

4 February 2015

In reply please quote: LU/0184/14
If calling, please ask for: Kathryn Drew

Waipa Networks Limited
C/- Align Limited
PO Box 33215
Petone
Lower Hutt 5046

Attention: Brian Warburton

Dear Brian

WAIPA DISTRICT COUNCIL APPLICATION FOR RESOURCE CONSENT
WAIPA NETWORKS LIMITED - TE AWAMUTU REINFORCEMENT PROJECT (110KV TRANSMISSION LINE
BETWEEN THE HANGATIKI AND TE AWAMUTU SUBSTATIONS)

Waipa Networks Ltd lodged resource consents with Waipa, Otorohanga and Waitomo District Council's to undertake earthworks and/or trim or remove vegetation to facilitate the construction and subsequent maintenance of the 110 kV single circuit transmission line, where the land upon which the activity is being undertaken is outside the area subject to the Te Awamutu Reinforcement designation footprint.

Following the hearing on 8, 9 and 10 December 2014, Independent Commissioner, Alan Withy, confirmed that:

- a) The Commissioner considers the conditions to be imposed under the resource consents will ensure adequate mitigation of the adverse effects identified in the Applicant's AEE, the section 42A report and the submissions, to render the project sustainable development in terms of the Resource Management Act.
- b) The Commissioner grants pursuant to section 34A, 104, 104B and 104C of the Resource Management Act, to Waipa Networks Limited as Applicant, consent to the resource consent applications, subject to conditions imposed in terms of section 108 of the Resource Management Act.
- c) The reasons for these resource consent decisions are summarised below:
 - a. the Applicant has satisfied the requirements of the RMA as to Notices of Requirements; and
 - b. the Resource Consents are necessary to give effect to the Notices of Requirements; and
 - c. it has where practical agreed to all reasonable requests of landowners; and
 - d. agreed to various measures covered by conditions that will avoid or mitigate adverse effects of the Project.

As a result of that decision please find attached the resource consent that is relevant to the land within Waipa District Council.

Please do not hesitate to contact me on 07 834 8513 if you have any questions regarding any of the above advice.

Yours faithfully



Kathryn Drew
CONSULTANT PLANNER

Please Note:

To ensure that you understand all the obligations and requirements of this consent, it is important that you carefully read the following before you undertake any work associated with this consent:

- All sections of this letter; and
- Every condition of this consent, and the timeframes associated with them; and
- All advisory notes.

A When this consent commences

This resource consent commences on the date when the time for lodging appeals against the grant of consent expires and no appeals have been lodged. Where an appeal has been lodged then this resource consent commences either when the Environment Court determines the appeals or all appellants have withdrawn their appeals, unless the Court determines otherwise.

B When this consent will lapse

This resource consent lapses on the date specified in the consent or, if no date is specified, 5 years after the date of the commencement of the resource consent unless the consent is given effect to or the Council grants an extension.

C What you must do to comply with the conditions of consent

Each condition of this consent requires that you undertake certain matters within a certain timeframe. If a timeframe is not specified in a particular condition, then each condition must be complied with before the use to which the consent relates is established. If you do not understand any condition of this consent, please discuss this with your consultant, or the Council staff member noted at the top of this letter.

Please note that most conditions of this consent require on-going monitoring by Council's monitoring and enforcement officer.

D What to do if you want to change any conditions (section 127)

You are able to make an application at any time to Council to change or cancel any condition of this consent. However, please note that a proposed change may not be considered appropriate by Council staff for various reasons. Therefore it is recommended that you discuss any proposed changes with the staff member listed above before you make an application.

Any application must be accompanied by the relevant application fee.

E Right of appeal

An appeal with the Environment Court may be lodged in relation to this decision. Further information on this option is available from Council on request, however please note the following:

- A notice of appeal must be lodged with the Environment Court and served on Council within 15 working days of the receipt of this decision.
- Your attention is drawn to sections 120 and 121 of the Resource Management Act 1991 (RMA) and also the Resource Management (Forms, Fees and Procedure) Regulations 2003/153, Regulations 16 -19.
- The appeal must be in the form prescribed by the Resource Management (Forms, Fees and Procedure) Regulations 2003/153, or to like effect.
- A lodgement fee is payable to the Environment Court, whose address is: "The Registrar, Environment Court, PO Box 7147, Wellesley Street, Auckland".
- Section 121 of the RMA sets out important information as to the persons upon whom the appeal must be served, and the time when service must take place. It is essential that these provisions are adhered to. Failure to do so may result in your appeal being struck out.

- If you are in any doubt as to the procedures to be followed it is strongly recommended that you consult a lawyer.

F Fees and charges

Any additional fees and charges for processing this consent (if more than the deposit you have paid) will be calculated and invoiced to you as soon as practicable. Please also note that there may be further monitoring charges associated with this consent.

G Disclosure of information to third parties

The information you provided in your application (including personal information) is official information. Your application documents, the details of this consent and any ongoing communications between you and Council will be held at Council's offices and may be accessed upon request by a third party. Access to information held by Council is administered in accordance with the Local Government Official Information and Meetings Act 1987 and the Privacy Act 1993. Your information may be disclosed in accordance with the terms of these Acts.

H Surrender of consent

If this consent is no longer needed or wanted, it may be surrendered in part or in whole, by giving notice to Waipa District Council. Acceptance of the surrender is at the discretion of the Council, so may not be allowed in some circumstances. Additionally, you may still be required to complete certain works to give effect to the consent prior to its surrender (for example, landscaping to mitigate visual effects of earthworks activities, etc.). If you do wish to surrender this consent at any time, please contact Council's planning team to discuss.

Any application must be accompanied by the relevant application fee.

RESOURCE CONSENT DECISION

Application Reference: LU/0184/14

APPLICANT

Name: Waipa Networks Limited

Mailing Address:

C/- Align Limited

PO Box 33215

Petone

Lower Hutt 5046

Decision Date: 4 February 2015

Decision:

Pursuant to Sections 34A(1), 104, 104C, and 108 of the Resource Management Act 1991, the Waipa District Council, grants a Land Use Consent for a Restricted Discretionary Activity under the Proposed Waipa District Plan for:

Consent Holder:	Waipa Networks Limited																																					
Activity:	To undertake earthworks and/or trim or remove vegetation to facilitate the construction and subsequent maintenance of the 110 kV single circuit transmission line, where the land upon which the activity is being undertaken is outside the area subject to the designation.																																					
Legal Descriptions:	Relates to those properties identified in the schedule of land subject to land use consent application, contained in Appendix A of the <i>"Te Awamutu Reinforcement Project: Notices of Requirements for Designations and Applications for Resource Consent Assessment of Environmental Effects and Supporting Information (including technical appendices), prepared for Waipa Networks Limited by Align Limited and others, dated 10 July 2014"</i> .																																					
Plans:	Relates to the following SECAP Plans:																																					
	<table border="1"><thead><tr><th>SECAP</th><th>Owner</th><th>Revision and Date</th></tr></thead><tbody><tr><td>06</td><td>RA Wallace</td><td>Rev 2, dated 29/8/2013</td></tr><tr><td>07</td><td>RF and SM Richmond & M O'Neale Trustee Ltd</td><td>Rev 3, dated 29/8/2013</td></tr><tr><td>08</td><td>GR Tasker and LV Cudby</td><td>Rev 3, dated 3/4/2014</td></tr><tr><td>09</td><td>DB & PG Hollinshead & SB Thompson</td><td>Rev 3, dated 30/8/2013</td></tr><tr><td>10</td><td>I J Farrelly & Redoubt Trustees XIII Ltd</td><td>Rev 4, dated 22/7/2014</td></tr><tr><td>11</td><td>DL & JW Kirkham & Dirpose Miller Trustees Ltd</td><td>Rev 6, dated 14/4/2014</td></tr><tr><td>12</td><td>KB Farms Ltd</td><td>Rev 6, dated 15/5/2014</td></tr><tr><td>13</td><td>Mangahana Farm Ltd Partnership</td><td>Rev 8, dated 14/4/2014</td></tr><tr><td>14</td><td>Kawa Mountain Dairies Ltd</td><td>Rev 3, dated 2/9/2013</td></tr><tr><td>15</td><td>DG & WA Harker & Redoubt Trustees Ltd</td><td>Rev 2, dated 2/9/2013</td></tr><tr><td>16</td><td>IJ Farrelly & Redoubt Trustees XIII Ltd</td><td>Rev 2, dated 3/9/2013</td></tr></tbody></table>	SECAP	Owner	Revision and Date	06	RA Wallace	Rev 2, dated 29/8/2013	07	RF and SM Richmond & M O'Neale Trustee Ltd	Rev 3, dated 29/8/2013	08	GR Tasker and LV Cudby	Rev 3, dated 3/4/2014	09	DB & PG Hollinshead & SB Thompson	Rev 3, dated 30/8/2013	10	I J Farrelly & Redoubt Trustees XIII Ltd	Rev 4, dated 22/7/2014	11	DL & JW Kirkham & Dirpose Miller Trustees Ltd	Rev 6, dated 14/4/2014	12	KB Farms Ltd	Rev 6, dated 15/5/2014	13	Mangahana Farm Ltd Partnership	Rev 8, dated 14/4/2014	14	Kawa Mountain Dairies Ltd	Rev 3, dated 2/9/2013	15	DG & WA Harker & Redoubt Trustees Ltd	Rev 2, dated 2/9/2013	16	IJ Farrelly & Redoubt Trustees XIII Ltd	Rev 2, dated 3/9/2013	
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This consent is subject to the general conditions set out below.

Definitions	
RMA	Resource Management Act 1991
Consent Holder and WNL	Means Waipa Networks Limited
Territorial Authorities	Means the Waipa District Council, Otorohanga District Council and Waitomo District Council
The Project	Means the Te Awamutu Reinforcement Project subject to the Notices of Requirements and Resource Consents to Waipa District Council, Otorohanga District Council and Waitomo District Council.
Construction Works	Means when the contractor is established on site and starting earthworks associated with the pole foundations and/or lay down areas. Construction works do not include Enabling Works as defined below.
Site Supervisor	Means the person in charge of the work sites.
Enabling Works	Shall include the following and similar activities: demolition, removal or relocation of buildings, construction of site entrances and minor access tracking, fencing, vegetation removal and trimming, relocation of any underground and overhead services, geotechnical investigations, surveying, archaeological investigations and establishment of erosion and sediment controls. The Ecological Management Plan shall be submitted and approved prior to any vegetation removal that is covered by that plan being undertaken.
Commissioning or commissioned	Means the time when construction has been completed to the stage where electricity transmission at 110 kV along the line is possible, and in accordance with the specifications of the National Grid System Operator.
Transmission Line	Means the 110 kV line between Transpower's Te Awamutu and Hangatiki substations.
CMP	Construction Management Plan
SECAP's	Site, Easement, Construction, Access Plans

1. GENERAL CONDITIONS

- 1.1 The Te Awamutu Reinforcement Project Land Use Consents shall be undertaken generally in accordance with the information and plans provided by Waipa Networks Limited in its Notices of Requirements and Resource Consents applications, its evidence and its supporting documents, namely:
- (a) Te Awamutu Reinforcement Project: Applications for Resource Consent dated 10 July 2014;
 - (b) Te Awamutu Reinforcement Project: Notices of Requirements for Designations and Applications for Resource Consent Assessment of Environmental Effects and Supporting Information (including technical appendices), prepared for Waipa Networks Limited by Align Limited and others, dated 10 July 2014; and
 - (c) The relevant SECAP Plans contained in Volume 1B of the application;
 - (d) Te Awamutu Reinforcement Project: Further Information response dated 13 October 2014.
- 1.2 Where there is any inconsistency between the Notices of Requirement and resource consent application documentation and the conditions, the conditions shall prevail.

2. MANAGEMENT PLANS

- 2.1 All works shall be carried out in accordance with the applicable Management Plan required by these conditions.
- 2.2 The following Management Plan shall be submitted to the Territorial Authority Chief Executive of nominee for certification that it is consistent with the conditions of the resource consents:
- (a) Construction Management Plan.

- 2.3 Within twenty (20) working days of receipt of any Management Plan for certification as required under Condition 2.2, the Territorial Authority shall notify the consent holder as to whether the Management Plan is certified or whether inconsistencies with the relevant resource consent condition(s) have been identified and what matters are required to be addressed.
- 2.4 Construction Works shall not commence until the consent holder has received the Territorial Authority Chief Executive or nominee's written certification for the relevant Management Plan.
- 2.5 At all times during construction, the consent holder shall ensure that a copy of the latest certified version of the Management Plan identified in Condition 2.2 is kept on site and all key personnel are made aware of each Plan's contents.

3. PRE-CONSTRUCTION

Construction Management Plan

- 3.1 No later than forty (40) working days prior to construction commencing (excluding site investigation and enabling works), the consent holder shall submit for certification a Construction Management Plan (CMP) to the Territorial Authority Chief Executive or nominee. The objective of the CMP is to set out practices and procedures to be undertaken during construction and commissioning activities in order to avoid, remedy or mitigate adverse effects of construction, through methods and procedures identified in the CMP.

Advisory Note: *The Territorial Authorities will accept the lodgement of the CMP as a draft, noting that further iterations or inputs from the preferred contractor may be required prior to its final certification.*

- 3.2 Following certification by the Territorial Authority Chief Executive or nominee, the CMP shall be implemented in accordance with the procedures contained within.
- 3.3 The CMP shall include, but not be limited to, the following:
 - (a) Details of the Site or Project Manager, including their phone number, email address and address for service;
 - (b) The location of large notice boards that clearly identify the name, phone number, email and address for service for the Site or Project Manager;
 - (c) The location of work's offices, site security, temporary equipment storage and conveniences (e.g. portaloos);
 - (d) An outline construction programme of works including sequencing of such works, the use of helicopters and hours of work;
 - (e) Procedures to ensure compliance with the conditions of these designations;
 - (f) Procedures to be followed to ensure that iwi representatives are notified of the proposed commencement of construction works;
 - (g) Proposed contaminated site and hazardous substances management and mitigation measures including:
 - i. Details on types and volume of hazardous substances to be used and stored during the construction phase;
 - ii. Procedures for the storage, handling, transport and disposal of hazardous substances in accordance with best practice and national standards and regulations;
 - iii. Procedures for identifying contaminated sites and dealing with removal of any contaminated material;
 - iv. The equipment, systems and procedures to be used to minimise the risks of spill or leak of hazardous substances;

- v. Procedures to notify and report to the Territorial Authority within 24 hours of spill or leak involving 10 litres or more occurring; and
- vi. Procedures to be followed to identify causes of spills or leaks and to avoid their recurrence.
- (h) Procedures to be followed in the event that any historic artefacts are disturbed, being in accordance with the Authority obtained under the Heritage New Zealand Pouhere Taonga Act 2014;
- (i) Procedures for managing site access and construction work to avoid damage to recorded heritage items at the site of:
 - i. Haerewata Pa (site S15/331) which is in the vicinity of Poles 30B, 31 and 32.
 - ii. Te Puhi (Te Mawhai) railway station which is in the vicinity of Poles 35, 36 and 37;
 - iii. Kawa railway station (site S15/750) which is in the vicinity of Poles 70, 71 and 72
 - iv. Kio Kio railway station (site S16/362) which is in the vicinity of Pole 119
 and procedures to be adopted to achieve compliance with Condition 4.7 which relates to accidental discovery of archaeological material.
- (j) Measures to be adopted to maintain the land affected by the works in a tidy condition in terms of disposal/storage of rubbish; storage and unloading of materials and similar construction activities;
- (k) Proposed sediment and erosion control methods to be implemented;
- (l) Procedures for controlling dust and the removal of soil/debris from public roads or public places;
- (m) Traffic management procedures including:
 - i. routes for heavy vehicle movements;
 - ii. entrance measures for high volume entrances;
 - iii. measures to ensure safe interaction between construction traffic and local road traffic at entrances that have deficient sight lines;
 - iv. improvements to entrances; and
 - v. any traffic management;
- (n) Procedures relating to community information and liaison, including any procedures for:
 - i. ensuring the wider community is given prior notice of the commencement of construction works (i.e newspaper);
 - ii. ensuring that residents in the immediate vicinity of construction areas are given prior notice of the commencement of construction works and are informed about the expected duration of the works; and
 - iii. managing effects of noisy construction works and/or machinery (e.g. helicopters) and informing affected residents of those works and their expected duration;
- (o) The protocols developed with Ngati Maniapoto (as per Condition 3.4);
- (p) Measures for ensuring safety of the general public from construction works; and
- (q) Procedures for receiving and responding to complaints.

Cultural/Spiritual

- 3.4 Prior to construction works commencing, the consent holder shall work with Ngati Maniapoto to develop a set of protocols that cover the following aspects:
- (a) Site blessing before the first sod is turned;
 - (b) Expectations about staff behaviour during construction activities; and
 - (c) Notification of construction activities in specific areas where excavations are able to adversely affect sites of significance to enable representatives the opportunity to monitor such construction activities.

These protocols are to be included in the CMP, as per Condition 3.3.

4. OPERATIONAL

Construction Noise and Vibration

- 4.1 All construction work shall be designed, managed and conducted to ensure that construction noise complies with the requirements of NZS6803:1999 Acoustics - Construction Noise.
- 4.2 The noise limits in Condition 4.1 shall not apply to emergency work required to prevent loss of life or other personal injury, but all practicable steps shall be undertaken to control noise and to avoid adverse noise effects, particularly at times when the stricter noise limits apply (e.g. at night-time).
- 4.3 Vibration from all construction activities shall not exceed the limits of, and shall be measured and assessed in accordance with, German Standard DIN 4150-3 (1999-02) Structural Vibration — Effects of Vibration on Structures.

Erosion and Sediment Control

- 4.4 All erosion and sediment control measures shall comply and be implemented, as a minimum, in accordance with the Waikato Regional Council document titled “Erosion and Sediment Control – Guidelines for Soil Disturbing Activities’ (Technical Report No. 2009/02 – dated January 2009).
- 4.5 All disturbed or cut vegetation, soil or debris shall be deposited or placed in a position where it will not enter any water body or cause diversion, damming or erosion of any waterway.
- 4.6 The consent holder shall implement suitable measures to prevent earth being deposited on public roads as a result of vehicle movements to and from the sites subject to the Project. In the event that the material is deposited on the road, the consent holder shall take action, to clean the road.

Cultural/Spiritual

- 4.7 If any urupā, traditional sites, taonga (significant artefacts) or kōiwi (human remains) or archaeological sites (whether recorded or unrecorded) are exposed during site works, then the following procedures shall apply:
 - (a) Works in the immediate vicinity of the site that has been exposed shall cease;
 - (b) The site supervisor shall immediately secure the area in a way that ensures that any remains or artefacts are untouched;
 - (c) The site supervisor shall notify representatives of local iwi, Heritage New Zealand, Waikato Regional Council, the relevant Territorial Authority, the project archaeologist (the approved archaeologist under the NZ Heritage Authority 2015/248) and, in the case of human remains, the New Zealand Police; and
 - (d) The notification in (c) above shall allow such persons being given a reasonable time to record and resolve archaeological features discovered before work may recommence.

Complaints Management

- 4.8 Upon receiving a complaint during construction, the consent holder shall instigate a process to address concerns or complaints received about adverse effects. This shall:
 - (a) Identify the nature of the complaint, and the location, date and time of the alleged incident/event(s);
 - (b) Acknowledge receipt of the complaint within 24 hours of receipt; and

(c) Respond to the complaint in accordance with the CMP which may include monitoring of the activity by a suitably qualified and experienced person to confirm compliance with the resource consent conditions.

- 4.9 A record of all complaints received shall be kept by the consent holder. This record shall include:
- (a) The name and address of the person(s) who raised the complaint (unless they elect not to provide this) and details of the complaint;
 - (b) Where practicable, weather conditions at the time of the concern or complaint, including wind direction and cloud cover if the complaint relates to noise or air quality;
 - (c) Known construction activities at the time and in the vicinity of the concern or complaint;
 - (d) Any other activities in the area unrelated to the Project construction that may have contributed to the complaint such as non-Project construction, fires, or unusually dusty conditions generally;
 - (e) Remedial actions undertaken (if any) and the outcome of these, including monitoring of the activity.
- 4.10 This record shall be available for inspection upon request, and shall be provided to the Territorial Authorities upon request.

5. POST - CONSTRUCTION

Construction Access off Public Roads

- 5.1 The consent holder shall repair any damage to entranceways and public roads in the vicinity of those entranceways/ public roads resulting from impacts of its construction traffic, including where such locations are within the boundaries of the designation, within 6 months of commissioning of the transmission line.

Site Remediation

- 5.2 The consent holder shall reinstate:
- (a) any area used as temporary construction laydown areas;
 - (b) pole platforms; and
 - (c) batter slopes exposed for temporary access track works.

Reinstatement works shall be undertaken as soon as reasonably practicable following the completion of construction works and within 6 months of the commissioning of the line, and shall include re-contouring to reinstate the existing landform and re-establishment of pasture grass or other vegetation which are generally consistent with the immediately surrounding areas.



Alan Lionel WITHY
Independent Hearings Commissioner