to its own effects as outlined by Ms York and Mr Lister.

SECTION 42A REPORT

19. The section 42A report does not raise any specific questions regarding the Transmission Line Relocation Works and notes that at an overall level the proposed conditions attached to the Transpower application appear to be fit for purpose, and seek to achieve the intent of the mitigation proposed throughout the application. However, the section 42A report provides comments in relation to the NZTA and PCC Projects regarding the achievement of an appropriate certainty of outcome within the conditions that apply equally to the Transmission Line Relocation Works. In particular, that consent conditions should provide adequate guidance about the necessary outcomes to be achieved by management plans.

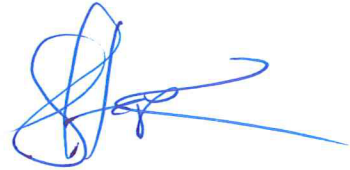
Response: Having considered the recommendations in the Section 42A report and following discussion with Council officers regarding the implementation of consent conditions, the consent conditions have been amended to include a purpose statement for any management plans and guidelines being applied to the works.

REVISIONS TO CONDITIONS FOLLOWING CONFERENCING

20. Since my EIC was filed, I have conferenced with Council officers and planning experts. As set out in the Planning Expert Conferencing Joint Report dated 12th December 2011 and the Joint Report from Territorial Authority Officer Meetings dated 15th December 2011, the planning experts and council officers have resolved a number of areas.
21. I have set out below a summary discussion of the changes made as a result of expert and officer conferencing:

- (a) A global change was suggested during officer conferencing to amend the reference to "Transpower" to "the consent holder" throughout the conditions. This change affects conditions 9, 10, 11, 12, 13, 14, 16, 20, 21 and 25.
 - (b) Referencing the version of any existing technical reports and documents relied on in conditions;
 - (c) The review timeframes in condition TL2 and TL20 have been shortened to reflect the short duration of the Transmission Line Relocation Works.
 - (d) The date of the various addendum technical reports have been added to Conditions TL6 and TL7 to clearly identify which version of the reports is being referred to.
 - (e) The purpose/objective of guidelines or management plans has been added to Condition TL7 (Best Practice Earthworks Design Principles) and TL10 (Landscape Mitigation Plan).
 - (f) Condition TL11 has been amended to identify the three towers that are subject to landscape mitigation plans.
 - (g) New Condition 12A has been added and requires the maintenance of landscape mitigation planting for a period of three years.
 - (h) Amendments to Condition TL20 to provide for the progressive stabilisation of areas that have been subject to land disturbance activities.
 - (i) A number of minor amendments and typographical corrections.
22. During officer conferencing, there was discussion about Transpower's ability to enter into a bond in respect of the costs of completing landscape mitigation planting. I understand that Transpower has the capacity to enter into a bond, but is reluctant to do so; and I expect this may be a matter discussed in the further conferencing.
23. In Annexure A, I have attached a revised set of proposed conditions in response to the evidence of submitters, the recommendations of the s42A report and officer and expert conferencing. For quick reference by the Board, I have annotated all the amendments to reflect those which

were made as a result of the preparation of evidence by Transpower witnesses (in response to submissions) and those which have arisen as part of this rebuttal stage. The attachment also includes notes to reference the origin of the proposed amendments.

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

Lesley Ann Hopkins
20 January 2012

RECOMMENDED CHANGES TO PROPOSED RESOURCE CONSENT CONDITIONS

ANNEXURE A: RECOMMENDED CHANGES TO PROPOSED RESOURCE CONSENT CONDITIONS FOR THE TRANSPOWER LINE RELOCATION WORKS

Additions underlined and deletions in ~~striketrough~~

Changes as a result of conferencing

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Changes as a result of submitters' evidence and 42A Report

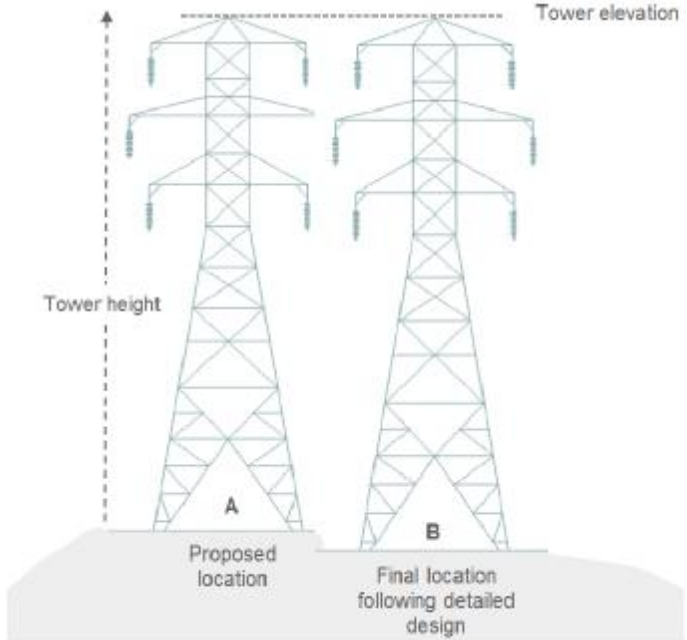
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Changes as a result of further Transpower evidence

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Reference	Proposed Condition	Suggested Changes
	General	
TL1.	<p>Except as modified by the conditions below, the works shall be undertaken in general accordance with the information provided by Transpower New Zealand Ltd (Transpower) in the resource consent applications and the supporting documents. This information is summarised as follows:</p> <p>(a) Transmission Gully Project Volume 6: Transmission Line Relocation Project. Applications for Resource Consents and Assessment of Effects on the Environment, Appendices and Technical Reports (Dated 8 August 2011).</p> <p>(b) The Transmission Line Relocation plans contained in Transmission Gully Project Volume 4: Plan Set (Dated 8 August 2011).</p> <p>(c) Schedule 1: Changes to Transmission Line Support Structures attached to these conditions.</p>	
TL2.	<p>These conditions may be reviewed by the Consents Manager, [Kapiti District Council/Porirua City Council], pursuant to Section 128 of the Resource Management Act 1991 (the Act), by the giving of notice pursuant to Section 129 of the Act, <u>after 6 months of the commencement of the Consent on the one-year anniversary of the commencement of the consents</u> and <u>once</u> every year thereafter in order:</p> <p>(a) To deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or</p> <p>(b) To deal with any other adverse effect on the environment on which the exercise of the consent may have an influence.</p>	<p>Change suggested by council officers during officer conference #1.</p> <p>Reason: Due to the short duration of the Line Relocation Works, it is appropriate that the Council have the ability to review the conditions sooner than a year after the consent commences. 6 months was considered an appropriate timeframe.</p> <p>Discussed at Officer Conference #2 and proposed timeframes agreed.</p>
TL3.	The period within which this resource consent shall lapse if not given effect to shall be 15 years from the date on which it is granted.	
TL4.	Pursuant to Section 36(1)(d) of the RMA, Transpower <u>the consent holder</u> is required to pay to [Kapiti District Council/Porirua City Council], any administrative charge for the carrying out by the local authority of its functions in relation to the administration, monitoring, and supervision of consent conditions.	A global change was suggested by council officers during Officer Conference #3. "Transpower" should be replaced with "the consent holder". Changes made to several conditions to incorporate this change. See Conditions 9, 10, 11, 12, 13, 14, 16, 20, 21 and 25.

TL5.	The servants of agents of [Kapiti District Council/Porirua City Council] shall be permitted to have access to relevant parts of the Project at all reasonable times for the purpose of carrying out inspections, investigations, tests, measurements and/or to take samples.	Typographical error corrected.
	Tower and Access Track Design	
TL6.	Design of towers shall be undertaken in accordance with the Best Practice Transmission Line Design Principles contained as Appendix 5G of Addendum Technical Report 5: Landscape and Visual Effects Assessment <u>(Dated 8 August 2011)</u> .	Change suggested by KCDC during officer conference #1. Reason: Reference the date so that it is clear which version is relevant. Discussed and proposed wording agreed at Officer Conference #2.
TL7.	Design of tower foundations, access tracks and other land disturbance activities shall be undertaken in accordance with the Best Practice Earthworks Design Principles contained as Appendix 5H of Addendum Technical Report 5: Landscape and Visual Effects Assessment <u>(Dated 8 August 2011) in order to minimise visual and biophysical effects of tower relocation</u> .	Change suggested by KCDC during officer conference #1. Reason: Reference the date so that it is clear which version is relevant. Discussed and proposed wording agreed at Officer Conference #2. Amendment recommended in evidence of Ms Thomson Wording to clarify the objective of this condition added following review of evidence by Ms Thomson for KCDC. Wording accepted and <u>additional wording</u> added to also reference biophysical effects.
	Location and Height of the Transmission Line Support Structures	
TL8.	Tower heights and locations shall be generally in accordance with attached Schedule 1 and the plans contained in Volume 4: Plan Set, except that: (a) With the exception of Towers 31A, 32A, 33A and 40A, tower sites may be moved up to 20 metres in any direction; (b) For Tower 31A, 5m west, 20m north, east and south; (c) For Tower 32A, 10m east, 20m north, west and south; (d) For Tower 33A, the tower site may be moved up to 5 metres west and south, 30 metres north and east; (e) For Tower 40A, the tower site may be moved up to 5 metres north, 10m east, 20m west and south; (f) Where tower locations are moved in accordance with (a) through (e), tower heights can exceed the heights set out in Schedule 1, provided the overall tower elevation as depicted in the figure below does not increase.	

		
	<p>Visual Mitigation</p>	
<p>TL9.</p>	<p>Franspower<u>The consent holder</u> shall undertake visual mitigation for the following towers/sites:</p> <ul style="list-style-type: none"> • Planting adjacent to Towers 2A and 3A as shown in Volume 4: Plan Set • Planting adjacent to Tower 24A as shown on <i>Plan LA07, Volume 4: Plan Set</i>; • Planting the north-west and south-west slopes of the knoll adjacent to Tower 31A as shown on <i>Plan LA08, Volume 4: Plan Set</i>; • Design and construct the platform for Tower 31A to integrate the edge of the platform with the adjacent proposed road cutting and tie the remaining platform edges into the natural landform; and • <u>Planting on the gully slope adjacent to Tower 32A as shown on <i>Plan LA09, Volume 4: Plan Set</i>.</u> <p>The objective of the visual mitigation is to mitigate as far as practicable the visual effects of the nearby towers when viewed from existing residential dwellings.</p>	<p>Change recommended in evidence from Ms Thomson to add <i>“Planting adjacent to Towers 2A, 3A, 9A, 10A and 11A as shown in Volume 4: Plan Set”</i>. Accepted in part. Requirement for planting adjacent to Towers 2A and 3A added.</p> <p>Change recommended in evidence from Ms Thomson to amend “mitigate” to minimise. No change made.</p> <p>Change recommended in evidence from Ms Thomson to add <i>“an public open spaces (including roads and tracks)”</i>. No change made.</p>
<p>TL10.</p>	<p>Franspower<u>The consent holder</u> shall engage a suitably qualified person to prepare a landscape mitigation plan detailing the visual mitigation measures set out in Condition 9 prior to construction commencing. The purpose of this plan shall be to achieve the mitigation objective in Condition TL9. The landscape mitigation plan shall include the following information (as a minimum):</p> <ul style="list-style-type: none"> • The location and pattern of all screen and/or amenity planting proposed • Plant species, planting densities, bag size and/or minimum heights at time of planting, and approximate minimum heights to be achieved after 10 years and at maturity; • Pest animal and plant management programme during the construction and monitoring -period (as set out in Condition TL12A); • Timing for implementation of all landscape mitigation measures including planting. 	<p>Wording to clarify the objective of this condition added following review of evidence by Ms Thomson for KCDC and officer conferencing.</p> <p>Change recommended in evidence from Ms Thomson to add <i>“after 10 years and at maturity”</i></p> <p>Change recommended in evidence from Ms Thomson to provide for certification of the plan . No change made.</p>

TL11.	<p>Transpower <u>The consent holder</u> shall submit the landscape mitigation plans <u>for Towers 2A, 3A, 24A, 31A and 32A</u> to the Consents Manager, <u>[Kapiti District Council/Porirua City Council]</u> Porirua City Council, for certification at least 20 working days prior to the commencement of works. As a guide, the Council will review and respond within 10 working days following receipt of the plan either certifying that the plan achieves the objective in Condition 9 or detailing whether any additional information is necessary.</p>	<p>The 10 working days response timeframe was discussed during officer conferencing #1. KCDC expressed concern over timeframes for responding to the landscape mitigation plans. Following officer conferencing, Transpower has considered this condition further and does not consider any changes are necessary because:</p> <ul style="list-style-type: none"> • The 10 working days is a guide; • The information to be submitted to Council only relates to 3 towers. <p>Wording discussed at Officer Conference #2. Agreed that the condition should specify the towers where landscape planting is required.</p> <p>Reference to Towers 2A and 3A and Kapiti Coast District Council added to condition as a result of change to Condition TL9.</p>
TL12.	<p>Transpower <u>The consent holder</u> shall implement the landscape mitigation plans required by Condition 10 within the first planting season following completion of the works, depending on the following circumstances:</p> <p>(a) In areas subject to line relocation construction works, following completion of all construction activities; or</p> <p>(b) In areas not subject to construction works, following certification by <u>[Kapiti District Council/Porirua City Council]</u>; or</p> <p>(c) In areas subject to construction works for the Transmission Gully Project, following completion of relevant works, or</p> <p>(d) The landowner consent to carry out the landscape mitigation.</p>	<p>Reference to Kapiti Coast District Council retained (had previously been removed) as planting proposed adjacent to Towers 2A and 3A. .</p> <p>Discussed the timing of mitigation planting for the towers at Officer Conference #2.</p> <p>Note: Tower 24A and 31A are in areas subject to construction works for the Transmission Gully Project. Tower 32A is located on private property and outside the designation.</p>
TL12A.	<p><u>The landscape mitigation planting required in respect of Condition TL9 shall be monitored for a period of X3 years following planting. This shall include, but not be limited to, weed control, replacement planting, and management of all invasive plant pests within the landscaped areas.</u></p>	<p>Officer Conference #2 discussed and agreed that a maintenance period for planting should be added. The maintenance period should be decided by Mr Lister and Ms Peake.</p> <p>Draft wording suggested for Council officer comment following Officer Conference #2.</p> <p>Change recommended in evidence from Ms Thomson to add "10 years", "pest animal control" and "all areas where earthworks have occurred". Partially accepted.</p> <p>The maintenance period for planting addressed by Mr Lister.</p>

	Ecological	
TL13.	Transpower <u>The consent holder</u> shall engage a suitably qualified person to confirm the extent of Natural Areas K224, K228, P172, and P199 prior to the commencement of works and shall develop mechanisms for the protection of these areas during earthworks, vegetation removal and trimming activities. The protection mechanisms for these areas shall be set out in the Construction Environmental Management Plan.	
	Historic Heritage	
TL14.	An accidental discovery protocol shall be developed between Ngati Toa and Transpower <u>The consent holder</u> to clearly outline the process to be followed in the event of a site or any material of cultural significance being encountered during construction. As a minimum, the protocol shall address the matters set out in Condition TL15.	
TL15A.	<p>If any urupā, traditional sites, taonga (significant artefacts) or kōiwi (human remains) are exposed during site works, then the following procedures shall apply:</p> <p>(a) Immediately it becomes apparent that a possible archaeological or traditional site has been exposed, all site works in the immediate vicinity of the site shall cease;</p> <p>(b) The site supervisor shall immediately secure the area in a way that ensures that any remains or artefacts are untouched;</p> <p>(c) The site supervisor shall notify representatives of Ngati Toa Rangatira in accordance with the protocol developed under condition TL14 and the New Zealand Historic Places Trust, <i>[Kapiti District Council/Porirua City Council]</i> and, in the case of human remains, the New Zealand Police.</p> <p>The notification in (c) above shall allow such persons being given a reasonable time to record and resolve archaeological features discovered before work may recommence.</p>	
TL15B	<p>If any features or artefacts associated with WW2 are exposed during site work, then the following procedures shall apply:</p> <p>(a) Immediately it becomes apparent that a possible feature or artefact has been exposed, all site works in the immediate vicinity of the site shall cease;</p> <p>(b) The site supervisor shall immediately secure the area in a way that ensures that any remains or artefacts are untouched;</p> <p>(c) The site supervisor shall notify the New Zealand Historic Places Trust, <i>[Kapiti District Council/Porirua City Council]</i> and the Project Archaeologist. The Project Archaeologist in turn shall contact a specialist military historian.</p> <p>The notification in (c) above shall allow such persons being given a reasonable time to record and resolve heritage features discovered before work may recommence.</p>	

	Construction Environmental Management Plan	
TL16.	<p>Transpower <u>The consent holder</u> shall update and finalise the draft <u>prepare a</u> Construction Environmental Management Plan (CEMP). The CEMP shall be provided to the Consents Manager, [Kapiti District Council/Porirua City Council], for review at least 20 working days prior to the commencement of works to certify compliance and consistency with the conditions. Approval shall not be unreasonably withheld. Construction shall not commence until certification is obtained.</p>	<ol style="list-style-type: none"> Proposed wording stated "Transpower shall update and finalise". Change suggested by Transpower during officer conferencing #1. Reason: The CEMP has yet to be prepared and this should be reflected in the wording of the condition. The wording "Approval shall not be unreasonably withheld" was discussed during officer conferencing #1. KCDC officers considered this term to be ambiguous. Transpower agreed to review recent resource consents for their project to confirm if similar wording was agreed. Transpower has reviewed both the recent 400kV North Island Grid Upgrade Project and Wairakei to Whakamaru 220KV Line resource consent conditions and confirm that both these use the term "unreasonably". Transpower and Council representatives at officer conferencing were in agreement that early engagement between Transpower and Council during the preparation of the CEMP would reduce the likelihood that significant issues are unresolved prior to submission of the CEMP. Based on the above, Transpower does not consider any changes are necessary to this wording. <p>Point 2 above was discussed at Officer Conference #2. Agreement to retain the current wording.</p>
TL17.	<p>The finalised CEMP shall include specific details on the construction and management of all works authorised by this resource consent. The certification process of the CEMP shall confirm that the CEMP includes details of the following:</p> <ol style="list-style-type: none"> Details of the site supervisor and the community contact person, including their contact details (phone, facsimile, postal address, email address); An outline construction programme of the work (including staging if appropriate) indicating key activities and their duration; The hours of work; Location of site offices, areas for equipment storage and conveniences (eg. portaloos); Measures to manage construction noise and vibration (as set out in condition TL22 and TL24); Methods to stabilise ingress and egress points to construction sites; Procedures for managing construction traffic and access on public roads; Means of ensuring the safety of the general public; Methods for vegetation clearance, trimming and disposal; Procedures to be followed to ensure that those working in the vicinity of Natural Areas are aware of the values of these features and the steps which need to be taken to protect these areas during construction; The erosion and sediment control measures to be adopted during earthworks; Methods to manage the storage, reuse and disposal of excavated material during earthworks; Procedures to manage potentially contaminated material encountered during land disturbance activities; Procedures for controlling dust. Dust mitigation measures could include use of 	<p>Purpose of the CEMP added following review of the Section 42A report.</p>

	<p>water sprays to control dust nuisance on dry or windy days;</p> <p>(o) Measures to be adopted to maintain the land affected by the works in a tidy condition in terms of disposal/ storage of rubbish, storage, unloading and removal of materials and similar construction activities;</p> <p>(p) Procedures to receive and respond to complaints about construction activities, including noise and dust from the works;</p> <p>(q) Other specific conditions, cultural protocols and archaeological requirements;</p> <p><u>The purpose of the CEMP is to describe the environmental management procedures to be implemented during construction to manage compliance with consent conditions and minimise adverse effects.</u></p> <p>Nothing in this condition allows the Council, or any other party, to require more onerous controls than contained in these consent conditions.</p>	
TL18.	The CEMP shall be implemented and maintained throughout the entire construction period.	
TL19.	A copy of the CEMP shall be held at the construction site office at all times and be available for inspection on request by the <i>[Kapiti District Council/Porirua City Council]</i> .	
TL20.	The CEMP shall be reviewed by Transpower <u>the consent holder after 6 months of the commencement of the works and every 6 month thereafter at least annually</u> or as a result of a material change to the Project. Any material change proposed to the CEMP shall be submitted for approval to the Consents Manager, <i>[Kapiti District Council/Porirua City Council]</i> , at least 10 working days prior to the proposed changes taking effect.	<p>At officer conferencing #1, council officers queried the short timeframes provided in this condition. Transpower representative were of the view that these timeframes are appropriate. Following officer conferencing, Transpower has considered this condition further and does not consider any changes are necessary because:</p> <ul style="list-style-type: none"> • The condition relates to the existing CEMP that Council has already certified under TL16; and • <u>Significant changes to the project details may trigger additional/alteration to, resource consents.</u> That process would provide for the consideration of effects arising out of a significant change. <p>Officer Conference #2 discussed the timing for review of the CEMP. PCC officers noted that the review should be consistent with Condition TL2. Condition amended to include 6 month review.</p>
TL21.	A community contact person shall be nominated by Transpower <u>The consent holder</u> for the duration of construction to be the main and readily accessible point of contact for persons affected by the Project. The contact person's name and contact details shall be made available in the CEMP and provided to affected persons by Transpower. This person must be reasonably available for on-going consultation on all matters of concern to affected parties arising from the Project.	
	Noise and Vibration	
TL22.	All construction work shall be designed, managed and conducted to ensure that construction noise does not exceed the limits in NZS6803:1999 Acoustics–Construction Noise at locations set out in section 6.2 of that standard.	
TL23.	The noise limits required by condition TL22 shall not apply to emergency work required to re-establish continuity of supply, urgently required to prevent loss of life or other personal injury or commissioning works, but all practicable steps shall be undertaken to control noise and to avoid adverse noise effects particularly at times when the stricter noise limits apply (eg at night time).	

TL24.	Vibration from all construction activities must comply with the peak particle velocity limits in table 1 of German Standard DIN 4150-3 (1999-02) Structural Vibration – Effects of Vibration on Structures.	
	Clearance of Trees and Vegetation	
TL25.	Transpower <u>The consent holder</u> shall minimise the amount of native vegetation and riparian vegetation which is to be removed during the preparation of towers sites. All vegetation clearance shall be undertaken in accordance with the measures set out in the CEMP.	Change recommended in evidence from Ms Thomson to add “to a maximum removed shall be xxm per tower and xm from access track edges”. No changes made.
TL26.	Any removed/trimmed vegetation shall be kept clear of watercourses.	
	Erosion and Sediment Control	
TL27.	Erosion and sediment control must be applied and maintained at the site of earthworks, during and after the earthworks, to avoid the adverse effects of sediment on water bodies. <i>Note: Additional erosion and sediment control measures may apply to areas which are subject to separate resource consent in accordance with regulation 34 of the NESETA and/or the relevant rules of the Wellington Regional Soil Plan, October 2001.</i>	
TL28.	Erosion and sediment control measures shall be constructed and maintained in general accordance with the Wellington Regional Council document titled ‘Erosion and Sediment Control Guidelines for the Wellington Region’ dated September 2002	
TL29.	All areas of soil exposed by earthworks shall be stabilised against erosion as soon as practicable after the earthworks end <u>and progressively</u> to avoid the adverse effects of sediment on water bodies. <u>Areas of earthworks not actively worked for a period of one month shall be stabilised.</u> Stabilised means inherently resistant to erosion or rendered resistant, such as by using indurated rock or by the application of basecourse, grassing, mulch, or another method to the reasonable satisfaction of the <u>Consent</u> Manager. Where seeding or grassing is used on a surface that is not otherwise resistant to erosion, the surface is considered stabilised once, on reasonable visual inspection by the Manager 80% vegetative ground cover has been established.	The use of the term “as soon as practicable” was discussed during officer conference #1. KCDC expressed concern that this term did not provide clear timeframes for stabilisation of soil exposed by earthworks. Following the officer conference, a number of existing consents were reviewed to identify whether this term is in common usage. This was found to be the case. Wording of condition discussed at Officer Conference #2. Changes to wording agreed. Draft wording to be discussed with GWRC at upcoming meeting to check that it aligns (and is not more onerous) with standard wording for regional earthworks consents.
	Restoration of the Land	
TL30.	Following completion of the works, all components and material associated with the construction activities and removal of parts of the existing transmission line shall be removed from the land. Any ground that is disturbed from construction or removal activities must be restored in a way that minimises the risk of soil erosion, sediment run-off, and weed invasion.	
	Electric and Magnetic Fields (EMF)	

TL31.	The works shall be designed and constructed to limit the electric and magnetic field exposure in accordance with regulation 10(2)(a) of the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (NESETA). In particular public reference levels of 5 kV/m for electric field strength and 100 µT for magnetic flux density at one metre above the ground under normal operating conditions (ie when there are no faults in the transmission system).	
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