



Triton Knoll Offshore Wind Farm Limited Triton Knoll Electrical System

**The Applicant's Response to
Deadline 7**

Date: 24 February 2016

**Document Ref: 2505-TKC-CON-
K-KX-0196**

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1. SUMMARY

- 1.1 In response to the Examining Authority's (ExA) letter of 11th September 2015 (the Rule 8 Letter), which set out the procedural timetable for the examination of the Triton Knoll Electrical System Application (Application Reference EN020019) ('the proposed development') and its subsequent letters of the 10th and 23rd February 2016, Triton Knoll Offshore Wind Farm Limited (The Applicant) has prepared the following:
- The Applicant's final draft Development Consent Order (DCO);
 - The Applicant's comments on the Report of the Implications for European Sites (RIES);
 - Additional information requested by the ExA; and
 - Update on the status of Statements of Common Ground (SoCG).
- 1.2 These documents (collectively 'the Response') are submitted for the deadline of 24th February 2016 specified in the Rule 8 Letter (Deadline 7) and are discussed in more detail below.

2. Applicant's final draft DCO

- 2.1 As requested by the ExA in its third questions, specifically DCO 3.5, the Applicant has submitted its final draft DCO (Revision G) in word and pdf format at Appendices 8 and 9 of the Response. A report to evidence that the draft DCO has been presented in the SI template is also presented at Appendix 10 of the Response.
- 2.2 The Applicant has also provided an revised Explanatory Memorandum (Revision B) to reflect the updates made through the examination process to the draft DCO submitted at Application (Revision A). This Explanatory Memorandum is provided at Appendix 11 to this response.
- 2.3 In addition, the Applicant has also provided comparison versions of the revised draft DCO, highlighting changes between the current version (Revision G) and Revision F and also between Revision G and Revision B (submitted in advance of the commencement of the Examination) as well as between Revision G and the original draft DCO (Revision A), submitted at Application. These documents are provided at Appendices 12, 13 and 14 respectively of this Response.
- 2.4 To assist the ExA, the Applicant has also provided an update to the Schedule of Changes to the draft DCO at Appendix 15 and an accompanying explanatory document at Appendix 16 to incorporate these further amendments.

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- 2.5 The Applicant draws the ExA's attention to the inclusion of text in square brackets in Requirement 5(11) and (12) and Requirement 23 of the draft DCO Revision G, presented in word and pdf format at Appendices 8 and 9 of the Response respectively. This is deliberate. The Applicant does not consider this text to be necessary for the reasons set out in Appendix 1 of the Applicant's Response to Deadline 6 [REP6-017], but is included in the event that the ExA and/or Secretary of State considers it to be required in the final form DCO.

3. The Applicant's comments on the Report of the Implications for European Sites (RIES)

- 3.1 The Applicant notes the comments made within the ExA's Report on the Implications for European Sites (RIES) published by the ExA on 10th February 2016.
- 3.2 On the basis of the discussions and work undertaken in conjunction with relevant IPs, the Applicant agrees with the findings of the ExA's RIES that there are no outstanding issues relating to Habitats Regulations matters and that agreed measures and requirements provide for the proposed development to proceed without an adverse effect on the integrity of any features of designated European Sites of relevance.

4. Additional information requested by the ExA

Updated Schedule of Compulsory Acquisition

- 4.1 The Applicant provided an update as to the status of the schedule of compulsory acquisition in its responses to each Deadline throughout the Examination of the proposed development. As requested in the ExA's third written questions, specifically in response to question CA 3.3, the Applicant has provided a further update at Appendix 18 to this Response.
- 4.2 The Applicant reported to the ExA during the Local Impact hearing on the 19th January 2016 and as summarised in Appendix 1 of the Applicant's response to Deadline 5 [REP5-014], that it had made a substantially improved time-limited financial offer to landowners. In addition, the Applicant has continued to engage with landowners, tenants and their respective representatives, including by arranging further meetings on site to discuss the proposed development.
- 4.3 The Applicant is pleased to report that significant progress has been made on securing Heads of Terms for private treaty agreements since Deadline 6. Heads of Terms have been agreed with, and signed by, 96 landowners at Deadline 7, as shown by the
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updated Schedule of Compulsory Acquisition. The Applicant anticipates that further sets of Heads of Terms will be signed by Deadline 8.

Protective Provisions

- 4.4 As requested in the ExA's third written questions, specifically CA 3.2, the Applicant has provided an update of progress on protective provisions at Appendix 41 to this Response.
- 4.5 The Applicant advises the ExA that it has agreed protective provisions with the Environment Agency and the Internal Drainage Boards, National Grid, Anglian Water Services and the Canal and Rivers Trust.
- 4.6 The Applicant can also report that protective provisions are also agreed with Network Rail, subject to written confirmation of agreement on the revised Deed of Undertaking and that draft protective provisions included for WPD at Part 8 of Schedule 8 of the draft DCO are in substantially agreed form. The Applicant will update the ExA as relevant at Deadline 8.

Other documents

- 4.7 The Applicant has also produced other documents, including updates to Application plans and outline management plans, in response to changes made through the examination as well as in response to issues raised by the ExA and by IPs during continued consultation and engagement undertaken by the Applicant. These documents, provided as Appendices to this Response, comprise the following:
- Updated Order Limits Plans at Appendix 1 to the Response;
 - Updated Works Plans at Appendix 2 to the Response;
 - Updated Access to Works Plans at Appendix 3 to the Response;
 - Updated Public Rights of Way (PRoW) Plans at Appendix 4 to the Response;
 - Updated Hedgerow Plans at Appendix 5 to the Response;
 - Updated Crossings Schedule at Appendix 6 to the Response;
 - Updated Land Plans at Appendix 7 to the Response;
 - Updated Plan of Plans; comprising a diagram of application documents relationships, originally submitted at Application (document reference 8.2 [APP-094]), with a subsequent update provided at Appendix 16 of the Applicant's response to Deadline 5 [REP05-029] at Appendix 17 of this Response;
 - Updated Funding Statement and a comparison document at Appendix 19 and 20 of the Response respectively;
 - Updated Statement of Reasons at Appendix 21 of the Response, together with a comparison version at Appendix 22;

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- Updated Outline Code of Construction Practice at Appendix 23 and a comparison document at Appendix 24 of the Response;
 - Updated Outline Landscape Strategy and Ecological Management Plan at Appendix 25 and comparison document at Appendix 26;
 - Updated Outline onshore Written Scheme of Investigation at Appendix 27 and a comparison document at Appendix 28;
 - Updated Outline Construction Method Statement at Appendix 29 and comparison document at Appendix 30;
 - Updated Outline Soil Management Plan at Appendix 31 and comparison document at Appendix 32;
 - Updated Outline Pollution Prevention and Emergency Incident Response Plan at Appendix 33 and a comparison document at Appendix 34;
 - Updated Outline Construction Environmental Management Plan at Appendix 35 and a comparison document at Appendix 36;
 - Updated Outline Communications Plan at Appendix 37 and a comparison document at Appendix 38;
 - An update to Application Document 8.15 [APP-115], presenting a schedule of mitigations and monitoring relating to the proposed development at Appendix 39 and a comparison document at Appendix 40;
 - A clarification note presenting further theoretical designs for drainage reinstatement at Appendix 42; and
 - Updated Book of Reference at Appendix 47, with an accompanying comparison document at Appendix 48 of the Response.

Book of Reference

- 4.8 The Applicant highlights to the ExA that, as requested in question CA 3.5, an updated version of the Book of Reference (Revision C) has been submitted at Deadline 7 as noted above, together with a comparison between the previous version (Revision B) [REP6-019] and current (Revision C).
- 4.9 The Book of Reference has been amended to correct a spelling mistake; “Forth”, being corrected to “Fourth” in “Witham Fourth District Internal Drainage Board” throughout. Witham Fourth’s interest in plots 26/06, 30/18, 33/14, 33/15 and 36/06 has also been noted.
- 4.10 The Applicant also refers the ExA to the schedule of updates to the plans listed above, which are certified by Article 36 *Certification of plans etc.* of the draft DCO (Revision G), including the outline management plans, that is presented, in tabular form, in **Part 1** of this Response.

Agricultural Land Drainage

4.11 The Applicant refers the ExA to Section 1 of the Agricultural Land Clarification Note submitted at Appendix 19 of the Applicant's Response to Deadline 5 [REP5-032], in particular the section on landowner engagement at paragraphs 1.25 to 1.30. As set out in previous responses, including Appendix 19 of the Applicant's response to Deadline 5, the Applicant has continued to meet with landowner to discuss drainage reinstatement.

4.12 Further meetings where drainage has been discussed in sufficient detail to allow the production of theoretical drainage plans have taken place with the following landowners during February 2016:

- D Willoughby
- M Everard
- Langham House Farm
- E A Dring Farms (two figures)

4.13 Detailed plans of these additional theoretical designs are presented as Examples 10 to 14 at Appendix 42 of the Response. The following provides a brief commentary on the figures presented in that Appendix.

Example 10 (D. Willoughby)

4.14 This theoretical drainage design demonstrates a straight forward example of a fairly modern 20 m spaced existing drainage system running south to north into the IDB ditch. A 160 mm header (cut off) drain would be installed to junction in the existing laterals thus diverting the water away from the Order limits and keeping the integrity of the drainage in the southern part of the field working normally. The northern part of the field drainage would operate as per the pre-construction. Once construction has been completed the Order limits would be drained running parallel with the cables.

Example 11 (M Everard)

4.15 This theoretical drainage design demonstrates the drainage reinstatement in a small field with the Order limits crossing at approximately 70 degrees to the existing drainage system. A 100 mm pipe would be trenched to allow connections to be made to the existing pipes allowing the high side of the field to drain as it did before the installation of the cable circuits. The post installation drains would run alongside and parallel to the working area.

Example 12 (Langham House Farm)

4.16 The drainage design demonstrates the drainage reinstatement in a recent drainage scheme installed approximately 6 years ago. The drainage system consists of plastic pipes connected into a 160 mm main out falling to the north west of the field. A 100 mm

main would be installed up the eastern fence line to intercept the 3 x 80 mm laterals and divert the water away from the Order limits. Three 80 mm drains would then be installed after construction running parallel with the Order limits. A new section of 160mm main (approximately 70 m) would be replaced and cross connected (to specification) over the cable trenches to allow the field to be drain as it did prior to installation of the cable corridor.

Example 13 (E A Dring Farms)

- 4.17 This drainage design demonstrates how a slightly more complicated drainage system, with several 'generations' of drainage, can be managed. An 80 mm pre-installation drain would be installed to pick up the one pipe which enters into the Order Limits from the south, allowing the drain to continue to function normally during construction.
- 4.18 Four 80 mm post installation drains would be installed after construction running parallel with the cables route to drain the working area as effectively as it was pre-construction. This design would enable both the existing and new drains to continue to be jetted, as it is understood that due to the nature of the land in this area, the ability for jet the drains must be maintained.

Example 14 (E A Dring Farms)

- 4.19 This drainage design demonstrates the approach to drainage reinstatement for two adjacent fields.
- 4.20 In the field to the west there would be no need for any pre installation drainage, as the existing drainage runs parallel to the Order limits and hence there would be no need to divert water away from the working area. Four 80 mm post installation drains would be installed after construction to drain the working area as it would have been prior to construction. In the field to the east, where the cable route deviates to cross the river Witham, the three existing drains would junction into an 80 mm drain for the duration of the construction period. Following construction, two post installation drains (from the east going west) would be installed and a physical connection made to the two remaining existing drains. This would allow the landowner to jet all three of the existing drains and the new post installation drain to the north of the field.
- 4.21 The Applicant highlights that, as demonstrated above and in previous submissions, where drainage information has been provided in relation to specific fields within the Order Limits, it has carried out a theoretical drainage design and has been able to demonstrate that reinstatement can take place within the Order Limits.
- 4.22 The Applicant has now provided theoretical drainage designs on the following:

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- Four fields that were agreed with the Land Interest Group (LIG) on 3rd December (Plot 001 – 004) at Appendix 46 of the Applicant’s response to Deadline 4 [REP4-079];
 - Four additional example theoretical designs (Examples 5 to 8) at Appendix 1 of Appendix 19 of the Applicant’s response to Deadline 5 [REP5-032]; and
 - Six designs based on engagement with landowners (Plot 009 and Examples 10 – 14 above) at Annex 1 of Appendix 21 of the Applicant’s response to Deadline 6 [REP6-037] and Appendix 42 of this Response.

4.23 The Applicant therefore considers that it has demonstrated, and continues to demonstrate, that agricultural land drainage can be effectively reinstated within the 60m Order limits. In addition the Applicant has already committed to carry out works outside of the Order Limits if a reasonable request to do so, subject to the agreement of the landowner.

5. Update on the status of Statements of Common Ground (SoCG)

5.1 The Applicant has provided an update on the status of Statements of Common Ground (SoCGs) at each Deadline and submitted signed documents, as well as unsigned drafts (where these were considered helpful to the ExA) between the Applicant and a number of Interested Parties through the Examination to date. As requested in the ExA’s third written questions, specifically question DCO 3.3, the Applicant has provided a further update in this Response at Appendix 43 of the Response, which reflects the status of discussions and agreements with all parties for which SoCGs have been pursued.

5.2 As requested by the ExA, it was the Applicant’s intention to have completed all SoCGs with IPs at Deadline 7, however some agreements are still to be finalised at this stage. In order to assist the ExA, an update on the SoCGs that were still outstanding at Deadline 6 is provided, in summary form, below.

ConocoPhillips

5.3 The Applicant can report that a final SoCG between the Applicant and ConocoPhillips (U.K) Limited has been submitted as Appendix 44 of the Response, with all matters now agreed.

Internal Drainage Boards

5.4 Initial progress was made between the Applicant and the IDBs, with a draft SoCG submitted at Deadline 1. Subsequent discussions identified issues that required resolution before the SoCG could be further progressed. As indicated at the hearings in November 2015, the parties agreed to meet on the 3 December 2015 to discuss

outstanding matters. The parties prepared and submitted a Joint Statement, to set out the outstanding matters and detail the discussions held at the meeting in December 2015, as Appendix 37 at Deadline 4.

5.5 The Applicant and the IDBs have worked toward agreeing a final SoCG, this document is agreed in principle and has been submitted for information as Appendix 45 of the Applicant's response to Deadline 7.

5.6 This document will be finalised and formally submitted as agreed by the Applicant and the IDBs at Deadline 8.

Environment Agency

5.7 The Applicant and the Environment Agency have submitted a Joint Statement as Appendix 46 of the Response, providing a final agreed position on the matters which were outstanding in the final SoCG submitted at Appendix 30 of the Applicant's response to Deadline 5 [REP5-043].

Lincolnshire County Council

5.8 The Applicant has continued discussions with LCC on the SoCG in relation to areas of outstanding discussion and on which LCC officer has a mandate to approve the SoCG. The Applicant met with LCC on the 12th February to discuss the SoCG. LCC representatives for tourism, LCCP and historic environment were not available prior to Deadline 6, however progress was made on a range of topics and actions identified.

5.9 The Applicant issued an updated (version 8) SoCG to LCC on the 16th February 2016 and received comments on the 23 February 2016. The Applicant and LCC are continuing to engage on the SoCG and the Applicant is confident that an agreed SoCG will be submitted at Deadline 8.

Canal and Rivers Trust

5.10 The Applicant has engaged in consultation with the Canal and River Trust, most recently to agree Protective Provisions on a call on 23 February 2016.

5.11 The Applicant and CRT are working towards a Joint Statement, confirming agreement on Protective Provisions and updating the ExA on progress with land agreements, for Deadline 8.

National Grid

5.12 NGET and NGG (together "National Grid") submitted a joint statement on 20 January 2016, and the Applicant submitted confirmation on 21 January 2016 that it is a joint Statement and made on behalf of the Applicant.

5.13 The joint statement sets out agreement on all matters, but notes that National Grid reserve its right to submit further written representations to the Examining Authority should land documents have not been concluded by Monday 29 February 2016.

EDF Energy Renewables

5.14 The Applicant has engaged in consultation with EDF with discussions on the matters raised in their relevant representation and a possible SoCG. The Applicant has provided a draft Good Neighbour Agreement to EDF for comment and has continued to engage with the party, most recently holding a call to discuss matters on 19 February 2016.

5.15 The Applicant updates the ExA that the parties are working towards submitting a SoCG commenting on these matters at Deadline 8.

Part 1 Updates to Management Plans submitted at Deadline 7

1. The Applicant has made updates to the plans certified by Article 36 *Certification of plans etc.* of the draft DCO (Revision G), including the outline management plans which were submitted with the Application and updated throughout the examination to reflect amendments and additions discussed and agreed with various interested parties.
2. The final revision, together with a reference to when this final revision was submitted, has been set out for each plan in the tables below in order to make clear to the ExA which revision is the final plan, to be certified by Article 36.
3. As requested by the ExA the final revision references have also been included in the draft DCO (Revision G), submitted as Appendix 9 of the Applicant's response to Deadline 7.
4. The Applicant has updated several of the plans showing the onshore Order Limits for the reasons set out as follows:
 - Appendix 1- Order Limits Plans - Updated to include amendments made to the Order Limits as set out in the Order Limits Reduction Request [REP3-052].
 - Appendix 2- Works Plans - Updated to include amendments made to the Order Limits as set out in the Order Limits Reduction Request [REP3-052] and to the Works as set out in Change request - Bicker Fen Extension Reconfiguration [APP-135].
 - Appendix 3- Access to Works and Streets Plans - Updated to include amendments made to the Order Limits as set out in the Order Limits Reduction Request [REP3-052].
 - Appendix 4- Public Rights of Way Plans - Updated to include amendments made to the Order Limits as set out in the Order Limits Reduction Request [REP3-052].
 - Appendix 5- Hedgerow Plans - Updated to include amendments made to the Order Limits as set out in the Order Limits Reduction Request [REP3-052].
 - Appendix 6- Crossing Schedule - Updated to include amendments made to the Order Limits as set out in the Order Limits Reduction Request [REP3-052], and to include obstacles DK 179, RD 180, DK 181, UT 182 and DK 183 within crossing group AG, securing the crossing of Site E/Field 6 by trenchless techniques.
5. The Applicant has also updated several of the outline management plans; for those which have changed since the version submitted with the Application in April 2015 the Applicant has provided updated versions in clean and in comparison form. These comparison documents show where the amendments/additions have been made

during the examination process. All mitigation measures which are now secured through the outline management plans have been captured in the Mitigation Strategy (Revision C), submitted as Appendix 39 of the Applicant's response to Deadline 7.

Plans certified by Article 36 <i>Certification of plans etc.</i> of the DCO	Final Revision	Submission reference
the Order Limits Plans	C	Appendix 1 at Deadline 7
the Works Plans	C	Appendix 2 at Deadline 7
the Access to Works and Streets Plans	C	Appendix 3 at Deadline 7
the Public Rights of Way Plans	C	Appendix 4 at Deadline 7
the Hedgerow Plans	C	Appendix 5 at Deadline 7
the Crossings Schedule	4.0	Appendix 6 at Deadline 7
the Land Plans	C	Appendix 7 at Deadline 7
the Book of Reference	C	Appendix 47 at Deadline 7
the Environmental Statement	A	Application document 6.2
the Design Principles Document	A	Application document 8.6 [APP-097]
Outline Code of Construction Practice (Onshore)	B	Appendix 23 at Deadline 7
Outline Landscape Strategy and Ecological Management Plan	D	Appendix 25 at Deadline 7
Outline Traffic Management Plan	B	Appendix 14 at Deadline 6
Outline Onshore Written Scheme of Investigation	B	Appendix 27 at Deadline 7
Outline Offshore Written Scheme of Investigation	A	Application document 8.12 [APP-112]
Outline Access Management Plan	B	Appendix 12 at Deadline 6
Outline Offshore Operations and Maintenance Plan	A	Application document 8.14 [APP-114]

Plans submitted as part of the Outline Code of construction practice (CoCP)	Final Revision	Submission reference
Outline Construction Method Statement	E	Appendix 29 at Deadline 7
Outline Health and Safety Plan	A	Application document 8.7.2 [APP-100]
Outline Noise and Vibration Management Plan	B	Appendix 23 at Deadline 4 [REP4-050]
Outline Air Quality Management Plan	A	Application document 8.7.4 [APP-102]
Outline Soil Management Plan	E	Appendix 31 at Deadline 7
Outline Artificial Light Emissions Plan	A	Application document 8.7.6 [APP-104]
Outline Site Waste Management Plan	A	Application document 8.7.7 [APP-105]
Outline Pollution Prevention and Emergency Incident Response Plan	C	Appendix 33 at Deadline 7
Outline Construction Environmental Management Plan	B	Appendix 35 at Deadline 7
Outline Communications Plan	B	Appendix 37 at Deadline 7