

Before a Board of Inquiry
Transmission Gully
Notices of Requirement and Consents

under: the Resource Management Act 1991

in the matter of: Notices of requirement for designations and resource consent applications by the NZ Transport Agency, Porirua City Council and Transpower New Zealand Limited 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

Supplementary statement of evidence of Andrea Judith Rickard (Planning)
for the NZ Transport Agency and Porirua City Council

Dated: 13 February 2012

REFERENCE: John Hassan (john.hassan@chapmantripp.com)
Nicky McIndoe (nicky.mcindoe@chapmantripp.com)

SUPPLEMENTARY STATEMENT OF EVIDENCE OF ANDREA JUDITH RICKARD FOR THE NZ TRANSPORT AGENCY AND PORIRUA CITY COUNCIL

INTRODUCTION

- 1 My full name is Andrea Judith Rickard.
- 2 I have the qualifications and experience set out at paragraphs 1-5 of my first statement of evidence in chief, dated 16 November 2011 (*EIC*).
- 3 I repeat the confirmation given in my EIC that I have read, and agree to comply with, the Code of Conduct for Expert Witnesses (Consolidated Practice Note 2011).
- 4 The purpose of this statement is to provide an update on the **tabulated "track changes" set of consent** and designation conditions. Since lodgement of my rebuttal evidence, conditions have become the focus of most of the further discussions I have had about the Project. The track changes conditions have been undergoing a number of modifications since then. I consider it may be useful to provide an explanation of how I have approached this process.

"READING INSTRUCTIONS"

- 5 As with the conditions attached to my rebuttal evidence (20 January 2012), I have captured the reasons for changes that have been made to the draft conditions in a third (right hand) column.
- 6 I have used a colour coding system to denote changes to conditions that have been suggested since my rebuttal evidence:
- 6.1 Changes dated 20 January – as appended to my rebuttal evidence shown in black ~~striketrough~~ and underline.¹
- 6.2 **The "green changes" denotes changes dated 2 February 2012** – circulated to planning, sediment and ecology experts as conferencing preparation shown in green ~~striketrough~~ and underline.
- 6.3 **The "purple changes" denotes changes dated 13 February 2012** shown in purple ~~striketrough~~ and underline which respond to matters raised through additional ecology and sediment conferencing, supplementary evidence from submitters and Part 2 of the Planning S42A report.¹
- 7 I have done my best to capture as many points as I can in the time available. As recorded in conferencing statements, Ms Grant and I

¹ Note that the PCC regional consent conditions have not yet been produced in "track changes" so the attached version is the first iteration – and is black and white.

intend to spend time part way through the hearing reviewing the track changes together and **refining the changes to produce a "clean version" of the conditions for clarity.**

CONDITIONS AS PART OF PLANNING EVIDENCE

- 8 At this stage, the conditions have been attached to my planning evidence, and as such effectively form part of my evidence as an independent planning witness. In some instances conditions may have been recommended by others in evidence, or in conferencing statements that I do not agree with. For this reason they may not appear in the attached version of conditions.
- 9 There has been a significant amount of discussion in the further conferencing sessions I attended on 3 February and 8 February **about "location" of the ecological conditions** – in particular whether these should be duplicated on the NZTA designation conditions. I can see some relevance of the ecology conditions to the designations – and in particular I support the conditions regarding protection of mitigation land in perpetuity being on the designation.
- 10 However I am concerned to ensure that there is no confusion over the roles between the District/City and Regional Councils when it comes to certification of any documentation submitted. This is one reason that I consider the EMMP should remain only on the regional consents. I have addressed this concern in part by providing for the EMMP to be submitted to the TAs for information, and for cross-references between the designation and consent conditions so that it is clear to a future contractor that they need to be prepared in an integrated and co-ordinated manner.
- 11 Ms Kettles notes in her rebuttal on my rebuttal evidence that she does not support some of my interpretation of conditions from the marine conferencing session. I have made some but not all of the changes that she requested.
- 12 Mr Handyside has also commented on conditions. He makes reference to a number of different versions of conditions and to informal email traffic which formed the basis for preparation and discussions prior to conferencing on 8 February. To make it clear, there has been only one additional version of erosion and sediment control conditions sent out – the **"green version" sent out on 2 February** in preparation for the 8 February conference.
- 13 The use of Peer Review Panels (*PRPs*) has been the topic of much discussion. A PRP condition for sediment management has been suggested as useful to address the matters raised in the evidence of Mr Handyside and the report of Mr McLean in recognition of the significance of the agreed significance of the Pauatahanui Inlet and the potential effects of sediment discharge. I do not consider a PRP

to be necessary to provide an independent review of all documentation that is submitted to the Regional Council for certification, including ecological material – despite the recommendations in the 31 January joint conferencing statement of Drs Keesing and Ogilvie. The Regional Council is an independent body anyway, and it commonly engages external consultants to review documentation. I have discussed this with Ms Grant, and understand that she agrees with this general approach. I consider a “middle ground” to be a requirement to demonstrate that an independent review has been undertaken.

- 14 In Clauses 20 and 21, the group agreed that the conditions would benefit from collating and clarifying conditions relating to adaptive management and monitoring. I agree that whilst these concepts are well covered in evidence and conditions, that there may be a lack of clarity arising from the multiple track changes and additions/deletions that have been made over the past months since lodgement of the applications. There are other matters where it was agreed that I would work with Ms Grant on drafting. I consider my upcoming working session with Ms Grant would be a good forum to undertake this review and refinement.
- 15 The Section 42A report author identifies in his Part 2 report that Mr Martell recommends specific conditions about design of bridges and diversions (page 12) and that these appear not to have been addressed in conditions (page 54). I am aware this is the case and this is deliberate. I am aware that the NZTA has a bridge design manual and that this sets the standards for structures designs for state highways. I do not consider it is appropriate to prescriptively set bridge design parameters in conditions and consider this is well covered by “Condition 1” on both consents and designations.
- 16 There are a number of locations in the Section 42A report Part 2 where the author suggests that a plan should be provided to set out the areas for where the site specific plans would apply (for example, page 50 for roading and traffic, and page 53 for SSEMPs). I do not agree that this is necessary in order to manage actual and potential effects given the nature of the other conditions proposed, and consider it appropriate for a contractor to determine appropriate stages within the parameters set by these conditions.

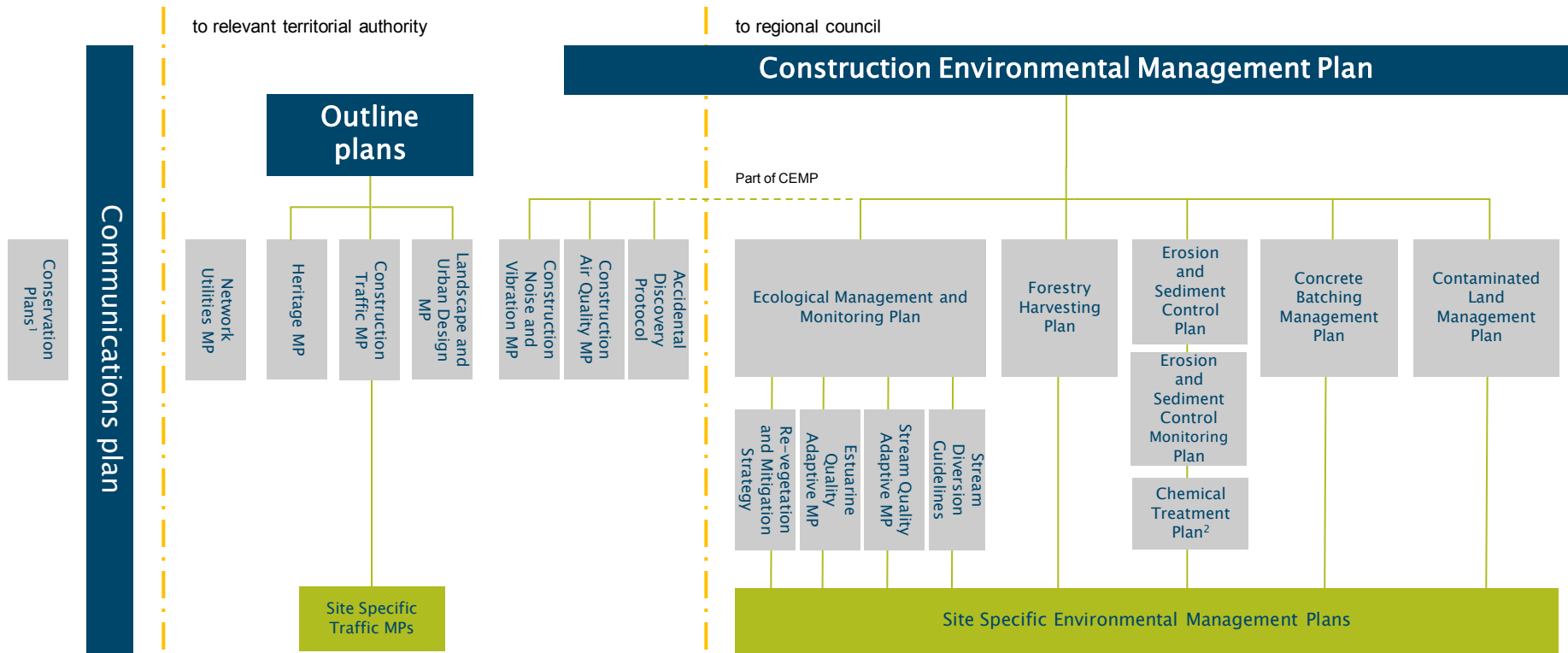


Andrea Judith Rickard
13 February 2012

APPENDIX A
Revised "wiring diagram"

Appendix A

Andrea Judith Rickard supplementary evidence
13 February 2012



NOTES

1. To be prepared for the Brick Fuel Tank and for St. Joseph's Church
2. Including Spill Contingency Plan and Performance Monitoring Plan

Schedule of changes made

13 Feb: Addition of ESC Monitoring Plan – made to reflect changes to conditions to elevate prominence of the monitoring plan that is currently appended to the lodged CEMP

APPENDIX B

- B1 Track changes NZTA designation conditions**
- B2 Track changes PCC designation conditions**
- B3 Track changes NZTA consent conditions**
- B4 Track changes PCC consent conditions**
- B5 Agreed conditions between NZTA and Transpower**

Appendix B1

Schedule of proposed designation conditions NZ Transport Agency

TRACK CHANGES 13 February 2012

Colour Code for track changes:

Changes dated 20 January – as appended to A Rickard rebuttal evidence

shown in black ~~strikethrough~~ and underline

Changes dated 13 February 2012

shown in purple ~~strikethrough~~ and underline which respond to matters raised through additional ecology and sediment conferencing, supplementary evidence from submitters and Part 2 of the Planning S42A report

Deletions shown in ~~strikethrough~~

Additions shown in underline

Reference	Wording of proposed condition including changes suggested	Changes suggested and reasons
	General conditions and administration	
NZTA.1.	<p>Except as modified by the conditions below, and subject to final design, the Project shall be undertaken in general accordance with the information provided by the Requiring Authority in the Notice of Requirement dated <u>17 August 2011</u> [insert date] and supporting documents being:</p> <ul style="list-style-type: none"> a. <u>Assessment of Environmental Effects report, dated 8 August 2011</u> b. <u>Plan sets:</u> <ul style="list-style-type: none"> a. <u>LR00-20: Land requirement plans</u> b. <u>GM01-21: Road layout plans</u> c. <u>GM22-84: Longitudinal sections and cross sections</u> d. <u>DR01-21: Drainage layout plans</u> e. <u>SO1-29: Structures plans</u> f. <u>LA01-21: Landscape plans</u> g. <u>AC01-21: Construction access plans</u> <p>For the avoidance of doubt, none of these conditions prevent or apply to works required for the ongoing operation or maintenance of the Project following construction such as changes to street furniture or signage over time. Depending upon the nature of such works, OPs or OP waivers may be required for any such works.</p> <p><u>Where there is conflict between the documents listed above and these conditions, these conditions shall prevail.</u></p>	<p>The list of documents to be referred to in Condition 1 is now provided – as requested in planner conferencing.</p> <p>I have clarified that where there is conflict between documents as lodged and the conditions, that the conditions shall prevail. This was also discussed in planner conferencing.</p> <p>I note that Ms Thomson (para 9.16) suggests adding the management plans to this condition. However, because they are submitted as drafts that need to be reviewed and updated and then submitted for certification, I consider it appropriate to amend Condition NZTA.7. I consider this meets the intent of what Ms Thomson seeks to achieve as explained in her para 9.17. Her request that the works be carried out in accordance with the certified management plans (para 9.16) is also accommodated in NZTA.7.</p>
NZTA.2.	<p>As soon as practicable following completion of construction of the Project, the Requiring Authority shall:</p> <ul style="list-style-type: none"> a. Review the width of the area designated for the Project; b. Identify any areas of designated land that are no longer necessary for the ongoing operation, or maintenance of the Project or for ongoing mitigation measures; and c. Give notice to the Council in accordance with Section 182 of the RMA for the removal of those parts of the designation identified in NZTA.2(b) above. 	

Schedule of proposed designation conditions NZ Transport Agency

TRACK CHANGES 13 February 2012

Reference	Wording of proposed condition including changes suggested	Changes suggested and reasons
NZTA.3.	The designation shall lapse if not given effect to within 15 years from the date on which it is included in the District Plan under Section 175 of the RMA.	
	Outline plans	
NZTA.4.	Subject to Condition NZTA.5 below, the Requiring Authority shall submit an Outline Plan (OP) to the Council for the part of the Project located within the District or for each Project stage within the District, in accordance with Section 176A of the RMA.	
NZTA.5.	An OP need not be submitted if the Council has waived the requirement for an OP for the Project or for the relevant Project stage located within the District in accordance with Section 176A(2)(c) of the RMA.	
NZTA.6.	The OP(s) shall include the following Management Plans for the relevant stage(s) of the Project: a. Archaeological Management Plan (ArchMP) <u>Heritage Management Plan (HMP)</u> ; b. Construction Environmental Management Plan (CEMP) ; c. Construction Traffic Management Plan (CTMP); and d. <u>Landscape and Urban Design Management Plan (LUDMP)</u> .	I have altered the title of ArchMP to Heritage Management Plan – to reflect that the definition of “historic heritage” in the RMA includes both archaeology and built heritage (along with other items) – given that the plan will address both topics. I have altered the title of the LMP to recognise urban design content. I have removed the CEMP from the OP process, and this is discussed in my evidence in chief. Ms Thomson (para 9.19) seeks a change to this condition to add two explanatory notes regarding consultation and certification of management plans before Outline Plans. I disagree with her suggestion as set out in my rebuttal evidence, and reiterate my view that the Outline Plan process is the correct planning process under which to consider traffic and landscape matters.
	Management plans	
NZTA.7.	All works shall be carried out in general accordance with any of the management plans required by these conditions. <u>The Draft Management Plans lodged with the application (and listed below in this condition) shall be updated and finalised by the Requiring Authority and submitted to the Manager for certification at least 20 working days prior to the commencement of construction of the relevant stage or stages:</u> a. <u>Draft Construction Environmental Management Plan</u> b. <u>Draft Construction Noise and Vibration Management Plan</u> c. <u>Draft Construction Air Quality Management Plan</u>	This change has been made as per agreement in officer conferencing (15 th Dec para 20). Ms Thomson suggests listing condition cross reference (para 9.22) in this condition. Instead I have chosen to clearly list the plans that are not part of the OP process in this condition. This addresses Ms Thomson’s suggestion in part – though I acknowledge our difference of opinion about the appropriateness of the OP process in relation to traffic and landscape matters (refer above to the discussion under Condition NZTA 6). Regardless of this, Ms Thomson’s concern that the applicant be “made” to comply with the management plans does not, in my opinion, require the conditions to be strengthened. This issue is addressed through the enforcement procedures already set out in the Act.
NZTA.8.	The consent holder <u>Requiring Authority</u> may request amendments to any of the management plans required by these conditions by submitting the amendments in writing to the Manager for approval <u>certification at least 20 working days</u> prior to any changes taking effect. <u>Any changes to management plans shall remain consistent with the overall intent of the relevant management plan.</u>	I have added a timeframe of 20 working days for the Manager to respond as agreed during planner conferencing and in meetings with the Council officers.
<u>NZTA.8.A</u>	<u>The following management plans shall be made available for public viewing at at least one of the Project site offices:</u> a. <u>Construction Environmental Management Plan (CEMP)</u> ; b. <u>Construction Noise and Vibration Management Plan (CNVMP)</u> ; c. <u>Construction Air Quality Management Plan (CAQMP)</u> ;	This condition has been added in response to submissions from Rangatira Rd residents. I note that hard copies of management plans would not generally be expected to be provided as they are intended to be “living” documents that may change over time.

Schedule of proposed designation conditions NZ Transport Agency

TRACK CHANGES 13 February 2012

Reference	Wording of proposed condition including changes suggested	Changes suggested and reasons
	d. <u>Heritage Management Plan (HMP);</u> e. <u>Construction Traffic Management Plan (CTMP); and</u> f. <u>Landscape and Urban Design Management Plan (LUDMP).</u> <u>Where practicable, electronic copies of the management plans shall be made available upon request.</u>	
	Archaeology and heritage	
NZTA.9.	<p>The Requiring Authority shall, prior to the commencement of construction of the part of the Project located within the District, or prior to the commencement of construction of any Project stage within the District, prepare an Archaeological Management Plan (ArchMP) <u>a HMP</u> in consultation with Te Runanga o Toa Rangitira Inc and the New Zealand Historic Places Trust. The ArchMP <u>HMP</u> shall include:</p> <p>a. Methods to avoid noise, vibration and dust effects on St Joseph's Church building; b. Methods to avoid adverse vibration and other construction effects on the brick fuel containment structure at approximate chainage 2500 <u>c. A map showing the scope of the area covered by the HMP;</u> <u>d. The location of the brick fuel containment structure, clearly marked on the map (Note: applies to KCDC designation only);</u> <u>dd. The location of St Joseph's Church and other associated features within the Church site grounds, clearly marked on the map (Note: applies to PCC designation only);</u> <u>e. All other known archaeological sites and features located within 500 metres of the designation boundary marked on the map;</u> <u>f. Methodology for accurately locating the brick fuel containment structure in relation to the extent of the proposed construction works, physically pegging out and/or fencing an exclusion zone around it and managing effects on it during construction (Note: applies to KCDC designation only);</u> <u>g. All methods that will be used to manage effects of the project on St Joseph's Church during construction including specific measures to be applied in the event of damage or likelihood of damage to the glacier windows (Note: applies to PCC designation only);</u> <u>h. The results of an up to date condition survey of St Joseph's Church undertaken not more than one month prior to commencement of construction, and a post construction condition survey not more than one month after completion of construction, so that the effects of construction can be accurately monitored;</u> <u>i. Any heritage monitoring requirements;</u> <u>j. Methods for reporting monitoring results to the relevant Council, New Zealand Historic Places Trust and Ngati Toa;</u> <u>k. Procedures, stand down periods and dispute resolution processes to be applied in the event of an archaeological discovery; and</u> <u>l. Methods for transferring any relevant information to Council and the New Zealand Historic Places Trust upon completion of works.</u></p> <p>and shall be consistent with any conditions imposed on any relevant New Zealand Historic Places Trust authority. Note: Condition NZTA.9(a) applies to the Porirua District Plan designation only. Note: Condition NZTA.9(b) applies to the Kapiti Coast District Plan designation only. Explanatory note: An authority under Section 12 of the Historic Places Act will be sought prior to the commencement of construction and is also likely to require the preparation of an ArchMP <u>HMP</u>.</p>	<p>I have altered the name of the ArchMP to Heritage Management Plan – to reflect that the definition of “historic heritage” in the RMA includes both archaeology and built heritage (along with other items) – and given that the plan will address both topics.</p> <p>I have also added the text of a condition that has been discussed separately with the Trust – noting that I have merged it with existing Condition NZTA.9.</p> <p>This addresses the separate agreement made with the Historic Places Trust as discussed in the evidence of Ms Walters. I note that Ms Thomson suggests further changes to the condition (para 9.26) that I do not support, and I have discussed the reasons for this in my rebuttal evidence.</p> <p>The condition differs slightly to the conditions agreed with HPT because:</p> <ul style="list-style-type: none"> • Mr Bowman also recommends that there be a post-construction condition survey of St Joseph's Church in his evidence in chief, and I have added this requirement to point (g); and • Merging the old and new conditions required wordsmithing.
NZTA.9.A	<u>The existing Conservation Plan for St Joseph's Church shall be updated at least one month prior to construction.</u> <u>(Note: applies to PCC designation only)</u>	I have included the requirement for an updated Conservation Plan for St Josephs Church as discussed in Mr Bowman's evidence and as supported by the Historic Places Trust in the evidence of Ms Walters.
NZTA.9.B	<u>A Conservation Plan for the brick fuel containment structure shall be prepared at least one month prior to the commencement of</u>	I have included the requirement for a Conservation Plan for the brick fuel tank as

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Reference	Wording of proposed condition including changes suggested	Changes suggested and reasons
	<p>construction between chainage 2000 and 3000 which shall include: an assessment of how public access to the structure could be achieved whilst maintaining public safety and managing the potential for adverse effects on the structure (e.g. vandalism); and the inclusion of amenity planting, tidying up after completion of construction, <u>removal of vegetation growing out of the structure where a suitably qualified heritage professional and a structural engineer consider it may have the potential to damage the structure, and weed removal around the structure.</u> <u>(Note: applies to KCDC designation only)</u></p>	<p>discussed in Mr Bowman's evidence and as supported by the Historic Places Trust in the evidence of Ms Walters. Mr Lister also recommends planting around the structure in his EIC, along with making good any edges and gaps around the structure left by construction (para 153.3). <u>Ms Thomson recommends a change in her supplementary evidence and includes photographs in support of the suggestion.</u></p>
NZTA.10.	<p>The Requiring Authority, in consultation with, Te Runanga o Toa Rangatira Inc and the New Zealand Historic Places Trust, shall prepare an accidental discovery protocol to be implemented in the event of accidental discovery of cultural or archaeological artefacts or features during the construction of the Project. This protocol shall be submitted to the Manager at least 20 working days prior to any construction or enabling Work commencing under this consent <u>designation</u> on any part of the Project within the District. The protocol shall include, but not be limited to:</p> <ol style="list-style-type: none"> Training procedures for all contractors regarding the possible presence of cultural or archaeological sites or material, what these sites or material may look like, and the relevant provisions of the Historic Places Act 1993 if any sites or material are discovered; Parties to be notified in the event of an accidental discovery shall include, but need not be limited to Te Runanga o Toa Rangatira Inc, the New Zealand Historic Places Trust, the GWRC, the relevant District or City Council and the New Zealand Police (if koiwi are discovered); Procedures to be undertaken in the event of an accidental discovery (these shall include immediate ceasing of all physical works in the vicinity of the discovery); and Procedures to be undertaken before Work under this consent <u>designation</u> may recommence in the vicinity of the discovery. These shall include allowance for appropriate tikanga (protocols), recording of sites and material, recovery of any artefacts, and consulting with Te Runanga o Toa Rangatira Inc and the New Zealand Historic Places Trust prior to recommencing works in the vicinity of the discovery. 	
	<p>Construction Environmental Management Plan</p>	
NZTA.11.	<p>An OP for the part of the Project located within the District or for any Project stage located within the District shall include a Construction Environmental Management Plan or Plans (CEMP) for the relevant part of the Project. Among other things, a Not less than 20 working days prior to commencement of any stage or stages of construction or enabling works for the Project, the Requiring Authority shall submit a Construction Environmental Management Plan (CEMP) to the Manager for certification.</p> <p><u>Advice note</u> The CEMP shall confirm that the proposed construction methodology for the relevant part of the Project complies with General Condition 1 of this designation. <u>It will also and to demonstrate how other conditions of this designation have been or will be complied with during the construction of the relevant part of the Project.</u></p>	<p>Changes have been made to reflect a recommendation from my EIC that the CEMP is not submitted as part of the OP or OPs. This was confirmed in officer conferencing (officer conferencing statement para 21.1(a)). The Advice Note clarifies the purpose of the management plan as discussed in planner conferencing.</p>
NZTA.12.	<p>The purpose of the The CEMP is intended to confirm final project details, staging of Work, and detailed engineering design to seek to ensure that the Project remains within the limits and standards approved under this consent and that the construction and operation activities avoid, remedy or mitigate adverse effects on the environment in accordance with the conditions of this consent. The draft CEMP submitted with the application (dated July 2011) shall be updated and finalised, and shall provide details of the responsibilities, reporting frameworks, coordination and management required for project quality assurance; final detailed design; construction methodologies; timeframes and monitoring processes and procedures. Works shall not commence on a Stage until the consent holder Requiring Authority has received the Manager's written approval certification for the CEMP(s) for that Stage.</p>	<p>Changes to reflect officer conferencing (officer conferencing statement para 21.1(b)). I have split out the text of the CNVMP and CAQMP conditions into separate conditions 12A and 12B respectively. I am of the opinion that this clarifies the "form" better, and makes the condition easier to read – as raised in officer conferencing I have deleted the CLMP condition as the new National Environmental Standard will</p>

Schedule of proposed designation conditions NZ Transport Agency

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Reference	Wording of proposed condition including changes suggested	Changes suggested and reasons
	<p>A CEMP shall include but need not be limited to:</p> <p><i>(1) Quality Assurance</i></p> <p>A Quality Assurance section which shall include management frameworks, systems and procedures for quality management of all on-site activities and compliance with the conditions of this designation. Among other matters this section shall provide details of the following:</p> <ol style="list-style-type: none"> a. Name, qualifications, relevant experience and contact details of an appropriately qualified and experienced project manager, who shall be responsible for overseeing compliance with the CEMP; b. Names, qualifications, relevant experience, and methods for contacting principal staff employed on the relevant part of the Project, along with details of their roles and responsibilities; c. Methods and systems to inform and train all persons working on site of potential environmental issues and how to comply with conditions of the consent; d. Systems and processes whereby the public are informed of contact details of the project manager and principal staff identified above; e. Liaison procedures with the Council; and f. Communication protocols. <p><i>(2) Site Management</i></p> <p>The Site Management section of the CEMP shall detail procedures to manage the relevant part of the Project throughout the entire construction process in a safe manner. This section shall provide details of the following (and may include other matters):</p> <ol style="list-style-type: none"> a. Details of the site access for all Work associated with construction of the part of the Project; b. Measures to be adopted to maintain the site in a tidy condition in terms of disposal/storage of rubbish, storage and unloading of building materials and similar construction activities; c. Location of workers' conveniences (e.g. portaloos); d. Procedures for controlling sediment run-off into the watercourses/streams, dust and the removal of soil, debris and construction materials from the watercourses/streams and riparian margins, and onto public roads or places (including identifying the location of wheel wash facilities); e. A contingency plan in the event that there is any unconsented discharge to watercourses/streams; f. Details of the storage of fuels and lubricants (which shall require that storage be bunded or contained in such a manner so as to prevent the discharge of contaminants from spillages); g. Details of the proposed maintenance of machinery and plant to minimise the potential for leakage of fuels and lubricants; h. Location of vehicle and construction machinery access and storage during the period of site works; i. Procedures for thoroughly cleaning all machinery of unwanted vegetation (e.g. weeds), seeds or contaminants prior to entering the site <u>and any other methods to avoid the introduction of unwanted pests to site;</u> j. Methods for the clear identification and marking of the construction zones including those which extend into watercourses; k. A methodology that prescribes the extent to which machinery can operate in the vicinity of watercourses so as to minimise disruption and damage to the watercourses and associated vegetation; l. Methods to manage public health and safety during the construction works, and notification to the public of temporary access restrictions to the immediate works area during the staged construction; m. Confirmation that no equipment or machinery will be cleaned, or refuelled in any part of any watercourses/streams, except as otherwise specifically provided for in the CEMP or an SSEMP; n. Procedures for removing all contaminants (e.g. fuel, hydraulic oils, lubricants etc) from the site at the end of the construction period, except for those required for ongoing maintenance of the road and operational activities; and o. Procedures for making any repairs to the adjacent road network required where any damage occurs as a direct result of the 	<p>require that a consent be obtained and have moved the requirements to regional consents. This is addressed in my evidence in chief.</p> <p>A wiring diagram has been prepared (Appendix A) to clarify the relationships between the plans.</p> <p>I have added a construction lighting clause to limit lightspill from compounds. This was discussed in officer conferencing, and is addressed in my evidence in chief.</p> <p>Ms Thomson (para 9.28) suggests changes to the CEMP condition (sub condition (4)) that I do not agree with. As discussed above, I consider the landscape and traffic conditions need to be part of the OP process and should not be part of a separate (additional) "sign off" process. She also suggests that the EMMP become part of the designation conditions - which I also disagree with.</p> <p>Ms Thomson (also para 9.28) suggest changes to sub-condition (5). I have accepted some of her suggestions. Regardless of this, layout drawings would also be part of an Outline Plan process, so Ms Thomson can be sure that the Council will receive plans through this formal process. I consider her request for a staging plan is well covered by the regional consent conditions and Condition NZTA.11.</p> <p><u>Change made to match regional consent conditions.</u></p>

Reference	Wording of proposed condition including changes suggested	Changes suggested and reasons
	<p>Project; and</p> <p>p. <u>Procedures to manage lightspill to residential properties from any night lighting that is required on the site.</u></p> <p><i>(3) Construction Programme and Methodology</i> A Construction Programme which shall include a programme of works that seeks to enable the relevant part of the Project to be constructed in a manner that is timely, adequately co-ordinated and manages the adverse effects of construction on the environment. This section shall, among other matters, provide details on the following:</p> <p>a. A detailed staging programme and anticipated timetable for construction works during the relevant part of the Project; and</p> <p>b. A methodology to identify how earthworks will be staged during the relevant part of the Project to manage the effects of the Project on the Pauatahanui Inlet.</p> <p><i>(4) Environmental Management Plans</i> The following environmental management plans shall be included in the appendices to any CEMP:</p> <p>a. Construction Noise and Vibration Management Plan (CNVMP) (refer to Condition NZTA.12.A);</p> <p>b. Contaminated Land Management Plan (CLMP); and</p> <p>c. Construction Air Quality Management Plan (CAQMP) (refer to Condition NZTA.12.B).</p> <p>B. The CLMP shall include information regarding:</p> <p>a. The measures to be undertaken in the handling, storage and disposal of all contaminated material excavated during the construction works including the appointment of a suitably qualified contractor to supervise the removal of any contaminated soil;</p> <p>b. The soil validation testing that will be undertaken;</p> <p>c. The soil verification testing that will be undertaken to determine the nature of any contamination in excavated spoil and the potential reuse or disposal options for contaminated spoil;</p> <p>d. Measures to be undertaken in the event of unexpected contamination being identified during construction activities, including measures to:</p> <ul style="list-style-type: none"> • Assist with identification of unknown contaminated material; • Stop work or isolate the area (as necessary) once any such material is identified; <p>e. The measures to be undertaken to:</p> <ul style="list-style-type: none"> • Protect the health and safety of workers and the public from the potential effects of contaminated soil; • Control stormwater runoff and runoff to and from areas of contaminated soil; • Remove or manage any contaminated soil; and <p>f. The measures to be undertaken to:</p> <ul style="list-style-type: none"> • Identify any suspected asbestos; • Identify the type of asbestos and confirm the appropriate means by which it shall be removed; • Handle material containing asbestos, particularly in buildings built prior to 1980; • Implement appropriate health and safety measures to ensure the safety of workers and the public from the potential effects of asbestos; and • Remove the asbestos and dispose of it to an appropriately licensed facility. <p>The Requiring Authority shall ensure a suitably qualified contaminated land specialist is available to:</p> <p>a. supervise excavation works for the Project which are in the vicinity of any contaminated soils;</p> <p>b. supervise any removal of contaminated soil required for the Project</p>	

Reference	Wording of proposed condition including changes suggested	Changes suggested and reasons																																											
	<p>e. ensure that an appropriately qualified contractor identifies and handles asbestos in accordance with the CLMP when demolishing any buildings built prior to 1980; and</p> <p>d. advise the Manager in writing of this contractor, prior to such demolition occurring.</p> <p>These measures shall include appointment of a suitably qualified contractor to implement the asbestos identification and handling measures identified in the CLMP; and the appointment of a suitably qualified contaminated land specialist to supervise excavation works for the Project which are in the vicinity of any contaminated soils, and notification of these appointments to the Manager prior to any relevant demolition works or soil removal being undertaken.</p> <p><i>(5) Layout Drawings</i></p> <p>Drawings showing the proposed layout of the <u>carriageway design and footprint</u>, construction yards <u>and compounds</u>, including associated buildings, fencing and site accesses. The layout drawings shall, as far as practicable, incorporate the following:</p> <ol style="list-style-type: none"> The main access to the construction yards to be located as far as practicable from residential dwellings; Noisy construction activities to be located as far as practicable from residential dwellings; Temporary acoustic fences and visual barriers. 																																												
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NZTA.12.A	<p>The <u>draft CNVMP submitted with the application (dated 26 July 2011) shall be updated and finalised</u> and shall:</p> <ol style="list-style-type: none"> Be prepared by a suitably qualified acoustics specialist; Include specific details relating to methods for the control of noise associated with all relevant Project works, which shall be formulated to, as far as practicable, comply with the following criteria in accordance with NZS 6803:1999: <table border="1" data-bbox="543 1041 1249 1728"> <thead> <tr> <th>Day</th> <th>Time</th> <th>L_{Aeq(15 min)}</th> <th>L_{AFmax}</th> </tr> </thead> <tbody> <tr> <td rowspan="4">Weekdays</td> <td>0630h - 0730h</td> <td>55 dB</td> <td>75 dB</td> </tr> <tr> <td>0730h - 1800h</td> <td>70 dB</td> <td>85 dB</td> </tr> <tr> <td>1800h - 2000h</td> <td>65 dB</td> <td>80 dB</td> </tr> <tr> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td rowspan="4">Saturday</td> <td>0630h - 0730h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>0730h - 1800h</td> <td>70 dB</td> <td>85 dB</td> </tr> <tr> <td>1800h - 2000h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td rowspan="4">Sundays and public holidays</td> <td>0630h - 0730h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>0730h - 1800h</td> <td>55 dB</td> <td>85 dB</td> </tr> <tr> <td>1800h - 2000h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> </tbody> </table>	Day	Time	L _{Aeq(15 min)}	L _{AFmax}	Weekdays	0630h - 0730h	55 dB	75 dB	0730h - 1800h	70 dB	85 dB	1800h - 2000h	65 dB	80 dB	2000h - 0630h	45 dB	75 dB	Saturday	0630h - 0730h	45 dB	75 dB	0730h - 1800h	70 dB	85 dB	1800h - 2000h	45 dB	75 dB	2000h - 0630h	45 dB	75 dB	Sundays and public holidays	0630h - 0730h	45 dB	75 dB	0730h - 1800h	55 dB	85 dB	1800h - 2000h	45 dB	75 dB	2000h - 0630h	45 dB	75 dB	<p>Apart from the underlined text, the balance of the text of condition remains the same – it has just been relocated from Condition NZTA.12 for clarity. It was agreed in officer conferencing that NZTA.12 is too long.</p> <p>The minor change has been made to make it clear that the CNVMP as submitted must be updated and finalised.</p>
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	<p>c. Address the following aspects with regard to construction noise:</p> <ul style="list-style-type: none"> Noise sources, including machinery, equipment and construction techniques to be used; Predicted construction noise levels; Hours of operation, including times and days when noisy construction work and blasting would occur; The identification of activities and locations where structural noise mitigation measures such as temporary barriers or enclosures may be used; Details of which road-traffic noise mitigation options will be implemented early to also mitigate construction noise; The measures that will be undertaken by the Requiring Authority to communicate noise management measures to affected stakeholders; Mitigation options, including alternative strategies where full compliance with the noise criteria cannot practicably be achieved; Schedules containing site specific information; Methods for monitoring and reporting on construction noise; and <p>d. Include specific details relating to methods for the control of vibration and airblast associated with all relevant Project works, which shall be formulated to, as far as practicable, comply with the Category A criteria in the following table, measured in accordance with ISO 4866:2010 and AS 2187-2:2006:</p> <table border="1" data-bbox="480 892 1362 1396"> <thead> <tr> <th>Receiver</th> <th>Details</th> <th>Category A</th> <th>Category B</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Occupied dwellings</td> <td>Night-time 2000h - 0630h (transient vibration)</td> <td>0.3 mm/s ppv</td> <td>1 mm/s ppv</td> </tr> <tr> <td>Daytime 0630h - 2000h</td> <td>1 mm/s ppv</td> <td>5 mm/s ppv</td> </tr> <tr> <td rowspan="2">All occupied buildings</td> <td>Daytime blasting – vibration</td> <td>5 mm/s ppv</td> <td>10 mm/s ppv</td> </tr> <tr> <td>– airblast</td> <td>120 dB L_{Zpeak}</td> <td>-</td> </tr> <tr> <td rowspan="3">All buildings</td> <td>Vibration - transient (including blasting)</td> <td rowspan="2">5 mm/s ppv</td> <td>BS 5228-2 Table B.2</td> </tr> <tr> <td>Vibration - continuous</td> <td>BS 5228-2 50% of Table B.2 values</td> </tr> <tr> <td>Airblast</td> <td>-</td> <td>133 dB L_{Zpeak}</td> </tr> </tbody> </table> <p>e. Describe the measures to be adopted in relation to construction vibration including:</p> <ul style="list-style-type: none"> Vibration sources, including machinery, equipment and construction techniques to be used; Procedures for building condition surveys at locations close to activities generating significant vibration, prior to and after completion of the works (including all buildings predicted to experience vibration which exceeds the Category A vibration criteria); Procedures for management of vibration by a suitably qualified expert, if measured or predicted vibration and airblast levels exceed the Category A criteria; Procedures for approval by the Council and continuous monitoring of vibration levels and effects by suitably qualified experts if measured or predicted vibration and airblast levels exceed the Category B criteria; and The measures that will be undertaken by the Requiring Authority to communicate vibration management 	Receiver	Details	Category A	Category B	Occupied dwellings	Night-time 2000h - 0630h (transient vibration)	0.3 mm/s ppv	1 mm/s ppv	Daytime 0630h - 2000h	1 mm/s ppv	5 mm/s ppv	All occupied buildings	Daytime blasting – vibration	5 mm/s ppv	10 mm/s ppv	– airblast	120 dB L _{Zpeak}	-	All buildings	Vibration - transient (including blasting)	5 mm/s ppv	BS 5228-2 Table B.2	Vibration - continuous	BS 5228-2 50% of Table B.2 values	Airblast	-	133 dB L _{Zpeak}	
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	measures to affected stakeholders.	
NZTA.12.C	<p><u>For works within 200 m of the following properties:</u></p> <ul style="list-style-type: none"> • <u>4 Rangatira Road</u> • <u>17 Rangatira Road</u> • <u>19 Rangatira Road</u> • <u>21 Rangatira Road</u> • <u>23 Rangatira Road</u> • <u>25 Rangatira Road</u> • <u>55 Collins Ave</u> <p><u>schedules to the CNVMP required under condition NZTA.12.A (that are relevant to each property) shall be informed by consultation with the owners and occupiers of those properties.</u></p> <p><u>The CNVMP shall set out how any issues raised in consultation with the owners and occupiers of the properties listed above have been incorporated, and where they have not, the reasons why.</u></p>	<p>Agreement has been reached with submitters (6 x Rangatira Rd residents and resident of 55 Collins Ave) – to add a new condition requiring consultation on the preparation of the schedules to the CNVMP.</p> <p>Note change of order for clarity</p>
NZTA.12.D	<p><u>At least 5 working days prior to commencement of the works (as set out in Clause (a) and (b) conditions below) the Requiring Authority shall ensure that</u></p> <p>(a) <u>the owners and occupiers of the properties listed in Condition NZTA.12.C are each provided with a copy of the schedule of construction activities required by Condition NZTA.13. where works are occurring within close proximity to these properties; and</u></p> <p>(b) <u>These property owners shall be provided with clear information setting out when works are proposed to occur at night (that is, between the hours of 2000h and 0630h) and shall explain the nature and reason for the proposed night works;</u></p>	<p>Agreement has been reached with submitters (6 x Rangatira Rd residents and resident of 55 Collins Ave) – to add a new condition requiring provision of a schedule of construction activities.</p> <p>Note change of order for clarity</p>
	<u>Air Quality (including Dust) Management</u>	Heading added for clarity
NZTA.12.B	<p>The <u>draft CAQMP submitted with the application (dated 3 March 2011) shall be updated and finalised and shall provide a methodology for managing the effects of dust from the site, and shall, as a minimum include:</u></p> <p>a. <u>Identification and implementation of dust suppression measures appropriate to the environment in which the works are located, and the sensitivity of nearby receptors; and</u></p> <p>b. <u>Identification of contingency measures to address identified and verified adverse effects on sensitive receptors. Contingency measures may include options such as:</u></p> <ul style="list-style-type: none"> i. <u>Cleaning of water tanks and replenishment of water supplies;</u> ii. <u>Cleaning of houses; and</u> iii. <u>Cleaning of other buildings and infrastructure.</u> 	<p>Apart from the underlined text, the balance of the text of condition remains the same – relocated from NZTA.12 for clarity (it was agreed in officer conferencing that NZTA.12 is too long)</p>
NZTA.12.E	<p><u>The CAQMP shall include a process for advising and consulting with the owners and/or occupiers of any residential property where activities that have the potential to generate dust will be undertaken within 100 metres of a residential dwelling on that land. The advice and consultation process shall be undertaken at least 5 working days prior to commencement of the works. The requiring authority shall keep records on site at all times that set out how any issues raised in consultation with the owners and occupiers of the properties have been incorporated, and where they have not, the reasons why.</u></p>	<p>The S42A report (part 2) recommends an additional process to deal with communicating potential dust management issues with residential property owners.</p>
	<u>Staging</u>	Heading added for clarity
NZTA.13.	The Requiring Authority shall provide the Manager with an updated schedule of construction activities at monthly intervals during the construction of any part of the Project or any Project Stage within the District.	
	<u>Communications and public liaison</u>	
NZTA.14.	A liaison person shall be appointed by the Requiring Authority for the duration of the construction phase of the Project to be the	Minor change discussed in officer conferencing

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	<p>main and readily accessible point of contact <u>at all times</u> for persons affected by the construction work. The Requiring Authority shall take appropriate steps to seek to advise all affected parties of the liaison person's name and contact details. This person must be reasonably available for on-going consultation on all matters of concern to affected persons arising from the construction of the Project. If the liaison person will not be available for any reason, an alternative contact person shall be nominated, to seek to ensure that a project contact person is available by telephone 24 hours per day/seven days per week during the construction phase of the Project.</p>	
NZTA.15.	<p>Prior to the commencement of construction and/or enabling works, the Requiring Authority shall prepare and implement, a Communications Plan that sets out procedures detailing how the public will be communicated with throughout the construction period. As a minimum, the Communications Plan shall include:</p> <ol style="list-style-type: none"> a. Details of a contact person available on site at all times during works. Contact details shall be prominently displayed at the entrance to the site(s) so that they are clearly visible to the public at all times. b. Methods to consult on and to communicate the proposed hours of construction activities outside of normal working hours and on weekends and public holidays, to surrounding residential communities, and methods to deal with concerns raised about such hours. c. Methods to record concerns raised about hours of construction activities and, where practicable, methods to so far as is practicable, avoid particular times of day which have been identified as being particularly sensitive for neighbours. d. Details of communications activities proposed including: <ol style="list-style-type: none"> i. Publication of a newsletter, or similar, and its proposed delivery area. ii. Newspaper advertising iii. Notification and consultation with individual property owners and occupiers with dwellings within 20 metres of construction activities. <p>The Communications Plan shall also include linkages and cross-references to methods set out in other management plans where relevant.</p>	Typo - word duplicated
NZTA.15.A	<p><u>The Communications Plan required by Condition NZTA.15. shall be prepared in consultation with the owners and occupiers of the following properties:</u></p> <ul style="list-style-type: none"> • <u>4 Rangatira Road</u> • <u>17 Rangatira Road</u> • <u>19 Rangatira Road</u> • <u>21 Rangatira Road</u> • <u>23 Rangatira Road</u> • <u>25 Rangatira Road</u> • <u>55 Collins Ave</u> <p><u>The Communications Plan shall set out how any issues raised in consultation with these owners and occupiers have been incorporated, or if they have not been incorporated, the reasons why.</u></p>	Agreement has been reached with submitters (6 x Rangatira Rd residents and resident of 55 Collins Ave) – to add a new condition requiring preparation of the consultation plan in consultation with the submitters
	Complaints	
NZTA.16.	<p>During construction Work, the consent holder <u>Requiring Authority</u> shall maintain a permanent record of any complaints received alleging adverse effects from, or related to, the exercise of this consent. The record shall include:</p> <ol style="list-style-type: none"> a) the name and address (as far as practicable) of the complainant; b) identification of the nature of the complaint; c) location, date and time of the complaint and of the alleged event; d) weather conditions at the time of the complaint (as far as practicable), and including wind direction and approximate wind speed if the complaint relates to air quality. 	Minor changes discussed in officer conferencing

Reference	Wording of proposed condition including changes suggested	Changes suggested and reasons
	<p>e) the outcome of the consent holder <u>Requiring Authority's</u> investigation into the complaint;</p> <p>f) measures taken to <u>respond to the complaint seek to ensure that such a complaint does not occur again</u>; and</p> <p>g) Any other activities in the area, unrelated to the project that may have contributed to the complaint, such as non-project construction, fires, traffic accidents or unusually dusty conditions generally.</p> <p>The consent holder <u>Requiring Authority</u> shall also keep a record of any remedial actions undertaken.</p> <p>This record shall be maintained on site and shall be made available to the Manager, upon request. The consent holder <u>Requiring Authority</u> shall notify the Manager in writing of any such complaint within 5 working days of the complaint being brought to the attention of the consent holder <u>Requiring Authority</u>.</p>	
	Existing network utilities	
NZTA.17.	The Requiring Authority shall prepare and implement a Network Utilities Management Plan (NUMP) so that enabling works, design and construction of the Project adequately take account of, and include measures to address, the safety, integrity, protection or, where necessary, relocation of, existing network utilities.	
NZTA.18.	A copy of the NUMP shall be provided <u>submitted to and certified by</u> to the Manager at least 10 working days prior to the commencement of any enabling or construction works on any part of the Project located within the District.	This change has been made as suggested by Ms Macpherson in her evidence for PowerCo.
NZTA.19.	<p>The NUMP shall include, but need not be limited to, the following matters:</p> <p>a. The methods the Requiring Authority will use to liaise with all infrastructure providers who have existing network utilities that are directly affected by, or located in close proximity to, the part of the Project in the District.</p> <p>b. The methods the Requiring Authority will use to enable infrastructure providers to access existing network utilities for maintenance at all reasonable times, and to access existing network utilities for emergency works at all times, whilst construction activities associated with the Project are occurring.</p> <p>c. The methods the Requiring Authority will use to seek to ensure that all construction personnel, including contractors, are aware of the presence and location of the various existing network utilities which traverse, or are in close proximity to, the part of the Project in the District, and the restrictions in place in relation to those existing network utilities. This shall include plans identifying the locations of the existing network utilities and appropriate physical indicators on the ground showing specific surveyed locations.</p> <p><u>d. How the Requiring Authority will meet the costs of any Project-related works that are required in order to protect, relocate and/or reinstate existing network utilities. Such methods shall be consistent with the provisions of the Gas Act 1992, the Electricity Act 1992 and the Telecommunications Act 2001.</u></p>	This change has been made as a result of discussions with PowerCo. Ms Macpherson makes an additional addition in Para 5.21 of her evidence.
NZTA.20.	<p>The NUMP shall be prepared in consultation with the relevant infrastructure providers who have existing network utilities that are directly affected by the Project and, in addition to the matters listed in Condition NZTA.19, shall include:</p> <p>a. Measures to be used to accurately identify the location of existing network utilities,</p> <p>b. Measures for the protection, relocation and/or reinstatement of existing network utilities;</p> <p><u>bb. Measures to seek to ensure the continued operation and supply of essential infrastructure services which may include, but not be limited to, any new or relocated gas pipes being made operational prior to the termination of existing gas lines and bulk water;</u></p> <p>c. Measures to provide for the safe operation of plant and equipment, and the safety of workers, in proximity to live existing network utilities;</p> <p>d. Measures to manage potential induction hazards to existing network utilities;</p> <p>e. Earthworks management (including depth and extent of earthworks), for earthworks in close proximity to existing network utility;</p> <p>f. Vibration management for works in close proximity to existing network utility; and</p> <p>g. Emergency management procedures in the event of any emergency involving existing network utilities. <u>and</u></p>	<p>The change adding clause (bb) has been made as a result of discussions with PowerCo.</p> <p>The change adding clauses (h) and (i) has been made to address comments in Mr McCarthy's evidence (para 15) as discussed in Mr Nicholson's rebuttal (para 49).</p> <p><i>A change was recommended by Ms Grant in her supplementary evidence. I have amalgamated her request into an existing provision.</i></p>

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	<p>h. <u>As built drawings showing the relationship of the relocated utility to the TGM shall be provided to utility owners within three months of completion of the utility relocation; and</u></p> <p>i. <u>Provision, both physical and legal, shall be made for future maintenance access to utilities to a standard at least equivalent to that currently existing.</u></p>	
NZTA.20A	<u>Prior to the commencement of construction, the Requiring Authority shall, as part of the NUMP, seek to ensure that the operation and maintenance of the Project does not unduly constrain access to existing and/or relocated network utilities for maintenance purposes on an ongoing basis.</u>	This condition is proposed to respond to matters raised by PowerCo.
NZTA.20B	<p><u>Prior to the commencement of construction, the Requiring Authority shall, accurately locate the assets of PowerCo on the following properties and, if requested by PowerCo,</u></p> <p><u>physically peg out the extent of the designation boundary on these individually affected properties:</u></p> <p><u>Site B: Road reserve at the southern end of Ribbonwood Terrace adjacent to Lot 4 DP 78422</u></p> <p><u>Site C: Road reserve at Kenepuru Drive adjacent to 34 Kenepuru Drive (Sec 1 SO 36948)</u></p> <p><u>Site D: Lot 1 DP 82381</u></p> <p><u>Site E: Collins Avenue motorway overbridge</u></p>	This condition is proposed to respond to matters raised by PowerCo.
NZTA.20C	<p><u>The requiring authority shall seek to ensure that the construction and operation of the Transmission Gully highway and any enabling works do not adversely impact on the safe and efficient operation, and planned upgrading including the currently proposed expansion of the public potable water supply for Paekakariki.</u></p> <p><i>Note: This condition applies to the KCDC designation only</i></p>	This condition is proposed to address a condition suggested by Mr Wood and discussed by Mr Nicholson in his rebuttal evidence (para 44).
	It should be noted that there are additional conditions that were attached as Appendix B to the AEE that were agreed between the NZTA and Transpower as part of a separate arrangement. Those conditions would need to be re-numbered and inserted here.	
	Operational noise	
NZTA.21.	<p>For the purposes of Conditions NZTA.21- NZTA.31 the following terms will have the following meanings:</p> <p>a. Acoustics Assessment – means the Acoustics Assessment report submitted as part of the AEE for this designation.</p> <p>b. BPO – means Best Practicable Option.</p> <p>c. Building-Modification Mitigation – has the same meaning as in NZS 6806:2010.</p> <p>d. Habitable space – has the same meaning as in NZS 6806:2010.</p> <p>e. Noise Criteria Categories – means the groups of preference for time-averaged sound levels established in accordance with NZS 6806:2010 when determining the BPO mitigation option, ie Category A – primary noise criterion, Category B – secondary noise criterion and Category C – internal noise criterion.</p> <p>f. NZS 6806:2010 – means NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads.</p> <p>g. PPFs – means only the premises and facilities identified in green, yellow or red in the Acoustics Assessment.</p> <p>Structural Mitigation – has the same meaning as in NZS 6806:2010.</p>	
NZTA.22.	The Requiring Authority shall implement the road-traffic noise mitigation measures identified as the “Selected Options” in the Acoustics Assessment as part of the Project, in order to achieve the Noise Criteria Categories indicated in the Acoustics Assessment (“Identified Categories”), where practicable, subject to Conditions NZTA.23- NZTA.31 below.	
NZTA.23.	<p>The detailed design of the Structural Mitigation measures in the “Selected Options” (the “Detailed Mitigation Options”) shall be undertaken by a suitably qualified acoustics specialist prior to commencement of construction of the Project, and, subject to Condition NZTA.24, shall include, as a minimum, the following:</p> <p>a. Noise barriers with the location, length and height in general accordance with Table 5-2 12-22 of the Acoustics Assessment;</p>	Correcting a typographical error

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	<p>and</p> <p>b. Open graded porous asphalt or equivalent low-noise road surfaces in general accordance with Table 5-1 12.21 of the Acoustics Assessment.</p>	
NZTA.24.	<p>Where the design of the Detailed Mitigation Options identifies that it is not practicable to implement a particular Structural Mitigation measure in the location or of the length or height included in the “Selected Options” either:</p> <p>a. if the design of the Structural Mitigation measure could be changed and the measure would still achieve the same Identified Category or Category B at all relevant PPFs, and a suitably qualified or experienced planner approved by the Council certifies to the Council that the changed Structural Mitigation would be consistent with adopting the BPO in accordance with NZS 6806:2010, the Detailed Mitigation Options may include the changed mitigation measure; or</p> <p>b. if the changed design of the Structural Mitigation measure would change the Noise Criteria Category at any relevant PPF from Category A or B to Category C, but the Council confirms that the changed Structural Mitigation measure would be consistent with adopting BPO in accordance with NZS 6806:2010, the Detailed Mitigation Options may include the changed mitigation measure.</p>	
NZTA.25.	<p>The Detailed Mitigation Options shall be implemented prior to completion of construction of the Project, with the exception of any low-noise road surfaces, which shall be implemented within 12 months of completion of construction of the Project.</p>	
NZTA.26.	<p>Prior to construction of the Project, a suitably qualified acoustics specialist shall identify those PPFs which following implementation of all the Structural Mitigation measures included in the Detailed Mitigation Options are not in Noise Criteria Categories A or B and where Building-Modification Mitigation may be required to achieve 40 dB LAeq(24h) inside habitable spaces (“Category C Buildings”).</p> <p>a. Prior to commencement of construction of the Project in the vicinity of a Category C Building, the Requiring Authority shall write to the owner of each Category C Building seeking access to such building for the purpose of measuring internal noise levels and assessing the existing building envelope in relation to noise reduction performance.</p> <p>b. If the owner of the Category C Building consents to the Requiring Authority request for access to the property within 12 months of the date of the Requiring Authority’s letter (sent pursuant to Condition NZTA.26(a)), then no more than six months prior to commencement of construction of the Project, the Requiring Authority shall instruct a suitably qualified acoustics specialist to visit the building to measure internal noise levels and assess the existing building envelope in relation to noise reduction performance.</p>	
NZTA.27.	<p>Where a Category C Building is identified, the Requiring Authority shall be deemed to have complied with Condition NZTA.26 above where:</p> <p>a. The Requiring Authority (through its acoustics specialist) has visited the building; or</p> <p>b. The owner of the Category C Building consented to the Requiring Authority’s request for access, but the Requiring Authority could not gain entry for some reason (such as entry being denied by a tenant); or</p> <p>c. The owner of the Category C Building did not approve the Requiring Authority’s access to the property within the time period set out in Condition NZTA.27(b) (including where the owner(s) did not respond to the Requiring Authority’s letter (sent pursuant to Condition NZTA.26(a) within that period)); or</p> <p>d. The owner of the Category C Building cannot, after reasonable enquiry, be found prior to completion of construction of the Project.</p> <p>If any of (b) to (d) above apply to a particular Category C Building, the Requiring Authority shall not be required to implement any Building-Modification Mitigation at that Category C Building.</p>	
NZTA.28.	<p>Subject to Condition NZTA.27, no more than six months after the assessment required under Condition NZTA.26(b), the Requiring Authority shall give written notice to the owner of each Category C Building:</p> <p>a. Advising of the options available for Building-Modification Mitigation to the building; and</p>	

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	b. Advising that the owner has three months within which to decide and advise the Requiring Authority whether to accept Building-Modification Mitigation for the building, and if the Requiring Authority has advised the owner that more than one option for Building-Modification Mitigation is available, to advise the Requiring Authority which of those options the owner prefers.	
NZTA.29.	Once an agreement on Building-Modification Mitigation is reached between the Requiring Authority and the owner of an affected building, the mitigation shall be implemented in a reasonable and practical timeframe agreed between the Requiring Authority and the owner.	
NZTA.30.	Subject to Condition NZTA.27, where Building-Modification Mitigation is required, the Requiring Authority shall be deemed to have complied with Condition NZTA.29 above where: <ul style="list-style-type: none"> a. The Requiring Authority has completed Building-Modification Mitigation to the Category C Building; or b. The owner of the Category C Building did not accept the Requiring Authority's offer to implement Building-Modification Mitigation prior to the expiry of the timeframe stated in Condition NZTA.28(b) above (including where the owner did not respond to the Requiring Authority within that period); or c. The owner of the Category C Building cannot, after reasonable enquiry, be found prior to completion of construction of the Project. 	
NZTA.31.	The Requiring Authority shall manage and maintain the Detailed Mitigation Options to ensure that, to the extent practicable, those mitigation works retain their noise reduction performance.	
	Roading and traffic management	
NZTA.32.	A general <u>The draft Construction Traffic Management Plan (CTMP) submitted with the application (prepared by SKM and dated May 2011) shall be updated, finalised and submitted to the Manager prior to the commencement of construction and prepared for the Project.</u> This CTMP shall address the following: <ul style="list-style-type: none"> a. The staging of the works, including details of any proposals to work on multiple sections of the Project route concurrently; b. A general methodology for selecting detour routes; and c. The potential effects on the detour routes selected and how these will be managed to seek to ensure safety for all road users. 	I have added a statement to confirm that the lodged CTMP is to be updated and finalised in order to achieve compliance with this condition. As discussed above, this responds to a concern raised in planner conferencing I disagree with the suggested change to this condition by Ms Thomson (para 9.31 - adapted from a suggestion by Mr Wignall) that this condition needs to address effects on pavement this is already addressed in Condition NZTA.40 and NZTA.41. <i>I note that this was further discussed in conferencing on 8 February and this remains as a point of difference.</i>
NZTA.32.A	<u>The CTMP required by Condition NZTA.32. shall be prepared in consultation with the owners and occupiers of the following properties:</u> <ul style="list-style-type: none"> • <u>4 Rangatira Road</u> • <u>17 Rangatira Road</u> • <u>19 Rangatira Road</u> • <u>21 Rangatira Road</u> • <u>23 Rangatira Road</u> • <u>25 Rangatira Road</u> <u>The CTMP shall set out how any issues raised in consultation with these owners and occupiers have been incorporated, or if they have not been incorporated, the reasons why.</u>	This condition reflects agreement with submitters (6 x Rangatira Rd residents) - requiring that the CTMP is prepared in consultation with these residents.
NZTA.32.B	<u>As far as practicable, the CTMP required by Condition NZTA.32. and any associated Site Specific Traffic Management Plans required by Condition NZTA.35. shall seek to minimise the use of Rangatira Road for staff or construction related carparking, and as a construction access route, and shall prohibit heavy vehicles from using Rangatira Road to access the site.</u>	This condition reflects agreement with submitters (6 x Rangatira Rd residents) requiring minimising use of Rangatira Rd as an access route.
NZTA.33.	The CTMP shall be provided to the Road Asset Manager <u>for certification at least 20 working days</u> one month prior to commencement of construction of any part of the Project within the District.	I have changed this condition to 20 working days to be consistent with other conditions which use working days (rather than months), and reflect a change

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		proposed by Ms Thomson (para 9.33) for certification of the CTMP.
NZTA.34.	<p>The CTMP shall contain a section setting out methods to manage the construction traffic effects of the harvesting of plantation forestry as part of the enabling works for the Project. These methods shall include but not be limited to:</p> <ol style="list-style-type: none"> Traffic and access considerations; Methods to manage effects on the amenity of surrounding residential neighbourhoods including hours of operation, and number of heavy vehicle movements per day; The areas to be cleared at any one time; and Methods to maintain the quality of local roads used as access routes. 	
NZTA.35.	<p>Site Specific Traffic Management Plans (SSTMPs) shall be <u>prepared in consultation with the Council and provided to the</u> provided to the road controlling authority Manager at least <u>5</u> 3 working days <u>for a “minor” SSTMP and at least 10 working days for a “major” SSTMP</u> prior to the commencement of work in that area, and shall describe the measures that will be taken to manage the traffic effects associated with the construction of specific parts of the Project prior to construction of the relevant part(s) of the Project commencing. In particular SSTMP(s) shall describe:</p> <ol style="list-style-type: none"> Temporary traffic management measures required to manage impacts on road users during proposed working hours; Delay calculations associated with the proposed closure/s and detour routes; The capacity of any proposed detour route(s) and their ability to carry the additional traffic volumes and any known safety issues associated with the detour route, including any mitigation measures the Requiring Authority proposes to put in place to address any identified safety issues; Individual traffic management plans for intersections of the proposed Project with arterial roads; Measures to maintain, where practicable, existing vehicle access to adjacent properties and businesses; Measures to maintain, where practicable, safe and clearly identified pedestrian and cyclist access on roads and footpaths adjacent to the construction works. Where detours are necessary to provide such access the Requiring Authority shall provide for the shortest and most convenient detours, which it is reasonably practicable to provide, having regard to safety; Any proposed temporary changes in speed limit; Provision for safe and efficient access of construction vehicles to and from construction site(s); and The measures that will be undertaken by the Requiring Authority to communicate traffic management measures to affected road users and stakeholders. <p><u>For the purposes of this condition, a “minor” SSTMP shall be defined as involving works of 5 or less days in duration, and a “major” SSTMP shall be defined as involving works of more than 5 days in duration.</u></p>	<p>I have modified this condition to reflect discussions in officer conferencing. The “turn around” timeframe for a SSTMP was too short, and therefore the condition has been amended to reflect this – with the addition of a separate process for “minor” and “major” SSTMPs.</p> <p>Ms Thomson suggests (para 9.35) that SSTMPs be prepared in consultation with the Councils and I agree with this. She also suggests (para 9.37) a much longer timeframe for SSTMPs than was discussed in officer conferencing (see above).</p>
NZTA.36.	<p>SSTMP(s) shall be prepared following consultation with the following key stakeholders:</p> <ol style="list-style-type: none"> The Council; Emergency services (police, fire and ambulance). Schools and childcare centres with frontage or access to roads within which works in relation to the relevant part of the Project will take place. 	
NZTA.37.	<p>The CTMP and SSTMP(s) shall be consistent with the version of the NZ Transport Agency Code of Practice for Temporary Traffic Management (COPTTM) which applies at the time the CTMP or the relevant SSTMP is prepared.</p>	
NZTA.38.	<p>The CTMP and SSTMP(s) shall undergo an independent safety and traffic operational review, by a suitably qualified independent party, prior to being submitted to the Council <u>for certification</u>.</p>	<p>Minor change – ref. para 9.39 of Ms Thomson’s evidence.</p>
NZTA.39.	<p>The Requiring Authority shall carry out random auditing of temporary road closure/s in accordance with COPTTM at regular intervals throughout the construction of the Project. The intervals shall be stated in the generic CTMP.</p>	
NZTA.40.	<p>Prior to the commencement of any part of the Project, or any enabling works within the District, the Requiring Authority shall</p>	<p>Ms Thomson suggests a number of changes to this condition (para 9.41) that I</p>

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	undertake a pre-construction condition survey of the carriageway/s along those local roads affected by the Project for which the Council is the road controlling authority and submit it to the Manager and the Roading Asset Manager. The condition survey shall consist of a photographic or video record of the carriageway, <u>and shall include roughness, rutting defects and surface condition.</u>	agree in part with. However, I note that her concerns about condition surveys of local roads are unlikely to be a significant issue in Kapiti District given that construction traffic will access the site via the existing State Highway.
NZTA.41.	The Requiring Authority shall, at carry out regular inspections of the road networks affected by the Project during construction, to seek to ensure that all potholes and other damage resulting from the construction of the Project are repaired as soon as practicable.	Minor change correcting a typographical error. Ms Thomson Suggests a change to replace "road networks" (para 9.43) with an alternative wording. I haven't reflected her suggestion because I consider it inconsequential and wordier.
NZTA.42.	As soon as practicable following completion of construction of the Project the Requiring Authority shall, at its expense, conduct a post-construction condition survey of the road network affected by the Project. The results of the pre and post construction surveys will be compared and where necessary, the Requiring Authority shall <u>at its expense</u> arrange for the Council's road maintenance contractor to repair <u>of</u> any damage to the carriageways and footpaths (and associated road components), for which the Council is the road controlling authority, where that damage has resulted from the impacts of construction of the Project.	Minor change reflecting a suggestion by Ms Thomson (para 9.45).
	Site specific contamination matters	
NZTA.43.	The Requiring Authority shall, in consultation with the New Zealand Police and New Zealand Defence Force update the protocol that has been prepared detailing the procedures to manage the risk of unexpectedly discovering an unexploded ordnance (UXO). The protocol shall include: a. Arrangements for intrusive investigation of any potential UXO in the MacKays Crossing area where the potential UXO could be disturbed by construction activities prior to commencement of any enabling or construction works in the MacKays Crossing area; and b. Measures to seek to ensure the safety of workers and the public from the potential effects of the UXO. Note: This condition applies to the Kapiti Coast District Plan designation only.	This condition has been deleted as stated in my EIC and in Ms Maize's evidence (footnote 20).
NZTA.44.	The Requiring Authority shall prepare a specific remedial action plan (RAP) for the Porirua Gun Club site and provide this to the Manager at least 20 working days prior to undertaking either remedial action or earthworks at the Porirua Gun Club site. The RAP shall include: a. A soil excavation plan; b. A soil disposal plan; c. A validation sampling plan; and d. Reporting requirements. The Requiring Authority shall implement the RAP. Note: This condition applies to the Porirua District Plan designation only	This condition has been deleted as stated in my EIC and in Ms Maize's evidence (footnote 16).
	Lighting	
NZTA.45.	Lighting shall be designed and screened to minimise the amount of lighting overspill and illumination of residential areas, and shall demonstrate that: a. All motorway lighting shall be designed in accordance with "Road lighting Standard AS/NZS1158"; and b. All other lighting shall be designed in accordance with the rules of the relevant District Plan (if any).	
	Landscape management and urban design	Mr Lister recommends a number of specific changes to conditions to address concerns raised by individual submitters that are reflected through these following conditions.
NZTA.46.	An OP for the construction of any part of the Project located within the District or for the construction of any Project stage within the	I have renamed the LMP to Landscape and Urban Design Management Plan to

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	<p>District shall include a Landscape and Urban Design Management Plan (LUDMP) for the relevant part of the Project. <u>The purpose of the LUDMP is to integrate the Project's permanent works into the surrounding landscape and urban design context.</u> The LUDMP shall be prepared by a suitably qualified landscape architect and urban designer (or similar appropriate personnel person(s)), and shall be prepared in accordance with:</p> <p>a. Transit New Zealand's Guidelines for Highway Landscaping (dated September 2002);</p> <p>b. Transit New Zealand's "Urban Design Implementation Principles (2006)";</p> <p>and shall be consistent with:</p> <p>a. <u>the Landscape plans submitted with the applications numbered LA01-LA21 and the revegetation mitigation plans in Technical Report 11;</u></p> <p>a.<u>b.</u> the Transmission Gully Urban and Landscape Design Framework (Beca et al, 2011) and in particular the design principles set out in this document; and</p> <p>b.<u>c.</u> the <u>certified</u> Ecological Management and Monitoring Plan (Boffa Miskell, August 2011).</p>	<p>recognise urban design content as stated in Ms Hancock's EIC (para 118). I have also included specific references to the ULDF design principles to be embedded in conditions as discussed in Ms Hancock's evidence.</p> <p>Specific references to the Landscape plans LA01-LA21 (Isthmus 2011) have been added into the conditions as discussed by Mr Lister in his EIC.</p> <p>I have accepted in part Ms Thomson's suggested wording (para 9.47 of her evidence). For the reasons set out in my rebuttal evidence, I disagree with her suggestion that the LUDMP should be certified by the Manager before inclusion in the OP.</p> <p>I note that Ms Hancock disagrees in her rebuttal evidence that the purpose of the LUDMP needs spelling out in this condition (para 34 of her rebuttal).</p> <p><i>Change as discussed in planner conferencing 8 February.</i></p> <p><i>I note that Ms Thomson recommends a change in order in this condition swapping the last three points with the first three. I do not have a view one way or another on this issue.</i></p>
NZTA.46A	<p><u>The EMMP required under the regional resource consents (Condition G.15E) shall be submitted to the relevant territorial authority for information as the same time as it is submitted to the Greater Wellington Regional Council for certification.</u></p>	<p>There has been a lot of discussion about the linkages between the EMMP and the designation conditions. I consider it is important to recognise that the EMMP will be submitted to the Regional Council for approval, and that it is clear that this is the relevant authority to approve the document. It is appropriate that the territorial authority receive the document for information purposes as these designation conditions contain cross-references.</p>
NZTA.47.	<p>All <u>LUDMP(s) shall provide for integration of the Project's permanent works into the surrounding landscape including:</u></p> <p>a. Input to earthworks contouring;</p> <p>b. The integration of the Project's permanent works into the surrounding landscape;</p> <p>c. Landscape works within land acquired for the Project which mitigate the effects of the Project on properties in the vicinity of the alignment;</p> <p>d. Retention or relocation of significant existing trees, where practicable; and</p> <p>e. Replacement planting for loss of existing trees, where appropriate and practicable.</p> <p>a. <u>Input to earthworks contouring including cut and fill batters, benching, and spoil disposal sites;</u></p> <p>b. <u>Input to the appearance of all major structures, including bridges, RSE batters, MSE walls, noise barriers, drainage structures;</u></p> <p>c. <u>Guidelines for the suite of highway furniture such as barriers, gantries, sign posts, lighting standards, etc..</u></p> <p>d. <u>Input to the appearance of stream diversions and permanent stormwater control ponds;</u></p> <p>e. <u>Landscape mitigation planting;</u></p> <p>f. <u>Visual mitigation planting within the land acquired for the Project which mitigate the effects of the Project on properties in the vicinity of the alignment; and</u></p> <p>g. <u>Coordination of landscape works with ecology works.</u></p>	<p>Ms Thomson suggests (para 9.49) changes to this condition that I find puzzling, as discussed in my rebuttal evidence. For the reasons in my rebuttal evidence I do not accept the changes she proposes.</p> <p>Mr Lister's evidence in chief (para 16.4) suggests a replacement condition which I have adopted.</p> <p>Condition E.17 (from the NZTA regional consent conditions) was agreed in officer conferencing and planner conferencing as being a designation matter rather than a regional consenting matter. It was agreed in conferencing that it should be moved to the designation. However an alternative approach, which I consider will achieve a good outcome is proposed. Instead, Mr Lister recommends changes to the ULDF be made to reflect the principles in this condition, and the principles are required to be adhered to in Condition NZTA 48(aa) below. Condition 47 is also relevant in this regard.</p>

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<p>E-27 NZTA.47.A</p>	<p><u>In order to minimise the extent of effects on any valued Natural Areas located within the designation, the Requiring Authority shall engage a suitably qualified ecologist to confirm the extent of any valued Natural Areas as specified in the Wellington Conservation Management Strategy 1996, RPS, Regional or District Plans prior to the commencement of works. These areas shall include</u></p> <ul style="list-style-type: none"> (a) <u>MacKays Crossing Wetland (K106) in the Wainui Catchment.</u> (b) <u>Rowans Bush (K139) in the Wainui Catchment.</u> (c) <u>The various coastal kohekohe remnants in the Te Puka Catchment (KCDC Ecosites K223-229)</u> (d) <u>The Akatarawa – Whakatikei Regional Forest Park</u> (e) <u>Sphagnum Juncus wetland in the Horokiri Valley</u> (f) <u>TG Riparian Area (PCC Ecosite 199).</u> (g) <u>Tawa remnants within Cannons Creek Bush (PP12) in the vicinity of the Cannons Creek Bridge</u> (h) <u>Porirua Park Bush (PCC76)</u> <ul style="list-style-type: none"> (i) <u>Scoresby Grove Kanuka (PCC Ecosite 196).</u> (j) <u>Cannons Creek Bush (PCC 12).</u> (k) <u>Roberts Bush (PCC88).</u> <p><u>The detailed design shall be developed to avoid these areas as far as practicable. Any protection mechanisms for these areas (such as fencing or other demarcation) shall be set out in the CEMP and the relevant LUDMP.</u></p>	<p>This condition is relocated from the regional consent conditions (Condition E.27) and has been substantially modified. There is also a reference to this in the planner conferencing statement (para 32.21).</p> <p>In response to planner conferencing and as discussed in the evidence of Mr Fuller, I have modified the original text of this condition to clarify that the purpose is to seek to minimise impacts on these areas if possible and that this must be a consideration during detailed design and construction. I consider this is a key part of the design process, rather than being a part of the construction management, which was the inference in its previous location.</p> <p>These points relocated from NZTA.47.B as discussed in 3 February conference</p>
<p>NZTA.47.B</p>	<p><u>As part of the detailed design, the Requiring Authority shall engage an suitably qualified ecologist to ensure that, where practicable, seral scrub and forest (kanuka scrub and forest, mahoe dominated scrub and low forest, riparian forest and other areas of indigenous vegetation or habitat for indigenous species that meet significance criteria under the RPS) is avoided. This includes:</u></p> <ul style="list-style-type: none"> (a) Gullies crossed by the Main Alignment on the western slopes of Te Puka and Horokiri catchments. (b) Scoresby Grove Kanuka (PCC Ecosite 196). (c) Cannons Creek Bush (PCC 12). (d) Roberts Bush (PCC88). <p><u>Where this vegetation can be avoided and/or effects on them minimised, fencing shall be established to demarcate them, any contractors working in these areas shall be advised that the fence demarcates work boundaries that shall not be affected by construction work.</u></p> <p><u>Where this vegetation cannot be avoided, all practicable steps shall be taken to minimise the areas of this vegetation that are removed.</u></p> <p><u>Where mature native trees are required to be removed a suitably qualified ecologist shall be engaged to ensure that appropriate procedures are followed to manage effects on lizards, avifauna and bats (if present).</u></p>	<p>Similar rationale for this condition applies as for Condition NZTA.47.A above.</p> <p>Changes as discussed in 3 February conference</p>
<p>NZTA.47C</p>	<p><u>The requiring authority shall achieve a combined total of at least 426ha of active or passive vegetation restoration and management which shall be comprised of the following components:</u></p> <ul style="list-style-type: none"> (a) <u>Approximately half of that area comprising land retired from farming and protected (refer to Condition NZTA47D);</u> (b) <u>Approximately one fifth of that area comprising pioneer shrubland that will be retired, protected and undergo enrichment planting;</u> (c) <u>Approximately one third of that area comprising revegetated for terrestrial, freshwater, landscape or stormwater purposes; and</u> <u>Within the above areas, at least 26,500 linear metres of stream mitigation including enriching riparian habitat and enhancing fish passage shall be achieved.</u> 	<p>Duplicated from Condition G15G and G15H on the regional consent conditions as discussed in 3 February conferencing.</p>

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NZTA.47D	<p><u>Prior to the commencement of operation of the road, the requiring authority shall implement measures, which may include a protective covenant or similar mechanism, to ensure that, regardless of any future ownership/tenure changes, the land required for mitigation of the effects of the Project is protected in a manner that achieves at least the area of land retirement and revegetation planting specified in Condition NZTA 47C. in perpetuity. Such a mechanism shall include controls that manage:</u></p> <ul style="list-style-type: none"> a) <u>the felling, removal, burning or taking of any native trees, shrubs or plants or native fauna</u> b) <u>planting of trees, shrubs or plants with a preference for specimens sourced from the ecological district within which the land is situated;</u> c) <u>introduction of any noxious substance or substance otherwise injurious to plant life except in the control of pests;</u> d) <u>access by stock by providing and maintaining fences and gates except when the provisions of the Fencing Act 1978 apply</u> e) <u>ruminant populations to levels to manage the effects of browsing on restoration and establishment of revegetation</u> f) <u>all weeds and pests in the land to the extent required by any statute and in particular comply with the provisions of, and any notices given under the Biosecurity Act 1993 and the Wild Animal Control Act 1977.</u> 	<p>Duplicated from Condition G15G and G15H on the regional consent conditions as discussed in 3 February conferencing.</p> <p>Details as discussed by Mr Fuller.</p>
NZTA.48.	<p>The LUDMP(s) shall be prepared in consultation with Te Runanga o Toa Rangatira Inc, <u>the Greater Wellington Regional Council where works are within or directly adjacent to Belmont Regional Park or Battle Hill Farm Forest Park, Mana Cycle Group and the Council</u> [insert relevant Council here] and shall include <u>but not be limited to</u> the following:</p> <p>aa. <u>Demonstration of how the design principles in the ULDF have been adhered to in the development of the design concepts, including (but not limited to) principles for noise walls, boundary walls and structures (including bridges underpasses and associated retaining walls) which are identified in the ULDF as being in highly sensitive locations;</u></p> <p>aaa. <u>Demonstration of an engineer, ecologist and landscape architect working together to design the final shape and re-vegetation for batters, earthworks and rock cuts and their associated works during the detailed design process;</u></p> <p>a. A Concept Plan/Report – this shall depict the overall landscape and urban design concept, and provide a framework for the design intent, layout and mitigation proposals.</p> <p>b. Landscape Design Details – these shall include the following details:</p> <ul style="list-style-type: none"> i. <u>Identification of vegetation to be retained, including retention of as many as practicable of the stand of pine trees at the southern boundary of the Linden construction site yard, and the plantation on the northern side of the yard;</u> i(a) <u>Identification and protection measures for vegetation to be retained, and make good planting along cleared edges;</u> ii. <u>Proposed planting including plant species, plant/grass mixes, spacing/densities, sizes (at the time of planting) and layout and planting methods including trials;</u> iii. <u>Planting programme – the staging of planting in relation to the construction programme which shall, as far as practicable, include provision for planting within each planting season following completion of works in each stage of the Project;</u> iv. Detailed specifications relating to (but not limited to) the following: <ul style="list-style-type: none"> • Vegetation protection (for desirable vegetation to be retained); • Weed control and clearance; • <u>Pest animal management;</u> • Ground preparation (topsoiling and decompaction to provide for rapid plant establishment and ongoing vigour); • Mulching; and • Plant supply and planting, <u>including hydroseeding and grassing</u> – which shall require: <ol style="list-style-type: none"> 1. Any planting to reflect the natural plant associations of the area; 2. Where practicable, the use of mixes of plant which are of a suitable richness and diversity to encourage self-sustainability once established; and 	<p>I have made the following changes to this condition:</p> <ul style="list-style-type: none"> • Include consultation with the Regional Council as discussed in Mr Lister’s evidence in chief (para 148). • Include consultation with the Mana Cycle group to respond to the concerns in Mr Gywnn’s evidence. • Include reference to the design principles in the ULDF as discussed in Ms Hancock’s evidence in chief (para 117). • Reflect separate agreement with submitters (6 x Rangatira Rd residents) – as discussed in my rebuttal evidence and in Mr Lister’s evidence in chief (para 150). • Add retention of a portion of a stand of pine trees at the southern boundary of the construction site and the plantation on the northern side of the site near the Kenepuru Interchange – responding to a concern raised by residents and addressed by Mr Lister. • Consultation with specific property owners on development of LUDMPs as described by Mr Lister in his evidence in chief (para 155). • A change to reflect comments in paragraphs 12–14 in Mr Lister’s rebuttal evidence requiring inputs from a variety of technical specialists working together. • Reflect separate agreements made with the submitters from 55 Collins Ave. <p>I note that there is a difference of opinion between Mr Lister and Ms Peake and Ms Thomson (representing KCDC) in relation to a landscape maintenance period. Mr Lister considers 3 years to be a suitable period before switching over to an on-going operational maintenance regime (para 137 of his EIC). Some of the changes recommended by Ms Thomson (para 9.51) are accepted.</p>

Reference	Wording of proposed condition including changes suggested	Changes suggested and reasons
	<p>3. Any native plants to, so far as practicable, be genetically sourced from the relevant Ecological District;</p> <p>v. A maintenance regime including monitoring and reporting requirements, which is to apply for the three years following that planting being undertaken;</p> <p>vi. Landscape treatment for noise barriers;</p> <p>vii. Landscape treatment for any pedestrian and cycle facilities;</p> <p>viii. Consideration of:</p> <ul style="list-style-type: none"> • The landscape character of the area; • The relationship <u>integration</u> of the works <u>into</u> the natural environment, including streams; • The potential for a joint pedestrian and cycle path under the SH58 interchange; and • Crime Prevention Through Environmental Design (CPTED) principles in urban areas. <p>c. <u>Specific landscape design details for the Linden site compound. These shall include the following:</u></p> <p>i. <u>Protection of the row of trees on the south east boundary of the Linden site compound (on the uphill side);</u></p> <p>ii. <u>Riparian planting along the watercourse adjacent to the Linden site compound to help soften/screen the culvert and embankment;</u></p> <p>iii. <u>Reinstatement of planting in the vicinity of the Linden site compound following completion of construction, including new and replacement planting adjacent to alignment. (Note: applies to WCC designation only)</u></p> <p>d. <u>Specific landscape design details for the SH58 site compound shall include details of early planting to be undertaken for the purpose of screening the compound during construction; (Note: applies to PCC designation only)</u></p> <p>e. <u>The merge (where the Main Alignment meets State Highway 1) at Linden shall be designed to, as far as practicable, maximise the distance between the Collins Ave bridge and residential properties on Little Collins St (including 55 Collins Ave) and to try to avoid the need to realign the carriageway of Little Collins St (except as provided below). This may be achieved by reducing the width of the Little Collins Bridge (including by shifting the location of the merge lanes of SH1 with Transmission Gully Main Alignment further to the north) but in so doing shall not seek to shift the western extent of the works any further to the west than shown on the application drawings; (Note: applies to WCC designation only)</u></p> <p>f. <u>The owners and occupiers of all properties in Little Collins St (including 55 Collins Ave) shall be consulted prior to finalising the design (of the alignment in this location). The design shall have regard to: (Note: applies to WCC designation only)</u></p> <p>i. <u>provision of landscaping within/along Little Collins St adjacent to SH1 to provide visual screening and to minimise opportunities for graffiti</u></p> <p>ii. <u>realignment of Little Collins St as part of the Collins Ave bridge works, to provide better opportunities for landscape planting on Little Collins St; and</u></p> <p>iii. <u>noise barriers on the bridge abutments that seek to reduce visual effects of the project.</u></p> <p>g. <u>All planting works shall be undertaken in accordance with accepted horticultural practice.</u></p>	
NZTA.48.A	<p><u>The detailed design of the planting (in the vicinity of the project stages that are relevant to these landowners) shall be finalised in consultation with the owners and occupiers of the following properties:</u></p> <ul style="list-style-type: none"> • <u>4 Rangatira Road</u> • <u>17 Rangatira Road</u> • <u>19 Rangatira Road</u> • <u>21 Rangatira Road</u> • <u>23 Rangatira Road</u> • <u>25 Rangatira Road</u> • <u>55 Collins Ave</u> • <u>247B Flightys Road</u> • <u>462, 436A and 504 Paekakariki Hill Road</u> 	Recommended by Mr Lister in response to submissions

Reference	Wording of proposed condition including changes suggested	Changes suggested and reasons
	<u>The LUDMP shall set out how any issues raised in consultation with these owners and occupiers have been incorporated, or if they have not been incorporated, the reasons why.</u>	
NZTA.48.B	<p><u>In the event of the removal of any of the dwellings located on the following properties:</u></p> <ul style="list-style-type: none"> • <u>16 Tremewan Street (Lot 89 DP 9069)</u> • <u>12 Tremewan Street (Lot 91 DP 9069)</u> • <u>10 Tremewan Street (Lot 1 DP 63321)</u> • <u>8 Tremewan Street (Lot 2 DP 63321)</u> • <u>6 Tremewan Street (Lot 3 DP 63321)</u> • <u>4 Tremewan Street (Lot 4 DP 63321)</u> • <u>2 Tremewan Street (Lot 5 DP 63321)</u> <p><u>then the visual mitigation planting shown on Landscape Plan LA20 shall be extended further south, and designed in consultation with the owner and occupier of the property at 23 Tremewan Street.</u></p>	Recommended by Mr Lister in response to submissions
NZTA.49.	<p>Prior to the Requiring Authority undertaking any planting provided for in the LMP <u>LUDMP</u> and throughout the ensuing landscaping maintenance period, all weed species declared as plant pests <u>and animal pests, including stock</u>, in the Wellington region by the Wellington Regional Pest Management Strategy shall be controlled and removed from the site of any planting undertaken pursuant to the LMP <u>LUDMP</u> which is located on:</p> <ol style="list-style-type: none"> a. Land declared to be motorway or limited access road; b. Any Crown land held for roading or motorway purposes for the Project and which the NZTA administers; or <p>Any other land, e.g. private land and local authority owned land, in relation to which the NZTA has appropriate property rights which allow it to lawfully undertake such weed removal.</p>	I have added in animal pest management including stock in response to planner conferencing.
NZTA.50.	The planting identified in a LMP <u>LUDMP</u> shall be implemented in accordance with the LMP <u>LUDMP</u> within the first planting season following the completion of the construction works to which the LMP <u>LUDMP</u> relates, or where an LMP <u>LUDMP</u> relates to a number of Project stages, within the first planting season following completion of construction of the Project stage to which the planting relates, providing climatic conditions are suitable; otherwise at the first practicable opportunity thereafter.	

Appendix B2

Schedule of proposed designation conditions Porirua City Council

TRACK CHANGES 13 February 2012

Colour Code for track changes:

Changes dated 20 January – as appended to A Rickard rebuttal evidence

shown in black ~~strikethrough~~ and underline

Changes dated 13 February 2012

shown in purple ~~strikethrough~~ and underline which respond to matters raised through additional ecology and sediment conferencing, supplementary evidence from submitters and Part 2 of the Planning S42A report

Deletions shown in ~~strikethrough~~

Additions shown in underline

Reference	Wording of proposed condition	Changes suggested and reasons
	General conditions and administration	
PCC.1.	<p>Except as modified by the conditions below, and subject to final design, the Project shall be undertaken in general accordance with the information provided by the Requiring Authority in the Notice of Requirement dated <u>17 August 2011</u> [insert date] and supporting documents being:</p> <ul style="list-style-type: none"> a. <u>Assessment of Environmental Effects report, dated 8 August 2011</u> b. <u>Plans:</u> <ul style="list-style-type: none"> a. <u>LR17 and LR20: Land requirement plans</u> b. <u>GM14-15: Road layout plans</u> c. <u>GM23 and GM33: Longitudinal sections and cross sections</u> d. <u>DR14-15: Drainage layout plans</u> e. <u>S29: Structures plans</u> f. <u>LA14-15: Landscape plans</u> <p>For the avoidance of doubt, none of these conditions prevent or apply to works required for the ongoing operation or maintenance of the Project following construction such as changes to street furniture or signage over time. Depending upon the nature of such works, OPs or OP waivers may be required for any such works.</p> <p><u>Where there is conflict between the documents listed above and these conditions, these conditions shall prevail.</u></p>	<p>The list of documents to be referred to in Condition 1 is now provided – as requested in planner conferencing.</p> <p>I have clarified that where there is conflict between documents as lodged and the conditions, that the conditions shall prevail. This was also discussed in planner conferencing.</p>
PCC.2.	<p>As soon as practicable following completion of construction of the Project, the Requiring Authority shall:</p> <ul style="list-style-type: none"> a. Review the width of the area designated for the Project; b. Identify any areas of designated land that are no longer necessary for the ongoing operation and maintenance of the Project or for ongoing mitigation measures; and c. Give notice to the Council in accordance with Section 182 of the RMA for the removal of those parts of the designation identified in PCC.2b above. 	

Schedule of proposed designation conditions Porirua City Council

TRACK CHANGES 13 February 2012

Reference	Wording of proposed condition	Changes suggested and reasons
PCC.3.	The designation shall lapse if not given effect to within 15 years from the date on which it is included in the District Plan under Section 175 of the RMA.	
	Outline plan	
PCC.4.	Subject to Condition PCC.5 below, the Requiring Authority shall submit an Outline Plan (OP) to the Council for the part of the Project located within the District or for each Project stage within the District , in accordance with Section 176A of the RMA.	Typographical error – the link roads are entirely within one district.
PCC.5.	An OP need not be submitted if the Council has waived the requirement for an OP for the Project or for the relevant Project stage in accordance with Section 176A (2) (c) of the RMA.	
PCC.6.	The OP(s) shall include the following Management Plans for the relevant stage(s) of the Project: a. Construction Environmental Management Plan (CEMP); b. Construction Traffic Management Plan (CTMP); and c. <u>Landscape and Urban Design Management Plan (LUDMP).</u>	In my evidence in chief I recommend removing the CEMP from the OP process. This is because it is a document that also requires certification from the Regional Council. The new title for the LUDMP reflects comments in Ms Hancock's evidence.
	Management plans	
PCC.7.	All works shall be carried out in general accordance with any of the management plans required by these conditions.	
PCC.8.	The consent holder <u>Requiring Authority</u> may request amendments to any of the management plans required by these conditions by submitting the amendments in writing to the Manager for approval <u>certification at least 20 working days</u> prior to any changes taking effect. <u>Any changes to management plans shall remain consistent with the overall intent of the relevant management plan.</u>	I have added a timeframe of 20 working days for the Manager to respond as agreed during planner conferencing and in meetings with the Council officers.
	Archaeology and heritage	
PCC.9.	The Requiring Authority, in consultation with, Te Runanga o Toa Rangatira Inc and the New Zealand Historic Places Trust, shall prepare an accidental discovery protocol to be implemented in the event of accidental discovery of cultural or archaeological artefacts or features during the construction of the Project. This protocol shall be submitted to the Manager at least 20 working days prior to any construction or enabling Work commencing under this consent <u>designation</u> on any part of the Project within the District. The protocol shall include, but not be limited to: a. Training procedures for all contractors regarding the possible presence of cultural or archaeological sites or material, what these sites or material may look like, and the relevant provisions of the Historic Places Act 1993 if any sites or material are discovered; b. Parties to be notified in the event of an accidental discovery shall include, but need not be limited to Te Runanga o Toa Rangatira Inc, the New Zealand Historic Places Trust, the GWRC, the relevant District or <u>Porirua</u> City Council and the New Zealand Police (if koiwi are discovered); c. Procedures to be undertaken in the event of an accidental discovery (these shall include immediate ceasing of all physical works in the vicinity of the discovery); and d. Procedures to be undertaken before Work under this consent <u>designation</u> may recommence in the vicinity of the discovery. These shall include allowance for appropriate tikanga (protocols), recording of sites and material, recovery of any artefacts, and consulting with Te Runanga o Toa Rangatira Inc and the New Zealand Historic Places Trust prior to recommencing works in the vicinity of the discovery.	Typographical error – the link roads are entirely within one district.
	Construction Environmental Management Plan	
PCC.10.	An OP for the part of the Project located within the District or for any Project stage located within the District shall include a Construction Environmental Management Plan or Plans (CEMP) for the relevant part of the Project. Among other things, a Not less than 20 working days prior to commencement of any stage or stages of construction or enabling works for the Project, the Requiring Authority shall submit a Construction Environmental Management Plan (CEMP) to the Manager for certification.	Changes have been made to reflect a recommendation from my EIC that the CEMP is not submitted as part of the OP or OPs. This was confirmed in officer conferencing (officer conferencing statement para 21.1(a)).

Schedule of proposed designation conditions Porirua City Council

TRACK CHANGES 13 February 2012

Reference	Wording of proposed condition	Changes suggested and reasons
	<p>Advice note</p> <p>The CEMP shall confirm that the proposed construction methodology for the relevant part of the Project complies with General Condition 1 of this designation. It will also and to demonstrate how other conditions of this designation have been or will be complied with during the construction of the relevant part of the Project.</p>	<p>The Advice Note clarifies the purpose of the management plan as discussed in planner conferencing.</p>
PCC.11.	<p>The purpose of the The CEMP is <u>intended</u> to confirm final project details, staging of Work, and detailed engineering design to seek to ensure that the Project remains within the limits and standards approved under this consent <u>designation</u> and that the construction and operation activities avoid, remedy or mitigate adverse effects on the environment in accordance with the conditions of this consent <u>designation</u>. The <u>draft CEMP submitted with the application (dated July 2011) shall be updated and finalised, and shall</u> provide details of the responsibilities, reporting frameworks, coordination and management required for project quality assurance; final detailed design; construction methodologies; timeframes and monitoring processes and procedures.</p> <p>A CEMP shall include but need not be limited to:</p> <p><i>(A) Quality Assurance</i></p> <p>A Quality Assurance section which shall include management frameworks, systems and procedures for quality management of all on-site activities and compliance with the conditions of this designation. Among other matters this section shall provide details of the following:</p> <ol style="list-style-type: none"> Name, qualifications, relevant experience and contact details of an appropriately qualified and experienced project manager, who shall be responsible for overseeing compliance with the CEMP; Names, qualifications, relevant experience, and methods for contacting principal staff employed on the relevant part of the Project, along with details of their roles and responsibilities; Methods and systems to inform and train all persons working on site of potential environmental issues and how to avoid, remedy or mitigate any potential adverse construction effects; Systems and processes whereby the public are informed of contact details of the project manager and person or persons identified above; Liaison procedures with the Council; and Communication protocols. <p><i>(B) Site Management</i></p> <p>The Site Management section of the CEMP shall detail procedures to manage the relevant part of the Project throughout the entire construction process in a safe manner. This section shall provide details of the following (and may include other matters):</p> <ol style="list-style-type: none"> Details of the site access for all works associated with construction of the part of the Project; Measures to be adopted to maintain the site in a tidy condition in terms of disposal/storage of rubbish, storage and unloading of building materials and similar construction activities; Location of workers' conveniences (e.g. portaloos); Procedures for controlling sediment run-off into the watercourses/streams, dust and the removal of soil, debris and construction materials from the watercourses/streams and riparian margins, and onto public roads or places (including identifying the location of wheel wash facilities); A contingency plan in the event that there is any unconsented discharge to watercourses/streams; Details of the storage of fuels and lubricants (which shall require that storage be bunded or contained in such a manner so 	<p>I have added a minor point to the CEMP to bring construction lighting in to the CEMP - with a consequential change later in the conditions regarding operational lighting. This was raised in officer conferencing.</p> <p>Noise and air quality conditions have been split into separate conditions to enhance readability as suggested in officer conferencing.</p> <p>Note that I have used Italics instead of underlines for the headings in this condition for clarity.</p> <p><i>Change made to match regional consent conditions.</i></p>

Reference	Wording of proposed condition	Changes suggested and reasons								
	<p>as to prevent the discharge of contaminants from spillages);</p> <p>g. Details of the proposed maintenance of machinery and plant to minimise the potential for leakage of fuels and lubricants;</p> <p>h. Location of vehicle and construction machinery access and storage during the period of site works;</p> <p>i. Procedures for thoroughly cleaning all machinery of unwanted vegetation (e.g. weeds), seeds or contaminants prior to entering the site <u>and any other methods to avoid the introduction of unwanted pests to site</u>;</p> <p>j. Methods for the clear identification and marking of the construction zones including those which extend into watercourses;</p> <p>k. A methodology that prescribes the extent to which machinery can operate in the vicinity of watercourses so as to minimise disruption and damage to the watercourses and associated vegetation;</p> <p>l. Methods to ensure public health and safety during the construction works, and notification to the public of temporary access restrictions to the immediate works area during the staged construction;</p> <p>m. Confirmation that no equipment or machinery will be cleaned, or refuelled in any part of any watercourses/streams, except as otherwise specifically provided for in the CEMP or an SSEMP;</p> <p>n. Procedures for removing all contaminants (e.g. fuel, hydraulic oils, lubricants etc) from the site at the end of the construction period, except for those required for ongoing maintenance of the road and operational activities; and</p> <p>o. Procedures for making any repairs to the adjacent road network required where any damage occurs as a direct result of the Project. <u>and</u></p> <p>p. <u>Procedures to manage light spill onto residential properties from any night lighting that is required on the site.</u></p> <p><i>(C) Construction Programme and Methodology</i></p> <p>A Construction Programme which shall include a programme of works that seeks to enable the relevant part of the Project to be constructed in a manner that is timely, adequately co-ordinated and manages the adverse effects of construction on the environment. This section shall, among other matters, provide details on the following:</p> <p>a. A detailed staging programme and anticipated timetable for construction works during the relevant part of the Project; and</p> <p>b. A methodology to identify how earthworks will be staged during the relevant part of the Project to manage the effects of the Project on the Pauatahanui Inlet.</p> <p><i>(D) Environmental Management Plans</i></p> <p>The following environmental management plans shall be included in the appendices to any CEMP:</p> <p>a. Construction Noise and Vibration Management Plan (CNVMP); and</p> <p>b. Construction Air Quality Management Plan (CAQMP).</p> <p>A. The CNVMP shall:</p> <p>a. Be prepared by a suitably qualified acoustics specialist;</p> <p>b. Include specific details relating to methods for the control of noise associated with all relevant Project works, which shall be formulated to, as far as practicable, comply with the following criteria in accordance with NZS 6803:1999:</p> <table border="1" data-bbox="329 1738 1050 1789"> <thead> <tr> <th data-bbox="329 1738 537 1789">Day</th> <th data-bbox="537 1738 715 1789">Time</th> <th data-bbox="715 1738 878 1789">$L_{Aeq}(15\text{ min})$</th> <th data-bbox="878 1738 1050 1789">L_{AFmax}</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Day	Time	$L_{Aeq}(15\text{ min})$	L_{AFmax}					
Day	Time	$L_{Aeq}(15\text{ min})$	L_{AFmax}							

Reference	Wording of proposed condition	Changes suggested and reasons																											
	<table border="1" data-bbox="344 275 1264 674"> <tr> <td></td> <td>(transient vibration)</td> <td></td> <td></td> </tr> <tr> <td></td> <td>Daytime 0630h – 2000h</td> <td>1 mm/s ppv</td> <td>5 mm/s ppv</td> </tr> <tr> <td rowspan="2">All occupied buildings</td> <td>Daytime blasting – vibration</td> <td>5 mm/s ppv</td> <td>10 mm/s ppv</td> </tr> <tr> <td>– airblast</td> <td>120 dB L_{Zpeak}</td> <td>-</td> </tr> <tr> <td rowspan="4">All buildings</td> <td>Vibration – transient (including blasting)</td> <td rowspan="2">5 mm/s ppv</td> <td>BS 5228-2 Table B.2</td> </tr> <tr> <td>Vibration – continuous</td> <td>BS 5228-2 50% of Table B.2 values</td> </tr> <tr> <td>Airblast</td> <td>-</td> <td>133 dB L_{Zpeak}</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </table> <p data-bbox="522 730 1792 1136"> e. Describe the measures to be adopted in relation to construction vibration including: i. Vibration sources, including machinery, equipment and construction techniques to be used; ii. Procedures for building condition surveys at locations close to activities generating significant vibration, prior to and after completion of the works (including all buildings predicted to experience vibration which exceeds the Category A vibration criteria); iii. Procedures for management of vibration by a suitably qualified expert, if measured or predicted vibration and airblast levels exceed the Category A criteria; iv. Procedures for approval by the Council and continuous monitoring of vibration levels and effects by suitably qualified experts if measured or predicted vibration and airblast levels exceed the Category B criteria; and v. The measures that will be undertaken by the Requiring Authority to communicate vibration management measures to affected stakeholders. </p> <p data-bbox="477 1199 1792 1409"> B. The CAQMP shall provide a methodology for managing the effects of dust from the site, and shall, as a minimum include: a. Identification and implementation of dust suppression measures appropriate to the environment in which the works are located, and the sensitivity of nearby receptors; and b. Identification of contingency measures to address identified and verified adverse effects on sensitive receptors. Contingency measures may include options such as cleaning houses and buildings. </p> <p data-bbox="388 1472 626 1493"><i>(E) Layout Drawings</i></p> <p data-bbox="388 1514 1768 1577">Drawings showing the proposed layout of the construction yards, including associated buildings, fencing and site access. The layout drawings shall, as far as practicable, incorporate the following:</p> <ol data-bbox="388 1587 1561 1696" style="list-style-type: none"> The main access to the construction yards to be located as far as practicable from residential dwellings; Noisy construction activities shall be located as far as practicable from residential dwellings; Temporary acoustic fences and visual barriers. 		(transient vibration)				Daytime 0630h – 2000h	1 mm/s ppv	5 mm/s ppv	All occupied buildings	Daytime blasting – vibration	5 mm/s ppv	10 mm/s ppv	– airblast	120 dB L _{Zpeak}	-	All buildings	Vibration – transient (including blasting)	5 mm/s ppv	BS 5228-2 Table B.2	Vibration – continuous	BS 5228-2 50% of Table B.2 values	Airblast	-	133 dB L _{Zpeak}				
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PCC.11A	<p data-bbox="344 1713 537 1734">The CNVMP shall:</p> <ol data-bbox="388 1755 1041 1782" style="list-style-type: none"> Be prepared by a suitably qualified acoustics specialist; 	Condition relocated from above for clarity. Text remains the same.																											

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	<p data-bbox="394 289 1798 352">b. Include specific details relating to methods for the control of noise associated with all relevant Project works, which shall be formulated to, as far as practicable, comply with the following criteria in accordance with NZS 6803:1999:</p> <table border="1" data-bbox="344 394 1050 1075"> <thead> <tr> <th data-bbox="344 394 537 443">Day</th> <th data-bbox="537 394 715 443">Time</th> <th data-bbox="715 394 884 443">L_{Aeq(15 min)}</th> <th data-bbox="884 394 1050 443">L_{AFmax}</th> </tr> </thead> <tbody> <tr> <td data-bbox="344 443 537 653" rowspan="4">Weekdays</td> <td data-bbox="537 443 715 491">0630h - 0730h</td> <td data-bbox="715 443 884 491">55 dB</td> <td data-bbox="884 443 1050 491">75 dB</td> </tr> <tr> <td data-bbox="537 491 715 539">0730h - 1800h</td> <td data-bbox="715 491 884 539">70 dB</td> <td data-bbox="884 491 1050 539">85 dB</td> </tr> <tr> <td data-bbox="537 539 715 588">1800h - 2000h</td> <td data-bbox="715 539 884 588">65 dB</td> <td data-bbox="884 539 1050 588">80 dB</td> </tr> <tr> <td data-bbox="537 588 715 653">2000h - 0630h</td> <td data-bbox="715 588 884 653">45 dB</td> <td data-bbox="884 588 1050 653">75 dB</td> </tr> <tr> <td data-bbox="344 653 537 863" rowspan="4">Saturday</td> <td data-bbox="537 653 715 701">0630h - 0730h</td> <td data-bbox="715 653 884 701">45 dB</td> <td data-bbox="884 653 1050 701">75 dB</td> </tr> <tr> <td data-bbox="537 701 715 749">0730h - 1800h</td> <td data-bbox="715 701 884 749">70 dB</td> <td data-bbox="884 701 1050 749">85 dB</td> </tr> <tr> <td data-bbox="537 749 715 798">1800h - 2000h</td> <td data-bbox="715 749 884 798">45 dB</td> <td data-bbox="884 749 1050 798">75 dB</td> </tr> <tr> <td data-bbox="537 798 715 863">2000h - 0630h</td> <td data-bbox="715 798 884 863">45 dB</td> <td data-bbox="884 798 1050 863">75 dB</td> </tr> <tr> <td data-bbox="344 863 537 1073" rowspan="4">Sundays and public holidays</td> <td data-bbox="537 863 715 911">0630h - 0730h</td> <td data-bbox="715 863 884 911">45 dB</td> <td data-bbox="884 863 1050 911">75 dB</td> </tr> <tr> <td data-bbox="537 911 715 959">0730h - 1800h</td> <td data-bbox="715 911 884 959">55 dB</td> <td data-bbox="884 911 1050 959">85 dB</td> </tr> <tr> <td data-bbox="537 959 715 1008">1800h - 2000h</td> <td data-bbox="715 959 884 1008">45 dB</td> <td data-bbox="884 959 1050 1008">75 dB</td> </tr> <tr> <td data-bbox="537 1008 715 1073">2000h - 0630h</td> <td data-bbox="715 1008 884 1073">45 dB</td> <td data-bbox="884 1008 1050 1073">75 dB</td> </tr> </tbody> </table> <p data-bbox="394 1136 1151 1157">c. Address the following aspects with regard to construction noise:</p> <ol data-bbox="439 1178 1780 1785" style="list-style-type: none"> <li data-bbox="439 1178 1576 1199">i. Noise sources, including machinery, equipment and construction techniques to be used; <li data-bbox="439 1220 997 1241">ii. Predicted construction noise levels; <li data-bbox="439 1262 1724 1283">iii. Hours of operation, including times and days when noisy construction work and blasting would occur; <li data-bbox="439 1304 1780 1367">iv. The identification of activities and locations where structural noise mitigation measures such as temporary barriers or enclosures may be used; <li data-bbox="439 1388 1656 1451">v. Details of which road-traffic noise mitigation options will be implemented early to also mitigate construction noise; <li data-bbox="439 1472 1715 1535">vi. The measures that will be undertaken by the Requiring Authority to communicate noise management measures to affected stakeholders; <li data-bbox="439 1556 1730 1619">vii. Mitigation options, including alternative strategies where full compliance with the noise criteria cannot practicably be achieved; <li data-bbox="439 1640 1121 1661">viii. Schedules containing site specific information; <li data-bbox="439 1682 1329 1703">ix. Methods for monitoring and reporting on construction noise; and <li data-bbox="439 1724 1724 1785">x. Include specific details relating to methods for the control of vibration and airblast associated with all relevant Project works, which shall be formulated to, as far as practicable, comply with the Category A criteria in the following table, measured in accordance with ISO 4866:2010 and AS 2187-2:2006: 	Day	Time	L _{Aeq(15 min)}	L _{AFmax}	Weekdays	0630h - 0730h	55 dB	75 dB	0730h - 1800h	70 dB	85 dB	1800h - 2000h	65 dB	80 dB	2000h - 0630h	45 dB	75 dB	Saturday	0630h - 0730h	45 dB	75 dB	0730h - 1800h	70 dB	85 dB	1800h - 2000h	45 dB	75 dB	2000h - 0630h	45 dB	75 dB	Sundays and public holidays	0630h - 0730h	45 dB	75 dB	0730h - 1800h	55 dB	85 dB	1800h - 2000h	45 dB	75 dB	2000h - 0630h	45 dB	75 dB	
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PCC.11B.	<p>The CAQMP shall provide a methodology for managing the effects of dust from the site, and shall, as a minimum include:</p> <ol style="list-style-type: none"> a. Identification and implementation of dust suppression measures appropriate to the environment in which the works are located, and the sensitivity of nearby receptors; and b. Identification of contingency measures to address identified and verified adverse effects on sensitive receptors. Contingency measures may include options such as cleaning houses and buildings. 	Condition relocated from above for clarity. Text remains the same.																											
PCC.11C	<p><u>The CAQMP shall include a process for consultation with the owners and/or occupiers of any residential property where activities that have the potential to generate dust will be undertaken within 100 metres of a residential dwelling on that land, at least 5 working days prior to commencement of the works. The requiring authority shall keep records on site at all times that set out how any issues raised in consultation with the owners and occupiers of the properties have been incorporated, and where they have not, the reasons why.</u></p>	The S42A report (part 2) recommends an additional process to deal with communicating potential dust management issues with residential property owners.																											
PCC.12.	The Requiring Authority shall provide the Manager with an updated schedule of construction activities at monthly intervals during																												

Reference	Wording of proposed condition	Changes suggested and reasons
	the construction of any part of the Project.	
	Communications and public liaison	
PCC.13.	A liaison person shall be appointed by the Requiring Authority for the duration of the construction phase of the Project to be the main and readily accessible point of contact <u>at all times</u> for persons affected by the construction work. The Requiring Authority shall take appropriate steps to seek to advise all affected parties of the liaison person's name and contact details. This person must be reasonably available for on-going consultation on all matters of concern to affected persons arising from the construction of the Project. If the liaison person will not be available for any reason, an alternative contact person shall be nominated, to seek to ensure that a project contact person is available by telephone 24 hours per day/seven days per week during the construction phase of the Project.	This wording reflects a minor change discussed in officer conferencing.
PCC.14.	Prior to the commencement of construction and/or enabling works, the Requiring Authority shall prepare and implement, a Communications Plan that sets out procedures detailing how the public will be communicated with throughout the construction period. As a minimum, the Communications Plan shall include: a. Details of a contact person available on site at all times during works. Contact details shall be prominently displayed at the entrance to the site(s) so that they are clearly visible to the public at all times. b. Methods to consult on and to communicate the proposed hours of construction activities outside of normal working hours and on weekends and public holidays, to surrounding residential communities, and methods to deal with concerns raised about such hours. c. Methods to record concerns raised about hours of construction activities and, where practicable, methods to so far as is practicable, avoid particular times of day which have been identified as being particularly sensitive for neighbours. d. Details of communications activities proposed including: i. Publication of a newsletter, or similar, and its proposed delivery area. ii. Newspaper advertising iii. Notification and consultation with individual property owners and occupiers with dwellings within 20 metres of construction activities. The Communications Plan shall also include linkages and cross-references to methods set out in other management plans where relevant.	Typographical error.
	Incidents / public complaints	
PCC.15.	During construction Work, the consent holder Requiring Authority shall maintain a permanent record of any complaints received alleging adverse effects from, or related to, the exercise of this consent <u>designation</u> . The record shall include: a) the name and address (as far as practicable) of the complainant; b) identification of the nature of the complaint; c) location, date and time of the complaint and of the alleged event; d) weather conditions at the time of the complaint (as far as practicable), and including wind direction and approximate wind speed if the complaint relates to air quality. e) the outcome of the consent holders Requiring Authority's investigation into the complaint; f) measures taken to <u>respond to the complaint</u> seek to ensure that such a complaint does not occur again ; and g) Any other activities in the area, unrelated to the project that may have contributed to the complaint, such as non-project construction, fires, traffic accidents or unusually dusty conditions generally. The consent holder Requiring Authority shall also keep a record of any remedial actions undertaken.	This wording reflects a minor change discussed in officer conferencing. Typographical error amending consent holder to Requiring Authority.

Reference	Wording of proposed condition	Changes suggested and reasons
	This record shall be maintained on site and shall be made available to the Manager, upon request. The consent holder <u>Requiring Authority</u> shall notify the Manager in writing of any such complaint within 5 working days of the complaint being brought to the attention of the consent holder <u>Requiring Authority</u> .	
	Existing network utilities	
PCC.16.	The Requiring Authority shall prepare and implement a Network Utilities Management Plan (NUMP) so that enabling works, design and construction of the Project adequately take account of, and include measures to address, the safety, integrity, protection or, where necessary, relocation of, existing network utilities.	
PCC.17.	A copy of the NUMP shall be provided <u>submitted to and certified by</u> to the Manager at least 10 working days prior to the commencement of any enabling or construction works on any part of the Project located within the District .	This change has been made as suggested by Ms Macpherson in her evidence for PowerCo.
PCC.18.	The NUMP shall include, but need not be limited to, the following matters: a. The methods the Requiring Authority will use to liaise with all infrastructure providers who have existing network utilities that are directly affected by, or located in close proximity to the part of the Project in the District . b. The methods the Requiring Authority will use to enable infrastructure providers to access existing network utilities for maintenance at all reasonable times, and to access existing network utilities for emergency works at all times, whilst construction activities associated with the Project are occurring. c. The methods the Requiring Authority will use to seek to ensure that all construction personnel, including contractors, are aware of the presence and location of the various existing network utilities which traverse, or are in close proximity to the part of the Project in the District , and the restrictions in place in relation to those existing network utilities. This shall include plans identifying the locations of the existing network utilities and appropriate physical indicators on the ground showing specific surveyed locations. d. <u>How the Requiring Authority will meet the costs of any Project-related works that are required in order to protect, relocate and/or reinstate existing network utilities. Such methods shall be consistent with the provisions of the Gas Act 1992, the Electricity Act 1992 and the Telecommunications Act 2001.</u>	This change has been made as a result of discussions with PowerCo. Ms Macpherson makes an additional addition in Para 5.21 of her evidence. Also, typographical error – only one District is affected.
PCC.19.	The NUMP shall be prepared in consultation with the relevant infrastructure providers who have existing network utilities that are directly affected by the Project and, in addition to the matters listed in Condition NZTA.19, shall include: a. Measures to be used to accurately identify the location of existing network utilities, b. Measures for the protection, relocation and/or reinstatement of existing network utilities; <u>bb. Measures to seek to ensure the continued operation and supply of infrastructure services which may include, but not be limited to, any new or relocated gas pipes being made operational prior to the termination of existing gas lines;</u> c. Measures to provide for the safe operation of plant and equipment, and the safety of workers, in proximity to live existing network utilities; d. Measures to manage potential induction hazards to existing network utilities; e. Earthworks management (including depth and extent of earthworks), for earthworks in close proximity to existing network utilities; f. Vibration management for works in close proximity to existing network utilities; and Emergency management procedures in the event of any emergency involving existing network utilities.	This change has been made as a result of discussions with PowerCo.
PCC.19A	<u>Prior to the commencement of construction, the Requiring Authority shall, as part of the NUMP, seek to ensure that the operation and maintenance of the Project does not unduly constrain access to existing and/or relocated network utilities for maintenance purposes on an ongoing basis.</u>	This condition is proposed to respond to matters raised by PowerCo.

Reference	Wording of proposed condition	Changes suggested and reasons
PCC.19B	<p><u>Prior to the commencement of construction, the Requiring Authority shall, accurately locate the assets of PowerCo on the following property and, if requested by PowerCo, physically peg out the extent of the designation boundary .</u></p> <p><u>Site A: Road reserve at the intersection of Warspite Avenue and Niagara Street</u></p>	<p>This condition is proposed to respond to matters raised by PowerCo. I note that only one of the five sites mentioned by Ms MacPherson is reflected in this condition because only one is affected by the link roads.</p>
	Roading and traffic management	
PCC.20.	<p>A general <u>The draft Construction Traffic Management Plan (CTMP) submitted with the application (prepared by SKM and dated May 2011) shall be updated, finalised and submitted for certification by the Manager prior to the commencement of construction and prepared for the Project.</u> This CTMP shall address the following:</p> <p>a. The staging of the works, including details of any proposals to work on multiple sections of the Project route concurrently;</p> <p>b. A general methodology for selecting detour routes; and</p> <p>c. The potential effects on the detour routes selected and how these will be managed to seek to ensure safety for all road users.</p>	<p>I have added a statement to confirm that the lodged CTMP is to be updated and finalised in order to achieve compliance with this condition. As discussed above, this responds to a concern raised in planner conferencing</p>
PCC.21.	<p>The CTMP shall be provided to the Road Asset Manager <u>for certification at least 20 working days</u> one month prior to commencement of construction of any part of the Project within the District.</p>	<p>I have changed this condition to 20 working days to be consistent with other conditions which use working days (rather than months).</p>
PCC.22.	<p>Site Specific Traffic Management Plans (SSTMPs) shall be <u>prepared in consultation with the Council and provided to the</u> provided to the road controlling authority <u>Manager at least 5 3 working days for a "minor" SSTMP and at least 10 working days for a "major" SSTMP</u> prior to the commencement of work in that area, and shall describe the measures that will be taken to manage the traffic effects associated with the construction of specific parts of the Project prior to construction of the relevant part(s) of the Project commencing. In particular SSTMP(s) shall describe:</p> <p>a. Temporary traffic management measures required to manage impacts on road users during proposed working hours;</p> <p>b. Delay calculations associated with the proposed closure/s and detour routes;</p> <p>c. The capacity of any proposed detour route(s) and their ability to carry the additional traffic volumes and any known safety issues associated with the detour route, including any mitigation measures the Requiring Authority proposes to put in place to address any identified safety issues;</p> <p>d. Individual traffic management plans for intersections of the proposed Project with arterial roads;</p> <p>e. Measures to maintain, where practicable, existing vehicle access to adjacent properties and businesses;</p> <p>f. Measures to maintain, where practicable, safe and clearly identified pedestrian and cyclist access on roads and footpaths adjacent to the construction works. Where detours are necessary to provide such access the Requiring Authority shall provide for the shortest and most convenient detours, which it is reasonably practicable to provide, having regard to safety;</p> <p>g. Any proposed temporary changes in speed limit;</p> <p>h. Provision for safe and efficient access of construction vehicles to and from construction site(s); and</p> <p>i. The measures that will be undertaken by the Requiring Authority to communicate traffic management measures to affected road users and stakeholders.</p> <p><u>For the purposes of this condition, a "minor" SSTMP shall be defined as involving works of 5 or less days in duration, and a "major" SSTMP shall be defined as involving works of more than 5 days in duration.</u></p>	<p>I have modified this condition to reflect discussions in officer conferencing. The "turn around" timeframe for a SSTMP was too short, and therefore the condition has been amended to reflect this – with the addition of a separate process for "minor" and "major" SSTMPs.</p>
PCC.23.	<p>SSTMP(s) shall be prepared following consultation with the following key stakeholders:</p> <p>a. The Council;</p> <p>b. Emergency services (police, fire and ambulance).</p>	

Schedule of proposed designation conditions Porirua City Council

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Reference	Wording of proposed condition	Changes suggested and reasons
	c. Schools and childcare centres with frontage or access to roads within which works in relation to the relevant part of the Project will take place.	
PCC.24.	The CTMP and SSTMP(s) shall be consistent with the version of the NZ Transport Agency Code of Practice for Temporary Traffic Management (COPTTM) which applies at the time the CTMP or the relevant SSTMP is prepared.	
PCC.25.	The Requiring Authority shall, at carry out regular inspections of the road networks affected by the Project during construction, to seek to ensure that all potholes and other damage resulting from the construction of the Project are repaired as soon as practicable.	Minor change correcting a typographical error.
PCC.26.	As soon as practicable following completion of construction of the Project the Requiring Authority shall, at its expense, conduct a post-construction condition survey of the road network affected by the Project. The results of the pre and post construction surveys will be compared and where necessary, the Requiring Authority shall <u>at its expense</u> arrange for the Council's road maintenance contractor to repair <u>of</u> any damage to the carriageways and footpaths (and associated road components), for which the Council is the road controlling authority, where that damage has resulted from the impacts of construction of the Project.	Minor change similar to that proposed in the NZTA designation conditions.
	Lighting	
PCC.27.	Any lighting used during construction shall be designed and screened to minimise the amount of lighting overspill and illumination of residential areas. <u>Lighting shall be designed and screened to minimise the amount of lighting overspill and illumination of residential areas, and shall be designed in accordance with the rules of the relevant District Plan (if any).</u>	I have made this change to reflect that the purpose of this condition is to manage operational lighting – in response to officer conferencing
	Landscape management and urban design	
PCC.28.	An OP for the construction of any part of the Project located within the District or for the construction of any Project stage within the District shall include a Landscape and Urban Design Management Plan (LUDMP) for the relevant part of the Project. <u>The purpose of the LUDMP is to integrate the Project's permanent works into the surrounding landscape and urban design context. The LUDMP shall be prepared by a suitably qualified landscape architect and urban designer (or similar appropriate personnel person(s)), and shall be prepared in accordance with:</u> a. Transit New Zealand's Guidelines for Highway Landscaping (dated September 2002); b. Transit New Zealand's "Urban Design Implementation Principles (2006)"; and shall be consistent with: a. <u>the Landscape plans submitted with the applications numbered LA14-15 and the revegetation mitigation plans in Technical Report 11;</u> a-b <u>the Transmission Gully Urban and Landscape Design Framework (Beca et al, 2011) and in particular the design principles set out in this document; and</u> b-c <u>the certified Ecological Management and Monitoring Plan (Boffa Miskell, August 2011).</u>	I have renamed the LMP to Landscape and Urban Design Management Plan to recognise urban design content as stated in Ms Hancock's EIC (para 118). I have also included specific references to the ULDF design principles to be embedded in conditions as discussed in Ms Hancock's evidence. Specific references to the Landscape plans LA01-LA21 (Isthmus 2011) have been added into the conditions as discussed by Mr Lister in his EIC. Typographical error – reference to Transit standards is not relevant to local roads. Ms Hancock accepts that Council standards rather than NZTA requirements will apply. Change as discussed in planner conferencing 8 February.
PCC.28A	<u>The EMMP required under the regional resource consents (Condition G.15E) shall be submitted to the relevant territorial authority for information as the same time as it is submitted to the Greater Wellington Regional Council for certification.</u>	There has been a lot of discussion about the linkages between the EMMP and the designation conditions. I consider it is important to recognise that the EMMP will be submitted to the Regional Council for approval, and that it is clear that this is the relevant authority to approve the document. It is appropriate that the territorial authority receive the document for information purposes as these designation conditions contain cross-references.
PCC.29.	All LUDMP(s) shall provide for: a. Input to earthworks contouring; b. The integration of the Project's permanent works into the surrounding landscape;	

Reference	Wording of proposed condition	Changes suggested and reasons
	<p>c. Landscape works within land acquired for the Project which mitigate the effects of the Project on properties in the vicinity of the alignment;</p> <p>d. Retention or relocation of significant existing trees, where practicable; and</p> <p>e. Replacement planting for loss of existing trees, where appropriate and practicable.</p>	
PCC.29.A.	<p><u>As part of the detailed design, the requiring authority shall engage an suitably qualified ecologist to ensure that, where practicable, seral scrub and forest (kanuka scrub and forest, mahoe dominated scrub and low forest) is avoided. This includes:</u></p> <p>(a) <u>James Cook Drive Bush (PCC Ecosite 33).</u></p> <p>(b) <u>Whitby Bush (PCC Ecosite 155b).</u></p> <p>(c) <u>Exploration Drive Kanuka (PCC 190).</u></p> <p><u>Where this vegetation can be avoided and/or effects on them minimised, fencing shall be established to demarcate them, any contractors working in these areas shall be advised that the fence demarcates work boundaries that shall not be affected by construction work.</u></p> <p><u>Where this vegetation cannot be avoided, all practicable steps shall be taken to minimise the areas of this vegetation that are removed.</u></p>	<p>This condition requires the identification of significant areas of vegetation and for these to be avoided if possible. This is recommended by Mr Fuller in his evidence, and those within the Porirua District are listed.</p>
PCC.30.	<p>The <u>LUDMP(s)</u> shall be prepared in consultation with Te Runanga o Toa Rangatira Inc, PCC (as asset owner), <u>Waitangirua Community Park Design Team, Cannons' Creek Residents' and Ratepayers Association, Whitby Residents' Association, Maraeroa Marae Executive, and Tokelauan Christian Church and the shall include but not be limited to the following:</u></p> <p><u>aa. Demonstration of how the design principles in the ULDF have been adhered to in the development of the design concepts, including (but not limited to) principles for noise walls, boundary walls and structures (including bridges underpasses and associated retaining walls) which are identified in the ULDF as being in highly sensitive locations;</u></p> <p>a. A Concept Plan/Report – this shall depict the overall landscape and urban design concept, and provide a framework for the design intent, layout and mitigation proposals.</p> <p>b. Landscape Design Details – these shall include the following details:</p> <p>i. Identification of vegetation to be retained;</p> <p><u>i(a) Identification and protection measures for vegetation to be retained, and make good planting along cleared edges;</u></p> <p>ii. Proposed planting including plant species, <u>plant/grass</u> mixes, spacing/densities, sizes (at the time of planting) and layout <u>and planting methods including trials;</u></p> <p>iii. Planting programme – the staging of planting in relation to the construction programme <u>which shall, as far as practicable, include provision for planting within each planting season following completion of works in each stage of the Project;</u></p> <p>iv. Detailed specifications relating to (but not limited to) the following:</p> <ul style="list-style-type: none"> • Vegetation protection (for desirable vegetation to be retained); • Weed control and clearance; • Ground preparation (topsoiling and decompaction to provide for rapid plant establishment and ongoing vigour); • Mulching; and • Plant supply and planting, <u>including hydroseeding and grassing</u> – which shall require: <ol style="list-style-type: none"> 1. Any planting to reflect the natural plant associations of the area; 2. Where practicable, the use of mixes of plant which are of a suitable richness and diversity to encourage self- 	<p>I have made the following changes to this condition:</p> <ul style="list-style-type: none"> • Include consultation with community-based submitters. • Include reference to the design principles in the ULDF as discussed in Ms Hancock's evidence in chief (para 117). <p>Other changes have been made in response to submitter evidence, similar to those made in the draft NZTA conditions.</p>

Reference	Wording of proposed condition	Changes suggested and reasons
	<p>sustainability once established; and</p> <p>3. Any native plants to, so far as practicable, be genetically sourced from the relevant Ecological District;</p> <p>v. A maintenance regime including monitoring and reporting requirements, which is to apply for the three years following that planting being undertaken;</p> <p>vi. <u>Waitangirua Entrance feature</u></p> <p>vi. <u>vii.</u> Landscape treatment for noise barriers <u>(for Waitangirua Link Road)</u>;</p> <p>vii. <u>viii.</u> Landscape treatment for any pedestrian and cycle facilities;</p> <p>viii. <u>ix.</u> Consideration of:</p> <ul style="list-style-type: none"> • The landscape character of the area; • The relationship <u>integration</u> of the works <u>into</u> the natural environment, including streams; • The potential for a joint pedestrian and cycle path under the SH58 interchange; and • Crime Prevention Through Environmental Design (CPTED) principles in urban areas. <p><u>c. All planting works shall be undertaken in accordance with accepted horticultural practice.</u></p>	
PCC.31.	<p>Prior to the Requiring Authority undertaking any planting provided for in the LMP <u>LUDMP</u> and throughout the ensuing landscaping maintenance period, all weed species declared as plant pests, in the Wellington region by the Wellington Regional Pest Management Strategy shall be controlled and removed from the site of any planting undertaken pursuant to the LMP <u>LUDMP</u>.</p>	
PCC.32.	<p>The planting identified in a LMP <u>LUDMP</u> shall be implemented in accordance with the LMP <u>LUDMP</u> within the first planting season following the completion of the construction works to which the LMP <u>LUDMP</u> relates, or where an LMP <u>LUDMP</u> relates to a number of Project stages, within the first planting season following completion of construction of the Project stage to which the planting relates, providing climatic conditions are suitable; otherwise at the first practicable opportunity thereafter.</p>	

Appendix B3

Schedule of proposed resource consent conditions NZ Transport Agency

Colour Code for track changes:

Changes dated 20 January – as appended to A Rickard rebuttal evidence

shown in black ~~strikethrough~~ and underline

Changes dated 2 February 2012 – circulated to planning, sediment and ecology experts as conferencing preparation

shown in green ~~strikethrough~~ and underline which respond to matters raised through additional sediment engineer conferencing, S42A reports and rebuttal evidence.

Changes dated 13 February 2012

shown in purple ~~strikethrough~~ and underline which respond to matters raised through additional ecology and sediment conferencing, supplementary evidence from submitters and Part 2 of the Planning S42A report

Deletions shown in ~~strikethrough~~

Additions shown in underline

	<i>Changes to definitions</i>	
	Heavy rainfall event 15mm of rain per hour at any of the rain gauges monitored for the Project	This definition has been deleted and replaced with “stabilisation trigger event”
	<u>Heavy rainfall event</u> <u>Means any rainfall event that is predicted to meet or exceed 20mm in one 24 hour period</u>	Response to conference 8 Feb para 11 and 12 and Ms Grant’s request for the heavy rainfall event to be included in the conditions
	<u>Stabilisation trigger event</u> <u>means any rainfall event that is predicted to meet or exceed 40mm 50mm in one 24 hour period.</u>	This has been added to respond to Ms Grant’s evidence and discussions in Mr Martell’s rebuttal. Modified in response to conference 8 Feb para 11 and 12 and Ms Grant’s request at that time and based on assessment of appropriate event by Mr Martell and to be supported by his supplementary evidence
	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 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 <u>over the entire area</u> . <u>“Non-stabilised” areas are those which do not meet the definition of “stabilised”, and include partially stabilised and open/active earthworks areas.</u>	This responds to matters raised regarding the definition of stabilised and confirms that areas that are under erosion control, along with active earthworks areas <u>are not considered to be stabilised</u> . As per conference 8 Feb

Reference	Wording of proposed condition including “track changes”	Reasons for “track changes” suggested, and the reasons the changes have been made.
G.1.	The Project shall be undertaken in general accordance with the plans and information submitted with the application as documented	I have added a statement in response to a discussion in planner conferencing to

Schedule of proposed resource consent conditions NZ Transport Agency

2 February 2012

Reference	Wording of proposed condition including "track changes"	Reasons for "track changes" suggested, and the reasons the changes have been made.
	<p>as consent numbers [INSERT GWRC REFERENCE NUMBERS HERE], subject to such amendments as may be required by the following conditions of consent.</p> <p>The plans and information include:</p> <p>(i) Consent applications dated [INSERT DATES HERE]</p> <p>(ii) Documents [INSERT DATES HERE]</p> <p>(iii) Plans [INSERT FINAL PLAN REFERENCES HERE]</p> <p>a. <u>Assessment of Environmental Effects report, dated 8 August 2011</u></p> <p>b. <u>Plan sets:</u></p> <p>a. <u>LR00-20: Land requirement plans</u></p> <p>b. <u>GM01-21: Road layout plans</u></p> <p>c. <u>GM22-84: Longitudinal sections and cross sections</u></p> <p>d. <u>DR01-21: Drainage layout plans</u></p> <p>e. <u>SO1-29: Structures plans</u></p> <p>f. <u>LA01-21: Landscape plans</u></p> <p>g. <u>AC01-21: Construction access plans</u></p> <p><u>Where there is conflict between the documents lodged and the conditions, the conditions shall prevail.</u></p>	<p>confirm that the conditions prevail where there is conflict between the conditions and the technical reports. This is because some of the conditions have been written in response to matters raised by others after completion of technical reports and consideration of matters raised.</p>
G.2.	<p>Subject to the consent holder holding or obtaining appropriate property rights to enable it to do so, the consent holder shall permit the servants or agents of the GWRC to have access to relevant parts of the respective properties at all reasonable times for the purpose of carrying out inspections, surveys, investigations, tests, measurements and/or to take samples.</p>	
	<p>Pre-construction administration conditions</p>	
G.3.	<p>At least 20 <u>10</u> working days prior to commencement of any Stage the consent holder shall arrange a pre-construction site meeting between the GWRC and any other relevant party nominated by the GWRC, including the primary contractor.</p> <p>In the case that any of the invited parties, other than the representative of the consent holder, does not attend this meeting, the consent holder will have complied with this condition, provided the invitation requirement is met.</p>	<p>I agree that this condition should be amended to provide for a meeting 10 working days prior to commencement of construction as discussed in meetings with Ms Grant at GW. This was also discussed in planner conferencing (para 32.2).</p>
G.4.	<p>Prior to the commencement of construction Work, the consent holder and the GWRC (and or their agreed representative(s) who have authority to make decisions regarding consent compliance), shall meet and decide upon a suitably qualified or experienced person or persons who shall fulfil the role of compliance officer for the Project.</p> <p>The agreed person's responsibilities shall include:</p> <p>a) Pre commencement site meeting(s) with contractors;</p> <p>b) Regular scheduled compliance inspections to meet the requirements of regional consents [INSERT GWRC REFERENCE NUMBERS HERE];</p> <p>c) Spot compliance checks before and/or after forecast extreme weather events;</p> <p>d) Collection, collation and filing of any required monitoring and compliance reports; and</p> <p>e) Enforcement action under the provisions of the RMA in the event of a non-compliance.</p> <p>This person may be a Council employee, or may be an independent person agreed between the consent holder and the GWRC as an Independent Professional Advisor.</p> <p>The actual and reasonable costs of this person exercising these responsibilities shall be recoverable from the consent holder (refer</p>	<p>As agreed at planner conferencing (para 32.3) I have deleted this condition as it duplicates requirements under the Act - in other words, the Council is already entitled to carry out compliance and the Manager may well delegate these tasks to an independent expert.</p>

Reference	Wording of proposed condition including "track changes"	Reasons for "track changes" suggested, and the reasons the changes have been made.
	to Condition G.5).	
G.5.	The GWRC shall be entitled to recover from the consent holder the actual and reasonable costs of the conduct of any review, calculated in accordance with and limited to the Council's scale of charges in force and applicable at that time pursuant to Section 36 of the Resource Management Act 1991	As agreed at planner conferencing I have deleted this condition as it duplicates requirements in the Act.
G.6.	The consent holder shall ensure that a copy of this consent and all documents and plans referred to in this consent, are kept on site at all times and presented to any GWRC officer on request.	I note that there has been some discussion between myself and Ms Grant as to what might be defined as "site". From my experience, I consider a pragmatic approach would be taken, and that having a copy in the site project office would constitute compliance with this condition.
	Review condition	
G.7.	The Manager may review any or all conditions of this consent by giving notice of their intention to do so pursuant to Section 128 of the Resource Management Act 1991, at any time within six months of the first, third and fifth anniversaries of the date of commencement of <u>the works authorised by</u> this consent for any of the following purposes: a) To deal with any adverse effects on the environment, which may arise from the exercise of this consent, and which it is appropriate to deal with at a later stage; and b) To review the adequacy of any monitoring plans proposed and/or monitoring requirements so as to incorporate into the consent any monitoring or other requirements which may become necessary to deal with any adverse effects on the environment arising from the exercise of this consent.	Minor clarification.
	Staging and programme conditions	
G.8.	If the Work is to be staged, the consent holder shall prepare a staging plan prior to the commencement of that Work, and shall provide written notification of the commencement of the Work in each Stage to the GWRC, at least ten working days prior to that Work commencing in each area. <u>At least 20 working days prior to the commencement of any Work authorised by this consent, the consent holder shall prepare an overall staging plan for the whole project for certification by the Manager. The staging plan shall demonstrate how the project will be staged, and the proposed total construction period.</u>	From discussions with GW and planner conferencing, this condition has been changed to clarify that there needs to be an overall "high level" programme for the whole project to demonstrate how it will be staged. Staging plans will then follow for each of the individual stages, and these are required to be provided with more specific details through the CEMP and ESCP at later dates. This is also reflected in Condition G9 below. I also recommend that the staging plans be certified by the Manager. This condition is related to the Management Plan condition following below (G.10A) that requires the staging plan to be certified before the CEMP and the ESCP if they are to be staged.
G.8A.	<u>The consent holder shall ensure that the staging plan required under Condition G.8 above, is certified by the Manager prior to the submission of the CEMP (or staged CEMPs) required under Condition G.12, and the first of the ESCPs as required under Condition E.5,</u>	This condition requires the consent holder to be clear on the staging proposed for the overall Project, and for the Manager to have certified the staging plan, prior to the first stage CEMP or ESCP being submitted. This addresses a concern raised in the evidence of Mr Gough, that the quantity of information to be certified through the ESCPs may be substantial. This process would provide forewarning to the Manager.
G.9.	The consent holder shall provide the Manager with an updated schedule of construction activities <u>and timing of management plans</u> for the Project at monthly intervals throughout the construction phase of the <u>entire</u> Project <u>and each monthly update schedule shall</u>	Changes have been made for the same reasons as above for G8.

Reference	Wording of proposed condition including “track changes”	Reasons for “track changes” suggested, and the reasons the changes have been made.
	<u>demonstrate how it fits into the overall staging plan required by Condition G.8.</u>	I note that Ms Grant also suggests monthly reporting for the purpose of advising the Council of works that are intended to occur over the next month, and the likely timeframe of future works. She notes that this would assist the Regional Council in overall compliance monitoring and allocation of resources (for approving plans etc.) (para 96.1 of her evidence). I agree with her recommendation. As agreed in 8 February conferencing
	Management plans	
G.10.	All works shall be carried out in general accordance with the management plans required by these conditions.	Change as agreed at ecology conference on 3 February. The discussion was that there is sufficient flexibility in a management plan process to be able to make changes if and when required, and that the word general is not necessary.
G.11.	The consent holder may request amendments to any of the management plans required by these conditions by submitting the amendments in writing to the Manager for approval <u>certification at least 20 working days</u> prior to any changes taking effect. <u>Any changes to management plans shall remain consistent with the overall intent of the relevant management plan. No changes may take effect until certified by the Manager'</u>	This reflects changes also made to the designation conditions, and adds a timeframe for manager's “sign off” of any changes to management plans. Ms Grant suggested this change in her supplementary evidence.
G.11A	<u>Where a management plan is required to be prepared in consultation with any third party, the management plan shall demonstrate how the views of that party (or parties) have been incorporated, and where they have not, the reasons why.</u>	I have added in this condition in response to discussions in terrestrial ecology conferencing in order to address concerns raised about communication with key stakeholders during preparation of management plans. There are a number of instances where the conditions require consultation with third parties.
	Construction Environmental Management Plan	
G.12.	<p>Prior to the commencement of any Stage which involves activities authorised by this consent, the consent holder shall submit a Construction Environmental Management Plan or Plans (“CEMP”) to the Manager for review and certification. Among other things, the CEMP(s) is to confirm that the proposed construction methodology for the Stage complies with Condition G.1 of this consent and to demonstrate how other conditions of this consent have been or will be complied with. The CEMP(s) shall be prepared in relation to the relevant Stage.</p> <p>The purpose of the <u>The CEMP is intended</u> to confirm final project details, staging of Work, and detailed engineering design to seek to ensure that the Project remains within the limits and standards approved under this consent and that the construction and operation activities avoid, remedy or mitigate adverse effects on the environment in accordance with the conditions of this consent. <u>The draft CEMP submitted with the application (dated July 2011) shall be updated and finalised, and shall</u> provide details of the responsibilities, reporting frameworks, coordination and management required for project quality assurance; final detailed design; construction methodologies; timeframes and monitoring processes and procedures. Works shall not commence on a Stage until the consent holder has received the Manager’s written approval <u>certification</u> for the CEMP(s) for that Stage.</p> <p>A CEMP shall include but need not be limited to:</p> <p><i>(1) Quality Assurance</i></p> <p>A Quality Assurance section which shall include management frameworks, systems and procedures for quality management of all on-site activities and compliance with the conditions of this designation. Among other matters this section shall provide</p>	<p>Minor changes have been made to this condition to reflect discussions in planner conferencing, to clarify the intention of the CEMP, and to confirm that the CEMP document as lodged is a draft that will need to be updated by the appointed contractor (i.e. it must be used as a basis for the final CEMP, not a completely separate document).</p> <p>The accidental discovery protocol has been added to this condition.</p> <p>The lighting condition has been added for consistency with the designation conditions.</p> <p>I note that (as per planner conferencing statement para 31.3) the CEMP condition was to be reviewed against the “standard” GW condition. Ms Grant has not mentioned a concern with the current wording specifically in her evidence, and it is anticipated that if this remains a concern to her, then it could be reviewed again.</p>

Reference	Wording of proposed condition including “track changes”	Reasons for “track changes” suggested, and the reasons the changes have been made.
	<p>details of the following:</p> <ul style="list-style-type: none"> a) Name, qualifications, relevant experience and contact details of an appropriately qualified and experienced project manager, who shall be responsible for overseeing compliance with the CEMP; b) Names, qualifications, relevant experience, and methods for contacting principal staff employed on the relevant part of the Project, along with details of their roles and responsibilities; c) Methods and systems to inform and train all persons working on site of potential environmental issues, <u>the accidental discovery protocol</u>, and how to comply with conditions of the consent; d) Systems and processes whereby the public are informed of contact details of the project manager and principal staff identified above; e) Liaison procedures with the Council; and f) Communication protocols. <p><i>(2) Site Management</i></p> <p>The Site Management section of the CEMP shall detail procedures to manage the relevant part of the Project throughout the entire construction process in a safe manner. This section shall provide details of the following (and may include other matters):</p> <ul style="list-style-type: none"> a) Details of the site access for all Work associated with construction of the part of the Project; b) Measures to be adopted to maintain the site in a tidy condition in terms of disposal/storage of rubbish, storage and unloading of building materials and similar construction activities; c) Location of workers’ conveniences (e.g. portaloos); d) Procedures for controlling sediment run-off into the watercourses/streams, dust and the removal of soil, debris and construction materials from the watercourses/streams and riparian margins, and onto public roads or places (including identifying the location of wheel wash facilities); e) A contingency plan in the event that there is any unconsented discharge to watercourses/streams; f) Details of the storage of fuels and lubricants (which shall require that storage be bunded or contained in such a manner so as to prevent the discharge of contaminants from spillages); g) Details of the proposed maintenance of machinery and plant to minimise the potential for leakage of fuels and lubricants; h) Location of vehicle and construction machinery access and storage during the period of site works; i) Procedures for thoroughly cleaning all machinery of unwanted vegetation (e.g. weeds), seeds or contaminants prior to entering the site <u>and any other methods to avoid the introduction of unwanted pests to site</u>; j) Methods for the clear identification and marking of the construction zones including those which extend into watercourses; k) A methodology that prescribes the extent to which machinery can operate in the vicinity of watercourses so as to minimise disruption and damage to the watercourses and associated vegetation; l) Methods to manage public health and safety during the construction works, and notification to the public of temporary access restrictions to the immediate works area during the staged construction; m) Confirmation that no equipment or machinery will be cleaned, or refuelled in any part of any watercourses/streams, except as otherwise specifically provided for in the CEMP or an SSEMP; n) Procedures for removing all contaminants (e.g. fuel, hydraulic oils, lubricants etc) from the site at the end of the 	<p>Point to Note: I have changed the Underlined headings within this condition to Italicised headings so that they are not confused with the track changes.</p> <p>This clause was added after the conferencing session on 3 February. The same change will be made to designation Conditions NZTA.11 and NZTA.12.</p>

Reference	Wording of proposed condition including "track changes"	Reasons for "track changes" suggested, and the reasons the changes have been made.
	<p>construction period, except for those required for ongoing maintenance of the road and operational activities; and</p> <p>o) Procedures for making any repairs to the adjacent road network required where any damage occurs as a direct result of the Project; <u>and</u></p> <p>p) <u>Procedures to manage lightspill onto residential properties from any night lighting that is required on the site.</u></p> <p><i>(3) Construction Programme and Methodology</i></p> <p>Notwithstanding Conditions G.8 and G.9 above, a Construction Programme which shall include a programme of works that seeks to enable the relevant part of the Project to be constructed in a manner that is timely, adequately co-ordinated and manages the adverse effects of construction on the environment in accordance with the conditions of this consent. This section shall, among other matters, provide details <u>of</u> the the following:</p> <p>a) A detailed staging programme and anticipated timetable for construction works during the relevant part of the Project; and</p> <p>b) A methodology to identify how earthworks will be staged during the relevant part of the Project to manage the effects of the Project on the Pauatahanui Inlet in accordance with this consent</p>	

Reference	Wording of proposed condition including "track changes"	Reasons for "track changes" suggested, and the reasons the changes have been made.
	Staff Training	
G.12A	<p><u>At least one week prior to the commencement of any earthworks or earthworks stage, contractors responsible for supervising site staff shall be briefed as followed:</u></p> <p>a) <u>For those contractors likely to be involved in the construction and maintenance of erosion and sediment control devices, the consent holder shall engage a suitably qualified and experienced person approved by the Manager to deliver a practical on-site training session. The training session shall be for the purpose of explaining the performance standards required by these consent conditions to be achieved by the erosion and sediment control devices; and</u></p> <p>b) <u>For those contractors likely to be involved in the construction of any stream diversions or other in-stream works, they shall be briefed on the values of the stream, the objectives of stream design, the requirements of native fish for fish passage, and the sensitivity of the receiving environment to sediment discharge.</u></p> <p>c) <u>For those contractors likely to be involved in any works involving vegetation clearance, they shall be briefed on the values of any significant areas of vegetation that are to be retained, and the methods that shall be used to identify and protect them during construction.</u></p> <p><u>The consent holder shall to the satisfaction of the Manager, establish a process and programme for training of new staff members joining the project team after the initial training is delivered for the duration of the Works.</u></p>	<p>I have added a condition requiring staff training for those contractor staff members whose teams are likely to be responsible for carrying out construction and maintenance of erosion and sediment control devices, and the construction of in-stream works. The purpose of this condition is to ensure that there is practical awareness by site staff of the importance of these key environmental management measures. I understand this was a matter discussed in erosion and sediment control conferencing.</p> <p>I note that the EMMP already specifies training for those staff who will be involved with construction of stream diversions, and given the attention that erosion and sediment control has received through the water quality conferencing sessions, I recommend a similar condition for this topic area.</p> <p><u>This clause was added as agreed at the conferencing session on 3 February.</u></p>
	Environmental management plans	
G.13.	<p>The management of key environmental effects associated with the construction phase of the Project shall be detailed within environmental management plans that are included in the appendices to the CEMP. This suite of management plans shall include:</p> <p>a) Construction Air Quality Management Plan (CAQMP) – Condition G.14;</p> <p>b) Contaminated Land Management Plan (CLMP) – Condition G.15;</p> <p>c) Erosion and Sediment Control Plan (ESCP) – Condition E.4 and E.5;</p> <p>d) Chemical Treatment Plan (CTP) (i.e. flocculation) <u>(and the associated Performance Monitoring Plan) – Condition E.19 (and E19(f));</u></p> <p>e) Ecological Management and Monitoring Plan (EMMP) – <u>Condition G.15E;</u></p> <p>f) Concrete Batching Plant Management Plan (CBMP) – Condition CBP.2.</p> <p>g) <u>Forestry Harvesting Plan – FHP – Condition E.34A</u></p> <p>h) <u>Erosion and sediment control monitoring plan (ESCMP) – Conditions E.14A and E.14B</u></p>	<p>The CAQMP has been deleted from the resource consent conditions after discussions with GW because this is considered to be a designation matter (the condition remains on the designations).</p> <p>Ms Grant suggests a Forestry Harvesting Plan be added to the suite of conditions to manage removal of plantation forestry. I agree with this suggestion and have proposed an additional condition (refer below) based on her wording (para 55 of her evidence).</p> <p>Mr Handyside also mentions forestry as a sediment generating activity in his evidence. He also mentions the flocculation performance monitoring plan in his evidence and I have reflected this in the conditions.</p> <p><u>The "elevation" of this plan (currently an appendix to the CEMP) recognises the discussions that have been ongoing about the quantum, nature and purpose of monitoring – through conferencing. A change in approach to conditions is reflected in the "E" conditions below.</u></p>
G.14.	<p>The CEMP shall include an updated version of the Construction Air Quality Management Plan which shall provide a methodology for managing the effects of dust generated by activities on site, and shall, as a minimum include:</p> <p>a) Identification and implementation of dust suppression measures appropriate to the environment in which the Work is located, and the sensitivity of nearby receptors; and</p> <p>b) Identification of contingency measures to address identified and verified adverse effects on sensitive receptors. Contingency</p>	<p>This condition has been deleted after discussions with Ms Grant because this is a designation matter. The condition remains in the proposed designation conditions.</p>

Reference	Wording of proposed condition including "track changes"	Reasons for "track changes" suggested, and the reasons the changes have been made.
	<p>measures may include options such as:</p> <ul style="list-style-type: none"> • Cleaning of water tanks and replenishment of water supplies; • Cleaning of houses • Cleaning of other buildings and infrastructure. 	
G.15.	<p>The CEMP shall include a Contaminated Land Management Plan which shall include information regarding:</p> <ol style="list-style-type: none"> a) The measures to be undertaken in the handling, storage and disposal of all contaminated material excavated during the construction works; b) The soil validation testing that will be undertaken; c) The soil verification testing that will be undertaken to determine the nature of any contamination in excavated spoil and the potential reuse or disposal options for that spoil; d) Measures to be undertaken in the event of unexpected contamination being identified during construction activities, including measures to: <ul style="list-style-type: none"> • Assist with identification of unknown contaminated material; • Stop work or isolate the area once any such material is identified; e) The measures to be undertaken to: <ul style="list-style-type: none"> • Protect the health and safety of workers and the public; • Control stormwater runoff and runoff; • Remove or manage any contaminated soil; and f) <u>Measures – which shall be developed in consultation with the New Zealand Police and the New Zealand Defence Force – to be undertaken to manage the risk of unexpectedly discovering an unexploded ordnance (UXO); and</u> g) The measures to be undertaken to: <ul style="list-style-type: none"> • Identify any suspected asbestos; • Identify the type of asbestos and confirm the appropriate means by which it shall be removed; • Handle asbestos containing material. • Implement appropriate health and safety measures to maintain the safety of workers and the public; and • Remove the asbestos and dispose of it to an appropriately licensed facility. <p>These measures shall include appointment of a suitably qualified contractor to implement the asbestos identification and handling measures identified in the CLMP.</p>	<p>I discuss the CLMP in my EIC, and note that Ms Grant agrees with me that this condition should remain on the regional consent conditions.</p> <p>I have added a reference to the potential for discovery of unexploded ordnance – as discussed in the evidence in chief of Ms Maize. I note also that Ms Maize wishes this condition to apply wider than just asbestos and this is reflected in the strikeout in the last clause.</p>
G.16.	<p>Should a heavy rainfall event occur or advance notice of an impending event be received the consent holder may undertake contingency measures not set out in any management plan, but only subject to the following conditions:</p> <ol style="list-style-type: none"> a) The measures must be for the express purposes of managing non-stabilised areas of earthworks or improving erosion and sediment controls in the catchments that drain to the Porirua Harbour; b) Unless impracticable to do so, the consent holder must secure prior (oral or written) approval from the Manager for undertaking the measures; c) As soon as practicable following the undertaking of the measures, the consent holder must provide to the Manager written notice of the measures undertaken and amend the relevant Management plan(s) as may be appropriate to take account of the 	<p>This condition has been deleted after discussions with Ms Grant GW and in planner conferencing. It was agreed that these matters (i.e. contingency) must be covered by the ESCP.</p>

Reference	Wording of proposed condition including "track changes"	Reasons for "track changes" suggested, and the reasons the changes have been made.
	measures undertaken and submit the amended Management plan to the Manager for approval under Condition G.11.	
	Insert relocated EMMP and SSEMP conditions renumbered and edited as G.15A. that apply to all consents except RC16 and RC16 for the concrete batching plant	I have added a note to identify that I propose to relocate EMMP and SSEMP condition into the "G" suite of conditions and that these shall apply to all the regional resource consents with the exception of the Concrete Batching Plant.
	Archaeology	
G.17.	<p>The Requiring Authority-Consent Holder, in consultation with, Te Runanga o Toa Rangatira Inc and the New Zealand Historic Places Trust, shall prepare an accidental discovery protocol to be implemented in the event of accidental discovery of cultural or archaeological artefacts or features during the construction of the Project. This protocol shall be submitted to the Manager at least 20 working days prior to any construction or enabling Work commencing under this consent on any part of the Project within the District. The protocol shall include, but not be limited to:</p> <ul style="list-style-type: none"> a) Training procedures for all contractors regarding the possible presence of cultural or archaeological sites or material, what these sites or material may look like, and the relevant provisions of the Historic Places Act 1993 if any sites or material are discovered; b) Parties to be notified in the event of an accidental discovery shall include, but need not be limited to Te Runanga o Toa Rangatira Inc, the New Zealand Historic Places Trust, the GWRC, the relevant District or City Council and the New Zealand Police (if koiwi are discovered); c) Procedures to be undertaken in the event of an accidental discovery (these shall include immediate ceasing of all physical works in the vicinity of the discovery); and d) Procedures to be undertaken before Work under this consent may recommence in the vicinity of the discovery. These shall include allowance for appropriate tikanga (protocols), recording of sites and material, recovery of any artefacts, and consulting with Te Runanga o Toa Rangatira Inc and the New Zealand Historic Places Trust prior to recommencing works in the vicinity of the discovery. 	Typographical error
	Complaints	
G.18.	<p>During construction Work, the consent holder shall maintain a permanent record of any complaints received alleging adverse effects from, or related to, the exercise of this consent. The record shall include:</p> <ul style="list-style-type: none"> a) the name and address (as far as practicable) of the complainant; b) identification of the nature of the complaint; c) location, date and time of the complaint and of the alleged event; d) weather conditions at the time of the complaint (as far as practicable), and including wind direction and approximate wind speed if the complaint relates to air quality. e) the outcome of the consent holders investigation into the complaint; f) measures taken to <u>respond to the complaint</u> seek to ensure that such a complaint does not occur again; and g) Any other activities in the area, unrelated to the project that may have contributed to the complaint, such as non-project construction, fires, traffic accidents or unusually dusty conditions generally. <p>The consent holder shall also keep a record of any remedial actions undertaken.</p> <p>This record shall be maintained on site and shall be made available to the Manager, upon request. The consent holder shall notify the Manager within 5 working days of the complaint being brought to the attention of the consent holder. <u>of any such complaints as soon as practicable after the complaint is received by the consent holder, or any representatives. This notification shall be either by telephone or email, or via an alternative electronic method as agreed with the Manager.</u></p>	I have made a change to acknowledge the preference of quick electronic service of notice of complaints. This was discussed with Ms Grant at GW and the District Council officers also agreed that this would be useful. I have slightly modified Ms Grant's suggested wording (her para 86.1) to reflect that there is potential for other methods of notification other than phone and email. There is also a reference to this in the planner conferencing statement (para 32.7).

Reference	Wording of proposed condition including “track changes”	Reasons for “track changes” suggested, and the reasons the changes have been made.
	<u>Incidents</u>	I have added an additional title for clarity to confirm Condition G.19 is not a ‘complaints’ condition.
G.19.	<p>The consent holder shall immediately notify the Manager if any contaminants (including sediment) or material are released in the undertaking of the Work and enters any watercourse due to any of the following:</p> <ul style="list-style-type: none"> a) discharges from non–stabilised areas that are not treated by erosion and sediment control measures required under this consent; and/or b) failure of any erosion and sediment control measures; and/or c) any other incident which either directly or indirectly causes, or is likely to cause, adverse ecological effects in any watercourse that is not authorised by a resource consent held by the consent holder. <p>If any of these events occur, the consent holder shall <u>notify the Manager of any such incidents as soon as practicable after the incident being identified, and shall:</u></p> <ul style="list-style-type: none"> a) establish control measures where these have failed or have not been implemented in accordance with the CEMP as soon as practicable; b) liaise with the Manager to establish what remediation or rehabilitation is required and whether such remediation or rehabilitation is practical to implement; c) carry out any remedial action as required by and to the satisfaction of the Manager; and d) maintain a permanent record of the incident at the site, which shall include the date and time of the incident, the nature, manner and cause of the release of the contaminants, weather conditions at the time of the incident and the steps taken to contain any further release and to remedy any adverse ecological effects on the watercourse. <p>A copy of this record shall be provided to the Manager within 5 working days of the incident being brought to the attention of the consent holder. This notification shall be either by telephone or email, or via an alternative electronic method as agreed with the Manager.</p>	<p>Change to acknowledge preference of quick electronic service of notice of incidents as for Condition G.18.</p> <p>There is also a reference to this in the planner conferencing statement (para 32.7).</p>
	<u>Consent lapse and expiry</u>	
G.20.	Pursuant to section 125(1) of the Act, the consents referenced [INSERT GWRC REFERENCE NUMBERS HERE] shall lapse 15 years from the date of their commencement (pursuant to Section 116(5) of the Act) unless it has been given effect, surrendered or been cancelled at an earlier date.	
G.21.	Pursuant to section 123(c) of the Act, the consents referenced [INSERT GWRC REFERENCE DISCHARGE PERMIT AND WATER PERMIT NUMBERS HERE] shall expire 35 years from the date of their commencement (pursuant to Section 116(5) of the Act).	
	<u>Annual Report</u>	
G.22.	<p><u>The consent holder shall provide to the Greater Wellington Regional Council an annual report by the 30th of June each year, or as otherwise agreed with the Manager. As a minimum this report shall include:</u></p> <ul style="list-style-type: none"> <u>(i) all monitoring data required in accordance with the conditions of this consent;</u> <u>(ii) any reasons for non–compliance or difficulties in achieving compliance with the conditions of these resource consents;</u> <u>(iii) any works that have been undertaken to improve the environmental performance of the site or that are proposed to be undertaken in the up–coming year;</u> <u>(iv) The marine benthic habitat monitoring results as required by Conditions M.3. M.4. and M.5. ;</u> <u>(v) recommendations on alterations to the monitoring required; and</u> 	<p>Planner conferencing suggested an annual report on all the monitoring required by these consents. Whilst I consider there is already a significant amount of reporting required on a monthly basis, an annual report may be useful and I have suggested this condition.</p> <p>I note that the 30th June is a suggested date, and there may be a more appropriate date that better reflects a key milestone such as the start of construction.</p>

Reference	Wording of proposed condition including "track changes"	Reasons for "track changes" suggested, and the reasons the changes have been made.
	<u>(vi) any other issues considered important by the consent holder.</u>	

The following conditions apply to RC1-RC12 and RC14 inclusive. They have largely been relocated from the "E" suite of conditions in order to address concerns raised by Dr Solly and Ms Thomson that SSEMPs and the EMMP should apply to the streamworks consents as well.

Where I have relocated these conditions from the "E" suite of conditions, I have only shown as underline and ~~strikethrough~~ where the text of the condition(s) has changed.

	Site Specific Environmental Management Plans (SSEMPs)	
	<i><u>Explanatory Note: The intent of the SSEMP is to integrate design elements with environmental management and monitoring methods into a single plan for each stage, in order to define how the project will be practically implemented on site.</u></i>	
E.20. G.15A	<p>The consent holder shall prepare, submit and implement a Site Specific Environmental Management Plan (SSEMP) for each stage or sub stage area set out in the staging plan required under the CEMP. The SSEMP shall be submitted to the Manager, for certification at least 20 working days prior to works commencing in each plan area. Suitably qualified environmental specialist(s) shall assist in the preparation of the SSEMPs <u>and they shall be generally consistent with the EMMP.</u></p> <p>(a) Each SSEMP shall as far as practicable meet the objectives in Condition E.3 and shall be in general accordance with the CEMP and shall include, but need not be limited to:</p> <ol style="list-style-type: none"> i. a detailed design and construction methodology for all works within the area covered by the SSEMP; ii. details of any contractor appointed to carry out the works authorised by this consent, including the contractor's company, address, named representative and their contact details; iii. a detailed schedule of construction activities including the expected commencement date and duration of works in each location within the area covered by the SSEMP; iv. a staging of works to demonstrate that the area of disturbance will be kept to the minimum practicable; and v. evidence that a suitably qualified engineer has been appointed to carry out the overall design, supervision and certification of earthworks (including cut/fill batter stability and construction of all erosion and sediment controls). <p>(b) In respect of erosion and sediment control, the SSEMP shall be prepared in general accordance with the NZTA's <i>Draft Erosion and Sediment Control Standard for State Highway Infrastructure</i> and <i>Draft Field Guide for Contractors</i> and shall include, but not be limited to:</p> <ol style="list-style-type: none"> i. detailed design specifications of all earthworks within the SSEMP area, including disposal sites, and all erosion and sediment control measures to be implemented, including supporting calculations where appropriate; ii. the expected commencement dates for the implementation of erosion and sediment controls measures in the SSEMP area; iii. information regarding chemical treatment of the proposed sediment retention ponds and devices; iv. identification of innovative treatments for erosion control that are to be used; v. monitoring and maintenance schedules for all erosion and sediment control measures <u>based on a requirement of the ESCMP (found in Appendix E of the CEMP) on a set frequency (at least weekly), or within 24 hours of each trigger rain event that is likely to impair the function or performance of the control measures, Monitoring shall also be of include sediment removal efficiencies;</u> vi. a site plan showing contours at suitable intervals, cut and fill operations, the specific location of all sediment and erosion control measures, and catchment boundaries for the sediment controls; and 	<p>I have added an explanatory note to clarify that the SSEMP is about bringing design and environmental management measures together into a simple format that can be used on site to inform site staff.</p> <p>With the relocation of the condition, consequential wording changes are required to make the condition make sense. Reference to Condition E.3. has been moved to the erosion and sediment control section of the condition because Condition E.3. relates to erosion and sediment control.</p> <p>There is a reference to the SSEMPs being relevant to the streamworks as well as the earthworks in the planner conferencing statement (para 32.19). I have amalgamated Condition S2 in to this Condition – refer to sub-clause (d).</p> <p>I have also responded to the statement in the freshwater ecology conferencing statement (para 18) that suggests specific design aspects for the Te Puka stream.</p> <p>Further changes made to respond to matters raised in Dr Fisher's evidence:</p> <ul style="list-style-type: none"> - clearly stating that monitoring of sediment removal efficiencies is required - making it clear that provision of diversion plans is required – note an additional related condition to be added to the "WS" suite of conditions as well. <p>The purpose of the changes to (b) are to simplify monitoring provisions and reference to the ESCMP – representing an overall change in approach to monitoring based on the further discussions have been had through conferencing.</p>

	<p>vii. locating temporary stockpiles of excavated material at least 50m away from any ephemeral stream or permanent watercourse unless there is appropriate treatment of stormwater (which may include discharging to vegetated land). viii the confirmation of the type of rain gauge that will be used for each pond, and its location; and ix demonstration of how the objectives in Condition E.3 will be met.</p> <p>(c) In respect of revegetation and rehabilitation activities, the SSEMP shall include, but not be limited to:</p> <ol style="list-style-type: none"> i. identification of soil resource to be used for rehabilitation within the SSEMP area; ii. identification of the vegetation types to be used on a plan or schedule; iii. a programme for revegetation and maintenance activities for a period of up to the 3 years (maintenance activities may include the exclusion of pest browsers and stock and the removal of weeds, and fencing that might be required for the exclusion of stock); iv. the desired percentage of surface cover to be achieved to reduce the adverse effects from sediment-laden stormwater run-off; and v. identification of any innovative treatments of exposed rock cuttings that are to be used; and vi. information demonstrating that as far as practicable the objectives in Condition E.3 are met. <p>(d) In respect of stream realignment and culverting, the SSEMP shall include, but not be limited to:</p> <ol style="list-style-type: none"> i. measures/methods to seek to ensure that fish passage is maintained maintain fish passage during and on completion of construction works along the stretches of stream affected by the exercise of this consent; ii. details of culvert inlet/outlet protection structures e.g. pre-cast wing walls or rock rip-rap; iii. appropriate sizing of culverts and allowances for secondary flow paths during high flows; and iv. detailed diversion plans and any other measures or details as appropriate to achieve compliance with all conditions of this consent. v. (e) Each SSEMP shall include a drawing that clearly shows the location of key areas or features that are required to be avoided or otherwise protected during construction. These features shall include, but not be limited to, notable areas of bush or vegetation and heritage features. 	<p>\The change to (d) was agreed at the 3 February conference and updates a change made in relation to "diversion plans" as suggested by Dr Fisher.</p>
<p>S-3. G.15B</p>	<p>Works shall not commence until the SSEMPs detailed design plans and construction methodology required by Condition G.15A. Condition S-2. of this consent have been certified by the Manager GWRC as being in general accordance with consent application plans.</p>	<p>This condition has been relocated from the "S" suite of conditions in order to be relevant to all stream works - including the "WS" suite of conditions.</p>
<p>E-21. G.15C</p>	<p>The consent holder may request amendments to any SSEMP by submitting the amendments in writing to the Manager for approval, <u>certification at least 10 working days</u> prior to any changes taking effect.</p>	<p>Mr Handyside notes in his evidence (para 61) that a mechanism for on the spot changes and a quick turnaround is desirable. I have reflected a relatively quick turnaround time in this condition.</p>
<p>S-8. G.15D</p>	<p>The consent holder shall take all practicable steps to minimise sedimentation and disturbance of streams during the construction and implementation of the Work, including:</p> <ol style="list-style-type: none"> (a) completing all Work in the minimum time practicable; (b) minimising the area of disturbance at all times; (c) avoiding placement of excavated material in the wetted channel; (d) separating construction activities from the wetted channel; (e) minimising time spent by machinery in the wetted channel, including the number of vehicle crossings; (f) immediately removing any excess material from the bed and banks of the stream on completion of the Work; and (g) where practicable, using material from the old dry channel for subsequent new channels. 	

Schedule of proposed resource consent conditions NZ Transport Agency

2 February 2012

Ecological Management and Monitoring Plan (EMMP)		
E-24. G.15E	<p>The consent holder shall, in consultation with the Director-General of Conservation, <u>Te Runanga o Toa Rangatira Inc and the Greater Wellington Regional Council</u>,</p> <p>(a) update and finalise the Draft Ecological Management and Monitoring Plan dated July 2011 to:</p> <p>(a) include performance measures, actions, methods, trigger levels and monitoring programmes designed to achieve the objectives <u>and criteria specified in Conditions E.22 and E.23 E.15F and E.15G below above</u>;</p> <p>(b) <u>provide for the continual review and monitoring of the effects of construction activities, including the inspection of all erosion and sediment control devices after all heavy rainfall stabilisation trigger events, and the upgrading of devices where necessary to achieve the most efficient and effective treatment; and</u></p> <p><u>An EMMP shall include but need not be limited to:</u></p> <p>(a) <u>Ecological Management</u></p> <ol style="list-style-type: none"> i. <u>Staff training and staff roles and responsibilities</u> ii. <u>Vegetation management, land retirement and revegetation – including goals and criteria for enrichment and revegetation planting</u> iii. <u>Methods to manage effects on lizards, terrestrial macro-invertebrates, avifauna, bats,</u> iv. <u>Methodology for carrying out instream works</u> v. <u>Methodology for freshwater fish translocations</u> <p>(b) <u>Approach to adaptive management</u></p> <p>(c) <u>Ecological success monitoring measures</u></p> <p>(d) <u>The process for review(s) of the EMMP; and</u></p> <p>(e) <u>Demonstration of an integrated approach to the development of this EMMP and the LUDMP that is required to be prepared under designation Condition NZTA.48.</u></p> <p>(f) <u>Demonstration of an integrated approach to the development of this EMMP and the erosion and sediment control measures contained in the ESCPs and SSEMPs.</u></p> <p>(b) <u>The consent holder shall submit this the EMMP to the Manager, for approval certification at least 20 working days prior to works commencing on any part of the Project.</u></p>	<p>Mr Fuller recommends (para 166 of his EIC) that this condition specifies the need for monitoring for the success of mitigation activities.</p> <p>Ms DeLuca recommends that point (a)(ii) would be better placed on the ESCP. This is also reflected in a condition proposed by her and inserted into the “E” suite of conditions. Consistent with Ms DeLuca’s comment, this condition was agreed to be deleted at the 3 February conference.</p>
E-22. G.15F	<p>As part of the EMMP, and during <u>During construction of the Project, the consent holder must</u> The EMMP shall demonstrate how the consent holder will maintain or improve range and extent of habitat types and their associated indigenous biodiversity and shall achieve the following objectives as far as reasonably practicable:</p> <p>(a) Re-establish affected lizard habitat and minimise lizard mortality resulting from construction of the Project;</p> <p>(b) Re-establish affected peripatus habitat and minimise peripatus mortality resulting from construction of the Project;</p> <p>(c) Minimise disturbance of breeding kaka and falcon;</p> <p>(d) Minimise effects on fish during streamworks;</p> <p>(e) Mitigate stream loss and modification by:</p> <ol style="list-style-type: none"> i. Enriching riparian habitat; and ii. Enhancing fish passage; <p>(f) Reduce construction effects on the aquatic freshwater and the Porirua Harbour marine environments; and</p>	<p>Mr Fuller (para 184.1 of his EIC) recommends that four specific areas of vegetation are listed in conditions for identification and protection.</p> <p>Point (i) has been relocated from Condition S.5.</p> <p>I also propose a new condition – and take a similar approach to erosion and sediment management – setting criteria for ecological mitigation to complement the ecological management objectives (Condition 15.G).</p> <p>This change was made as agreed at the conference on 3 February.</p>

	<p>(g) Avoid the destruction of valued vegetation, in particular riparian vegetation, where practicable (including those listed in designation conditions NZTA 47B and 47B)</p> <p>(h) Establish habitat that is suitable for <i>leptinella tenella</i> when existing habitat is lost; and</p> <p>(i) Use locally sourced plants where they are available.</p>	
G.15G	<p><u>The consent holder shall achieve a combined total of at least 426ha of active or passive vegetation restoration and management which shall be comprised of the following components:</u></p> <p>(a) <u>Approximately half of that area comprising land retired from farming and protected (refer to Condition G.15.H);</u></p> <p>(b) <u>Approximately one fifth of that area comprising pioneer shrubland that will be retired, protected and undergo enrichment planting;</u></p> <p>(c) <u>Approximately one third of that area comprising revegetated for terrestrial, freshwater, landscape or stormwater purposes; and</u></p> <p><u>Within the above areas, at least 26,000 26,500 linear metres of stream mitigation including enriching riparian habitat and enhancing fish passage shall be achieved.</u></p> <p><u>The areas referred to in Clauses (a), (b) and (c) above shall generally correspond to those shown on drawing XXX.</u></p>	<p>Mr Fuller recommends (para 167 of his EIC) that a specific area to be protected/revegetated (in ha) is written into a condition. Consequently, I propose this condition.</p> <p>Dr Keesing has suggested additions to emphasise the length of mitigation proposed, and I agree that this is a suitable addition to the ecological management objectives in order to address concerns about the amount of mitigation to be carried out (as raised by DOC and KCDC).</p> <p>Length change requested by Dr Solly in his rebuttal.</p> <p>As discussed in conferencing, a plan will be produced showing the location of the mitigation planting areas and attached to these conditions.</p>
G.15H	<p><u>Prior to the commencement of operation of the road, the consent holder shall implement measures, which may include a protective covenant or similar mechanism, that seeks to ensure that, regardless of any future ownership/tenure changes, the land required for mitigation of the effects of the Project is protected in a manner that achieves at least the area of land retirement and revegetation planting specified in Condition G.15G. in perpetuity. For the purposes of this condition, land that is designated shall be deemed to be protected. Such a mechanism shall include controls that manage:</u></p> <p>a) <u>the felling, removal, burning or taking of any native trees, shrubs or plants or native fauna</u></p> <p>b) <u>planting of trees, shrubs or plants with a preference for specimens sourced from the ecological district within which the land is situated;</u></p> <p>c) <u>introduction of any noxious substance or substance otherwise injurious to plant life except in the control of pests;</u></p> <p>d) <u>access by stock by providing and maintaining fences and gates except when the provisions of the Fencing Act 1978 apply</u></p> <p>e) <u>ruminant populations to levels to manage the effects of browsing on restoration and establishment of revegetation</u></p> <p>f) <u>all weeds and pests in the land to the extent required by any statute and in particular comply with the provisions of, and any notices given under the Biosecurity Act 1993 and the Wild Animal Control Act 1977</u></p>	<p>I have written this condition to provide for permanent protection of the mitigation areas – in particular those that are located outside of the designation. This was raised in planner conferencing and by a number of the ecology expert witnesses.</p> <p>These changes were made to respond to points agreed in conferencing on 3 February.</p> <p>Details as discussed by Mr Fuller.</p>
E.23.	<p>During the operational life of the Project, the consent holder must achieve the following objectives as far as reasonably practicable:</p> <p>(a) Minimise bat mortality (if any) resulting from operation of the Project;</p> <p>(b) Maintain habitat for <i>leptinella tenella</i>, and ensure the long term retention of that habitat;</p> <p>(c) Protect against future land uses which could adversely effect stream ecology, through ensuring the long term retirement of regenerating land;</p> <p>(d) Mitigate the loss of indigenous forest, by revegetating indigenous forest, and ensuring the long term retention of that forest; and</p>	<p>This condition has been deleted and amalgamated into other conditions to address an issue raised in planner and ecology conferencing which queried the methods to be used for the permanent protection of the mitigation areas – in particular those that are located outside of the designation.</p> <p>The planners also discussed where the conditions to minimise bat mortality and maintain habitat for <i>leptinella tenella</i> were best placed, as Ms Grant does not consider these to be appropriate regional consenting issues. Bats are also</p>

	Reduce sediment generation and discharge, by ensuring the long term retention of riparian habitat enriched during construction.	mentioned in the evidence of Ms Myers, Ms Adams and Dr Baber. I recommend that all the ecological management conditions are “kept together” and that they remain on the regional resource consents. I have amalgamated these requirements into the overall ecological management conditions package.
E.25.	The consent shall implement the actions, methods, and monitoring programmes specified in the Ecological Management and Monitoring Plan.	I have deleted this condition as it is duplicated by the General management plan condition G10 above. I note that Dr Keesing recommends additions to this condition or the addition of a separate condition requiring monitoring of the success of mitigation improvements. I have drafted a condition (below) to address this including redrafting of Condition E.26 (previous numbering).
G.15I	As part of the EMMP, the consent holder shall engage a suitably qualified ecologist to carry out the following: (a) At least one year prior to the commencement of construction in the vicinity of the Wainui Saddle in the Te Puka and Upper Horokiri catchments of the route, the consent holder shall carry out a study that shall include at least one season of monitoring, to determine whether there are bats present at any or if their habitats may be affected by the operation of the proposed road; and (b) If bats are present, the consent holder shall undertake a more detailed study to determine population, habitat use, range and to identify roosts and to assess the potential for impacts on bats; and (c) If bats are present, the consent holder shall prepare a management plan to assess potential impacts of the project on bat populations, and shall include monitoring for operational effects on bats for one year after operation commences, and to assess the effectiveness of any mitigation plan to determine what monitoring and mitigation is required to manage effects on bats both during construction and operation of the road.	As discussed in the evidence of Mr Fuller (and responded to in the evidence of Ms Adams para 18), it is acknowledged by him that further work is required to determine the presence, or otherwise, of bats. Changes made - these were discussed in the 3 February conference.
G.15.II	As part of the EMMP and within the year prior to the commencement of any construction works in the Te Puka Stream catchment, the consent holder shall undertake a pre-construction survey for fish and fish habitat, to determine fish passage requirements for each tributary of the Te Puka Stream that will be culverted. The survey shall be carried out by an appropriately qualified ecologist and shall use appropriate techniques to allow measurement of fish species, density and population structure. The survey shall be undertaken at a time that, in the opinion of an experienced ecologist, will maximise chances of finding fish.	This condition has been developed from conferencing notes provided by Dr Keesing and Dr Ogilvie. Dr Ogilvie considers that it needs to be clear that additional culverts need to provide for fish passage.
G.15.III	As part of the EMMP and within the year prior to the commencement of any construction works in the Te Puka Stream catchment, the consent holder shall carry out a pre-construction fish passage trial. The trial shall be established in a steep tributary of the Te Puka Stream and shall use, but not be limited to, spat rope / culvert system methods that are proposed to be used for the project. The results of the trial shall be used to inform the design parameters for the other culverts in steep tributaries along the alignment.	This condition has been developed from conferencing notes provided by Dr Keesing and Dr Ogilvie.
E.26. G.15J	The consent holder shall seek to ensure that: (a) All ecological monitoring required under the EMMP is shall be undertaken or supervised by a suitably qualified person and experienced ecologist; (b) The results of all monitoring carried out pursuant to the Ecological Management and Monitoring Plan shall be: i. recorded in a log of each monitoring site visit which shall be held on-site; ii. available for inspection during normal office hours;	I have reworked this condition to: (a) Address matters raised in planner conferencing (para 32.20) , which sought to include the sub-conditions as stand alone conditions, and to delete the phrase “ <i>The consent holder shall seek to ensure that:</i> ” (b) Address the points in Dr Keesing’s evidence requiring a monitoring plan that measures the success of the mitigation measures that have been carried out (see 15K below). I note that there is a proposed new condition requiring an annual report (Condition G.22) of monitoring results (all monitoring that is required by the full

	<p>iii. submitted to the Manager and to the Director-General of Conservation at quarterly intervals <u>for their information approval.</u></p> <p>iv. <u>and to the Director-General of Conservation for information.</u></p> <p>v. <u>summarised and submitted as part of the annual report required under Condition G.22.</u></p> <p>(e)</p> <p>Records are <u>shall be</u> kept to show where monitoring is not possible due to dry conditions or where no sediment retention pond inflow or outflow exists.</p>	<p>suite of consent conditions) and that this will result in some duplication of provision of monitoring data to the Regional Council.</p> <p>This change was made at the request of Ms Grant as discussed in the 3 February conference.</p>
G.15K	<p>As part of the EMMP and for any part of the Project which has the potential to cause a barrier to fish passage, the consent holder shall engage a suitably qualified ecologist to:</p> <p>(a) <u>capture native fish within the affected upper reaches of the stream as far as practicable and relocate them upstream or downstream (as relevant appropriate) of the proposed works prior to the commencement of the works; and</u></p> <p>(b) <u>capture and relocate any fish found to be stranded after works have commenced and for the full duration of works until that part of the Project that has caused the barrier is completed and the stream channel is reopened.</u></p>	<p>This condition replaces conditions S.9 and S.10 – becoming General conditions.</p> <p>This change was made as discussed in the 3 February conference.</p>
G.15L S.11.	<p>The EMMP shall require that, for any works that will occur within the wetted channel of any stream outside of the period from 1st March to 31st July, the consent holder shall, in consultation with the Manager, develop a specific programme and methodology to manage migration of native fishes. The programme and methodology shall be developed with reference to the <i>Freshwater Fish Spawning and Migration Calendar (Hamer 2007)</i>.</p> <p>During whitebait migration season (between 1 September to 30 November inclusive) and/or the adult fish spawning season (between 1 April to 31 July inclusive), Work within the wetted channel of the stream is only permitted:</p> <p>(a) with the prior approval of the Manager; and</p> <p>(b) in any case, will be limited to 1 day out of 7 and no more than 2 days in any 30 days.</p> <p>Explanatory Note: This condition excludes works as permitted by Rule 22 of the Regional Freshwater Plan for the Wellington Region.</p>	<p>This condition has been reworded and is complementary to the condition above that address fish passage. I note that Miria Pomare (para 95) discusses managing fish passage during seasonal migration times.</p> <p>My understanding from Dr Keesing is that migration of native fishes is generally absent or at its lowest between March and July though eel species may migrate most of the year. Dr Keesing recommends that a targeted programme is developed for works in the wetted channel with reference to the <i>Freshwater Fish Spawning and Migration Calendar (Hamer 2007)</i> and that this is certified by the Manager (prior to Works commencing in the wetted channel). Dr Keesing advises that this will provide for a better outcome, rather than specifying dates which may or may not be relevant to all the species present in the different watercourses traversing the Project.</p>
	<p>Explanatory Note: The purpose of the Mitigation Success monitoring is:</p> <ul style="list-style-type: none"> • <u>to determine whether aquatic habitat and stream functions within the diversion and mitigation reaches have improved; and</u> • <u>confirm establishment of revegetation planting and land retirement areas;</u> • <u>to meet the mitigation requirements established by the analysis in the Ecological Impact Assessment dated August 2011, prepared by BML.</u> 	
G.15M	<p>As part of the EMMP and at least two years prior to the commencement of operation of the road, the consent holder shall develop Mitigation Success Monitoring measures which shall set out principles and parameters for monitoring and an action plan to <u>remedy unsuccessful mitigation.</u></p> <p><u>The measures shall be determined in consultation with Te Runanga o Toa Rangatira Inc, Director General of Conservation and Greater Wellington Regional Council.</u></p> <p>The principles shall include, but not be limited to:</p> <p>(a) <u>Recording the habitat and biodiversity values found prior to commencement of construction in a form that will provide a basis for comparison later;</u></p>	<p>Dr Keesing and Dr Fuller both recommend that mitigation success monitoring is required. They recommend a measurement programme and plan needs to be set out, that specifies parameters that are to be measured, in consultation with the consent authority. I therefore recommend that DOC and iwi, be consulted on the monitoring.</p> <p>I note that the EMMP already contains recommendations for maintenance and monitoring, and because the EMMP is required to be complied with, these principles will apply. Mr Fuller refers to this in his rebuttal evidence in response to concerns raised by Ms Myers, and notes for example, that maintenance and</p>

	<p>(b) <u>Using those values (in (a) above) as a baseline for the monitoring programme;</u></p> <p>(c) <u>Measureable outcomes desired for species abundance and habitat abundance;</u></p> <p>(d) <u>Achieving an comparable position to the existing situation for both habitat and biodiversity, with equal or better numbers of species, and equal or better localities of habitat; and</u></p> <p>(e) <u>Clear options for addressing mitigation measures that are demonstrated to be unsuccessful.</u></p>	<p>monitoring is required for up to 10 years in some instances.</p> <p>I consider this provides a good method by which a detailed monitoring plan, along with remedial actions for addressing unsuccessful mitigation measures can be developed.</p> <p>This change was made as discussed in the 3 February conference.</p>
<u>G.15MM</u>	<p><u>The consent holder shall engage a suitably qualified ecologist to review the success of the fish passage methods used in the Te Puka Stream and the success of habitat re-creation (pursuant to Condition XXX G.15M). The review shall take into account density, population structure and species richness, and shall include reference sites and sites well above the sites of effect to accurately measure upper (fish) populations. In the event that they are considered to have been unsuccessful, the consent holder shall develop and implement appropriate and practicable contingency plans and/or remedial measures to enhance fish passage.</u></p> <p><u>If, in the opinion of a suitably qualified and experienced ecologist, it is not practicable to implement appropriate contingency plans and/or remedial measures, the consent holder shall develop and implement an appropriate programme of mitigation. This mitigation shall be developed by a suitably qualified and experienced ecologist, and shall be implemented as soon as practicable following the event.</u></p>	<p>This condition has been developed from conferencing notes provided by Dr Keesing and Dr Ogilvie.</p>
	<p>The following "M" conditions were agreed between Ms Kettles and Dr De Luca in expert conferencing. Upon finalising the conditions, these conditions would be re-numbered as "G" conditions.</p>	<p>I note that some changes have been made to the text of the following conditions from the conferencing statement. I also note the following:</p> <ul style="list-style-type: none"> • Recommended Condition M.1. has been amalgamated into Condition G.15E (which was previously E.24) which requires the EMMP to be updated and finalised. The five listed items in Condition M.1. are, in my opinion, already adequately covered by other conditions and management plans such as CEMP, proposed new training Condition G.12A, and the EMMP itself. As discussed in my rebuttal evidence, I am keen to strike a balance between listing numerous specific items in conditions and having them embedded in management plans • Recommended Conditions M.8. has been amalgamated into Condition G.22 which requires an annual report. • Recommended Condition M.9. is amalgamated into the erosion and sediment control objectives.
<u>M.3</u>	<p><u>As part of the EMMP, a marine benthic habitat monitoring programme shall be undertaken 6-monthly, with sample collection occurring in summer (1 December–1 March inclusive) and winter (1 June–1 September inclusive) as follows:</u></p> <p>(a) <u>Two summer and two winter baseline survey shall be undertaken prior to the commencement of construction works in the Porirua Harbour watersheds, in order to provide two summer and two winter baseline data sets;</u></p> <p>(b) <u>Whilst construction is occurring within the Porirua Harbour watersheds; and</u></p> <p>(c) <u>Two summer and two winter post-construction surveys shall be undertaken following completion of works in the Porirua Harbour watershed.</u></p>	<p>Dr DeLuca and Ms Kettles recommend that marine benthic monitoring is needed for following completion of the Project for the purpose of identifying effects. I have slightly modified this condition to recognise that it relates to works within the Porirua Harbour watersheds.</p> <p>I note that Dr DeLuca and Ms Kettles both recommended (their condition M2) that the monitoring is done by a suitably qualified person. I consider this is covered in Condition G.15J.</p>
<u>M.4</u>	<p>The <u>intertidal</u> marine benthic habitat monitoring programme required under Condition M.3. shall be undertaken in accordance with</p>	<p><u>Ms Kettles requested a change to this condition in her rebuttal evidence.</u></p>

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	<p>the details set out in the EMMP at the locations specified in Condition M.5. and include:</p> <p>(a) <u>Analysis of the intertidal marine invertebrate community composition (at each sampling location collecting at least 15 sediment cores (13 cm diameter) to a depth of approximately 15 cm);</u></p> <p>(b) <u>Analysis of the intertidal and subtidal sediment surface (top 2 cm) for sediment grain size;</u></p> <p>(c) <u>Analysis of the intertidal and subtidal sediment surface (top 2 cm) for sediment quality (analysis of the concentration of copper, lead, zinc and polycyclic aromatic hydrocarbons, in both total sediment and <63µm fraction).</u></p>	
M.5	<p>The <u>intertidal</u> marine benthic habitat monitoring shall be undertaken within sampling grids broadly established at the following locations as a minimum:</p> <p>(a) <u>Seven intertidal locations within the Pauatahanui Inlet;</u></p> <p>(b) <u>Seven subtidal locations within the Pauatahanui Inlet;</u></p> <p>(c) <u>Three intertidal locations within the Onepoto Arm;</u></p> <p>(d) <u>Three subtidal locations within the Onepoto Arm;</u></p> <p>Specific locations and experimental design shall be detailed in the EMMP, and the design of the monitoring programme will be based on the <u>Estuarine Environmental Assessment and Monitoring: A National Protocol (Cawthron 2002).</u></p>	<p>Whilst the marine ecologists recommended it, monitoring at the Wainui and Whareroa Stream mouths is not proposed. These stream mouths have not been identified in the applications as being a sensitive environment as has the Porirua Harbour.</p> <p>Ms Kettles requested a change to this condition in her rebuttal evidence.</p>
M.6	<p>The consent holder shall undertake additional marine habitat monitoring in the event of a 'trigger event' for marine ecology habitats.</p> <p><i><u>Explanatory note: Trigger events include discharges from erosion and sediment control devices that do not meet specific discharge quality criteria, obvious failure of erosion and sediment control devices, accidental discharge of contaminants, the detection of sediment discharged to the marine environment that in the opinion of the Manager can be attributed to the Project. For the purposes of this consent, a 'trigger event' for marine ecology habitats is defined in the EMMP.</u></i></p>	<p>I have split the recommended condition into a condition and an explanatory note.</p> <p>Ms Kettles requested a change to this condition in her rebuttal evidence. I do not agree with the change requested because the "explanatory note" text referred to is not measurable or enforceable as a condition.</p>
M.7	<p>The consent holder shall review the marine benthic habitat monitoring results (pursuant to Conditions M.3 to M.6) and in the event that adverse effects are identified that can be attributed to the Project, the consent holder shall develop and implement appropriate contingency plans and/or remedial measures <u>that are commensurate to the scale and nature of the effects generated, but allowing for measures offered as part of the Project. Options for appropriate contingency plans and/or remedial measures could include treatments such as:</u></p> <p>a) <u>Revegetation of stream margins in catchments such as Duck Creek</u></p> <p>b) <u>Restoration of harbour margins to a more natural state, such as declamation and restoration of saltmarsh</u></p> <p>c) <u>Treatment of other discharges to the harbour that may cause adverse effects on marine ecological areas such as road runoff</u></p> <p>d) <u>Seagrass restoration.</u></p> <p><u>If, in the opinion of a suitably qualified and experienced ecologist, it is not practicable to implement appropriate contingency plans and/or remedial measures, the consent holder shall, in consultation with the Manager, develop and implement an appropriate programme of mitigation. This mitigation shall be developed by a suitably qualified and experienced ecologist, and shall be implemented as soon as practicable following the event to the satisfaction of the Manager.</u></p>	<p>An addition to this condition has been recommended in the rebuttal evidence of Ms DeLuca. As discussed in her evidence, Ms DeLuca states that it is not possible to determine what the nature of mitigation in the event of such an incident might be, without knowing what the adverse effects are.</p> <p>Ms Kettles requested a change to this condition in her rebuttal evidence in agreement with Dr DeLuca's EIC.</p> <p>Further detail about the type of measures that could be used was discussed in conferencing, and the points listed in the marine ecology conferencing statement (para 20) have been transferred as examples so that they are captured in conditions.</p>
	<p>Duck Creek Culvert replacement</p> <p><u>Replacement of existing culverts</u></p>	<p>Title changed to reflect that there is a new recommendation to replace a culvert on the Wainui Stream.</p>
E-28. G.15N	<p>The replacement of the eight identified perched culverts within Duck Creek shall be completed within two years of the commencement of construction of any part of the new road between chainage 19000 and 23500 on the Main Alignment.</p>	<p>I have moved this condition to be a "General" condition in response to planner conferencing. I had initially proposed to include this condition as one of the</p>

	<p><u>Replacement culverts shall be designed so as to provide fish passage for native migratory fish species, and shall be of a similar size and capacity to the existing culverts unless otherwise agreed with the Manager.</u></p>	<p>earthworks conditions to ensure that there was an early trigger for implementation of the Duck Creek culvert replacements which is a part of the overall mitigation package. This created some confusion and I needed to explain the rationale for this condition being located where it was. For better clarity, I suggest it becomes a "General" condition.</p> <p>I have also clarified that the works need to be being carried out in conjunction with works within the Duck Creek catchment. This is because the condition may create a requirement for the culverts to be installed well before work begins in the catchment, and necessitate associated disturbance of land unnecessarily.</p>
<p>G.150</p>	<p><u>The consent holder shall replace the existing perched culvert on the Wainui Stream where it passes underneath State Highway 1 (approx. grid reference NZTM N 5461389 E 1765567) with a new culvert that provides for fish passage for native migratory fish, within two years of commencement of construction Works in any part of the route north of the Wainui Saddle (chainage 5000).</u></p>	<p>I propose this condition in relation to Dr Keesing's evidence where he recommends that the existing perched culvert underneath State Highway 1 on the Wainui Stream be replaced.</p> <p>I note that there is provision for some existing culverts to be undertaken as a permitted activity under Rule 22 of the Regional Freshwater Plan, and that this work may be able to be undertaken as a permitted activity. Detailed design of the replacement culvert and its associated structures would be required in order to determine the activity status.</p> <p>Whilst I do not consider it to be good practice to recommend a consent condition that may require an applicant to seek another consent, I consider this would likely be a fairly straightforward consent to apply for.</p>

RC1 Land Use Consent – Earthworks

For approximately 6 million cubic metres of earthworks for the purpose of road construction over an area of approximately 170 hectares between Linden and MacKays Crossing including five fill sites, construction laydown areas and site compounds, and erosion and sediment control devices; and the associated removal of vegetation including plantation forestry.

RC2 Discharge Permit

To authorise the discharge of sediment laden stormwater and chemically treated (which would include flocculant and similar products) sediment laden water to land that may enter water

RC3 Discharge Permit

To authorise the discharge of sediment laden stormwater and chemically treated (which would include flocculant and similar products) sediment laden water to water

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Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
	Earthworks limit conditions	
E.1	<p>Non-stabilised areas of earthworks authorised by this consent (whether of themselves or in combination with non-stabilised areas of earthworks authorised or by the consent granted to the PCC for earthworks [insert consent reference]) within the Pauatahanui Inlet watershed, shall be limited to not more than <u>24ha</u> 40ha in total at any one time, and shall be further limited within the Duck Creek catchment, to not more than 14.25ha at any one time, <u>with additional limits on catchments as follows:</u></p> <ul style="list-style-type: none"> <u>- Ration Catchment - 12ha at any one time; and</u> <u>- Horokiri Catchment - 15ha at any one time; and</u> <u>- Pauatahanui Catchment - 7ha at any one time; and</u> <u>- Duck Creek Catchment - 9ha at any one time; and</u> <p>unless otherwise agreed in writing with the Manager.</p>	<p>This condition has been the subject of a lot of discussion in planner conferencing and in conferencing between erosion and sediment control experts. Ms Grant has stated that she supports the concept and general format of this condition, and that the numbers specified should be determined by the experts.</p> <p>At the time of preparing this version of track changes conditions, the erosion and sediment control specialists were continuing to carry out expert conferencing. It is anticipated that any changes to Conditions E.1. and E.2. will be addressed upon receipt of further information from them.</p> <p>Area limits by catchment have been added to this condition - to address matters raised by Mr Handyside and Dr Basher in their evidence.</p> <p>Dr Fisher recommends the ability to review the area limits based on performance, in consultation with the Manager and the PRP. Condition E2B has been added to make this clear.</p> <p>The areas are taken from the modelled areas of active earthworks plus partially stabilised earthworks (ie, non-stabilised earthworks), except for Duck Creek which is higher than the modelled area (because the modelled area was for the Link Road) - refer to the memo attached to the 8 Feb conferencing statement.</p> <p>The lengths recommended in Ms Malcolm’s evidence are not included, because earthworks areas appear to be favoured by Mr Handyside, Dr Basher and Mr McLean, and I agree that areas are appropriate from a planning perspective. Further discussions are occurring between the experts regarding what the numbers should be.</p>
E.2	<p>Non-stabilised areas of earthworks within the Onepoto Arm watershed shall be limited to not more than 17.25ha in total at any one time <u>with an additional limit on the Kenepuru Catchment of 9ha at any one time</u>, unless otherwise agreed in writing with the Manager.</p>	<p>At the time of preparing this version of track changes conditions, the erosion and sediment control specialists were continuing to carry out expert conferencing. It is anticipated that any changes to Conditions E.1. and E.2. will be addressed upon receipt of further information from them.</p>
E.2A.	<p>For the purposes of Conditions E.1. and E.2. earthworks areas shall be deemed to be “stabilised” when a visual inspection by the Manager has confirmed that at least 75% effective stabilisation has been achieved.</p>	<p>This condition is recommended (para 56 of EIC) by Mr Gough. Deleted as agreed in the 8 February conference.</p>
E.2B	<p><u>The Manager may review conditions E.1 and E.2 of this consent at any time during construction, by giving notice of their intention to do so pursuant to Section 128 of the Resource Management Act 1991. The purpose of the review shall be to check the size of the non-stabilized areas and the adequacy of these area limits (in combination with the range of other erosion and sediment control</u></p>	<p>As recommended by Dr Fisher, this condition highlights the ability for a review of Conditions E.1 and E.2 once the sediment-related effects of the Project on the environment are better understood.</p>

Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
	<u>measures and methods required by this consent) to address any adverse effects on the environment arising from sediment discharges from the works that are the subject of this consent.</u>	
	Erosion and Sediment Control	
	Erosion and sediment control objectives	I have suggested moving the title for erosion and sediment control so that it is clearer that Condition E3 is related to all the conditions that follow.
E.3.	<p>For the preparation of the Erosion and Sediment Control Plans that will be implemented dDuring construction of the Project, the consent holder must achieve the following objectives as far as reasonably practicable:</p> <ul style="list-style-type: none"> (a) Minimise the overall non-stabilised earthworks footprint; (b) Use BPO to minimise non-stabilised earthworks in the areas where highly erodible colluvium is found in the Duck Creek, Upper Horokiri and Te Puka Stream catchments; (c) Use a staged construction programme to minimise areas of earthworks that are non-stabilised at any one time; (d) <u>Progressive s</u>tabilise completed areas of earthworks as soon as practicable <u>and within one month of completion or ceasing Work in that area;</u> (e) Divert clean run off away from non-stabilised earthworks areas; (f) Use BPO to design and install a variety of perimeter controls for the management of flows of water and sediment and sediment retention; (g) Achieve TSS removal efficiencies of at least 70% for all storm events with a less than 10 year ARI, as demonstrated by an agreed monitoring programme; (h) Design all emergency spillways to accommodate at least a 50 year ARI storm event peak flow; (i) Design all emergency spillways that are programmed to be in operation for more than one year to accommodate a 100 year ARI storm event peak flow; (j) <u>Use dry and wet weather forecasting, monitoring and reporting, to ensure all practicable erosion and sediment control measures are put in place if a heavy rainfall stabilisation trigger event is forecast and manage the effects of weather on the erosion and sediment control measures If a heavy rainfall event is forecast, undertaken pre-event inspections and any maintenance that is required (refer to ESCMP requirements in Conditions E14A and E14B);</u> <u>(jj) if a stabilisation trigger event is forecast, deploy erosion control measures on all open/active earthworks (refer to ESCMP requirements in Conditions E14A and E14B);</u> (k) Prepare for and manage environmental risks from heavy rainfall stabilisation trigger events; and (l) Use adaptive management principles to review and refine the erosion and sediment control and treatment measures used. (m) Carry out risk assessments which include consideration of the specific risks to the receiving environment and what could go wrong with ESC systems. 	<p>I have been involved in a lot of debate about Condition E3. MS Grant, Dr Solly, Mr Gough all discuss it in their evidence, and it was the subject of discussions at planner conferencing. I acknowledge that this condition remains a key area of difference between myself and Ms Grant. We are, for the most part, well aligned on other matters relating to conditions.</p> <p>Mr Gough recommends a number of changes in his evidence, and I have used his recommendations to draft additional objectives (esp. his para 56). I note that Ms Grant states (para 97 of her evidence) that she supports Mr Gough’s statement that an extra condition should be added that restricts the total catchment open at any one time over the entire project. Mr Gough suggests 25% open (para 56 of his EIC). I have reworked this to incorporate progressive stabilisation as an objective.</p> <p>Ms Grant mentions this condition extensively (para 87) in her evidence and suggests that some of the points should be conditions in their own right. She also questions its enforceability.</p> <p>I disagree that this condition should be altered to become separate conditions overall. These erosion and sediment control objectives are deliberately meant to be objectives for sediment control using an adaptive management approach. I note the comments in legal submissions and am familiar with the case where the Environment Court has accepted this concept through the North Bank Tunnel Project. The same applies to the objectives proposed for the EMMP. I have copied the wording from the North Bank Tunnel project conditions as closely as I can (making sure they are relevant to this Project). However, I have recommended that some of the points become design criteria for erosion and sediment control measures – refer to proposed new Condition E.3A. below.</p> <p>Mr Gough recommends changes to E3(b) reflect the desire to use the Best Practicable Option (for erosion and sediment control) on the whole project, rather than just where highly erodible materials are found. I agree with this.</p> <p>I propose to delete (c) because staging is already specified in CEMP and in separate General conditions.</p>

Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
		<p>Dr Fisher recommends the use of risk assessments to add rigor to ESC planning and that this be included as an additional consideration in the development of Erosion and Sediment Control Plans.</p> <p>Risk assessments has moved to Condition E.5</p> <p>Changes made to respond to matters discussed in 8 February conferencing.</p> <p>Additional changes recommended by Ms Grant in supplementary evidence and in conferencing on 8 February.</p>
E.3A.	<p>Unless otherwise agreed with the Manager, the consent holder shall design all erosion and sediment control devices to achieve the following design criteria:</p> <p>(a) Sediment retention devices ponds shall be sized for at least 3% of their catchment area with a depth of at least 1m where they form a final discharge point for a catchment;</p> <p>(b) During construction of the project (including enabling works), the consent holder shall achieve TSS efficiencies of at least 70% removal for all storm events with a less than 10 year ARI;</p> <p>(c) All emergency spillways to accommodate at least a 50 100 year ARI storm event peak flow; and</p> <p>(d) All emergency spillways that are programmed to be in operation for more than one year to accommodate a 100 year ARI storm event peak flow.</p> <p>(e) Sediment retention pond TSS efficiencies of at least 70% removal for all storm events with a less than 10 year ARI.</p>	<p>I have proposed this condition in order to address concerns raised in planner conferencing and by erosion and sediment control experts. The use of specific performance criteria in conditions was suggested by Ms Grant, Mr Gough, and Mr Handyside in their evidence in chief.</p> <p>I have also recognised Ms Grant’s preference for a 70% TSS efficiency — and this is discussed in the rebuttal evidence of Mr Gough.</p> <p>This change has been made to respond to the Section 42A report of Mr McLean.</p> <p>The TSS removal clause was discussed at conferencing on 8 February and in Ms Grant’s supplementary evidence. This condition was agreed as the appropriate location for it.</p>
E3B	<p>During construction of the project (including enabling works), the consent holder shall achieve TSS efficiencies of at least 70% removal for all storm events with a less than 10 year ARI;</p>	<p>I have recognised Ms Grant’s preference for a 70% TSS efficiency — and this is discussed in the rebuttal evidence of Mr Gough. The previous track changes version of conditions attached to my evidence did not accurately reflect the comments of Ms Grant, and this has been pointed out by Dr Fisher and Mr McLean. This revised condition is proposed.</p> <p>The TSS removal clause was discussed at conferencing on 8 February and in Ms Grant’s supplementary evidence. Condition E3A was agreed as the appropriate location for it.</p>
E.3C	<p>The consent holder shall seek to ensure that the following earthworks shall be stabilised as soon as practicable after completion thereof or within 10 days of completion which ever shall occur first:</p> <p>(a) Temporary erosion and sediment controls;</p> <p>(b) Haul roads;</p> <p>(c) 5m high cuts (or greatest height between bench cut height) over the length of the cut;</p>	<p>Stabilisation condition discussed at 8 February conferencing.</p>

Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
	<p>(d) <u>5m high fills over the length of the fill;</u></p> <p>(e) <u>200m lengths of prepared subgrade over the formation width;</u></p> <p>(f) <u>5m high (maximum) cut and fill batters lifts around the perimeter of waste dumps, borrow, buttress fills, noise bunds and sediment bearing stockpiles;</u></p> <p>(g) <u>Contractors site establishment and storage areas; and</u></p> <p>(h) <u>Stabilisation of other areas that are not being worked within 1 month unless agreed otherwise with the Manager.</u></p>	
E.3D	<p><u>All cut and fill grades excluding batter slopes and haul roads shall be earthworked to maintain a gradient of 1 in 10 throughout the project, (excluding the link roads) until the earthworks reach final grade, unless otherwise agreed with the Manager.</u></p>	<p>This condition was discussed in conferencing. It is noted that the conferencing stated that the gradient criterion required further discussion.</p>
	<p>Erosion and Sediment Control Plan and measures</p>	<p>Title relocated as discussed above</p>
E.4.	<p>For each Stage of Work, an Erosion and Sediment Control Plan (ESCP) shall be prepared and submitted a minimum of 20 working days prior to earthworks of the Stage commencing, for the certification of the Manager. Certification <u>of the ESCP</u> shall be obtained <u>from the Manager</u> prior to earthworks of the stage commencing.</p>	<p>Minor clarifications</p>
E.5.	<p>The ESCPs shall as far as practicable meet the objectives in Condition E.3 and include, but not be limited to:</p> <p>(a) Contour information at suitable intervals;</p> <p>(b) Erosion and sediment control measures including specific pond design (including calculations supporting pond sizing). <u>The justification for the use of such measures shall be set out in the ESCP, with a summary showing the total area to be serviced by measures other than ponds in the area covered by the Plan. The use of measures other than ponds that is in excess of 5% of the work area covered by the Plan shall be demonstrated in the Plan and shall require specific certification from the Manager.</u></p> <p>(c) Catchment boundaries for the erosion and sediment control measures;</p> <p>(d) Location of the Work, and cut and fill operations;</p> <p>(e) Details of construction methods to be employed, including timing and duration;</p> <p>(f) Design details including:</p> <ol style="list-style-type: none"> i. Contributing catchment area; ii. Retention volume of structure (dead storage and live storage measured to the top of the primary spillway); iii. Shape of structure (dimensions of structure); iv. Location of flood waters v. Safety and access vi. Position of inlets/outlets vii. Stabilisation of the structure; and viii. Maintenance. <p>(g) A programme for managing non-stabilised areas of earthworks, including progressive stabilisation considerations;</p> <p>(h) The identification of appropriately qualified and experienced staff to manage the environmental issues onsite;</p> <p>(i) The identification of staff who have clearly defined roles and responsibilities to monitor compliance with the Consent Conditions and ESCP;</p> <p>(j) Provision of details of a chain of responsibility for managing environmental issues and details of responsible personnel;</p> <p>(k) The establishment of a sediment control team (including representatives from the contractor, GWRC and the Consent Holder) to</p>	<p>Mr Gough recommends the deletion of the words ‘as far as practicable’ from this condition. I agree that it is appropriate in this instance given that Mr Gough states that there is no reason why the ESCPs should not meet the objectives in Condition E3.</p> <p>I acknowledge Ms Grant’s support of the establishment of a sediment control team (Condition (k))</p> <p>I note that Ms Grant suggests the insertion (para 94) of a condition requiring additional information to be provided where earthworks are to be carried out in winter seasons. “Winter works” restrictions is something that I am familiar with in the Auckland environment, but am not aware of it being as common a requirement in Wellington. I believe this is likely to be because there is less of a difference in rainfall between summer and winter in Wellington, and understand from Mr Martell, that there are commonly large rainfall events in summer, just as there are in winter. I also note that the summers in Auckland are generally hotter, leading to potentially quicker drying time for wet ground, than Wellington.</p> <p>In this case, the Regional Council is required to certify staging plans under Conditions G8 and G9, and there is an opportunity here to review concerns about winter works with the consent holder and contractor if required.</p> <p>Whilst I have accepted that “winter works” conditions can be appropriate for some Auckland projects, I remain unconvinced that a similar condition is necessary for this Project. I therefore have not added changes as recommended by Ms Grant.</p>

Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
	<p>meet and review erosion and sediment control measures on a weekly basis, or at intervals as otherwise agreed;</p> <p>(t) Approach and procedures for ensuring advance warning of a heavy rainfall and heavy rainfall stabilisation trigger event and the responses that are required in accordance with Condition E3. The ESCP shall detail the procedures and have the resources (supplied, equipment and labour) necessary to deploy the required erosion control measures within the period between forecast and peak rainfall for the stabilisation trigger event; for the management of such an event including systems of advance warning, arrangements for communications with the GWRC and other relevant authorities, and for the monitoring and treatment of non-stabilised areas of earthworks and erosion and sediment control measures, and for reporting to GWRC following any such event; and</p> <p>(m) Methods and procedures to be undertaken for decommissioning of erosion and sediment control measures.</p> <p>(n) Carry out risk assessments which include consideration of the specific risks to the receiving environment and what could go wrong with ESC systems;</p> <p>(o) Detail management actions that would be required if the monitoring required by the ESCMP identified exceedences of trigger levels and non-compliances; and</p> <p>(p) Details of additional specific measures that have been designed to address seasonal weather variations, in particular where bulk earthworks will be undertaken at any time between 30 May and 1 September.</p>	<p>Changes made in response to conferencing on 8 February. Move risk assessments from E.3 as this is not an objective but a procedure.</p>
E.5A	<p>Prior to the commencement of any works the Consent Holder shall request the Manager to appoint a Sediment Management Peer Review Panel, comprising not more than three independent persons, which may either include one nominated representative of the Manager and two other fully independent experts or three independent persons (if the Manager does not wish to nominate a person). The Peer Review Panel members shall be selected for their expertise in</p> <p>d. both developing and implementing erosion and sediment control measures on major earthworks sites in New Zealand;</p> <p>e. collection and assessment of performance monitoring data for sediment control devices and control stations; and</p> <p>f. sediment generation processes</p> <p>The members shall not be a director, employee or agent of the Consent Holder, DOC or any one of the four Territorial Authorities (PCC, WCC, KCDC and UHDC). Prior to requesting the Manager to appoint a Peer Review Panel the The Consent Holder shall invite the Manager of GW and the Director General of Conservation or their nominee(s) to suggest an independent technical expert who could be selected as a member of the Panel.</p> <p>The Role of the Peer Review Panel shall be to provide independent advice to the consent holder on the following matters:</p> <p>d. the preparation of the overarching ESCPs and results from any pre-construction monitoring;</p> <p>e. Review methodology for pre-construction monitoring in the Erosion and Sediment Control Monitoring Plan and results from the pre-construction monitoring and make recommendations to the consent holder</p> <p>f. Review methodologies for stabilisation trials and result reports and make recommendations to the consent holder</p> <p>g. Review revisions to the Erosion and Sediment Control Monitoring Plan</p> <p>h. Meet prior to the commencement of construction to make recommendations to the Consent Holder on the process for development of the ESCPs that are required to be produced under Condition E.5;</p> <p>i. Where necessary, make recommendations to the Manager on draft ESCPs in accordance with Condition E.5D;</p>	<p>A Peer Review Panel made up of persons who have experience on major construction sites, and in the detailed design and implementation of erosion and sediment control devices is proposed for the following reasons:</p> <ul style="list-style-type: none"> - To address concerns raised about the potential for adverse effects arising from sediment discharge to the Pauatahani Inlet; - To respond to concerns raised about the lack of detail in the material submitted with the application documents in relation to erosion and sediment control drawings and staging plans; - To (when construction starts) provide technical and practical support to the Regional Council in the assessment of detailed erosion and sediment control plans when they are prepared and submitted for certification; - To provide a forum for discussion and review in the evolution of the on-site erosion and sediment management methods used throughout the life of the project. <p>This suite of conditions also provides for a forum to discuss any disagreements that may arise between the consent holder and GW in the design and implementation of erosion and sediment control methods.</p> <p>These changes have been made at the request of Ms Grant</p> <p>Changes proposed to this condition as discussed at the 8 February conference.</p>

Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
	<p>j. Meet within one month of the commencement of any Works within the Porirua Harbour watershed to review, comment and make recommendations on any changes to the ESCPs;</p> <p>k. Meet at no less than three monthly intervals from the commencement of the Works until the completion of the earthworks required for the project, unless otherwise agreed with the Manager, to review monitoring data, and review, comment and make recommendations on any changes that may be required to the ESCPs; and</p> <p>l. Review the annual report required by Condition G.22;</p> <p>m. the adaptive management processes applied to all erosion and sediment management activities within the Porirua Harbour watershed</p> <p><u>Any recommendations of the Peer Review Panel shall be made submitted to the Manager with the overarching ESCPs and the council's compliance coordinator.</u></p> <p><u>The Consent Holder will fund the actual and reasonable costs of the operation of the Peer Review Panel.</u></p> <p><u>Advice Note: Given the combination of the recognised importance of the Pauatahanui Inlet receiving environment, the extent of the nature of the terrain within which erosion and sediment control measures will need to be installed, and the level of public concern in relation to the scale of earthworks required for the project it is considered appropriate to use a Peer Review Panel in this case.</u></p>	
E.5B	<p>The consent holder shall ensure that the programme and staging plan(s) required by Condition G.8, G.8A and G9 are certified by the Manager prior to submission of the first ESCP.</p>	Covered by G8A - not required.
E.5C	<p><u>At least 5 working days prior to submission of the first ESCP for certification, the consent holder shall arrange a meeting with the Manager in order to present a final draft of the ESCP and to consult with the Manager in relation to:</u></p> <p>a) <u>Any recommendations made by the Peer Review Panel</u></p> <p>b) <u>The stage of Works and how it relates to the staging plan for the whole Project submitted at the start of the Project (Condition G.8) that is the subject of the ESCP</u></p> <p>c) <u>How the draft ESCP achieves compliance with Conditions E.1 and E.2 (where relevant to the individual ESCP), including the area (both in hectares, and in length and width dimensions) of Works</u></p> <p>d) <u>How the draft ESCP achieves compliance with Condition E.5 including the detailed design of erosion and sediment control measures, including the amount of detail provided on the drawings to be submitted for certification</u></p> <p>e) <u>How the Consent Holder has taken into account the Peer Review Panel's recommendations on the process for the development of ESCPs in developing the draft ESCP.</u></p> <p>f) <u>Any calculations and other engineering design tools that have been used to develop the detailed design of the erosion and sediment control measures</u></p>	
E.5D	<p><u>Where there is any disagreement between the consent holder and the Manager in relation to a final draft ESCP presented to the Manager under Condition E.5C above, the consent holder shall engage the Peer Review Panel to review the documents, meet with the Consent Holder's experts who prepared the draft ESCP to discuss any concerns, and make recommendations on the draft ESCP to the Manager.</u></p>	

Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
E.5E	<u>In the final ESCP that is submitted for certification, the Consent Holder shall demonstrate how the views of the Manager, and where relevant the recommendations of the Peer Review Panel, that have been expressed through the consultation process under Conditions E.5C and E.5D have been taken into account in the preparation of the final ESCP.</u>	
E.6.	Erosion and sediment control measures shall be constructed and maintained in accordance with the NZTA's <i>Draft Erosion and Sediment Control Standard for State Highway Infrastructure</i> and <i>Draft Field Guide for Contractors</i> or the GWRC <i>Erosion and Sediment Control Guidelines for the Wellington Region</i> whichever is more stringent (and any subsequent amendments to those documents that occur after this consent is granted and prior to the commencement of construction), except where a higher standard is detailed in the ESCP referred to in Condition E.5 above, in which case the higher standard shall apply.	<p>Ms Grant (para 89) has requested that the condition refer to the Greater Wellington document rather than the NZTA's document. The NZTA's document has been referred to in all the technical reports. I am also advised that it has more stringent standards than the GW document. By using a consistent document around NZ, the NZTA then uses a consistent approach to managing erosion and sediment control. I can understand this view, and it is particularly useful if projects cross different jurisdictions. In short, I personally have no preference between the two documents. I have therefore left the reference the same as proposed in the conditions submitted as this is preference of the NZTA.</p> <p>Ms Grant also requests that if there were a new standard adopted prior to the commencement of construction, that the new standard would be applied. I note that this also addresses an issue raised by interest groups PICT and GOPI. There is also a reference to this in the planner conferencing statement (para 32.13).</p> <p>A “middle ground” on referencing the NZTA and GW documents was suggested in the S42A report of Mr McLean. I consider that his suggestion of referencing both documents and requiring compliance with whichever is the most stringent, is a good solution.</p>
E.7.	Prior to any earthworks commencing, a certificate signed by an appropriately qualified and chartered professional engineer shall be submitted to GWRC to certify that the erosion and sediment control measures have been constructed in accordance with the ESCP as specified in Condition E.5 of this consent.	
E.8.	A copy of the “as-built(s)” and the certified ESCPs shall be kept on site, and all erosion and sediment control measures (including staging boundaries and particularly the extent of exposed areas) shall be updated as soon as practicable as changes are made. As-built plans shall be <u>prepared by a suitably qualified person and shall be accompanied by text detailing the relevant earthworks methodology, constraints and likely progressions, and shall (in general accordance with the ESCPs) be revised as required to enable clear interpretation as to the day to day operation and management of erosion and sediment control measures.</u>	This amendment is proposed by Mr Gough and supported by Ms Grant.
E.9.	All necessary perimeter controls shall be operational before earthworks (or relevant stage of earthworks) begin. <u>The diversion channels shall have surface lining or protection to avoid surface erosion,</u>	Mr Gough recommends this addition (para 60) and Ms Grant supports this.
E.10.	The consent holder shall seek to ensure that procedures are adopted to prevent the deposition of slurry, clay or other materials on the roads by vehicles leaving the site where such material is liable to cause a nuisance or hazard. Should the exercise of this Consent result in material being deposited on the road that causes or is liable to cause a nuisance or hazard, that material shall be removed immediately to the satisfaction of the Manager.	This condition has been relocated to designations as agreed at planner conferencing – it is a designation issue (para 32.14).
E.11.	No sediment retention ponds, chemical treatment systems or perimeter controls shall be removed or decommissioned before the entire area is stabilised, unless such removal and decommissioning is in accordance with the CEMP or a SSEMP, <u>and the Manager has been informed in writing not less than 10 working days prior.</u>	Addition of notification of the Manager prior to the removal of ponds is discussed in the planner conferencing statement (para 32.15).

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Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
E.12.	All ‘cleanwater’ runoff from stabilised surfaces, including catchment areas above the site, shall be diverted away from earthwork areas via a stabilised system, so as to prevent surface erosion.	
	Incidents	
E.13.	During construction Work, the consent holder shall maintain a permanent record of any incidents alleging adverse effects from, or related to, the exercise of this consent. The record shall include: (a) identification of the nature of the incident; (b) location, date and time of the incident; (c) weather conditions at the time of the incident (as far as practicable); (d) the outcome of the consent holders investigation into the incident; (e) measures taken to seek to ensure that such an incident does not occur again; and (f) Any other activities occurring in the area that are unrelated to the project and that may have contributed to the incident. This record shall be maintained on site and shall be made available to the Manager, upon request. The consent holder shall notify the Manager in writing of any such complaint within 5 working days of the complaint being brought to the attention of the consent holder.	It was agreed in planner conferencing that this condition should be deleted as it is covered by G18
E.13A	<u>For at least one year prior to the commencement of construction, the Consent Holder shall carry out baseline monitoring of sediment in Whareroa Stream, Horokiri Stream, Kenepuru Stream, Ration Stream, Duck Creek and Pauatahanui Stream in accordance with the ESCMP. Advice note: The purpose of the monitoring is to confirm the existing sediment loads and the baseline environmental conditions to enable the performance monitoring control stations to provide useful information about the effects of construction on sediment loads in these streams.</u>	Changes made resulting from the change in approach and new ESCMP conditions.
	Erosion and sediment control monitoring	
E.14.	The Consent Holder shall carry out monitoring in accordance with the approved ESCP and shall maintain records detailing: (a) The location of the monitoring undertaken; (b) The time and date the monitoring was undertaken; (c) The weather conditions at the time of monitoring; (d) The performance criteria measured (dd) Sediment removal efficiencies; (e) The erosion and sediment controls that required maintenance; (f) The maintenance actions which were completed; and (g) The time when the maintenance was completed; and (h) Areas of non-compliance with the ESCP and the Chemical Treatment performance monitoring plan (if any), the reasons for the non-compliance and any action taken to remedy the non-compliance (if any). This information shall be made available to the GWRC upon request.	This change responds to the evidence of Dr Fisher and makes it clear the sediment removal efficiencies shall be recorded and records kept. This condition has been deleted and replaced by new conditions recommended following 8 February conference - to provide more specific detail around ESC monitoring and specifically reference the ESC Monitoring Plan that was attached to the lodged CEMP.
E.15.	The Consent Holder shall carry out Sediment Retention Device monitoring during heavy rainfall stabilisation trigger events in accordance with the approved ESCP and agreed performance criteria and, shall maintain records detailing: (a) The location of the Sediment Retention Device;	I have added this text to respond to comments by Mr Gough (para 66 of his EIC) which specifies collecting more detail about the weather conditions at the time of monitoring.

Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
	<p>(b) The time and date the monitoring was undertaken;</p> <p>(c) The weather conditions at the time of monitoring, including the start and finish dates and the ARI of rainfall events monitored;</p> <p>(d) The event based performance criteria measured; including but not limited to;</p> <p style="margin-left: 20px;">i. Inlet turbidity; flow; particle size, pH</p> <p style="margin-left: 20px;">ii. Outlet turbidity; flow; particle size, pH</p> <p style="margin-left: 20px;">iii. pH of pond</p> <p style="margin-left: 20px;">iv. Free Aluminium (Al³⁺)</p> <p>(e) The performance of the sediment retention devices with agreed event based performance criteria including sediment removal efficiencies and sediment discharged to streams at control locations;</p> <p>(f) The maintenance actions which were completed; and</p> <p>(g) The time when the maintenance was completed; and</p> <p>(h) Areas of non-compliance with the ESCP and the Chemical Treatment Plan (as relevant) and the reasons for the non-compliance. This information shall be made available to the GWRC upon request.</p>	<p>This further responds to the evidence of Dr Fisher which recommends that a record of sediment removal efficiency is kept.</p> <p>I note that there will need to be some additional review of this condition against the other conditions. The aim is that the monitoring is carried out in accordance with Technical Report 15 Appendix L (which is also found in Appendix D to the CEMP) and that the requirements are not duplicated across multiple conditions (e.g. refer also to Condition G15A(b)(v) as an example). A meeting between the applicant and GW planners may be an appropriate forum in which to carry out this refinement.</p> <p>This condition has been deleted and replaced by new conditions recommended following 8 February conference - to provide more specific detail around ESC monitoring and specifically reference the ESC Monitoring Plan that was attached to the lodged CEMP.</p>
E.16.	<p>The Consent Holder shall carry out Erosion Control Device monitoring in accordance with the approved ESCP and agreed performance criteria, shall maintain records detailing:</p> <p>(aa) Continuous monitoring of erosion and sediment control device discharge quality, where the discharge enters a perennial or intermittent freshwater body or wetland.</p> <p>(a) The location of the Erosion Control Device;</p> <p>(b) The time and date the monitoring was undertaken;</p> <p>(c) The weather conditions at the time of monitoring;</p> <p>(d) The performance criteria measured; including but not limited to;</p> <p style="margin-left: 20px;">i. Loss of cover material</p> <p style="margin-left: 20px;">ii. Erosion across protected slopes</p> <p>(e) The performance of the Erosion Control Devices with agreed performance criteria;</p> <p>(f) The maintenance actions which were completed; and</p> <p>(g) The time when the maintenance was completed; and</p> <p>(h) Areas of non-compliance with the ESCP and the Chemical Treatment Plan (as relevant) and the reasons for the non-compliance. This information shall be made available to the GWRC upon request.</p>	<p>This amendment is a variation on a condition recommended by Dr DeLuca and Ms Kettles in expert conferencing on marine ecology - refer also to the amendments in Condition NZTA.16A below.</p> <p>This condition has been deleted and replaced by new conditions recommended following 8 February conference - to provide more specific detail around ESC monitoring and specifically reference the ESC Monitoring Plan that was attached to the lodged CEMP. There was an amendment made to this condition in response to conferencing between Me Kettles and Ms DeLuca. The intent of this monitoring is still captured within the revised approach to these monitoring conditions.</p>
E.14A	<p><u>The ESCMP (Erosion and Sediment Control Monitoring Plan - Appendix E to the CEMP) shall be updated and finalised and submitted to the Manager for certification at least 20 working days prior to pre-construction monitoring commencing. The ESCMP shall be reviewed and updated again where necessary prior to construction. Any changes in the requirements of the ESCMP shall be certified by the Manager before they are implemented.</u></p> <p><u>Monitoring and inspection records shall detail, but not be limited to:</u></p> <p>a) <u>The location of the monitoring undertaken;</u></p>	<p>This condition (and E.14B) has been devised to replace conditions recommended E14, E15 and E16 following the 8 February conference - to provide more specific detail around ESC monitoring and specifically reference the ESC Monitoring Plan that was attached to the lodged CEMP.</p> <p>It is recognised that this is a change in approach to the conditions to better</p>

Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
	<p>b) <u>The time and date the monitoring was undertaken;</u></p> <p>c) <u>The weather conditions at the time of monitoring including the start and finish dates and the ARI of rainfall events monitored;</u></p> <p>d) <u>The performance criteria measured</u></p> <p>e) <u>The erosion and sediment controls that required maintenance;</u></p> <p>f) <u>The maintenance actions which were completed; and</u></p> <p>g) <u>The time when the maintenance was completed; and</u></p> <p>h) <u>Areas of exceedence of trigger levels and non-compliances; and</u></p> <p>i) <u>Management actions to respond to these exceedences.</u></p> <p><u>This information shall be made available to the Manager upon request.</u></p>	<p>recognise and provide controls around the adaptive management approach that is proposed for sediment management. A clearer and better collated approach to adaptive management was a key matter raised in the 8 February conference that was agreed as needing to be addressed.</p> <p>It is recognised that this approach results in the “standard” GW conditions being replaced.</p>
E.14B	<p><u>The Consent Holder shall carry out monitoring in accordance with the ESCMP.</u></p> <p><u>The monitoring shall cover:</u></p> <p>a) <u>Inspections of erosion device measures, surface water management measures and sediment control measure with frequency, inspection scope, performance measures, management actions and reporting described in the ESCMP.</u></p> <p>b) <u>Physical monitoring of sediment control measures with frequency, parameters, locations, performance measures (including treatment efficiency), management actions and reporting described in the ESCMP. The performance of chemical dosing systems shall also be monitored. The potential chemical effects from chemical dosing systems shall also be monitored and shall be determined based on the chemical flocculant that is to be used.</u></p> <p>c) <u>Physical monitoring of catchment control points with locations, frequencies, parameters, performance measures and reporting described in the ESCMP. In addition, management measures shall be added to the plan to ensure responses occur to exceedences of performance measures. The ECSMP shall cover the baseline monitoring required by condition E.13A.</u></p> <p>d) <u>Physical monitoring of work area monitoring sites with locations, frequencies, parameters, performance measures and reporting described in the ESCMP. In addition, management measures shall be added to the plan to ensure responses occur to exceedences of performance measures.</u></p> <p><u>In inspections and physical monitoring erosion and sediment control devices (a and b above) shall include the monitoring of heavy rainfall, stabilisation trigger events and in accordance with the Chemical Treatment Plan.</u></p> <p><u>For all inspection and physical monitoring measures the Consent Holder shall set trigger levels at a higher standard than required to comply with consent conditions. These trigger levels must be linked to management and actions to review and improved the performance of the erosion and sediment control systems, so that improvements are made pre-emptively of consent conditions being exceeded. The actions taken must be recorded.</u></p> <p><u>Any non-compliance identified by the ESCMP must be recorded and reported to the Manager within 5 days with reasons for the non-compliance and the action taken to remedy the non-compliance (if any).</u></p>	<p>This condition has been devised to replace conditions recommended E14, E15 and E16 following the 8 February conference – to provide more specific detail around ESC monitoring and specifically reference the ESC Monitoring Plan that was attached to the lodged CEMP.</p> <p>It is recognised that this is a change in approach to the conditions to better recognise and provide controls around the adaptive management approach that is proposed for sediment management. A clearer and better collated approach to adaptive management was a key matter raised in the 8 February conference that was agreed as needing to be addressed.</p> <p>It is recognised that this approach results in the “standard” GW conditions being replaced.</p>
E.16A	<p><u>Where discharge quality breaches trigger levels set out in the ESCP, a suitably qualified ecologist(s) shall be notified within 24 hours, and then inspect the relevant area and monitor the ecological values where and when appropriate, as per the EMMP.</u></p>	<p>This is a variation on a condition recommended by Dr DeLuca and Ms Kettles in expert conferencing on marine ecology – refer also to the amendments in Condition NZTA16 above.</p>
E.16B	<p><u>In the event of a failure of erosion and sediment control devices, where the discharge is to a perennial or intermittent freshwater</u></p>	<p>This is a condition recommended by Dr DeLuca and Ms Kettles in expert</p>

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	<u>body, wetland or estuarine/marine environment, a suitably qualified ecologist(s) shall be notified within 24 hours, and then inspect the relevant area and monitoring the ecological values where and when appropriate, as per the EMMP.</u>	conferencing on marine ecology.
E16C	<u>The consent holder shall carry out weekly inspections of all site haul roads in order to ensure they are well maintained and that erosion and sediment control devices remain effective.</u>	This is a condition recommended by Mr Gough in his rebuttal evidence in response to an issue raised by Mr Handyside.
	Construction Environmental Management Plan – additional requirements	
E.17.	<p>In addition to the requirements in the General Conditions, the CEMP shall have regard to the following rehabilitation principles:</p> <p>(a) To identify and give particular attention to high cuts that will be visible from dwellings and public open space in order to quickly reduce any visual effects.</p> <p>(b) For the engineer, ecologist and landscape architect to work together to design the final shape of, and re-vegetation proposals for, earthworks and rock cuts as part of the detailed design process.</p> <p>(c) To shape the finished cuts to emulate natural rock features and reduce where appropriate the creation of uniform linear features. This may include rolling back the top, ripping sections to create shaped corners, creating gully like features and scree-like slopes, etc.</p> <p>(d) To shape the finished cuts to provide areas of fractured rock that will provide microhabitats for native grasses, ferns and shrubs.</p> <p>(e) To shape the finished cuts to allow the deposition of soil in key areas so that tall shrubs can rapidly establish helping to break up the face. This can include benching, and bunding the toe of the cut when access track construction has been completed.</p> <p>(f) To vegetate cuts with plants equivalent to the slopes above and below the cut.</p> <p>Explanatory Note: The CEMP provides an umbrella document that identifies the management processes and techniques to seek to ensure appropriate environmental management of the site. The preparation of and approval processes for the SSEMP's are undertaken in general accordance with the procedures outlined in the CEMP.</p>	It was agreed in planner conferencing that this condition is a designation matter. I have revised other conditions in the designation, and I note that it is a matter related to landscape and urban design issues. I also note that Mr Lister has recommended alternative changes in his rebuttal evidence, which I have reflected in the designation conditions.
	Chemical treatment (Flocculation)	
E.18.	All sediment retention ponds and devices shall be chemically treated in accordance with the CTP required under Condition E.19 of this consent.	
E.19.	<p>Prior to the commissioning of chemical treatments for sediment management purposes, the Consent Holder shall provide GWRC with a Chemical Treatment Plan (CTP) for each stage of the works, or in association with a SSEMP, for confirmation by the Manager that it will achieve the standards set out in the ESCP required under Condition E.5.</p> <p>Each CTP shall be submitted to the Manager, for approval <u>certification</u> at least 20 working days prior to any flocculation works commencing within the relevant SSEMP.</p> <p>Each CTP shall include, but need not be limited to:</p> <p>(a) Specific design details of the chemical treatment system;</p> <p>(b) Monitoring, maintenance (including post-storm) and contingency programme (including a Record Sheet);</p> <p>(c) Details of optimum dosage (including catchment specific soil analysis and assumptions);</p> <p>(d) Procedures for carrying out an initial treatment trial;</p> <p>(e) A spill contingency plan;</p> <p>(f) A performance monitoring plan for device performance for sediment treatment <u>including during heavy rainfall stabilisation trigger events</u>; and</p>	<p>Minor change from “approval” to “certification” to address a matter raised by Mr Gough (para 65 EIC).</p> <p>Change recommended to ensure treatment is delivered by a rain activated method rather than batch dosing – responds to comments by S42A report author Mr McLean (page 19).</p>

Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
	<p>(g) Details of the person or bodies that will hold responsibility for long-term maintenance of the chemical treatment system and the organisational structure which will support the system.</p> <p><u>...and shall require rain activated dosing for all sediment ponds.</u></p>	
E.19A	<p><u>Prior to the submission of the first Chemical Treatment Plan (as required by Condition E.19), the consent holder shall carry out a series of bench tests for flocculation and settlement in order to ascertain the optimum chemical dose rate for the range of soils encountered on the site, to the satisfaction of the Manager. The consent holder shall provide the results of the tests to the Manager prior to the submission of the Chemical Treatment Plan.</u></p>	<p>Responds to the evidence of Dr Fisher and S42A author Mr McLean’s report (pate 19) regarding the benefits of bench testing.</p> <p>Added after 8 Feb conference.</p>
	<p>Site Specific Environmental Management Plans (SSEMPs)</p>	
E.20.	<p>The consent holder shall prepare, submit and implement a Site Specific Environmental Management Plan (SSEMP) for each stage or sub-stage area set out in the staging plan required under the CEMP. The SSEMP shall be submitted to the Manager, for certification at least 20 working days prior to works commencing in each plan area. Suitably qualified environmental specialist(s) shall assist in the preparation of the SSEMPs.</p> <p>(d) Each SSEMP as far as practicable meet the objectives in Condition E.3 and shall be in general accordance with the CEMP and shall include, but need not be limited to:</p> <ul style="list-style-type: none"> vi. a detailed design and construction methodology for all works within the area covered by the SSEMP; vii. details of any contractor appointed to carry out the works authorised by this consent, including the contractor’s company, address, named representative and their contact details; viii. a detailed schedule of construction activities including the expected commencement date and duration of works in each location within the area covered by the SSEMP; ix. a staging of works to demonstrate that the area of disturbance will be kept to the minimum practicable; and x. evidence that a suitably qualified engineer has been appointed to carry out the overall design, supervision and certification of earthworks (including cut/fill batter stability and construction of all erosion and sediment controls). <p>(e) In respect of erosion and sediment control, the SSEMP shall be prepared in general accordance with the NZTA’s <i>Draft Erosion and Sediment Control Standard for State Highway Infrastructure</i> and <i>Draft Field Guide for Contractors</i> and shall include, but not be limited to:</p> <ul style="list-style-type: none"> viii. detailed design specifications of all earthworks within the SSEMP area, including disposal sites, and all erosion and sediment control measures to be implemented, including supporting calculations where appropriate; ix. the expected commencement dates for the implementation of erosion and sediment controls measures in the SSEMP area; x. information regarding chemical treatment of the proposed sediment retention ponds and devices; xi. identification of innovative treatments for erosion control that are to be used; xii. monitoring and maintenance schedules for all erosion and sediment control measures on a set frequency (at least weekly), or within 24 hours of each trigger rain event that is likely to impair the function or performance of the control measures; xiii. a site plan showing contours at suitable intervals, cut and fill operations, the specific location of all sediment and erosion control measures, and catchment boundaries for the sediment controls; and xiv. locating temporary stockpiles of excavated material at least 50m away from any ephemeral stream or permanent watercourse unless there is appropriate treatment of stormwater (which may include discharging to vegetated land). <p>(f) In respect of revegetation and rehabilitation activities, the SSEMP shall include, but not be limited to:</p>	

Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
	<ul style="list-style-type: none"> i. identification of soil resource to be used for rehabilitation within the SSEMP area; ii. identification of the vegetation types to be used on a plan or schedule; iii. a programme for revegetation and maintenance activities for a period of up to the 3 years (maintenance activities may include the exclusion of pest browsers and stock and the removal of weeds, and fencing that might be required for the exclusion of stock); iv. the desired percentage of surface cover to be achieved to reduce the adverse effects from sediment laden stormwater run-off; v. identification of any innovative treatments of exposed rock cuttings that are to be used; and vi. information demonstrating that as far as practicable the objectives in Condition E.3 are met. 	
E.21.	The consent holder may request amendments to any SSEMP by submitting the amendments in writing to the Manager for approval, prior to any changes taking effect.	
	Ecological management objectives	
E.22.	<p>During construction of the Project, the consent holder must achieve the following objectives as far as reasonably practicable:</p> <ul style="list-style-type: none"> (a) Re-establish affected lizard habitat and minimise lizard mortality resulting from construction of the Project; (b) Re-establish affected peripatus habitat and minimise peripatus mortality resulting from construction of the Project; (c) Minimise disturbance of breeding kaka and falcon; (d) Minimise effects on fish during streamworks; (e) Mitigate stream loss and modification by: <ul style="list-style-type: none"> i. Enriching riparian habitat; and ii. Enhancing fish passage; (f) Reduce construction effects on the aquatic and Porirua Harbour marine environments; and (g) Avoid the destruction of valued vegetation, where practicable. 	
E.23.	<p>During the operational life of the Project, the consent holder must achieve the following objectives as far as reasonably practicable:</p> <ul style="list-style-type: none"> (e) Minimise bat mortality (if any) resulting from operation of the Project; (f) Maintain habitat for <i>Leptinella tenella</i>, and ensure the long term retention of that habitat; (g) Protect against future land uses which could adversely effect stream ecology, through ensuring the long term retirement of regenerating land; (h) Mitigate the loss of indigenous forest, by revegetating indigenous forest, and ensuring the long term retention of that forest; and (i) Reduce sediment generation and discharge, by ensuring the long term retention of riparian habitat enriched during construction. 	This condition has been replaced by new conditions in the “G” General suite.
	Ecological management and monitoring	
E.24.	<p>The consent holder shall, in consultation with the Director General of Conservation,</p> <ul style="list-style-type: none"> (a) update and finalise the Draft Ecological Management and Monitoring Plan dated July 2011 to: <ul style="list-style-type: none"> i. include performance measures, actions, methods, trigger levels and monitoring programmes designed to achieve the objectives specified in Conditions E.22 and E.23 above; 	

Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
	<p>ii. provide for the continual review and monitoring of the effects of construction activities, including the inspection of all erosion and sediment control devices after all heavy rainfall trigger events, and the upgrading of devices where necessary to achieve the most efficient and effective treatment; and</p> <p>(b) submit this to the Manager, for approval at least 20 working days prior to works commencing on any part of the Project.</p>	
E.25.	The consent shall implement the actions, methods, and monitoring programmes specified in the Ecological Management and Monitoring Plan.	
E.26.	<p>The consent holder shall seek to ensure that:</p> <p>(a) all ecological monitoring is undertaken or supervised by a suitably qualified person;</p> <p>(b) the results of all monitoring carried out pursuant to the Ecological Management and Monitoring Plan are:</p> <p style="margin-left: 20px;">i. recorded in a log on site;</p> <p style="margin-left: 20px;">ii. available for inspection during normal office hours;</p> <p style="margin-left: 20px;">iii. submitted to the Manager and to the Director General of Conservation at quarterly intervals;</p> <p>(c) records are kept to show where monitoring is not possible due to dry conditions or where no sediment retention pond inflow or outflow exists.</p>	
E.27.	The consent holder shall engage a suitably qualified person to confirm the extent of any valued Natural Areas as specified in the Wellington Conservation Management Strategy 1996, RPS, Regional or District Plans prior to the commencement of works and shall develop the detailed design to avoid these areas as far as practicable. Any protection mechanisms for these areas shall be set out in the CEMP.	This condition is relocated from the regional consent conditions to the designation conditions, in response to planner conferencing.
E.28.	The replacement of the eight identified perched culverts within Duck Creek shall be completed within two years of the commencement of construction of any part of the new road. Replacement culverts shall be designed so as to provide fish passage for native migratory fish species, and shall be of a similar size and capacity to the existing culverts unless otherwise agreed with the Manager.	Relocated to “General” conditions.
E.29.	As far as practicable, measures shall be employed to minimise adverse effects on fish during construction of stream diversions and culvert installation.	<p>This condition has been deleted as it is duplicated by the relocated ecological objectives and EMMP which are now General conditions that apply to all streamworks and earthworks permits.</p> <p>There is a reference to this Condition in the planner conferencing statement (para 32.23).</p>
	Fill standards	
E.30.	<p>All fill material used on site shall:</p> <p>(a) Be restricted to natural material, such as clay, soil and rock and other inert materials as detailed in the definition of cleanfill material in section 2.2 of the Ministry for the Environment publication ‘A guide to the Management of Cleanfills, 2002’, and</p> <p>(b) Be restricted to those materials listed as acceptable in table 4.1 of the Ministry for the Environment publication ‘A guide to the Management of Cleanfills, 2002’.</p>	
	Progressive stabilisation and staging of earthworks	<p>These three conditions have been removed in response to planner conferencing and relocated to the designation conditions.</p> <p>Title reinstated as discussed at 8 Feb conference</p>
E.31.	The consent holder shall commence trials to assess the suitability of revegetation techniques and treatments of exposed rock	This is discussed in the planner conferencing statement (para 32.24).

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	<p>cuttings within at least one year prior to the commencement of construction.</p> <p><u>The consent holder shall undertake stabilisation field trials of the proposed permanent earthworks stabilisation methods in locations that are reasonably representative of the range of environments found along the alignment. A report shall be provided to the Manager summarising the findings and identifying the most effective methods for each area.</u></p> <p><u>The trial methodology shall be submitted to the Manager for certification 20 working days prior to commencing trials. The trials shall start within the first 12 months of the Project commencing.</u></p> <p><u>The stabilisation trials shall include but not be limited to the following:</u></p> <ol style="list-style-type: none"> a. <u>A range of seasonal and soil conditions expected.</u> b. <u>Temporary vegetative and long term surface stabilisation techniques.</u> c. <u>Determining effectiveness of proposed water control and vegetation techniques for cut and fill slopes.</u> <p><u>The proposed stabilisation trial shall be reviewed by the Sediment Management Peer Review Panel and the Manager.</u></p> <p><u>The results of the stabilisation trial shall be incorporated in the subsequent SEMP's.</u></p>	<p>Mr McLean raises stabilisation trials in his S42A report and it was discussed at the 8 February conference.</p>
E.32.	<p>A report of the results of the revegetation trials, and rock treatments shall identify:</p> <p>(a) which techniques and treatments are generally suitable for different areas and works within the project site; and</p> <p>(b) how each suitable technique or treatment (if any) will be incorporated into the completed Project.</p> <p>This report shall be submitted to the Manager at least one month prior to the commencement of construction.</p>	<p>This is discussed in the planner conferencing statement (para 32.24).</p>
E.33.	<p>The consent holder shall progressively stabilise exposed areas on completion of an area of cut or fill. Areas where future buildings or paved areas are proposed shall be temporarily stabilised with basecourse, grass, or other such material to the satisfaction of the Manager.</p>	
	<p>Forestry removal/logging conditions</p>	
E.34.	<p>The GWRC's Regional Soil Conservator shall be notified in writing at least 20 working days prior to the commencement of forestry removal. This notification shall include:</p> <p>(a) details of the site location; and</p> <p>(b) timing and staging.</p>	<p>I have deleted the forestry and logging conditions and replaced these with a Forestry Harvesting Plan (Condition E.34A). The Forestry Harvesting plan is suggested by Ms Grant in her evidence and I agree that this is a sensible condition. The Plan will be required to be submitted to, and certified by, the Manager - whereas the current Conditions E34-E38 would not require any involvement from the Manager under the current wording.</p>
E.35.	<p>Prior to the commencement of forestry/logging and any associated vegetation removal, construction of access tracks or other related enabling works, the consent holder shall ensure that an approved CEMP and ESCP containing measures specific to this activity, are in place and have been given effect to in accordance with Conditions G.12 and E.5.</p>	
E.36.	<p>As soon as practicable, following logging in any area, all parts of the area affected by forestry logging shall be re-established in vegetation in accordance with an approved landscape plan.</p>	
E.37.	<p>Best management practices as described in the New Zealand Forest Code of Practice (LIRO 1990, revised 1993) shall be adopted.</p>	
E.38.	<p>No vegetation or slash with a diameter of greater than 100 mm shall be allowed to remain in any watercourse and, when removed, shall be placed in a position where that material cannot enter any watercourse.</p>	

Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
E.34A	<p>Prior to the commencement of removal of any plantation pine forestry for the purpose of construction activities, including enabling works, the consent holder shall prepare a Forestry Harvesting Plan (FHP). The FHP shall be submitted to the Manager for certification at least 20 working days prior to the commencement of removal of any plantation forestry. The FHP shall include:</p> <ul style="list-style-type: none"> a) <u>timing and staging of logging activities;</u> b) <u>details of the location of new access tracks, existing tracks to be upgraded, skid sites and hauler sites;</u> c) <u>details of all stream crossing points;</u> d) <u>a description of the methods of extraction of logs and direction of hauling;</u> e) <u>detailed design of erosion and sediment control methods that are consistent with the objectives set out in Condition E.3 methods set out in Condition E5; and</u> f) <u>the location of the initial processing site.</u> g) <u>Stabilisation of any areas as soon as practicable following removal of trees.</u> 	<p>I have drafted this condition in response to evidence produced by Ms Grant (para 55 of her evidence). Mr Edwards’ rebuttal evidence supports Ms Grant in this regard.</p> <p>Ms Grant suggested an addition to this condition in her supplementary evidence.</p>

RC4 Land use consents and water permits for Wainui Stream

RC5 Land use consents and water permits for Te Puka Stream

RC6 Land use consents and water permits for Horokiri Stream

RC7 Land use consents and water permits for Ration Stream

RC8 Land use consents and water permits for Collins Stream

RC9 Land use consents and water permits for Pauatahanui Stream

RC10 Land use consents and water permits for Duck Creek

RC11 Land use consents and water permits for Kenepuru Stream

RC12 Land use consents and water permits for Porirua Stream

For each Stream the following consents and permits are sought:

- Land Use Consent and Water Permit – to permanently realign (divert and reclaim) the beds of streams, being pipe culverts, bridges and associated erosion protection control structures and stormwater outlet structures (refer to Schedule 1); and
- Land use consent to undertake permanent works in the beds streams and associated tributaries, including the construction, use and maintenance of culverts and fords; the construction and maintenance of gabion baskets and rock rip-rap erosion protection structures; and associated channel realignment and disturbance of the beds of those streams (refer to Schedules A–C).

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- Water permit to divert water as part of the reclamation of the bed of a stream and associated tributaries (*Note: does not apply to Collins Stream*).

Explanatory Notes: refer to Schedules A-C – table of reclamations and diversions – which sets out the length of stream affected and the numbers and length of structures, reclamations and diversions.

Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
WS.1.	The consent holder shall use natural rock and soil material, where practicable, to reclaim the stream bed. All fill material shall be placed and compacted so as to minimise any erosion and/or instability so far as is practicable.	
WS.2.	The consent holder shall seek to ensure that all works authorised by this permit to be undertaken in the dry bed of the stream, are completed before the flow of the stream is diverted back into the stream bed.	Ms Grant suggests deleting the words “seek to” (para 98) of her evidence. I disagree that this stronger wording is required in this instance.
WS.3.	The consent holder shall, as far as practicable , design all diversions in a manner than <u>that</u> seeks to maintain stream flows (both volume and velocity) in a similar state to its natural state at the time of commencement of Work.	Ms Grant recommends removing the words “as far as practicable”. I agree in this instance.
WS.4.	The works shall remain the responsibility of the consent holder and shall be regularly inspected and maintained by <u>a suitably qualified ecologist appointed by</u> the consent holder so that: (a) the waterway within or over the culverts and <u>over the</u> fords remains substantively clear of debris; (b) any erosion of the stream banks or bed that is attributable to, and is within 20m up or downstream of, the stream works authorised by this consent are remedied as soon as practicable by the consent holder; and (c) fish passage through the culverts and fords is not impeded. <i>Explanatory Note: Maintenance does not include any works outside of the scope of the application. Any additional works (including structures, reshaping or disturbance to the stream bed) following completion of the construction works as proposed in the application, may require further resource consents.</i>	Dr Keesing suggested additions to address concerns by DOC that the works need to be undertaken by a suitably qualified ecologist. Minor point of clarification.
		Ms Grant suggests the addition of conditions similar to S2, S3 and S4, and Dr Solly supported this in his evidence. I do not agree that these conditions are necessary as the design of permanent stream diversions will comprise part of the overall road design anyway through the SSEMPs. As a result of conferencing, the SSEMP conditions are now included in the General suite of conditions, and therefore apply to these permits. With the relocation of the SSEMP conditions, I also consider it to be appropriate that Conditions S2, S3 and S4 are deleted and amalgamated into the SSEMP conditions. From a drafting perspective I consider this to be appropriate and neater in order to avoid duplication. The conferencing statement of Dr Keesing and Dr Ogilvie on freshwater ecology (para 18) refers to a list of design aspects that need to be taken into account for the for the Te Puka Stream. Whilst their statement only refers to the Te Puka Stream, I consider it appropriate, and that the outcome they are seeking would be achieved, if their suggestions are amalgamated as part of the SSEMP conditions.

Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
WS.5	<u>Upon completion of all permanent stream diversions, the Consent Holder shall provide evidence in writing to the Manager that an appropriately qualified engineer and an appropriately qualified ecologist have inspected the completed diversion works, and are satisfied that they have been constructed according to the SSEMP stream diversion plan(s) that were certified by the Manager.</u>	Responds to paragraph 68.2 and 81.2 in the evidence of Dr Fisher.

RC13 Land Use Consent – To undertake works in, on, over or under the beds of Duck Creek for the purpose of removing existing perched culverts in eight locations, and replacing them with culverts that allow fish passage

Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
Duck.1.	The consent holder shall prepare and submit detailed design plans and construction methodology , including proposed duration and timing for the removal and replacement of existing culverts authorised by this consent, to the Manager for approval <u>certification</u> at least 20 working days prior to works commencing. The detailed design plans and construction methodology shall include: (a) measures/methods to seek to ensure that fish passage is maintained <u>maintain fish passage</u> on completion of construction of the replacement culverts; (b) details of culvert inlet/outlet protection structures e.g. pre-cast wing walls or rock rip-rap; and (c) appropriate sizing of culverts and allowances for secondary flow paths during high flows.	Change made in response to Ms Grant’s evidence (para 102) and this is also discussed in planner conferencing (para 32.25). I note that the NZTA is currently negotiating with GW over land ownership upon completion of construction, and that GW would also be happy (should they become the landowner) to maintain fish passage.
Duck.2.	The replacement of all eight culverts shall be completed within two years of the commencement of construction of any part of the Project.	Duplication - this is now a general requirement.

RC14 Land Use Consent for use, placement and erection of structures (refer to Schedule C:Temporary Culverts) – To undertake works in, on, over or under the beds of streams and associated tributaries including the construction, use and maintenance of bridges, culverts and fords, and water permit for any associated temporary diversion and disturbance of the beds of those streams

Explanatory note: this is a global consent for construction works in streams along the entire route.

Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
S.1.	Unless any modifications are required to comply with any of the conditions of this consent, the location, design, implementation and operation of the works shall be in general accordance with the: (a) consent application and its associated plans and documents lodged with the GWRC [INSERT DATES AND NUMBERS HERE]; and (b) information to be prepared and submitted to the GWRC in accordance with the CEMP conditions of this consent.	This condition is covered by Condition G1 and therefore is not required.
	Pre-construction conditions	
S.2.	The consent holder shall prepare and submit detailed design plans and construction methodology, including proposed duration and timing for all required structures and stream works authorised by this consent, to the Manager for approval at least 20 working days prior to works commencing. The detailed design plans and construction methodology shall include: (a) measures/methods to seek to ensure that fish passage is maintained during and on completion of construction works along the stretches of stream affected by the exercise of this consent; (b) details of culvert inlet/outlet protection structures e.g. pre-cast wing walls or rock rip-rap;	As stated above (with respect to the “WS” conditions) With the relocation of the SSEMP conditions, I also consider it to be appropriate that Conditions S2, and S3 are amalgamated into the SSEMP conditions. From a drafting perspective I consider this to be appropriate to avoid duplication. With the rearrangement of conditions, I consider Condition S.4. becomes superfluous and is covered by the revised General conditions.

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Reference	Wording of proposed condition	Reasons for "track changes" suggested, and the reasons the changes have been made.
	<p>(c) appropriate sizing of culverts and allowances for secondary flow paths during high flows; and (d) any other measures or details as appropriate to achieve compliance with all conditions of this consent.</p>	
S.3.	<p>Works shall not commence until the detailed design plans and construction methodology required by Condition S2. of this consent have been certified by the Manager GWRC as being in general accordance with consent application plans.</p>	
S.4.	<p>The Manager, shall be given a minimum of 20 working days notice in writing, prior to Work commencing in each location (including any maintenance Work). Explanatory Note: This condition excludes Work permitted by the Regional Freshwater Plan for the Wellington Region.</p>	
S.5.	<p>The consent holder shall prepare and implement a revegetation and mitigation strategy for the stream modifications and structures authorised by this consent. The strategy shall be submitted to the Manager for certification, at least 20 working days prior to any Work commencing. The revegetation and mitigation strategy shall include, but not be limited to:</p> <p>(a) details, methods, timing and responsibilities for revegetation of all exposed areas of stream bank or dewatered channel or culvert fill slopes as a result of this consent, including the methods for the protection of such areas;</p> <p>(b) planting plan and schedules;</p> <p>(c) monitoring and maintenance processes and procedures, including for replacement of dead plants, for a period of three years from completion of construction.</p> <p>Explanatory Note: the plant species used to revegetate areas shall be consistent with the species in the immediate vicinity of the exposed areas ("like with like"), with native species suitable for stream side and spawning habitats preferred at all times.</p>	<p>It is noted that Dr Keesing recommends additional measures to manage the freshwater ecological effects of temporary culverts, and also discusses potential for additional monitoring and trigger levels to be embedded in conditions – a response to matters raised in submissions, Dr Keesing recommends that further consultation is undertaken with the submitters who have raised these issues in order to further discuss trigger levels and monitoring. I have addressed this through other "General" conditions.</p> <p>Ms Grant also states that this condition should be reviewed (para 103). I* consider this is addressed through the rearranged ecology objectives and criteria.</p> <p>The explanatory note has been deleted as it has no additional effect.</p> <p>Ms Grant requested that this plan be submitted for certification by the Manager in her supplementary evidence. She also considers a purpose description be added. I agree that this is appropriate and will address this in a further iteration of conditions.</p>
S.6.	<p>At least 20 working days prior to the commencement of construction of any temporary stream crossing, the consent holder shall submit detailed design plans of the crossing to the Manager for certification, and construct the crossing in accordance with the certified plans.</p>	<p>Duplication of S2 and S3 – delete as agreed in planner conferencing (para 32.26).</p>
	<p>During construction conditions</p>	
S.7.	<p>All work involving construction of new structures within streams, including post construction clean up and reinstatement, shall be completed within 20 working days of completion of Work, to the satisfaction of the Manager.</p>	<p>This condition has been deleted in response to a query by Ms Grant.</p>
S.8.	<p>The consent holder shall take all practicable steps to minimise sedimentation and disturbance of streams during the construction and implementation of the Work, including:</p> <p>(h) completing all Work in the minimum time practicable;</p> <p>(i) minimising the area of disturbance at all times;</p> <p>(j) avoiding placement of excavated material in the wetted channel;</p> <p>(k) separating construction activities from the wetted channel;</p> <p>(l) minimising time spent by machinery in the wetted channel, including the number of vehicle crossings;</p>	<p>I have relocated this to "general conditions".</p>

Reference	Wording of proposed condition	Reasons for "track changes" suggested, and the reasons the changes have been made.
	(m) immediately removing any excess material from the bed and banks of the stream on completion of the Work; and (n) where practicable, using material from the old dry channel for subsequent new channels.	
S.9.	Except for construction Work in the Te Puka Stream catchment, the consent holder shall maintain fish passage at all times during and on completion of the construction Work along the stretches of stream affected by the exercise of this consent. Any fish stranded or trapped by the construction works as authorised by this consent shall as soon as practicable be relocated upstream or downstream (as relevant) to clear water.	Ms Grant suggests a change to this condition (para 104) noting that fish passage can often be impeded by installation of culverts and diversion channels. Dr Joy recommends fishing prior to commencement of works, and Dr Keesing supports this. I have therefore rewritten Conditions S.9 and S.10 (as a General Condition) to reflect this.
S.10.	For Work within the Te Puka Stream catchment, the consent holder shall capture any fish stranded or trapped by the construction Work as authorised by this consent and relocate upstream or downstream (as relevant) to clear water.	
S.11.	During whitebait migration season (between 1 September to 30 November inclusive) and/or the adult fish spawning season (between 1 April to 31 July inclusive), Work within the wetted channel of the stream is only permitted: (c) with the prior approval of the Manager; and (d) in any case, will be limited to 1 day out of 7 and no more than 2 days in any 30 days. Explanatory Note: This condition excludes works as permitted by Rule 22 of the Regional Freshwater Plan for the Wellington Region..	This condition has been moved as a General condition and revised based on De Keesing's evidence. I note that Ms Pomare (para 95) discusses managing fish passage during seasonal migration times.
	Post-construction and maintenance conditions	
S.12.	Unless otherwise agreed in writing with the Manager, all temporary stream crossings shall be removed within not more than two years of their installation.	
S.13.	Unless otherwise agreed in writing with the Manager, Upon removal of any temporary crossing, the consent holder shall either: (a) replace the crossing with a permanent ford crossing; or (b) reinstate the stream bed to, as far as practicable, a natural state to closely match the upstream and downstream riparian and instream habitats and visual appearance. At least 20 working days prior to the commencement of construction of any fords, the consent holder shall submit detailed design plans to the Manager for certification.	This condition has been amended in recognition of discussions in planner conferencing (para 32.27) about the potential for consents to be needed to authorise permanent stream crossings (where they do not meet permitted standards). Ms Grant notes this in her evidence (para 106). The changes to the condition restrict the condition to address temporary crossings only.
S.14.	The structures erected as part of the Work shall remain the responsibility of the consent holder and shall be regularly inspected and maintained by a suitably qualified ecologist appointed by the consent holder so that: (a) the waterway within or over the culverts and fords remains substantively clear of debris; (b) any erosion of the stream banks or bed that is attributable to the stream works authorised by this consent are remedied as soon as practicable by the consent holder; and (c) fish passage through the culverts and fords is not impeded. Explanatory Note: Maintenance does not include any works outside of the scope of the application. Any additional works (including structures, reshaping or disturbance to the stream bed) following completion of the construction works as proposed in the application, may require further resource consents.	Dr Keesing suggested additions to address concerns by DOC that the works need to be undertaken by a suitably qualified ecologist. The explanatory note has been removed in recognition of discussions in planner conferencing about the potential for consents to be needed to authorise permanent stream crossings (where they do not meet permitted standards).
S.15	In designing and re-creating the Te Puka upper system (the main diversion) the consent holder shall use a caging system or similar method that achieves the purpose of holding the proposed gravels and cobbles forming the hyporheic zone in place.	This condition has been developed from conferencing notes provided by Dr Keesing and Dr Ogilvie.

RC 15 Discharge Permit for Concrete Batching Plant: Discharge contaminants to air after bag filtration resulting from the mixing of cement powder with other materials to manufacture concrete or concrete products; and

RC16 Discharge Permit for Concrete Batching Plant: Discharge contaminants to stormwater from an industrial or trade process.

Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
	Pre-construction administration	
CBP.1.	The location, design and operation of the concrete batching plant shall be in general accordance with: [Insert reference to plans, date and legal description(s)]	
CBP.2.	The consent holder shall prepare a Concrete Batching Plant Management Plan (CBMP) . The Consent Holder shall provide the CBMP to the Manager for certification <u>at least 20 working days</u> prior to the commencement of operation of the batching plant.	Amendment made to address the evidence of Ms Grant (para 109). The works are required to be carried out in accordance with the CBMP under Condition G.10.
CBP.3.	The CBMP shall include, but not be limited to, details of: <u>General</u> (a) The final site layout including buildings and storage yard(s) and other storage facilities; (b) An operation and maintenance manual detailing regular monitoring to be undertaken, including visual checks and maintenance of all plant machinery and equipment to mitigate against accidental discharges; (c) A contingency plan for discharges to the environment from the plant; (d) Complaints investigation, monitoring and reporting; (e) The identification of staff and contractors’ responsibilities. <u>Air Quality Management Measures</u> (a) Procedures for responding to process malfunctions and accidental dust discharges; (b) Procedures to seek to ensure that sand and aggregate (and other potentially dusty materials) are handled and stored so as to minimise dust emissions; (c) Mitigation measures to be implemented during the operation of the plant, including the installation of a water sprinkler system to minimise dust emissions; (d) Criteria, including consideration of weather conditions and procedures for use of water sprays on stockpiles and operational areas of the site; (e) Daily visual monitoring of dust emissions. <u>Stormwater Quality Management Measures</u> (a) Methods to separate clean stormwater and divert it away from dirty areas of the site; (b) Methods to capture and treat stormwater from dirty areas of the site; (c) Collection and storage of rubbish in appropriate receptacles to avoid contamination with rainwater; and (d) Methods for collection and re-use of water onsite.	
CBP.4.	Operation of the plant shall not commence until the CBMP, detailed design plans and methodology required by Conditions CBP.1, CBP.2 and CBP.3 of this permit have been certified by the Manager.	
CBP.5.	The consent holder shall review and (if necessary) update the CBMP within two months of the date of commencement of operation of the concrete batching plant, and at least once every year thereafter and also in the event that potential and actual adverse emissions	

Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
	to air are identified by an enforcement officer; or for the purpose of reviewing the stormwater management systems on-site. In any such event, the Best Practicable Option shall be used to prevent such emissions. Any proposed changes to the CBMP shall be submitted to the Manager for review within one month of the consent holder's review.	
CBP.6.	The Manager, shall be given a minimum of 48 hours notice prior to the operation of the concrete batching plant commencing.	
	Limit conditions	
CBP.7.	The Consent Holder shall at all times operate, maintain, supervise, monitor and control all processes on site so that air emissions authorised by this consent are maintained at the minimum practicable level.	
CBP.8.	There shall be no discharges to air resulting from the exercise of this permit which are, in the opinion of an enforcement officer, noxious, dangerous, offensive, or objectionable at or beyond a 20 metre wide buffer zone around the physical boundary of the plant.	
CBP.9.	No discharges from any activity on site shall give rise to visible emissions to an extent which, in the opinion of an enforcement officer, is noxious, dangerous, offensive or objectionable.	
CBP.10.	Beyond the boundary of the site there shall be no hazardous air pollutants caused by discharges from the site, which are present at a concentration that causes, or is likely to cause adverse effects to human health, the environment or property.	
	Operation and process conditions	
CBP.11.	As far as practicable, all process water shall be captured and reused on site.	
CBP.12.	The site shall be kept clean and tidy and appropriate measures taken to minimise dust emissions from wind and vehicle movements, including ensuring that within site boundaries all vehicle speeds are kept below 10 kilometres per hour, in accordance with the CBMP required by Condition CBP.2.	
CBP.13.	If a significant discharge of dust into air occurs from any part of either a cement silo or associated equipment during the delivery of cement into that silo, all deliveries into that silo shall cease immediately and shall not be resumed until the dust source has been located and remedied.	
CBP.14.	Each silo on site shall be fitted with a pulse-jet type bagfilter unit that shall be adequately maintained and be operating whenever bulk cement is being transferred into that silo and that air displaced from cement silos during silo filling shall be vented to atmosphere via the bagfilter unit fitted to that silo.	
CBP.15.	Each silo on site shall be fitted with a high level fill alarm that shall be adequately maintained and be operating whenever bulk cement is being transferred into that silo, and that in the event of the alarm operating, filling into the silo shall cease immediately and shall not be resumed until the cause has been located and remedied.	
CBP.16.	Air displaced from the cement weigh hopper during weighing shall be vented to atmosphere via a bagfilter.	
CBP.17.	Air extracted from the mixer drum during batching of concrete shall be vented to atmosphere via a pulse-jet type bagfilter unit that shall be operating whenever the batching of concrete is being undertaken.	
CBP.18.	That all ducting and emission control equipment shall be maintained in good condition and as far as practicable be free from leaks to prevent fugitive emissions.	
CBP.19.	Aggregate shall be handled in such a way as to minimise dust emissions, including appropriate storage and the minimisation of drop heights when unloading. Appropriate storage means storage only in the enclosed high-level bins or in ground-level storage bays. Minimisation of drop heights is specified in the CBMP required by Condition CBP.2.	
CBP.20.	The maximum height of any stockpiles of sand, aggregate or any other potentially dusty material in ground-level storage bays shall not exceed the height of the side and rear walls of that bay.	

Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
CBP.21.	Water sprays shall be available on each ground-level storage bay used for sand, aggregate or any other potentially dusty material, and shall be used when necessary for dust suppression.	
CBP.22.	The aggregate conveyors shall be enclosed at least on one side and above or fitted with close fitting covers and fitted with return scrapers to adequately minimise dust emissions.	
	Monitoring and site management conditions	
CBP.23.	Regular maintenance of the concrete batching process, including weekly visual inspections of the equipment prior to use, shall be carried out by an appropriately trained operator. Records of maintenance and visual inspections shall be kept and made available to the Manager on request.	
CBP.24.	The consent holder shall keep a record of all deliveries of bulk materials to, and dispatches of concrete from, the plant. These records shall be made available to the GWRC on request.	
CBP.25.	Regular maintenance of the concrete batching process, including weekly visual inspections of the equipment prior to use, shall be carried out by an appropriately trained operator. Records of maintenance and visual inspections shall be kept and made available to the Manager on request.	
CBP.26.	The consent holder shall undertake regular visual monitoring of dust emissions from each delivery of bulk cement to the site, as specified in the CBMP required by Condition CBP.2.	
CBP.27.	The consent holder shall require bulk tanker drivers to remain in the immediate vicinity of the tanker delivery controls throughout each delivery of bulk cement to the site, and to continuously monitor each such delivery for spills and/or discharges to air.	
CBP.28.	The filter units, high level alarms and pressure relief valves fitted to each silo shall be inspected for correct operation and damage at least once each month.	
CBP.29.	The filter unit fitted to the concrete mixer unit shall be inspected for correct operation and damage at least once every six months.	
CBP.30.	A continuous turbidity and pH meter shall be located at the discharge point from the Concrete Batching Plant dirty water treatment system. Discharges from the concrete batching plant shall meet a turbidity and pH discharge standard – initially set at: <ul style="list-style-type: none"> • Turbidity 50 NTU; and • pH between 6–9. Where the turbidity level is exceeded, or pH is greater than 9, further treatment shall be required via chemical treatment and/or pH management prior to discharge. Alternatively this stormwater shall be discharged to the reticulated sewer.	
CBP.31.	The stormwater treatment devices used on this site shall be designed in accordance with the standards set out in the NZTA's <i>Draft Erosion and Sediment Control Standard for State Highway Infrastructure</i> and <i>Draft Field Guide for Contractors</i> .	
	Logging and reporting conditions	
CBP.32.	The consent holder shall keep a record of all deliveries of bulk materials to, and dispatches of concrete from, the plant. These records shall be made available to the GWRC on request.	
CBP.33.	A log shall be maintained of the results of all daily, weekly and monthly inspections and visual assessments of all emissions control equipment and of any dust emissions from the site or processes.	
CBP.34.	All records, logs, monitoring and test results that are required by the conditions of this consent shall be made available on request,	

Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
	during operating hours, to an enforcement officer and shall be kept for a minimum period of 12 months from the date of each entry.	
CBP.35.	The consent holder shall notify an enforcement officer as soon as practicable in the event of any significant discharge of contaminants into air, which may result in adverse effects on the environment.	
CBP.36.	Details of any complaint received shall be provided to the Manager within 7 days of receipt of the complaint/s.	
	Review condition	
CBP.37.	<p>The conditions of this consent may be reviewed by the Manager pursuant to section 128 of the RMA, by the giving of notice pursuant to section 129 of the Act, in within two months of commencement of operation of the concrete batching plant, and annually thereafter in order:</p> <p>(a) To deal with any significant adverse effect on the environment arising from the exercise of the consent which was not foreseen at the time the application was considered and which is appropriate to deal with at the time of the review.</p> <p>(b) To consider the adequacy of conditions which prevent nuisance beyond the boundary of the site, particularly if regular or frequent complaints have been received and validated by an enforcement officer.</p> <p>(c) To consider developments in control technology and management practices that would enable practical reductions in the discharge of contaminants to air.</p> <p>(d) Alter the monitoring requirements, including requiring further monitoring, or increasing or reducing the frequency of monitoring.</p>	
	Expiry	
CBP.38.	This consent relating to the discharge of contaminants to air from a concrete batching plant shall expire 15 years from the date of its commencement unless it has lapsed, been surrendered or been cancelled at an earlier date.	

Appendix B4

Schedule of proposed resource consent conditions Porirua City Council

Colour Code for track changes:

Changes dated 13 February shown in black ~~strikethrough~~ and underline

Deletions shown in ~~strikethrough~~

Additions shown in underline

	<i>Changes to definitions</i>	
	<u>Heavy rainfall event</u> Means any rainfall event that is predicted to meet or exceed 20mm in one 24 hour period	Response to conference 8 Feb para 11 and 12 and Ms Grant’s request for the heavy rainfall event to be included in the conditions
	<u>Stabilisation trigger event</u> <u>means any rainfall event that is predicted to meet or exceed 50mm in one 24 hour period.</u>	This has been added to respond to Ms Grant’s evidence and discussions in Mr Martell’s rebuttal. Modified in response to conference 8 Feb para 11 and 12 and Ms Grant’s request at that time and based on assessment of appropriate event by Mr Martell and to be supported by his supplementary evidence
	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 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 <u>over the entire area</u> . <u>“Non-stabilised” areas are those which do not meet the definition of “stabilised”, and include partially stabilised and open/active earthworks areas.</u>	This responds to matters raised regarding the definition of stabilised and confirms that areas that are under erosion control, along with active earthworks areas <u>are not</u> considered to be stabilised. And changes as per conference 8 Feb

Reference	Wording of proposed condition including “track changes”	Reasons for “track changes” suggested, and the reasons the changes have been made.
G.22.	The Project shall be undertaken in general accordance with the plans and information submitted with the application as documented as consent numbers [INSERT GWRC REFERENCE NUMBERS HERE] , subject to such amendments as may be required by the following conditions of consent. The plans and information include: (i) Consent applications dated [INSERT DATES HERE] (ii) Documents [INSERT DATES HERE] (iii) Plans [INSERT FINAL PLAN REFERENCES HERE] a. <u>Assessment of Environmental Effects report, dated 8 August 2011</u> b. <u>Plan sets:</u> a. <u>LR17 and LR20: Land requirement plans</u>	I have added a statement in response to a discussion in planner conferencing to confirm that the conditions prevail where there is conflict between the conditions and the technical reports. This is because some of the conditions have been written in response to matters raised by others after completion of technical reports and consideration of matters raised.

Schedule of proposed resource consent conditions Porirua City Council

13 February 2012

Reference	Wording of proposed condition including "track changes"	Reasons for "track changes" suggested, and the reasons the changes have been made.
	<ul style="list-style-type: none"> b. <u>GM14-15: Road layout plans</u> c. <u>GM23 and GM33: Longitudinal sections and cross sections</u> d. <u>DR14-15: Drainage layout plans</u> e. <u>S29: Structures plans</u> f. <u>LA14-15: Landscape plans</u> <p><u>Where there is conflict between the documents lodged and the conditions, the conditions shall prevail.</u></p>	
G.23.	Subject to the consent holder holding or obtaining appropriate property rights to enable it to do so, the consent holder shall permit the servants or agents of the GWRC to have access to relevant parts of the respective properties at all reasonable times for the purpose of carrying out inspections, surveys, investigations, tests, measurements and/or to take samples.	
	Pre-construction administration conditions	
G.24.	<p>At least 20 <u>10</u> working days prior to commencement of any Stage the consent holder shall arrange a pre-construction site meeting between the GWRC and any other relevant party nominated by the GWRC, including the primary contractor.</p> <p>In the case that any of the invited parties, other than the representative of the consent holder, does not attend this meeting, the consent holder will have complied with this condition, provided the invitation requirement is met.</p>	I agree that this condition should be amended to provide for a meeting 10 working days prior to commencement of construction as discussed in meetings with Ms Grant at GW. This was also discussed in planner conferencing (para 32.2).
G.25.	<p>Prior to the commencement of construction Work, the consent holder and the GWRC (and or their agreed representative(s) who have authority to make decisions regarding consent compliance), shall meet and decide upon a suitably qualified or experienced person or persons who shall fulfil the role of compliance officer for the Project.</p> <p>The agreed person's responsibilities shall include:</p> <ul style="list-style-type: none"> a) Pre commencement site meeting(s) with contractors; b) Regular scheduled compliance inspections to meet the requirements of regional consents [INSERT GWRC REFERENCE NUMBERS HERE]; c) Spot compliance checks before and/or after forecast extreme weather events; d) Collection, collation and filing of any required monitoring and compliance reports; and e) Enforcement action under the provisions of the RMA in the event of a non-compliance. <p>This person may be a Council employee, or may be an independent person agreed between the consent holder and the GWRC as an Independent Professional Advisor.</p> <p>The actual and reasonable costs of this person exercising these responsibilities shall be recoverable from the consent holder (refer to Condition G.5).</p>	As agreed at planner conferencing (para 32.3) I have deleted this condition as it duplicates requirements under the Act - in other words, the Council is already entitled to carry out compliance and the Manager may well delegate these tasks to an independent expert.
G.26.	The GWRC shall be entitled to recover from the consent holder the actual and reasonable costs of the conduct of any review, calculated in accordance with and limited to the Council's scale of charges in force and applicable at that time pursuant to Section 36 of the Resource Management Act 1991	As agreed at planner conferencing I have deleted this condition as it duplicates requirements in the Act.
G.27.	The consent holder shall ensure that a copy of this consent and all documents and plans referred to in this consent, are kept on site at all times and presented to any GWRC officer on request.	I note that there has been some discussion between myself and Ms Grant as to what might be defined as "site". From my experience, I consider a pragmatic approach would be taken, and that having a copy in the site project office would constitute compliance with this condition.
	Review condition	
G.28.	The Manager may review any or all conditions of this consent by giving notice of their intention to do so pursuant to Section 128 of	Minor clarification.

Reference	Wording of proposed condition including "track changes"	Reasons for "track changes" suggested, and the reasons the changes have been made.
	<p>the Resource Management Act 1991, at any time within six months of the first, third and fifth anniversaries of the date of commencement of <u>the works authorised by</u> this consent for any of the following purposes:</p> <p>a) To deal with any adverse effects on the environment, which may arise from the exercise of this consent, and which it is appropriate to deal with at a later stage; and</p> <p>b) To review the adequacy of any monitoring plans proposed and/or monitoring requirements so as to incorporate into the consent any monitoring or other requirements which may become necessary to deal with any adverse effects on the environment arising from the exercise of this consent.</p>	
	Staging and programme conditions	
G.29.	<p>If the Work is to be staged, the consent holder shall prepare a staging plan prior to the commencement of that Work, and shall provide written notification of the commencement of the Work in each Stage to the GWRC, at least ten working days prior to that Work commencing in each area.</p> <p><u>At least 20 working days prior to the commencement of any Work authorised by this consent, the consent holder shall prepare an overall staging plan for the whole project for certification by the Manager. The staging plan shall demonstrate how the project will be staged, and the proposed total construction period.</u></p>	<p>From discussions with GW and planner conferencing, this condition has been changed to clarify that there needs to be an overall "high level" programme for the whole project to demonstrate how it will be staged. Staging plans will then follow for each of the individual stages, and these are required to be provided with more specific details through the CEMP and ESCP at later dates. This is also reflected in Condition G9 below.</p> <p>I also recommend that the staging plans be certified by the Manager. This condition is related to the Management Plan condition following below (G.10A) that requires the staging plan to be certified before the CEMP and the ESCP if they are to be staged.</p>
G.29A.	<p><u>The consent holder shall ensure that the staging plan required under Condition G.29 above, is certified by the Manager prior to the submission of the CEMP (or staged CEMPs) required under Condition G.33, and the first of the ESCPs as required under Condition E.42,</u></p>	<p>This condition requires the consent holder to be clear on the staging proposed for the overall Project, and for the Manager to have certified the staging plan, prior to the first stage CEMP or ESCP being submitted.</p> <p>This addresses a concern raised in the evidence of Mr Gough, that the quantity of information to be certified through the ESCPs may be substantial. This process would provide forewarning to the Manager.</p>
G.30.	<p>The consent holder shall provide the Manager with an updated schedule of construction activities for the Project at monthly intervals throughout the construction phase of the Project <u>and each monthly update schedule shall demonstrate how it fits into the overall staging plan required by Condition G.29.</u></p>	<p>Changes have been made for the same reasons as above for G29.</p> <p>I note that Ms Grant also suggests monthly reporting for the purpose of advising the Council of works that are intended to occur over the next month, and the likely timeframe of future works. She notes that this would assist the Regional Council in overall compliance monitoring and allocation of resources (for approving plans etc.) (para 96.1 of her evidence). I agree with her recommendation.</p>
	Management plans	
G.31.	All works shall be carried out in general accordance with the management plans required by these conditions.	
G.32.	The consent holder may request amendments to any of the management plans required by these conditions by submitting the	This reflects changes also made to the designation conditions, and adds a

Reference	Wording of proposed condition including "track changes"	Reasons for "track changes" suggested, and the reasons the changes have been made.
	amendments in writing to the Manager for approval <u>certification at least 20 working days</u> prior to any changes taking effect. <u>Any changes to management plans shall remain consistent with the overall intent of the relevant management plan.</u>	timeframe for manager's "sign off" of any changes to management plans.
G.32A	<u>Where a management plan is required to be prepared in consultation with any third party, the management plan shall demonstrate how the views of that party (or parties) have been incorporated, and where they have not, the reasons why.</u>	I have added in this condition in response to discussions in terrestrial ecology conferencing in order to address concerns raised about communication with key stakeholders during preparation of management plans. There are a number of instances where the conditions require consultation with third parties.
	Construction Environmental Management Plan	
G.33.	<p>Prior to the commencement of any Stage which involves activities authorised by this consent, the consent holder shall submit a Construction Environmental Management Plan or Plans ("CEMP") to the Manager for review and certification. Among other things, the CEMP(s) is to confirm that the proposed construction methodology for the Stage complies with Condition G.22 of this consent and to demonstrate how other conditions of this consent have been or will be complied with. The CEMP(s) shall be prepared in relation to the relevant Stage.</p> <p>The purpose of the <u>The CEMP is intended</u> to confirm final project details, staging of Work, and detailed engineering design to seek to ensure that the Project remains within the limits and standards approved under this consent and that the construction and operation activities avoid, remedy or mitigate adverse effects on the environment in accordance with the conditions of this consent. <u>The draft CEMP submitted with the application (dated July 2011) shall be updated and finalised, and shall</u> provide details of the responsibilities, reporting frameworks, coordination and management required for project quality assurance; final detailed design; construction methodologies; timeframes and monitoring processes and procedures. Works shall not commence on a Stage until the consent holder has received the Manager's written approval <u>certification</u> for the CEMP(s) for that Stage.</p> <p>A CEMP shall include but need not be limited to:</p> <p><i>(1) Quality Assurance</i></p> <p>A Quality Assurance section which shall include management frameworks, systems and procedures for quality management of all on-site activities and compliance with the conditions of this designation. Among other matters this section shall provide details of the following:</p> <ol style="list-style-type: none"> Name, qualifications, relevant experience and contact details of an appropriately qualified and experienced project manager, who shall be responsible for overseeing compliance with the CEMP; Names, qualifications, relevant experience, and methods for contacting principal staff employed on the relevant part of the Project, along with details of their roles and responsibilities; Methods and systems to inform and train all persons working on site of potential environmental issues, <u>the accidental discovery protocol</u>, and how to comply with conditions of the consent; Systems and processes whereby the public are informed of contact details of the project manager and principal staff identified above; Liaison procedures with the Council; and Communication protocols. <p><i>(2) Site Management</i></p> <p>The Site Management section of the CEMP shall detail procedures to manage the relevant part of the Project throughout the</p>	<p>Minor changes have been made to this condition to reflect discussions in planner conferencing, to clarify the intention of the CEMP, and to confirm that the CEMP document as lodged is a draft that will need to be updated by the appointed contractor (i.e. it must be used as a basis for the final CEMP, not a completely separate document).</p> <p>The accidental discovery protocol has been added to this condition.</p> <p>The lighting condition has been added for consistency with the designation conditions.</p> <p>I note that (as per planner conferencing statement para 31.3) the CEMP condition was to be reviewed against the "standard" GW condition. Ms Grant has not mentioned a concern with the current wording specifically in her evidence, and it is anticipated that if this remains a concern to her, then it could be reviewed again.</p> <p>Point to Note: I have changed the Underlined headings within this condition to Italicised headings so that they are not confused with the track changes.</p>

Reference	Wording of proposed condition including “track changes”	Reasons for “track changes” suggested, and the reasons the changes have been made.
	<p>entire construction process in a safe manner. This section shall provide details of the following (and may include other matters):</p> <ul style="list-style-type: none"> a) Details of the site access for all Work associated with construction of the part of the Project; b) Measures to be adopted to maintain the site in a tidy condition in terms of disposal/storage of rubbish, storage and unloading of building materials and similar construction activities; c) Location of workers’ conveniences (e.g. portaloos); d) Procedures for controlling sediment run-off into the watercourses/streams, dust and the removal of soil, debris and construction materials from the watercourses/streams and riparian margins, and onto public roads or places (including identifying the location of wheel wash facilities); e) A contingency plan in the event that there is any unconsented discharge to watercourses/streams; f) Details of the storage of fuels and lubricants (which shall require that storage be bunded or contained in such a manner so as to prevent the discharge of contaminants from spillages); g) Details of the proposed maintenance of machinery and plant to minimise the potential for leakage of fuels and lubricants; h) Location of vehicle and construction machinery access and storage during the period of site works; i) Procedures for thoroughly cleaning all machinery of unwanted vegetation (e.g. weeds), seeds or contaminants prior to entering the site <u>and any other methods to avoid the introduction of unwanted pests to site;</u> j) Methods for the clear identification and marking of the construction zones including those which extend into watercourses; k) A methodology that prescribes the extent to which machinery can operate in the vicinity of watercourses so as to minimise disruption and damage to the watercourses and associated vegetation; l) Methods to manage public health and safety during the construction works, and notification to the public of temporary access restrictions to the immediate works area during the staged construction; m) Confirmation that no equipment or machinery will be cleaned, or refuelled in any part of any watercourses/streams, except as otherwise specifically provided for in the CEMP or an SSEMP; n) Procedures for removing all contaminants (e.g. fuel, hydraulic oils, lubricants etc) from the site at the end of the construction period, except for those required for ongoing maintenance of the road and operational activities; and o) Procedures for making any repairs to the adjacent road network required where any damage occurs as a direct result of the Project; <u>and</u> p) <u>Procedures to manage lightspill onto residential properties from any night lighting that is required on the site.</u> <p><i>(3) Construction Programme and Methodology</i></p> <p>Notwithstanding Conditions G.8 and G.9 above, a Construction Programme which shall include a programme of works that seeks to enable the relevant part of the Project to be constructed in a manner that is timely, adequately co-ordinated and manages the adverse effects of construction on the environment in accordance with the conditions of this consent. This section shall, among other matters, provide details of <u>of</u> the following:</p> <ul style="list-style-type: none"> a) A detailed staging programme and anticipated timetable for construction works during the relevant part of the Project; and b) A methodology to identify how earthworks will be staged during the relevant part of the Project to manage the effects of the Project on the Pauatahanui Inlet in accordance with this consent 	

Reference	Wording of proposed condition including "track changes"	Reasons for "track changes" suggested, and the reasons the changes have been made.
	Staff Training	
G.33A	<p><u>At least one week prior to the commencement of any earthworks or earthworks stage, contractors responsible for supervising site staff shall be briefed as followed:</u></p> <p>a) <u>For those contractors likely to be involved in the construction and maintenance of erosion and sediment control devices, the consent holder shall engage a suitably qualified and experienced person approved by the Manager to deliver a practical on-site training session. The training session shall be for the purpose of explaining the performance standards required by these consent conditions to be achieved by the erosion and sediment control devices; and</u></p> <p>b) <u>For those contractors likely to be involved in the construction of any stream diversions or other in-stream works, they shall be briefed on the values of the stream, the objectives of stream design, the requirements of native fish for fish passage, and the sensitivity of the receiving environment to sediment discharge.</u></p> <p><u>The consent holder shall to the satisfaction of the Manager, establish a process and programme for training of new staff members joining the project team after the initial training is delivered for the duration of the Works.</u></p>	I have added a condition requiring staff training for those contractor staff members whose teams are likely to be responsible for carrying out construction and maintenance of erosion and sediment control devices, and the construction of in-stream works. The purpose of this condition is to ensure that there is practical awareness by site staff of the importance of these key environmental management measures. I understand this was a matter discussed in erosion and sediment control conferencing.
	Environmental management plans	
G.34.	<p>The management of key environmental effects associated with the construction phase of the Project shall be detailed within environmental management plans that are included in the appendices to the CEMP. This suite of management plans shall include:</p> <p>(a) Construction Air Quality Management Plan (CAQMP) – Condition PCC.G.14;</p> <p>(b) Erosion and Sediment Control Plan (ESCP) – Condition PCC.E.2 E.40; and</p> <p>(c) Chemical Treatment Plan (CTP) (i.e. flocculation) (and the associated Performance Monitoring Plan) – Condition PCC.E.16. E.53</p> <p>d) <u>Erosion and sediment control monitoring plan (ESCMP) – Condition E52A</u></p>	<p>The CAQMP has been deleted from the resource consent conditions after discussions with GW because this is considered to be a designation matter (the condition remains on the designations).</p> <p>Mr Handyside mentions the flocculation performance monitoring plan in his evidence and I have reflected this.</p> <p>The ESCMP responds to a revised approach to monitoring – similar to NZTA conditions.</p>
G.35.	<p>The CEMP shall include an updated version of the Construction Air Quality Management Plan which shall provide a methodology for managing the effects of dust generated by activities on site, and shall, as a minimum include:</p> <p>a) Identification and implementation of dust suppression measures appropriate to the environment in which the Work is located, and the sensitivity of nearby receptors; and</p> <p>b) Identification of contingency measures to address identified and verified adverse effects on sensitive receptors. Contingency measures may include options such as:</p> <ul style="list-style-type: none"> • Cleaning of water tanks and replenishment of water supplies; • Cleaning of houses • Cleaning of other buildings and infrastructure. 	This condition has been deleted after discussions with Ms Grant because this is a designation matter. The condition remains in the proposed designation conditions.
G.36.	<p>Should a heavy rainfall event occur or advance notice of an impending event be received the consent holder may undertake contingency measures not set out in any management plan, but only subject to the following conditions:</p> <p>a) The measures must be for the express purposes of managing non-stabilised areas of earthworks or improving erosion and sediment controls in the catchments that drain to the Porirua Harbour,</p> <p>b) Unless impracticable to do so, the consent holder must secure prior (oral or written) approval from the Manager for undertaking the measures,</p>	This condition has been deleted after discussions with Ms Grant GW and in planner conferencing. It was agreed that these matters (i.e. contingency) must be covered by the ESCP.

Reference	Wording of proposed condition including "track changes"	Reasons for "track changes" suggested, and the reasons the changes have been made.
	<p>e) As soon as practicable following the undertaking of the measures, the consent holder must provide to the Manager written notice of the measures undertaken and amend the relevant Management plan(s) as may be appropriate to take account of the measures undertaken and submit the amended Management plan to the Manager for approval under Condition G.11.</p>	
	<p>Insert relocated EMMP and SSEMP conditions renumbered and edited as G.42. that apply to all consents</p>	<p>I have added a note to identify that I propose to relocate EMMP and SSEMP condition into the "G" suite of conditions and that these shall apply to all the regional resource consents with the exception of the Concrete Batching Plant.</p>
	<p>Archaeology</p>	
G.37.	<p>The Requiring Authority <u>Consent Holder</u>, in consultation with, Te Runanga o Toa Rangatira Inc and the New Zealand Historic Places Trust, shall prepare an accidental discovery protocol to be implemented in the event of accidental discovery of cultural or archaeological artefacts or features during the construction of the Project. This protocol shall be submitted to the Manager at least 20 working days prior to any construction or enabling Work commencing under this consent on any part of the Project within the District. The protocol shall include, but not be limited to:</p> <ul style="list-style-type: none"> a) Training procedures for all contractors regarding the possible presence of cultural or archaeological sites or material, what these sites or material may look like, and the relevant provisions of the Historic Places Act 1993 if any sites or material are discovered; b) Parties to be notified in the event of an accidental discovery shall include, but need not be limited to Te Runanga o Toa Rangatira Inc, the New Zealand Historic Places Trust, the GWRC, the relevant District or City Council and the New Zealand Police (if koiwi are discovered); c) Procedures to be undertaken in the event of an accidental discovery (these shall include immediate ceasing of all physical works in the vicinity of the discovery); and d) Procedures to be undertaken before Work under this consent may recommence in the vicinity of the discovery. These shall include allowance for appropriate tikanga (protocols), recording of sites and material, recovery of any artefacts, and consulting with Te Runanga o Toa Rangatira Inc and the New Zealand Historic Places Trust prior to recommencing works in the vicinity of the discovery. 	<p>Typographical error</p>
	<p>Complaints</p>	
G.38.	<p>During construction Work, the consent holder shall maintain a permanent record of any complaints received alleging adverse effects from, or related to, the exercise of this consent. The record shall include:</p> <ul style="list-style-type: none"> a) the name and address (as far as practicable) of the complainant; b) identification of the nature of the complaint; c) location, date and time of the complaint and of the alleged event; d) weather conditions at the time of the complaint (as far as practicable), and including wind direction and approximate wind speed if the complaint relates to air quality. e) the outcome of the consent holders investigation into the complaint; f) measures taken to <u>respond to the complaint</u> seek to ensure that such a complaint does not occur again; and g) Any other activities in the area, unrelated to the project that may have contributed to the complaint, such as non-project construction, fires, traffic accidents or unusually dusty conditions generally. <p>The consent holder shall also keep a record of any remedial actions undertaken.</p> <p>This record shall be maintained on site and shall be made available to the Manager, upon request. The consent holder shall notify</p>	<p>I have made a change to acknowledge the preference of quick electronic service of notice of complaints. This was discussed with Ms Grant at GW and the District Council officers also agreed that this would be useful. I have slightly modified Ms Grant's suggested wording (her para 86.1) to reflect that there is potential for other methods of notification other than phone and email. There is also a reference to this in the planner conferencing statement (para 32.7).</p>

Reference	Wording of proposed condition including "track changes"	Reasons for "track changes" suggested, and the reasons the changes have been made.
	<p>the Manager within 5 working days of the complaint being brought to the attention of the consent holder. of any such complaints as soon as practicable after the complaint is received by the consent holder, or any representatives. This notification shall be either by telephone or email, or via an alternative electronic method as agreed with the Manager.</p>	
	<p><u>Incidents</u></p>	<p>I have added an additional title for clarity to confirm Condition G.19 is not a 'complaints' condition.</p>
G.39.	<p>The consent holder shall immediately notify the Manager if any contaminants (including sediment) or material are released in the undertaking of the Work and enters any watercourse due to any of the following:</p> <ul style="list-style-type: none"> a) discharges from non-stabilised areas that are not treated by erosion and sediment control measures required under this consent; and/or b) failure of any erosion and sediment control measures; and/or c) any other incident which either directly or indirectly causes, or is likely to cause, adverse ecological effects in any watercourse that is not authorised by a resource consent held by the consent holder. <p>If any of these events occur, the consent holder shall <u>notify the Manager of any such incidents as soon as practicable after the incident being identified, and shall:</u></p> <ul style="list-style-type: none"> a) establish control measures where these have failed or have not been implemented in accordance with the CEMP as soon as practicable; b) liaise with the Manager to establish what remediation or rehabilitation is required and whether such remediation or rehabilitation is practical to implement; c) carry out any remedial action as required by and to the satisfaction of the Manager; and d) maintain a permanent record of the incident at the site, which shall include the date and time of the incident, the nature, manner and cause of the release of the contaminants, weather conditions at the time of the incident and the steps taken to contain any further release and to remedy any adverse ecological effects on the watercourse. <p>A copy of this record shall be provided to the Manager within 5 working days of the incident being brought to the attention of the consent holder. This notification shall be either by telephone or email, or via an alternative electronic method as agreed with the Manager.</p>	<p>Change to acknowledge preference of quick electronic service of notice of incidents as for Condition G.38.</p> <p>There is also a reference to this in the planner conferencing statement (para 32.7).</p>
	<p><u>Consent lapse and expiry</u></p>	
G.40.	<p>Pursuant to section 125(1) of the Act, the consents referenced [INSERT GWRC REFERENCE NUMBERS HERE] shall lapse 15 years from the date of their commencement (pursuant to Section 116(5) of the Act) unless it has been given effect, surrendered or been cancelled at an earlier date.</p>	
G.41.	<p>Pursuant to section 123(c) of the Act, the consents referenced [INSERT GWRC REFERENCE DISCHARGE PERMIT AND WATER PERMIT NUMBERS HERE] shall expire 35 years from the date of their commencement (pursuant to Section 116(5) of the Act).</p>	
	<p><u>Annual Report</u></p>	
G.41A.	<p>The consent holder shall provide to the Greater Wellington Regional Council an annual report by the 30th of June each year, or as otherwise agreed with the Manager. As a minimum this report shall include:</p> <ul style="list-style-type: none"> (i) <u>all monitoring data required in accordance with the conditions of this consent;</u> (ii) <u>any reasons for non-compliance or difficulties in achieving compliance with the conditions of these resource consents;</u> (iii) <u>any works that have been undertaken to improve the environmental performance of the site or that are proposed to be</u> 	<p>Planner conferencing suggested an annual report on all the monitoring required by these consents. Whilst I consider there is already a significant amount of reporting required on a monthly basis, an annual report may be useful and I have suggested this condition.</p> <p>I note that the 30th June is a suggested date, and there may be a more</p>

Reference	Wording of proposed condition including "track changes"	Reasons for "track changes" suggested, and the reasons the changes have been made.
	<p><u>undertaken in the up-coming year;</u></p> <p><u>(iv) recommendations on alterations to the monitoring required: and</u></p> <p><u>(v) any other issues considered important by the consent holder.</u></p>	<p>appropriate date that better reflects a key milestone such as the start of construction.</p>

The following conditions apply to RC17-RC19. They have largely been relocated from the "E" suite of conditions in order to address concerns raised by Dr Solly and Ms Thomson that SSEMPs and the EMMP should apply to the streamworks consents as well.

Where I have relocated these conditions from the "E" suite of conditions, I have only shown as underline and ~~strikethrough~~ where the text of the condition(s) has changed.

	Site Specific Environmental Management Plans (SSEMPs)	
	<p><i><u>Explanatory Note: The intent of the SSEMP is to integrate design elements with environmental management and monitoring methods into a single plan for each stage, in order to define how the project will be practically implemented on site.</u></i></p>	
<p>E.57. <u>G.42</u></p>	<p>The consent holder shall prepare, submit and implement a Site Specific Environmental Management Plan (SSEMP) for the Waitangirua Link Road. The SSEMP shall be submitted to the Manager, for certification at least 20 working days prior to works commencing in each plan area. Suitably qualified environmental specialist(s) shall assist in the preparation of the SSEMP <u>and shall be generally consistent with the EMMP.</u></p> <p>(a) Each SSEMP shall as far as practicable meet the objectives in Condition PCC.E.2 and shall be in general accordance with the CEMP and shall include, but need not be limited to:</p> <ol style="list-style-type: none"> i. a detailed design and construction methodology for all works within the area covered by the SSEMP; ii. details of any contractor appointed to carry out the works authorised by this consent, including the contractor's company, address, named representative and their contact details; iii. a detailed schedule of construction activities including the expected commencement date and duration of works in each location within the area covered by the SSEMP; iv. a staging of works to demonstrate that the area of disturbance will be kept to the minimum practicable; and v. evidence that a suitably qualified engineer has been appointed to carry out the overall design, supervision and certification of earthworks (including cut/fill batter stability and construction of all erosion and sediment controls). <p>(b) In respect of erosion and sediment control, the SSEMP shall be prepared in general accordance with the GWRC's <i>Erosion and Sediment Control Guidelines for the Wellington Region dated September 2002</i> and shall include, but not be limited to:</p> <ol style="list-style-type: none"> i. detailed design specifications of all earthworks within the SSEMP area, including disposal sites, and all erosion and sediment control measures to be implemented, including supporting calculations where appropriate; ii. the expected commencement dates for the implementation of erosion and sediment controls measures in the SSEMP area; iii. information regarding chemical treatment of the proposed sediment retention ponds and devices; iv. identification of innovative treatments for erosion control that are to be used; v. monitoring and maintenance schedules for all erosion and sediment control measures <u>based on a requirement of the ESCMP (found in Appendix E of the CEMP) on a set frequency (at least weekly), or within 24 hours of each trigger rain event that is likely to impair the function or performance of the control measures; Monitoring shall also be of sediment removal efficiencies.</u> vi. a site plan showing contours at suitable intervals, cut and fill operations, the specific location of all sediment and erosion 	<p>I have added an explanatory note to clarify that the SSEMP is about bringing design and environmental management measures together into a simple format that can be used on site to inform site staff.</p> <p>With the relocation of the condition, consequential wording changes are required to make the condition make sense. Reference to Condition E.40. has been moved to the erosion and sediment control section of the condition because Condition E.40. relates to erosion and sediment control.</p> <p>Further changes made to respond to matters raised in Dr Fisher's evidence: clearly stating that monitoring of sediment removal efficiencies is required</p>

	<p>control measures, and catchment boundaries for the sediment controls; and</p> <p>vii. locating temporary stockpiles of excavated material at least 50m away from any ephemeral stream or permanent watercourse unless there is appropriate treatment of stormwater (which may include discharging to vegetated land). <u>and</u></p> <p>viii. <u>demonstration of how the objectives in Condition E.40 will be met.</u></p> <p>(c) In respect of revegetation and rehabilitation activities, the SSEMP shall include, but not be limited to:</p> <ol style="list-style-type: none"> i. identification of soil resource to be used for rehabilitation within the SSEMP area; ii. identification of the vegetation types to be used on a plan or schedule; iii. a programme for revegetation and maintenance activities for a period of up to the 3 years; iv. the desired percentage of surface cover to be achieved to reduce the adverse effects from sediment-laden stormwater run-off; v. identification of any innovative treatments of exposed rock cuttings that are to be used; and i. information demonstrating that as far as practicable the objectives in Condition PCC.E.2 <u>E.40</u> are met. 	
E.58. <u>G.43</u>	The consent holder may request amendments to any SSEMP by submitting the amendments in writing to the Manager for approval , <u>certification at least 10 working days</u> prior to any changes taking effect.	Mr Handyside notes in his evidence (para 61) that a mechanism for on the spot changes and a quick turnaround is desirable. I have reflected a relatively quick turnaround time in this condition.
	Ecological Management and Monitoring Plan (EMMP)	
E.59. <u>G.44</u>	<p>The consent holder shall, in consultation with the Director-General of Conservation, <u>Te Runanga o Toa Rangatira Inc and the Greater Wellington Regional Council</u>,</p> <p>(a) update and finalise the Draft Ecological Management and Monitoring Plan dated July 2011 to:</p> <ol style="list-style-type: none"> i. include performance measures, actions, methods, trigger levels and monitoring programmes designed to achieve the objectives and criteria specified in Conditions E.22 and E.23 <u>E.15F and E.15G</u> below above; ii. provide for the continual review and monitoring of the effects of construction activities, including the inspection of all erosion and sediment control devices after all heavy rainfall <u>stabilisation</u> trigger events, and the upgrading of devices where necessary to achieve the most efficient and effective treatment; and <p><u>An EMMP shall include but need not be limited to:</u></p> <ol style="list-style-type: none"> (a) <u>Ecological management measures</u> (b) <u>The process for review(s) of the EMMP; and</u> (c) <u>Demonstration of an integrated approach to the development of this EMMP and the LUDMP that is required to be prepared under designation Condition PCC.28.</u> (d) <u>Demonstration of an integrated approach to the development of this EMMP and the erosion and sediment control measures contained in the ESCPs and Waitangirua SSEMP.</u> <p>(b) <u>The consent holder shall submit this the EMMP to the Manager, for approval certification at least 20 working days prior to works commencing on any part of the Project.</u></p>	It was agreed in the 8 February conference that point (a)(ii) is more relevant on the ESCP.

RC17 Land Use Consent – Earthworks

For bulk earthworks for the purpose of construction of the Porirua Link Roads including erosion and sediment control devices, and the associated removal of vegetation.

RC18 Discharge Permit

To authorise the discharge of sediment laden stormwater and chemically treated (which would include flocculant and similar products) sediment laden water to land that may enter water

RC19 Discharge Permit

To authorise the discharge of sediment laden stormwater and chemically treated (which would include flocculant and similar products) sediment laden water to water

Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
	Earthworks limit conditions	
E.39	Non-stabilised areas of earthworks authorised by this consent (whether of themselves or in combination with non-stabilised areas of earthworks authorised or by the consent granted to the NZTA for earthworks [insert consent reference]) within the Pauatahanui watershed, shall be limited to not more than <u>24</u> 40ha in total at any one time, and shall be further limited within the Duck Creek catchment, to not more than 14.25ha at any one time, unless otherwise agreed in writing with the Manager. <u>An additional limit shall apply to the Duck Creek catchment of not more than 9ha at any one time.</u>	Changes made to be consistent with NZTA conditions.
	Erosion and Sediment Control	
	Erosion and sediment control objectives	I have suggested moving the title for erosion and sediment control so that it is clearer that Condition E3 is related to all the conditions that follow.
E.40.	<p>For the preparation of the Erosion and Sediment Control Plans that will be implemented dDuring construction of the Project, the consent holder must achieve the following objectives as far as reasonably practicable:</p> <ul style="list-style-type: none"> (a) Minimise the overall non-stabilised earthworks footprint; (b) Use BPO to minimise non-stabilised earthworks in the areas where highly erodible colluvium is found in the Duck Creek, Upper Horokiri and Te Puka Stream catchments; (c) Use a staged construction programme to minimise areas of earthworks that are non-stabilised at any one time; (d) <u>Progressively</u> sStabilise completed areas of earthworks as soon as practicable and within one month of completion or ceasing Work in that area; (e) Divert clean run off away from non-stabilised earthworks areas; (f) Use BPO to design and install a variety of perimeter controls for the management of flows of water and sediment and sediment retention; (g) Achieve TSS removal efficiencies of at least 70% for all storm events with a less than 10 year ARI, as demonstrated by an agreed monitoring programme; (h) Design all emergency spillways to accommodate at least a 50 year ARI storm event peak flow; (i) Design all emergency spillways that are programmed to be in operation for more than one year to accommodate a 100 year ARI storm event peak flow; (j) Use dry and wet weather forecasting, monitoring and reporting, to ensure all practicable erosion and sediment control measures are put in place if a heavy rainfall event is forecast and manage the effects of weather on the erosion and sediment control measures <u>If a heavy rainfall event is forecast, undertaken pre-event inspections and any maintenance that is required (refer to ESCMP requirements);</u> <u>(j) if a stabilisation trigger event is forecast, deploy erosion control measures on all open/active earthworks (refer to ESCMP requirements</u> (k) Prepare for and manage environmental risks from heavy rainfall stabilisation trigger events; and 	Changes made to be consistent with NZTA condition.

Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
	(l) Use adaptive management principles to review and refine the erosion and sediment control and treatment measures used.	
	Erosion and Sediment Control Plan and measures	Title relocated as discussed above
E.41.	For each Stage of Work, an Erosion and Sediment Control Plan (ESCP) shall be prepared and submitted a minimum of 20 working days prior to earthworks of the Stage commencing, for the certification of the Manager. Certification <u>of the ESCP</u> shall be obtained from the Manager prior to earthworks of the stage commencing.	Minor clarifications
E.42.	<p>The ESCPs shall as far as practicable meet the objectives in Condition E.40 and include, but not be limited to:</p> <ul style="list-style-type: none"> (a) Contour information at suitable intervals; (b) Erosion and sediment control measures including specific pond design (including calculations supporting pond sizing) (c) Catchment boundaries for the erosion and sediment control measures; (d) Location of the Work, and cut and fill operations; (e) Details of construction methods to be employed, including timing and duration; (f) Design details including: <ul style="list-style-type: none"> i. Contributing catchment area; ii. Retention volume of structure (dead storage and live storage measured to the top of the primary spillway); iii. Shape of structure (dimensions of structure); iv. Location of flood waters v. Safety and access vi. Position of inlets/outlets vii. Stabilisation of the structure; and viii. Maintenance. (g) A programme for managing non-stabilised areas of earthworks, including progressive stabilisation considerations; (h) The identification of appropriately qualified and experienced staff to manage the environmental issues onsite; (i) The identification of staff who have clearly defined roles and responsibilities to monitor compliance with the Consent Conditions and ESCP; (j) Provision of details of a chain of responsibility for managing environmental issues and details of responsible personnel; (k) The establishment of a sediment control team (including representatives from the contractor, GWRC and the Consent Holder) to meet and review erosion and sediment control measures on a weekly basis, or at intervals as otherwise agreed; (l) Approach and procedures for ensuring advance warning of a heavy rainfall <u>and stabilisation trigger event and the responses that are required in accordance with Condition E40. The ESCP shall detail the procedures and have the resources (supplied, equipment and labour) necessary to deploy the required erosion control measures within the period between forecast and peak rainfall for the stabilisation trigger event; for the management of such an event including systems of advance warning, arrangements for communications with the GWRC and other relevant authorities, and for the monitoring and treatment of non-stabilised areas of earthworks and erosion and sediment control measures, and for reporting to GWRC following any such event;</u> and (m) Methods and procedures to be undertaken for decommissioning of erosion and sediment control measures. (n) <u>Detail management actions that would be required if the monitoring required by the ESCMP identified exceedences of trigger</u> 	Similar changes to NZTA conditions

Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
	<p><u>levels and non-compliances; and</u></p> <p>(o) <u>Details of additional specific measures that have been designed to address seasonal weather variations, in particular where bulk earthworks will be undertaken at any time between 30 May and 1 September.</u></p>	
E.43.	<p>Erosion and sediment control measures shall be constructed and maintained in accordance with the <u>GWRC <i>Erosion and Sediment Control Guidelines for the Wellington Region</i> (and any subsequent amendments to that document that occur after this consent is granted and prior to the commencement of construction)</u>, except where a higher standard is detailed in the ESCP referred to in Condition E.42 above, in which case the higher standard shall apply.</p>	<p>Ms Grant (para 89) has requested that the condition refer to the Greater Wellington document rather than the NZTA's document.</p>
E.44.	<p>Prior to any earthworks commencing, a certificate signed by an appropriately qualified and chartered professional engineer shall be submitted to GWRC to certify that the erosion and sediment control measures have been constructed in accordance with the ESCP as specified in Condition E.5 of this consent.</p>	
E.45.	<p>A copy of the “as-built(s)” and the certified ESCPs shall be kept on site, and all erosion and sediment control measures (including staging boundaries and particularly the extent of exposed areas) shall be updated as soon as practicable as changes are made. As-built plans shall be <u>prepared by a suitably qualified person and shall be accompanied</u> by text detailing the relevant earthworks methodology, constraints and likely progressions, and shall (in general accordance with the ESCPs) be revised as required to enable clear interpretation as to the day to day operation and management of erosion and sediment control measures.</p>	
E.46.	<p>All necessary perimeter controls shall be operational before earthworks (or relevant stage of earthworks) begin. <u>The diversion channels shall have surface lining or protection to avoid surface erosion.</u></p>	
E.47.	<p>The consent holder shall seek to ensure that procedures are adopted to prevent the deposition of slurry, clay or other materials on the roads by vehicles leaving the site where such material is liable to cause a nuisance or hazard. Should the exercise of this Consent result in material being deposited on the road that causes or is liable to cause a nuisance or hazard, that material shall be removed immediately to the satisfaction of the Manager.</p>	<p>This condition has been relocated to designations as agreed at planner conferencing – it is a designation issue (para 32.14).</p>
E.48.	<p>No sediment retention ponds, chemical treatment systems or perimeter controls shall be removed or decommissioned before the entire area is stabilised, unless such removal and decommissioning is in accordance with the CEMP or a SSEMP, <u>and the Manager has been informed in writing not less than 10 working days prior.</u></p>	<p>Addition of notification of the Manager prior to the removal of ponds is discussed in the planner conferencing statement (para 32.15).</p>
E.49.	<p>All ‘cleanwater’ runoff from stabilised surfaces, including catchment areas above the site, shall be diverted away from earthwork areas via a stabilised system, so as to prevent surface erosion.</p>	
	<p>Incidents</p>	
E.50.	<p>During construction Work, the consent holder shall maintain a permanent record of any incidents alleging adverse effects from, or related to, the exercise of this consent. The record shall include:</p> <p>(a) identification of the nature of the incident;</p> <p>(b) location, date and time of the incident;</p> <p>(c) weather conditions at the time of the incident (as far as practicable);</p> <p>(d) the outcome of the consent holders investigation into the incident;</p> <p>(e) measures taken to seek to ensure that such an incident does not occur again; and</p> <p>(f) Any other activities occurring in the area that are unrelated to the project and that may have contributed to the incident.</p> <p>This record shall be maintained on site and shall be made available to the Manager, upon request. The consent holder shall notify the Manager in writing of any such complaint within 5 working days of the complaint being brought to the attention of the consent holder.</p>	<p>It was agreed in planner conferencing that this condition should be deleted as it is covered by G.38</p>

Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
	Erosion and sediment control monitoring	
E.51.	<p>The Consent Holder shall carry out monitoring in accordance with the approved ESCP and shall maintain records detailing:</p> <ul style="list-style-type: none"> (a) The location of the monitoring undertaken; (b) The time and date the monitoring was undertaken; (c) The weather conditions at the time of monitoring; (d) The performance criteria measured (e) The erosion and sediment controls that required maintenance; (f) The maintenance actions which were completed; and (g) The time when the maintenance was completed; and (h) Areas of non compliance with the ESCP and the Chemical Treatment performance monitoring plan (if any), the reasons for the non compliance and any action taken to remedy the non compliance (if any). <p>This information shall be made available to the GWRC upon request.</p> 	Deleted and replaced with new condition E.52A
E.52.	<p>The Consent Holder shall carry out Sediment Retention Device monitoring during heavy rainfall trigger events in accordance with the approved ESCP and agreed performance criteria and, shall maintain records detailing:</p> <ul style="list-style-type: none"> (a) The location of the Sediment Retention Device; (b) The time and date the monitoring was undertaken; (c) The weather conditions at the time of monitoring, including the start and finish dates and the ARI of rainfall events monitored; (d) The event based performance criteria measured; including but not limited to; <ul style="list-style-type: none"> i. Inlet turbidity; flow; particle size, pH ii. Outlet turbidity; flow; particle size, pH iii. pH of pond iv. Free Aluminium (Al³⁺) (e) The performance of the sediment retention devices with agreed event based performance criteria (f) The maintenance actions which were completed; and (g) The time when the maintenance was completed; and (h) Areas of non compliance with the ESCP and the Chemical Treatment Plan (as relevant) and the reasons for the non compliance. <p>This information shall be made available to the GWRC upon request.</p> 	Deleted and replaced with new condition E.52A
E.53.	<p>The Consent Holder shall carry out Erosion Control Device monitoring in accordance with the approved ESCP and agreed performance criteria, shall maintain records detailing:</p> <ul style="list-style-type: none"> (a) The location of the Erosion Control Device; (b) The time and date the monitoring was undertaken; (c) The weather conditions at the time of monitoring; (d) The performance criteria measured; including but not limited to; <ul style="list-style-type: none"> i. Loss of cover material ii. Erosion across protected slopes 	Deleted and replaced with new condition E.52A

Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
	<p>(e) The performance of the Erosion Control Devices with agreed performance criteria; (f) The maintenance actions which were completed; and (g) The time when the maintenance was completed; and (h) Areas of non-compliance with the ESCP and the Chemical Treatment Plan (as relevant) and the reasons for the non-compliance. This information shall be made available to the GWRC upon request.</p>	
E.52A	<p><u>The ESCMP (Erosion and Sediment Control Monitoring Plan – Appendix E to the CEMP) shall be updated and finalised and submitted to the Manager for certification at least 20 working days prior to pre-construction monitoring commencing. The ESCMP shall be reviewed and updated again where necessary prior to construction. Any changes in the requirements of the ESCMP shall be certified by the Manager before they are implemented.</u></p> <p><u>Monitoring and inspection records shall detail, but not be limited to:</u></p> <ul style="list-style-type: none"> a) <u>The location of the monitoring undertaken;</u> b) <u>The time and date the monitoring was undertaken;</u> c) <u>The weather conditions at the time of monitoring including the start and finish dates and the ARI of rainfall events monitored;</u> d) <u>The performance criteria measured</u> e) <u>The erosion and sediment controls that required maintenance;</u> f) <u>The maintenance actions which were completed; and</u> g) <u>The time when the maintenance was completed; and</u> h) <u>Areas of exceedence of trigger levels and non-compliances; and</u> i) <u>Management actions to respond to these exceedences.</u> <p><u>This information shall be made available to the Manager upon request.</u></p>	Change to reflect similar approach in NZTA conditions
E.53A	<p><u>Where discharge quality breaches trigger levels set out in the ESCP, a suitably qualified ecologist(s) shall be notified within 24 hours, and then inspect the relevant area and monitor the ecological values where and when appropriate, as per the EMMP.</u></p>	Similar to NZTA conditions
E.53B	<p><u>In the event of a failure of erosion and sediment control devices, where the discharge is to a perennial or intermittent freshwater body, wetland or estuarine/marine environment, a suitably qualified ecologist(s) shall be notified within 24 hours, and then inspect the relevant area and monitoring the ecological values where and when appropriate, as per the EMMP.</u></p>	Similar to NZTA conditions
E.53C	<p><u>The consent holder shall carry out weekly inspections of all site haul roads in order to ensure they are well maintained and that erosion and sediment control devices remain effective.</u></p>	Similar to NZTA conditions
	<p><u>Construction Environmental Management Plan – additional requirements</u></p>	
E.54.	<p>In addition to the requirements in the General Conditions, the CEMP shall have regard to the following rehabilitation principles:</p> <ul style="list-style-type: none"> (a) To identify and give particular attention to high cuts that will be visible from dwellings and public open space in order to quickly reduce any visual effects. (b) For the engineer, ecologist and landscape architect to work together to design the final shape of, and re-vegetation proposals for, earthworks and rock cuts as part of the detailed design process. (c) To shape the finished cuts to emulate natural rock features and reduce where appropriate the creation of uniform linear features. This may include rolling back the top, ripping sections to create shaped corners, creating gully-like features and scree-like slopes, etc. 	It was agreed in planner conferencing that this condition is a designation matter.

Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
	<p>(d) To shape the finished cuts to provide areas of fractured rock that will provide microhabitats for native grasses, ferns and shrubs.</p> <p>(e) To shape the finished cuts to allow the deposition of soil in key areas so that tall shrubs can rapidly establish helping to break up the face. This can include benching, and bunding the toe of the cut when access track construction has been completed.</p> <p>(f) To vegetate cuts with plants equivalent to the slopes above and below the cut.</p> <p>Explanatory Note:</p> <p>The CEMP provides an umbrella document that identifies the management processes and techniques to seek to ensure appropriate environmental management of the site. The preparation of and approval processes for the SSEMP's are undertaken in general accordance with the procedures outlined in the CEMP.</p>	
	Chemical treatment (Flocculation)	
E.55.	All sediment retention ponds and devices shall be chemically treated in accordance with the CTP required under Condition E.19 of this consent.	
E.56.	<p>Prior to the commissioning of chemical treatments for sediment management purposes, the Consent Holder shall provide GWRC with a Chemical Treatment Plan (CTP) for each stage of the works, or in association with a SSEMP, for confirmation by the Manager that it will achieve the standards set out in the ESCP required under Condition E.5.</p> <p>Each CTP shall be submitted to the Manager, for approval <u>certification</u> at least 20 working days prior to any flocculation works commencing within the relevant SSEMP.</p> <p>Each CTP shall include, but need not be limited to:</p> <p>(a) Specific design details of the chemical treatment system;</p> <p>(b) Monitoring, maintenance (including post-storm) and contingency programme (including a Record Sheet);</p> <p>(c) Details of optimum dosage (including catchment specific soil analysis and assumptions);</p> <p>(d) Procedures for carrying out an initial treatment trial;</p> <p>(e) A spill contingency plan;</p> <p>(f) A performance monitoring plan for device performance for sediment treatment <u>including during stabilisation trigger events</u>; and</p> <p>(g) Details of the person or bodies that will hold responsibility for long-term maintenance of the chemical treatment system and the organisational structure which will support the system.</p> <p><u>...and shall require rain activated dosing for all sediment ponds.</u></p>	<p>Minor change from “approval” to “certification” to address a matter raised by Mr Gough (para 65 EIC).</p> <p>Change recommended to ensure treatment is delivered by a rain activated method rather than batch dosing – responds to comments by S42A report author Mr McLean (page 19).</p>
E.56A	<p><u>Prior to the submission of the first Chemical Treatment Plan (as required by Condition E.19), the consent holder shall carry out a series of bench tests for flocculation and settlement in order to ascertain the optimum chemical dose rate for the range of soils expected on the site to the satisfaction of the Manager. The consent holder shall provide the results of the tests to the Manager prior to the submission of the Chemical Treatment Plan.</u></p>	
	Site Specific Environmental Management Plans (SSEMPs)	
E.57.	<p>The consent holder shall prepare, submit and implement a Site Specific Environmental Management Plan (SSEMP) for the Waitangirua Link Road. The SSEMP shall be submitted to the Manager, for certification at least 20 working days prior to works commencing in each plan area. Suitably qualified environmental specialist(s) shall assist in the preparation of the SSEMP.</p> <p>(d) Each SSEMP as far as practicable meet the objectives in Condition PCC.E.2 and shall be in general accordance with the CEMP and shall include, but need not be limited to:</p> <p>vi. a detailed design and construction methodology for all works within the area covered by the SSEMP;</p>	

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Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
	<p>vii. details of any contractor appointed to carry out the works authorised by this consent, including the contractor’s company, address, named representative and their contact details;</p> <p>viii. a detailed schedule of construction activities including the expected commencement date and duration of works in each location within the area covered by the SSEMP;</p> <p>ix. a staging of works to demonstrate that the area of disturbance will be kept to the minimum practicable; and</p> <p>x. evidence that a suitably qualified engineer has been appointed to carry out the overall design, supervision and certification of earthworks (including cut/fill batter stability and construction of all erosion and sediment controls).</p> <p>(e) In respect of erosion and sediment control, the SSEMP shall be prepared in general accordance with the GWRC’s <i>Erosion and Sediment Control Guidelines for the Wellington Region dated September 2002</i> and shall include, but not be limited to:</p> <p>ix. detailed design specifications of all earthworks within the SSEMP area, including disposal sites, and all erosion and sediment control measures to be implemented, including supporting calculations where appropriate;</p> <p>x. the expected commencement dates for the implementation of erosion and sediment controls measures in the SSEMP area;</p> <p>xi. information regarding chemical treatment of the proposed sediment retention ponds and devices;</p> <p>xii. identification of innovative treatments for erosion control that are to be used;</p> <p>xiii. monitoring and maintenance schedules for all erosion and sediment control measures on a set frequency (at least weekly), or within 24 hours of each trigger rain event that is likely to impair the function or performance of the control measures;</p> <p>xiv. a site plan showing contours at suitable intervals, cut and fill operations, the specific location of all sediment and erosion control measures, and catchment boundaries for the sediment controls; and</p> <p>xv. locating temporary stockpiles of excavated material at least 50m away from any ephemeral stream or permanent watercourse unless there is appropriate treatment of stormwater (which may include discharging to vegetated land).</p> <p>(f) In respect of revegetation and rehabilitation activities, the SSEMP shall include, but not be limited to:</p> <p>vi. identification of soil resource to be used for rehabilitation within the SSEMP area;</p> <p>vii. identification of the vegetation types to be used on a plan or schedule;</p> <p>viii. a programme for revegetation and maintenance activities for a period of up to the 3 years;</p> <p>ix. the desired percentage of surface cover to be achieved to reduce the adverse effects from sediment laden stormwater run-off;</p> <p>x. identification of any innovative treatments of exposed rock cuttings that are to be used; and</p> <p>xi. information demonstrating that as far as practicable the objectives in Condition PCC.E.2 are met.</p>	
E.58.	<p>The consent holder may request amendments to any SSEMP by submitting the amendments in writing to the Manager for approval, prior to any changes taking effect.</p>	
	<p>Ecological monitoring</p>	
E.59.	<p>The consent holder shall, in consultation with the Director-General of Conservation,</p> <p>(a) update and finalise the Draft Ecological Management and Monitoring Plan dated July 2011 to:</p> <p>i. include performance measures, actions, methods, trigger levels and monitoring programmes;</p> <p>ii. provide for the continual review and monitoring of the effects of construction activities, including the inspection of all erosion and sediment control devices after all heavy rainfall events (i.e. where more than 15mm of rain falls in a 24 hour</p>	

Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
	period), and the upgrading of devices where necessary to achieve the most efficient and effective treatment; and submit this to the Manager, for approval at least 20 working days prior to works commencing on any part of the Project.	
E.60.	The consent holder shall engage a suitably qualified person to confirm the extent of any valued Natural Areas as specified in the Wellington Conservation Management Strategy 1996, RPS, Regional or District Plans prior to the commencement of works and shall develop the detailed design to avoid these areas as far as practicable. Any protection mechanisms for these areas shall be set out in the CEMP.	This condition is relocated from the regional consent conditions to the designation conditions, in response to planner conferencing.
E.61.	As far as practicable, measures shall be employed to minimise adverse effects on fish during construction of stream diversions and culvert installation.	This condition has been deleted as it is duplicated by the relocated ecological objectives and EMMP which are now General conditions that apply to all streamworks and earthworks permits. There is a reference to this Condition in the planner conferencing statement (para 32.23).
	Fill standards	
E.62.	All fill material used on site shall: (a) Be restricted to natural material, such as clay, soil and rock and other inert materials as detailed in the definition of cleanfill material in section 2.2 of the Ministry for the Environment publication ‘A guide to the Management of Cleanfills, 2002’, and (b) Be restricted to those materials listed as acceptable in table 4.1 of the Ministry for the Environment publication ‘A guide to the Management of Cleanfills, 2002’.	
	Progressive stabilisation and staging of earthworks	
E.63.	The consent holder shall progressively stabilise exposed areas on completion of an area of cut or fill. Areas where future buildings or paved areas are proposed shall be temporarily stabilised with basecourse, grass, or other such material to the satisfaction of the Manager.	These three conditions have been removed in response to planner conferencing and relocated to the designation conditions.

RC20 Land use consent for works in Duck Creek

Land use consent to undertake permanent works in the bed of Duck Creek, for the purpose of placing structures related to the construction of a road.

Reference	Wording of proposed condition	Reasons for “track changes” suggested, and the reasons the changes have been made.
PCC.WS.1	The consent holder shall prepare and submit detailed design plans and construction methodology , including proposed duration and timing for all required structures and stream works authorised by this consent, to the Manager for approval at least 20 working days prior to works commencing. The detailed design plans and construction methodology shall include: (a) measures/methods to ensure that fish passage is maintained during and on completion of construction works along the stretches of stream affected by the exercise of this consent; (b) details of culvert inlet/outlet protection structures e.g. pre-cast wing walls or rock rip-rap; (c) appropriate sizing of culverts and allowances for secondary flow paths during high flows; and (d) any other measures or details as appropriate to achieve compliance with all conditions of this consent.	

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Reference	Wording of proposed condition	Reasons for "track changes" suggested, and the reasons the changes have been made.
PCC.WS.2.	The consent holder shall use natural rock and soil material, where practicable, to reclaim the stream bed. All fill material shall be placed and compacted so as to minimise any erosion and/or instability so far as is practicable.	
PCC.WS.3.	The consent holder shall seek to ensure that all works authorised by this permit to be undertaken in the dry bed of the stream, are completed before the flow of the stream is diverted back into the stream bed.	Ms Grant suggests deleting the words "seek to" (para 98) of her evidence. I disagree that this stronger wording is required in this instance.
PCC.WS.4	Works shall not commence until the detailed design plans and construction methodology required by Condition PCC.WS.1 of this consent have been certified by the Manager GWRC as being in general accordance with consent application plans.	
PCC.WS.5	The Manager, shall be given a minimum of 20 working days notice in writing, prior to works commencing in each location (including any maintenance works). Explanatory Note: This condition excludes works/activities permitted by the Regional Freshwater Plan for the Wellington Region.	
PCC.WS.6.	The works shall remain the responsibility of the consent holder and shall be regularly inspected and maintained by <u>a suitably qualified ecologist appointed by</u> the consent holder so that: (a) the waterway within or over the culverts and <u>over the</u> fords remains substantively clear of debris; (b) any erosion of the stream banks or bed that is attributable to, and is within 20m up or downstream of, the stream works authorised by this consent are remedied as soon as practicable by the consent holder; and (c) fish passage through the culverts and fords is not impeded. Explanatory Note: Maintenance does not include any works outside of the scope of the application. Any additional works (including structures, reshaping or disturbance to the stream bed) following completion of the construction works as proposed in the application, may require further resource consents.	Dr Keesing suggested additions to address concerns by DOC that the works need to be undertaken by a suitably qualified ecologist. Minor clarification

Appendix B5

Schedule of proposed changes to designation conditions of NZ Transport Agency as separately agreed with Transpower – prepared in response to submissions

Colour Code for changes:

Changes dated 13 February 2012 shown in purple ~~strikethrough~~ and underline which respond to matters raised through submissions,

Designation Conditions

Reference	Wording of proposed condition including “track changes”	Reasons for “track changes” suggested, and the reasons the changes have been made.
NZTA.20A	<p>NZTA shall give reasonable notice and make reasonable endeavours to:</p> <ul style="list-style-type: none"> i. Liaise with all relevant network utility operators in relation to any part of the works within the designation where their infrastructure may be affected; and ii. Make reasonable and relevant changes requested by such network utility operators, to the relevant design plans and methodologies, to ensure that access to, maintenance and the operation of all network utility infrastructure within the designated area is not adversely affected. 	
NZTA.20B	<p>To avoid interruptions to supply, or adverse effects on network utility infrastructure, NZTA shall, subject only to reasonable planned interruption:</p> <ul style="list-style-type: none"> i. Protect the utility from any activity which may interfere with the proper functioning of the services; and ii. Seek to relocate it to the same or a similar standard (including property rights) as the operator currently has 	
NZTA.20C	<p>All works or activities associated with the NZTA transmission Gully project and ancillary roads and activities shall be designed and undertaken to comply with the Code of Practice for Electrical Safety Distances 2001 (NZECP 34:2001). In this regard, NZTA shall liaise with Transpower New Zealand Limited during the design of the project. All works shall to be designed to ensure the adequate protection of existing transmission lines from any potential adverse effects associated with the construction and operation of the roads within the designation (eg the provision of vehicle collision barriers where necessary). For completeness, NZEC 34:2001 includes the following requirements:</p> <ul style="list-style-type: none"> i. All machinery and mobile plant operated within the designated area shall maintain a minimum clearance distance of 4 metres from all transmission lines located within that area. ii. With reference to NZECP 34:2001 Figure 1, in the case of any pole supporting any conductor, no person shall excavate or otherwise interfere with any land: <ul style="list-style-type: none"> a. at a depth greater than 300mm within 2.2 metres of the outer edge of the visible foundations of the tower; or b. at a depth greater than 750mm, between 2.2 metres and 5 metres of the outer edge of the visible foundation of the tower; or c. in such a way as to create an unstable batter. iii) With reference to NZECP 34:2001 Figure 2, in the case of any tower (pylon) supporting any conductor, no person shall excavate or otherwise interfere with any land: <ul style="list-style-type: none"> a. at a depth greater than 300mm within 6 metres of the outer edge of the visible foundations of the tower; or b. at a depth greater than 3 metres, between 6 metres and 12 metres of the outer edge of the visible foundation of the 	

Schedule of proposed designation conditions NZ Transport Agency as agreed with Transpower

TRACK CHANGES 13 February 2012

Reference	Wording of proposed condition including “track changes”	Reasons for “track changes” suggested, and the reasons the changes have been made.
	<p>tower; or</p> <p>c. in such a way as to create an unstable batter.</p> <p>iv) In accordance with Section 4 of the NZECP 34:2001 no material shall be deposited (either permanent or temporarily) under or near any National Grid transmission line without the prior approval of Transpower. This is to ensure the safe NZECP 34:2001 (Table 4) separation distances from the lines are always maintained.</p> <p>All the above requirements shall apply unless prior written approval is given by Transpower.</p>	
NZTA.20D	If compliance with the Code of Practice for Electrical Safety Distances NZECP (34:2001) cannot be achieved, NZTA shall consult with Transpower New Zealand Limited who will identify acceptable alternative options, including and if necessary relocate or alter the existing transmission structures to achieve compliance.	
NZTA.20E	NZTA shall ensure that existing access arrangements to Transpower’s existing works are retained where practicable. Where NZTA requires or causes a change in access arrangements, alternative arrangements shall be provided, in consultation with Transpower New Zealand Limited that provides safe four wheel drive 24 hour access to the tower base during the construction period or other options that will enable Transpower to undertake necessary works. Once construction has been completed, the maintenance of access tracks shall be the responsibility of Transpower.	
NZTA.20F	All trees and vegetation planted shall be selected and located to ensure that no part of any tree (when mature) will encroach within a (4) metre clearance from transmission line conductors. The 4 metre clearance relates to vertical, horizontal and felling distance clearances and shall take account of the maximum conductor swing and sag.	
NZTA.20G	NZTA shall ensure that the discharge of contaminants to air from the site during construction of the Transmission Gully Project does not create any dust hazard or nuisance to the transmission <u>lines_assets</u> managed by Transpower New Zealand Limited. NZTA shall produce, in consultation with Transpower, as part of the Construction Management Plan, measures to identify how those potential dust effects will be managed around the transmission network.	Change made as stated in the EIC of Mr Gavin Fisher (para 55) in response to Transpower submission.
	Explanatory Note: Proposed conditions NZTA.20A to NZTA.20G (inclusive) would apply to NoR1, Nor 2, NoR 3 and NoR 4 only	