



Wylfa Newydd Project

Summary Table of Amendments to the Draft DCO (Revision 4.0)

PINS Reference Number: EN010007

Application Reference Number: 8.29

12 February 2019

Revision 4.0

Examination Deadline 5

Regulation Number: 5(2)(q)

Planning Act 2008

Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

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1 Amendments proposed to the draft Development Consent Order (Revision 4.0)

1.1 Introduction

1.1.1 This document provides a commentary on changes made to the draft Development Consent Order ("draft DCO") by Horizon Nuclear Power Wylfa Limited ("Horizon") at Deadline 5 (12 February 2019) (DCO Revision 4.0). A track changed version of the revised draft DCO (Revision 4.0) against the version submitted as part of Deadline 2 (4 December 2018) (Revision 3.0) [REP2-020] and the DCO application in June 2018 (Revision 1.0) [APP-029] has also been provided. Where amendments are proposed, reference is made to the reason for the change (e.g. stakeholder response) is set out in Table 1-1.

General Notes

1.1.2 The table below refers to the original article, requirement, paragraph or schedule number in Revision 3.0 of the draft DCO [REP2-020]. Any new numbering in the revised draft DCO as at Deadline 1 is indicated in the "Amendment" column in the table below, where relevant.

1.1.3 Where "-" is used, this indicates that the change has been identified by Horizon.

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Table 1-1 Explanation of amendments made to the draft DCO (Revision 4.0) as issued to the Examining Authority on 12 February 2019 (Deadline 5)

	Provision	Source of Change	Amended, and where relevant, numbering of new provision in revised draft DCO	Reason for amendment
1.	Article 2, paragraph 1	-	Footnote (c) in paragraph 1, Article 2 is amended to include additional references.	To update citations.
2.	Article 2, paragraph 1	-	Footnote (g) in paragraph 1, Article 2 is amended to include additional references.	To update citations.
3.	Article 2 – definition of "commence"	IACC Written Representation [REP2-218] [4.1.2, 4.16, 4.3.3] Horizon's response to IACC's Written Representation [REP3-019] (p.6) IACC Deadline 4 submission [REP4-034]	Definition of "commence" amended as follows: "commence" means beginning to carry out any material operation, as defined in section 155 of the 2008 Act (when development begins), forming part, or carried out for the purposes, of the authorised development other than operations consisting of— (a) <u>site preparation and clearance and mobilisation in relation to Work No.s 5, 6, 7, 8, 9, 10, 11, 13, 14 and 15;</u> [...]	Amendment to carve out Work No.12 from the list of exclusions under the definition of "commence" so that the SPC requirements are effective.
4.	Article 2 – definition of "Environmental Statement Addendum"	Request by the ExA during the DCO ISH (9 January 2019)	New definition of "Environmental Statement Addendum": <u>"Environmental Statement Addendum" means the addendum document comprising consolidated errata and changes to the Environmental Statement and certified as the Environmental Statement Addendum by the Secretary of State under article 76 (Certification of plans, etc.) and identified in Schedule 18 (Certified Documents) for the purposes of this Order;</u>	New definition included to capture all technical notes submitted during the course of the examination so that these are certified and secured under the DCO. Consequential amendment to Schedule 18 (Certified Documents)
5.	Article 2 – definition of "First Nuclear Concrete"	-	New definition of "First Nuclear Concrete" <u>"First Nuclear Concrete" means the date of the first irreversible construction for buildings with nuclear safety significance.</u>	Definition of First Nuclear Concrete inserted due to this being a trigger for the submission of documents within the Requirements.
6.	Article 2 – definition of "site preparation permission"	Welsh Government Call in Decision – Appendix D Welsh Government Deadline 4 Submission [REP4-053]	Definition of "site preparation permission" amended as follows: <u>"SPCsite preparation permission" means a the planning permission for the site preparation and clearance of land within the Wylfa Newydd Development Area under the Town granted by Isle of Anglesey County Council on [X], with reference number 38C310F/EIA/EGON and Country Planning Act 1990any variation or amendment to that permission;</u>	Amendment made to reflect the recent withdrawal of the SPC permission and to provide reference to any future application made by Horizon under the TCPA for SPC works.
7.	Article 2 - definition of "SPC Works"	Appendix C, Welsh Government Deadline 4 Submission [REP4-053]	Definition of "SPC Works" has been deleted and all references throughout the draft DCO have been replaced with Work No.12.	Amendment made in response to Welsh Government's comment that definitions were used inconsistently when referring to the site preparation and clearance works under the DCO.

	Provision	Source of Change	Amended, and where relevant, numbering of new provision in revised draft DCO	Reason for amendment
8.	Article 5 – Effect of the Order on the site preparation and clearance	Welsh Government Call in Decision – Appendix D Welsh Government Deadline 4 Submission [REP4-053]	<p>Article 5 amended as follows:</p> <p>Effect of the Order on the site preparation permission</p> <p><u>5.—(1) If the undertaker serves a notice on IACC has implemented the SPC permission and subsequently intends to change to undertaking Work No.12, the undertaker must serve notice on IACC that it intends to commence Work No. 12—.</u></p> <p><u>(2) If the undertaker serves a notice on IACC under paragraph (1) that it intends to commence Work 12—</u></p> <p>(a) the undertaker must cease to carry out development under the site preparation <u>SPC</u> permission; and</p> <p>(b) the conditions of the site preparation <u>SPC</u> permission will be unenforceable, except in respect of any breach that occurred prior to the undertaker serving notice under article 5(1).</p> <p>(2)(3) The undertaker may not carry out Work No. 12 under this Order until notice has been served under paragraph (1).</p> <p>(3)(4) Notwithstanding paragraph (23), the undertaker may exercise any other powers under this Order in respect of any part of the authorised development prior to or following service of notice under paragraph (1).</p> <p>(4)(5) Without prejudice to the generality of paragraph (34), the undertaker may discharge any Requirement at any time prior to or following the service of notice under paragraph (1).</p> <p>(5)(6) Where details, documents, plans (except for those plans which are also the Detailed Design Drawings relating to the SPC Works Work No.12), works or any other matters have been <u>imposed as a condition, or approved or agreed by IACC, or obtained or undertaken by the undertaker pursuant to a condition of the site preparation</u> <u>SPC</u> permission prior to the date on which the undertaker serves notice under paragraph (4)2, <u>IACC and the undertaker will agree which details, documents, plans, works or other matters under the SPC permission will be deemed to have been discharged, approved, agreed, obtained or undertaken in respect for the purposes of the SPC Works for the purpose of the corresponding requirement Requirements relating to that condition in column (2) of Schedule 4 (Deemed Approval or Compliance), unless otherwise agreed with IACC Work No.12.</u></p>	<p>Following the withdrawal of the site preparation permission, article 5 has been amended to provide for the ability to switch if a future planning permission is obtained for site preparation and clearance.</p> <p>Schedule 4 has been deleted as it was based on the draft conditions of the planning permission which has now been withdrawn.</p>
9.	Article 11 – Power to alter layout, etc., of streets	-	<p>Article 11(1) amended as follows:</p> <p>Power to alter layout, etc., of streets</p> <p><u>11.—(1) The undertaker may, for the purposes of the authorised development, enter onto and alter the layout of or carry out any works in the street, as specified in column (2) of Part 1 or Part 2 of Schedule 5 (Streets subject to alteration of layout) and in the manner specified in relation to that street in column (3).</u></p> <p>[...]</p> <p>(f) execute any works of surfacing or re-surfacing of the <u>street</u> highway; and</p>	<p>Amendment to make it clear that powers under article 11 includes the right to enter the street and to replace “highway” in (2)(f) with “street” for consistency. (Note: highway is already included within the definition of “street” in article 2.)</p>

	Provision	Source of Change	Amended, and where relevant, numbering of new provision in revised draft DCO	Reason for amendment
			[...]	
10.	Article 16 – temporary stopping up of streets	IACC Written Representation [5.3.2] [REP2-218] Horizon response to IACC Written Representation at p.27 [REP3-019]	Article 16 amended as follows: Temporary stopping up of streets 16. [...] <u>(7) Prior to the reopening of any street stopped up under paragraph (4), the undertaker must remove all temporary works and reinstate the street to its previous condition.</u>	New (7) inserted to provide that Horizon must reinstate any Schedule 9 street that it temporarily stops up. Numbering of subsequent paragraphs.
11.	Article 18 – access to works	IACC Written Representation [4.5.2] [REP2-218] Horizon response to IACC Written Representation at p.17, 18 [REP3-019]	Article 18 amended as follows: Access to works 18.— (1) The undertaker may, for the purposes of the authorised development, form and lay out means of access, or improve existing means of access with the agreement of the <u>street authority</u> IACC after consultation with the highway authority (such agreement not to be unreasonably withheld), at such locations within the Order Limits as the undertaker reasonably requires. (2) If a planning <u>street</u> authority that receives an application for approval under paragraph (1) fails to notify the undertaker of its decision within 28 <u>56</u> days of receiving the application, that street authority will be deemed to have granted approval.	Timeframes amended to refer to 56 days. This aligns with other deemed approvals under the street articles in Part 3 of the draft DCO. In response to IACC's Written Representation, references to authorities have been amended to remove inconsistencies.
12.	Article 19 – construction and maintenance of streets	IACC Written Representation [5.1 and 5.4] [REP2-218] Horizon response to IACC Written Representation at p.24 [REP3-019]	Article 19 amended as follows: Construction and maintenance of new and altered streets 19.— (1) Any street (other than public highway) to be constructed under Work No.s 8, 9, 10 and 11 of this Order must be completed to the reasonable satisfaction of the street highway authority and, unless otherwise agreed between the undertaker and the street highway authority, be maintained against defects by the undertaker and at the expense of the undertaker at its own cost for a period of 12 months from its completion and at the expiry of that period maintained by and at the expense of the street authority. (2) Where a street is altered <u>or subject to street works under articles 11 or 12</u> under this Order, the altered <u>or affected</u> part of the street must, when completed to the reasonable satisfaction of the street authority, unless otherwise agreed, will be maintained by <u>the street authority</u> and at the expense of the undertaker for a period of 12 months from its completion and at the expiry of that period by and at the expense of the street authority. (3) <u>Except for Works No.8, 9, 10 and 11, w</u> Where land not previously part of the public highway comes to form part of the public highway by virtue of construction, diversion or alteration of a street under this Order, unless otherwise agreed with the local highway authority, the land is deemed to have been dedicated as public highway immediately upon completion of the highway that has been constructed, altered or diverted.	Amendments to make it clear that maintenance of: <ul style="list-style-type: none">the A5025 Off-Line Highway Improvements will be undertaken by Horizon for 12 months following completion and Horizon will only maintain against defects.Any street altered or subject to street works will be maintained by the street authority at the expense of Horizon for a 12 month period following construction. Paragraph (3) amended to exclude land associated with the A5025 Off-Line Highway Improvements as adoption and transfer of rights for that land will be provided for in the Schedule 15 Protective Provisions.

	Provision	Source of Change	Amended, and where relevant, numbering of new provision in revised draft DCO	Reason for amendment
			[...]	
13.	Article 20 – agreements with street authorities	IACC Written Representation [5.5.1] [REP2-218] Horizon response to IACC Written Representation at p.31 [REP3-019]	Article 20 amended as follows: Agreements with street authorities and highway authorities 20.—(1) A street authority and the <u>The</u> undertaker may enter into agreements <u>with a street authority or highway authority</u> with respect to— (a) the construction of any new street authorised by this Order; (b) any stopping up, alteration or diversion of a street authorised by this Order; (c) the maintenance of the structure of any bridge or tunnel carrying a street over or under any part of the authorised development; (d) the carrying out in the street of any of the works referred to in articles 11 (Power to alter layout, etc., of streets) or 12 (Street works); and (e) such works as the parties may agree. (2) Such an agreement may, without prejudice to the generality of paragraph (1)— (a) make provision for the street <u>authority or highway</u> authority to carry out any function under this Order which relates to the street in question; (b) specify a reasonable time for the completion of the works; (c) make provision for the maintenance of the structure of any viaduct, underpass, overpass or bridge carrying a street; and (d) contain such terms as to payment and other matters as the parties consider appropriate.	In response to IACC's Written Representation, article 20 has been amended to refer to both street authorities and highway authorities.
14.	Article 21 – traffic regulation measures	-	Footnote (a) in article 21 amended to include additional references.	To update citations.
15.	Part 5 – Powers of Acquisition	-	Part 5 amended as follows: PART 5 POWERS OF ACQUISITION AND POSSESSION OF LAND <i>Power of Acquisition</i> [...] <i>Temporary Possession of Land</i>	Headings inserted to clarify between compulsory acquisition and temporary possession powers.
16.	Article 29 – private rights	-	Article 29 amended as follows: Private rights 29—(1) [...] <u>(9) This article is subject to does not apply to any loss suffered under article 14 (Permanent stopping up of streets and extinguishment of rights).</u>	Amendment to make it clear that if a person is able to claim compensation under article 14 (permanent stopping up of streets) they will not be able to claim additional compensation under this article.

	Provision	Source of Change	Amended, and where relevant, numbering of new provision in revised draft DCO	Reason for amendment
17.	Article 33 – modification of the 1965 Act Article 35 – temporary use of land for carrying out the authorised development	-	Article 33 and 35 amended to ensure curly quotes are used.	Amendment to ensure the draft DCO can be validated.
18.	Article 36 – temporary possession for maintenance	IACC Written Representation [4.6.1] [REP2-218] Horizon response to IACC Written Representation at p.20 [REP3-019]	Article 36 amended as follows: Temporary possession for maintenance 36.— [...] (2) Paragraph (1) does not authorise the undertaker to take temporary possession of— (a) any house or garden belonging to a house; or (b) any building (other than a house) if it is for the time being occupied; or (c) <u>any highway land.</u> [...]	In response to IACC's Written Representation, article 36 has been amended to make it clear that power of temporary possession for maintenance purposes during the operation of the Power Station does not apply to operational highway land.
19.	New Article 49 – application of Marine and Coastal Access Act 2009	PM Note at [4][EV-013] Appendix C, Welsh Government Deadline 4 Submission [REP4-053]	New article 49 inserted as follows: <u>Application of Marine and Coastal Access Act 2009</u> 49— (1) <u>Articles 43 to 71 are subject to the provisions of Part 4 of the 2009 Act and any licence granted pursuant to that Part and are without prejudice to the powers of the Welsh Ministers under that Part.</u> (2) <u>No provision of this Order obviates the need to obtain a marine licence under Part 4 of the 2009 Act or to comply with the conditions of any marine licence and nothing in this Order in any way limits the enforcement powers in respect of a marine licence.</u> (3) <u>In the event of any inconsistency between the provisions of this Order and a marine licence, then the terms of the marine licence shall take precedence.</u>	In response to Welsh Government's request, a new article 49 has been inserted to make it clear that no powers under the Order removes the need for a Marine Licence under the Marine and Coastal Access Act 2009. This reconfirms the statutory position under section 149A of the Planning Act 2008 and is provided for the avoidance of doubt.
20.	Article 59 – safety of navigation	Trinity House Deadline 4 submission [REP4-056]	Article 59 amended as follows: Safety of navigation 59— (1) No Marine Works are to be commenced until a scheme to secure safety of navigation has been submitted to and approved by the Maritime and Coastguard Agency <u>Welsh Ministers</u> following appropriate consultation with Trinity House <u>and the Maritime and Coastguard Agency.</u> [...]	In response to Trinity House, this article has been amended to make it clear that Trinity House is not subject to the arbitration proceedings.

	Provision	Source of Change	Amended, and where relevant, numbering of new provision in revised draft DCO	Reason for amendment
21.	Article 75 – felling or lopping of trees and removal of hedgerows	IACC Written Representation [4.5.3(f)] [REP2-218] Horizon response to IACC Written Representation at p.18-20 [REP3-019] Appendix C, Welsh Government Deadline 4 Submission [REP4-053]	Article 75 amended as follows: Felling or lopping of trees and removal of hedgerows 75. [...] (3) The undertaker may, for the purposes of the authorised development— (a) subject to paragraph (2), remove any hedgerows within the Order Limits that may be required for the purposes of carrying out the authorised development; and (b) <u>only remove important hedgerows identified in Schedule 17 (Removal of important hedgerows) to the extent shown on the plans identified in Schedule 17.</u> (4) The power conferred by paragraph (3) removes any obligation upon the undertaker to secure any consent under the Hedgerow Regulations 1997 <u>(a) in undertaking works pursuant to paragraph 3(a) or (b).</u>	In response to IACC's Written Representation, article 75 has been amended to make it clear that: <ul style="list-style-type: none">removal of important hedgerows is limited to those sections identified on plans noted in Schedule 17 (Removal of important hedgerows) and;no consent under the Hedgerow Regulations 1997 will be required where the undertaker is removing hedgerows within the Order Limits (3(a)) or the Important Hedgerows listed in Schedule 17 (3(b)).
22.	Article 77 – Service of notices	IACC Written Representation [4.7.1, 4.8.1] [REP2-218] Horizon response to IACC Written Representation at p.21 [REP3-019]	Article 77 amended as follows: Service of notices <u>77.—(1) A notice served for the purposes of this Order must be provided in English and Welsh.</u> (1) <u>(2) A notice or other document required or authorised to be served for the purposes of this Order may be served— [...]</u>	In response to IACC's Written Representation, article 77 has been amended to provide that all notices served in accordance with the DCO must be provided bi-lingually. Renumbering of subsequent paragraphs due to new insertion.
23.	Article 78 – arbitration	Trinity House Deadline 4 submission [REP4-056]	Article 78 amended as follows: Arbitration 78 —(1) Any difference or dispute under any provision of this Order, unless otherwise provided for in this Order or unless otherwise agreed between the parties, is to be referred to and settled by a single arbitrator to be agreed between the parties or, failing agreement, to be appointed on the application of either party (after giving notice in writing to the other) by the Secretary of State. (2) This article must not apply to the provisions of the 1847 Act incorporated in this <u>Order order by article 43 or to Trinity House in the exercise of its statutory functions-58.</u>	Although article 71 provides a saving for Trinity House, this article has been amended to make it clear that Trinity House is not subject to the arbitration proceedings.
24.	Schedule 1 – New Work Area 16	Action Point 5 from the second DCO ISH (9 January 2019) [OD-008]	New Work No.16 inserted as follows: <u>Work No.16: Diversion and realignment of a tributary (Nant Porth-y-pistyll) to the Afon Cafnan with associated landscaping works;</u>	In response to the ExA's request for Horizon to look at how these works could be included within Schedule 1 (rather than within "other associated development", Horizon has proposed that this could be a separate work area – No.16. Consequential changes to the Work Plans will be made at Deadline 7.

	Provision	Source of Change	Amended, and where relevant, numbering of new provision in revised draft DCO	Reason for amendment
				Work No.16 has been added to the Power Station Works Requirements and the definition of Power Station Works.
25.	Schedule 1 – other associated development (p)	IACC Response to Action Point 17 arising from the DCO Hearing of 24 October 2018 at [3.7] [REP1-019] Appendix 3, Cover Letter Deadline 2 [REP2-374]	Paragraph (p) of Schedule 1 Other Associated Development amended as follows: [...] o) _____ [to be deleted]; and o) — diversion and realignment of a tributary (Nant Porth-y-pistyll) to the Afon Cafnan with associated landscaping works; and p) such other works as may be necessary or expedient for the purposes of or in connection with the construction, operation and maintenance of the authorised development which do not give rise to any materially new or materially different environmental effects from those assessed as set out in the Environmental Statement; <u>except that paragraph (p) will not apply to Work No.s 3, 6, and 7 once those decommissioning or restoration of those Works has commenced.</u>	In response to IACC's request, paragraph (p) has been amended in response to IACC's request that it should not be used where decommissioning and restoration of temporary works has commenced.
26.	Schedule 3, paragraph 1 – definition of "Key Mitigation"	-	Definition of "Key Mitigation" amended as follows: "Key Mitigation" means the Park and Ride facility, Logistics Centre, A5025 Off-Line Highway Improvements, Marine Off-Loading Facility, Ecological Compensation Sites, Site Campus, and drainage works and landscape mounds within the WNDA;	Removal of "drainage works" from the definition of "key Mitigation" as this was removed from the Phasing Strategy at Deadline 4 and is now secured through Requirements WN1 (Overarching Construction Drainage Scheme) and WN[A] (Phased Construction Drainage Plans). WN[A] to be renumbered sequentially in the final version of the DCO.
27.	Schedule 3, paragraph 1 – definition of "NRW Advisory Service"	NRW Written Representation [1.3], [2.8-2.11] Horizon response to NRW Written Representation at [2.1.9 – 2.1.10]	New definition of "NRW Advisory Service" inserted as follows: <u>"NRW Advisory Service" means the Development Planning Advice Service of Natural Resources Wales;</u>	In response to NRW's request, Horizon has added NRW Advisory Service as a consultee on the Marine requirements (WN24 (Marine Sub-CoCP), WN25 (Marine Works detailed design approval) and WN28 (Disposal of Dredged Material). As such, Horizon has inserted a definition of NRW Advisory Service to make it clear who this consultee body is.
28.	Schedule 3, paragraph 1 – definition of "Power Station Works"		The definition of "Power Station Works" has been amended as follows: "Power Station Works" means Work No.s 1A-D, 11-O, 2, 4 and <u>16</u> described in Schedule 1(Authorised development) of this Order and any other Works authorised by this Order or, as the case may require, any part of those works, and reference to any part of the Power Station Works is reference to any one of the Power Station Works	New Work No.16 added as this will form part of the Power Station Works.

	Provision	Source of Change	Amended, and where relevant, numbering of new provision in revised draft DCO	Reason for amendment
29.	Schedule 3, paragraph 1 – definition of "Written Scheme of Investigation"	-	Deletion of "Written Scheme of Investigation".	Definition has been deleted as not considered necessary.
30.	Various Requirements: Schedule 3 – PW10; PW11; SPC8; SPC9; SPC10; WN3; WN6; WN11; WN12; WN13; WN14; WN18; WN19; WN21; WN23, WN25; OPSF2; PR3; LC3; OH3; OH4; OH5; OH8; OH9; OH10; ECS2; ECS3;	Action Point 5 from the second DCO ISH (9 January 2019) [OD-008] IACC Deadline 4 submission [REP4-034]	Various Requirements have been amended to provide that Horizon must submit the relevant plan or scheme to the discharging authority and that that particular work cannot commence until the discharging authority has provided its approval.	Requirements had been amended at Deadline 2 to make it clear that IACC ACC has the discretion to approve or refuse the request. However, in response to requests by IACC, Horizon has amended the Requirements to make it clear that no works can commence until the approval has been obtained. Horizon has separated, however, the submission and approval points where submission is within a certain period and Horizon has no ability to ensure that the discharging authority would also approve the document or plan within that timeframe. In order to ensure that Horizon is not in breach of the requirement for reasons outside its control, the requirement separates out the submission and approval but is clear that the relevant work cannot commence until the approval has been obtained. Due to the sheer number of changes, we have not set each of these out in full; however, the track change version of the DCO (Revision 4.0 against 3.0) shows the changes in the requirements noted in column 2.
31.	PW2 (Phasing of the authorised development)	Welsh Government comments on the Phasing Strategy (reviewed following Deadline 4)	Requirement PW2 is amended as follows: PW2 Phasing of the authorised development (1) The delivery of Key Mitigation must be in accordance with the sequencing set out in the Phasing Strategy, unless otherwise approved by IACC. (2) Written notice of the commencement and completion of the Key Mitigation identified in the Phasing Strategy must be given to IACC at least 10 business days in advance of the Key Mitigation being provided <u>commenced or completed</u> , as the case may be.	Requirement PW2 amended to make it clear that notice must be provided when Horizon commences and construction of Key Mitigation.

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32.	Requirements PW5 (European Protected Species: pre-commencement surveys) and PW6 (Protection of breeding Wild Birds)	In response to queries raised by the ExA at the second DCO ISH (9 January 2019)	Requirements PW5 and PW6 reinserted.	At Deadline 2, Requirements PW5 and PW6 were deleted due to duplication with the controls within the Wylfa Newydd CoCP. However, at the second DCO ISH, the ExA requested for these requirements to be reinstated.
33.	PW7 (Wylfa Newydd CoCP)	Various comments by Interested Parties on the lack of detail within the control documents.	<p>Requirement PW7 amended as follows:</p> <p><u>PW7 Wylfa Newydd CoCP and Schemes</u></p> <p>(1) The construction of the authorised development, and the operation of Work No.s 3, 6 and 7, must be carried out in accordance with the Wylfa Newydd CoCP, and the relevant sub-CoCP relating to a specific site identified in Requirements WN1, WN17, OPSF1, PR1, LC1 and OH1, unless otherwise approved by the IACC in consultation with NRW.</p> <p><u>(2) Except for Work No.12, prior to the commencement of the authorised development the following schemes must be submitted to the discharging authority identified in Part 1 of Schedule 21 (Control documents and Schemes) for approval:</u></p> <p>(a) <u>Community Safety Management Scheme; and</u></p> <p>(b) <u>Traffic Incident Management Scheme.</u></p> <p><u>(3) All schemes submitted under paragraph (2) must be prepared in accordance with the details identified in Part 1 of Schedule 21.</u></p> <p><u>(4) No part of the authorised development may commence until the schemes submitted under paragraph (2) have been approved by the discharging authority, in consultation with the relevant consultee identified for that scheme in Part 1 of Schedule 21.</u></p> <p><u>(5) Construction of the authorised development must be in accordance with the schemes approved under sub-paragraph (4), unless otherwise agreed by IACC, in consultation with the consultee identified for that scheme in Part 1 of Schedule 21.</u></p>	<p>Additional requirements inserted in response to issues raised by stakeholders. These requirements require the submission of specific detail post-grant for approval by the identified stakeholder.</p> <p>As requested, North Wales Police has been provided with a consultation role in respect of the Traffic Incident Management Scheme, the Community Safety Management Scheme and the AIL Management Scheme (WN1) as these are relevant to its statutory duties.</p> <p>A new Schedule 21 (to be numbered as 4 in the final DCO) has been inserted to set out the consultees and details that apply to each specific scheme.</p>
34.	PW8 (Wylfa Newydd Workforce Behaviour)	-	<p>Requirement PW8 amended as follows:</p> <p><u>PW8 Wylfa Newydd Workforce Behaviour Code of Conduct</u></p> <p><u>(1) The undertaker must comply with the Workforce Management Strategy during the construction of the authorised development, unless otherwise approved by the IACC in consultation with North Wales Police.</u></p> <p><u>(2) Except for SPC Works Work No.12, no construction of the authorised development may commence until the undertaker has provided a copy of the Wylfa Newydd Code of Conduct to IACC and North Wales Police for information.</u></p>	<p>Amendment to make it clear that Horizon must ensure that construction is undertaken in accordance with the Workforce Management Strategy.</p> <p>Paragraph (2) moved up after the new (1) for clarity.</p>

	Provision	Source of Change	Amended, and where relevant, numbering of new provision in revised draft DCO	Reason for amendment
			<p>(1)(3) The Wylfa Newydd Code of Conduct provided under sub-paragraph (2) must be prepared in accordance with the principles set out in the Workforce Management Strategy and implemented throughout the construction of the authorised development.</p> <p>(2) Except for SPC Works, no construction of the authorised development may commence until the undertaker has provided a copy of the Wylfa Newydd Code of Conduct to IACC for information.</p> <p>[...]</p>	
35.	<p>PW9 (Date of commissioning and cessation)</p>	<p>IACC Written Representation at [7.7.1] [REP2-218] Horizon response to IACC Written Representation at p.51 [REP3-01]</p>	<p>Requirement PW9 amended as follows:</p> <p>PW9 Date of commissioning and cessation</p> <p>(1) The undertaker must notify IACC of the Unit 1 Commissioning Date and Unit 2 Commissioning Date and operational period of each Unit as soon as reasonably practicable <u>and in any event within 5 working days after the occurrence of those dates.</u></p> <p>(2) The undertaker must notify IACC of the date the authorised development permanently ceases to generate power (either actively generating electricity or being available to generate electricity on a standby basis) as soon as reasonably practicable and, in any event, within three months after the occurrence of that date.</p>	<p>Amended to reinstate reference to longstop date (now 5 working days, rather than one month) as this was deleted in error at Deadline 2. Reference to 5 working days corresponds with IACC's request.</p>
36.	<p>Decommissioning Schemes (PW10 – Wylfa Newydd Decommissioning Scheme; WN23 – Site Campus Decommissioning Scheme; PR6 – Park and Ride Decommissioning Scheme; LC7 – Logistics Decommissioning Scheme)</p>	<p>Interrelationship between control documents (Submitted at Deadline 5 in response to Action Point 34 from the Second Biodiversity Hearing – 11 January 2019 [OD-009])</p>	<p>Replacement of references to "Decommissioning Strategies" with "Decommissioning Schemes".</p> <p>In addition, Requirement PW10 has been amended as follows:</p> <p>PW10 Wylfa Newydd Decommissioning Strategy Scheme</p> <p>[...]</p> <p>(3) The<u>No</u> demolition, removal and restoration works for Work No.s 1, 4 and 5 must be carried out in accordance with <u>may commence until</u> the decommissioning strategy approved<u>scheme</u> submitted under sub-paragraph (1) <u>has been approved by IACC.</u></p> <p>(4) <u>The scheme approved under sub-paragraph (1) must be implemented for the duration of decommissioning works,</u> unless otherwise approved by IACC.</p> <p>(5) The decommissioning strategy<u>scheme</u> approved under sub-paragraph (4)<u>(3)</u> will not apply to the decommissioning of Work No.s 3, 6, 7 which are subject to Requirements WN23, PR6 and LC7.</p> <p>(6) No decommissioning strategy<u>scheme</u> is required in relation to Work No.s 8 to 15, 9, 10, 11, 12, 13, 14, 15 and 16.</p>	<p>Reference to "decommissioning strategies" have been replaced with "decommissioning schemes" to align with approach Horizon has taken to categorising post-grant documents (refer to Interrelationship document).</p> <p>List of works that are not subject to a decommissioning scheme has been extended to include new Work No.16 (diversion works).</p>
37.	<p>PW11 (Community Safety)</p>	<p>North Wales Police Deadline 4 submission [REP4-043] Interrelationship between control documents (Submitted at Deadline</p>	<p>Deletion of PW11 and replacement of Community Safety Management Scheme requirement within PW7 (Wylfa Newydd CoCP and Schemes).</p>	<p>At the request of North Wales Police, NWP has been added as a consultee in respect of the Community Safety Management Scheme. This is in addition to its</p>

	Provision	Source of Change	Amended, and where relevant, numbering of new provision in revised draft DCO	Reason for amendment
	Management Scheme)	5 in response to Action Point 34 from the m the Second Biodiversity Hearing – 11 January 2019 [OD-009] Appendix C, Welsh Government Deadline 4 Submission [REP4-053]		involvement in the agreeing the details of the Community Safety Management Scheme (as part of the Emergency Group) under the Wylfa Newydd CoCP (prior to its submission under Requirement PW7). As the Community Safety Management Scheme comes out of the Wylfa Newydd CoCP, this requirement has been merged with Requirement PW7 as that requirement lists the various schemes under the CoCP that are subject to subsequent approvals.
38.	PW12 (Digital Infrastructure Plan)	Welsh Government Written Representation [REP2-367] Horizon response to Welsh Government Written Representation [REP3-034]	New Requirement PW12 inserted: <u>PW12 Digital Infrastructure Plan</u> <u>(1) Except for Work No.12, prior to the commencement of the authorised development, the undertaker must carry out a technical assessment of availability and capacity of mobile and broadband networks across the WNDA and provide the results of this assessment to the Welsh Government.</u> <u>(2) Following completion of the assessment under sub-paragraph (1), the undertaker must prepare and submit for information to the Welsh Government a Digital Infrastructure Plan which outlines the measures that the undertaker will implement to ensure sufficient mobile and broadband availability and capacity across the WNDA during construction and operation.</u> <u>(3) The plan provided under sub-paragraph (2) must be implemented throughout construction and operation of the authorised development.</u> <u>(4) Any revisions to the measures set out in the Digital Infrastructure Plan must be submitted for information to Welsh Government at least one month in advance of such revisions taking place and must ensure the ongoing provision of mobile and broadband availability and capacity across the WNDA during construction.</u> <u>(5) Where any revisions are submitted to the Welsh Government under sub-paragraph (4), the revised Digital Infrastructure Plan must be implemented for the remainder of the construction of the authorised development.</u>	New requirement for an assessment and Digital Infrastructure Plan to be provided, for information, to the Welsh Government. This requirement will be renumbered as PW11 in the final DCO.
39.	SPC1, SPC3, SPC9, SPC13, PW7, WN9, WN11, WN14, WN19, WN21, OH9, OH10, ECS2, ECS3, and ECS4	NRW Written Representation [1.3], [2.8-2.11] Horizon response to NRW Written Representation at [2.1.9 – 2.1.13]	Requirements amended to include "in consultation with NRW" after "approved by IACC".	Amended to provide NRW with a consultation role in respect of approvals under these requirements. Schedule 19 has also been amended to make it clear that discharging authorities ay consult any other statutory body in determining whether to discharge a requirement.

	Provision	Source of Change	Amended, and where relevant, numbering of new provision in revised draft DCO	Reason for amendment
40.	SPC8 (Archaeological Written Scheme of Investigation)	Welsh Government Deadline 4 submission [REP4-053]	<p>Requirement SPC8 is amended as follows:</p> <p>SPC8 Archaeological Written Scheme of Investigation</p> <p>(1) No part of the SPC Works <u>Work No.12</u> may commence until a Written Scheme of Investigation, relating to archaeological remains, historic buildings and historic landscapes, has been submitted to and approved by IACC <u>in consultation with Cadw</u>.</p> <p>[...]</p>	As requested by the Welsh Government, amended to provide Cadw with a consultation role in respect of approvals under this requirement.
41.	SPC13 – restoration scheme	-	<p>Requirement SPC13 is amended as follows:</p> <p>Restoration scheme</p> <p>(1) In the event that the undertaker elects not to continue with the construction of the Work No.12 <u>SPC Works</u> and the authorised development, the undertaker must, within one month of its decision, serve notice in writing to IACC of the date of cessation of construction.</p> <p>(2) Within 6 months of notice being served under sub-paragraph (1), a restoration scheme must be submitted to IACC for approval, <u>in consultation with NRW</u>.</p> <p>(3) The restoration scheme submitted under sub-paragraph (2) must include a <u>restoration code</u> Restoration Code of <u>construction practice</u> Construction Practice which sets out the methods and strategies to be followed by the undertaker in undertaking the restoration of those parts of the WNDAs affected by <u>Work No.12</u> the SPC Works or authorised development.</p> <p><u>(4) No restoration of those parts of the WNDAs affected by Work No.12 may commence until IACC has approved the scheme submitted under sub-paragraph (2).</u></p> <p>(4)(5) Restoration of those parts of the WNDAs affected by <u>Work No.12</u> the SPC Works or authorised development must be undertaken in accordance with the restoration scheme approved under sub-paragraph (2) and completed within 12 months of approval, unless otherwise approved by IACC.</p>	Requirement SPC13 amended to provide for restoration where Work No.12 is abandoned.
42.	WN1 – Main Power Station Site sub-CoCP	Various comments by Interested Parties on the lack of detail within the control documents.	<p>Requirement WN1 is amended as follows:</p> <p>Main Power Station Site sub-CoCP and Schemes</p> <p>(1) Except for Work No.s1J, the construction of the Power Station Works must be carried out in accordance with the Wylfa Newydd CoCP and the Main Power Station Site sub-CoCP, unless otherwise approved by IACC. In the event of conflict between the Wylfa Newydd CoCP and Main Power Station Site sub-CoCP, the Main Power Station Site sub-CoCP will prevail.</p> <p>(2) The construction of Work No.s 1J must be carried out in accordance with the Wylfa Newydd CoCP and the A5025 Off-Line Highway Improvements sub-CoCP, unless otherwise approved by IACC. In the event of conflict between the Wylfa</p>	<p>Additional requirements inserted in response to issues raised by stakeholders. New schemes have been proposed for those elements of the Main Power Station Site sub-CoCP where detail will need to be developed later.</p> <p>NRW has been provided with a consultation role in respect of the drainage and lighting schemes. NWP has been provided with a consultation role in respect of the Protest Management and AIL Management Schemes.</p>

	Provision	Source of Change	Amended, and where relevant, numbering of new provision in revised draft DCO	Reason for amendment
			<p>Newydd CoCP and A5025 Off-Line Highway Improvements sub-CoCP, the A5025 Off-Line Highway Improvements sub-CoCP will prevail.</p> <p><u>(3) Prior to the commencement of the Power Station Works or Site Campus the following schemes must be submitted to the discharging authority identified in Part 2 of Schedule 21 for approval:</u></p> <p><u>(a) Archaeological Mitigation Scheme, including a Written Scheme of Investigation;</u></p> <p><u>(b) Abnormal Indivisible Loads Management Scheme;</u></p> <p><u>(c) Overarching Construction Drainage Scheme;</u></p> <p><u>(d) Protest Management Scheme; and</u></p> <p><u>(e) Overarching Construction Lighting Scheme.</u></p> <p><u>(4) All schemes submitted under paragraph (2) must be prepared in accordance with the details identified in Part 2 of Schedule 21.</u></p> <p><u>(5) No part of the Power Station Works or Site Campus Works may commence until the schemes submitted under paragraph (2) have been approved by the discharging authority, in consultation with the relevant consultee identified for that scheme in Part 2 of Schedule 21.</u></p> <p><u>6) Construction of the Power Station Works and Site Campus Works must be in accordance with the schemes approved under sub-paragraph (5), unless otherwise agreed by IACC, in consultation with the consultee identified for that scheme in Part 2 of Schedule 21.</u></p>	<p>A new Schedule 21 (to be numbered as 4 in the final DCO) has been inserted to set out the consultees and details that apply to each specific scheme.</p>
43.	<p>WN9 – Final landscape and habitat scheme</p>	<p>IACC Written Representation at [7.4.1] [REP2-218]</p> <p>IACC response to FWQ4.0.68 [REP2-153]</p> <p>Horizon's response IACC's response to FWQ4.0.68 [REP3-005]</p> <p>Horizon response to IACC Written Representation at p.40 - 43 [REP3-019]</p> <p>Second Written Question 2.2.7 [PD-013]</p>	<p>Requirement WN9 amended as follows:</p> <p>WN9 Final Landscape and Habitat Scheme</p> <p>(1) Within 24 months of the First Nuclear Concrete for Unit 1, 12 months prior to the anticipated Unit 2 Commissioning Date, a final landscape and habitat scheme for the WNDA during the operational phase of the authorised development must be submitted to IACC for approval.</p> <p>(2) The final landscape and habitat scheme submitted under sub-paragraph (1) must be prepared in accordance with the overarching and operational principles in Chapter 4 of the LHMS, and the Wylfa Newydd Development Area Retention Plans and include details of—</p> <p>(a) the location, number, species, size and planting density of any proposed planting;</p> <p>(b) proposed permanent ground levels;</p> <p>(c) areas of permanent mounding and associated landscape treatments;</p> <p>(d) proposed permanent public access and recreational facilities;</p> <p>(e) proposed watercourse diversions and permanent drainage designs;</p> <p>(f) details of any existing landscapes (wetland, woodland, grassland, trees) to be retained;</p>	<p>Trigger for submission of the final landscape and habitat scheme amended in response to IACC comments. FNC has been used as a trigger as this is when construction excavation works would have completed and Horizon would be able to determine landscaping requirements.</p> <p>Sub-paragraph (3) has been amended in response to Second Written Question 2.2.7 to clarify when the works under the final landscape and habitat scheme must be completed.</p> <p>Sub-paragraph (4) amended to refer to hedgerow and to specify that any replacement tree, hedgerow or shrub will be a like for like replacement.</p> <p>New (5) inserted at the request of IACC.</p>

	Provision	Source of Change	Amended, and where relevant, numbering of new provision in revised draft DCO	Reason for amendment
			<p>(g) details of any habitat created or enhanced; and</p> <p>(h) details of any hard landscaping, means of enclosure, lighting, street furniture and signage.</p> <p><u>(3) Commencement of the final landscape and habitat works must not commence until the scheme submitted under sub-paragraph (2) has been approved by IACC, in consultation with NRW.</u></p> <p>(4) The final landscape and habitat works may not be commenced until the scheme submitted under <u>sub-paragraph (3)</u> must be carried out in accordance with the final landscape and habitat scheme approved under sub-paragraph (1), unless otherwise approved by IACC, <u>and completed within 24 months of operation of Unit 2.</u></p> <p>(5) Any tree, <u>hedgerow</u>, or shrub planted as part of an approved landscaping and habitat scheme under sub-paragraph (1) that, within a period of five years after planting, is removed, dies or becomes, in the opinion of IACC, seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and <u>similar size as that replaced as that originally planted</u>, unless otherwise approved by IACC.</p> <p><u>(6) Any vegetation sown as part of an approved landscaping and habitat scheme under sub-paragraph (1) that, within a period of five years after sowing, is removed, dies or becomes, in the opinion of IACC, seriously damaged or diseased, must be reinstated in the first available sowing season with seeds of a species and provenance to be approved by IACC.</u></p>	
44.	WN10 – Wylfa Newydd CoOP	Various comments by Interested Parties on the lack of detail within the control documents.	<p>Requirement WN10 amended as follows:</p> <p>WN10 Wylfa Newydd CoOP and Schemes</p> <p>(1) The operation and maintenance of the Power Station Works must be carried out in accordance with the Wylfa Newydd CoOP, unless otherwise approved by IACC.</p> <p><u>(2) Prior to the operation of the Power Station Works an Operational Lighting Scheme for the WNDA must be submitted to the discharging authority identified in Part 2 of Schedule 21 for approval.</u></p> <p><u>(3) The schemes submitted under paragraph (2) must be in accordance with the details identified in Part 2 of Schedule 21.</u></p> <p><u>(4) Operation of the Power Station Works must not commence until the scheme submitted under paragraph (2) has been approved by the discharging authority in consultation with the relevant consultee identified for that scheme in Part 2 of Schedule 21.</u></p> <p><u>(5) Construction of the Power Station Works must be in accordance with the scheme approved under sub-paragraph (4), unless otherwise agreed by IACC in consultation with the consultee identified for that scheme in Part 2 of Schedule 21.</u></p>	In response to requests by stakeholders, Requirement WN10 has been amended to require Horizon to submit an operational lighting strategy for the WNDA for approval prior to operation of the Power Station.

	Provision	Source of Change	Amended, and where relevant, numbering of new provision in revised draft DCO	Reason for amendment
45.	WN11 – Landscape and habitat management schemes	<p>In its Written Representation, National Trust queried the meaning of the reference to "sympathetic agricultural use" in WN11. [REP2-319]</p> <p>IACC Written Representation at [7.4.1] [REP2-218]</p> <p>IACC response to FWQ4.0.69 [REP2-153]</p> <p>Horizons response to IACC's response to FWQ4.0.69 [REP3-005]</p>	<p>Requirement WN11 amended as follows:</p> <p>WN11 Landscape and Habitat Management Schemes</p> <p>(1) Prior to completion of the habitat and landscape works under Requirement WN8 and WN9(3), management schemes relating to management and maintenance of habitat and landscape works will be submitted to IACC for approval and approved by IACC in consultation with NRW.</p> <p>(2) The management schemes will will must be prepared and submitted under sub-paragraph (1) for the following habitat and landscape works or features—</p> <ul style="list-style-type: none"> (a) existing habitats associated with watercourse diversions; (b) <u>retained and newly-created habitats and landscaping and land returned to sympathetic agricultural use;</u> (c) drainage channels and ponds; (d) Tre'r Gof SSSI; (e) Cae Gwyn SSSI /Great Crested Newt Receptor Site (relating to the small portion which will be owned by the undertaker when option land is purchased); (f) <u>Wylfa Head (including the coastal strip which extends towards Cemaes); That part of the Arfordir Mynydd y Wylfa – Trwyn Penrhyn Wildlife Site that is within the Order limits;</u> (g) woodland designed by Dame Sylvia Crowe for the Existing Power Station; (h) retained ancient woodland and boundary habitats; (i) development buffer zones (around watercourses and designated sites); and (j) Wildlife structures (e.g. bat barns) and associated planting/buffers. <p>[...]</p> <p>(4) The management of habitat and landscape works identified under sub-paragraph (2) must be carried out in accordance with the relevant management scheme approved under sub-paragraph (1), unless otherwise approved by IACC, <u>and implemented following completion of works under Requirements WN8 and WN9.</u></p>	<p>At Deadline 2, Horizon amended the LHMS to relocate the 40hectares of land that had been identified as 'sympathetically managed agricultural grassland' to other types of habitat. As such, reference to "sympathetic agricultural use" in WN11 is no longer required.</p> <p>Sub-paragraph (2)(f) amended to include requests from IACC in response to FWQ4.0.69.</p> <p>Sub-paragraph (4) has been amended in response to SWQ2.2.7 to clarify when the managements schemes will be implemented.</p>
46.	WN12 – Notable Wildlife Enhancement Area	<p>IACC Written Representation at [7.4.1] [REP2-218]</p> <p>Horizon response to IACC Written Representation at p.40 - 43 [REP3-019]</p>	<p>Requirement WN12 amended as follows:</p> <p>WN12 Notable Wildlife Enhancement Area</p> <p>(1) Within <u>12 months prior to the commencement</u> of the authorised development commencing, a management scheme for the long-term management of the Notable Wildlife Enhancement Sites must be submitted to IACC for approval.</p> <p>[...]</p>	<p>Trigger for submission of the management scheme for long-term management of the site amended in response to IACC comments.</p>

	Provision	Source of Change	Amended, and where relevant, numbering of new provision in revised draft DCO	Reason for amendment
47.	WN13 – Reptile Receptor Site	IACC Written Representation at [7.4.1] [REP2-218] Horizon response to IACC Written Representation at p.40 - 43 [REP3-019]	Requirement WN13 amended as follows: WN13 Reptile Receptor Site (1) Within <u>12 months prior to the commencement</u> of the authorised development commencing , a management scheme for the long-term management of the Reptile Receptor Site must be submitted to IACC for approval. [...]	Trigger for submission of the management scheme for long-term management of the site amended in response to IACC comments.
48.	WN14 – Great Crested Newt Receptor Site	IACC Written Representation at [7.4.1] [REP2-218] Horizon response to IACC Written Representation at p.40 - 43 [REP3-019]	Requirement WN14 amended as follows: WN14 Great Crested Newt Receptor Site (1) Within <u>12 months prior to the commencement</u> of the authorised development commencing , a management scheme for the long-term management of the Great Crested Newt Receptor Site must be submitted to IACC for approval. [...]	Trigger for submission of the management scheme for long-term management of the site amended in response to IACC comments.
49.	New Requirements WN[A],WN[B]– Phased Construction lighting and drainage plans	Various comments by Interested Parties on the lack of detail regarding construction drainage and lighting.	Two new requirements inserted to provide for phased construction drainage and lighting plans within the WNDA to be submitted in accordance with the Overarching Plans approved under Requirement WN1: <u>WN[A] Phased Construction Drainage Plans</u> <u>(1) No phase of the Power Station Works may commence until a construction drainage plan for that phase has been submitted, for information, to IACC and NRW.</u> <u>(2) Any plan submitted under sub-paragraph (1) must be prepared in accordance with the Overarching Construction Drainage Scheme approved under Requirement WN1 and implemented throughout the construction of that specific phase.</u> <u>(3) Any revisions to a construction phase drainage plan submitted under sub-paragraph (1) must be submitted for information to IACC at least two months in advance of such revisions taking effect and must be in accordance with the approved Overarching Construction Drainage Scheme.</u> <u>WN[B] Phased Construction Lighting Plans</u> <u>(1) No phase of the Power Station Works may commence until a construction lighting plan for that phase has been submitted, for information, to IACC and NRW.</u> <u>(2) Any plan submitted under sub-paragraph (1) must be prepared in accordance with the Overarching Construction Lighting Scheme approved under Requirement WN1 and implemented throughout the construction of that specific phase.</u> <u>(3) Any revisions to a construction phase drainage plan submitted under sub-paragraph (1) must be submitted for information to IACC at least two months in</u>	In response to stakeholder requests, new requirements have been included which require Horizon to submit phased construction lighting and drainage for each construction phase on the WNDA for approval by IACC. These phased plans must be in accordance with the overarching schemes approved under Requirement WN1.

	Provision	Source of Change	Amended, and where relevant, numbering of new provision in revised draft DCO	Reason for amendment
			<u>advance of such revisions taking effect and must be in accordance with the approved Overarching Construction Lighting Scheme.</u>	
50.	WN21 – Landscape detailed design	IACC response to FWQ4.0.69 [REP2-153] Horizons response to IACC's response to FWQ4.0.69 [REP3-005] Horizon response to IACC Written Representation at p.18/19 [REP3-019]	Requirement WN21 is amended as follows: WN21 Landscape Detailed Design [...] (4) Any tree, <u>hedgerow</u> , or shrub planted as part of an approved landscaping and habitat scheme under sub-paragraph (1) that, within a period of five years after planting, is removed, dies or becomes, in the opinion of IACC, seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and <u>similar size as that replaced as that originally planted</u> , unless otherwise approved by IACC. <u>(5) Any vegetation sown as part of an approved landscaping and habitat scheme under sub-paragraph (1) that, within a period of five years after sowing, is removed, dies or becomes, in the opinion of IACC, seriously damaged or diseased, must be reinstated in the first available sowing season with seeds of a species and provenance to be approved by IACC.</u>	Sub-paragraph (4) amended to refer to hedgerow and to specify that any replacement tree, hedgerow or shrub will be a like for like replacement. New (5) inserted at the request of IACC.
51.	WN24 to WN28 (Marine Works)	NRW Written Representation [1.3], [2.8-2.11]	Requirements amended to include "in consultation with NRW Advisory Service" after "approved by NRW".	Amended to provide NRW Advisory Service with a consultation role in respect of approvals under these requirements.
52.	OPSF1 - Off-Site Power Station Facilities Sub-CoCP and Schemes	Various comments by Interested Parties on the lack of detail within the control documents.	Requirement OPSF1 is amended as follows: Off-Site Power Station Facilities Sub-CoCP and Schemes (1) The construction of the Off-Site Power Station Facilities must be carried out in accordance with the Wylfa Newydd CoCP and the Off-Site Power Station Facilities sub-CoCP, unless otherwise approved by IACC. In the event of conflict between the Wylfa Newydd CoCP and Off-Site Power Station Facilities sub-CoCP, the Off-Site Power Station Facilities sub-CoCP will prevail. <u>(2) Prior to the construction of the Off-Site Power Station Facilities, the following schemes must be submitted to the discharging authority identified in Part 1 of Schedule 21 for approval:</u> (a) <u>Archaeological Mitigation Scheme, including a Written Scheme of Investigation; and</u> (b) <u>Construction Lighting Scheme.</u> <u>(3) All schemes submitted under paragraph (2) must be in accordance with the details identified in Part 2 of Schedule 21.</u> <u>(4) Construction of the Off-Site Power Station Facilities must not commence until the schemes submitted under sub-paragraph (2) have been approved by the discharging authority, in consultation with the relevant consultee identified for that scheme identified in Part 2 of Schedule 21.</u> <u>(5) Construction of the Off-Site Power Station Facilities must be undertaken in accordance with the schemes approved under sub-paragraph (2), unless</u>	In response to requests by stakeholders, Requirement OPSF1 has been amended to require Horizon to submit an Archaeological Mitigation Scheme and a Construction Lighting Scheme for approval prior to commencement works on the Off-Site Power Station Facilities.

	Provision	Source of Change	Amended, and where relevant, numbering of new provision in revised draft DCO	Reason for amendment
			<u>otherwise approved by the discharging authority identified in Part 2 of Schedule 21.</u>	
53.	OPSF5- Operational car and cycle parking	Second Written Question 2.4.36 [PD-013]	Title to this requirement amended to "Operational car parking"	Amended as there is no identified maximum cycle provision at this Site.
54.	PR1 - Dalar Hir Park and Ride sub-CoCP and Schemes	Various comments by Interested Parties on the lack of detail within the control documents.	<p>Requirement PR1 is amended as follows:</p> <p>Dalar Hir Park and Ride sub-CoCP and Schemes</p> <p>(1) The construction and operation of the Park and Ride facility must be carried out in accordance with the Wylfa Newydd CoCP and the Dalar Hir Park and Ride sub-CoCP, unless otherwise approved by IACC. In the event of conflict between the Wylfa Newydd CoCP and the Dalar Hir Park and Ride sub-CoCP, the Dalar Hir Park and Ride sub-CoCP will prevail.</p> <p><u>(2) Prior to the construction of any phase of the Park and Ride facility, a construction lighting scheme for that phase must be submitted to the discharging authority identified in Part 1 of Schedule 21 for approval.</u></p> <p><u>(3) The scheme submitted under paragraph (2) must be in accordance with the details identified in Part 2 of Schedule 21.</u></p> <p><u>(4) Construction of any phase of the Park and Ride facility must not commence until the construction lighting scheme for that phase has been approved by the discharging authority in consultation with the identified consultee in Part 2 of Schedule 21.</u></p> <p><u>(5) Construction of any phase of the Park and Ride facility must be undertaken in accordance with the scheme approved for that phase under sub-paragraph (2), unless otherwise approved by the discharging authority identified in Part 2 of Schedule 21.</u></p>	In response to requests by stakeholders, Requirement PR1 has been amended to require Horizon to submit an Construction Lighting Schemes for each phase of the Park and Ride for approval prior to commencement of that phase.
55.	PR6 – Park and Ride Facility Decommissioning Scheme	IACC FWQ response to Q4.0.88 [REP2-153] Horizons response to Interested Parties responses to FWQ4.0.88 [REP3-005]	<p>Requirement PR6 amended as follows:</p> <p>PR6 Park and Ride facility dDecommissioning strategy Scheme</p> <p>(2) A decommissioning scheme<u>strategy</u> under sub-paragraph (1) must be submitted to IACC for approval no later than three months prior to the anticipated Unit 2 Commissioning Date, unless otherwise agreed with IACC, and must include details of—</p> <ul style="list-style-type: none"> (a) the timeframes for decommissioning, removal, restoration and maintenance works; (b) restoration and maintenance of structures to remain within watercourse; (c) reinstatement of habitats affected by the Park and Ride facility; (d) proposed works to return the land to agricultural use; and (e) the handover environmental management plan <u>(which must include a aftercare plan for a period of 3 years)</u> agreed with IACC. <p>[...]</p>	Amendments made in response to request by IACC to include an aftercare plan as part of the handover environmental management plan under (2)(e).

	Provision	Source of Change	Amended, and where relevant, numbering of new provision in revised draft DCO	Reason for amendment
56.	Requirements with maintenance provisions – LC2(2); LC3(4); OH8(4); WN9(4); OPSF2(4); PR2(2); PR3(4)	Horizons response to Interested Parties responses to FWQ4.0.68 [REP3-005]	<p>Clarification within landscaping maintenance provisions within site-specific requirements:</p> <p>[...] Any tree or shrub planted as part of the Detailed Design Drawings in subparagraph (1) that, within a period of five years after planting, is removed, dies or becomes, in the opinion of IACC, seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and <u>similar size as that originally planted being replaced</u>, unless otherwise approved by IACC.</p>	Clarification that Horizon will be required to provide a like for like replacement of the tree at the time it is removed.
57.	LC1 - Logistics Centre Sub-CoCP and Schemes	Various comments by Interested Parties on the lack of detail within the control documents.	<p>Requirement LC1 amended as follows:</p> <p><u>Parc Cybi Logistics Centre Sub-CoCP and Schemes</u></p> <p>(1) The construction and operation of the authorised development on the Logistics Centre must be carried out in accordance with the Wylfa Newydd CoCP and the Parc Cybi Logistics Centre sub-CoCP, unless otherwise approved by IACC. In the event of conflict between the Wylfa Newydd CoCP and the Parc Cybi Logistics Centre sub-CoCP, the Parc Cybi Logistics Centre sub-CoCP will prevail.</p> <p><u>(2) Prior to the construction of the Logistics Centre the following schemes must be submitted to the discharging authority identified in Part 2 of Schedule 21 for approval:</u></p> <p>(a) <u>Archaeological Mitigation Scheme, including a Written Scheme of Investigation; and</u></p> <p>(b) <u>Construction Lighting Scheme.</u></p> <p><u>(3) All schemes submitted under paragraph (2) must be in accordance with the details identified in Part 2 of Schedule 21.</u></p> <p><u>(4) No part of the Logistics Centre may commence until the schemes submitted under paragraph (2) have been approved by the discharging authority, in consultation with the relevant consultee identified for that scheme in Part 2 of Schedule 21.</u></p> <p><u>(5) Construction of the Logistics Centre must be in accordance with the schemes approved under sub-paragraph (4), unless otherwise agreed by IACC, in consultation with the consultee identified for that scheme in Part 2 of Schedule 21.</u></p>	Amendments to require Horizon to submit an Archaeological Mitigation Scheme and Construction Lighting Scheme for the Logistics Centre for approval prior to commencement of works on site.
58.	LC3 (Detailed Design Approval)	PM Note at [10][EV-013] Appendix C, Welsh Government Deadline 4 Submission [REP4-053]	<p>Requirement LC3 amended as follows:</p> <p><u>LC3 Logistics Centre detailed design approval</u></p> <p>(1) In the event that the undertaker elects not to construct the Logistics Centre in accordance with the Detailed Design Drawings for the Logistics Centre in Schedule 2 of this Order, no construction may commence in respect of any building or other structure identified within Requirement LC4 until plans and written details of the design of such building or other structure (including size,</p>	Cadw inserted as a consultee in respect of design to ensure retention of views between heritage features.

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			siting and external appearance) have been submitted to and approved by IACC, <u>in consultation with Cadw in relation to heritage matters.</u>	
59.	LC6 (Operational HGV parking)	Appendix C, Welsh Government Deadline 4 Submission [REP4-053]	Requirement LC6 amended as follows: Operational HGV parking (2) Except in an emergency, the number of parking spaces for HGVs provided and available during the operation of the Logistics Centre site must not exceed 100 spaces, excluding spaces allocated for search and screening facilities, waiting, and inspections. (2) For the purposes of this requirement, an emergency would be an event that prevents or seriously impacts on HGV movements on the A5025 <u>or A55 and any slip roads (Junction 2 to Junction 10)</u> and results in HGVs remaining at the Logistics Centre <u>or WNDA</u> until deliveries or movements can be resumed.	LC6(2) amended in response to a request from Welsh Government and SWQ
60.	LC7 – Logistics Decommissioning Scheme	-	Requirement LC7 amended as follows: LC7 Logistics dDecommissioning strategy Scheme [...] (2) A decommissioning strategy scheme submitted under sub-paragraph (1) must be submitted to IACC for approval <u>no</u> later than three months <u>prior</u> to the anticipated Unit 2 Commissioning Date, unless otherwise agreed with IACC, and must include details of— [...]	Insertion of "prior" within paragraph (2) for clarity of trigger.
61.	OH1 - A5025 Off-Line Highway Improvements Sub-CoCP and Schemes	Various comments by Interested Parties on the lack of detail within the control documents.	Requirement OH1 amended as follows: A5025 Off-Line Highway Improvements Sub-CoCP <u>and Schemes</u> (1) The construction of the A5025 Off-Line Highway Improvements and Work No.1J must be carried out in accordance with the Wylfa Newydd CoCP and the A5025 Off-Line Highway Improvements sub-CoCP, unless otherwise approved by IACC. In the event of conflict between the Wylfa Newydd CoCP and the A5025 Off-Line Highway Improvements sub-CoCP, the A5025 Off-Line Highway Improvements sub-CoCP will prevail. (2) <u>Prior to the construction of any part A5025 Off-Line Highway Improvements and Work No.1J, a construction lighting scheme for that part must be submitted to the discharging authority identified in Part 1 of Schedule 21 for approval.</u> (3) <u>All schemes submitted under paragraph (2) must be in accordance with the details identified in Part 2 of Schedule 21.</u> (4) <u>Construction of any part of the A5025 Off-Line Highway Improvements and Work No.1J must not commence until the construction lighting scheme for that part has been approved by the discharging authority in consultation with the identified consultee in Part 2 of Schedule 21.</u>	In response to requests by stakeholders, Requirement PR1 has been amended to require Horizon to submit an Construction Lighting Schemes for each part of the Park and Ride for approval prior to commencement of that part.

	Provision	Source of Change	Amended, and where relevant, numbering of new provision in revised draft DCO	Reason for amendment
			<p>(5) <u>Construction of any part of the A5025 Off-Line Highway Improvements and Work No.1J must be undertaken in accordance with the scheme approved for that phase under sub-paragraph (4), unless otherwise approved by IACC.</u></p> <p>(6) <u>Where any revisions are submitted to IACC under sub-paragraph (4), the revised construction lighting plan for that part must be implemented for the remainder of construction.</u></p>	
62.	OH4 – Boundary treatment design	<p>IACC Written Representation at [5.4.7] [REP2-218]</p> <p>Horizon response to IACC Written Representation at p.31 [REP3-019]</p>	<p>Requirement OH4 amended as follows:</p> <p>OH4 Boundary Treatment Design</p> <p>(1) No construction of any fencing <u>boundary treatment</u> along the boundaries of the A5025 Off-Line Highway Improvements may commence until plans and written details of the design (including size, siting, and external appearance) have been submitted to <u>and approved by IACC</u> for approval.</p> <p>(2) The details submitted under sub-paragraph (1) must be prepared in accordance with the design principles relating to the A5025 Off-Line Highway Improvements in volume 3 of the DAS.</p> <p>(3) The construction of any fencing <u>boundary treatment</u> comprised in the A5025 Off-Line Highway Improvements must be undertaken in accordance with the details approved under sub-paragraph (1), unless otherwise approved by IACC.</p>	<p>Requirement OH4 amended to refer to boundary treatments, rather than fencing, as other boundary treatments may be more appropriate along the A5025 Off-Line Highway Improvement Works.</p>
63.	OH8 – Landscape detailed design	<p>IACC Written Representation at [7.4.1] [REP2-218]</p> <p>Horizon response to IACC Written Representation at p.40 - 43 [REP3-019]</p>	<p>Requirement OH8 amended as follows:</p> <p>OH8 Landscape Detailed Design</p> <p>(1) Six months prior to the <u>operation of Work No.s 8, 9, 10 or 11 may not commence until detailed</u> plans and written details of the landscape design (including location species and planting density, finished ground levels and materials) have been <u>must be</u> submitted to IACC for approval.</p> <p>[...]</p>	<p>Trigger amended in response to IACC's request.</p>
64.	ECS4 – Pre-commencement monitoring	<p>In response to FWQ4.0.99, NRW sought amendments to ECS4 to ensure it included a requirement to submit a hydrogeological/ecological conceptual model and hydrochemical modelling.</p> <p>Horizons response to Interested Parties responses to FWQ4.0.99 [REP3-005]</p>	<p>Requirement ECS3 amended as follows:</p> <p>ECS4 Pre-commencement monitoring</p> <p>(1) No <u>Prior to the construction of the Ecological Compensation Sites at Cae Canol-dydd or Cors Gwawr may commence until</u> hydrological and hydrogeological monitoring has been <u>must be</u> undertaken comprising—</p> <p>(a) ground investigations to identify soils and geology of the sites; and</p> <p>(b) hydrological monitoring comprising installation of boreholes, piezometers, surface water monitoring and any other relevant installations; <u>and</u></p> <p>(c) <u>hydrochemical monitoring (including nutrient and base status).</u></p> <p>(2) No construction of the Ecological Compensation Sites at Cae Canol-dydd or Cors Gwawr may commence until plans and written details of the design of the drainage works have been submitted to IACC for approval <u>and approved by IACC in consultation with NRW.</u></p>	<p>Amendments made to reflect requests by NRW as well as requirement to submit plans for approval prior to commencement.</p>

	Provision	Source of Change	Amended, and where relevant, numbering of new provision in revised draft DCO	Reason for amendment
			<p>(a) plans and written details of the design of the drainage works; and</p> <p>(b) a hydrogeological/ecological conceptual model to inform habitat design, have been submitted to and approved by IACC in consultation with NRW.</p> <p>(3) The details submitted under sub-paragraph (2) must be prepared in accordance with the data collected as part of the monitoring undertaken under sub-paragraph 1(a) <u>to (c)</u> and (b).</p> <p>(4) Construction of drainage works at Cae Canol-dydd or Cors Gwawr must be undertaken in accordance with the details approved under sub-paragraph (2), unless otherwise approved by IACC.</p>	
65.	Schedule 4 – Deemed approval or compliance	Welsh Government Call in Decision – Appendix D Welsh Government Deadline 4 Submission [REP4-053]	Deletion of Schedule 4 (Deemed approval or compliance).	Due to the recent call in of the site preparation permission application by Welsh Government, Horizon is unable to confirm the final set of conditions under that permission (if it is granted) and how these correspond to DCO Requirements. For this reason, Horizon has deleted this schedule and amended article 5 to provide that Horizon and IACC will agree what documents, plans, works etc. undertaken pursuant to the SPC Permission will be deemed compliance for the purposes of the SPC DCO Requirements.
66.	Schedule 14 – Land subject to temporary possession only	Following discussions with IACC Highways	Updates to list of plots within Schedule 14.	Schedule 14 has been updated to reflect Class 5 Highway rights.
67.	Schedule 15 – Protective Provisions	Discussions with Statutory Undertakers	Draft protective provisions with statutory undertakers inserted.	Insertion of protective provisions to show current status of negotiations. Only Magnox’s provisions have been agreed.
68.	Schedule 17 – Removal of Important Hedgerows	IACC response to FWQs – Q4.0.51 [REP2-153] in which it provided an appendix with some corrections to cross-referencing within Schedule 17. Horizon comments on IACC response to FWQ4.0.51 [REP3-005]	Various minor amendments to Schedule 17.	Amendments made to plan references to correct minor cross-referencing errors identified by IACC.
69.	Schedule 18 – Certified documents	-	Updates to insert the latest version numbers of certified documents within Schedule 18 and to add reference to the Environmental Statement Addendum.	Schedule 18 updated to reflect updated control documents submitted at Deadlines

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				3 (18 December 2018) and Deadline 4 (17 January 2019).
70.	Schedule 19, paragraph 1 – Applications	IACC Written Representation at [9.1-9.2] [REP2-218] Horizon response to IACC Written Representation at p.60-62 [REP3-019] Appendix C, Welsh Government Deadline 4 Submission [REP4-053]	Amend paragraph 1 of Schedule 19 as follows: Applications made under Requirement 1.—(1) [...] (3) In the event that the discharging authority does not determine an application within the period set out in sub-paragraph (1), the discharging authority is to be taken to have granted all parts of the application (without any condition or qualification) at the end of that period unless otherwise agreed in writing. (4)(3) Where an application is made to the discharging authority for any consent, agreement or approval required by an article or Requirement included in this Order and, the discharging authority intends to may consult NRW any statutory consultee in relation to that application as it considers relevant and the undertaker must as soon reasonably practicable comply with any direction from the discharging authority to provide a copy of the materials provided in support of the application to NRW the relevant statutory consultee. <u>(4) An indicative milestone schedule of all applications that the undertaker intends to submit under sub-paragraph (1) must be submitted to the discharging authority every six months following the commencement of the authorised development until the commencement of the operational period, unless otherwise agreed with the discharging authority.</u>	Removal of the deemed approval provisions as noted at the DCO ISH (9 January). Additional paragraphs inserted to make it clear that: <ul style="list-style-type: none">• IACC may consult any statutory consultee it considers relevant when considering an application for discharge (sub-paragraph 3);• Horizon will provide a rolling indicative schedule of all forthcoming applications to enable IACC to resource effectively (sub-paragraph 4) We note that removal of the deemed approval provisions has resolved all of Welsh Government's concerns on Schedule 19 [REP4-053].
71.	Schedule 19, paragraph 2 – Further Information	IACC Written Representation at [9.1-9.2] [REP2-218] Horizon response to IACC Written Representation at p.60-62 [REP3-019]	Amend paragraph 2 of Schedule 19 as follows: Further information 2.—(1) In relation to any application to which this Schedule applies, the discharging authority must have the right to request such further information, from the undertaker as is necessary to enable it to consider the application. (2), If the discharging authority considers such further information to be necessary and the Requirement does not specify that consultation with a Requirement consultee is required <u>or the discharging authority has determined it does not need to consult with any other statutory consultee in the discharge of the application submitted under paragraph 1</u> , the discharging authority must, within 10 business days of receipt of the application, notify the undertaker in writing specifying <u>any</u> the further information required. (3) If the Requirement specifies that consultation with a Requirement consultee is required <u>Where the discharging authority has determined it will consult with a statutory consultee in the discharge of the application submitted under paragraph 1 or a statutory body is identified within the Requirement</u> , the discharging authority must issue the consultation to <u>notify</u> the <u>relevant statutory Requirement</u> consultee within 1 business day of receipt of the application, and must notify the	Paragraph (2) amended to make it clear that the discharging authority may consult with any statutory consultees is considers appropriate.

	Provision	Source of Change	Amended, and where relevant, numbering of new provision in revised draft DCO	Reason for amendment
			undertaker in writing specifying any further information requested by the Requirement <u>relevant statutory</u> consultee within 1 business day of receipt of such a request and in any event within 21 days of receipt of the application.	
72.	Schedule 19, paragraph 3 – Fees	IACC Written Representation at [8.4] [REP2-218] Horizon response to IACC Written Representation at p.60-62 [REP3-019]	Paragraph 3 of Schedule 19 amended as follows: Fees 3.—[...] <u>(4) The fees prescribed in this paragraph 3 may be amended from time to time in accordance with any amendments to or replacements of the Town and Country Planning Act (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2017.</u>	New sub-paragraph (4) inserted to provide that fees set out in paragraph 3 may increase to reflect any amendments to the Town and Country Planning Act (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2017 (as amended or replaced).
73.	Schedule 19, paragraph 4 – Appeals	IACC Written Representation at [8.3.1 – 8.3.2] [REP2-218] PM Note at [4][EV-013] Horizon response to IACC Written Representation at p.59 [REP3-019]	Paragraph 4 of Schedule 19 amended as follows: Appeals 4.—(1) The undertaker may appeal in the event that— [...] <u>(d) the discharging authority does not give notice to the undertaker of its decision on an application submitted under paragraph 1(1) of this Schedule within the periods specified under paragraph 1(2).</u>	New (d) inserted into paragraph 4(1) of Schedule 19 to provide a right of appeal where no determination or notice of decision given within timeframes in Schedule 1. This is a consequential change following the removal of the deemed approval provision under paragraph 1(3).
74.	Schedule 19, paragraph 5 – Interpretation of this Schedule	IACC Written Representation at [9.1-9.2] [REP2-218] Horizon response to IACC Written Representation at p.60-62 [REP3-019]	Paragraph 5 amended as follows: Interpretation of this Schedule 5 (1) In this paragraph— [...] “major detailed requirements” means Requirements <u>PW7; PW10; WN11; WN3; WN6; WN8; WN9; WN10; WN11; WN18; WN19; WN23; WN25; OPSF2; PR3; LC3; OH3; and OH5 and OH8;</u> “Requirement consultee” means any <u>statutory consultee body named in a Requirement which is the subject of an appeal as a body to be consulted by the discharging authority in the discharging that of a Requirement which is the subject of an appeal.</u>	Amendment to requirements identified as “major detailed requirements”. Requirements relating to decommissioning and management of small or isolated sites and minor design details have been retained as minor and subject to 5 week determination period. Requirements relating to control documents (which have tailpiece provisions) have been retained as minor as any changes cannot be more than minor or outside the scope of the ES.
75.	Schedule 21 – control documents and schemes	-	New Schedule 21 inserted to outline details required for the preparation and approval of schemes under the Requirements.	New Schedule to specify area, consultee and details of the various schemes under the requirements. This should be renumbered as Schedule 4 in the final DCO.