

BEFORE THE ENVIRONMENT COURT AT AUCKLAND

IN THE MATTER: of the Resource Management Act 1991

AND

IN THE MATTER: of an appeal under section 174 in relation to the decisions on Notices of Requirement 4a and 4b for Designations in the Auckland Unitary Plan.

BETWEEN: **Auckland International Airport Limited (“Auckland Airport”)**

Appellant

AND: **Auckland Transport**

Respondent

AND: **Waka Kotahi New Zealand Transport Agency (“Waka Kotahi”)**

Respondent

NOTICE OF APPEAL BY AUCKLAND AIRPORT AGAINST THE DECISION OF AUCKLAND TRANSPORT AND WAKA KOTAHI ON THE PROPOSED NOTICES OF REQUIREMENT 4A AND 4B FOR DESIGNATIONS FOR PART OF THE AIRPORT TO BOTANY BUS RAPID TRANSIT NETWORK PROJECT (“A2B”)

Dated: 2 April 2024

NOTICE OF APPEAL BY AUCKLAND AIRPORT AGAINST THE DECISION OF AUCKLAND TRANSPORT AND WAKA KOTAHI ON THE PROPOSED NOTICES OF REQUIREMENT 4A AND 4B FOR DESIGNATIONS PART OF THE AIRPORT TO BOTANY BUS RAPID TRANSIT NETWORK PROJECT (“A2B”)

To The Registrar
Environment Court
Auckland

Introduction

1 Auckland International Airport Limited (*Auckland Airport*) appeals against the decisions of Requiring Authorities Auckland Transport and Waka Kotahi New Zealand Transport Agency (*Waka Kotahi*) on the proposed Notice of Requirements 4a and 4b for designations in the Auckland Unitary Plan (*Decision*).

Auckland Airport’s interest in these proceedings

- 2 Auckland Airport made submissions on the Notices of Requirement for four new designations by Auckland Transport (including Notice of Requirement 4a) and the Alteration to existing Designation 6717 by Waka Kotahi (Notice of Requirement 4b) as part of the proposed Airport to Botany Bus Rapid Transit Project (*A2B*).
- 3 Auckland Airport owns land adjacent to the A2B corridor (the section of Puhinui Road between the SH20/20B Interchange and Orrs Road). This area includes the construction of a new Park n Ride to service Airport staff and customers accessing the Airport Precinct from the east. That construction includes stormwater infrastructure servicing the area around the A2B corridor. Auckland Airport is also actively planning for the provision of an upgraded utilities corridor immediately adjacent to the A2B corridor in order to safeguard critical electricity and fuel requirements for the Airport.
- 4 Auckland Airport needs to ensure the works enabled by A2B appropriately integrate with the existing and planned development of Auckland Airport's land.
- 5 Auckland Airport is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991 (*RMA*).
- 6 Auckland Airport received notice of the Decision by Auckland Transport and Waka Kotahi on 8 March 2024.
- 7 Auckland Airport remains generally supportive of Notice of Requirements 4a and 4b and the A2B project but considers that further revisions are required to certain conditions of Notices of Requirement 4a and 4b to

achieve appropriate integration with existing adjacent land use, utility networks, and future work programmes that affect Auckland Airport. Auckland Airport does not consider that the conditions as currently drafted, including the requirement for an Urban and Landscape Design Management Plan, are sufficient to ensure certainty that integration will occur throughout the subsequent design and implementation of the A2B project.

8 The parts of the Decision that Auckland Airport is appealing are decisions on:

Notice of Requirement 4a – SH20/20B Interchange to Orrs Road (Auckland Transport)

8.1 Condition 3 – Land Use Integration Process

8.2 The decision to delete Condition 13 – Land Use Integration Plan. This Condition was proposed in the Planning Evidence of Adam Jellie on behalf of Auckland Transport and Waka Kotahi but was not included in the Commissioners' Recommendation or the Decisions of Auckland Transport and Waka Kotahi.

8.3 Condition 26 – Network Utility Management Plan

Notice of Requirement 4b – Alternation to Designation 6717 – SH20/20B Interchange to Orrs Road (Waka Kotahi)

8.4 Condition 24 – Network Utility Management Plan

Reasons for the appeal

9 Auckland Airport appeals the Decision on the basis that it:

9.1 will not promote the sustainable management of resources, will not achieve the purpose of the RMA and is contrary to Part 2 and other provisions of the RMA;

9.2 will not meet the reasonably foreseeable needs of future generations;

9.3 does not represent an efficient use and development of natural and physical resources;

9.4 does not represent the most appropriate means of exercising the Requiring Authorities' functions; and

9.5 does not avoid, remedy or mitigate the adverse effects of Notices of Requirement 4a and 4b on the environment.

10 In addition to, and without limiting, the reasons set out above, the specific reasons for Auckland Airport's appeal of the Decision and relief sought are set out below.

11 Auckland Airport seeks the following broad relief for the reasons set out below (with specific relief set out at **Appendix A**):

11.1 Amendments to Condition 3 of Notice of Requirement 4a to provide for engagement by developers and development agencies in the Land Use Integration Process

prior to commencement of design (instead of start of construction), including consequential amendments to the purpose of the Condition. The amendments sought to the purpose of the Condition will encourage the Requiring Authorities to integrate the design and construction of the A2B corridor with neighbouring activities (rather than the current purpose which places responsibility on neighbouring landowners to seek that integration). The amendments to the timing of the Land Use Integration Process will ensure this process is in place in advance of design occurring, to enable appropriate integration for both design and construction.

- 11.2** Amendments to Condition 3 of Notice of Requirement 4a to include a process requiring the Requiring Authorities to advise neighbouring landowners when design is commencing for a Stage of Work, and 24 months prior to construction commencing for a Stage of Work. This will ensure landowners are aware of the status of the project and the opportunities for integration.
- 11.3** The inclusion of a Land Use Integration Management Plan condition into Notice of Requirement 4a. A version of this condition was proposed in evidence on behalf of Auckland Transport/Waka Kotahi and is required to ensure there is a framework for landowners and agencies directly adjacent to the designation to integrate master planning and land use activities with the designation. Auckland Airport supported the proposed condition subject to amendments. No condition to this effect was included the Commissioners' Recommendation or the Decision of the Requiring Authorities. It is also important that this plan is prepared three months prior to the commencement of design, rather than the start of construction. This is to ensure this plan is in place in advance of design occurring, to enable appropriate integration for both design and construction.
- 11.4** Amendments to Condition 26 of Notice of Requirement 4a to require the Network Utility Management Plan to be prepared at least three months prior to the commencement of design work rather than prior to the start of construction. This is to ensure this plan is in place in advance of design occurring, to enable appropriate integration for both design and construction. The proposed amendments also seek to provide specifically for appropriate integration of the designation with existing network utilities (not just protection or relocation of such utilities) and future work programmes, including those of Auckland Airport. This is important to ensure the design of

the A2B corridor appropriately aligns with existing utilities (like Auckland Airport's stormwater network or utilities corridor) and future work programmes.

- 11.5 Amendments to Condition 24 of Notice of Requirement 4b, which is identical to Condition 26 of Notice of Requirement 4a, for the same reasons as set out in 11.4 above, and
- 11.6 Any further, other or consequential changes to these or other provisions as considered necessary or appropriate to address the matters set out in this notice of appeal.
- 11.7 Granting the relief sought will provide consistency with higher order planning documents and the purpose of the RMA. The specific relief sought is set out in **Appendix A**.

Documents

- 12 The following documents are attached to this notice:
 - 12.1 a copy of Auckland Airport's submission (**Appendix B**);
 - 12.2 a copy of the relevant parts of the Decision (**Appendix C – NoR 4a Decision - Pages 391-418, NoR 4b Decision - Pages 0-29, (other decision parts are at: <https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/unitary-plan/auckland-unitary-plan-modifications/Pages/details.aspx?UnitaryPlanId=260>); and**
 - 12.3 a list of names and addresses of persons to be served with a copy of this notice (**Appendix D**).

Signed for and on behalf of Auckland Airport.



Andrea Marshall
(Auckland Airport – Head of Master Planning and Sustainability)
Date 2 April 2024

Address for service of Auckland Airport (Appellant):

Auckland Airport
c/- Planz Consultants Limited
Contact: Sam Flewellen
Phone: 021 178 9427
Email Address: sam@planzconsultants.co.nz

Advice to recipients of copy of notice of appeal

You may be a party to the appeal if—

(a) you made a submission on the matter of this appeal; and

(b) within 15 working days after the period for lodging a notice of appeal ends, you lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and

(c) within 20 working days after the period for lodging a notice of appeal ends, you serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing requirements (see form 38).

Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.

Appendix A

Appendix A

Notice of Requirement	Condition Number	Relief sought by Appellant (shown in strikethrough for deletions and underline for amendments)
NoR 4a	Condition 3	<p>Land use Integration Process (LIP)</p> <p>(a) The Requiring Authority shall set up a Land use Integration Process for the period between confirmation of the designation and the commencement of any design for the designated works <u>Start of Construction</u>. The purpose of this process is to encourage and facilitate the integration of <u>the design and construction of the designated works with the</u> master planning and land use development activity on land directly affected or adjacent to the designation.</p> <p>To achieve this purpose:</p> <p>(i) the Requiring Authority shall include the contact details of a nominated contact on the Project website (or equivalent information source) required to be established by Condition 2(b)(iii); and</p> <p>(ii) the nominated contact shall be the main point of contact for a Developer or Development Agency wanting to work with the Requiring Authority to integrate their development plans or master planning with the <u>design and construction of the designated works</u>.</p> <p><u>(b) The requiring authority shall establish a process for updates to be provided to these persons advising them when any design is commencing for a Stage of Work and 24 months prior to the expected Start of Construction for a Stage of Work.</u></p> <p>(b) (c) (c) At any time prior to the Start of Construction, the nominated contact will be available to engage with a Developer or Development Agency for the purpose of:</p> <p>(i) responding to requests made to the Requiring Authority for information regarding design details that could assist with land use integration; and</p> <p>(ii) receiving information from a Developer or Development Agency regarding master planning or land development details that could assist with land use integration.</p> <p>(c) (d) (d) Information requested or provided under Condition 3(b c) above may include but not be limited to the following matters:</p> <p>(i) design details including but not limited to:</p>

		<p>A. boundary treatment (e.g. the use of retaining walls or batter slopes);</p> <p>B. the horizontal and vertical alignment of the road (levels);</p> <p>C. potential locations for mid-block crossings;</p> <p>D. integration of stormwater infrastructure;</p> <p>E. outputs from any flood modelling; and</p> <p>F. traffic noise modelling contours.</p> <p>(ii) potential modifications to the extent of the designation in response to information received through Condition 3(b c)(ii);</p> <p>(iii) a process for the Requiring Authority to undertake a technical review of or provide comments on any master planning or development proposal advanced by the Developer or Development Agency as it relates to integration with the Project; and</p> <p>(iv) details of how to apply for written consent from the Requiring Authority for any development proposal that relates to land is within the designation under section 176(1)(b) of the RMA.</p> <p>(d) (e) Where information is requested from the Requiring Authority and is available, the nominated contact shall provide the information unless there are reasonable grounds for not providing it.</p> <p><u>(f) Where a Developer or Development Agency wishes to advance development plans, the Requiring Authority shall:</u></p> <p><u>(i) Engage with the Developer or Development Agency in good faith to consider how the designation can integrate with the development plans;</u></p> <p><u>(ii) Use all reasonable endeavours to advance the design of the relevant part of the designation to understand how it can integrate with the development plans; and</u></p> <p><u>(iii) Use all reasonable endeavours to minimise the impact of the designation on development plans (including, but not limited to, considering design and construction methods to minimise the loss of land available for the development plans).</u></p> <p>(e) (g) The nominated contact shall maintain a record of the engagement between the Requiring Authority and Developers and Development Agencies for the period following the date in which this designation is included in the AUP through to the Start of Construction for a Stage of Work. The record shall include:</p> <p>(i) a list of all Developers and Development Agencies who have indicated through the Notice of Requirement process that they intend to master plan or develop sites along the Project alignment that may require specific integration with the designation;</p>
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		<p>(ii) details of any requests made to the Requiring Authority that could influence detailed design, the results of any engagement and, where such requests that could influence detailed design are declined, the reasons why the Requiring Authority has declined the requests; and</p> <p>(iii) details of any requests to co-ordinate the forward work programme, where appropriate, with Development Agencies and Network Utility Operators.</p> <p>(f) (h) The record shall be submitted to Council for information ten working days prior to the Start of Construction for a Stage of Work.</p>
<p>NoR 4a</p>	<p>New Condition (see evidence of A Jellie (Auckland Transport and Waka Kotahi) and A Marshall (Auckland Airport))</p>	<p><u>Land Use Integration Management Plan (LIMP)</u></p> <p><u>(a) A LIMP shall be prepared at least three months prior to the start any design commencing for a Stage of Work. The objective of the LIMP is to provide a framework to assist and encourage developers and development agencies of land directly affected by or adjacent to the Project to integrate their master planning and land use development activities with the designation prior to the Start of Construction, and to encourage appropriate integration of any design through to construction for the Project with those activities.</u></p> <p><u>(b) To achieve the objective, the LIMP shall include:</u></p> <p><u>(i) the contact details of the nominated contact who will be available to facilitate engagement between the Requiring Authority and the Developer or Development Agency at any time prior to the Start of Construction. Contact details for the nominated contact are to be included on the project website required by Condition (2)(b)(iii).</u></p> <p><u>(ii) details of a process by which a developer or development agency may request from the requiring authority:</u></p> <p>A. <u>information on the status of the Project and any design being progressed, noting there may be reasons (e.g. a lack of design progress) why such information cannot be provided.</u></p> <p>B. <u>technical review of or comments on any master planning process or development proposal advanced by the developer or development agency as it relates to integration with the Project;</u></p> <p><u>(iii) a list of all developers and development agencies who have indicated through the notice of requirement process that they intend to master plan or develop sites along the Project alignment that may require specific integration with</u></p>

		<p><u>the designation, and a process for updates to be provided to these persons advising them when any design is commencing for a Stage of Work, and 24 months prior to the expected Start of Construction for a Stage of Work;</u></p> <p><u>(iv) details of any requests made to the requiring authority that could influence detailed design, the results of any engagement and, where such requests that could influence design are declined, the reasons why the requiring authority has declined the requests.</u></p>
<p>NoR 4a and NoR 4b</p>	<p>NoR 4a Condition 26</p> <p>NoR 4b Condition 24</p>	<p>Network Utility Management Plan (NUMP)</p> <p>(a) A NUMP shall be prepared <u>at least three months</u> prior to the Start of Construction <u>commencement of any design</u> for a Stage of Work.</p> <p>(b) The objective of the NUMP is to set out a framework for protecting, relocating and working in proximity to existing network utilities. <u>It is also to ensure appropriate integration with existing network utilities.</u> To achieve the objective, the NUMP shall include methods to:</p> <p>(i) <u>provide for the integration of network utilities and structures implemented for the Project with existing network utilities where practicable;</u></p> <p>(i) (ii) provide access for maintenance at all reasonable times, or emergency works at all times during construction activities;</p> <p>(ii) (iii) manage the effects of dust and any other material potentially resulting from construction activities and able to cause material damage to <u>any network utilities</u>, beyond normal wear and tear to overhead transmission lines in the Project area; and</p> <p>(iii) (iv) demonstrate compliance with relevant standards and Codes of Practice including, where relevant, the NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances 2001; AS/NZS 4853:2012 Electrical hazards on Metallic Pipelines; and AS/NZS 2885 Pipelines – Gas and Liquid Petroleum.</p> <p>(c) The NUMP shall be prepared in consultation with the relevant Network Utility Operator(s) (including Auckland International Airport Limited) who have existing assets that are directly affected by the Project.</p> <p>(d) The development of the NUMP shall consider opportunities to coordinate future work programmes with other Network Utility Operator(s) (including Auckland International Airport Limited) during detailed design where practicable.</p> <p>(e) The NUMP shall describe how any comments from the Network Utility Operator (including Auckland International Airport Limited) in relation to its assets have been addressed.</p>

		<p>(f) Any comments received from the Network Utility Operator (including Auckland International Airport Limited) shall be considered when finalising the NUMP.</p> <p>(g) Any amendments to the NUMP related to the assets of a Network Utility Operator (including Auckland International Airport Limited) shall be prepared in consultation with that asset owner.</p>
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Appendix B

**SUBMISSION ON REQUIREMENT FOR DESIGNATION THAT IS SUBJECT TO
PUBLIC NOTIFICATION UNDER SECTION 168 OF THE RESOURCE
MANAGEMENT ACT 1991**

To: Auckland Council ("**Council**")

Name: Auckland International Airport Limited ("**Auckland Airport**")

Submission on: Notice of Requirement 4a from Auckland Transport for the construction, operation and maintenance of an extension to Puhinui Road between the SH20/20B Interchange and Orrs Road to provide for a bus rapid transit corridor, walking and cycling facilities and associated infrastructure ("**NoR 4a**")

Introduction

1. Auckland Airport is New Zealand's largest and busiest airport with over 21 million passengers, at its peak pre-Covid-19 and 20,000 people, across more than 200 businesses, employed in and around the airport.
2. The Airport is a strategic infrastructure asset of local, regional and national importance. As the primary gateway to New Zealand, Auckland Airport is a significant contributor to our regional and national economies.
3. Auckland Airport owns approximately 165 hectares of land within the Puhinui area to the east of the Airport (part of which is subject to Auckland Airport's Designation 1100). Puhinui Road / State Highway 20B provides the only eastern access into the Airport Precinct. As a critical access to the Airport, Auckland Airport has a direct interest in NoR 4a and is concerned to ensure connectivity along this corridor is maintained and enhanced to provide for longer term growth in an efficient manner.
4. Auckland Airport could not gain an advantage in trade competition through this submission.

Scope of submission

5. This submission relates to NoR 4a in its entirety.

Nature of submission

6. Auckland Airport generally supports the works proposed in NoR 4a which seek to enable the provision of public transport and active mode corridors, and to provide improved transport choices for users of the eastern access corridor to the Airport. Auckland Airport recognises the importance of providing a wide range of transport options for passengers, customers and staff to get to and from the Airport reliably and safely. Greater provision of public and active modes of transport is central to ensuring sustainable and efficient functioning of the transport network to, from and within the Airport Precinct into the future.

7. Auckland Airport seeks to ensure the works enabled through NoR 4a do not adversely affect, and appropriately integrate with, Auckland Airport's planning and development of the eastern access to the Airport, and surrounding Puhinui area.
8. As part of its long-term masterplanning for the land use and development of the Airport Precinct, Auckland Airport has been actively planning (over many years) improvements to its transport network, including the eastern access to and from the Airport. Auckland Airport recognises any changes to its roading network will have implications for the wider transport system and has been working collaboratively with Auckland Transport and Waka Kotahi NZ Transport Agency in relation to the improvements to the eastern access corridor (including the works proposed in NoR 4a) in order to ensure the roading networks are appropriately integrated.
9. Part of Auckland Airport's landholdings adjacent to Puhinui Road are being developed for a new Park and Ride facility to better service the growing needs of the Airport's customers and employees, and reduce traffic flows through the Airport Precinct. Auckland Airport is also actively planning for the provision of new utilities on its landholdings along the Puhinui Road corridor which are fundamental to Auckland Airport's operations, including fuel pipelines and the electricity intake needed for support the next generation of sustainable aircraft.
10. While the parties have worked (and continue to work) closely together, Auckland Airport is concerned NoR 4a (in its current form) does not make adequate provision for, or integrate with, Auckland Airport's (current and future) operational needs.

General reasons for submission

11. The general reasons for this submission are that NoR 4a (as currently proposed), if granted may not appropriately provide for the necessary integration with the Airport's utilities and operational needs and as such:
 - (a) will not promote the sustainable management of the natural and physical resources in Tāmaki Makaurau, and is therefore contrary to or inconsistent with Part 2 and other provisions of the Resource Management Act 1991;
 - (b) is inconsistent with other relevant planning documents, including the Auckland Unitary Plan;
 - (c) will not meet the reasonably foreseeable needs of future generations;
 - (d) will not enable the social, economic and cultural wellbeing of the people of Tāmaki Makaurau; and
 - (e) does not avoid, remedy or mitigate actual and potential adverse effects on the environment.

Specific reasons for submission

12. Without limiting the generality of paragraph 10 above, Auckland opposes NoR 4a on the basis that the works (once completed) will not allow adequate space for Auckland Airport to construct and provide for utilities that are necessary to service the operational needs of the Airport.
13. The Airport is also concerned that stormwater infrastructure for the corridor could adversely affect Auckland Airport's land through discharges or otherwise. It is critical that infrastructure required for the NoR is appropriately designed and located so as not to unduly interfere with activities on the Airport's land.
14. While the proposed conditions make some provision for network utility operators (including Auckland Airport) with existing infrastructure within the extent of NoR 4a (including draft conditions 6 and 27), the proposed conditions do not adequately provide for ongoing and future operating needs of the Airport.
15. Auckland Airport is also concerned to ensure appropriate conditions are included in NoR 4a to avoid, remedy or mitigate adverse effects on Auckland Airport's landholdings and operations during construction, including effects on traffic and the transport network, and that there are ongoing commitments for engagement and coordination with key stakeholders, such as Auckland Airport.

Recommendation sought

16. Auckland Airport seeks that the Council recommends:
 - (a) amendments to NoR 4a, including by way of conditions to address Auckland Airport's concerns; and
 - (b) such further other relief or other consequential amendments as considered appropriate and necessary to address the concerns set out above.
17. Auckland Airport wishes to be heard in support of this submission.
18. If others make a similar submission, consideration would be given to presenting a joint case with them at any hearing.

AUCKLAND INTERNATIONAL AIRPORT LIMITED by its solicitors and authorised agents Russell McVeagh:



Signature:

Allison Arthur-Young

Date:

11 April 2023

Address for Service: C/- Taylor Mitchell

Russell McVeagh
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**SUBMISSION ON REQUIREMENT FOR ALTERATION OF A DESIGNATION THAT
IS SUBJECT TO PUBLIC NOTIFICATION UNDER SECTION 181 OF THE
RESOURCE MANAGEMENT ACT 1991**

To: Auckland Council ("**Council**")

Name: Auckland International Airport Limited ("**Auckland Airport**")

Submission on: Notice of Requirement 4b from Waka Kotahi NZ Transport Agency to alter Designation 6717 to upgrade existing State Highway 20B from the SH20/20B Interchange to Manukau Memorial Gardens for the construction, operation and maintenance of a Bus Rapid Transit corridor, walking and cycling facilities and associated infrastructure ("**NoR 4b**")

Introduction

1. Auckland Airport is New Zealand's largest and busiest airport, with over 21 million passengers at its peak pre-Covid-19 and 20,000 people, across more than 200 businesses, employed in and around the airport.
2. The Airport is a strategic infrastructure asset of local, regional and national importance. As the primary gateway to New Zealand, Auckland Airport is a significant contributor to our regional and national economies.
3. Auckland Airport owns approximately 165 hectares of land within the Puhinui area to the east of the Airport (part of which is subject to Auckland Airport's Designation 1100). Puhinui Road / State Highway 20B provides the only eastern access into the Airport Precinct. As a critical access to the Airport, Auckland Airport has a direct interest in NoR 4b and is concerned to ensure connectivity along this corridor is maintained and enhanced to provide for longer term growth in an efficient manner.
4. Auckland Airport could not gain an advantage in trade competition through this submission.

Scope of submission

5. This submission relates to NoR 4b in its entirety.

Nature of submission

6. Auckland Airport generally supports the works proposed in NoR 4b which seek to upgrade State Highway 20B in order to provide for public transport and active mode corridors, and to provide improved transport choices for users of the eastern access corridor to the Airport. Auckland Airport recognises the importance of providing a wide range of transport options for passengers, customers and staff to get to and from the Airport reliably and safely. Greater provision of public and active modes of transport is central to ensuring sustainable and efficient functioning of the transport network to, from and within the Airport Precinct into the future.

7. Auckland Airport seeks to ensure the works enabled through NoR 4b do not adversely affect, and appropriately integrate with, Auckland Airport's planning and development of the eastern access to the Airport, and surrounding Puhinui area.
8. As part of its long-term masterplanning for the land use and development of the Airport Precinct, Auckland Airport has been actively planning (over many years) improvements to its transport network, including the eastern access to and from the Airport. Auckland Airport recognises any changes to its roading network will have implications for the wider transport system and has been working collaboratively with Auckland Transport and Waka Kotahi NZ Transport Agency in relation to the improvements to the eastern access corridor (including the works proposed in NoR 4b) in order to ensure the roading networks are appropriately integrated.
9. Part of Auckland Airport's landholdings adjacent to Puhinui Road are being developed for a new Park and Ride facility to better service the growing needs of the Airport's customers and employees, and reduce traffic flows through the Airport Precinct. Auckland Airport is also actively planning for the provision of new utilities on its landholdings along the Puhinui Road corridor which are fundamental to Auckland Airport's operations, including fuel pipelines and the electricity intake needed for support the next generation of sustainable aircraft.
10. NoR 4b is proposed to overlap with NoR 4a in order to facilitate the Bus Rapid Transit and recognise timing for construction of the NoRs is likely to coincide. While NoR 4b does not directly impact Auckland Airport's landholdings, given the interrelationship with NoR 4a and the critical access that State Highway 20B provides to the Airport, Auckland Airport is concerned to ensure the works are appropriately integrated with NoR 4a and Auckland Airport's wider development plans.
11. While the parties have worked (and continue to work) closely together, Auckland Airport is concerned NoR 4b (in its current form) does not make adequate provision for, or integrate with, Auckland Airport's (current and future) operational needs.

General reasons for submission

12. The general reasons for this submission are that NoR 4b (as currently proposed), if granted may not appropriately provide for the necessary integration with the Airport's utilities and operational needs and as such:
 - (a) will not promote the sustainable management of the natural and physical resources in Tāmaki Makaurau, and is therefore contrary to or inconsistent with Part 2 and other provisions of the Resource Management Act 1991;
 - (b) is inconsistent with other relevant planning documents, including the Auckland Unitary Plan;
 - (c) will not meet the reasonably foreseeable needs of future generations;

- (d) will not enable the social, economic and cultural wellbeing of the people of Tāmaki Makaurau; and
- (e) does not avoid, remedy or mitigate actual and potential adverse effects on the environment.

Specific reasons for submission

13. Without limiting the generality of paragraph 11 above, Auckland Airport opposes NoR 4b on the basis that the works will not adequately integrate with Auckland Airport's future work programmes that are necessary to service the operational needs of the Airport.
14. The Airport is also concerned that stormwater infrastructure for the corridor could adversely affect Auckland Airport's land through discharges or otherwise. It is critical that infrastructure required for the NoR is appropriately designed and located so as not to unduly interfere with activities on the Airport's land.
15. While the proposed conditions make some provision for network utility operators (including Auckland Airport) with existing infrastructure within the extent of NoR 4b (including draft conditions 6 and 24), the proposed conditions do not:
 - (a) adequately provide for ongoing and future operating needs of the Airport;
 - (b) provide sufficient certainty as to how the works will be integrated with Auckland Airport's own development plans for this corridor; or
 - (c) provide appropriate procedures for ongoing engagement with key stakeholders, such as Auckland Airport.
16. Auckland Airport is also concerned to ensure appropriate conditions are included on NoR 4b to avoid, remedy or mitigate adverse effects on Auckland Airport's operations during construction, including effects on traffic and the transport network.

Recommendation sought

17. Auckland Airport seeks that the Council recommends:
 - (a) amendments to NoR 4b, including by way of conditions to address Auckland Airport's concerns; and
 - (b) such further other relief or other consequential amendments as considered appropriate and necessary to address the concerns set out above.
18. Auckland Airport wishes to be heard in support of this submission.
19. If others make a similar submission, consideration would be given to presenting a joint case with them at any hearing.

AUCKLAND INTERNATIONAL AIRPORT LIMITED by its solicitors and authorised agents Russell McVeagh:



Signature: Allison Arthur-Young

Date: 11 April 2023

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Appendix C

21 February 2024

David Wong
Senior Policy Planner
Central/South Planning Unit - Plans and Places
Auckland Council
Private Bag 92300
Victoria Street West
Auckland 1142

Dear David

NOTICE OF DECISION OF AUCKLAND TRANSPORT UNDER SECTION 172 OF THE RESOURCE MANAGEMENT ACT 1991

Thank you for your letter dated 18 December 2023 advising of the recommendations of the Auckland Council Independent Hearing Commissioners in relation to the four Auckland Transport Notices of Requirement that comprise part of the Airport to Botany Bus Rapid Transit Project:

- NoR 1 – Airport to Botany Bus Rapid Transit from Botany to Rongomai Park;
- NoR 2 – Airport to Botany Bus Rapid Transit from Rongomai Park to Puhinui Station (in the vicinity of Plunket Avenue);
- NoR 3 – Airport to Botany Bus Rapid Transit from Puhinui Station (in the vicinity of Plunket Avenue) to State Highway 20/20B Interchange; and
- NoR 4a – Airport to Botany Bus Rapid Transit from the State Highway 20/20B Interchange to Orrs Road.

The Commissioners' recommendation was that the Notices of Requirement should be **confirmed** subject to conditions.

Pursuant to Section 172 of the Resource Management Act 1991, Auckland Transport accepts in part the Commissioners' recommendations in relation to the Notices of Requirement other than the conditions specifically addressed in the table below.

The table sets out the modifications made by Auckland Transport to the Notices of Requirement conditions recommended by the Commissioners on 18 December 2023 and the reasons for the modifications. Only those conditions that Auckland Transport has modified in response to the recommendation made by the Commissioners are outlined in the table below. Complete sets of designation conditions, including all modifications made and a clean set as a result of the Auckland Transport decision, are **attached** to this letter as **Appendices B – E**.

Appendix E – Auckland Transport’s Modifications to NoR 4a conditions (clean)



Designation XXXX – SH20/20B Interchange to Orrs Road

Designation Number	XXXX
Requiring Authority	Auckland Transport
Location	SH20/20B Interchange to Orrs Road
Lapse Date	In accordance with section 184(1)(c) of the RMA, this designation shall lapse if not given effect to within 15 years from the date on which it is included in the AUP.

Purpose

Construction, operation and maintenance of an extension to Puhinui Road between the SH20/20B Interchange and Orrs Road for a BRT corridor, walking and cycling facilities and associated infrastructure.

Conditions

Abbreviations and Definitions

Acronym/Term	Definition
Activity sensitive to noise	Any dwelling, visitor accommodation, boarding house, marae, papakāinga, integrated residential development, retirement village, supported residential care, care centre, lecture theatre in a tertiary education facility, classroom in an education facility and healthcare facility with an overnight stay facility
AUP	Auckland Unitary Plan
BPO or Best Practicable Option	Has the same meaning as in section 2 of the RMA 1991
CEMP	Construction Environmental Management Plan
Certification of material changes to management plans and CNVMP Schedules	Confirmation from the Manager that a material change to a plan or CNVMP Schedule has been prepared in accordance with the condition to which it relates. A material change to a management plan or CNVMP Schedule shall be deemed certified: (a) where the Requiring Authority has received written confirmation from Council that the material change to the management plan is certified; (b) ten working days from the submission of the material change to the management plan where no written confirmation of certification has been received; or (c) five working days from the submission of the material change to a CNVMP Schedule where no written confirmation of certification has been received.
CNVMP	Construction Noise and Vibration Management Plan
CNVMP Schedule or Schedule	A schedule to the CNVMP
Completion of Construction	When construction of the Project (or part of the Project) is complete and it is available for use
Confirmed Biodiversity Areas	Areas recorded in the Identified Biodiversity Area Schedule where the ecological values and effects have been confirmed through the ecological survey under Condition 24

Construction Works	Activities undertaken to construct the Project excluding Enabling Works
Council	Auckland Council
CTMP	Construction Traffic Management Plan
Developer	Any legal entity that intends to master plan or develop land adjacent to the designation
Development Agency	Public entities involved in development projects
Educational facility	Facility used for education to secondary level. Includes: (a) schools and outdoor education facilities; and (b) accommodation, administrative, cultural, religious, health, retail and communal facilities accessory to the above. Excludes: (a) care centres; and (b) tertiary education facilities.
EMP	Ecological Management Plan
EIANZ Guidelines	Ecological Impact Assessment: EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems, second edition, dated May 2018
Enabling works	Includes, but is not limited to, the following and similar activities: (a) geotechnical investigations (including trial embankments); (b) archaeological site investigations; (c) formation of access for geotechnical investigations; (d) establishment of site yards, site entrances and fencing; (e) constructing and sealing site access roads; (f) demolition or removal of buildings and structures; (g) relocation of services; and (h) establishment of mitigation measures (such as erosion and sediment control measures, temporary noise walls, earth bunds and planting).
HHMP	Historic Heritage Management Plan
HNZPT	Heritage New Zealand Pouhere Taonga
HNZPTA	Heritage New Zealand Pouhere Taonga Act 2014
Identified Biodiversity Area	Means an area or areas of features of ecological value where the Project ecologist has identified that the project will potentially have a moderate or greater level of ecological effect, prior to implementation of impact management measures, as determined in accordance with the EIANZ guidelines
LIP	Land use Integration Process
Manager	The Manager – Resource Consents of the Auckland Council, or authorised delegate
Mana Whenua	Mana Whenua as referred to in the conditions are considered to be the following (in no particular order), who at the time of Notice of Requirement expressed a desire to be involved in the Airport to Botany Bus Rapid Transit Project: (a) Te Ākitai Waiohū; (b) Ngāi Tai ki Tamaki; (c) Ngāti Te Ata Waiohū; (d) Ngāti Whanaunga; (e) Ngāti Tamaoho; (f) Ngāti Paoa Trust Board; (g) Te Ahiwaru; (h) Ngāti Tamaterā; and

	(i) Ngāti Maru. Note: other iwi not identified above may have an interest in the Project and should be consulted
Network Utility Operator	Has the same meaning as set out in section 166 of the RMA
NOR	Notice of Requirement
NUMP	Network Utilities Management Plan
NZAA	New Zealand Archaeological Association
OSMP	Open Space Management Plan
Outline Plan	An outline plan prepared in accordance with section 176A of the RMA
Project Liaison Person	The person or persons appointed for the duration of the Project's Construction Works to be the main point of contact for persons wanting information about the Project or affected by the Construction Works
Protected Premises and Facilities (PPF)	Protected Premises and Facilities as defined in New Zealand Standard NZS 6806:2010: Acoustics – Road-traffic noise – New and altered roads
Requiring Authority	Has the same meaning as section 166 of the RMA and, for this Designation is Auckland Transport
RMA	Resource Management Act 1991
SCEMP	Stakeholder Communication and Engagement Management Plan
Stage of Work	Any physical works that require the development of an Outline Plan
Start of Construction	The time when Construction Works (excluding Enabling Works) start
Suitably Qualified Person	A person (or persons) who can provide sufficient evidence to demonstrate their suitability, experience and competence in the relevant field of expertise
ULDMP	Urban and Landscape Design Management Plan

No.	Condition
General conditions	
1.	<p>Activity in General Accordance with Plans and Information</p> <p>(a) Except as provided for in the conditions below, and subject to final design and Outline Plan(s), works within the designation shall be undertaken in general accordance with the Project description and concept plan in Schedule 1.</p> <p>(b) Where there is inconsistency between:</p> <ul style="list-style-type: none"> (i) the Project description and concept plan in Schedule 1 and the requirements of the following conditions, the conditions shall prevail; or (ii) the Project description and concept plan in Schedule 1, and the management plans under the conditions of the designation, the requirements of the management plans shall prevail.
2.	<p>Project Information</p> <p>(a) A project website, or equivalent virtual information source, shall be established as soon as reasonably practicable, and within six (6) months of the inclusion of this designation is included in the AUP.</p> <p>(b) All directly affected owners and occupiers shall be notified in writing as soon as reasonably practicable once the website or equivalent information source has been established. The Project website or virtual information source shall include these conditions and shall provide information on:</p> <ul style="list-style-type: none"> (i) the status of the Project; (ii) anticipated construction timeframes; (iii) contact details for enquiries; (iv) the implications of the designation for landowners, occupiers and business owners and operators within the designation and where they can receive additional advice; (v) a subscription service to enable receipt of Project updates by email; and (vi) how to apply for consent for works in the designation under section 176(1)(b) of the RMA. <p>(c) At the start of detailed design for a Stage of Work, the Project website or virtual information source shall be updated to provide information on the likely date for Start of Construction, and any staging of works.</p>
3.	<p>Land use Integration Process</p> <p>(a) The Requiring Authority shall set up a Land use Integration Process for the period between confirmation of the designation and the Start of Construction. The purpose of this process is to encourage and facilitate the integration of master planning and land use development activity on land directly affected or adjacent to the designation. To achieve this purpose:</p> <ul style="list-style-type: none"> (i) the Requiring Authority shall include the contact details of a nominated contact on the Project website (or equivalent information source) required to be established by Condition 2(b)(iii); and (ii) the nominated contact shall be the main point of contact for a Developer or Development Agency wanting to work with the Requiring Authority to integrate their development plans or master planning with the designation. <p>(b) At any time prior to the Start of Construction, the nominated contact will be available to engage with a Developer or Development Agency for the purpose of:</p> <ul style="list-style-type: none"> (i) responding to requests made to the Requiring Authority for information regarding design details that could assist with land use integration; and

	<ul style="list-style-type: none"> (ii) receiving information from a Developer or Development Agency regarding master planning or land development details that could assist with land use integration. (c) Information requested or provided under Condition 3(b) above may include but not be limited to the following matters: <ul style="list-style-type: none"> (i) design details including but not limited to: <ul style="list-style-type: none"> A. boundary treatment (e.g. the use of retaining walls or batter slopes); B. the horizontal and vertical alignment of the road (levels); C. potential locations for mid-block crossings; D. integration of stormwater infrastructure; E. outputs from any flood modelling; and F. traffic noise modelling contours. (ii) potential modifications to the extent of the designation in response to information received through Condition 3(b)(ii); (iii) a process for the Requiring Authority to undertake a technical review of or provide comments on any master planning or development proposal advanced by the Developer or Development Agency as it relates to integration with the Project; and (iv) details of how to apply for written consent from the Requiring Authority for any development proposal that relates to land is within the designation under section 176(1)(b) of the RMA. (d) Where information is requested from the Requiring Authority and is available, the nominated contact shall provide the information unless there are reasonable grounds for not providing it. (e) The nominated contact shall maintain a record of the engagement between the Requiring Authority and Developers and Development Agencies for the period following the date in which this designation is included in the AUP through to the Start of Construction for a Stage of Work. The record shall include: <ul style="list-style-type: none"> (i) a list of all Developers and Development Agencies who have indicated through the Notice of Requirement process that they intend to master plan or develop sites along the Project alignment that may require specific integration with the designation; (ii) details of any requests made to the Requiring Authority that could influence detailed design, the results of any engagement and, where such requests that could influence detailed design are declined, the reasons why the Requiring Authority has declined the requests; and (iii) details of any requests to co-ordinate the forward work programme, where appropriate, with Development Agencies and Network Utility Operators. (f) The record shall be submitted to Council for information ten working days prior to the Start of Construction for a Stage of Work.
<p>4.</p>	<p>Designation Review</p> <ul style="list-style-type: none"> (a) The Requiring Authority shall within six (6) months of Completion of Construction or as soon as otherwise practicable: <ul style="list-style-type: none"> (i) review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the Project; and (ii) give notice to Auckland Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above.

5.	<p>Lapse</p> <p>(a) In accordance with section 184(1)(c) of the RMA, this designation shall lapse if not given effect to within 15 years from the date on which it is included in the AUP.</p>
6.	<p>Te Ākitai Waiohua – Southwest Gateway Programme</p> <p>(a) The Requiring Authority acknowledges Te Ākitai Waiohua as Mana Whenua and a principal partner to the Southwest Gateway Programme, to which this project forms a part. The operation of this designation must in all respects reflect these matters, including through meeting the conditions and meaningful engagement at both a governance and kaitiaki level.</p>
7.	<p>Network Utility Operators and Auckland Council Parks (Section 176 Approval)</p> <p>(a) Prior to the start of Construction Works, Network Utility Operators (including Auckland International Airport Limited) with existing infrastructure and Auckland Council in relation to parks located within the designation will not require written consent under section 176 of the RMA for the following activities:</p> <ul style="list-style-type: none"> (i) operation, maintenance and repair works; (ii) minor renewal works to existing network utilities or parks necessary for the on-going provision or security of supply of network utility or parks operations; (iii) minor works such as new service connections; and (iv) the upgrade and replacement of existing network utilities or parks in the same location with the same or similar effects as the existing utility or parks. <p>(b) To the extent that a record of written approval is required for the activities listed above, this condition shall constitute written approval.</p>
Pre-construction conditions	
8.	<p>Outline Plan</p> <p>(a) An Outline Plan (or Plans) shall be prepared in accordance with section 176A of the RMA.</p> <p>(b) Mana Whenua shall be invited as partners to participate in the preparation of an Outline Plan (or Plans).</p> <p>(c) Outline Plans (or Plan) may be submitted in parts or in stages to address particular activities (e.g. design or construction aspects), or a Stage of Work of the Project.</p> <p>(d) Outline Plans shall include any management plan or plans that are relevant to the management of effects of those activities or Stage of Work, which may include:</p> <ul style="list-style-type: none"> (i) Construction Environmental Management Plan; (ii) Construction Traffic Management Plan; (iii) Construction Noise and Vibration Management Plan; (iv) Urban and Landscape Design Management Plan; (v) Historic Heritage Management Plan; (vi) Ecological Management Plan; and (vii) Network Utilities Management Plan.
9.	<p>Management Plans</p> <p>(a) Any management plan shall:</p> <ul style="list-style-type: none"> (i) be prepared and implemented in accordance with the relevant management plan condition; (ii) be prepared by a Suitably Qualified Person(s);

	<ul style="list-style-type: none"> (iii) be developed in partnership with Mana Whenua. The Requiring Authority shall provide reasonable resourcing, technical and administrative support for Mana Whenua; (iv) include sufficient detail relating to the management of effects associated with the relevant activities and/or Stage of Work to which it relates; (v) summarise comments received from Mana Whenua and stakeholders as required by the relevant management plan condition, along with a summary of where comments have: <ul style="list-style-type: none"> A. been incorporated; and B. where not incorporated, the reasons why. (vi) be submitted as part of an Outline Plan pursuant to section 176A of the RMA, with the exception of SCEMPs and CNVMP Schedules; and (vii) Once finalised, uploaded to the Project website or equivalent virtual information source. <p>(b) Any management plan developed in accordance with Condition 9 may:</p> <ul style="list-style-type: none"> (i) be submitted in parts or in stages to address particular activities (e.g. design or construction aspects) a Stage of Work of the Project, or to address specific activities authorised by the designation; and (ii) except for material changes, be amended to reflect any changes in design, construction methods or management of effects without further process. <p>(c) if there is a material change required to a management plan which has been submitted with an Outline Plan, the revised part of the plan shall be submitted to the Council as an update to the Outline Plan or for Certification as soon as practicable following identification of the need for a revision.</p> <p>(d) Any material changes to the SCEMP(s) are to be submitted to the Council for information.</p>
<p>10.</p>	<p>Mana Whenua Kaitiaki Forum</p> <ul style="list-style-type: none"> (a) At least twelve (12) months prior to the start of detailed design for a Stage of Work, the Requiring Authority shall invite Mana Whenua to establish a Mana Whenua Kaitiaki Forum. The objective of the Mana Whenua Kaitiaki Forum is to provide a forum for Mana Whenua to participate as partners in all phases of the Project. To achieve the objective, the Mana Whenua Kaitiaki Forum shall address (as a minimum) the following matters: <ul style="list-style-type: none"> (i) how Mana Whenua will provide input into the design of the Project. For example: <ul style="list-style-type: none"> A. how Mana Whenua values and narrative are incorporated through the form of the Project and associated structures; B. how the historic and cultural significance of the Puhinui Historic Gateway will be recognised; and C. how pou, art, sculptures, mahi toi or other any other features located on land within or adjoining the Project will be provided in a manner that represents the Māori history of the area and promotes a distinctiveness or sense of place. (ii) how Mana Whenua will be engaged in the preparation of management plans and future consenting processes; (iii) how mātauranga Māori and tikanga Māori will be recognised in all phases of the Project; (iv) where opportunities for Mana Whenua to participate in engagement with local communities, business associations, social institutions and community groups will be provided;

	<ul style="list-style-type: none"> (v) where opportunities for Mana Whenua to support the physical, mental, social and economic wellbeing for iwi and the local community will be provided through the Project. This could include: <ul style="list-style-type: none"> A. planting supplied through Mana Whenua and community based nurseries; B. local schools being involved in planting; and C. scholarships, cadetships and job creation. (vi) the Requiring Authority shall provide reasonable resourcing, technical and administrative support for Mana Whenua including organising meetings at a local venue and the taking and dissemination of meeting minutes; (vii) the frequency of meetings shall be agreed between the Requiring Authority and Mana Whenua; and (viii) prior to the Start of Construction, the Requiring Authority shall produce a record of the Mana Whenua Kaitiaki Forum. The record of the Mana Whenua Kaitiaki Forum shall be provided to Mana Whenua and shall include (but not be limited to); <ul style="list-style-type: none"> A. details of how Mana Whenua have participated as partners in the Project; B. details of how the matters set out in (a) will be incorporated into the Project; C. how the objective of the Mana Whenua Kaitiaki Forum has been and will continue to be met; and D. details of how comments from Mana Whenua have been incorporated into the Project and where not incorporated, the reasons why. (b) Mana Whenua shall be invited to identify and (if possible) nominate traditional names along the Project corridor such as Bus Rapid Transit Stations and bridge structures. Noting there may be formal statutory processes outside the project required in any decision-making. (c) The Mana Whenua Kaitiaki Forum shall continue to meet for at least six months following the Completion of Construction or as agreed with Mana Whenua. <p>Advice note For the avoidance of doubt, Mana Whenua may wish to use another forum as the Mana Whenua Kaitiaki Forum.</p>
<p>11.</p>	<p>Stakeholder Communication and Engagement Management Plan (SCEMP)</p> <ul style="list-style-type: none"> (a) A SCEMP shall be prepared in consultation with stakeholders, community groups and organisations prior to the Start of Construction. (b) The objective of the SCEMP is to identify how the public and stakeholders (including directly affected and adjacent owners and occupiers of land) will be engaged with prior to and throughout Construction Works. To achieve the objective of the SCEMP: <ul style="list-style-type: none"> (i) at least six (6) months prior to detailed design for a Stage of Work, the Requiring Authority shall identify: <ul style="list-style-type: none"> A. a list of properties within the designation which the Requiring Authority does not own or have occupation rights to; B. a list of key stakeholders, community groups, organisations and businesses who will be engaged with; C. methods and timing to engage with key stakeholders, community groups, organisations and businesses and owners of properties identified in (b)(i)A-B.

	<ul style="list-style-type: none"> (ii) a record of (b)(i) shall be submitted with an Outline Plan for the relevant Stage of Work. (iii) the SCEMP shall include: <ul style="list-style-type: none"> A. the contact details for the Project Liaison Person. These details shall be on the Project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s); B. the procedures for ensuring that there is a contact person available for the duration of Construction Works, for public enquiries or complaints about the Construction Works; C. details of opportunities to strengthen the relationship between Mana Whenua, key stakeholders and the wider community; D. methods and timing to engage with landowners whose access is directly affected; E. methods to communicate key project milestones and the proposed hours of construction activities including outside of normal working hours and on weekends and public holidays, to the parties identified in (b)(i) above; and F. linkages and cross-references to communication and engagement methods set out in other conditions and management plans where relevant. (c) Any SCEMP prepared for a Stage of Work shall be submitted to Council for information ten working days prior to the Start of Construction for a Stage of Work.
<p>12.</p>	<p>Urban and Landscape Design Management Plan (ULDMP)</p> <ul style="list-style-type: none"> (a) A ULDMP shall be prepared prior to the Start of Construction for a Stage of Work. (b) The objective of the ULDMP(s) is to: <ul style="list-style-type: none"> (i) enable integration of the Project's permanent works into the surrounding landscape and urban context; (ii) ensure that the Project manages potential adverse landscape and visual effects as far as practicable and contributes to a quality urban environment; and (iii) acknowledge and recognise the whakapapa Mana Whenua have to the Project area. (c) Mana Whenua shall be invited to participate in the development of the ULDMP at least six (6) months prior to the start of detailed design for a Stage of Work to provide input on cultural landscape and design matters. This shall include (but not be limited to) how desired outcomes for the management of potential effects on cultural sites, landscapes and values identified and discussed in accordance with the Historic Heritage Management Plan (Condition 23) and the Ecological Management Plan (Condition 25) may be reflected in the ULDMP. (d) Key stakeholders shall be invited to participate in the development of the ULDMP at least six (6) months prior to the start of detailed design for a Stage of Work. (e) The ULDMP shall be prepared in general accordance with: <ul style="list-style-type: none"> (i) Auckland Transport's Urban Roads and Streets Design Guide; (ii) Waka Kotahi Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version; (iii) Waka Kotahi Landscape Guidelines (2013) or any subsequent updated version; (iv) Waka Kotahi P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version; and

	<p>(v) Auckland's Urban Ngahere (Forest) Strategy or any subsequent updated version.</p> <p>(f) To achieve the objective, the ULDMP shall provide details of how the Project:</p> <p>(i) is designed to integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (i.e. centres and density of built form), natural environment, landscape character and open space zones;</p> <p>(ii) provides appropriate walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses, public transport infrastructure and walking and cycling connections;</p> <p>(iii) promotes inclusive access (where appropriate); and</p> <p>(iv) promotes a sense of personal safety by aligning with best practice guidelines, such as:</p> <p>A. Crime Prevention Through Environmental Design (CPTED) principles;</p> <p>B. Safety in Design (SID) requirements; and</p> <p>C. Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures.</p> <p>(v) has responded to requests that could influence detailed design through the Land Use Integration Process (Condition 3);</p> <p>(vi) provides opportunities to incorporate Mana Whenua values and cultural narrative through the design. This shall include but not be limited to:</p> <p>A. how to protect and enhance connections to the Māori cultural landscape;</p> <p>B. how and where accurate historical signage can be provided along the corridor;</p> <p>C. how historical portage routes will be recognised;</p> <p>D. how opportunities for cultural expression through, for example mahi toi, art, sculptures or other public amenity features will be provided;</p> <p>E. how opportunities to utilise flora and fauna with a specific connection to the area are realised where possible by:</p> <p>a. preserving them in the design and maintenance of the Project; and</p> <p>b. restoring them in a manner that recognises their historical and cultural significance. For example, by clustering planting to represent a lost ngahere.</p> <p>F. how the historic and cultural significance of the Puhinui Historic Gateway is recognised; and</p> <p>G. how public access to coastal areas, waterways and open space is enhanced, where appropriate.</p> <p>(vii) provides for an integrated stormwater management approach which prioritises in the following order:</p> <p>A. opportunities for ki uta ki tai (a catchment scale approach);</p> <p>B. opportunities for net catchment benefit;</p> <p>C. green infrastructure and nature-based solutions; and</p> <p>D. opportunities for low maintenance design.</p> <p>(g) At the discretion of Mana Whenua, the matters listed in (f)(v) – (vi) shall either be incorporated into the ULDMP or prepared as a separate plan.</p> <p>(h) The ULDMP shall include:</p> <p>(i) a concept plan(s) – which depicts the overall landscape and urban design concept, and explain the rationale for the landscape and urban design proposals;</p>
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	<ul style="list-style-type: none"> (ii) developed design concepts, including principles for walking and cycling facilities and public transport; and (iii) landscape and urban design details – that cover the following: <ul style="list-style-type: none"> A. road design – elements such as: <ul style="list-style-type: none"> a. intersection form; b. carriageway gradient and associated earthworks; c. contouring, cut and fill batters and/or retaining walls and their interface with adjacent land uses and existing roads (including slip lanes); d. benching; e. spoil disposal sites; f. median width and treatment; and g. roadside width and treatment; B. roadside elements – such as lighting, fencing, wayfinding and signage; C. architectural and landscape treatment of all major structures, including bridges and retaining walls; D. architectural and landscape treatment of noise barriers; E. landscape treatment of permanent stormwater control wetlands and swales; F. integration of passenger transport; G. pedestrian and cycle facilities including paths, road crossings and dedicated pedestrian/ cycle bridges or underpasses; H. historic heritage places with reference to the HHMP (Condition 23); and I. re-instatement of construction and site compound areas, driveways, accessways and fences.
	<ul style="list-style-type: none"> (i) planting details and maintenance requirements: <ul style="list-style-type: none"> (i) planting design details including: <ul style="list-style-type: none"> A. identification of existing trees and vegetation that will be retained. Where practicable, mature trees and native vegetation should be retained; B. street trees, shrubs and ground cover suitable for berms; C. treatment of fill slopes to integrate with adjacent land use, streams, Riparian margins and open space zones; D. planting of stormwater wetlands; E. identification of vegetation to be retained and any planting requirements under the Ecological Management Plan (Condition 25); F. integration of any planting requirements required by conditions of any resource consents for the project; and G. re-instatement planting of construction and site compound areas as appropriate. (ii) a planting programme including the staging of planting in relation to the construction programme which shall, as far as practicable, include provision for planting within each planting season following completion of works in each Stage of Work; and (iii) detailed specifications relating to the following: <ul style="list-style-type: none"> A. weed control and clearance; B. pest animal management (to support plant establishment); C. ground preparation (top soiling and decompaction); D. mulching; and E. plant sourcing and planting, including hydroseeding and grassing, and use of eco-sourced species.

	<p>Advice note: This designation is for the purpose of construction, operation and maintenance of an arterial transport corridor and it is not for the specific purpose of “road widening”. Therefore, it is not intended that the front yard definition in the Auckland Unitary Plan which applies a set back from a designation for road widening purposes applies to this designation. A set back is not required to manage effects between the designation boundary and any proposed adjacent sites or lots.</p>
<p>Specific Outline Plan requirements</p>	
	<p>Flood Hazard For the purpose of Condition 13:</p> <ul style="list-style-type: none"> (a) ARI – means Average Recurrence Interval; (b) Existing authorised community, commercial and industrial floor – means the floor level of any community, commercial and industrial building which is authorised and exists at the time the Outline Plan is submitted; (c) Existing authorised habitable floor – means the floor level of any room (floor) in a residential building which is authorised and exists at the time the Outline Plan is submitted, excluding a laundry, bathroom, toilet or any room used solely as an entrance hall, passageway or garage; (d) Flood prone area – means potential ponding areas that may flood and commonly comprise of topographical depression areas. The areas can occur naturally or as a result of constructed features; (e) Maximum Probable Development – is the design case for consideration of future flows allowing for development within a catchment that takes into account the maximum impervious surface limits of the current zone or if the land is zoned Future Urban in the AUP, the probable level of development arising from zone changes; (f) Pre-Project development – means existing site condition prior to the Project (including existing buildings and roadways); and (g) Post-Project development – means site condition after the Project has been completed (including existing and new buildings and roadways).
<p>13.</p>	<p>Flood Hazard</p> <ul style="list-style-type: none"> (a) The Project shall be designed to achieve the following flood risk outcomes: <ul style="list-style-type: none"> (i) no increase in flood levels in a 1% AEP event for existing authorised habitable floors that are already subject to flooding or have a freeboard less than 150mm; (ii) no more than a 10% reduction in freeboard in a 1% AEP event for existing authorised habitable floors to maintain a minimum freeboard of 150mm; (iii) no increase in flood levels in a 1% AEP event for existing authorised community, commercial and industrial building floors that are already subject to flooding; (iv) no more than a 10% reduction in freeboard in a 1% AEP event for existing authorised community, commercial and industrial building floors; (v) maximum of 50mm increase in flood level in a 1% AEP event outside and adjacent to the designation boundaries between the pre and post Project scenarios; (vi) no new flood prone areas; and (vii) no increase of flood hazard for main access to authorised habitable dwellings existing at the time the Outline Plan is submitted. The assessment shall be undertaken for the 1% AEP event. Where Flood Hazard is: <ul style="list-style-type: none"> A. velocity x depth is greater than or equal to (\geq) 0.6; or

	<p>B. depth is greater than (>) 0.5m; or C. velocity is greater than (>) 2m/s.</p> <p>(b) Compliance with this condition shall be demonstrated in the Outline Plan, which shall include flood modelling of the pre-Project and post-Project 1% AEP flood levels (for Maximum Probable Development land use and including climate change).</p> <p>(c) Where the above outcomes can be achieved through alternative measures outside of the designation such as flood stop banks, flood walls, raising existing authorised habitable floor level and new overland flow paths or varied through agreement with the relevant landowner, the Outline Plan shall include confirmation that any necessary landowner and statutory approvals have been obtained for that work or alternative outcome.</p>
14.	<p>Existing property access</p> <p>(a) Where existing property vehicle access which exists at the time the Outline Plan is submitted is proposed to be altered by the project, the Requiring Authority shall consult with the directly affected landowner regarding the required changes. The Outline Plan shall demonstrate how safe access will be provided, unless otherwise agreed with the affected landowner.</p>
Construction conditions	
15.	<p>Construction Environmental Management Plan (CEMP)</p> <p>(a) A CEMP shall be prepared prior to the Start of Construction for a Stage of Work.</p> <p>(b) The objective of the CEMP is to set out the management procedures and construction methods to be undertaken to, avoid, remedy or mitigate any adverse effects associated with Construction Works as far as practicable. To achieve the objective, the CEMP shall include:</p> <ul style="list-style-type: none"> (i) the roles and responsibilities of staff and contractors; (ii) details of the site or project manager and the Project Liaison Person, including their contact details (phone and email address); (iii) the Construction Works programmes and the staging approach, and the proposed hours of work; (iv) details of the proposed construction yards including temporary screening when adjacent to residential areas; (v) details of the proposed construction lighting; (vi) methods for controlling dust and the removal of debris and demolition of construction materials from public roads or places; (vii) methods for providing for the health and safety of the general public; (viii) measures to mitigate flood hazard effects such as siting stockpiles out of floodplains, minimising obstruction to flood flows, actions to respond to warnings of heavy rain; (ix) procedures for incident management; (x) location and procedures for the refuelling and maintenance of plant and equipment to avoid discharges of fuels or lubricants to watercourses; (xi) measures to address the storage of fuels, lubricants, hazardous and/or dangerous materials, along with contingency procedures to address emergency spill response(s) and clean up; (xii) procedures for responding to complaints about Construction Works; and (xiii) methods for amending and updating the CEMP as required.
16.	<p>Complaints Register</p> <p>(a) At all times during Construction Works, a record of any complaints received about the Construction Works shall be maintained. The record shall include:</p> <ul style="list-style-type: none"> (i) the date, time and nature of the complaint;

	<ul style="list-style-type: none"> (ii) the name, phone number and address of the complainant (unless the complainant wishes to remain anonymous); (iii) measures taken to respond to the complaint (including a record of the response provided to the complainant) or confirmation of no action if deemed appropriate; (iv) the outcome of the investigation into the complaint; and (v) any other activities in the area, unrelated to the Project that may have contributed to the complaint, such as non-project construction, fires, traffic accidents or unusually dusty conditions generally. <p>(b) A copy of the Complaints Register required by this condition shall be made available to the Manager upon request as soon as practicable after the request is made.</p>
<p>17.</p>	<p>Cultural Monitoring Plan</p> <ul style="list-style-type: none"> (a) A Cultural Monitoring Plan shall be prepared prior to the Start of Construction. (b) At least six (6) months prior to the start of detailed design, a Suitably Qualified Person(s) identified in partnership with Mana Whenua shall commence the preparation of the Cultural Monitoring Plan. (c) The objective of the Cultural Monitoring Plan is to identify methods for undertaking cultural monitoring to assist with management of any cultural effects during Construction works. To achieve the objective, the Cultural Monitoring Plan shall include: <ul style="list-style-type: none"> (i) requirements for formal dedication or cultural interpretation to be undertaken prior to start of Construction Works in areas identified as having significance to Mana Whenua; (ii) requirements and protocols for cultural inductions for contractors and subcontractors; (iii) identification of activities, sites and areas where cultural monitoring is required during particular Construction Works; (iv) identification of personnel to undertake cultural monitoring, including any geographic definition of their responsibilities; and (v) details of personnel to assist with management of any cultural effects identified during cultural monitoring, including implementation of the Accidental Discovery Protocol. (d) If Enabling Works involving soil disturbance are undertaken prior to the start of Construction Works, an Enabling Works Cultural Monitoring Plan shall be prepared by a Suitably Qualified Person identified in collaboration with Mana Whenua. This plan may be prepared as a standalone Enabling Works Cultural Monitoring Plan or be included in the main Construction Works Cultural Monitoring Plan. <p>Advice note: Where appropriate, the Cultural Monitoring Plan shall align with the requirements of other conditions of the designation and resource consents for the Project which require monitoring during Construction Works.</p>
<p>18.</p>	<p>Construction Traffic Management Plan (CTMP)</p> <ul style="list-style-type: none"> (a) A CTMP shall be prepared prior to the Start of Construction for a Stage of Work. (b) The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects. To achieve this objective, the CTMP shall include: <ul style="list-style-type: none"> (i) methods to manage the effects of temporary traffic management activities on traffic; (ii) measures to ensure the safety of all transport users;

- (iii) the estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours (for example on roads serving educational facilities during pick up and drop off times) to manage vehicular and pedestrian traffic near educational facilities or to manage traffic congestion;
- (iv) site access routes and access points for heavy vehicles, the size and location of parking areas for plant, construction vehicles and the vehicles of workers and visitors;
- (v) identification of detour routes and other methods to ensure the safe management and maintenance of traffic flows, pedestrians and cyclists;
- (vi) methods to maintain access to and within property and/or private roads where practicable, or to provide alternative access arrangements when it will not be. Engagement with landowners whose access is directly affected shall be undertaken in accordance with Condition 11(b)(iii)D;
- (vii) details of how access for the loading and unloading of goods will be provided for;
- (viii) the management approach to loads on heavy vehicles, including covering loads of fine material, the use of wheel-wash facilities at site exit points and the timely removal of any material deposited or spilled on public roads;
- (ix) methods that will be undertaken to communicate traffic management measures to affected road users (e.g. residents / public / stakeholders / emergency services);
- (x) details of minimum network performance parameters to be achieved during the construction phase, including any measures to monitor compliance with the performance parameters. These could include maximum increases in journey time and traffic volumes along key routes; and
- (xi) details of any Travel Demand Management (TDM) measures proposed to be implemented in the event of thresholds identified in (x) being exceeded.

19. Construction Noise Standards

- (a) Construction noise shall be measured and assessed in accordance with NZS6803:1999 Acoustics – Construction Noise and shall comply with the noise standards set out in the following table as far as practicable:

Table 19-1 Construction Noise Standards

Day of week	Time period	LAeq(15min)	LAFmax
Occupied activity sensitive to noise			
Weekday	0630h - 0730h	55 dB	75 dB
	0730h - 1800h	70 dB	85 dB
	1800h - 2000h	65 dB	80 dB
	2000h - 0630h	45 dB	75 dB
Saturday	0630h - 0730h	55 dB	75 dB
	0730h - 1800h	70 dB	85 dB
	1800h - 2000h	45 dB	75 dB
	2000h - 0630h	45 dB	75 dB

	<table border="1"> <tr> <td rowspan="4">Sunday and Public Holidays</td> <td>0630h - 0730h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>0730h - 1800h</td> <td>55 dB</td> <td>85 dB</td> </tr> <tr> <td>1800h - 2000h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td colspan="4">Other occupied buildings</td> </tr> <tr> <td rowspan="2">All</td> <td>0730h – 1800h</td> <td>70 dB</td> <td></td> </tr> <tr> <td>1800h – 0730h</td> <td>75 dB</td> <td></td> </tr> </table> <p>(b) Where compliance with the noise standards set out in Table 19-1 is not practicable, the methodology in Condition 22 shall apply.</p>	Sunday and Public Holidays	0630h - 0730h	45 dB	75 dB	0730h - 1800h	55 dB	85 dB	1800h - 2000h	45 dB	75 dB	2000h - 0630h	45 dB	75 dB	Other occupied buildings				All	0730h – 1800h	70 dB		1800h – 0730h	75 dB	
Sunday and Public Holidays	0630h - 0730h		45 dB	75 dB																					
	0730h - 1800h		55 dB	85 dB																					
	1800h - 2000h		45 dB	75 dB																					
	2000h - 0630h	45 dB	75 dB																						
Other occupied buildings																									
All	0730h – 1800h	70 dB																							
	1800h – 0730h	75 dB																							
20.	<p>Construction Vibration Standards</p> <p>(a) Construction vibration shall be measured in accordance with ISO 4866:2010 Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures and shall comply with the vibration standards set out in the following table as far as practicable.</p> <p>Table 20-1 Construction vibration standards</p> <table border="1"> <thead> <tr> <th>Receiver</th> <th>Details</th> <th>Category A*</th> <th>Category B**</th> </tr> </thead> <tbody> <tr> <td colspan="4">Occupied activity sensitive to noise</td> </tr> <tr> <td rowspan="2">Occupied activities sensitive to noise</td> <td>Night-time 2000h - 0630h</td> <td>0.3mm/s ppv</td> <td>2mm/s ppv</td> </tr> <tr> <td>Daytime 0630h - 2000h</td> <td>2mm/s ppv</td> <td>5mm/s ppv</td> </tr> <tr> <td>Other occupied buildings</td> <td>Daytime 0630h - 2000h</td> <td>2mm/s ppv</td> <td>5mm/s ppv</td> </tr> <tr> <td>All other buildings</td> <td>At all other times</td> <td colspan="2">Tables 1 and 3 of DIN4150-3:1999</td> </tr> </tbody> </table> <p>* Category A criteria adopted from Rule E25.6.30.1 of the AUP</p> <p>** Category B criteria based on DIN 4150-3:1999 building damage criteria for daytime</p> <p>(b) Where compliance with the vibration standards set out in Table 20-1 is not practicable, the methodology in Condition 22 shall apply</p>	Receiver	Details	Category A*	Category B**	Occupied activity sensitive to noise				Occupied activities sensitive to noise	Night-time 2000h - 0630h	0.3mm/s ppv	2mm/s ppv	Daytime 0630h - 2000h	2mm/s ppv	5mm/s ppv	Other occupied buildings	Daytime 0630h - 2000h	2mm/s ppv	5mm/s ppv	All other buildings	At all other times	Tables 1 and 3 of DIN4150-3:1999		
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21.	<p>Construction Noise and Vibration Management Plan (CNMVP)</p> <p>(a) A CNMVP shall be prepared prior to the Start of Construction for Stage of Work.</p> <p>(b) A CNMVP shall be implemented during the Stage of Work to which it relates.</p> <p>(c) The objective of the CNMVP is to provide a framework for the development and implementation of the Best Practicable Option for the management of construction noise and vibration effects to achieve the construction noise and vibration standards set out in Conditions 19 and 20 to the extent practicable. To achieve the objective, the CNMVP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 'Acoustics – Construction Noise' (NZS6803:1999) and shall as a minimum, address the following:</p> <ul style="list-style-type: none"> (i) description of the works and anticipated equipment/processes; (ii) hours of operation, including times and days when construction activities would occur; (iii) the construction noise and vibration standards for the Project; (iv) identification of receivers where noise and vibration standards apply; (v) a hierarchy of management and mitigation options, including any requirements to limit night works and works during other sensitive times, including Sundays and public holidays as far practicable; 																								

	<ul style="list-style-type: none"> (vi) methods and frequency for monitoring and reporting on construction noise and vibration; (vii) procedures for communication and engagement with nearby residents and stakeholders, including notification of proposed construction activities, the period of construction activities, and management of noise and vibration complaints; (viii) contact details of the Project Liaison Person; (ix) procedures for the regular training of the operators of construction equipment to minimise noise and vibration as well as expected construction site behaviours for all workers; (x) procedures and requirements for the preparation of a Schedule to the CNVMP (Schedule) for those areas where compliance with the noise Condition 19 and/or vibration standards Condition 20 Category B will not be practicable; (xi) identification of trigger levels for undertaking building condition surveys, which shall be Category B day time levels; (xii) procedures and trigger levels for undertaking building condition surveys before and after works to determine whether any cosmetic or structural damage has occurred as a result of construction vibration; (xiii) methodology and programme of desktop and field audits and inspections to be undertaken to ensure that the CNVMP, Schedules and the best practicable option for management of effects are being implemented; and (xiv) requirements for review and update of the CNVMP.
<p>22.</p>	<p>Schedule to a CNVMP</p> <ul style="list-style-type: none"> (a) A Schedule to the CNVMP (Schedule) shall be prepared prior to the start of the construction to which it relates by a Suitably Qualified Person, in consultation with the owners and occupiers of sites subject to the Schedule, when: <ul style="list-style-type: none"> (i) construction noise is either predicted or measured to exceed the noise standards in Condition 19, except where the exceedance of the L_{Aeq} criteria is no greater than 5 decibels and does not exceed: <ul style="list-style-type: none"> A. 0630 – 2000: 2 period of up to 2 consecutive weeks in any 2 months; or B. 2000 - 0630: 1 period of up to 2 consecutive nights in any 10 days. (ii) construction vibration is either predicted or measured to exceed the Category B standard at the receivers in Condition 20. (b) The objective of the Schedule is to set out the Best Practicable Option measures to manage noise and/or vibration effects of the construction activity beyond those measures set out in the CNVMP. To achieve the objective, the schedule shall include details such as: <ul style="list-style-type: none"> (i) construction activity location, start and finish dates; (ii) the nearest neighbours to the construction activity; (iii) the predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards and predicted duration of the exceedance; (iv) for works proposed between 2000h and 0630h, the reasons why the proposed works must be undertaken during these hours and why they cannot be practicably undertaken during the daytime; (v) the proposed mitigation options that have been selected, and the options that have been discounted as being impracticable and the reasons why;

	<ul style="list-style-type: none"> (vi) the consultation undertaken with owners and occupiers of sites subject to the Schedule, and how consultation has and has not been taken into account; and (vii) location, times and types of monitoring. <p>(c) The Schedule shall be submitted to the Manager for certification at least 5 working days (except in unforeseen circumstances) in advance of Construction Works that are covered by the scope of the Schedule and shall form part of the CNVMP.</p> <p>(d) Where material changes are made to a Schedule required by this condition, the Requiring Authority shall consult the owners and/or occupiers of sites subject to the Schedule prior to submitting the amended Schedule to the Manager for certification in accordance with (c) above. The amended Schedule shall document the consultation undertaken with those owners and occupiers, and how consultation outcomes have and have not been taken into account.</p>
<p>23.</p>	<p>Historic Heritage Management Plan</p> <ul style="list-style-type: none"> (a) A HHMP shall be prepared in consultation with Council, HNZPT and Mana Whenua prior to the Start of Construction for a Stage of Work. (b) The objective of the HHMP is to protect historic heritage and to remedy and mitigate any residual effects as far as practicable. To achieve the objective, the HHMP shall identify: <ul style="list-style-type: none"> (i) any adverse direct and indirect effects on historic heritage sites and measures to appropriately avoid, remedy or mitigate any such effects, including a tabulated summary of these effects and measures; (ii) methods for the identification and assessment of potential historic heritage places within the Designation to inform detailed design; (iii) known historic heritage places and potential archaeological sites within the Designation, including identifying any archaeological sites for which an Archaeological Authority under the HNZPTA will be sought or has been granted; (iv) any unrecorded archaeological sites or post-1900 heritage sites within the Designation, which shall also be documented and recorded (such as in the New Zealand Archaeological Association Site Recording Scheme (ArchSite) and/or the Auckland Council Cultural Heritage Inventory); (v) roles, responsibilities and contact details of Project personnel, Council and HNZPT representatives, Mana Whenua representatives, and relevant agencies involved with heritage and archaeological matters including surveys, monitoring of Construction Works, compliance with AUP accidental discovery rule, and monitoring of conditions; (vi) specific areas to be investigated, monitored and recorded to the extent these are directly affected by the Project; (vii) the proposed methodology for investigating and recording post-1900 historic heritage sites (including buildings and standing structures) that need to be destroyed, demolished or relocated, including details of their condition, measures to mitigate any adverse effects and timeframe for implementing the proposed methodology, in accordance with the HNZPT Archaeological Guidelines Series No.1: Investigation and Recording of Buildings and Standing Structures (November 2018), or any subsequent version; (viii) methods to acknowledge cultural values identified through the Mana Whenua Kaitiaki Forum (Condition 10) and Urban Landscape and Design Management Plan (Condition 12) where archaeological sites

	<p>also involve ngā taonga tuku iho (treasures handed down by our ancestors) and where feasible and practicable to do so;</p> <ul style="list-style-type: none"> (ix) methods for avoiding, remedying or mitigating adverse effects on historic heritage places and sites within the Designation during Construction Works as far as practicable. These methods shall include, but are not limited to: <ul style="list-style-type: none"> A. security fencing or hoardings around historic heritage places to protect them from damage during construction or unauthorised access; (x) measures to mitigate adverse effects on historic heritage sites that achieve positive historic heritage outcomes such as increased public awareness and interpretation signage; and (xi) training requirements and inductions for contractors and subcontractors on historic heritage places within the Designation, legal obligations relating to unexpected discoveries and the AUP Accidental Discovery Rule (E11.6.1) The training shall be undertaken prior to the Start of Construction, under the guidance of a Suitably Qualified Person and Mana Whenua representatives (to the extent the training relates to cultural values identified under Condition 17). <p>(c) Electronic copies of all historic heritage reports relating to historic heritage investigations (evaluation, excavation, building and standing structures and monitoring), shall be submitted to the Manager within 12 months of completion.</p> <p>Advice note: Accidental Discoveries The requirements for accidental discoveries of heritage items are set out in Rule E11.6.1 of the AUP and shall apply when an archaeological authority under the HNZPTA is not otherwise in place.</p>
<p>24.</p>	<p>Pre-Construction Ecological Survey</p> <ul style="list-style-type: none"> (a) At the start of detailed design for a Stage of Work, an updated ecological survey shall be undertaken by a Suitably Qualified Person. The purpose of the survey is to inform ecological management by confirming whether the indigenous flora and fauna (including Regionally or Nationally At-Risk or Threatened species) within the Identified Biodiversity Areas recorded in Schedule 3 are still present. (b) Mana Whenua shall be invited as partners to observe how the ecological survey in (a) will be undertaken. (c) If the ecological survey confirms the presence of indigenous flora and fauna (including Regionally or Nationally At-Risk or Threatened species) in accordance with Condition 24(a) then an Ecological Management Plan (or Plans) shall be prepared in accordance with Condition 25 for these areas (Confirmed Biodiversity Areas).
<p>25.</p>	<p>Ecological Management Plan (EMP)</p> <ul style="list-style-type: none"> (a) An EMP shall be prepared for any Confirmed Biodiversity Areas (confirmed through Condition 24) prior to the Start of Construction for a Stage of Work. (b) The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable. To achieve the objective, the EMP shall set out the methods which may include: <ul style="list-style-type: none"> (i) if an EMP is required in accordance with Condition 24(c) for the presence of long-tailed bats:

	<ul style="list-style-type: none"> A. measures to minimise disturbance from construction activities within the vicinity of any active roosts that are discovered until such roosts are confirmed to be vacant of bats; B. how the timing of any construction work in the vicinity of any maternity long tail bat roosts will be limited to outside the bat maternity period (between December and March) where reasonably practicable; C. details of areas where vegetation is to be retained where practicable for the purposes of the connectivity of long tailed bats; D. details of how bat connectivity will be provided and maintained (e.g. through the presence of suitable indigenous, or exotic trees or artificial alternatives) will be provided and maintained; and E. where mitigation is not practicable, details of any offsetting proposed. <p>(ii) If an EMP is required in accordance with Condition 24(c) for the presence of Threatened or At-Risk birds (excluding Wetland Birds):</p> <ul style="list-style-type: none"> A. how the timing of any Construction Works shall be undertaken outside of the bird breeding season (September to February) where practicable; B. where Pipit are identified as being present, how the timing of any Construction Works shall be undertaken outside of the Pipit bird breeding season (August to February) where practicable; C. where works are required within the Confirmed Biodiversity Area during the bird breeding season (including Pipits), methods to minimise adverse effects on Threatened or At-Risk birds; and D. details of grass maintenance if Pipit are present. <p>(iii) If an EMP is required in accordance with Condition 24(c) for the presence of Threatened or At-Risk wetland birds:</p> <ul style="list-style-type: none"> A. how the timing of any Construction Works shall be undertaken outside of the bird breeding season (September to February) where practicable; B. where works are required within the Confirmed Biodiversity Area during the bird breeding season, methods to minimise adverse effects on Threatened or At-Risk wetland birds; C. undertaking a nesting bird survey of Threatened or At-Risk wetland birds prior to any Construction Works taking place within a 50m radius of any identified Wetlands (including establishment of construction areas adjacent to Wetlands). Surveys should be repeated at the beginning of each wetland bird breeding season and following periods of construction inactivity; D. what protection and buffer measures will be provided where nesting Threatened or At-Risk wetland birds are identified within 50m of any construction area (including laydown areas). Measures could include: <ul style="list-style-type: none"> a. a 20m buffer area around the nest location and retaining vegetation. The buffer areas should be demarcated where necessary to protect birds from encroachment. This might include the use of marker poles, tape and signage; b. monitoring of the nesting Threatened or At-Risk wetland birds by a Suitably Qualified Person. Construction Works
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	<p>within the 20m nesting buffer areas should not occur until the Threatened or At-Risk wetland birds have fledged from the nest location (approximately 30 days from egg laying to fledging) as confirmed by a Suitably Qualified Person; and</p> <p>c. minimising the disturbance from the works if Construction Works are required within 50m of a nest, as advised by a Suitably Qualified Person.</p> <p>E. adopting a 10m setback where practicable, between the edge of wetlands and construction areas (along the edge of the stockpile/laydown area); and</p> <p>F. minimising light spill from construction areas into wetlands.</p> <p>(c) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p>(d) Where appropriate, and in partnership with Mana Whenua, flora and fauna values identified in the ULDMP are reflected and included within this EMP.</p> <p>Advice note: Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</p> <ul style="list-style-type: none"> (i) Stream and/or wetland restoration plans; (ii) Vegetation restoration plans; and (iii) Fauna management plans (e.g. avifauna, herpetofauna).
26.	<p>Network Utility Management Plan (NUMP)</p> <p>(a) A NUMP shall be prepared prior to the Start of Construction for a Stage of Work.</p> <p>(b) The objective of the NUMP is to set out a framework for protecting, relocating and working in proximity to existing network utilities. To achieve the objective, the NUMP shall include methods to:</p> <ul style="list-style-type: none"> (i) provide access for maintenance at all reasonable times, or emergency works at all times during construction activities; (ii) manage the effects of dust and any other material potentially resulting from construction activities and able to cause material damage, beyond normal wear and tear to overhead transmission lines in the Project area; and (iii) demonstrate compliance with relevant standards and Codes of Practice including, where relevant, the NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances 2001; AS/NZS 4853:2012 Electrical hazards on Metallic Pipelines; and AS/NZS 2885 Pipelines – Gas and Liquid Petroleum. <p>(c) The NUMP shall be prepared in consultation with the relevant Network Utility Operator(s) (including Auckland International Airport Limited) who have existing assets that are directly affected by the Project.</p> <p>(d) The development of the NUMP shall consider opportunities to coordinate future work programmes with other Network Utility Operator(s) (including Auckland International Airport Limited) during detailed design where practicable.</p> <p>(e) The NUMP shall describe how any comments from the Network Utility Operator (including Auckland International Airport Limited) in relation to its assets have been addressed.</p> <p>(f) Any comments received from the Network Utility Operator (including Auckland International Airport Limited) shall be considered when finalising the NUMP.</p>

	(g) Any amendments to the NUMP related to the assets of a Network Utility Operator (including Auckland International Airport Limited) shall be prepared in consultation with that asset owner.
Operational conditions	
27.	Low Noise Road Surface (a) Asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented within 12 months of Completion of Construction of the Project.
28.	Future Resurfacing Work (a) Any future resurfacing works of the Project shall be undertaken in accordance with the Auckland Transport Reseal Guidelines, Asset Management and Systems 2013 and asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented where: (i) the volume of traffic exceeds 10,000 vehicles per day; or (ii) the road is subject to high wear and tear (such as cul de sac heads, roundabouts and main road intersections); or (iii) it is in an industrial or commercial area where there is a high concentration of truck traffic; or (iv) it is subject to high usage by pedestrians, such as town centres, hospitals, shopping centres and schools. (b) Prior to commencing any future resurfacing works, the Requiring Authority shall advise the Manager if any of the triggers in Condition 27(a)(i) – (iv) are not met by the road or a section of it and therefore where the application of asphaltic concrete surfacing (or equivalent low noise road surface) is no longer required on the road or a section of it. Such advice shall also indicate when any resealing is to occur.
	Traffic Noise For the purposes of Conditions 29 to 40: (a) Building-Modification Mitigation – has the same meaning as in NZS 6806; (b) Design year has the same meaning as in NZS 6806; (c) Detailed Mitigation Options – means the fully detailed design of the Selected Mitigation Options, with all practical issues addressed; (d) Habitable Space – has the same meaning as in NZS 6806; (e) Identified Noise Criteria Category – means the Noise Criteria Category for a PPF identified in Schedule 2 Identified PPFs Noise Criteria Categories; (f) Mitigation – has the same meaning as in NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads; (g) Noise Criteria Categories – means the groups of preference for sound levels established in accordance with NZS 6806 when determining the Best Practicable Option for noise mitigation (i.e. Categories A, B and C); (h) NZS 6806 – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads; (i) Protected Premises and Facilities (PPFs) – means only the premises and facilities identified in Schedule 2: Identified PPFs Noise Criteria Categories; (j) Selected Mitigation Options – means the preferred mitigation option resulting from a Best Practicable Option assessment undertaken in accordance with NZS 6806 taking into account any low noise road surface to be implemented in accordance with Condition 27; and (k) Structural Mitigation – has the same meaning as in NZS 6806.
29.	The Noise Criteria Categories identified in Schedule 2: Identified PPFs Noise Criteria Categories at each of the PPFs shall be achieved where practicable and subject to Conditions 29 to 40 (all traffic noise conditions). The Noise Criteria Categories do not need to be complied with at a PPF where: (a) The PPF no longer exists; or

	<p>(b) Agreement of the landowner has been obtained confirming that the Noise Criteria Category does not need to be met.</p> <p>Achievement of the Noise Criteria Categories for PPFs shall be by reference to a traffic forecast for a high growth scenario in a design year at least 10 years after the programmed opening of the Project.</p>
30.	<p>As part of the detailed design of the Project, a Suitably Qualified Person shall determine the Selected Mitigation Options for the PPFs identified on Schedule 2: Identified PPFs Noise Criteria Categories.</p> <p>For the avoidance of doubt, the low noise road surface implemented in accordance with Condition 27 may be (or be part of) the Selected Mitigation Option(s).</p>
31.	<p>Prior to construction of the Project, a Suitably Qualified Person shall develop the Detailed Mitigation Options for the PPFs identified in Schedule 2: Identified PPFs Noise Criteria Categories, taking into account the Selected Mitigation Options.</p>
32.	<p>If the Detailed Mitigation Options would result in the Identified Noise Criteria Category changing to a less stringent Category, e.g. from Category A to B or Category B to C, at any relevant PPF, a Suitably Qualified Person shall provide confirmation to the Manager that the Detailed Mitigation Option would be consistent with adopting the Best Practicable Option in accordance with NZS 6806 prior to implementation.</p>
33.	<p>The Detailed Mitigation Options shall be implemented prior to Completion of Construction of the Project, with the exception of any low-noise road surfaces, which shall be implemented within twelve months of Completion of Construction.</p>
34.	<p>Prior to the Start of Construction, a Suitably Qualified Person shall identify those PPFs which, following implementation of all the Detailed Mitigation Options, will not be Noise Criteria Categories A or B and where Building-Modification Mitigation might be required to achieve 40 dB_{L_{Aeq}(24h)} inside Habitable Spaces ('Category C Buildings').</p>
35.	<p>Prior to the Start of Construction in the vicinity of each Category C Building, the Requiring Authority shall write to the owner of the Category C Building requesting entry to assess the noise reduction performance of the existing building envelope. If the building owner agrees to entry within three months of the date of the Requiring Authority's letter, the Requiring Authority shall instruct a Suitably Qualified Person to visit the building and assess the noise reduction performance of the existing building envelope.</p>
36.	<p>For each Category C Building identified, the Requiring Authority is deemed to have complied with Condition 35 above if:</p> <ul style="list-style-type: none"> (a) The Requiring Authority's Suitably Qualified Person has visited the building and assessed the noise reduction performance of the building envelope; or (b) The building owner agreed to entry, but the Requiring Authority could not gain entry for some reason (such as entry denied by a tenant); or (c) The building owner did not agree to entry within three months of the date of the Requiring Authority's letter sent in accordance with Condition 35 above (including where the owner did not respond within that period); or (d) The building owner cannot, after reasonable enquiry, be found prior to Completion of Construction of the Project. <p>If any of (b) to (d) above apply to a Category C Building, the Requiring Authority is not required to implement Building-Modification Mitigation to that building.</p>
37.	<p>Subject to Condition 36 above, within six months of the assessment undertaken in accordance with Condition 36, the Requiring Authority shall write to the owner of each Category C Building advising:</p> <ul style="list-style-type: none"> (a) If Building-Modification Mitigation is required to achieve 40dB_{L_{Aeq}(24h)} inside habitable spaces; and

	<p>(b) The options available for Building-Modification Mitigation to the building, if required; and</p> <p>(c) That the owner has three months to decide whether to accept Building-Modification Mitigation to the building and to advise which option for Building-Modification Mitigation the owner prefers, if the Requiring Authority has advised that more than one option is available.</p>
38.	Once an agreement on Building-Modification Mitigation is reached between the Requiring Authority and the owner of a Category C Building, the mitigation shall be implemented, including any third party authorisations required, in a reasonable and practical timeframe agreed between the Requiring Authority and the owner.
39.	<p>Subject to Condition 37, where Building-Modification Mitigation is required, the Requiring Authority is deemed to have complied with Condition 38 if:</p> <p>(a) The Requiring Authority has completed Building Modification Mitigation to the building; or</p> <p>(b) An alternative agreement for mitigation is reached between the Requiring Authority and the building owner; or</p> <p>(c) The building owner did not accept the Requiring Authority's offer to implement Building-Modification Mitigation within three months of the date of the Requiring Authority's letter sent in accordance with Condition 37 (including where the owner did not respond within that period); or</p> <p>(d) The building owner cannot, after reasonable enquiry, be found prior to Completion of Construction of the Project.</p>
40.	The Detailed Mitigation Options shall be maintained so they retain their noise reduction performance as far as practicable.

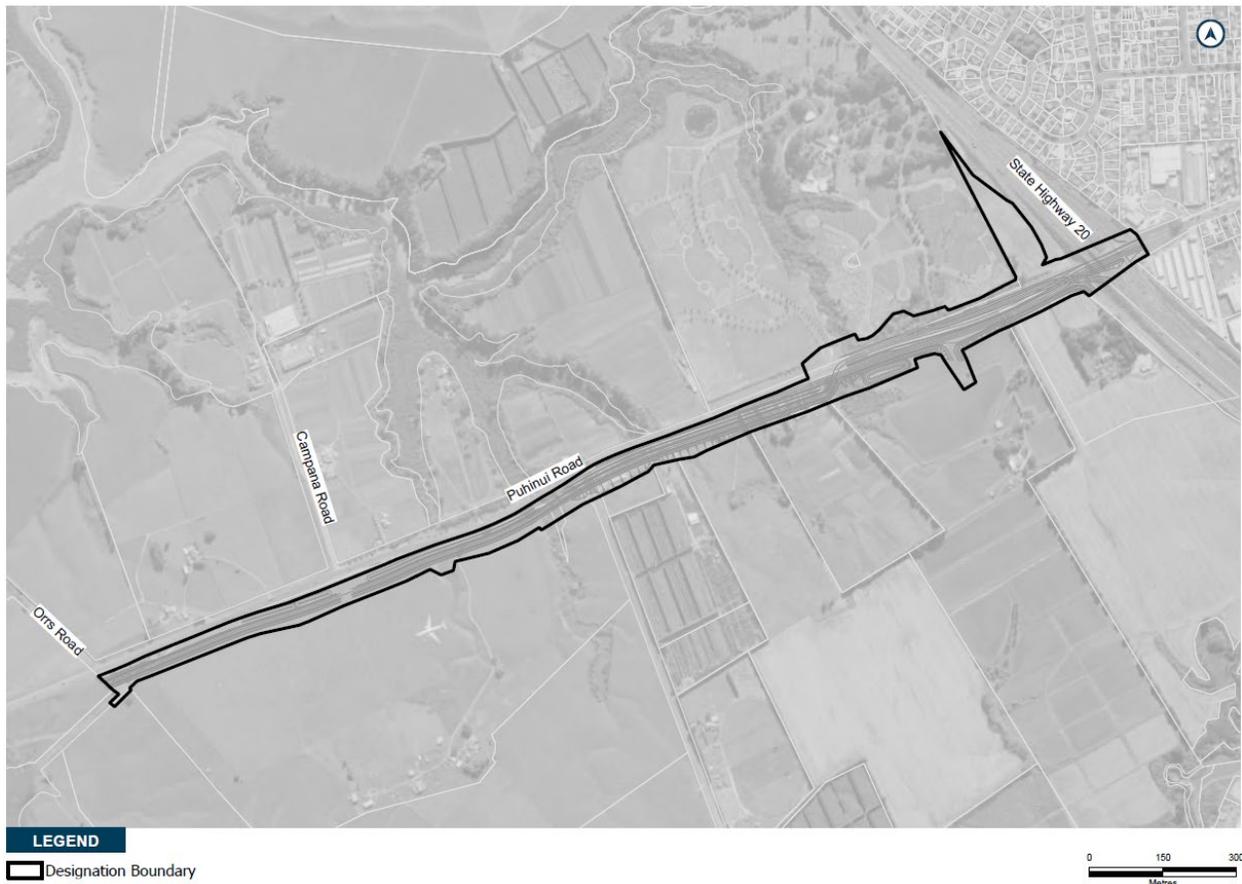
Attachments

Schedule 1: General accordence plan and information

The proposed work is for the construction, operation and maintenance of an extension to Puhinui Road between the SH20/20B Interchange and Orrs Road for a BRT corridor, walking and cycling facilities and associated infrastructure. The proposed work is shown in the following Concept Plan and includes:

- (a) An extension of Puhinui Road to accommodate BRT lanes (centre-running to Manukau Memorial Gardens, then south running to Orrs Road), general traffic lanes and walking and cycling facilities;
- (b) Associated works including but not limited to intersections, bridges, embankments, retaining walls, culverts, stormwater management systems;
- (c) Changes to local roads, where the proposed work intersects with local roads; and
- (d) Construction activities, including vegetation removal, construction areas and the re-grading of driveways.

Concept plan:

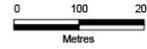
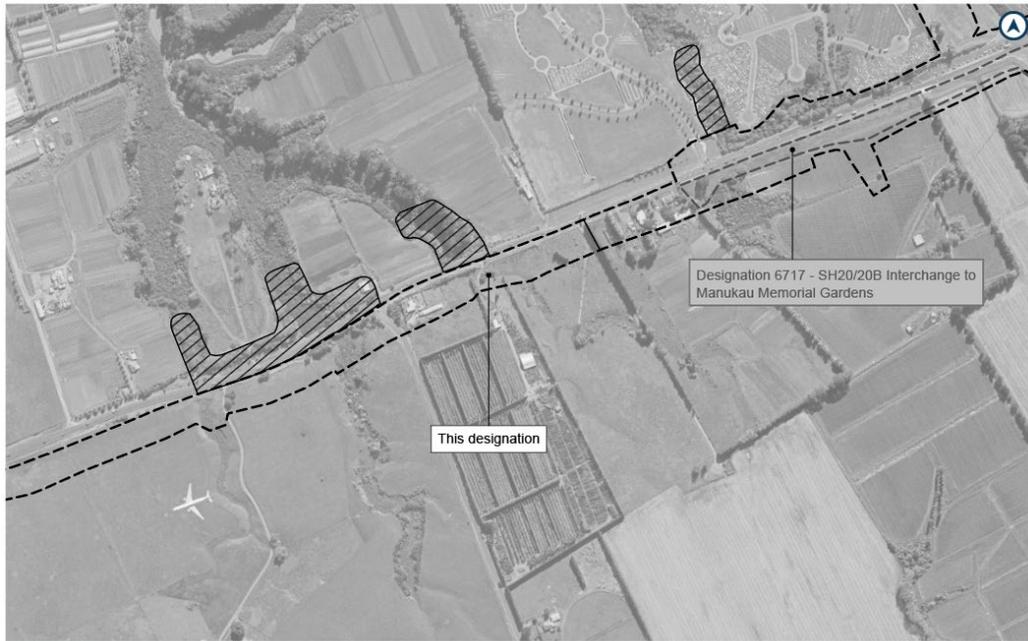


Schedule 2: Identified PPFs noise criteria categories

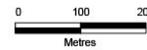
Address	New or Altered Road	Noise Criteria Category
485 Puhinui Road	Altered	Category A
485 Puhinui Road	Altered	Category C
485 Puhinui Road	Altered	Category C
16 Sabi Place	Altered	Category A
17 Sabi Place	Altered	Category A

Schedule 3: Identified Biodiversity Areas

Pre-construction wetland bird survey area



Pre-construction pipit survey area



21/02/2024

David Wong
Senior Policy Planner
Central/South Planning Unit - Plans and Places
Auckland Council
Private Bag 92300
Victoria Street West
Auckland 1142

Dear David

NOTICE OF DECISION OF NZ TRANSPORT AGENCY WAKA KOTAHI UNDER SECTION 172 OF THE RESOURCE MANAGEMENT ACT 1991

Thank you for your letter on 18 December 2023 advising of the recommendation of the Auckland Council Independent Hearing Commissioners in relation to the Notice of Requirement to alter Designation 6717 to upgrade State Highway 20B (the Project) that comprises part of the Airport to Botany Bus Rapid Transit Project.

The Commissioners' recommendation was that the Notice of Requirement should be **confirmed** subject to conditions.

Pursuant to section 172 of the Resource Management Act 1991, NZ Transport Agency Waka Kotahi (**NZTA**) **accepts in part** the Commissioners' recommendation in relation to the Notice of Requirement.

Conditions rejected or accepted in part only

There are some recommended conditions that are rejected or only partially accepted by NZTA. The amendments to these conditions and the reasons for the NZTA decision in respect of these conditions are set out below. Only those conditions that NZTA has modified in response to the recommendation made by the Commissioners are outlined in the table below (shown as **bold strikethrough** for deletions and **bold underline** for additions). A complete set of the designation conditions, which outlines all modifications made (including a number of minor typographical and formatting errors) as a result of the NZTA decision is **attached** to this letter as **Appendix B**.

Abbreviations and definitions – Certification of material changes to management plans

The NZTA decision is to reject the proposed deletion of clause (b) as shown below. The Commissioners did not provide an evidential basis for the deletion of clause (b) and NZTA considers that this clause is necessary to ensure that construction works are not unreasonably delayed. NZTA is experienced in implementing large scale infrastructure projects and in reality, it will be communicating regularly with the Council Monitoring Officer. Any likely material changes to management plans will be flagged as they occur.

Certification of material changes to management plans

Confirmation from the Manager that a material change to a plan or CNVMP Schedule has been prepared in accordance with the condition to which it relates.

A material change to a management plan or CNVMP Schedule shall be deemed certified:

- (a) where the Requiring Authority has received written confirmation from Council that the material change to the management plan is certified; or
- (b) **ten working days from the submission of the material change to the management plan where no written confirmation of certification has been received.**

Condition 8 – Management Plans

The NZTA decision is to reject the additions proposed to clause (a)(v) as shown in the deletion below as it does not consider the proposed additions are necessary. The Management Plan condition clearly requires any management plan to be submitted with the Outline Plan, with the exception of the Stakeholder Communication Engagement Management Plan and the Construction Noise and Vibration Management Plan Schedules. With regard to the amendment made by the Commissioners for material changes to the Stakeholder Communication and Engagement Management Plan (SCEMP), this is discussed in detail below in relation to the SCEMP.

Management Plans

- (a) Any management plan developed in accordance with Condition 8 may:
 - (v) be submitted in parts or in stages to address particular activities (e.g. design or construction aspects) a Stage of Work of the Project, or to address specific activities authorised by the designation **noting that condition 10(a)(vi) applies in all cases (i.e. a new or amended OPW will also be required)**;
 - ...
- (d) Any material changes to the SCEMP(s) are to be submitted to the Council for **certification information.**

Condition 10 – Stakeholder Communication and Engagement Management Plan

The NZTA decision is to reject the addition of clauses (b)(i) – b(iii); (c)(i)E; and the amendment to clause (d) as shown below:

Stakeholder Communication and Engagement Management Plan

- (a) A SCEMP shall be prepared in consultation with stakeholders, community groups and organisations **prior to the Start of Construction any Outline Plan being submitted.**
- (b) The objectives of the SCEMP **is are** to: **identify how the public and stakeholders (including directly affected and adjacent owners and occupiers of land) will be engaged with prior to and throughout the Construction Works.**
 - (i) ~~Develop, maintain and build relationships with the wider public and diverse stakeholders (including directly affected and adjacent landowners e.g. Businesses, community organisations, householders and their tenants);~~
 - (ii) ~~provide opportunities for those new to the area to find out about and engage with the project;~~
 - (iii) ~~identify how the public and diverse stakeholders will be proactively engaged with prior to and throughout the Construction Works and the purpose of each engagement.~~
- (c) To achieve the objective of the SCEMP:

- (i) At least ~~18 months prior to any Outline Plan~~ six (6) months prior to the start of detailed design for a Stage of Work being submitted, the Requiring Authority shall identify:
- A. ~~a list of the properties within the designation which the Requiring Authority does not own or have occupation rights to whose owners will be engaged with;~~
 - B. a list of key stakeholders, community groups, organisations and businesses who will be engaged with;
~~and~~
 - C. methods to engage with key stakeholders, community groups, organisations, businesses and the owners of properties identified in (c)(i) above.
 - D. ~~methods and timing to engage with landowners and occupiers whose access is directly affected-[RELOCATED]~~
 - E. ~~assistance to be provided to stakeholders, individuals, community groups, organisations and businesses to ensure they are able to engage effectively. This could include the provision of independent advisors, experts and translators;~~
- (ii) a record details of (c)(i) shall be submitted with an Outline Plan for the relevant Stage of Work included in the SCEMP
- (iii) The SCEMP shall include:
- A. the contact details for the Project Liaison Person. These details shall be on the Project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s);
 - B. the procedures for ensuring that there is a contact person available for the duration of Construction Works, for public enquiries or complaints about the Construction Works;
 - C. details of opportunities to strengthen the relationship between Mana Whenua, key stakeholders and the wider community;
 - D. methods and timing to engage with landowners whose access is directly affected;
 - E. methods to communicate key project milestones and the proposed hours of construction activities including outside of normal working hours and on weekends and public holidays, to the parties identified in (b)(i) above; and
 - F. linkages and cross-references to communication and engagement methods set out in other conditions and management plans where relevant.
- (d) Any SCEMP prepared for a Stage of Work shall be submitted to Council for certification information ten working days prior to the Start of Construction for a Stage of Work.

The rationale for these amendments is as follows:

- **Deletion of (b)(i) – b(iii)** – NZTA considers that the Commissioners have not justified their recommendation to broaden the scope of the SCEMP beyond its clearly stated purpose. NZTA considers that the additions proposed by the Commissioners undermine the intent of the condition which is to manage how stakeholders will be engaged with during construction works. Notwithstanding this, the issues sought to be addressed by the additions of clauses (b)(i) – (iii) made by the Commissioners are sufficiently addressed through the Project Information Condition.
- **Deletion of (c)(i)E** – NZTA does not consider the proposed addition to be necessary. When funding for the Project is confirmed, the property acquisition process is likely to commence soon after. As part of this process, NZTA encourages affected landowners to obtain independent advice and reasonable costs will be reimbursed through the PWA process.
- **Reject amendment to clause (d)** – NZTA agrees with the Commissioners that Council should have some oversight of the identification of key stakeholders, community groups, organisations, businesses and the owners of properties and how they are proposed to be engaged. As such, the NZTA decision is to amend the SCEMP condition to require a record of this identification process to be submitted with an Outline Plan, refer to clauses (c)(i) and (c)(ii) above.

Condition 11 – Urban Landscape and Design Management Plan

The NZTA decision is to reject the addition of clauses (h)(iii) and (h)(iv)H as shown below:

Urban and Landscape Design Management Plan

....

(h) The ULDMP(s) shall include:

- (i) a concept plan which depicts the overall landscape and urban design concept, and explains the rationale for the landscape and urban design proposals;
- (ii) developed design concepts, including principles for walking and cycling facilities and public transport; **and**
- (iii) ~~a connectivity and severance assessment of key destinations and desire lines for people walking and cycling across and along the Project; and~~
- (iv) landscape and urban design details that cover the following:
 - A. road design – elements such as:
 - a. intersection form;
 - b. carriageway gradient and associated earthworks;
 - c. contouring, **including** cut and fill batters **and/or retaining walls** and their interface with adjacent land uses;
 - d. benching;
 - e. spoil disposal sites;
 - f. median width and treatment; and
 - g. roadside width and treatment;
 - B. roadside elements – such as lighting, fencing, wayfinding and signage;
 - C. architectural and landscape treatment of all major structures, including bridges and retaining walls;
 - D. architectural and landscape treatment of noise barriers;
 - E. landscape treatment of permanent stormwater control wetlands and swales;
 - F. integration of passenger transport;
 - G. pedestrian and cycle facilities including paths, road crossings and dedicated pedestrian/ cycle bridges or underpasses;
 - H. ~~property access – including how access to the site and adjacent sites is affected, what changes are proposed and what provision has been made to retain existing levels of amenity and functionality;~~
 - I. historic heritage places with reference to the HHMP in (Condition 21); and
 - J. re-instatement of construction and site compound areas, driveways, accessways and fences.

NZTA does not consider the Commissioners' recommendation provides adequate justification for broadening the scope of this condition. The issues that the proposed amendments seek to cover are already sufficiently addressed through the Urban Landscape and Design Management Plan. NZTA considers the proposed amendments are unnecessary for the following reasons:

- Walking and cycling facilities are a key outcome of the Project along the full extent of the Project corridor to support the Bus Rapid Transit;
- The provision of cross corridor movement is already provided for by clause h(iii)(G) in the ULDMP which requires that details are provided of pedestrian and cycle facilities including paths and road crossings;
- The provision of desire lines is covered through clause (h)(ii) which requires the ULDMP to include principles for walking and cycling facilities; and
- Key stakeholders (e.g. Kāinga Ora) will have an opportunity to provide input to the ULDMP at least six months prior to the start of detailed design.

NZTA considers that the addition of clause (h)(iii)(H) is not justified. NZTA is legally obliged through various statutory requirements to ensure access to properties is enabled.

Condition 12 – Flood Hazard

In their recommendation, the Commissioners acknowledged that a “large degree of agreement” had been reached on the wording of the Flood Hazard condition and the only outstanding matter related to the maximum acceptable flood hazard for a main access to a habitable dwelling.¹

Since the hearing, discussions have been ongoing with the Auckland Council Healthy Waters Team at a programme wide level (across all Te Tupu Ngātahi projects) and NZTA proposes the following amendments to the flood hazard condition to reflect these discussions:

Flood Hazard

- (a) The Project shall be designed to achieve the following flood risk outcomes:
- (i) no increase in flood levels in a 1% AEP event for existing authorised habitable floors that are already subject to flooding or have a freeboard less than 150mm;
 - (ii) no more than a 10% reduction in freeboard in a 1% AEP event for existing authorised habitable floors **with to maintain a minimum freeboard of over 150mm;**
 - (iii) no increase in flood levels in a 1% AEP event for existing authorised community, commercial and industrial building floors that are already subject to flooding;
 - (iv) no more than a 10% reduction in freeboard in a 1% AEP event for existing authorised community, commercial and industrial building floors;
 - (v) **no increase maximum of more than 50mm increase in flood level in a 1% AEP event on land zoned for urban or future urban development where there is no existing dwelling outside and adjacent to the designation boundaries between the pre and post Project scenarios;**
 - (vi) ~~no increase in 10% AEP flood levels for existing authorised habitable floors that are at risk of flooding;~~
 - (vii) no new flood prone areas; and
 - (viii) no ~~more than a 10% average~~ increase of flood hazard for main access to existing authorised habitable dwellings **existing at the time the Outline Plan is submitted. The assessment shall be undertaken for the 1% AEP event, where depth is greater than 0.5m or velocity is greater than 2.0 m/s or the product of velocity and depth is greater than 0.5m²/s. For areas with lower flood hazard, no more than a 10% average increase in flood hazard for main access to authorised habitable dwellings existing at time the Outline Plan is submitted. Where Flood Hazard is:**
 - A. **velocity x depth is greater than or equal to (≥) 0.6; or**
 - B. **depth is greater than (>) 0.5m; or**
 - C. **velocity is greater than (>) 2m/s.**
- (b) Compliance with this condition shall be demonstrated in the Outline Plan, which shall include flood modelling of the pre-Project and post-Project ~~10 year and 100 year ARI~~ **1% AEP** flood levels (for Maximum Probable Development land use and including climate change).
- (c) Where the above outcomes can be achieved through alternative measures outside of the designation such as flood stop banks, flood walls, raising existing authorised habitable floor level and new overland flow paths or varied through agreement with the relevant landowner, the Outline Plan shall include confirmation that any necessary landowner and statutory approvals have been obtained for that work or alternative outcome.

Condition 16 – Construction Traffic Management Plan

The NZTA decision is to reject the proposed amendments to clauses (b)(iii) and (b)(xiii) as shown below. NZTA notes that the issues that are covered by the amendments proposed by the Commissioners are already addressed through the Construction Traffic Management Plan.

Construction Traffic Management Plan.

- (a) A CTMP shall be prepared prior to the Start of Construction for a Stage of Work.
- (b) The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects. To achieve this objective, the CTMP shall include:
- ...
- (iii) the estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours (for example on roads serving educational facilities during pick up and drop off times) to manage vehicular and pedestrian traffic near educational facilities or to manage traffic congestion. ~~The CTMP must ensure that there is no Project heavy construction traffic using the roads serving educational facilities during pick up and drop off times applicable to each school.~~
- ...
- (xiii) ~~methods to maintain key vehicle access routes within sites within the designation extent to ensure business operations on affected sites can continue in a viable manner during construction works.~~

¹ Airport to Botany Bus Rapid Transit Project Recommendation at [325]

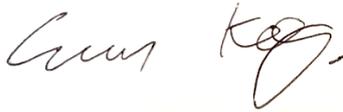
Condition 25 – Designation Boundary

The NZTA decision is to reject the new condition proposed by the Commissioners. Following the adjournment of the hearing, NZTA and Auckland Transport have continued discussions with Altrend Properties Limited regarding their development plans. Through these discussions, an agreement has been reached with Altrend Properties Limited in response to an integrated stormwater solution and subsequently, the Auckland Transport and NZTA decisions include an amendment to the designation boundaries for NoR 4a (Auckland Transport) and NoR 4b (NZTA). **Appendix A** shows an overall reduction to the extent of NoR 4b as it relates to the Altrend Properties Limited sites (numbers 352 to 358 Puhinui Road). Given the overall reduction in extent, NZTA considers that there are no additional effects arising from this change. NZTA also notes that although the proposed Condition 25 refers to Prices Road, this NoR ends at the intersection with Manukau Memorial Gardens.

Conclusion

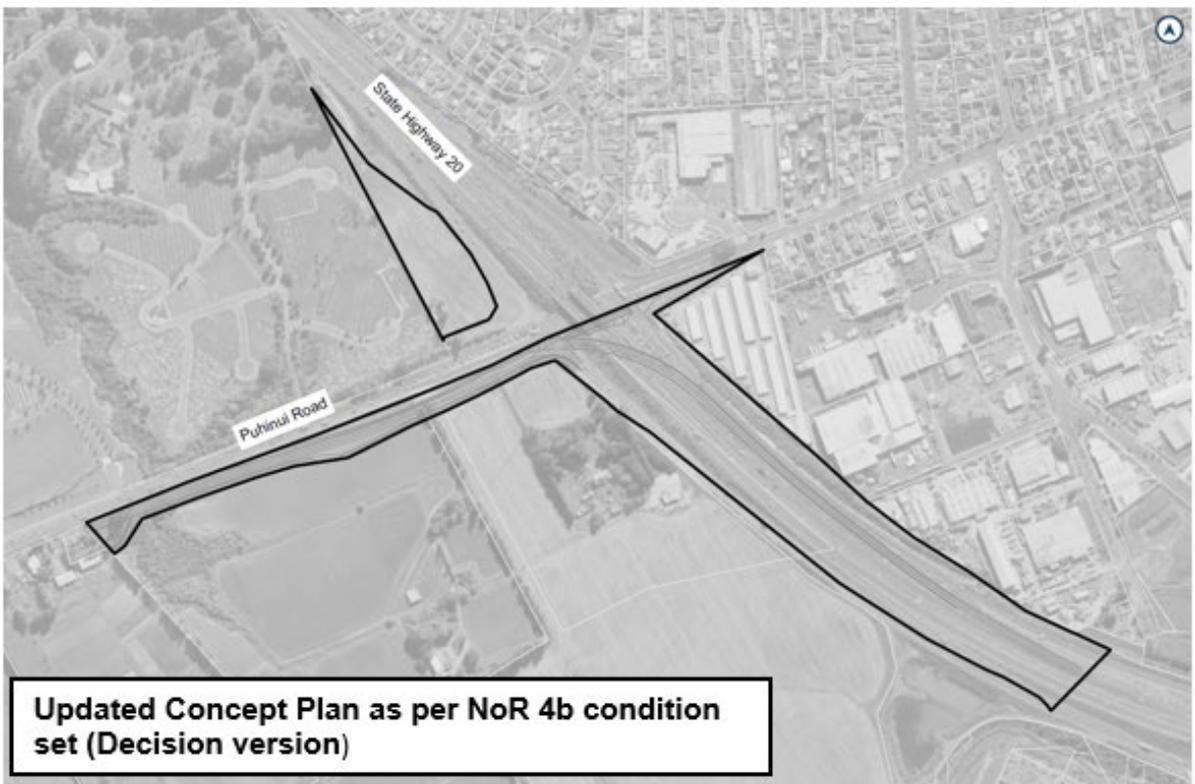
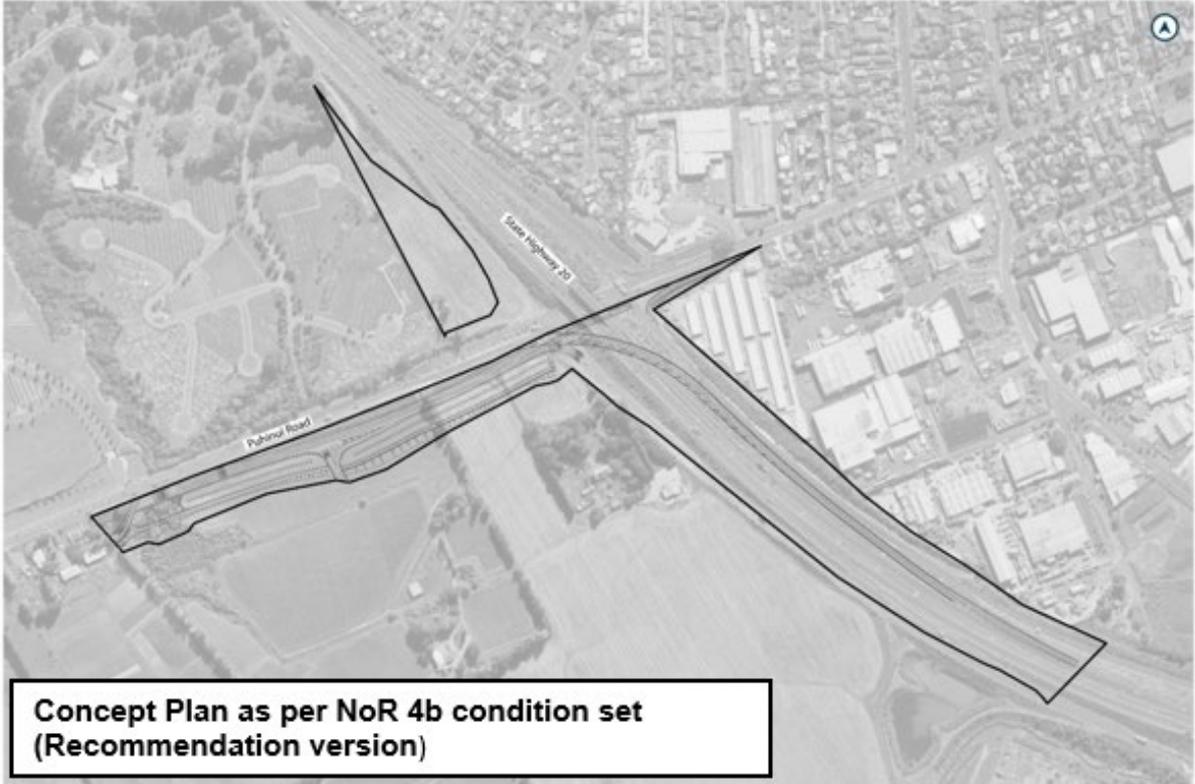
A complete set of the designation conditions, including modifications made as a result of the NZTA decision and correcting a number of minor typographical and formatting errors, is **attached** to this letter as **Appendix B**.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Evan Keating', with a stylized flourish at the end.

Evan Keating
Principal Planner, Poutiaki Taiao / Environmental Planning
DDI: 09 953 5544
Email: evan.keating@nzta.govt.nz

Appendix A – Amendment to designation boundary for NoR 4b



Appendix B – Final conditions to apply to Notice of Requirement NoR 4b

Designation 6717 State Highway 20B - State Highway 20 to Auckland International Airport

Designation Number	6717
Requiring Authority	New Zealand Transport Agency
Location	SH20/20B Interchange to Manukau Memorial Gardens
Lapse Date	Given effect to (i.e. no lapse date)

Purpose

State Highway 20B road purposes: the maintenance, operation and improvement of the State Highway (including road widening) from the SH20/20B Interchange to Manukau Memorial Gardens.

Conditions

Abbreviations and Definitions

Acronym/Term	Definition
Activity sensitive to noise	Any dwelling, visitor accommodation, boarding house, marae, papakāinga, integrated residential development, retirement village, supported residential care, care centre, lecture theatre in a tertiary education facility, classroom in an education facility and healthcare facility with an overnight stay facility
AUP	Auckland Unitary Plan
BPO or Best Practicable Option	Has the same meaning as in section 2 of the RMA 1991
CEMP	Construction Environmental Management Plan
Certification of material changes to management plans	Confirmation from the Manager that a material change to a plan has been prepared in accordance with the condition to which it relates. A material change to a management plan shall be deemed certified: (a) where the Requiring Authority has received written confirmation from Council that the material change to the management plan is certified; or (b) ten working days from the submission of the material change to the management plan where no written confirmation of certification has been received.
CNVMP	Construction Noise and Vibration Management Plan
CNVMP Schedule or Schedule	A schedule to the CNVMP
Completion of Construction	When construction of the Project (or part of the Project) is complete and it is available for use
Confirmed Biodiversity Areas	Areas recorded in the Identified Biodiversity Area Schedule where the ecological values and effects have been confirmed through the ecological survey under Condition 22
Construction Works	Activities undertaken to construct the Project excluding Enabling Works
Council	Auckland Council
CTMP	Construction Traffic Management Plan
Educational facility	Facility used for education to secondary level. Includes: (a) schools and outdoor education facilities; and (b) accommodation, administrative, cultural, religious, health, retail and communal facilities accessory to the above.

	Excludes: (a) care centres; and (b) tertiary education facilities.
EMP	Ecological Management Plan
EIANZ Guidelines	Ecological Impact Assessment: EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems, second edition, dated May 2018
Enabling works	Includes, but is not limited to, the following and similar activities: (a) geotechnical investigations (including trial embankments); (b) archaeological site investigations; (c) formation of access for geotechnical investigations; (d) establishment of site yards, site entrances and fencing; (e) constructing and sealing site access roads; (f) demolition or removal of buildings and structures; (g) relocation of services; and (h) establishment of mitigation measures (such as erosion and sediment control measures, temporary noise walls, earth bunds and planting).
HHMP	Historic Heritage Management Plan
HNZPT	Heritage New Zealand Pouhere Taonga
HNZPTA	Heritage New Zealand Pouhere Taonga Act 2014
Identified Biodiversity Area	Means an area or areas of features of ecological value where the Project ecologist has identified that the project will potentially have a moderate or greater level of ecological effect, prior to implementation of impact management measures, as determined in accordance with the EIANZ guidelines
Manager	The Manager – Resource Consents of the Auckland Council, or authorised delegate
Mana Whenua	Mana Whenua as referred to in the conditions are considered to be the following (in no particular order), who at the time of Notice of Requirement expressed a desire to be involved in the Airport to Botany Bus Rapid Transit Project: (a) Te Ākitai Waiohua; (b) Ngāi Tai ki Tamaki; (c) Ngāti Te Ata Waiohua; (d) Ngāti Whanaunga; (e) Ngāti Tamaoho; (f) Ngāti Paoa Trust Board; (g) Te Ahiwaru; (h) Ngāti Tamaterā; and (i) Ngāti Maru. Note: other iwi not identified above may have an interest in the Project and should be consulted
Network Utility Operator	Has the same meaning as set out in section 166 of the RMA
NOR	Notice of Requirement
NUMP	Network Utilities Management Plan
NZAA	New Zealand Archaeological Association
Outline Plan	An outline plan prepared in accordance with section 176A of the RMA
Project Liaison Person	The person or persons appointed for the duration of the Project's Construction Works to be the main point of contact for persons wanting information about the Project or affected by the Construction Works
Protected Premises and Facilities (PPF)	Protected Premises and Facilities as defined in New Zealand Standard NZS 6806:2010: Acoustics – Road-traffic noise – New and altered roads

Requiring Authority	Has the same meaning as section 166 of the RMA and, for this Designation is NZ Transport Agency.
RMA	Resource Management Act 1991
SCEMP	Stakeholder Communication and Engagement Management Plan
Stage of Work	Any physical works that require the development of an Outline Plan
Start of Construction	The time when Construction Works (excluding Enabling Works) start
Suitably Qualified Person	A person (or persons) who can provide sufficient evidence to demonstrate their suitability, experience and competence in the relevant field of expertise
ULDMP	Urban and Landscape Design Management Plan

No.	Condition
General conditions	
1.	<p>Activity in General Accordance with Plans and Information</p> <p>(a) Except as provided for in the conditions below, and subject to final design and Outline Plan(s), works within the designation shall be undertaken in general accordance with the Project description and concept plan in Schedule 1.</p> <p>(b) Where there is inconsistency between:</p> <p>(i) the Project description and concept plan in Schedule 1 and the requirements of the following conditions, the conditions shall prevail; or</p> <p>(ii) the Project description and concept plan in schedule 1, and the management plans under the conditions of the designation, the requirements of the management plans shall prevail.</p>
2.	<p>(a) Conditions 1 – 24 of this designation shall only apply to the work described in the Project Description and Concept Plan in Schedule 1.</p> <p>(b) Except where explicitly provided for, Conditions 1 – 24 do not apply to works associated with ongoing operation, safety improvements, and maintenance of the existing state highway, or the upgraded state highway following construction of the Project.</p>
3.	<p>Project Information</p> <p>(a) A project website, or equivalent virtual information source, shall be established as soon as reasonably practicable, and within 6 months of the inclusion of this designation in the AUP. All directly affected owners and occupiers shall be notified in writing as soon as reasonably practicable once the website or equivalent information source has been established. The Project website or virtual information source shall include these conditions and shall provide information on:</p> <p>(i) the status of the Project;</p> <p>(ii) anticipated construction timeframes;</p> <p>(iii) contact details for enquiries;</p> <p>(iv) a subscription service to enable receipt of Project updates by email; and</p> <p>(v) how to apply for consent for works in the designation under s176(1)(b) of the RMA.</p> <p>(b) At the start of detailed design for a Stage of Work, the Project website or virtual information source shall be updated to provide information on the likely date for Start of Construction, and any staging of works.</p>
4.	<p>Designation Review</p> <p>(a) The Requiring Authority shall within six (6) months of Completion of Construction or as soon as otherwise practicable:</p> <p>(i) review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the Project; and</p> <p>(ii) give notice to Auckland Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above.</p>
5.	<p>Te Ākitai Waiohua – Southwest Gateway Programme</p> <p>The Requiring Authority acknowledges Te Ākitai Waiohua as Mana Whenua and a principal partner to the Southwest Gateway Programme, to which this project forms a part. The operation of this designation must in all respects reflect these matters, including through meeting the conditions and meaningful engagement at both a governance and kaitiaki level.</p>
6.	<p>Network Utility Operators (Section 176 Approval)</p> <p>(a) Prior to the start of Construction Works, Network Utility Operators (including Auckland International Airport Limited where applicable) with</p>

	<p>existing infrastructure located within the designation will not require written consent under section 176 of the RMA for the following activities:</p> <ul style="list-style-type: none"> (i) operation, maintenance and repair works; (ii) minor renewal works to existing network utilities necessary for the on-going provision or security of supply of network utility operations; (iii) minor works such as new service connections; and (iv) the upgrade and replacement of existing network utilities in the same location with the same or similar effects as the existing utility. <p>(b) To the extent that a record of written approval is required for the activities listed above, this condition shall constitute written approval.</p>
Pre-construction conditions	
<p>7.</p>	<p>Outline Plan</p> <ul style="list-style-type: none"> (a) An Outline Plan (or Plans) shall be prepared in accordance with section 176A of the RMA. (b) Mana Whenua shall be invited as partners to participate in the preparation of an Outline Plan (or Plans). (c) Outline Plans (or Plan) may be submitted in parts or in stages to address particular activities (e.g. design or construction aspects), or a Stage of Work of the Project. (d) Outline Plans shall include any management plan or plans that are relevant to the management of effects of those activities or Stage of Work, which may include: <ul style="list-style-type: none"> (i) Construction Environmental Management Plan; (ii) Construction Traffic Management Plan; (iii) Construction Noise and Vibration Management Plan; (iv) Urban and Landscape Design Management Plan; (v) Historic Heritage and Archaeology Management Plan; (vi) Ecological Management Plan; (vii) Tree Management Plan; and (viii) Network Utilities Management Plan.
<p>8.</p>	<p>Management Plans</p> <ul style="list-style-type: none"> (a) Any management plan shall: <ul style="list-style-type: none"> (i) be prepared and implemented in accordance with the relevant management plan condition; (ii) be prepared by a Suitably Qualified Person(s); (iii) be developed in partnership with Mana Whenua. The Requiring Authority shall provide reasonable resourcing, technical and administrative support for Mana Whenua; (iv) include sufficient detail relating to the management of effects associated with the relevant activities and/or Stage of Work to which it relates; (v) summarise comments received from Mana Whenua and stakeholders as required by the relevant management plan condition, along with a summary of where comments have: <ul style="list-style-type: none"> A. been incorporated; and B. where not incorporated, the reasons why. (vi) be submitted as part of an Outline Plan pursuant to s176A of the RMA, with the exception of SCEMPs and CNVMP Schedules; and (vii) once finalised, uploaded to the Project website or equivalent virtual information source. (b) Any management plan developed in accordance with Condition 8 may: <ul style="list-style-type: none"> (i) be submitted in parts or in stages to address particular activities (e.g. design or construction aspects) a Stage of Work of the Project, or to address specific activities authorised by the designation; and

	<ul style="list-style-type: none"> (ii) except for material changes, be amended to reflect any changes in design, construction methods or management of effects without further process. (c) If there is a material change required to a management plan which has been submitted with an Outline Plan, the revised part of the plan shall be submitted to the Council as an update to the Outline Plan or for Certification as soon as practicable following identification of the need for a revision. (d) Any material changes to the SCEMP(s) are to be submitted to the Council for information.
<p>9.</p>	<p>Mana Whenua Kaitiaki Forum</p> <ul style="list-style-type: none"> (a) At least twelve (12) months prior to the start of detailed design for a Stage of Work, the Requiring Authority shall invite Mana Whenua to establish a Mana Whenua Kaitiaki Forum. The objective of the Mana Whenua Kaitiaki Forum is to provide a forum for Mana Whenua to participate as partners in all phases of the Project. To achieve the objective, the Mana Whenua Kaitiaki Forum shall address (as a minimum) the following matters: <ul style="list-style-type: none"> (i) how Mana Whenua will provide input into the design of the Project. For example: <ul style="list-style-type: none"> A. how Mana Whenua values and narrative are incorporated through the form of the Project and associated structures; B. how the historic and cultural significance of the Puhinui Historic Gateway will be recognised; and C. how pou, art, sculptures, mahi toi or other any other features located on land within or adjoining the Project will be provided in a manner that represents the Māori history of the area and promotes a distinctiveness or sense of place. (ii) how Mana Whenua will be engaged in the preparation of management plans and future consenting processes; (iii) how mātauranga Māori and tikanga Māori will be recognised in all phases of the Project; (iv) where opportunities for Mana Whenua to participate in engagement with local communities, business associations, social institutions and community groups will be provided; (v) where opportunities for Mana Whenua to support the physical, mental, social and economic wellbeing for iwi and the local community will be provided through the Project. This could include: <ul style="list-style-type: none"> A. planting supplied through Mana Whenua and community based nurseries; B. local schools being involved in planting; and C. scholarships, cadetships and job creation. (vi) the Requiring Authority shall provide reasonable resourcing, technical and administrative support for Mana Whenua including organising meetings at a local venue and the taking and dissemination of meeting minutes; (vii) the frequency of meetings shall be agreed between the Requiring Authority and Mana Whenua; and (viii) prior to the Start of Construction, the Requiring Authority shall produce a record of the Mana Whenua Kaitiaki Forum. The record of the Mana Whenua Kaitiaki Forum shall be provided to Mana Whenua and shall include (but not be limited to): <ul style="list-style-type: none"> A. details of how Mana Whenua have participated as partners in the Project; B. details of how the matters set out in (a) will be incorporated into the Project; C. how the objective of the Mana Whenua Kaitiaki Forum has been and will continue to be met; and

	<p>D. details of how comments from Mana Whenua have been incorporated into the Project and where not incorporated, the reasons why.</p> <p>(b) Mana Whenua shall be invited to identify and (if possible) nominate traditional names along the Project corridor such as Bus Rapid Transit Stations and bridge structures. Noting there may be formal statutory processes outside the project required in any decision-making.</p> <p>(c) The Mana Whenua Kaitiaki Forum shall continue to meet for at least six months following the Completion of Construction or as agreed with Mana Whenua.</p> <p>Advice note For the avoidance of doubt, Mana Whenua may wish to use another forum as the Mana Whenua Kaitiaki Forum.</p>
<p>10.</p>	<p>Stakeholder Communication and Engagement Management Plan (SCEMP)</p> <p>(a) A SCEMP shall be prepared in consultation with stakeholders, community groups and organisations prior to the Start of Construction.</p> <p>(b) The objective of the SCEMP is to identify how the public and stakeholders (including directly affected and adjacent owners and occupiers of land) will be engaged with prior to and throughout Construction Works. To achieve the objective of the SCEMP:</p> <p>(i) at least six (6) months prior to the start of detailed design for a Stage of Work, the Requiring Authority shall identify:</p> <p>A. a list of properties within the designation which the Requiring Authority does not own or have occupation rights to;</p> <p>B. a list of key stakeholders, community groups, organisations and businesses who will be engaged with; and</p> <p>C. methods to engage with key stakeholders, community groups, organisations, businesses and the owners of properties identified in (b)(i)A-B above.</p> <p>(ii) a record of (b)(i) shall be submitted with an Outline Plan for the relevant Stage of Work;</p> <p>(iii) the SCEMP shall include:</p> <p>A. the contact details for the Project Liaison Person. These details shall be on the Project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s);</p> <p>B. the procedures for ensuring that there is a contact person available for the duration of Construction Works, for public enquiries or complaints about the Construction Works;</p> <p>C. details of opportunities to strengthen the relationship between Mana Whenua, key stakeholders and the wider community;</p> <p>D. methods and timing to engage with landowners whose access is directly affected;</p> <p>E. methods to communicate key project milestones and the proposed hours of construction activities including outside of normal working hours and on weekends and public holidays, to the parties identified in (b)(i) above; and</p> <p>F. linkages and cross-references to communication and engagement methods set out in other conditions and management plans where relevant.</p> <p>(c) Any SCEMP prepared for a Stage of Work shall be submitted to Council for information ten working days prior to the Start of Construction for a Stage of Work.</p>

11.	<p>Urban and Landscape Design Management Plan (ULDMP)</p> <p>(a) A ULDMP shall be prepared prior to the Start of Construction for a Stage of Work.</p> <p>(b) The objective of the ULDMP is to:</p> <ul style="list-style-type: none"> (i) enable integration of the Project's permanent works into the surrounding landscape and urban context; (ii) ensure that the Project manages potential adverse landscape and visual effects as far as practicable and contributes to a quality urban environment; and (iii) acknowledge and recognise the whakapapa Mana Whenua have to the Project area. <p>(c) Mana Whenua shall be invited to participate in the development of the ULDMP at least six (6) months prior to the start of detailed design for a Stage of Work to provide input on cultural landscape and design matters. This shall include (but not be limited to) how desired outcomes for the management of potential effects on cultural sites, landscapes and values identified and discussed in accordance with the Historic Heritage Management Plan (Condition 21) and the Ecological Management Plan (Condition 23) may be reflected in the ULDMP.</p> <p>(d) Key stakeholders shall be invited to participate in the development of the ULDMP at least six (6) months prior to the start of detailed design for a Stage of Work.</p> <p>(e) The ULDMP shall be prepared in general accordance with:</p> <ul style="list-style-type: none"> (i) Auckland Transport's Urban Roads and Streets Design Guide; (ii) Waka Kotahi Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version; (iii) Waka Kotahi Landscape Guidelines (2013) or any subsequent updated version; and (iv) Waka Kotahi P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version. <p>(f) To achieve the objective, the ULDMP shall provide details of how the project:</p> <ul style="list-style-type: none"> (i) is designed to integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (i.e. centres and density of built form), natural environment, landscape character and open space zones; (ii) provides appropriate walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses, public transport infrastructure and walking and cycling connections; (iii) promotes inclusive access (where appropriate); and (iv) promotes a sense of personal safety by aligning with best practice guidelines, such as: <ul style="list-style-type: none"> A. Crime Prevention Through Environmental Design (CPTED) principles; B. Safety in Design (SID) requirements; and C. Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures. (v) provides opportunities to incorporate Mana Whenua values and cultural narrative through the design. This shall include but not be limited to: <ul style="list-style-type: none"> A. how to protect and enhance connections to the Māori cultural landscape; B. how and where accurate historical signage can be provided along the corridor; C. how historical portage routes will be recognised; D. how opportunities for cultural expression through, for example mahi toi, art, sculptures or other public amenity features will be provided;
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	<p>E. how opportunities to utilise flora and fauna with a specific connection to the area are realised where possible by:</p> <ol style="list-style-type: none"> a. preserving them in the design and maintenance of the Project; and b. restoring them in a manner that recognises their historical and cultural significance. For example by clustering planting to represent a lost ngahere. <p>F. how the historic and cultural significance of the Puhinui Historic Gateway is recognised; and</p> <p>G. how public access to coastal areas, waterways and open space is enhanced, where appropriate.</p> <p>(vi) provides for an integrated stormwater management approach which prioritises in the following order:</p> <ol style="list-style-type: none"> A. opportunities for ki uta ki tai (a catchment scale approach); B. opportunities for net catchment benefit; C. green infrastructure and nature-based solutions; and D. opportunities for low maintenance design. <p>(g) At the discretion of Mana Whenua, the matters listed in (f)(v) – (vi) shall either be incorporated into the ULDMP or prepared as a separate plan.</p> <p>(h) The ULDMP shall include:</p> <ol style="list-style-type: none"> (i) a concept plan(s) – which depicts the overall landscape and urban design concept, and explain the rationale for the landscape and urban design proposals; (ii) developed design concepts, including principles for walking and cycling facilities and public transport; (iii) landscape and urban design details – that cover the following: <ol style="list-style-type: none"> A. road design – elements such as: <ol style="list-style-type: none"> a. intersection form; b. carriageway gradient and associated earthworks c. contouring, cut and fill batters and/or retaining walls and their interface with adjacent land uses; d. benching; e. spoil disposal sites; f. median width and treatment; and g. roadside width and treatment. B. roadside elements – such as lighting, fencing, wayfinding and signage; C. architectural and landscape treatment of all major structures, including bridges and retaining walls; D. architectural and landscape treatment of noise barriers; E. landscape treatment of permanent stormwater control wetlands and swales; F. integration of passenger transport; G. pedestrian and cycle facilities including paths, road crossings and dedicated pedestrian/ cycle bridges or underpasses; H. historic heritage places with reference to the HHMP (Condition 21); and I. re-instatement of construction and site compound areas, driveways, accessways and fences. <p>(i) planting details and maintenance requirements:</p> <ol style="list-style-type: none"> (i) planting design details including: <ol style="list-style-type: none"> A. identification of existing trees and vegetation that will be retained. Where practicable, mature trees and native vegetation should be retained; B. street trees, shrubs and ground cover suitable for berms; C. treatment of fill slopes to integrate with adjacent land use, streams, riparian margins and open space zones; D. planting of stormwater wetlands;
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	<ul style="list-style-type: none"> E. identification of vegetation to be retained and any planting requirements under the Ecological Management Plan (Condition 23); F. integration of any planting requirements required by conditions of any resource consents for the project; and G. re-instatement planting of construction and site compound areas as appropriate. <p>(ii) a planting programme including the staging of planting in relation to the construction programme which shall, as far as practicable, include provision for planting within each planting season following completion of works in each Stage of Work; and</p> <p>(iii) detailed specifications relating to the following:</p> <ul style="list-style-type: none"> A. weed control and clearance; B. pest animal management (to support plant establishment); C. ground preparation (top soiling and decompaction); D. mulching; and E. plant sourcing and planting, including hydroseeding and grassing, and use of eco-sourced species.
Specific Outline Plan requirements	
	<p>Flood Hazard</p> <p>For the purpose of Condition 12:</p> <ul style="list-style-type: none"> (a) ARI – means Average Recurrence Interval; (b) Existing authorised habitable floor – means the floor level of any community, commercial and industrial building which is authorised and exists at the time the Outline Plan is submitted; (c) Existing authorised habitable floor – means the floor level of any room (floor) in a residential building which is authorised and exists at the time the outline plan is submitted, excluding a laundry, bathroom, toilet or any room used solely as an entrance hall, passageway or garage; (d) Flood prone area – means potential ponding areas that may flood and commonly comprise of topographical depression areas. The areas can occur naturally or as a result of constructed features; (e) Maximum Probable Development – is the design case for consideration of future flows allowing for development within a catchment that takes into account the maximum impervious surface limits of the current zone or if the land is zoned Future Urban in the AUP, the probable level of development arising from zone changes; (f) Pre-Project development – means existing site condition prior to the Project (including existing buildings and roadways); and (g) Post-Project development – means site condition after the Project has been completed (including existing and new buildings and roadways).
12.	<p>Flood Hazard</p> <p>(a) The Project shall be designed to achieve the following flood risk outcomes:</p> <ul style="list-style-type: none"> (i) no increase in flood levels in a 1% AEP event for existing authorised habitable floors that are already subject to flooding or have a freeboard less than 150mm; (ii) no more than a 10% reduction in freeboard in a 1% AEP event for existing authorised habitable floors to maintain a minimum freeboard of 150mm; (iii) no increase in flood levels in a 1% AEP event for existing authorised community, commercial and industrial building floors that are already subject to flooding; (iv) no more than a 10% reduction in freeboard in a 1% AEP event for existing authorised community, commercial and industrial building floors;

	<ul style="list-style-type: none"> (v) maximum of 50mm increase in flood level in a 1% AEP event outside and adjacent to the designation boundaries between the pre and post Project scenarios; (vi) no new flood prone areas; and (vii) no increase of flood hazard for main access to existing authorised habitable dwellings existing at the time the Outline Plan is submitted. The assessment shall be undertaken for the 1% AEP event. Where Flood Hazard is: <ul style="list-style-type: none"> A. velocity x depth is greater than or equal to (\geq) 0.6; or B. depth is greater than ($>$) 0.5m; or C. velocity is greater than ($>$) 2m/s. <p>(b) Compliance with this condition shall be demonstrated in the Outline Plan, which shall include flood modelling of the pre-Project and post-Project 1% AEP flood levels (for Maximum Probable Development land use and including climate change).</p> <p>(c) Where the above outcomes can be achieved through alternative measures outside of the designation such as flood stop banks, flood walls, raising existing authorised habitable floor level and new overland flow paths or varied through agreement with the relevant landowner, the Outline Plan shall include confirmation that any necessary landowner and statutory approvals have been obtained for that work or alternative outcome.</p>
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Construction conditions

13.	<p>Construction Environmental Management Plan (CEMP)</p> <ul style="list-style-type: none"> (a) A CEMP shall be prepared prior to the Start of Construction for a Stage of Work. (b) The objective of the CEMP is to set out the management procedures and construction methods to be undertaken to, avoid, remedy or mitigate any adverse effects associated with Construction Works as far as practicable. To achieve the objective, the CEMP shall include: <ul style="list-style-type: none"> (i) the roles and responsibilities of staff and contractors; (ii) details of the site or project manager and the Project Liaison Person, including their contact details (phone and email address); (iii) the Construction Works programmes and the staging approach, and the proposed hours of work; (iv) details of the proposed construction yards including temporary screening when adjacent to residential areas; (v) details of the proposed construction lighting; (vi) methods for controlling dust and the removal of debris and demolition of construction materials from public roads or places; (vii) methods for providing for the health and safety of the general public; (viii) measures to mitigate flood hazard effects such as siting stockpiles out of floodplains, minimising obstruction to flood flows, actions to respond to warnings of heavy rain; (ix) procedures for incident management; (x) location and procedures for the refuelling and maintenance of plant and equipment to avoid discharges of fuels or lubricants to watercourses; (xi) measures to address the storage of fuels, lubricants, hazardous and/or dangerous materials, along with contingency procedures to address emergency spill response(s) and clean up; (xii) procedures for responding to complaints about Construction Works; and (xiii) methods for amending and updating the CEMP as required.
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<p>14.</p>	<p>Complaints Register</p> <p>(a) At all times during Construction Works, a record of any complaints received about the Construction Works shall be maintained. The record shall include:</p> <ul style="list-style-type: none"> (i) the date, time and nature of the complaint; (ii) the name, phone number and address of the complainant (unless the complainant wishes to remain anonymous); (iii) measures taken to respond to the complaint (including a record of the response provided to the complainant) or confirmation of no action if deemed appropriate; (iv) the outcome of the investigation into the complaint; and (v) any other activities in the area, unrelated to the Project that may have contributed to the complaint, such as non-project construction, fires, traffic accidents or unusually dusty conditions generally. <p>(b) A copy of the Complaints Register required by this condition shall be made available to the Manager upon request as soon as practicable after the request is made.</p>
<p>15.</p>	<p>Cultural Monitoring Plan</p> <p>(a) A Cultural Monitoring Plan shall be prepared prior to the Start of Construction.</p> <p>(b) At least six (6) months prior to the start of detailed design, a Suitably Qualified Person(s) identified in partnership with Mana Whenua shall commence the preparation of the Cultural Monitoring Plan.</p> <p>(c) The objective of the Cultural Monitoring Plan is to identify methods for undertaking cultural monitoring to assist with management of any cultural effects during Construction works. To achieve the objective, the Cultural Monitoring Plan shall include:</p> <ul style="list-style-type: none"> (i) requirements for formal dedication or cultural interpretation to be undertaken prior to start of Construction Works in areas identified as having significance to Mana Whenua; (ii) requirements and protocols for cultural inductions for contractors and subcontractors; (iii) identification of activities, sites and areas where cultural monitoring is required during particular Construction Works; (iv) identification of personnel to undertake cultural monitoring, including any geographic definition of their responsibilities; and (v) details of personnel to assist with management of any cultural effects identified during cultural monitoring, including implementation of the Accidental Discovery Protocol. <p>(d) If Enabling Works involving soil disturbance are undertaken prior to the start of Construction Works, an Enabling Works Cultural Monitoring Plan shall be prepared by a Suitably Qualified Person identified in collaboration with Mana Whenua. This plan may be prepared as a standalone Enabling Works Cultural Monitoring Plan or be included in the main Construction Works Cultural Monitoring Plan.</p> <p>Advice note: Where appropriate, the Cultural Monitoring Plan shall align with the requirements of other conditions of the designation and resource consents for the Project which require monitoring during Construction Works.</p>
<p>16.</p>	<p>Construction Traffic Management Plan (CTMP)</p> <p>(a) A CTMP shall be prepared prior to the Start of Construction for a Stage of Work.</p> <p>(b) The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects. To achieve the objective, the CTMP shall include:</p>

- (i) methods to manage the effects of temporary traffic management activities on traffic;
- (ii) measures to ensure the safety of all transport users;
- (iii) the estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic near educational facilities or to manage traffic congestion;
- (iv) site access routes and access points for heavy vehicles, the size and location of parking areas for plant, construction vehicles and the vehicles of workers and visitors;
- (v) identification of detour routes and other methods to ensure the safe management and maintenance of traffic flows, including pedestrians and cyclists;
- (vi) methods to maintain access to property and/or private roads where practicable, or to provide alternative access arrangements when it will not be. Engagement with landowners whose access is directly affected shall be undertaken in accordance with Condition 10(b)(iii)D;
- (vii) the management approach to loads on heavy vehicles, including covering loads of fine material, the use of wheel-wash facilities at site exit points and the timely removal of any material deposited or spilled on public roads;
- (viii) methods that will be undertaken to communicate traffic management measures to affected road users (e.g. residents/public/stakeholders/emergency services); and
- (ix) details of minimum network performance parameters to be achieved during the construction phase, including any measures to monitor compliance with the performance parameters. These could include maximum increases in journey time and traffic volumes along key routes; and
- (x) details of any Travel Demand Management (TDM) measures proposed to be implemented in the event of thresholds identified in (ix) being exceeded.

17.

Construction Noise Standards

- (a) Construction noise shall be measured and assessed in accordance with NZS6803:1999 Acoustics – Construction Noise and shall comply with the noise standards set out in the following table as far as practicable:

Table 17-1 Construction Noise Standards

Day of week	Time period	L _{Aeq} (15min)	L _{AFmax}
Occupied activity sensitive to noise			
Weekday	0630h - 0730h	55 dB	75 dB
	0730h - 1800h	70 dB	85 dB
	1800h - 2000h	65 dB	80 dB
	2000h - 0630h	45 dB	75 dB
Saturday	0630h - 0730h	55 dB	75 dB
	0730h - 1800h	70 dB	85 dB
	1800h - 2000h	45 dB	75 dB
	2000h - 0630h	45 dB	75 dB
Sunday and Public Holidays	0630h - 0730h	45 dB	75 dB
	0730h - 1800h	55 dB	85 dB
	1800h - 2000h	45 dB	75 dB
	2000h - 0630h	45 dB	75 dB
Other occupied buildings			
All	0730h – 1800h	70 dB	
	1800h – 0730h	75 dB	

	(b) Where compliance with the noise standards set out in Table 17-1 is not practicable, the methodology in Condition 20 shall apply.																							
18.	<p>Construction Vibration Standards</p> <p>(a) Construction vibration shall be measured in accordance with ISO 4866:2010 Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures and shall comply with the vibration standards set out in the following table as far as practicable.</p> <p>Table 18-1 Construction vibration criteria</p> <table border="1"> <thead> <tr> <th>Receiver</th> <th>Details</th> <th>Category A*</th> <th>Category B**</th> </tr> </thead> <tbody> <tr> <td colspan="4">Occupied activity sensitive to noise</td> </tr> <tr> <td rowspan="2">Occupied activities sensitive to noise</td> <td>Night-time 2000h - 0630h</td> <td>0.3mm/s ppv</td> <td>2mm/s ppv</td> </tr> <tr> <td>Daytime 0630h - 2000h</td> <td>2mm/s ppv</td> <td>5mm/s ppv</td> </tr> <tr> <td>Other occupied buildings</td> <td>Daytime 0630h - 2000h</td> <td>2mm/s ppv</td> <td>5mm/s ppv</td> </tr> <tr> <td>All other buildings</td> <td>At all other times</td> <td colspan="2">Tables 1 and 3 of DIN4150-3:1999</td> </tr> </tbody> </table> <p>* Category A criteria adopted from Rule E25.6.30.1 of the AUP</p> <p>** Category B criteria based on DIN 4150-3:1999 building damage criteria for daytime</p> <p>(b) Where compliance with the vibration standards set out in Table 18-1 is not practicable, the methodology in Condition 20 shall apply.</p>	Receiver	Details	Category A*	Category B**	Occupied activity sensitive to noise				Occupied activities sensitive to noise	Night-time 2000h - 0630h	0.3mm/s ppv	2mm/s ppv	Daytime 0630h - 2000h	2mm/s ppv	5mm/s ppv	Other occupied buildings	Daytime 0630h - 2000h	2mm/s ppv	5mm/s ppv	All other buildings	At all other times	Tables 1 and 3 of DIN4150-3:1999	
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All other buildings	At all other times	Tables 1 and 3 of DIN4150-3:1999																						
19.	<p>Construction Noise and Vibration Management Plan (CNVMP)</p> <p>(a) A CNVMP shall be prepared prior to the Start of Construction for Stage of Work.</p> <p>(b) A CNVMP shall be implemented during the Stage of Work to which it relates.</p> <p>(c) The objective of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option for the management of construction noise and vibration effects to achieve the construction noise and vibration standards set out in Conditions 17 and 18 to the extent practicable. To achieve the objective, the CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 'Acoustics – Construction Noise' (NZS6803:1999) and the Waka Kotahi State highway construction and maintenance noise and vibration guide (version 1.1, 2019) and shall as a minimum, address the following:</p> <ul style="list-style-type: none"> (i) description of the works and anticipated equipment/processes; (ii) hours of operation, including times and days when construction activities would occur; (iii) the construction noise and vibration standards for the Project; (iv) identification of receivers where noise and vibration standards apply; (v) a hierarchy of management and mitigation options, including any requirements to limit night works and works during other sensitive times, including Sundays and public holidays as far practicable; (vi) methods and frequency for monitoring and reporting on construction noise and vibration; (vii) procedures for communication and engagement with nearby residents and stakeholders, including notification of proposed construction activities, the period of construction activities, and management of noise and vibration complaints. (viii) contact details of the Project Liaison Person; (ix) procedures for the regular training of the operators of construction equipment to minimise noise and vibration as well as expected construction site behaviours for all workers; 																							

	<ul style="list-style-type: none"> (x) procedures and requirements for the preparation of a Schedule to the CNVMP (Schedule) for those areas where compliance with the noise Condition 17 and/or vibration standards Condition 18 Category B will not be practicable; (xi) identification of trigger levels for undertaking building condition surveys, which shall be below Category B day time levels; (xii) procedures and trigger levels for undertaking building condition surveys before and after works to determine whether any cosmetic or structural damage has occurred as a result of construction vibration; (xiii) methodology and programme of desktop and field audits and inspections to be undertaken to ensure that the CNVMP, Schedules and the best practicable option for management of effects are being implemented; and (xiv) requirements for review and update of the CNVMP.
<p>20.</p>	<p>Schedule to a CNVMP</p> <ul style="list-style-type: none"> (a) A Schedule to the CNVMP (Schedule) shall be prepared prior to the start of the construction to which it relates by a Suitably Qualified Person, in consultation with the owners and occupiers of sites subject to the Schedule, when: <ul style="list-style-type: none"> (i) Construction noise is either predicted or measured to exceed the noise standards in Condition 17; and (ii) Construction vibration is either predicted or measured to exceed the Category A standard at the receivers in Condition 18. (b) The objective of the Schedule is to set out the Best Practicable Option measures to manage noise and/or vibration effects of the construction activity beyond those measures set out in the CNVMP. To achieve the objective, the Schedule shall include details such as: <ul style="list-style-type: none"> (i) construction activity location, start and finish times; (ii) the nearest neighbours to the construction activity; (iii) the predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards in Conditions 17 and 18 and the predicted duration of the exceedance; (iv) for works proposed between 2000h and 0630h, the reasons why the proposed works must be undertaken during these hours and why they cannot be practicably undertaken during the daytime; (v) the proposed mitigation options that have been selected, and the options that have been discounted as being impracticable and the reasons why; (vi) a summary of the consultation undertaken with owners and occupiers of sites subject to the Schedule, and how consultation has and has not been taken into account; and (vii) location, times and types of monitoring. (c) The Schedule shall be submitted to the Manager for information at least 5 working days (except in unforeseen circumstances) in advance of Construction Works that are covered by the scope of the Schedule and shall form part of the CNVMP. If any comments are received from the Manager, these shall be considered by the Requiring Authority prior to implementation of the Schedule. (d) Where material changes are made to a Schedule required by this condition, the Requiring Authority shall consult the owners and/or occupiers of sites subject to the Schedule prior to submitting the amended Schedule to the Manager for information in accordance with (c) above. The amended Schedule shall document the consultation undertaken with those owners and occupiers, and how consultation outcomes have and have not been taken into account.

<p>21.</p>	<p>Historic Heritage Management Plan</p> <p>(a) A HHMP shall be prepared in consultation with Council, HNZPT and Mana Whenua prior to the Start of Construction for a Stage of Work.</p> <p>(b) The objective of the HHMP is to protect historic heritage and to remedy and mitigate any residual effects as far as practicable. To achieve the objective, the HHMP shall identify:</p> <ul style="list-style-type: none"> (i) any adverse direct and indirect effects on historic heritage sites and measures to appropriately avoid, remedy or mitigate any such effects, including a tabulated summary of these effects and measures; (ii) methods for the identification and assessment of potential historic heritage places within the Designation to inform detailed design; (iii) known historic heritage places and potential archaeological sites within the Designation, including identifying any archaeological sites for which an Archaeological Authority under the HNZPTA will be sought or has been granted; (iv) any unrecorded archaeological sites or post-1900 heritage sites within the Designation, which shall also be documented and recorded (such as in the New Zealand Archaeological Association Site Recording Scheme (ArchSite) and/or the Auckland Council Cultural Heritage Inventory); (v) roles, responsibilities and contact details of Project personnel, Council and HNZPT representatives, Mana Whenua representatives, and relevant agencies involved with heritage and archaeological matters including surveys, monitoring of Construction Works, compliance with AUP accidental discovery rule, and monitoring of conditions; (vi) specific areas to be investigated, monitored and recorded to the extent these are directly affected by the Project; (vii) the proposed methodology for investigating and recording post-1900 historic heritage sites (including buildings and standing structures) that need to be destroyed, demolished or relocated, including details of their condition, measures to mitigate any adverse effects and timeframe for implementing the proposed methodology, in accordance with the HNZPT Archaeological Guidelines Series No.1: Investigation and Recording of Buildings and Standing Structures (November 2018), or any subsequent version; (viii) methods to acknowledge cultural values identified through the Mana Whenua Kaitiaki Forum (Condition 9) and Urban Landscape Design Management Plan (Condition 11) where archaeological sites also involve ngā taonga tuku iho (treasures handed down by our ancestors) and where feasible and practicable to do so; (ix) methods for avoiding, remedying or mitigating adverse effects on historic heritage places and sites within the Designation during Construction Works as far as practicable. These methods shall include, but are not limited to security fencing or hoardings around historic heritage and archaeological sites places to protect them from damage during construction or unauthorised access; (x) measures to mitigate adverse effects on historic heritage sites that achieve positive historic heritage outcomes such as increased public awareness and interpretation signage; and (xi) training requirements and inductions for contractors and subcontractors on historic heritage places within the Designation, legal obligations relating to unexpected discoveries and the AUP Accidental Discovery Rule (E11.6.1) The training shall be undertaken prior to the Start of Construction, under the guidance of a Suitably Qualified Person and Mana Whenua representatives (to the extent the training relates to cultural values identified under Condition 15).
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	<p>(c) Electronic copies of all historic heritage reports relating to historic heritage investigations (evaluation, excavation, building and standing structures and monitoring), shall be submitted to the Manager within 12 months of completion.</p> <p>Advice note: Accidental Discoveries The requirements for accidental discoveries of heritage items are set out in Rule E11.6.1 of the AUP and in the Waka Kotahi Minimum Standard P45 Accidental Archaeological Discovery Specification, or any subsequent version.</p>
<p>22.</p>	<p>Pre-Construction Ecological Survey</p> <p>(a) At the start of detailed design for a Stage of Work, an updated ecological survey shall be undertaken by a Suitably Qualified Person. The purpose of the survey is to inform ecological management by confirming whether the indigenous flora and fauna (including Regionally or Nationally At-Risk or Threatened species) within the Identified Biodiversity Areas recorded in Schedule 2 are still present.</p> <p>(b) Mana Whenua shall be invited as partners to observe how the ecological survey in (a) will be undertaken.</p> <p>(c) If the ecological survey in (a) above confirms the presence of ecological species of value indigenous flora and fauna (including Regionally or Nationally At-Risk or Threatened species in accordance with Condition 22(a), then an Ecological Management Plan (or Plans) shall be prepared in accordance with Condition 23 for these areas (Confirmed Biodiversity Areas).</p>
<p>23.</p>	<p>Ecological Management Plan (EMP)</p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (confirmed through Condition 22) prior to the Start of Construction for a Stage of Work. The objective of the EMP is to minimise impacts of the Project on the ecological values of Confirmed Biodiversity Areas as far as practicable. To achieve the objective, the EMP shall set out the methods which may include:</p> <p>(i) if an EMP is required in accordance with Condition 22(c) for the presence of long-tailed bats:</p> <ul style="list-style-type: none"> A. measures to minimise disturbance from construction activities within the vicinity of any active roosts that are discovered until such roosts are confirmed to be vacant of bats; B. how the timing of any construction work in the vicinity of any maternity long tail bat roosts will be limited to outside the bat maternity period (between December and March) where reasonably practicable; C. details of areas where vegetation is to be retained where practicable for the purposes of the connectivity of long tailed bats; D. details of how bat connectivity will be provided and maintained (e.g. through the presence of suitable indigenous, or exotic trees or artificial alternatives) will be provided and maintained; and E. where mitigation isn't practicable, details of any offsetting proposed. <p>(ii) if an EMP is required in accordance with Condition 22(c) for the presence of Threatened or At-Risk birds (excluding Wetland Birds):</p> <ul style="list-style-type: none"> A. how the timing of any Construction Works shall be undertaken outside of the bird breeding season (September to February) where practicable; B. where Pipit are identified as being present, how the timing of any Construction Works shall be undertaken outside of

	<p>the Pipit bird breeding season (August to February) where practicable;</p> <p>C. where works are required within the Confirmed Biodiversity Area during the bird breeding season (including Pipits), methods to minimise adverse effects on Threatened or At-Risk birds; and</p> <p>D. details of grass maintenance if Pipit are present.</p> <p>(iii) if an EMP is required in accordance with Condition 22(c) for the presence of Threatened or At-Risk wetland birds:</p> <p>A. how the timing of any Construction Works shall be undertaken outside of the bird breeding season (September to February) where practicable;</p> <p>B. where works are required within the Confirmed Biodiversity Area during the bird breeding season, methods to minimise adverse effects on Threatened or At-Risk wetland birds;</p> <p>C. undertaking a nesting bird survey of Threatened or At-Risk wetland birds prior to any Construction Works taking place within a 50m radius of any identified Wetlands (including establishment of construction areas adjacent to Wetlands). Surveys should be repeated at the beginning of each wetland bird breeding season and following periods of construction inactivity;</p> <p>D. what protection and buffer measures will be provided where nesting Threatened or At-Risk wetland birds are identified within 50m of any construction area (including laydown areas). Measures could include:</p> <p>a. a 20m buffer area around the nest location and retaining vegetation. The buffer areas should be demarcated where necessary to protect birds from encroachment. This might include the use of marker poles, tape and signage;</p> <p>b. monitoring of the nesting Threatened or At-Risk wetland birds by a Suitably Qualified Person. Construction Works within the 20m nesting buffer areas should not occur until the Threatened or At-Risk wetland birds have fledged from the nest location (approximately 30 days from egg laying to fledging) as confirmed by a Suitably Qualified Person; and</p> <p>c. minimising the disturbance from the works if Construction Works are required within 50m of a nest, as advised by a Suitably Qualified Person.</p> <p>E. adopting a 10m setback where practicable, between the edge of wetlands and construction areas (along the edge of the stockpile/laydown area); and</p> <p>F. minimising light spill from construction areas into wetlands.</p> <p>(b) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p>(c) Where appropriate, and in partnership with Mana Whenua, flora and fauna values identified in the ULDMP are reflected and included within this EMP.</p> <p>Advice note: Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</p> <p>(i) Stream and/or wetland restoration plans;</p> <p>(ii) Vegetation restoration plans; and</p> <p>(iii) Fauna management plans (e.g. avifauna, herpetofauna).</p>
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24.	<p>Network Utility Management Plan (NUMP)</p> <p>(a) A NUMP shall be prepared prior to the Start of Construction for a Stage of Work.</p> <p>(b) The objective of the NUMP is to set out a framework for protecting, relocating and working in proximity to existing network utilities. To achieve the objective, the NUMP shall include methods to:</p> <ul style="list-style-type: none"> (i) provide access for maintenance at all reasonable times, or emergency works at all times during construction activities; (ii) manage the effects of dust and any other material potentially resulting from construction activities and able to cause material damage, beyond normal wear and tear to overhead transmission lines in the Project area; and (iii) demonstrate compliance with relevant standards and Codes of Practice including, where relevant, the NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances 2001; AS/NZS 4853:2012 Electrical hazards on Metallic Pipelines; and AS/NZS 2885 Pipelines – Gas and Liquid Petroleum. <p>(c) The NUMP shall be prepared in consultation with the relevant Network Utility Operator(s) (including Auckland International Airport Limited) who have existing assets that are directly affected by the Project.</p> <p>(d) The development of the NUMP shall consider opportunities to coordinate future work programmes with other Network Utility Operator(s) (including Auckland International Airport Limited) during detailed design where practicable.</p> <p>(e) The NUMP shall describe how any comments from the Network Utility Operator (including Auckland International Airport Limited) in relation to its assets have been addressed.</p> <p>(f) Any comments received from the Network Utility Operator (including Auckland International Airport Limited) shall be considered when finalising the NUMP.</p> <p>(g) Any amendments to the NUMP related to the assets of a Network Utility Operator (including Auckland International Airport Limited) shall be prepared in consultation with that asset owner.</p>
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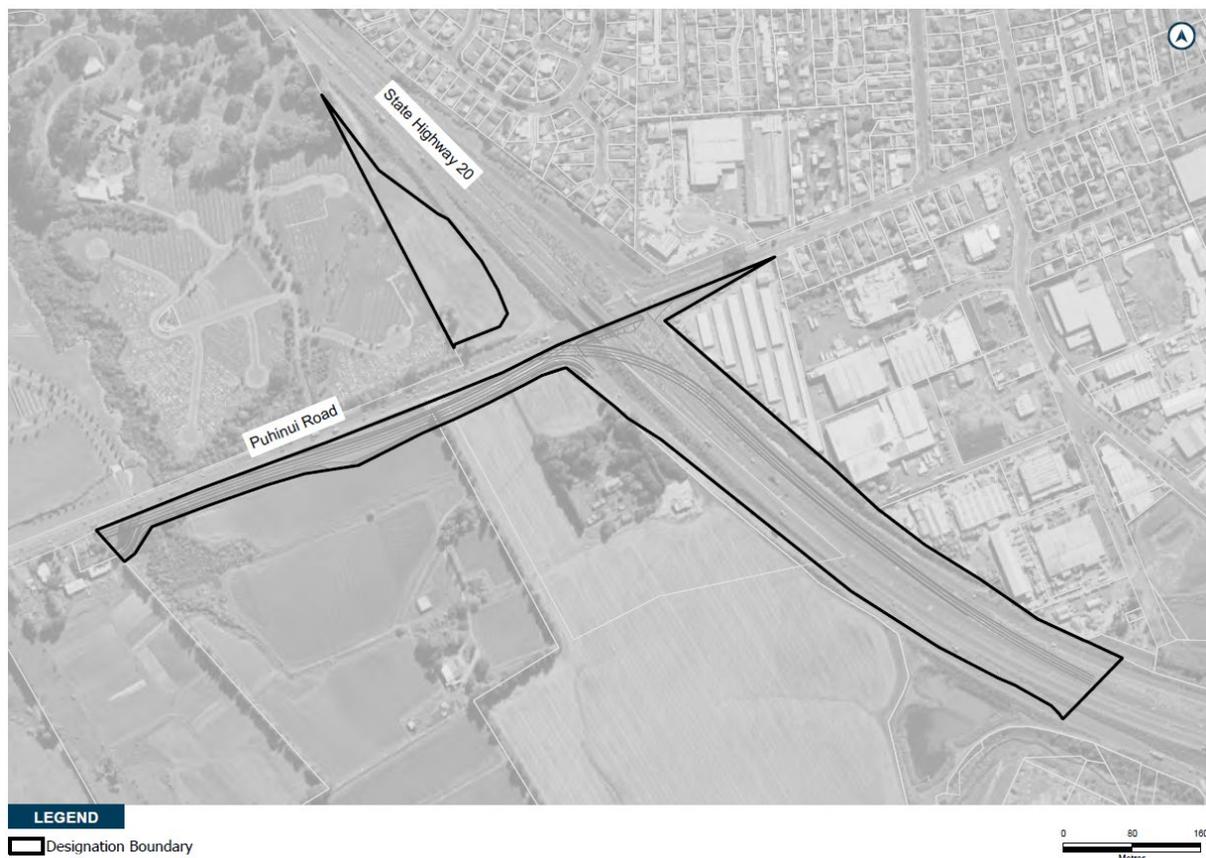
Attachments

Schedule 1: General accordance plan and information

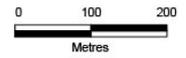
The proposed work is an upgrade of the existing State Highway 20B (SH20B) from the SH20/20B Interchange to Manukau Memorial Gardens. This is for the construction, operation and maintenance of the State Highway including a Bus Rapid Transit (BRT) corridor, walking and cycling facilities and associated infrastructure. The proposed work is shown in the following Concept Plan and includes:

- (a) An upgrade of the SH20B corridor between the SH20/20B interchange and the intersection of Manukau Memorial Gardens to provide westbound lanes, walking and cycling facilities and a ramp from SH20B onto SH20 for southbound traffic while enabling the provision of a BRT corridor;
- (b) Associated works including but not limited to intersections, bridges, embankments, retaining walls, culverts, stormwater management systems; and
- (c) Construction activities, including vegetation removal, construction areas and the re-grading of driveways.

Concept plan:



Schedule 2: Pre-construction pipit survey area



Appendix D

Names and address of persons to be served with a copy of this notice:

Auckland Transport and Waka Kotahi

c/- Te Tupu Ngātahi
Level 5, 203 Queen Street
Auckland 1010

Attention: Adam Jellie
By email: Adam.Jellie@supportinggrowth.nz

Waka Kotahi New Zealand Transport Agency

Level 5 AMP Tower
29 Customs Street West
Auckland
Private Bag 106602
Auckland City
Auckland 1143

Attention: Evan Keating
By email: evan.keating@nzta.govt.nz