Appendix P

Proposed Conditions

In addition to any standard Bay of Plenty Regional Council and Tauranga City Council conditions relating to administrative charges, the following additional consent conditions are proposed.

Bay of Plenty Regional Council:

- Drilling of foundations below ground water (Poles 33C and 33D)
- Temporary sediment discharge to CMA drilling earthworks (works around Poles 33C and 33D)
- Earthworks within 20m of CMA (Pole 33C)

1. <u>Location - Map references for drilling works</u>

- Proposed Pole 33C: At or about map reference NZTM 1880955, 5821531; and
- Proposed Pole 33D: At or about map reference NZTM: 1881249, 5822129.

2. <u>Notification of Works</u>

The consent holder shall notify (in writing) the Regional Council of its intention to start the foundation drilling works, along with the details of the drilling company and contact details, authorised under the authority of this consent no less than 24 hours prior to the start of works (notification is only required prior to the drilling of the first bore).

3. Construction Works

- a) The consent holder shall ensure that all drilling fluids and spoil generated during the foundation drilling works for poles 33C and 33D shall be captured using appropriate containment measures. The material captured shall be disposed of at an authorised facility.
- b) In the event that the works is being carried out during the winter earthworks period (1 May to 15 September), additional erosion and sediment control measures may be required in accordance with recommendations found in the Bay of Plenty Regional Council Erosion and Sediment Control Guidelines (2010/01).
- c) The consent holder shall monitor the drilling works to ensure they do not represent a danger to the public.
- d) All works under this consent shall be undertaken during daylight hours (see separate noise condition).
- e) The consent holder shall ensure that all drilling fluid additives and grout materials (if required) used shall be prepared and used in accordance with the manufacturer's instructions.
- f) No refuelling activities or fuel storage shall be carried out within the coastal marine area, on the foreshore or within 20 metres above mean high water springs. The consent holder shall employ methods to avoid any fuel spillage, including the provision of appropriate security and containment measures, where necessary. This condition shall not apply to refuelling of the drill rig at Pole 33C (if required) provided that suitable spill containment measures are in place.
- g) Soil and vegetation disturbance area shall be commensurate to the type of works being carried out. Erosion and sediment control measures shall be put in place prior to works commencing.

- h) The consent holder shall ensure that the work is monitored by a qualified archaeologist, in accordance with an Archaeological Work Plan prepared by a suitably qualified archaeologist.
- 4. <u>Sites of Archaeological, Historic or Cultural Significance</u>
 - a) Any works carried out under this consent shall be in general accordance with the works description and location information supplied in support of the application.
 - b) In the event that an archaeological site(s) and/or koiwi are unearthed, the consent holder is advised to immediately stop work on the part of the site that the archaeological site(s) is located and contact Heritage New Zealand and all relevant iwi/ hapū for advice. The consent holder shall also notify the Regional Council of the discovery.
- Term of Consent

This consent shall expire on 30 June 2020.

Bay of Plenty Regional Council: Occupation of the CMA (conductors in airspace)

1. Location

Electricity conductors in airspace generally between the following grid references:

- Proposed Pole 33C: At or about map reference NZTM 1880955, 5821531 (Maungatapu shore end); and
- Proposed Pole 33D: At or about map reference NZTM: 1881249, 5822129 (Matapihi shore end).

2. <u>Notification of Works</u>

- a) Not less than ten working days prior to installing the new conductors, the consent holder shall, in writing, request a site meeting between the principal contractor and the Bay of Plenty Regional Council. Notification at this time shall include details of who is responsible for on-site management and compliance with consent.
- b) Not less than ten working days prior to installing the new conductors, and/or removing the existing conductors, the consent holder shall, in writing, notify the Harbourmaster of the proposed works to enable other relevant users of the coastal marine area to be notified.
- c) Not less than ten working days prior to installing the new conductors, the consent holder shall notify a representative of Maungatapu Marae Trustees, Ngāti He hapū, Ngai Tukairangi hapū and Mataphi Ohuki Trust. The Bay of Plenty Regional Council shall be advised that this notification has taken place.

3. <u>Coastal Marine Area Construction Works</u>

a) Any works associated with installing the new conductors over the Coastal Marine Area shall be undertaken in general accordance with the information and

- supporting plans and technical appendices provided in the resource consent application [insert Council reference number for documents].
- b) No refuelling activities or fuel storage shall be carried out within the coastal marine area, on the foreshore or within 20 metres above mean high water springs. The consent holder shall employ methods to avoid or minimise any fuel spillage, including the provision of appropriate security and containment measures, where necessary.
- c) Work within the coastal marine area authorised under this consent shall be completed as soon as practicable after commencement, to the satisfaction of the Bay of Plenty Regional Council.
- d) The consent holder shall ensure that all reasonable steps are in place to protect the health and safety of the public during conductor installation works over the Coastal Marine Area.

4. <u>Electric and Magnetic Fields</u>

The transmission line shall be designed and constructed to limit exposures from Electric and Magnetic Fields to the International Commission on Non-Ionising Radiation Protection Guidelines for limiting exposure to time-varying electric and magnetic fields (1 Hz to 100 KHz) (Health Physics, 2010 99(6); 818-836) (ICNIRP Guidelines) public reference levels of 5kV/m for electric field and $200\mu T$ for magnetic flux density at 1m above ground level under maximum normal operating conditions (i.e. when there are no faults in the transmission systems).

5. Term of Consent

This consent shall expire on [35-year consent term from when consent is granted].

Bay of Plenty Regional Council: Disturbance of Foreshore or Seabed (Removal of Tower 118)

1. Location

The location of disturbance works includes that area at and immediately around Tower 118 at or about grid reference NZTM 1181086, 5822013.

2. <u>Notification of Works</u>

- a) Not less than ten working days prior to removal of the existing conductors and any tower deconstruction works, the consent holder shall, in writing, request a site meeting between the principal contractor and the Bay of Plenty Regional Council. Notification at this time shall include details of who is responsible for onsite management and compliance with consent.
- b) Not less than ten working days prior to removal of the existing conductors and any tower deconstruction works, the consent holder shall, in writing, notify the Harbourmaster of the proposed works to enable other relevant users of the coastal marine area to be notified.
- c) Not less than ten working days prior to the existing conductors and any tower deconstruction works, the consent holder shall notify a representative of Ngāti He hapū and Ngai Tukairangi hapū. The Bay of Plenty Regional Council shall be advised that this notification has taken place.

3. Tower Removal

The methodology for removing the tower sections and foundation shall be generally accordance with the methodology outlined in the Assessment of Environmental Effects dated 24 October 2017. Any material change to the methodology shall be confirmed in writing by [insert BOPRC delegated person] as being within the scope of the resource consent before being undertaken.

4. <u>Pre-Start Walk Over</u>

The consent holder shall develop a protocol in consultation with Ngāti He hapū that allows for a respective of Ngāti He hapū to undertake a walk over of the work site immediately around Tower 118 and relocate any Papaka (crabs) identified prior to tower and foundation removal commencing. The consent holder shall provide this protocol to the Council at least 10 working days prior to tower removal work commencing, including evidence of consultation with Ngāti He and the feedback received. The consent holder shall undertake any tower and foundation removal work in accordance with the protocol.

Drafting note: this condition responds to a recommendation included in the Ngāti He Cultural Impact Assessment.

5. Term of Consent

This consent shall expire on 30 June 2020.

Bay of Plenty Regional Council: Disturbance of Contaminated Land

1. <u>Site Management Plan</u>

For all project locations identified as having Moderate Potential for Contamination in the report prepared by *Tonkin and Taylor entitled Preliminary Site Investigation Report — Mount Maunganui A & B 110kV Transmission Lien Realignment*, dated 8 August 2017, a works specific Site Management Plan (SMP) shall be prepared and approved by the **[insert relevant BOPRC delegated person]** prior to undertaking any earthworks in those locations. All earthworks in those locations shall be undertaken in accordance with the approved SMP.

2. <u>Pre-Start Notification</u>

- a) Not less than ten working days prior to commencing site works, the consent holder shall, in writing, request a site meeting between the principal contractor and the Bay of Plenty Regional Council. Notification at this time shall include details of who is responsible for on-site management and compliance with consent.
- b) Not less than ten working days prior to commencing any earthworks including any stage of earthworks if implemented in stages, Maungatapu Marae Trustees, Ngāti He hapū, Ngai Tukairangi hapū and Mataphi Ohuki Trust shall be notified of these works. The consent holder shall provide these groups with the opportunity to provide cultural monitors and/or undertake site blessings/karakia if they wish to do so.

3. <u>Sites of Archaeological, Historic or Cultural Significance</u>

- a) Any works carried out under this consent shall be in general accordance with the works description and location information supplied in support of the application.
- b) In the event that an archaeological site(s) and/or koiwi are unearthed, the consent holder is advised to immediately stop work on the part of the site that the archaeological site(s) is located and contact Heritage New Zealand and all relevant iwi/ hapū for advice. The consent holder shall also notify the Regional Council of the discovery.

4. Term of Consent

1.

This consent shall expire on 30 June 2020.

Bay of Plenty Regional Council - Disturbance of Wetland

Pre-Start Notification

- a) Not less than ten working days prior commencing site works, the consent holder shall, in writing, request a site meeting between the principal contractor and the Bay of Plenty Regional Council. Notification at this time shall include details of who is responsible for on-site management and compliance with consent.
- b) Not less than ten working days prior to commencing any disturbance of wetland areas, Ngai Tukairangi hapū and Mataphi Ohuki Trust shall be notified of these works. The consent holder shall provide these groups with the opportunity to provide cultural monitors and/or undertake site blessings/karakia if they wish to do so.

2. <u>Bird Breeding Season</u>

Vegetation and construction works within and adjacent to the wetland contained within IBDA B 23 in the Proposed Regional Coastal Environment Plan shall take place outside of the bird breeding season (November to February inclusive for North Island fernbird, and September to March inclusive for banded rail) to ensure eggs and chicks are not harmed, and birds can self-relocate if present, other than as provided for in this condition.

If vegetation clearance or construction activities are required to be undertaken during the bird breeding season, the following management approach shall be used:

- a) The area to be affected should be checked for threatened wetland birds by a suitably qualified ecologist no more than 48 hours prior to vegetation clearance or construction activities;
- b) Checks will include playback calls of threatened bird species potentially present at dawn and dusk over a 24-hour period, and visual observation of signs of wetland birds;
- c) If threatened wetland birds are found in the works area during breeding season, no vegetation clearance or construction activities can take place for 8 weeks (which is sufficient time for banded rail chicks to fledge), unless the area is certified to be clear of nesting birds by a suitably qualified ecologist.

3. <u>Ecological Management Plan</u>

An Ecological Management Plan shall be prepared by a suitably qualified ecologist and provided to the Council at least 20 working days prior to any vegetation clearance or construction works being undertaken within and adjacent to the wetland contained

within IBDA B 23 in the Proposed Regional Coastal Environment Plan. This plan shall address the restoration of the wetland area shown in Appendix D of the ecological assessment report prepared by Tonkin and Taylor submitted with the application and dated September 2017. The consent holder shall implement Stage 1 of the Ecological Management Plan, which shall address the following matters set out in the ecological assessment report:

- a) The use of a combination of methods to remove and/or control willows that minimises disturbance. This could comprise cutting and removal of the bulk of the trees while leaving the stumps in place and using poison to prevent re-growth. This is intended to minimise machinery access to the wetland and disturbance to wetland soils associated with removal of whole stumps and roots.
- b) Weed control around the margin of the wetland and establishment of a 15m wide native riparian buffer strip on the banks along the southern and western margins of the wetland, extending to the northern side of the wiring site (i.e. to the northern extent of site disturbance and around 150m in length, generally as shown in the ecological assessment report). This is intended to provide a buffer from human disturbance and improve terrestrial biodiversity values in and around the wetland for banded rail and fernbird but most notably to provide additional habitat for fernbird.

4. <u>Sites of Archaeological, Historic or Cultural Significance</u>

- a) Any works carried out under this consent shall be in general accordance with the works description and location information supplied in support of the application.
- b) In the event that an archaeological site(s) and/or koiwi are unearthed, the consent holder is advised to immediately stop work on the part of the site that the archaeological site(s) is located and contact Heritage New Zealand and all relevant iwi/ hapū for advice. The consent holder shall also notify the Regional Council of the discovery.

5. Term of Consent

This consent shall expire on 30 June 2020.

Bay of Plenty Regional Council - All Consents

Construction Management Plan (CMP)

1.

No less than 20 working days prior to the commencement of any construction activity authorised by this consent, the consent holder or their nominee shall submit a Construction Management Plan (CMP) to the Bay of Plenty Regional Council [insert relevant BOPRC delegation] for approval. The CMP shall outline the following:

- i. The proposed construction methodology
- ii. On and off site soil disposal
- iii. Silt and dust control during earthworks
- iv. Erosion and sediment control measures
- v. Means of ensuring the safety of the general public
- vi. Measures to manage any potentially contaminated material encountered during land disturbance activities
- vii. Traffic/property access management
- viii. Construction hours
- ix. Management of the work in the vicinity of other utilities
- x. Site management
- xi. Contractor induction and work briefings
- xii. Contact details for the Transpower representative and the Site Supervisor.

The CMP shall be implemented and maintained throughout the entire construction period.

Tauranga City Council Land Use Consent

1. Plans and Information

Subject to the conditions below, the works shall be undertaken in general accordance with the information and supporting plans and technical appendices provided in the resource consent application [insert Council reference number for documents].

2. <u>Pre-Start Notification</u>

- c) Not less than ten working days prior to commencing site works, the consent holder shall, in writing, request a site meeting between the principal contractor and the Tauranga City Council. Notification at this time shall include details of who is responsible for on-site management and compliance with consent.
- d) Not less than ten working days prior to commencing any earthworks including any stage of earthworks if implemented in stages, Maungatapu Marae Trustees, Ngāti He hapū, Ngai Tukairangi hapū and Matapihi Ohuki Trust shall be notified. The consent holder shall provide these groups with the opportunity to provide cultural monitors and/or undertake site blessings/karakia if they wish to do so.

Construction Management Plan (CMP) 3.

No less than 20 working days prior to the commencement of any construction activity authorised by this consent, the consent holder or their nominee shall submit a Construction Management Plan (CMP) to the Tauranga City Council [insert relevant TCC delegation] for approval. The CMP shall outline the following:

- i. The proposed construction methodology
- ii. On and off site soil disposal
- iii. Silt and dust control during earthworks
- iv. Erosion and sediment control measures
- v. Means of ensuring the safety of the general public
- vi. Measures to manage any potentially contaminated material encountered during land disturbance activities
- vii. Traffic/property access management
- viii. Construction hours
- ix. Management of the work in the vicinity of other utilities
- x. Site management
- xi. Contractor induction and work briefings
- xii. Contact details for the Transpower representative and the Site Supervisor.

The CMP shall be implemented and maintained throughout the entire construction period.

Construction Traffic Management Plan – State Highway 29A 4. The consent holder shall prepare and have approved by the New Zealand Transport Agency a Construction Traffic Management Plan (CTMP) prior to any works within or requiring access from State Highway 29A commencing. The consent holder shall undertake all works in accordance with the CTMP. Pole Heights and Location 5. The height and locations of all new and replacement poles shall be generally in accordance with the plans and detailed pole schedule submitted with the application. Minor variations in height or location may occur where necessary due to ground conditions or general construction tolerance tolerances provided there is no material change in the adverse effects of those poles. Sites of Archaeological, Historic or Cultural Significance 6. a) Any works carried out under this consent shall be in general accordance with the works description and location information supplied in support of the application. b) In the event that an archaeological site(s) and/or koiwi are unearthed, the consent holder is advised to immediately stop work on the part of the site that the archaeological site(s) is located and contact Heritage New Zealand and all relevant iwi/ hapū for advice. The consent holder shall also notify the Regional Council of the discovery. Archaeology 7. The consent holder shall not commence any earthworks for which an authority is required by Heritage New Zealand Pouhere Taonga until such time that the authority has been granted. Advice Note: the consent holder has not sought a resource consent under Regulation 35 of the NESETA to undertake any earthworks on an archaeological site on the basis that any such works will be undertaken accordance with an authority under the Heritage New Zealand Pouhere Taonga Act 2104. Noise 8. a) The consent holder shall submit a Construction Vibration Noise Management Plan (CNVMP) to the Tauranga City Council [insert relevant TCC delegation] for certification at least 15 working days prior to construction work commencing. The consent holder shall ensure the following minimum requirements are met; The CNVMP shall be prepared by a suitably qualified independent acoustic specialist acceptable to Council and shall provide a framework to manage construction noise/vibration appropriately for the variety of circumstances

- along the route by outlining the methods, procedures and standards for mitigating the effects of noise and vibration during construction of the Project.
- ii. The CNVMP shall identify mitigation methods so that noise from construction or demolition activities do not exceed the noise limits specified in (b) below and the vibration limits in (c) below at the relevant receiver locations.
- iii. Work shall not commence until the consent holder has received the Council's written certification for the CNVMP.
- iv. The consent holder shall implement the certified CNVMP throughout the entire construction period of the Project.
- b) Unless works are being undertaken in accordance with a SSCNMP certified by Council, no construction or demolition activities shall be undertaken which exceeds the following limits when measured and assessed in accordance with NZS6803:1999 Acoustics Construction Noise:

Day of week	Time period	dB LAeg(15 min)	dB LAmax
Weekdays	0630-0730	55	75
	0730-1800	70	85
	1800-2000	65	80
	2000-0630	45	75
Saturdays	0630-0730	45	75
_	0730-1800	70	85
	1800-2000	45	75
	2000-0630	45	75
Sundays and	0630-0730	45	75
public holidays	0730-1800	55	85
	1800-2000	45	75
	2000-0630	45	75

c) The consent holder shall implement the vibration management and mitigation measures identified in the certified CVNMP. Construction vibration shall be made to comply with the following criteria:

Receiver	Details	Vibration Limit
,	Daytime 0630h - 2000h	1 mm/s PPV
Other occupied	Daytime 0630h -	2 mm/s PPV
buildings	2000h	

Measurements of construction vibration shall be undertaken in accordance with German Standard DIN 4150-3:1999 "Structural Vibration Part 3: Effects of vibration on structures".

9. <u>Vegetation Trimming and Removal</u>

The consent holder shall minimise the extent of vegetation trimming along the western boundary of State Highway 29A to the extent reasonably necessary for maintaining safe clearances for conductors. Any vegetation removed within the State Highway 29A corridor to enable temporary construction tracks shall be reinstated with equivalent plant types at the conclusion of the work.

10. Bird Breeding Season

Vegetation and construction works within and adjacent to the wetland contained within SEA 25 in the Tauranga City Plan shall take place outside of the bird breeding season (November to February inclusive for North Island fernbird, and September to March inclusive for banded rail) to ensure eggs and chicks are not harmed, and birds can self-relocate if present, other than as provided for in this condition.

If vegetation clearance or construction activities are required to be undertaken during the bird breeding season, the following management approach shall be used:

- a) The area to be affected should be checked for threatened wetland birds by a suitably qualified ecologist no more than 48 hours prior to vegetation clearance or construction activities;
- b) Checks will include playback calls of threatened bird species potentially present at dawn and dusk over a 24-hour period, and visual observation of signs of wetland birds;

If threatened wetland birds are found in the works area during breeding season, no vegetation clearance or construction activities can take place for 8 weeks (which is sufficient time for banded rail chicks to fledge), unless the area is certified to be clear of nesting birds by a suitably qualified ecologist.

11. <u>Ecological Management Plan</u>

An Ecological Management Plan shall be prepared by a suitably qualified ecologist and provided to the Council at least 20 working days prior to any vegetation clearance or construction works being undertaken within and adjacent to the wetland contained within SEA 25 in the Tauranga City Plan. This plan shall address the restoration of the wetland area shown in Appendix D of the ecological assessment report prepared by Tonkin and Taylor submitted with the application and dated September 2017. The consent holder shall implement Stage 1 of the Ecological Management Plan, which shall address the following matters set out in the ecological assessment report:

- a) The use of a combination of methods to remove and/or control willows that minimises disturbance. This could comprise cutting and removal of the bulk of the trees while leaving the stumps in place and using poison to prevent re-growth. This is intended to minimise machinery access to the wetland and disturbance to wetland soils associated with removal of whole stumps and roots.
- b) Weed control around the margin of the wetland and establishment of a 15m wide native riparian buffer strip on the banks along the southern and western margins of the wetland, extending to the northern side of the wiring site (i.e. to the northern extent of site disturbance and around 150m in length, generally as shown in the ecological assessment report). This is intended to provide a buffer from human disturbance and improve terrestrial biodiversity values in and around the wetland for banded rail and fernbird but most notably to provide additional habitat for fernbird.

12. Vehicle and Machinery Refuelling

No refuelling activities or fuel storage shall be carried out within the coastal marine area, on the foreshore or within 20 metres above mean high water springs. The consent holder shall employ methods to avoid or minimise any fuel spillage, including the provision of

appropriate security and containment measures, where necessary. This condition shall not apply to refuelling of the drill rig at Pole 33C (if required) provided that suitable spill containment measures are in place.

13. Electric and Magnetic Fields

The transmission line shall be designed and constructed to limit exposures from Electric and Magnetic Fields to the International Commission on Non-Ionising Radiation Protection Guidelines for limiting exposure to time-varying electric and magnetic fields (1 Hz to 100 KHz) (Health Physics, 2010 99(6); 818-836) (ICNIRP Guidelines) public reference levels of 5kV/m for electric field and $200\mu T$ for magnetic flux density at 1m above ground level under maximum normal operating conditions (i.e. when there are no faults in the transmission systems).