

**IN THE ENVIRONMENT COURT OF NEW ZEALAND
AUCKLAND REGISTRY**

**I MUA TE KŌTI TAIAO O AOTEAROA
TĀMAKI MAKĀURAU ROHE**

ENV-2025-AKL-

UNDER	the Resource Management Act 1991 (" the Act ")
IN THE MATTER	of an appeal under section 174 of the Act against a decision on Notices of Requirement that comprises part of Papakura to Bombay (P2B) Project Stage 2: Alteration Designation 6701 State Highway 1 – Bombay (NOR 3) and Shared User Path (NOR 4)
BETWEEN	Narandrabhai Haribhai Master and Mahesh Master as Trustees for the Haribhai Master (1975) Trust Appellants
AND	NZ Transport Agency – Waka Kotahi Respondent

NOTICE OF APPEAL

5 AUGUST 2025

**ELLIS GOULD
LAWYERS
AUCKLAND**

REF: Douglas Allan (dallan@ellisgould.co.nz)
Alex Devine (adevine@ellisgould.co.nz)

**Level 31 Vero Centre
48 Shortland Street, Auckland
Tel: 09 307 2172
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AUCKLAND**

NOTICE OF APPEAL

TO: The Registrar

Environment Court
Auckland

1. Narandrabhai Haribhai Master and Mahesh Master as Trustees for the Haribhai Master (1975) Trust (“**the Appellants**”) appeal the decision of NZ Transport Agency - Waka Kotahi (“**the Respondent**”) dated 24 June 2025 but issued to submitters on 15 July 2025 (“**the Decision**”) confirming Notices of Requirement in respect of:
 - (a) An alteration to SH1 Designation 6701 in the Auckland Unitary Plan – Operative in Part (“**Unitary Plan**”) to provide for widening of the existing SH1 corridor and accommodate the future upgrades to SH1 network (“**NoR 3**”); and
 - (b) The construction, operation and maintenance of a shared user path, alongside the western side of SH1 (“**NoR4**”).(together “**the NoRs**”).
2. The NORs form part of a group¹ of Notices of Requirement for Stage 2 of the Papakura to Bombay – Papakura ki Pukekura (“**P2B**”) project.
3. The Appellants made a submission on the NoRs on 15 July 2024.
4. The Appellants received notice of the Decision on 15 July 2025.
5. The Decision subject to the appeal was made by the Respondent.
6. The Appellants are not trade competitors for the purposes of section 308D of the Resource Management Act 1991 (“**RMA**”).

¹ NoR 1 – Alteration Designation 6707 SH1 (Takanini to Drury); NoR 2 – Alteration Designation 6700 SH1 (Drury to Bombay); NoR 3 – Alteration Designation 6701 SH1 (Bombay); NoR 4 – Shared User Path; NoR 5 – Drury South Interchange Connections.

7. The Appellants will be directly and adversely affected by the NoRs and the Decision as they are the owners of a site located immediately to the north-west of the intersection between SH1 and Mill Road (“**Site**”). The Site comes within the designation boundaries of both NoR 3 and NoR 4:
 - (a) NoR 3 applies across the entire southern frontage of the Site. The only access to the Site is via this (Mill Rd) frontage. Approximately 2,1772m² of the Site is proposed to be designated by NoR 3.
 - (b) NoR 4 applies across the entire eastern side of the Site. It extends from the south-eastern corner of the Site, along the boundary with SH1 to the north-eastern corner of the Site and along a large portion of the southern boundary. Approximately 26,108m² of the Site is proposed to be designated by NoR 4.
 - (c) In total, approximately 2.8285 ha of the 8.6813 ha Site is proposed to be designated by the NoRs.
8. The Site is currently used for horticulture, however, the Appellants have begun exploring options for future use of the Site. The underlying Mixed Rural zoning enables a range of rural production activities and associated non-residential activities.
9. The Appellants oppose the NoRs in their entirety. However, the Appellants primary interest is in the aspects of the NoRs which have the potential to directly impact the Site, for example, but not limited to, the extent of the designation over the Site and the conditions addressing access and construction.

Reasons for the Appeal

10. The reasons for the appeal are as follows:
 - (a) The NoRs, as approved in the Decision and in the absence of the amendments and conditions specified in the relief sought in this appeal:
 - (i) Do not promote the sustainable management of natural and physical resources;

- (ii) Do not amount to and promote the efficient use and development of resources;
- (iii) Are not consistent with the purpose and principles of Part 2 of the RMA;
- (iv) Will generate significant and unacceptable adverse effects on the environment, and in particular, on the Appellant's Land;
- (v) Do not enable the social, economic and cultural wellbeing of the community; and
- (vi) Do not warrant being upheld in terms of section 171 of the Act.

In addition, and without limiting the generality of the above, the further reasons for the appeal are set out in paragraphs 11 to 30 below.

Access (NoR 3 only)

11. The Appellants' appeal the part of the Decision concerning NoR 3 which fails to provide for access to / egress from the Site to be:
 - (a) Maintained during construction;
 - (b) Retained in its current form following completion of construction; or
 - (c) As an alternative to (b), to provide certainty as to where the future access will be located.
12. NoR 3 applies across the entire southern frontage of the Site. The only access to the Site is via this (Mill Rd) frontage.
13. Insufficient or no detail is provided regarding:
 - (a) Construction access. Condition CC.22 simply requires access to be maintained "where practicable" during construction or provision of "alternative arrangements" where it will not be.
 - (b) Permanent access. Condition OPW.2 simply requires the provision of "safe" reconfigured or alternate access.

14. As a result, the designation has the potential to create unacceptable adverse effects on ingress and egress from the Site.
15. Safe, efficient and effective access to and from the Appellants' Land (including retention of all access movements for large horticultural vehicles), and certainty as to its location, is required to ensure the continued operation and viability of horticultural or future activities at the Site.
16. Due to the Site's location, design work will need to be undertaken to ensure that the Site has an appropriate vehicular interface with the road network if there is to be a change in use in future. Realistically, that can only occur if the designation provides a base level of certainty that the Appellants can work to.
17. The Appellants therefore seek certainty regarding the roading layout and form of access, for example through:
 - (a) Amendment of Condition OPW.2 or the imposition of new conditions to ensure that:
 - (i) The Site's existing access is reinstated and retained, or, with the Appellants' agreement, relocated and reformed to enable the Appellants to more effectively and efficiently access the Site for current and future uses. Logically, it would be relocated to the east and signalised to align with (and form part of) the new signalised access to BP on Mill Road.
 - (ii) There will be no long-term (i.e.: post construction) effects on the vehicle access to and egress from the Site, for example by ensuring there are no restrictions on ingress and egress or number of vehicle movements (including large agricultural vehicles) to the Site as a result of the designation.
 - (b) Amendment of Condition CC.22 or the imposition of new conditions to ensure that the Appellants can continue to directly access the Site at all times during construction.

Land Requirements (NoR 3 and NoR 4)

18. The Appellants' appeal:

- (a) The extent of land proposed to be taken by both NoR 3 and NoR 4; and
 - (b) The part of the Decision which fails to provide certainty as to land requirements during the construction period relative to after completion of construction and commencement of operation of the work.
19. The Appellants consider the land take to be overly extensive and not reasonably necessary for the works:
- (a) The design of the proposed wetland located at the northern part of the Site (NoR 4) has not been optimised, resulting in an overly extensive land take.
 - (b) The General Arrangement Plan shows extensive use of batters rather than retaining walls, particularly NoR 4, contributing in a significant way to the land take proposed.

In both cases, the design and construction methodology should be optimised to reduce the extent of land required.

20. A lack of certainty as to the ultimate extent of land required poses difficulties to the Appellants for any future planning for the Site. In the absence of detail (discussed above) as to roading frontage, the Appellants are unable to determine whether the land requirements (temporary or permanent) are appropriate.
21. The Appellants therefore request that:
- (a) The extent of the designation over the Site be amended to avoid the need for any land take from the Site.
 - (b) In the event the Court is not minded to grant the request in (a) above, that:
 - (i) land take be minimised to the greatest extent possible, including (without limitation) by optimising the design of the stormwater pond and through the use of retaining walls rather than batters; and

- (ii) the areas required for construction purposes be identified and to the extent they are, require that land for the minimum duration possible.

Integration of Stormwater (NoR 4)

- 22. The Appellants appeal the part of the Decision which fails to consider integration of the stormwater pond proposed as part of NoR 4 with the Site.
- 23. The extensive land take proposed is likely to impact the viability of continued use of the Site for horticultural purposes. If horticultural activities are no longer financially sustainable, the Submitter will need to explore alternative options. Such changes could require implementation of stormwater treatment measures.
- 24. In order to mitigate this impact on the Site, it would be appropriate for opportunities for integration with the Submitter's existing or proposed facilities to be explored. This may include, but is not limited to, shared maintenance access arrangements if the ponds are to be co-located and a stormwater design which considers likely form of development on the Site, and the ways in which the two may be integrated.

Consultation and Engagement re Construction (NoRs 3 and 4)

- 25. The Appellants appeal the part of the Decision which fails to include a requirement to engage with affected landowners regarding the relevant Management Plans (including the Construction Environmental Management Plan (“**CEMP**”) and the Construction Traffic Management Plan (“**CTMP**”).
- 26. The Decision wording of conditions CC.4, CC.22 of NoR 3 and CC.4 of NoR 4 fails to ensure that the CEMP and CTMP will be consulted on adequately; and fails to provide certainty that the operation of the Site will not be unreasonably impacted by construction of the project (including continued direct access, and that there will be no impacts such as dust which might affect the horticultural activities onsite).

27. The Appellants therefore seek amendment to conditions CC.4, CC.22 of NoR 3 and CC.4 of NoR 4, or the imposition of new conditions, to ensure that any CEMP and CTMP are:
- (a) Prepared by the Respondent in consultation with the Appellants, and include requirements to ensure access is maintained and construction effects on the Site that could impact on horticultural activities (e.g.: dust) are avoided;
 - (b) Provided to Council, along with details of the Appellants' observations and comments on the plan, if any; and
 - (c) Approved by the Council.

Lapse Period (NoR 4)

28. The Appellants appeal the part of the Decision which imposes a lapse date of 20 years on NoR 4.
29. The lapse date is excessive and creates considerable uncertainty for the Appellants.
30. The Appellants therefore seek a reduced lapse date of 5 years to reflect the default statutory lapse date.

Relief Sought

31. The Appellants seek the following relief:
- (a) That the appeal be allowed.
 - (b) That NoRs 3 and 4 be removed from the Site, failing which they should be declined in their entirety.
 - (c) In the event that the Court is not minded to grant the relief sought in (b) above, that the terms and conditions of the NoRs be amended to address the issues and concerns identified in paragraph 11 – 30 above, including (but not limited to):

- (i) Amending Condition CC.22 of NoR 3 or imposing a new condition which ensures adverse effects on access to and egress from the Site are minimised as far as practicable during construction; with access from the Site being maintained at all times throughout the construction period.
- (ii) Amending Condition OPW.2 of NoR 3 or imposing a new condition which:
 - Clearly identifies the Site's existing access as being reinstated and retained, or, with the Appellants' agreement, relocated and reformed to enable the Appellants to more effectively and efficiently access the Site for current and future uses.
 - Overall, avoids any long-term (i.e.: post construction) effects on vehicle access to and egress from the Site, including, but not limited to, ensuring that:
 - There are no restrictions on ingress and egress or number of vehicle movements (including large agricultural vehicles) to the Site as a result of the designation; and
 - Any additional issues that are identified at the time that further detail regarding the roading layout becomes available (e.g.: including but not limited to provision of finished levels that integrate appropriately with the Site) can be resolved.
- (iii) In terms of the extent of the designation:
 - Reducing the extent of the designation to the minimum extent necessary for the permanent operation and maintenance of NoRs 3 and 4, or mitigation of effects generated by the NoRs; or

- Alternatively, in the event the Court is not minded to reduce the extent of the designation as sought above, to identify those parts of the designated area that are required for construction purposes, and impose a new condition requiring that land be required for the minimum duration possible.
- (iv) Amending conditions CC.4, CC.22 of NoR 3 and CC.4 of NoR 4 or imposing new conditions to ensure that, prior to the commencement of construction in the vicinity of the Site, the CEMP and CTMP applying to the road network in the immediate vicinity of the Site is prepared in the manner outlined in paragraph 27 above.
- (v) Reducing the lapse date of NoR 4 from 20 years to 5 years.
- (d) Such further orders, relief, consequential amendments or other amendments as are considered appropriate and necessary to address the Appellants' concerns set out above.
- (e) Costs of and incidental to this appeal.

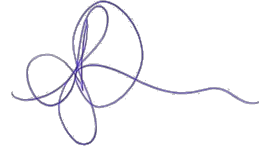
Attachments

32. The following documents are attached to this notice:

- (a) **Attachment 1:** A copy of the Appellants' submission on the NoRs.
- (b) **Attachment 2:** Relevant extracts from the Recommendation.
- (c) **Attachment 3:** Relevant extracts from the Decision.
- (d) **Attachment 4:** A list of persons to be served with a copy of this notice.

DATED this 5th day of August 2025

**NARANDRABHAI HARIBHAI MASTER AND
MAHESH MASTER AS TRUSTEES FOR THE
HARIBHAI MASTER (1975) TRUST** by their
solicitors and duly authorised agents Ellis
Gould



Alex Devine / Tabea Tounson

ADDRESS FOR SERVICE: The offices of Ellis Gould Lawyers, level 31, Vero Centre, 48 Shortland Street, PO Box 1509, Auckland 1140, DX CP22003, Auckland, Telephone: (09) 307-2172, Facsimile: (09) 358-5215. **Attention:** Alex Devine. adevine@ellisgould.co.nz. Tabea Tounson. ttounson@ellisgould.co.nz.

Advice to recipients of copy of notice of appeal

How to become party to proceedings

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must-

- Within 15 working days after the period for lodging a notice of appeal ends, 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 Appellants; and
- Within 20 working days after the period for lodging a notice of appeal ends, 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 Act.

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

How to obtain copies of documents relating to appeal

The copy of this notice served on you does not have attached a copy of the Appellants' submission and (or or) the decisions (or part of the decisions) appealed. These documents may be obtained, on request, from the Appellants.

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

Attachment 1: A copy of the Appellant's submission on the NoRs.

**SUBMISSION ON NOTICES OF REQUIREMENT FOR DESIGNATION OF LAND FOR THE PAPA KURA
TO BOMBAY STAGE 2 PROJECT BY NZ TRANSPORT AGENCY WAKA KOTAHI**

Section 168(2) of the Resource Management Act 1991

To: Auckland Council, Plans and Places
unitaryplan@aucklandcouncil.govt.nz

Copy to: NZ Transport Agency – Waka Kotahi
Evan.keating@nzta.govt.nz

THE HARIBHAI MASTER (1975) TRUST c/- Ellis Gould, Solicitors at the address for service set out below (“**the Submitter**”) makes the following submission in relation to the notices of requirement lodged by NZ Transport Agency – Waka Kotahi (“**Waka Kotahi**” or “**Requiring Authority**”) in respect of:

- NOR 3 Alteration to SH1 Designation 6701 in the Auckland Unitary Plan – Operative in Part (“**Unitary Plan**”) to provide for widening of the existing SH 1 corridor and accommodate the future upgrades to the SH 1 network (“**NOR 3**”)
- NOR 4 – Construction, operation and maintenance of a shared user path, alongside the western side of SH 1 (“**NOR 4**”)

(together “**the NORs**”)

1. The NORs form part of a package of notices of requirement for Stage 2 of the Papakura to Bombay – Papakura ki Pukekura (“**P2B**”) project under the Te Tupu Ngātahi Supporting Growth Programme.
2. The Submitter will be directly affected by the NORs as the Trust, by its trustees, is the owner of the property legally described as Pt Allot 6 Parish Mangatawhiri District, Pt Allot 4 Parish Mangatawhiri District, comprising Record of Title NA1352/38 (North Auckland Registry (“**Site**”) located immediately to the north-west of the intersection between SH1 and Mill Road, as shown on **Figure 1** below. The Site comes within the designation boundaries of both NOR 3 and NOR 4.

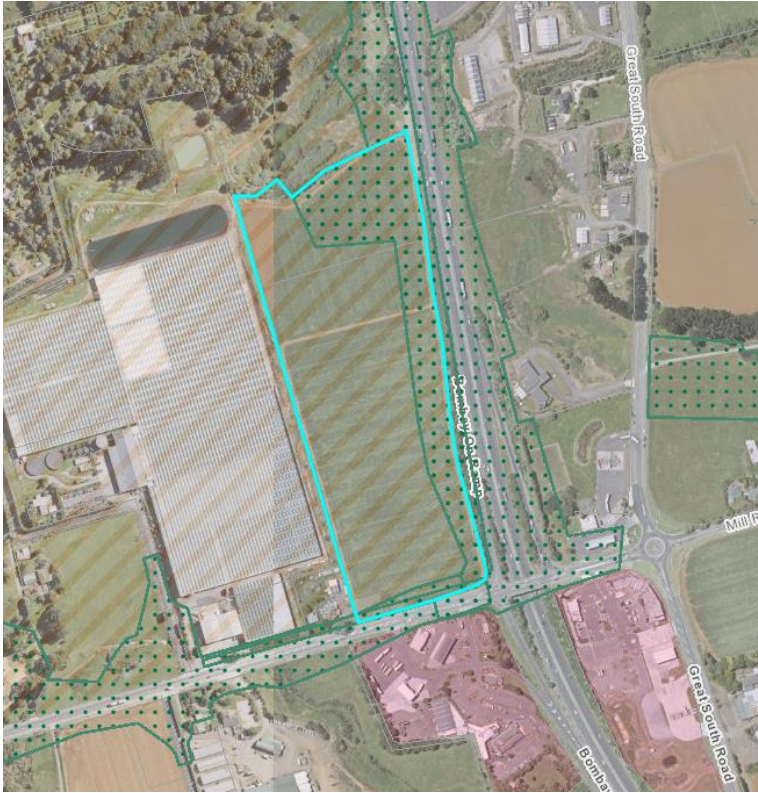


Figure 1 AUP Maps showing the Site outlined in blue, with the proposed designation extents shown in green dots (**NB:** The NOR for the Mill Road and Pukekohe East upgrade is also shown)

3. The Submitter is not a trade competitor of the Requiring Authority and could not gain an advantage in trade competition through this submission. In any event, the Submitter will be directly affected by effects of the NORs that:
 - (a) Adversely affect the environment; and
 - (b) Do not relate to trade competition or the effects of trade competition.
4. The Submitter opposes NOR 3 and NOR 4 in their entirety. However, the Submitter's primary interest is in the aspects of the NORs which have the potential to directly impact the Site, for example, but not limited to, the extent of the designation over the Site and the conditions addressing access and construction.
5. The reasons for the submission are as follows:
 - (a) Unless and until the concerns set out in this submission are appropriately addressed, NOR 3 and NOR 4:
 - (i) Will generate significant and unwarranted adverse effects on the environment.

- (ii) Will be contrary to the sustainable management of natural and physical resources;
- (iii) Will not amount to or promote the efficient use and development of resources;
- (iv) Will be otherwise inconsistent with the purpose and principles in Part 2 of the Resource Management Act 1991 (“**RMA**”);
- (v) Generate significant adverse effects on the environment, and in particular, on the Site; and
- (vi) Do not warrant confirmation in terms of section 171 RMA.

In particular, but without derogating from the generality of the above:

6. As shown on **Figure 1** above the proposed designations apply across a significant portion of the Site, including:
- (a) The entire southern (Mill Road) frontage of the Site. In this location, the designation will provide for a new left turn traffic lane into the State Highway 1 ramp, a shared use path and a batter. No access to the site is indicated on the plan.
 - (b) The entire eastern boundary of the Site, adjoining SH1. In this location, the designation will provide for a shared use path and what appears to be a significant extent of earthworks / batter.
 - (c) A large portion of the northern boundary of the Site. In this location, the designation provides for a proposed wetland.

Boundary encroachment

7. The Submitter is concerned that the designations, as shown in the General Arrangement Plans, encroach significantly into the Site. In particular, the Submitter is concerned that the design of the proposed wetland located at the northern has not been optimised and that the extent of the land identified is not reasonably necessary for that purpose. In addition, the General Arrangement Plan shows extensive use of batters rather than retaining walls, contributing to the significant land take proposed.

8. In addition, the Submitter is concerned that the NORs are uncertain in terms of land requirements during the construction period relative to after completion of construction and commencement of operation of the works. It would be inappropriate and inconsistent with the purpose of the RMA if the Requiring Authority were to maintain a designation over land no longer required for the purpose of the designation.
9. The Submitter seeks that:
 - (a) The extent of the designation be amended to avoid the need for any land take from the Site.
 - (b) In the event land take cannot be avoided, it should be minimised to the greatest extent possible, including (without limitation) by optimising the design of the stormwater pond and through the use of retaining walls rather than batters.
 - (c) The extent of the designation over its Site only include the areas necessary for the permanent operation and maintenance of the proposed work, or mitigation of effects generated by it, and that the areas required for construction only be identified as such.
 - (d) That regular reviews of the designation be undertaken to identify the areas referred to in (c) above, and the removal of those areas no longer required.
 - (e) That a condition be imposed requiring that those areas to be used for construction purposes only be removed from the designation within 6 months of completion of construction.

Integration of stormwater

10. The extensive land take proposed is likely to impact the viability of continued use of the Site for horticultural purposes. If horticultural activities are no longer financially sustainable, the Submitter will need to explore alternative options. Such changes could require implementation of stormwater treatment measures.
11. Accordingly, in the event that a stormwater pond is established on-site under the designation, the Submitter seeks opportunities for integration with the Submitter's existing or proposed facilities. This may include, but is not limited to, shared maintenance access

arrangements if the ponds are to be co-located and a stormwater design which considers likely form of development on the Site and the ways in which the two may be integrated.

Access to and egress from the site

12. The Submitter is concerned that NOR 3 has the potential to create unacceptable adverse effects on ingress and egress from the Site that will significantly impact its ability to access and use the property, as well as its ability plan for the future use of the Site.
13. The Site's only access is located on the Mill Road frontage, at the western end of the Site. As the Site is currently used for horticultural purposes, a large range of vehicle types (including trucks) need to access the Site. The current access has full turning capacity (i.e. left in and, left out and right in, right out) and provides sufficient room for all movements to occur.
14. The General Arrangement Plan:
 - (a) does not identify the Site's access; and
 - (b) appears to indicate that a raised median will be installed directly opposite the site's current access.
15. While the proposed conditions provide that "safe" reconfigured or alternate access must be provided, the conditions failed to provide certainty as to where or how that access will be reinstated. While the Submitter is satisfied with its current access arrangements at the westernmost end of the site, it is noted that the Site is located opposite the BP Bombay motorway service centre exit, where traffic lights are being installed. It may therefore be safer and more efficient if the Site's access be relocated here and connected into those (soon to be existing) traffic lights.
16. Likewise, the conditions provide no certainty that the existing functionality of the access will be retained (e.g. provision for all movements). If a solid median were installed this may impact the ability for trucks to make a left hand turn is out of the Site (as tight left turns by large trucks require more area for vehicle tracking and right turns with turn radius can be greater). Currently, such manoeuvres are possible. The Submitter therefore requests that a the flush median is retained in this location to ensure that existing truck egress manoeuvres can continue to be accommodated from the Site.

17. The Submitter therefore seeks:

- (a) That that access be clearly identified on the General Arrangement Plan as being reinstated and retained in its current form *or* that the access be relocated to the east, opposite the signalised BP access, and that the Requiring Authority install signals at the Site's access to that intersection.
- (b) That the flush median is retained in this location to ensure that unrestricted egress for truck manoeuvres can continue to be accommodated from the site.

General comments on construction effects

18. The Submitter is concerned that the construction phase may result in significant adverse effects on the operation of its Site, including but not limited to access and dust. Given the nature of activities at the site there is a need to ensure that there is an ability to access it at all times in the range of vehicles. Horticultural activities are particularly sensitive to dust and contaminants, so effects of this nature generated by construction works, must be addressed.

19. The Submitter seeks that:

- (a) A site-specific construction traffic management plan be required, prior to works being undertaken in the vicinity of the Site, to demonstrate how construction traffic effects will be appropriately managed including how continued Site access by trucks will be maintained at all times during the construction period. The Submitter seeks that it be engaged with in the preparation of these plan.
- (b) A site-specific construction management plan be required, prior to works being undertaken in the vicinity of the Site, to demonstrate how construction effects such as dust will be appropriately managed, having particular regard to the activities undertaken at the Site.

Lapse dates

20. The designation for NOR 4 has a proposed lapse period of 20 years, well in excess of the default 5 year period. No lapse date is included for NOR 3 on the basis that is an alteration to an existing designation.

21. Given the length of time and the uncertainty this creates for the Submitter regarding the future use of the Site, the Submitter seeks a reduced lapse date, or in the alternative, a condition which requires the Requiring Authority to regularly review the need for the designations, and the extent of areas to be used temporarily and permanently (as addressed earlier in this submission).
22. The Submitter acknowledges the Requiring Authorities position regarding lapse dates on alterations but considers that the significant change proposed as part of NOR 3 for the Site, combined with the lack of certainty regarding the operational design and extent, generates an effect which warrants mitigation – in this instance, the imposition of a lapse date.

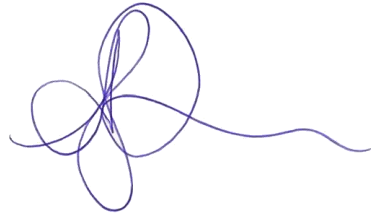
Relief Sought

23. The Submitter seeks the following relief with regard to the NORs:
 - (a) That NOR 3 and NOR 4 be cancelled.
 - (b) That the NORs be amended and conditions imposed on them to address the issues discussed above, including:
 - (i) That the designation extent be reduced so that it no longer impacts the Site, or in the alternative that the extent of the designation include only those areas necessary for the permanent operation and maintenance of the proposed work, or mitigation of effects generated by it.
 - (ii) That there be a requirement to consider how stormwater management for the NORs integrates with any existing or proposed development at the Site.
 - (iii) There will be no long-term (i.e.: post construction) effects on the vehicle access to and egress from the Site, with the access either being retained in its current form or relocated and reformed to be opposite the BP service centre and traffic lights installed by the requiring authority.
 - (iv) That there are no restrictions on ingress and egress or number of vehicle movements to the Site as a result of the designation and that the functionality of the existing accessed is retained (e.g. all movements for vehicle types).

- (v) Adverse effects on access to and egress from the Site are minimised as far as practicable during construction; with access from the Site being maintained at all times throughout the construction period.
 - (vi) Prior to the commencement of construction in the vicinity of the Site, a construction traffic management plan applying to the road network in the immediate vicinity of the Site is:
 - Prepared by the Requiring Authority in consultation with the Submitter;
 - Provided to Council, along with details of the Submitter's observations and comments on the plan, if any; and
 - Approved by the Council.
 - (vii) That construction effects such as dust will be appropriately avoided or remedied, having particular regard to the nature of activities being undertaken at the Site at the time of construction.
 - (viii) That conditions be imposed to resolve any issues that arise when further detail regarding the roading layout is provided (e.g.: including but not limited to provision of finished levels that integrate appropriate with the Site).
 - (ix) That the lapse date be reduced on NOR 4 and imposed on NOR 3 to be consistent with the statutory minimum.
 - (c) Such alternative or other relief or consequential amendments as are considered appropriate or necessary to address the concerns set out in this submission.
24. The Submitter wishes to be heard in support of this submission. If other parties make a similar submission, the Submitter would consider presenting a joint case with them at the hearing.

DATED this 15th day of July 2024

THE HARIBHAI MASTER (1975) TRUST by its
solicitors and duly authorised agents, Ellis Gould



Alex Devine

ADDRESS FOR SERVICE: The offices of Ellis Gould, Solicitors, Level 31, Vero Centre, 48 Shortland Street, PO Box 1509. Auckland 1140, DX CP22003, Auckland. Telephone: (09) 306 1075 . **Attention:** Alex Devine, adevine@ellisgould.co.nz.

Attachment 2: Relevant extracts from the Recommendation.

Recommendation following the hearing of a Notice of Requirement under the Resource Management Act 1991



RECOMMENDATION

The Commissioners recommend that the notices of requirement as modified by the Requiring Authority at the hearing BE CONFIRMED subject to conditions.

PROPOSAL

Notices of Requirement (**NoR**) by New Zealand Transport Agency Waka Kotahi (**NZTA or Requiring Authority**) for route protection of the land required to authorise the future construction, operation, maintenance of upgrades of the State Highway 1 in the following locations:

NOR1 – ALTERATION OF DESIGNATION 6706 STATE HIGHWAY 1 – TAKANINI TO DRURY

Notice of requirement to alter State Highway 1 (SH1) Designation 6706 'Motorway – between Takanini and Hamilton' to authorise the construction, maintenance and operation of SH1 improvements between an area 200 metres north of Quarry Road overbridge and, an area north of the proposed Drury South Interchange, and associated infrastructure.

NOR2 – ALTERATION OF DESIGNATION 6700 STATE HIGHWAY 1 – DRURY TO BOMBAY

Notice of requirement to alter State Highway 1 Designation 6700 'Motorway' to authorise State Highway 1 (SH1) improvements to an area south of Quarry Road overbridge and the SH1 Great South Road overbridge at Bombay, including construction of a new interchange at Drury South, and associated infrastructure.

NOR3 – ALTERATION OF DESIGNATION 6701 STATE HIGHWAY 1 - BOMBAY

Notice of requirement to alter State Highway 1 Designation 6701 'Motorway' to authorise State Highway 1 (SH1) improvements between the SH1 Great South Road overbridge at Bombay and Bombay/Mill Road Interchange, and associated infrastructure.

NOR4 – A NEW DESIGNATION: SHARED USE PATH

Notice of requirement for the designation for a new Shared User Path (**SUP**) to be constructed from an area 200m north of Quarry Road to the existing Bombay/Mill Road Interchange, and associated infrastructure. The SUP will include the construction of a new overbridge at Great South Road, and tie-in infrastructure at all new and/or upgraded interchanges. This NoR provides a continuation of the SUP authorised under NZTA Designation 6778 (approved under Stage 1B1 of the Papakura to Bombay Project).

NOR5 – A NEW DESIGNATION: DRURY SOUTH INTERCHANGE CONNECTIONS

Notice of requirement for the designation for a new state highway to be constructed at the

proposed Drury South interchange and provide direct transport connections between State Highway 1 (SH1) and Quarry Road (to the east) and Great South Road (to the west). This includes a new overpass across State Highway 1 at Drury South Interchange, and associated infrastructure.

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EDITORIAL NOTE:

Appendix A contains hearing details including the persons who presented at the hearing, the party that they represented, their role, and employment details where relevant. These details are not repeated in the text.

Appendix B contains a glossary with abbreviations. Full descriptions of abbreviations are not always provided within the text.

INTRODUCTION AND PROCEDURAL MATTERS

1. This recommendation on the NoRs is made on behalf of the Council by Independent Hearing Commissioners Mr Dave Serjeant, Mr Nigel Mark-Brown and Mr Basil Morrison appointed and acting under delegated authority pursuant to sections 34 and 34A of the RMA.
2. Pursuant to section 168 of the RMA, the Requiring Authority gave notice to the Councils to designate the land areas described above. At the request of the Requiring Authority, the NoRs (which we collectively refer to as the **Project**) were publicly notified on 14 June 2024. Submissions closed on 15 July 2024. There was a total of 56 submissions recorded within the submission period and one late submission, for the Project as a whole. The total number of submissions accounts for several submitters lodging the same or similar submission on more than one NoR. Further, it is noted that, individually, the number of submissions ranged from 9 submissions for NoRs 1 and 5 to 14 submissions for NoR 4.
3. The NoRs were referred to the Commissioners for a hearing and recommendation. Application materials, the Council's section 42A reports, and both expert and lay evidence was produced for pre-reading pursuant to an agreed timetable. The hearing took place on Wednesday 20 and Thursday 21 November 2024. There were appearances at the hearing by and on behalf of the parties and submitters listed in the table in **Appendix A**.
4. Prior to the commencement of the hearing, we were advised by the Council of a late submission by BP Oil New Zealand Ltd. The Council recommended that the submission was accepted pursuant to the provisions of sections 37 and 37A of the RMA and we accepted the recommendations of Council on this matter at the hearing.
5. We were also advised by Mr Donovan of parties that had indicated their intention to attend the hearing to present their submissions but had since decided that such attendance was unnecessary and provided a tabled written response instead. The details of these submissions are recorded as follows.
6. By email dated 24 October 2024, a joint group of submitters under the banner of The Telecommunication Companies and comprising Chorus New Zealand Limited, Connexa Limited, Spark New Zealand Trading Limited, One New Zealand Group Limited and FortySouth Group LP advised that as a result on their ongoing engagement with NZTA that the matters raised in their submissions had been satisfactorily resolved in the proposed conditions and on that basis would not attend the hearing.
7. Dutton Land Holdings, the owner of land at 1940 Great South Road in Bombay filed a statement dated 1 November 2024 advising that as a result of further discussions with NZTA on the location of the designation boundary on its property, a revised location had been agreed as depicted in Figure 10, at para 8.8, of the Statement of Primary Evidence of Mark Laing.
8. SJ and RE Allen, the owner of land at 1972 and 1994 Great South Road in Bombay had similarly agreed a revised location for the designation boundary on their land. This was depicted in Figure 12, at para 8.11, of the Statement of Primary Evidence

of Mark Laing.

9. Auckland Transport advised by letter dated 1 November 2024 that following further discussions with NZTA, and review of the section 42A report and applicant's evidence that it did not intend to pursue the matters raised in its submission at the hearing. Auckland Transport advised:

"NZTA has worked with AT during the NOR process to address concerns raised by AT about potential adverse effects that the State Highway Project may have on the local transport network. The Requiring Authority (RA) agreed some amendments as set out in the conditions included in Attachment A to the planning evidence of Dean Ingoe on behalf of NZTA on transport matters. Auckland Transport is appreciative of the collaborate approach NZTA has brought to discussions with it and considers the revised provisions are improved over those originally notified.

A summary of the outcomes on various matters is as follows:

- (i) The inclusion of a network utility operators (section 176 approval) condition relating to Auckland Transport asset maintenance;
 - (ii) The inclusion of Tegal Road and Harrison Road in the OPW condition;
 - (iii) Agreement on advice notes for the vesting of assets in Auckland Transport;
 - (iv) Confirmation from NZTA that if a retaining wall is built at Quarry Road then it will be an NZTA maintenance obligation;
 - (v) Clarification of access arrangements for a wetland within NoR 3 near St Stephens; and
 - (vi) Agreement that network integration between NZTA and Auckland Transport could be addressed through a formal arrangement but not conditioned.
10. During the hearing we took the opportunity for a site visit to acquaint ourselves with each section of the NoRs and the existing environments through which they passed. We identified various submitters' land along each route, particularly those submitters who had attended the hearing.

STATUTORY ASSESSMENT FRAMEWORK

11. Mr Gribben commenced his submissions on statutory requirements and legal principles by observing that section 171(1) of the RMA sets out the matters that must be considered by a territorial authority in making a recommendation on a NoR for a new designation and that pursuant to section 181(2), those same matters are to be considered 'with all necessary modifications', in relation to a notice of requirement for an alteration as if it were a notice of requirement for a new designation. The key implication is that in terms of the State Highway 1 upgrade, the Panel should limit its consideration of effects only to the altered portions of the existing state highway corridor as recognised in Designations 6706, 6700 and 6701.
12. In relation to the section 171 requirements Mr Gribben advised that Section 171(1) requires the Panel to, subject to Part 2, consider the effects on the environment of

allowing the requirement, having particular regard to the matters identified in section 171(1)(a)-(d) as follows:

- a) any relevant provisions of a national policy statement, a New Zealand coastal policy statement, a regional policy statement or proposed regional policy statement and a plan or proposed plan;
 - b) whether adequate consideration has been given to alternative sites, routes and methods of undertaking the work;
 - c) whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and
 - d) any other matters considered reasonably necessary to make its recommendations.
13. We observe that, as with the requirements for the consideration of resource consents (s.104 RMA) and Councils' obligations in preparing policy statements and plan changes (s.30 and 31), the primary requirement in the chapeau of the clause is to consider "...*the effects on the environment of allowing the requirement...*", with this consideration being informed by the matters to which particular regard is to be had.

SUMMARY OF OUR APPROACH

14. The approach we have taken in this recommendation is:
- a) To record the key submissions and evidence given by NZTA in relation to engagement, the existing environment, the need for the NoRs, the Project Objectives, and amendments to the designation boundaries since lodgement;
 - b) To then review two of the key statutory requirements relevant to the NoRs. These are that "*adequate consideration has been given to alternative sites, routes and methods*" (section 171(1)(b)) of undertaking the Project and that the Project is "*reasonably necessary*" (section 171(1)(c)) to achieve the Project Objectives. These are strategic matters and we review NZTA's submissions and evidence on them. We note that we received very little in the way of legal submissions and expert evidence on these key requirements from submitters;
 - c) We then turn to consider several key location-specific submissions. These submissions typically raised multiple issues and were supported by legal submissions and/or expert evidence.
 - d) NZTA gave comprehensive evidence on the actual and potential effects on the environment. For each effects topic area, we summarise this evidence, the Council response and any submissions and evidence from submitters where it was identified as a matter of concern. For each such submission we provide discussion and findings on the site-specific matters and *effects on the environment* (section 171(1)). We note that for some effects topic areas, apart from the Council review, the effects were not the subject of submissions and there was little in the way of expert evidence from submitters;

- e) Returning to the strategic matters and the matter of the lapse period, we then discuss and make findings overall on the Project;
- f) The penultimate section addresses the *relevant provisions* in the policy and planning documents at national, regional and district level, reviewing the evidence from NZTA and Council (section 171(1)(a)); and
- g) Finally, we provide a part 2 RMA assessment and our recommendation.

PROJECT INFORMATION

Engagement

- 15. Ms Wild provided us with a summary of the engagement programme undertaken for the Project. She has been involved with the P2B Stage 2 Project since 2019 during which time she had also been involved with the rollout of the Stage 1 Project from Papakura to Drury. Ms Wild's local experience also included several other NZTA projects in the local area.
- 16. Her involvement in the P2B Stage 2 Project included first contact with potentially affected landowners in mid-2019 and then further meetings when the details of the project and how it would affect individual landowners became clear. Prior to lodgement, all affected landowners were provided with plans showing the Stage 2 Project's impact on their properties. Landowners were also informed when lodgement of the notices of requirements had occurred, and when Auckland Council later publicly notified those notices of requirements. Following notification, community information days were held 3-4 times per year to keep the community informed. Ms Wild had also overseen the maintenance of the Project webpage.
- 17. Engagement also included early and extensive engagement with mana whenua and locally elected members of Auckland Council.
- 18. From the answers to questions provided by Ms Wild, it is clear to us that the effort in the engagement programme has been significant and effective. Engagement was both extensive in its reach within the community and intensive where necessary to respond to questions and concerns of elected members, network utilities, community groups and the public in general. The ongoing commitment to resolving matters where possible has been evident in the agreements reached on revised designation boundary outcomes and other accommodations in the lead-up to the hearing.

The Existing Environment

- 19. The existing environment for the NoRs is dominated by the existing state highway situated within a generally rural setting. The Assessment of Environmental Effects (AEE) provided a full description of this environment and adjacent land uses. Table 8-1 of the AEE identifies these land uses for NoRs 1-4 including rural production, areas of residential development, lifestyle blocks, light industrial and commercial activities. The non-rural land use tends to be located at the northern end of the Project at Drury South and to a lesser extent at Bombay in proximity to the interchange. The Strategic Transport Corridor Zone covers the highway, with Future Urban Zone, Business – Heavy Industrial Zone, Rural – Mixed Rural and Rural Production Zones, Residential – Mixed

Suburban Zone and Special Purpose Zone (for the school site at St Stephens) providing for the other land uses. The Ramarama Hall comprises the single community facility within the affected area.

20. Table 8-1 lists relatively few special values. However these comprise:
- a) The Hingaia and Ngakoroa Streams and their tributaries;
 - b) Scattered Significant Ecological Areas and other habitats potentially occupied by terrestrial fauna such as long-tailed bats; lizards and native bird species;
 - c) The scheduled historic site of Bishop Selwyn's Cairn Stone Monument; and
 - d) A Notable Tree Overlay.
21. Table 8-2 separately listed the features of the existing environment for NoR 5, spanning from Great South Road to Quarry Road, which were similar to the above.
22. In terms of the future environment, the AEE noted that the Future Urban Zone areas were likely to be live-zoned around the time of construction and that the existing residential zones would be subject to intensification provisions. These changes are located in the north of the Project area. The section 42A report also described the existing environment consistent with the above details.

The Need for the NoRs

23. Mr Smith provided background on the need for the NoRs founded on the transport for urban growth programme undertaken by NZTA, Auckland Council and Auckland Transport. The business cases (PBC and DBC) that followed identified problems to be solved in terms of:¹
- (a) *The inability of this part of the corridor to safely and efficiently manage existing and future demands, which would compromise intra- and inter-regional travel; and*
 - (b) *The limited modal connectivity along and across the Southern Motorway between Papakura and Ramarama compromises access to local employment, core services and amenities in the area.*
24. Solving these problems would provide related benefits for the regional and national economy, the growth of local communities in terms of employment, markets, core services and amenities and the liveability of these communities through improved walking and cycling access and the functionality of the local road network.
25. Mr Smith advised that the intent of long-term designations is to identify and appropriately protect the land corridor and enable the future construction, operation and maintenance of the Project. Funding for the Project has not been secured and the actual staging and timing of the Project has yet to be confirmed, although this was given a 15 - 20 year timeframe. However, Mr Smith noted that funding had been allocated for Stage 1 of the Project between Papakura and Drury.

¹ Smith EiC at [5.7]

26. Mr Smith identified the implementation benefits of the designations as being to:²
- (a) *Provide district plan authorisation to undertake the project works, and to maintain and operate the transport corridors;*
 - (b) *Provide certainty to all parties by publicly defining the use and extent of the improvements to the state highway corridor;*
 - (c) *Restrict activities or use which may prevent or hinder the identified Project being realised, while enabling ongoing interim use of the required land by owners where it will not;*
 - (d) *Allow detailed design to be undertaken prior to project delivery and regulated by Council through the Outline Plan process;*
 - (e) *Provide flexibility for NZTA to respond quickly to changes in funding priorities or growth pressures;*
 - (f) *Enable early acquisition through the link to the Public Works Act (PWA) and ensure property and acquisition costs are not prohibitively expensive; and*
 - (g) *Align with the route protection approach implemented by NZTA in relation to the Pukekohe Link and Mill Road (South), which both directly connect to the Project. This will also help to avoid fragmentation of the wider preferred transport network.*

Project Objectives

27. The Project Objectives are set out in the application AEE and in the evidence of Mr Smith.³ We recognise the importance of these in making a finding on section 171(1)(c) in relation to the Project being “reasonably necessary”. The Project Objectives are:
- (a) *Improve the safety and resilience of the SH1 network between Papakura and Bombay;*
 - (b) *Increase transport choice and accessibility to support growth in the south of Auckland;*
 - (c) *Support national and regional economic growth and productivity; and*
 - (d) *Support the inter and intra-regional movement of people and freight.*

Amendments to the Designation Boundaries Since NoRs Lodged

28. The Requiring Authority amended the designation boundaries in response to several submissions prior to the hearing. Mr Laing addressed these changes in his evidence, including diagrams for each change. The changes were made for various reasons after

² Smith EiC at [7.3]

³ Smith EiC at [5.19]

consultation with the submitter, typically to accommodate onsite infrastructure and improvements. The changes related to the following submissions:

- Dutton Land Holdings Limited (NoR 3 #7)
 - Bone 187 Limited (NoR 3 #12)
 - SJ and RE Allen (NoR 3 #3)
 - Drury Property Group (NoR 2 #2)
 - Rebekca Kelsey Vernon, Cameron Graham Vernon and CG Vernon KW Trustee Limited (NoR 4 #13)
29. We accept these amendments agreed between the parties and include them in our recommendation.
30. We also accept the amendments to conditions made by NZTA in its final conditions in response to the submission of Counties Power as contained in the tabled evidence of Mr Hay.

STRATEGIC MATTERS

Whether Adequate Consideration Has Been Given to Alternative Sites, Routes and Methods

31. NZTA's approach to identifying the Project routes is detailed in the AAR and in the evidence of Mr Laing. Mr Gribben set out the principles for our evaluation of alternatives with reference to the key case law as follows:⁴
- (a) *The focus is on the process, not the outcome.⁵ whether the requiring authority has made sufficient investigations of alternatives to satisfy itself of the option proposed, rather than acting arbitrarily, or giving only cursory consideration to alternatives. Adequate consideration does not mean exhaustive or meticulous consideration;*
 - (b) *The question is not whether the best route, site or method has been chosen, nor whether there are more appropriate routes, sites or methods;*
 - (c) *The fact that there may be routes, sites or methods which may be considered by some (including submitters) to be more suitable is irrelevant;*

⁴ *Final Report and Decision of the Board of Inquiry into the Upper North Island Grid Update Project*, Ministry for the Environment, Board of Inquiry, 4 September 2009 at [177]. Cited with approval most recently in *Director-General of Conservation v Taranaki Regional Council* [2019] NZEnvC 203, at [96].

⁵ The Supreme Court in *Royal Forest and Bird Protection Society v New Zealand Transport Agency* [2024] NZSC 26 confirmed at [154] that the requirements of section 171 are process-based. A consent authority only needs to be satisfied that the requiring authority has "adequate consideration" to alternatives. The focus is on the process and not the result.

64. Having made that finding we find the conditions as proposed by NZTA, and as amended by the Council, to have interpretational difficulties which require some redrafting, in particular confusion within conditions on avoiding tree removal and providing for mitigation or remedial action in the case of removal for trees listed in Schedule 3, the interrelationship of the ULDMP and Tree Management Plan conditions. The recommended amendments are detailed in the Modifications to Conditions section.

Master Family, Bombay

65. Mr Bhupen Master appeared at the hearing on behalf of the Master Family and outlined his family's concerns about the Project. Key amongst these concerns was what they considered to be a lack of detailed plans from NZTA for the site which made their own long-term planning for the site difficult, together with lack of justification for the extent of designation of the site.
66. Mr Master had the following requests of NZTA:
- a) Access from Mill Road to the family site, ideally from the new signalised intersection;
 - b) Shared access for the proposed stormwater pond to avoid duplication with stormwater infrastructure that may be required for their site in the event it is developed in the future;
 - c) Detailed evidence to justify the quantum of land to be taken, including the split between permanent and temporary take; and
 - d) Restoration of their land which will be impacted by future works by NZTA, including remediation of any adverse effects on soil structure.
67. NZTA's position in response to the requests as set out in closing submissions was:¹⁸
- a) As outlined by Mr Keating at the hearing, NZTA is neutral about the land use and has no objection to development of the site but is concerned about effects on Mill Road and State Highway 1. Those effects need to be assessed and any mitigation identified before NZTA can confirm access through the new signalised intersection. Mr Laing had however shown how access could potentially be achieved.¹⁹
 - b) Mr Laing advised that NZTA's stormwater ponds are unlikely to be compatible with a private landowner and would not hold water suitable for use in irrigation. In addition, NZTA has a general policy of controlling its own stormwater ponds and not sharing such infrastructure, in order to ensure compliance with all necessary regulations.
 - c) Mr Laing had carefully considered the extent of the designation and his evidence confirmed that it is reasonably necessary. He advised that it was not

¹⁸ Applicant's closing legal submissions, at [7.8]

¹⁹ Laing EiC Figure 9.

possible to identify the split between permanent and temporary occupation at this point in time.

68. As part of his reporting for the s42A report, Mr Sergejew advised that he was satisfied that site specific access arrangements will be best addressed through the outline plan of works by way of the proposed conditions and that safety issues can be further considered and addressed at the detailed design.²⁰

Findings

69. NZTA have advised that its general approach for all property owners, as part of the property negotiation process, is to consult and work collaboratively with landowners to find the optimum solution for each property owner.²¹ The land acquisition process for the Projects will follow the PWA requirements to ensure that compensation paid to affected landowners and parties with an interest in the land is fair and reasonable, and that landowners are treated fairly by the process of land acquisition.²²
70. We understand and have sympathy with the Master family's concerns regarding the current uncertainties with the likely detailed requirements associated with the designation and effects on their planning the future use of their land. We acknowledge that, due to the property's location at a major transport nexus, the family has had to endure successive proposals for road widening, infrastructure and land acquisition.
71. Regarding future access to the site, we consider that the Existing Access Condition is sufficient to provide future access to the site from Mill Road.
72. Regarding the Masters family's concerns about restoration of their land which will be impacted by the future works, including remediation of any adverse effects on soil structure, this matter does not appear to have been addressed in detail by NZTA. However, we consider that such effects would come within the ambit of proposed condition CC.4 (b) which reads:

The purpose 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.

73. The condition would address potential adverse effects on land used for construction purposes and then returned to the owner. This would involve avoiding such effects if possible or require restoration of land which will be impacted by future works.
74. We understand that should land be damaged as a result of Project works, under section 60(1) of the PWA, landowners affected by public works are entitled to 'full compensation' for "injurious affection" resulting from a direct physical impact of the works.²³

²⁰ Technical Transportation specialist report to contribute towards Council's s42A end-of-hearing response, A. Sergejew, 20 November 2024, at [3.3.12]

²¹ Applicant's Opening Legal Submissions, at [12.11]

²² Harrington EIC, at [5.1]

²³ Harrington EIC, at [5.4]

the construction phase, as part of a CTMP.

Finding

120. We consider that the concerns raised in BP Oil's submission have been adequately responded to by NZTA and will be satisfactorily addressed through the proposed conditions and through implementation of the PWA where necessary.

EFFECTS ON THE ENVIRONMENT

Mana whenua

121. Mr Smith described the partnership relationship with mana whenua for the Project. NZTA established a collective iwi and NZTA forum, called the Southern Iwi Integration Group (**Southern IIG**) in mid-2014 to discuss and consider matters of interest in relation to the development and delivery of various NZTA projects in southern Auckland.
122. Mr Smith explained the engagement undertaken with mana whenua at each stage of the process.³⁸ For the P2B programme this began in 2016 with the Project business case and has continued with monthly Southern IIG meetings, and a more frequent design hui during more recent stages. While the Southern IIG comprises nine iwi, three iwi representatives are also part of the Project Steering Committee.
123. All the Southern IIG mana whenua groups were invited to prepare a Cultural Impact Assessment (**CIA**) or Cultural Value Assessment (**CVA**). CIAs/CVAs were received from Ngaati Whanaunga, Ngāti Tai ki Tamaki and Ngāti te Ata Waiohua. Te Ākitai Waiohua and Ngāti Tamaoho confirmed not to provide CIAs or CVAs for the Project.
124. The CIAs/CVAs were valuable in recognising potential effects on cultural values along the route including archaeology and heritage, earthworks, ecology and stormwater. Proposed conditions of specific relevance to mana whenua interests include participation in the Urban and Landscape Design Management Plan (ULDMP) in relation to cultural design matters and the preparation of Cultural Monitoring Plan by mana whenua.
125. There were no submissions received from any mana whenua group or submissions that raised matters relating to effects on Māori culture or values. We consider that this outcome reflects the extent of early engagement with mana whenua and the ongoing opportunities for involvement accorded by the proposed conditions.

Extent of Designation Boundary: Effects on Property

126. The extent of the designation boundary is a detailed matter that has a bearing on whether the Project is 'reasonably necessary' pursuant to s171(1)(c).
127. Mr Laing explained that the designation extent has been established through developing a concept design in three dimensions, incorporating standard motorway and SUP dimensions, stormwater attenuation and treatment requirements through swale drains, earthworks batters to integrate with the existing ground profile, and an

³⁸ Smith EIC at [6.2]

allowance for construction space.³⁹ In addition, the designation extent includes some space to account for uncertainties (especially for geotechnical conditions), future design changes and to allow integration with adjacent development. This has previously been described as "flexibility", but uncertainty is a more accurate description. Any additional space to account for uncertainty is a relatively small amount of the overall designation area.

128. Mr Laing advised that the extent of designation on the submitter's land is based on the need to accommodate each of these different aspects in various locations and in light of those factors, from a design and construction perspective, he considered the extent of designations is reasonably necessary.

129. Mr Laing advised that the general design philosophy has been to provide swales for stormwater attenuation and treatment in place of ponds as the alternative option. This is primarily to spread the impact on property along the whole corridor rather than in isolated locations. Swales also generally reduce the number of catchpits and pipes required, therefore have lower capital and maintenance costs.

130. Submitters' concerns about insufficient consideration of the use of retaining walls compared with batters was addressed by Mr Laing as follows:

- a) The concept designs are based on the existing land use and topography, and have been developed with some flexibility to integrate with adjacent land in the future, which means that there are a number of design solutions (including walls or batters) that could be feasible.
- b) The actual ground profile and detailed site geology will not be known until the time of implementation when appropriate site investigations are undertaken.
- c) Providing a retaining wall will still require an area for construction and for ongoing maintenance, therefore the extent of the designation may not reduce significantly, albeit the permanent extent of the works may be reduced.
- d) Retaining walls require a more complex construction method, are generally more expensive, and have greater safety risks than batter slopes.
- e) The environment through which the Project is located is generally rural in nature and batter slopes are considered more appropriate than hard retaining structures.

131. The Auckland Council reporting officer's comment on the proposed extent of the designation was as follows.⁴⁰

Given the nature of the NoRs being sought is for route protection, instead of being an implementation ready project, we generally accept that the methodology and approach the Requiring Authority (RA) has taken to establish the extent of the five

³⁹ Laing EIC, at [5.3] to [5.5]

⁴⁰ Section 42A report at [136]

NoRs is reasonable, and identification and justification of the temporary and permanent designation boundaries cannot be precisely defined at this stage.

We generally agree with submitters that the level of flexibility retained by the RA does create uncertainty for landowner, however we find that the proposed extent of the NoR is reasonably necessary to allow an extent that:

- provides sufficient space for construction, operation, maintenance and mitigation of effects;
- enables flexibility given that detailed design has not yet progressed;
- acknowledges that the future environment may be different to what exists today; and
- does not lock in a specific design or construction methodology given the uncertainties for a Project that may not be constructed for a decade or more.

Finding

132. We accept the approach of NZTA in relation to the extent of designation and the matter of batters vs retaining walls in particular. We find that, except for the amended designation boundaries as noted, the extent of the designations are reasonably necessary for the achieving the Project objectives. That finding is also supported by the views of the Council officers.

Transport: Land Use Integration

133. The Panel queried NZTA's witnesses about whether there should be a Land Use Integration process condition, similar to that recommended for the Pukekohe Network.
134. NZTA's position including the evidence of Mr Ingoe was that such a condition is not required for the Project.⁴¹
135. The primary reason for this is that a motorway, generally speaking, should not integrate with surrounding land uses. Unlike arterial or collector roads, the edge of a motorway should generally be a hard boundary, and there is limited need or opportunity for integration between it, and the adjacent land uses. The ULDMP has an objective to integrate the Project's permanent works into the surrounding context. This process will address the limited integration between the Project and the surrounding environment.
136. Further, NZTA considers that any such condition is not required to address the period of time between confirmation of the designation and start of the detailed design (when the ULDMP will be prepared).
137. At the hearing Mr Keating advised the Panel that NZTA has a fulltime team dedicated to processing applications and approvals, including land use developments and applications under sections 176 and 178 of the RMA (which require landowners to seek

⁴¹ Applicant's closing legal submissions, at [4.1]

Auckland".⁵⁰ We agree with NZTA and the Council position that the western side of the motorway represents the optimum location for the SUP.

154. We accept and agree that for cycling (or other active modes, such as walking, skating or scooter usage) the SUP will be a meaningful transport choice, as its proposed extent and connections to allow integration into future walking and cycling networks can be expected to provide a safe and viable alternative to private motor vehicle usage.
155. We accept the evidence of Mr Clark that there is likely to be an increasing demand for commuter travel by e-bike in the future as areas adjacent to the project urbanise.

Transport: Need for Network Performance Monitoring

156. Messrs Temperley and Sergejew for Auckland Council both recommended a traffic monitoring condition, to form part of the requirement for a Construction Traffic Management Plan. The recommended condition was included in the closing comments of Messrs Zhang and An for the Council.
157. In his primary evidence, Mr Clark agreed that it was generally desirable to monitor the network performance during construction, and to have responsive implementation of travel demand management measures. Mr Clark noted that these measures assist in informing the travelling public of the works underway and enable them to make informed decisions about travel routes and times.
158. Mr Clark noted in both his evidence and during the hearing, these measures are already routinely employed by NZTA, as part of its 'business as usual'.
159. NZTA's position was that its internal procedures are entirely adequate for these matters. Imposing a condition for matters that NZTA is already doing as a matter of course is not necessary or appropriate.⁵¹

Finding

160. We accept the evidence of Mr Clark. NZTA currently routinely employs travel demand management measures to assist to inform the travelling public of the works underway and enable them to make informed decisions about travel routes and times.
161. We accordingly agree with NZTA that a traffic monitoring condition is not necessary or appropriate.

Transport: Property Access

162. Mr Ingoe addressed concerns about property access in detail, his main points being:
 - a) All Project NoRs include an Existing Property Access condition (OPW.2) that

⁵⁰ Applicant's closing legal submissions, at [3.1]

⁵¹ Applicant's closing legal submissions, at [6.3]

applies when any vehicle access will be permanently altered by the Project. The condition ensures that the outline plan shall demonstrate how safe reconfigured or alternate access will be provided;

- b) NZTA does not agree to site-specific conditions, as the condition needs to be flexible to respond to mitigating adverse effects on the likely future environment, in 10-20 years;
 - c) The Project NoRs will not change the classification of Maher Road as a local road. NZTA has designated nearby areas of the local road network adjacent to the state highway corridor to allow for construction activities to occur within those areas. Any traffic-related effects during construction phase will be detailed in a CTMP. Any permanent changes to property access will be managed through the Existing Property Access condition.
 - d) Access to the property at 24 Ararimu Road will be managed through the Existing Property Access condition detailed above.
 - e) Access from Ararimu and Maher Roads is not removed by presence of the NoR for state highway and motorway purposes. The legal road remains beneath the designations and access to those roads is determined by the provisions of the AUP, Chapter E27 Transport, in addition to sections 176/178, which addresses the matter of future access points to land that is developed/ subdivided as raised by Mr McGarr;
 - f) The Project NoRs include a Designation Review Condition (GC.3), which requires a review of the designation extent upon completion of construction. Where areas of designated land are no longer required, notice is to be given to Auckland Council under section 182 of the RMA to remove the designation from those areas.
163. Mr Temperley advised on the matter of property access for the s42A report. He considered that any new or modified property or landholding access and parking arrangements should be designed in accordance with appropriate requirements of the Auckland Unitary Plan Chapter E27 Transport. Further, he considered that any potential modifications to site access and parking arrangements will be examined on a case-by-case basis during the Outline Plan of Works (OPW) phase.

Finding

164. Property access is one of the key matters to be considered by road controlling authorities when widening and upgrading roads. NZTA is an experienced organisation in undertaking such works. We find that the existing AUP provisions on property access and the Existing Property Access condition adequately address existing and future property accesses affected by the NoRs.

Stormwater and Flooding

165. As regional resource consents are not being sought at this stage, the stormwater design approach for the Project has focussed on identifying an indicative and feasible treatment methodology and the NoR footprint required for appropriate

have reviewed and discussed in detail above, all arboricultural matters have been satisfactorily addressed and that the TMP and ULDMP conditions provide for appropriate assessment and mitigation of protected trees in the future.

ADEQUATE ASSESSMENT OF ALTERNATIVES

Discussion and findings

245. We have set out the statutory requirements for the assessment of alternatives in paragraph 11 and in paragraphs 31 to 36 we reviewed the NZTA submissions and evidence in support of its case that the assessment of alternatives had been adequate. The reporting officers concluded that the “information supplied demonstrates that the RA has satisfied the requirements of section 171(1)(b), in that adequate consideration has been given to alternative sites, routes, or methods of undertaking the work.”⁶⁷
246. There were no substantive submissions or submissions which were supported by expert evidence that made a case for any NoR overall to adopt an alternative route or key element of design. Several of the submissions sought an amendment to a section of a route or design approach in relation to a specific property which we have addressed above in relation to these submissions. As we have also recorded above, NZTA amended the designation boundaries in response to several submissions.
247. We have otherwise found that the assessment of alternatives by NZTA has been adequate. In conclusion, we find that, subject to the modifications we have recommended in relation to submissions and summarised in the section on Modifications to Conditions below, the requirements of section 171(1)(b) have been met.

REASONABLY NECESSARY

Findings

248. We have set out the statutory requirements for the designation being reasonably necessary in paragraph 11 and in paragraphs 37 to 41 we reviewed the Requiring Authority's submissions and evidence in support of its case that the extent of the proposed designation in each NoR is reasonably necessary.
249. In conclusion, we find that the requirements of section 171(1)(c) have been met.

LAPSE PERIOD

250. NZTA seeks 20 year lapse periods for NoR 4 (SUP) and NoR 5 (Drury South Interchange Connections). NoRs 1, 2, and 3 are alterations to existing designations and do not have lapse dates as they have already been given effect to. We queried this matter at the hearing and Mr Gribben advised that there was recent case law on the matter in which the High Court had confirmed that lapse dates are not required

⁶⁷ Zhang and An section 42A report at [517]

for alterations to existing designations.⁶⁸

251. In his opening submissions, Mr Gribben noted that the RMA does not provide any guidance on what matters should be considered when determining a longer lapse date. However, there is established case law setting out the key principles that have been identified to guide the exercise of the discretion as follows:⁶⁹

- (a) *The desirability of the lapse period reflecting the realistic timeframe within which the project is likely to be constructed;*
- (b) *That the designation will safeguard the chosen alignment from inappropriate development in the period before the project becomes fundable;*
- (c) *That the designation will provide certainty for affected landowners and the local community as to the requiring authorities' future intentions over the longer term; and*
- (d) *That the designation will provide certainty for the requiring authority that it will be able to fully implement the project when it becomes fundable.*

252. Mr Gribben also summarised the factors in favour of a shorter lapse argued in *Beda* as:

- (a) *A designation restricts what affected landowners can do with their land; and*
- (b) *The ability for affected landowners to require the requiring authority to acquire their land under section 185 of the RMA set a high threshold so is not always an adequate remedy.*

253. Mr Gribben pointed to the longer lapse dates being common for larger scale infrastructure projects and that the Supporting Growth Alliance projects, including the Pukekohe network project, which interfaced with the current NoRs, had lapse periods of 20-30 years. He considered that the Project satisfied all of the considerations listed above that supported a longer lapse date and with reference to the evidence of Messrs Smith and Ingoe noted:

- (a) *The works are required in the longer term, to provide for future growth in Auckland and North Waikato that is expected to occur within the upcoming decades – they are not required now;*
- (b) *The proposed lapse period aligns with other strategic transport network projects in the area such as the Pukekohe Arterial Transport Network project;*
- (c) *There is no available funding for constructing the Project and NZTA has no direct control over when funds become available. Taking that into account, it can therefore take up to 10 years for the Project to progress from funding allocation through to regional plan consenting and detailed design, property acquisition to the start of construction; and*

⁶⁸ *Poutama Kaitiaki Charitable Trust v Taranaki Regional Council* [2022] NZHC 629.

⁶⁹ *Beda Family Trust v Transit New Zealand (Beda)* [2004] ELHNZ 449 as set out in Opening Submissions at [8.6]

(d) *Reducing the lapse dates will not affect the availability of funding for the Project.*

254. The reporting officers recommended a 15-year lapse period in order to better align with the growth forecasts set out in the FDS. Their recommendation was based on an extensive analysis of the FDS documentation and the anticipated dates for the full build-out of the future urban growth areas. Their interpretation of the phasing of growth was that the infrastructure provided by NoRs 2, 3 and 5 would be prerequisites of the related projects such as Mill Road (Bombay) – Pukekohe East Upgrade and the Drury West Arterial and South Drury Connection.
255. The reporting officers acknowledged the potential effects of ‘planning blight’ related to the long lapse period associated with the Project and considered that while the RMA provided mechanisms (section 176 and 185) to mitigate the effects of such a long lapse period, their view was that such measures were not “particularly helpful”.
256. In his closing submissions, Mr Gribben acknowledged the value of the FDS as a long-term strategic document, but submitted that it is ultimately an indicative document, rather than a prescriptive one, and there can be numerous reasons why the anticipated steps do not occur precisely when forecasted.
257. Beyond the specific issues relating to individual properties addressed above, the lapse period was a matter of concern raised in several of the submissions.⁷⁰ These submissions articulated how the lapse period created uncertainty for the future use and development of their properties, but no submitters provided extensive analysis of how the case law on lapse period should be applied to these NoRs.

Discussion and Finding

258. The case law on designation lapse periods is extensive and provides a consistent and well-settled set of principles for the exercise of discretion on this matter.
259. We observe that there has been an evolution of methods to mitigate the uncertainty of a long lapse period and to address the individual requirements of property owners and occupiers over that period.
260. We also accept Mr Ingoe’s observation that a shorter lapse period is unlikely to affect the timing of the funding.⁷¹
261. Counsel referred to the *Beda* decision which contained the observation that, in recommending a period longer than 5 years, “[t]he exercise of the discretion needs to be underlain by fairness”.⁷² In other words, what are the measures available in the RMA and proposed in conditions by the requiring authority that mitigate the longer period before implementation of the works provided for by the designation?
262. We consider that those mitigation measures must provide for the range of individual circumstances be they residential or business activities, and the plans and aspirations of the property owner, including ongoing occupation and development of

⁷⁰ 74 BRO Tonganui (Mr Brown); CG Vernon KW Trustee Limited (Jeremy Brabant) (Vernon Trustee Ltd); Sain Family Trust (Greenwood Roche); Drury South Ltd (Drury South Limited); The Haribhai Master Trust (Masters); NZ Storage Holding and NZ Agrihub (Agrihub).

⁷¹ Ingoe EIC at [1.10]

⁷² *Beda* at [113]

their property or property sale. At the time of the *Beda* decision, now 20 years ago, it appears from the decision that the two RMA statutory mitigation measures addressing such plans and aspirations (being s.176 for ongoing occupation and development and s.185 for property sale) were considered, as was advanced purchase. In determining a 10-year lapse period, and not the 20-year lapse period sought, the decision referred to the s.185 provisions as being Transit's main answer to the "severe blighting effect". With reference to its own tests in paragraph 113 of its decision, it is evident that the Court did not consider 20 years of the designation as proposed by Transit was 'fair' on property owners.

263. The evidence from NZTA, including the final proposed conditions for the NoRs, demonstrates that the mitigation measures have evolved significantly over the intervening 20 years since *Beda*. These measures, and our assessment of their potential to mitigate the longer lapse period, is as follows:
- a) The Project Information condition requires that, at the latest, and within 12 months of confirmation of the NoR, a project website or equivalent information source on the Project progress is established and notified to all directly affected owners and occupiers.⁷³ We consider that the ongoing provision of information is integral to ensuring the fair administration of a designation;
 - b) Section 176 which provides for ongoing use and development of the land subject to a designation. Further, there is a proposed condition that provides for exemptions from the s.176 requirements for a wide range of network utility activities.
 - c) Section 185 orders from the Environment Court for land acquisition.
 - d) Early acquisition – we have noted the potential for early acquisition according to procedures addressed by Mr Harrington, although we note that such funding is not available at the current time;⁷⁴
 - e) The Outline Plan and its composite Management Plans, plus the Stakeholder Communication and Engagement Management Plan, are initiated only when the Project is implemented which, for a 20-year lapse period, could be many years in the future. These plans do little to mitigate uncertainty about the effects of the Project in the interim. However, for all property owners they address a full range of potential effects on the local environment.
264. Our finding on the lapse periods is to recommend the lapse periods are 20 years for NoRs 4 and 5 as sought by NZTA.

RELEVANT PROVISIONS IN THE POLICY AND PLANNING DOCUMENTS AND PART 2 OF RMA

265. Section 171(1)(a) requires that we consider the environmental effects of allowing the activity, having particular regard to the various statutory planning documents within the national, regional and local hierarchy. In other words, the environmental effects

⁷³ Wild EIC at [6.7]

⁷⁴ Harrington EIC, at [5.13]

Attachment 3: Relevant extracts from the Decision.

24 June 2025

Andrew An
Policy Planner, Central/South Planning Unit - Plans and Places
Auckland Council
Private Bag 92300
Victoria Street West
Auckland 1142

Dear Andrew,

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

Thank you for your letter on 9 May 2025 advising of the recommendation of the Auckland Council Independent Hearing Commissioners in relation to the five (5) Notice of Requirements (**NoR**) for the Papakura to Bombay Stage 2 Project (the **Project**).

The Commissioners' Recommendation was that the NoRs should be **confirmed** subject to conditions.

Pursuant to section 172 of the Resource Management Act 1991, NZ Transport Agency Waka Kotahi (**NZTA**) **accepts** the Commissioners' Recommendation that the NoRs be confirmed and **accepts in part** and **rejects in part** the Commissioners' recommendations on conditions of the NoRs.

NZTA modifies the NoRs and their conditions as follows:

- Partially rejects or only partially accepts the Commissioners' Recommendations on one condition on four of the NoRs;
- Changes to conditions on request of Auckland Council or for legibility purposes only;
- Amendments to correct typographical and grammatical errors in the Commissioners' recommended conditions;
- Minor amendments (reduction in footprint) of designation boundaries not addressed in the Commissioners' Recommendations but agreed with submitters and outlined in NZTA's evidence; and
- Updates to the Attachments to the conditions to reflect updated designation boundaries.

A schedule of amendments that have been made to the proposed designation boundaries since lodgement is contained in Appendix 1. This includes further amendments to the designation boundary which were not addressed in the Commissioners' Recommendations.

Recommendations on conditions rejected or accepted in part only

The amendments to the conditions and the reasons for the NZTA decision in respect of these conditions are set out below. NZTA accepts the majority of the changes to conditions in the Recommendations except for Urban and Landscape Design Condition (ULDMP) Condition PC.7 which applies to NoRs 2, 3, 4 and 5. NZTA modifies Condition PC.7 in response to the recommendations made by the Commissioners. Changes are outlined below (shown as bold ~~striketrough~~ for deletions and bold underline for additions).

Conditions accepted in full

All recommendations relating to the conditions for NoR 1, alteration to Designation 6706, are accepted.

Conditions rejected or accepted in part only

All recommendations relating to NoR 2, alteration to Designation 6700, NoR 3, alteration to Designation 6701, NoR 4 Shared User Path, NoR 5 Drury South Interchange Connections are accepted apart from those related to Condition PC.7.

Urban and Landscape Design Condition (ULDMP) Condition PC.7 for NoR 2, 3, 4, 5

The NZTA decision is to reject the proposed insertion of the additional wording at clause **(b)(i)** and clause **(ii)** as shown below. These actions will occur as a normal part of NZTA's intra and inter project coordination and these additions are unnecessary.

The NZTA decision is to reject the proposed insertion of the reference to the Bridging the Gap: NZTA Urban Design Guidelines at clause **(e)(ii)** as show below. Paragraph 270 (d) of the Commissioners' recommendation report states that "The reference to the Bridging the Gap document is included in the ULDMP condition as it contains details not found in other documents". This is incorrect, as clause PC.7(e) requires the ULDMP to be prepared in accordance the Project Urban and Landscape Design Framework (ULDF) Rev G dated February 2024. The Bridging the Gap document is referred to in the Project Urban and Landscape Design Framework. As such the inclusion of clause (e)(ii) is a duplication and is unnecessary.

The NZTA decision is to reject the proposed insertion of the additional wording at clause **(f)(i)**. The objective of the ULDMP as stated at clause PC.7(b)(i) (Enable integration of the Project's permanent works into the surrounding landscape and rural-urban context) and the requirement of providing the details listed in clause PC.7(f)(i) adequately addresses the issue of edge treatment at the designation boundary.

The above modifications to the PC.7 are consistent with the findings outlined in para 11.2 to 11.6 of the Primary Statement of Evidence prepared by Natarsha Lamb-Egar, dated 8 October 2024.

Condition PC.7 is amended as follows:

PC.7

- (a) A ULDMP shall be submitted with the Outline Plan of Works prior to the Start of Construction of a Stage of Work.
- (b) The objective of the ULDMP(s) is to:
 - (i) Enable integration of the Project's permanent works into the surrounding landscape and rural-urban context ~~including works associated with related NoRs;~~

~~(ii) Respond to the interrelationship between overlapping NoRs to achieve a coordinated and cohesive design response;~~

(iii) Ensure that the Project manages potential adverse landscape and visual effects as far as practicable and contributes to a quality environment; and

(iv) Acknowledge and recognise the whakapapa mana whenua have to the Project area.

[....]

(e) The ULDMP shall be prepared in general accordance with:

(i) The principles contained in the Project Urban and Landscape Design Framework (ULDF) Rev G dated February 2024.

~~(ii) Bridging the Gap: NZTA Urban Design Guidelines (2013) or any subsequent versions;~~

(iii) NZTA P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent version, and;

~~(iv)~~ NZTA Landscape Guidelines (March 2018) or any subsequent version.

(f) To achieve the objective, the ULDMP(s) shall provide details of how the project:

(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, ~~regard to the most appropriate edge treatment;~~ **having particular**

(ii) Provides opportunities to incorporate Mana Whenua Values and cultural narrative through design. This shall include but not be limited to:

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 opportunities for cultural expression through, for example mahi toi, art, sculptures or other public amenity features will be provided; and

D. how opportunities to utilise flora and fauna with a specific connection to the area are provided;

(iii) Is consistent with an integrated stormwater management approach which prioritises in the following order:

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.

(iv) Provides appropriate walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses, public transport infrastructure and walking and cycling connections. Particular consideration should be given to enhancing the convenience and legibility of pedestrian and cycle connections through the Project Interchanges;

(v) Promotes inclusive access (where appropriate); and

(vi) Promotes a sense of personal safety by aligning with best practice guidelines, such as:

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.

(vii) Retains mature trees and native vegetation, where practicable.

[....]

A full version of Condition PC.7 is contained in Appendix 2.

Urban and Landscape Design Condition (ULDMP) Condition PC.7 for NoR 5

The Recommendation amended condition PC.7 (h) to replace "is" with "shall", but this amendment was not contained with the NoR 5 conditions set. The amendment below is to make this condition consistent with the other NoR conditions.

(h) ~~is~~ **The ULDMP shall** be designed to integrate with any Historic Heritage information or sites affected by this project, including the provision of interpretation signage, if appropriate

Changes to conditions on request of Auckland Council or for legibility purposes only

NZTA has met with Planning Technicians at Auckland Council, who provided a number of minor formatting and legibility requests. These changes will assist Auckland Council's planning team in integrating the NoR condition sets with the text of the Auckland Unitary Plan Operative in Part 2016 (AUP). Changes are outlined below (shown as **bold strikethrough** for deletions and **bold underline** for additions).

Changes to operative AUP text (existing designations)

Auckland Council has requested NZTA to formally record the following changes to the operative text of the AUP for the existing designations NoR 2 (SH1 6700) and NoR 3 (6701), as follows:

Conditions

~~No conditions.~~

[insert conditions]

...

Attachments

~~No attachments.~~

[insert schedules]

...

AUP template for new designation

Auckland Council has requested NZTA to make the following changes to the summary table at the head of each of the new designations NoR 4 (Shared User Path) and NoR 5 (Drury South Interchange Connections), as follows:

NoR 4 (Shared User Path):

[# Council to allocate #] Shared User Path

Designation Number	[# <u>Council to allocate</u> #]
Requiring Authority	New Zealand Transport Agency
Location	State Highway 1 from approximately 200 metres north of Quarry Road, Drury to Bombay Interchange/Mill Road.
Rollover Designation	No
Legal Reference	-
Lapse Date	<u>20 years In accordance with section 184(1)(c) of the RMA, this designation shall lapse if not given effect to within 20 years from the date which it is included in the AUP.</u>

NoR 5 (Drury South Interchange Connections):

[# Council to allocate #] Drury South Interchange Connections

Designation Number	[# <u>Council to allocate</u> #]
Requiring Authority	New Zealand Transport Agency
Location	Adjacent State Highway 1 at Drury South, linking to Quarry Road to the east, and Great South Road to the west.
Rollover Designation	No
Legal Reference	-
Lapse Date	<u>20 years In accordance with section 184(1)(c) of the RMA, this designation shall lapse if not given effect to within 20 years from the date which it is included in the AUP.</u>

Amendment (reduction in footprint) of the designation boundary

The extent of the designation boundaries of NoRs 2, 3 and 4 have been revised to reflect changes to their extent following engagement with submitters, expert evidence and hearing process, while NoRs 1 and 5

remain unchanged. A summary of these changes is provided in **Table 1-1** and illustrated in the corresponding plans found in Appendix 1. The majority of these changes were outlined in Mr Mark Laing's Statement of Primary Evidence, dated 8 October 2024 and confirmed by the Commissioners in their Recommendations at para 29.

Two additional changes were outlined in Mr Laing's Statement of Rebuttal Evidence dated 11 November 2024. These two reductions to the designation boundary were agreed in response to submissions received from Counties Power and Watercare Services Limited. These modifications were outlined in evidence but were not addressed by the Commissioners in their recommendation. The reductions were made to avoid impacts on existing and planned network utility infrastructure and are listed in **Table 1-1** below, without affecting the ability to construct the project or to mitigate its affects.

Table 1-1 Summary of amendments to the extent of the designation boundaries

Change	NoR(s)	Plan Reference
Counties Power	NoR 2	506207-0530-SKT-RR-2088-A
Drury Property Group	NoR 2	506207-0530-SKT-RR-2072-A
Rebekca Kelsey Vernon, Cameron Graham Vernon and CG Vernon KW Trustee Limited	NoR 3 and 4	506207-0530-SKT-RR-2048-A
Watercare Services Limited	NoR 3	506207-0530-SKT-RR-2048-A
Dutton Land Holdings Limited	NoR 3	506207-0530-SKT-RR-2071-A
SJ and RE Allen	NoR 3	506207-0530-SKT-RR-2071-A
Z Energy	NoR 3	506207-0530-SKT-RR-2080-A
Bone 187 Limited	NoR 3	506207-0530-SKT-RR-2080-A

Updates to the schedules

NZTA updates the schedules attached to each NoR include consequential changes arising from the amendments to the designation boundaries, the Commissioners' Recommendations, and minor legibility requests from Auckland Council. The updates include the following schedules:

- Schedule 1 – Concept Plans (NoRs 2, 3 and 4 only)
- Schedule 2 – Ecology
- Schedule 3 – Trees to be included in the Tree Management Plan
- Schedule 4 – Protected Heritage Site (Bishop Selwyn Cairn)

Schedule 1 – Concept Plans

The extent of the designation boundaries of NoRs 2, 3 and 4 have been revised to reflect changes to the extent of the designation, as outlined above. To avoid any doubt, the Concept Plans in Schedule 1 of each NoR shall take precedence in all circumstances, as per Condition GC.1.

Schedule 2 – Ecology

The Identified Biodiversity Areas included in Schedule 2 of each NoR have been updated to reflect:

- The changes to the extent of the designations (as outlined above).
- An updated legend on each map to reference the applicable designation, as follows:
 - NoR 1 (SH1 6706)
 - NoR 2 (SH1 6700)
 - NoR 3 (SH1 6701)

- NoR 4 (Shared User Path)
- NoR 5 (Drury South Interchange Connections)

Schedule 3 – Trees to be Included in the Tree Management Plan

In accordance with the recommendations from Auckland Council's planning team Schedule 3 has been revised to ensure that the trees listed for each NoR are specific to that NoR. These changes are intended to improve legibility.

Schedule 4 - Protected Heritage Site (Bishop Selwyn Cairn)

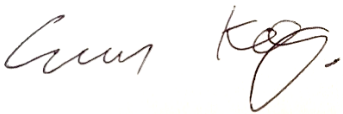
The condition relating to the Protected Heritage Site (Bishop Selwyn Cairn) for NoR 3 has been updated to be Schedule 4 (previously Schedule 5). This change account for the removal of the St Stephens School Planting Plan.

Updated to conditions

Attached in Appendix 2 is a clean version of the NoR conditions, which includes NZTA's accepted wording for all the NoR conditions.

If you have any queries or require further information on this application, please contact me at evan.keating@nzta.govt.nz or 021 343172.

Yours sincerely,

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

Evan Keating
Principal Planner – Environmental Planning

6701 State Highway 1 - Bombay

Designation Number	6701
Requiring Authority	New Zealand Transport Agency
Location	State Highway 1 from Bombay Road to Mill Road, Bombay
Rollover Designation	Yes
Legacy Reference	Designation 86B, Auckland Council District Plan (Franklin Section) 2000
Lapse Date	Given effect to (i.e. no lapse date)

Purpose

Motorway.

Conditions

Definitions and Explanation of Terms

The table below defines the acronyms and terms used in the conditions.

Abbreviation/term	Meaning/definition
AEE	The Assessment of Effects on the Environment for Stage 2 of the Papakura to Bombay Project
Application	The notices of requirement and supporting information for Stage 2 of the Papakura to Bombay Project dated 16 February 2024
AUP	Auckland Unitary Plan Operative in Part
Best Practicable Option	Has the same meaning as in section 2 of the RMA 1991.
Biodiversity Area	Area or areas of ecological value where the Project ecologist has identified that the Project will potentially support moderate or higher values, or have a moderate or greater level of ecological effect, prior to implementation of impact management measures, as determined in accordance with the EIANZ guidelines.
CEMP	Construction Environmental Management Plan
CNVMP	Construction Noise and Vibration Management Plan
CMP	Cultural Management Plan
Completion of Construction	When construction of the Project (or the relevant part of the Project) is complete and it is available for use.
Construction Works	Activities undertaken to construct the Project under these designations/resource consents, excluding Enabling Works.
Council	Auckland Council

Abbreviation/term	Meaning/definition
CTMP	Construction Traffic Management Plan
Designation 6701	Alteration of SH1 Designation 6701 for purpose of a 'Motorway'
EIANZ	Environment Institute of Australia and New Zealand
EMP	Ecological Management Plan
Enabling Works	Includes the following and similar activities: <ul style="list-style-type: none"> • Geotechnical investigations and land investigations, including formation of access on land for investigations; • Establishing site yards, site offices, site entrances and fencing; • Constructing site access roads; • Relocation of services; • Establishing mitigation measures (such as erosion and sediment control measures, earth bunds and planting).
HHMP	Historic Heritage Management Plan
Historic Heritage	Meaning as in the Resource Management Act 1991
HNZPT	Heritage New Zealand Pouhere Taonga
Manager	The Manager – Resource Consents, of Auckland Council, or authorised delegate.
Network Utility Operator	Has the same meaning as set out in section 166 of the RMA
NOR	Notice(s) of Requirement
NUMP	Network Utility Management Plan
NZTA	NZ Transport Agency Waka Kotahi
NZTA Southern Iwi Integration Group (IIG)	A collective of iwi representatives in Southern Auckland who meet regularly to discuss and advise on matters related to NZTA activities.
Outline Plan of Works	An outline plan prepared in accordance with section 176A of the RMA.
Project	The construction, operation, and maintenance of Stage 2 of the Papakura to Bombay Project and associated works.
Project Liaison Person	The person or persons appointed by the Requiring Authority / Consent Holder to be the main and readily accessible point of contact for persons wanting information about the Project or affected by the construction work.
Requiring Authority	NZ Transport Agency Waka Kotahi
RMA	Resource Management Act 1991

Abbreviation/term	Meaning/definition
Schedule	A schedule sets out the best practicable option for the management of noise and/or vibration effects for a specific construction activity and/or location beyond those measures set out in the CNVMP.
SCEMP	Stakeholder Communication and Engagement Management Plan
SUP	Shared use path
Specific Area	Specific Area relates to a particular site within the Stage 2 works areas.
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), or works referred to in a specific condition or Stage, start.
Suitably Qualified Person	A person (or persons) who can provide sufficient evidence to demonstrate their suitability and competence in the relevant field of expertise.
TIMP	Transpower Infrastructure Management Plan
TMP	Tree Management Plan
ULDF	Urban and Landscape Design Framework
ULDMP	Urban and Landscape Design Management Plan

Conditions

Ref	Condition
General Conditions (GC)	
Activity in General Accordance with Plans and Information	
GC.1	<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; (ii) the Project description and concept plan in Schedule 1, and the management plans prepared in general accordance with the conditions of the designation, the requirements of the management plans shall prevail.
Project Information	
GC.2	<p>(a) A project website, or equivalent virtual information source, shall be established as soon as reasonably practicable, and within six months of the date on which this designation is included in the AUP. All directly affected owners and occupiers shall be notified in writing once the website or equivalent information source has been</p>

Ref	Condition
	<p>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 information on how/where they can receive additional support following confirmation of the designation; (v) a subscription service to enable receipt of project updates by email; and (vi) when and how to apply for consent for works in the designation under s176(1)(b) of the RMA. <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>
Designation Review	
GC.3	<p>(a) As soon as practicable following Completion of Construction the Requiring Authority shall:</p> <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 the Manager in accordance with section 182 of the RMA for the removal of those parts of the designation identified above.
GC.4	<p>The preparation of all plans and all actions required by these conditions shall be undertaken by a Suitably Qualified Person.</p>
Network Utility Operators (Section 176 Approval)	
GC.5	<p>(a) Prior to the start of Construction Works, Network Utility Operators with existing infrastructure 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 urgent 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 on the work authorised by the designation 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 (PC)	

Ref	Condition
Pre-construction site meeting	
PC.1	<p>At least five working days prior to the Start of Construction, a preconstruction meeting shall be arranged with the Manager as follows:</p> <ul style="list-style-type: none"> (a) The meeting shall be located on the Project site unless otherwise agreed; (b) The meeting shall include representation from the contractor who will undertake the works; (c) The following information shall be made available at the pre- construction meeting: <ul style="list-style-type: none"> (i) Conditions of consent; (ii) Timeframes for key stages of the works authorised under this consent; (iii) Contact details of the site contractor and other key contractors; (iv) All relevant management plans; and (d) Representatives of the NZTA Southern IIG shall be invited to attend the pre-construction meeting.
PC.2	<p>Prior to the Start of Construction, appropriate provision shall be made for a cultural induction of the contractor's staff. The NZTA Southern IIG or its nominated representative(s) (cultural monitors) shall be invited to participate.</p>
Outline Plan(s) of Works (designation)	
PC.3	<ul style="list-style-type: none"> (a) An Outline Plan (or Plans) shall be prepared in accordance with section 176A of the RMA. (b) 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 (c) Outline Plan (or Plans) shall include any of the following management plan or plans that are relevant to the management of effects of those activities or Stage of Work, prepared in consultation with the NZTA Southern IIG: <ul style="list-style-type: none"> (i) Construction Traffic Management Plan (CTMP); (ii) Construction Noise and Vibration Management Plan (CNVMP); (iii) Construction Environmental Management Plan (CEMP); (iv) Historic Heritage Management Plan (HHMP); (v) Ecological Management Plan (EMP); (vi) Tree Management Plan (TMP), (vii) Urban and Landscape Design Management Plan (ULDMP); and (viii) Network Utility Management Plan (NUMP). (d) The Outline Plan shall include a copy of any archaeological authority if obtained for project works.
Management Plans	

Ref	Condition
PC.4	<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); (iii) Include sufficient detail relating to the management of effects associated with the relevant activities and/or Stage of Work to which it relates. (iv) The management plans shall summarise comments received from the NZTA Southern IIG along with a summary of where comments have; been incorporated; and where not incorporated the reasons why. (v) Be submitted as part of an Outline Plan pursuant to s176A of the RMA, with the exception of SCEMPs and CNVMP Schedules. (vi) Once finalised, uploaded to the Project website or equivalent virtual information source. <p>(b) Any management plan developed in accordance with Condition PC.3 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. (ii) Except for material changes, be amended to reflect any changes in design, construction methods or management of effects without further process. (iii) 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 as soon as practicable following identification of the need for a revision; <p>(c) Any material changes to the SCEMPs, are to be submitted to the Council for information.</p>
PC.5	<p>Prior to the lodgement of any outline plan of works for activities on the following roads</p> <ul style="list-style-type: none"> (a) Bombay Road; (b) Great South Road; and, (c) Mill Road. <p>NZTA will consult with Auckland Transport regarding the extent and duration of temporary and on-going effects of the works on the local road network.</p> <p>ADVICE NOTE:</p> <p>Where any parts of the works are to be vested with Auckland Council, separate approval will be required from Auckland Council including an Engineering Approval.</p>
Stakeholder Communication and Engagement Management Plan (SCEMP)	
PC.6	<p>(a) A Stakeholder Communication and Engagement Management Plan (SCEMP) shall be submitted to the Manager for information at least 10 working days prior to the Start of Construction.</p>

Ref	Condition
	<p>(b) The purpose of the SCEMP is to identify how the public and stakeholders (including directly affected and adjacent owners and occupiers of land) will be communicated and engaged with throughout the Construction Works.</p> <p>(c) To achieve the purpose, the SCEMP shall include:</p> <ul style="list-style-type: none"> (i) 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); (ii) 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; (iii) methods for engaging with the NZTA Southern IIG, to be developed in consultation with the NZTA Southern IIG; (iv) a list of stakeholders, organisations, businesses and persons who will be communicated with; (v) methods to communicate the proposed hours of construction activities outside of normal working hours and on weekends and public holidays, to surrounding businesses and residential communities; (vi) linkages and cross-references to communication methods set out in other conditions and management plans where relevant. <p>(d) any SCEMP prepared for a Stage of Work shall be submitted to the Manager for information ten working days prior to the Start of Construction for a Stage of Work.</p>
Urban and Landscape Design Management Plan (ULDMP)	
PC.7	<p>(a) A ULDMP shall be submitted with the Outline Plan of Works prior to the Start of Construction of a Stage of Work.</p> <p>(b) The objective of the ULDMP(s) is to:</p> <ul style="list-style-type: none"> (i) Enable integration of the Project's permanent works into the surrounding landscape and rural-urban context; (ii) Ensure that the Project manages potential adverse landscape and visual effects as far as practicable and contributes to a quality-environment; and (iii) Acknowledge and recognise the whakapapa mana whenua have to the Project area. <p>(c) Representatives of the NZTA Southern IIG shall be invited to participate in the development of the ULDMP(s) at least six (6) months prior to the start of detailed design for the Stage of Work to provide input into cultural landscape and design matters. This shall include (but not limited to) how desired outcomes for management of potential effects on cultural sites, landscapes and values including where identified in condition CC.27 (Historic Heritage Management Plan) may be reflected in the ULDMP.</p> <p>(d) Stakeholders identified through Conditions PC.6 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>

Ref	Condition
	<p>(e) The ULDMP shall be prepared in general accordance with the:</p> <ul style="list-style-type: none"> (i) The principles contained in the Project Urban and Landscape Design Framework (ULDF) Rev G dated February 2024; (ii) NZTA P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent version, and; (iii) NZTA Landscape Guidelines (March 2018) or any subsequent version. <p>(f) To achieve the objective, the ULDMP(s) 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 opportunities to incorporate Mana Whenua Values and cultural narrative through 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 opportunities for cultural expression through, for example mahi toi, art, sculptures or other public amenity features will be provided; and D. how opportunities to utilise flora and fauna with a specific connection to the area are provided; (iii) Is consistent with an integrated stormwater management approach which prioritises in the following order: <ul 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. (iv) Provides appropriate walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses, public transport infrastructure and walking and cycling connections. Particular consideration should be given to enhancing the convenience and legibility of pedestrian and cycle connections through the Project Interchanges; (v) Promotes inclusive access (where appropriate); and (vi) 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. (vii) Retains mature trees and native vegetation, where practicable. <p>(g) The ULDMP(s) shall include:</p>

Ref	Condition
	<ul style="list-style-type: none"> (i) A concept plan – 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; and (iii) Landscape and urban design details. <p>(h) The ULDMP shall be designed to integrate with any Historic Heritage information or sites affected by this project, including the provision of interpretation signage, if appropriate.</p> <p>(i) The ULDMP shall also include the following tree management planting details and maintenance requirements:</p> <ul style="list-style-type: none"> (i) Tree management and planting design details including: <ul style="list-style-type: none"> A. Measures to ensure construction works within the designation are managed to avoid, remedy or mitigate effects on vegetation identified as protected or notable in Schedule 3. B. Identification of existing trees and vegetation that will be retained, and any planting requirements under Condition CC.29 (Ecological Management Plan). C. Street trees, shrubs and ground cover suitable for the location; D. Treatment of fill slopes to integrate with adjacent land use, streams, Riparian margins and open space zones; E. Planting of stormwater wetlands; 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) Design of all embankments shall enable mass planting of native trees, shrubs and groundcover. Where steeper slopes are unavoidable, mass planting is not advised, and they must be minimised and stabilised sufficiently, applying an architectural façade, or screened from public interfaces; (iii) 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 (iv) 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.

Ref	Condition
Network Utilities Integration	
PC.8	The Requiring Authority shall consult with Network Utility Operators during the detailed design phase with respect to their existing assets and to consider opportunities to enable, or not preclude, the development of new network utility facilities including access to power and ducting within the Project, where practicable to do so. The consultation undertaken, opportunities considered, and whether or not they have been incorporated into the detailed design, shall be summarised in the Outline Plan(s) prepared for the Project.
Specific Outline Plan Requirements (OPW)	
Flood	
OPW.1	<p>(a) The Project shall be designed to ensure post-Project flood risk defined as flood levels, during a 1% AEP event, are maintained at pre-Project levels outside the designation extent or confined to stream banks existing as at the time of the submission of the Outline Plan outside the designation extent. Stream banks means the raised border to a permanent natural stream that constrains the water's usual movement.</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 Existing Development without climate change, pre-Project and post-Project, and Existing Development with Maximum Probable Development land use and including climate change, pre-Project and post-Project).</p>
Existing Property Access	
OPW.2	Prior to submission of the Outline Plan, consultation shall be undertaken with landowners and occupiers whose vehicle access to their property will be altered by the project. The Outline Plan shall demonstrate how safe reconfigured or alternate access will be provided.
Construction Conditions (CC)	
General	
CC.1	Subject to compliance with the Consent Holder's health and safety requirements and provision of reasonable notice, the servants or agents of Council shall be permitted to have access to relevant parts of the construction sites controlled by the Consent Holder at all reasonable times for the purpose of carrying out inspections, surveys, investigations, tests, measurements and/or to take samples.
CC.2	A copy of the plans and these designation and resource consent conditions shall be kept either electronically or in hard copy on-site at all times that Enabling Works and Construction Works are being undertaken
CC.3	All earthmoving machinery, pumps, generators and ancillary equipment must be operated in a manner that ensures spillages of fuel, oil and similar contaminants are prevented, particularly during refuelling and machinery services and maintenance.

Ref	Condition
CC.3A	The land modification works proposed must be undertaken in a manner which ensures that the land within the site and the land on adjoining properties remain stable at all times. In this regard the consent holder must employ a suitably qualified civil / geotechnical engineer to investigate, direct and supervise - land modification works, particularly in close proximity to neighbouring properties, to ensure that an appropriate design and construction methodology is carried out to maintain the short and long term stability of the site and surrounds.
Construction Environmental Management Plan	
CC.4	<p>(a) A Construction Environmental Management Plan (CEMP) shall be submitted with the Outline Plan of Works prior to the Start of Construction of a Stage of Work.</p> <p>(b) The purpose 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.</p> <p>(c) To achieve the purpose, 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) the location, configuration and screening of construction yards to minimise visibility from sensitive activities such as residential, community and open space uses; (v) the proposed site layouts (including construction yards), locations of refuelling activities and 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) 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; (xiii) methods for amending and updating the CEMP as required; (xiv) methodology and staging for demolition of existing fences and construction of replacement fences, adjacent to residential sites; and

Ref	Condition
	<p>(xv) confirmation that the construction methodology manages the potential for an increase in flood risk during construction through consideration of mitigation to include but not limited to:</p> <ul style="list-style-type: none"> A. construction activities undertaken outside of flood plains and overland flow paths where practicable; B. scheduling of construction activities during dry periods; and C. staging of construction activities. <p>(d) Any CEMP prepared for a Stage of Work shall be submitted to the Manager for information at least ten working days before the Start of Construction for a Stage of Work.</p> <p>(e) The CEMP shall be prepared having regard to the NZTA Guideline for Preparing Environmental and Social Management Plans (April 2014), or any subsequent version.</p>
CC.5	If the CEMP required by condition CC.4 is amended or updated, the revised CEMP shall be submitted to the Manager for information within five (5) working days of the update being made.
Complaints Management Process	
CC.6	<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) The weather conditions at the time of the complaint (as far as practicable), including wind direction and approximate wind speed if the complaint relates to air quality, odour or noise and where weather conditions are relevant to the nature of the complaint; (iv) Measures taken to respond to the complaint or confirmation of no action if deemed appropriate (including a record of the response provided to the complainant) (v) The outcome of the investigation into the complaint; (vi) 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>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>
CC.7	Complaints related to Construction Works shall be responded to as soon as reasonably practicable and as appropriate to the circumstances.
Network Utility Management Plan	
CC.8	(a) A Network Utility Management Plan (NUMP) shall be submitted with the Outline Plan of Works prior to the Start of Construction of a Stage of Work.

Ref	Condition
	<p>(b) The objective of the NUMP is to set out a framework for protecting, relocating and working in proximity to existing network utilities.</p> <p>(c) 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; <p>(d) The NUMP shall be prepared in consultation with the relevant Network Utility Operator(s) who have existing assets that are directly affected by the Project.</p> <p>(e) The NUMP shall describe how any comments from the Network Utility Operator in relation to its assets have been addressed.</p> <p>(f) Any comments received from the Network Utility Operator shall be considered when finalising the NUMP.</p> <p>(g) Any amendments to the NUMP related to the assets of a Network Utility Operator shall be prepared in consultation with that asset owner.</p>
Transpower	
CC.9	Temporary and permanent works in the vicinity of overhead transmission assets shall be designed and undertaken to comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).
CC.10	Temporary and permanent works shall be designed to mitigate Earth Potential Rise (EPR) where the use of conductive materials for road infrastructure (e.g. metallic barriers, lighting, noise walls) or relocated network utilities are within 50m of the Bombay to Otahuhu A (BOB-OTA-A) 110kV, Glenbrook – Deviation A (GLN-DEV-A) 220 KV and Huntly to Otahuhu A (HLY-OTA-A) 220kV transmission assets.
CC.11	Temporary and permanent works shall be designed so that the vertical clearance provided between the transmission line conductors and the finished road level of State Highway 1 (including approach roundabouts and on/off ramps) is a minimum of 9.5 metres for the BOB-OTA-A 110kV line, 10.5m for the GLN-DEV-A 220 KV and the HLY-OTA-A 220kV line.
CC.12	Temporary and permanent works shall be designed to maintain a comparable standard of access to the BOB-OTA-A 110kV, GLN-DEV-A 220 KV and HLY-OTA-A 220kV transmission assets for maintenance at all reasonable times, and emergency works at all times.
CC.13	Proposed planting and ongoing maintenance of trees and vegetation in the vicinity of overhead transmission lines shall comply with the Electricity (Hazards from Trees) Regulations 2003.
CC.14	Species planted within 12m of the centreline of the National Grid transmission lines shall not exceed 2m in height. When planted, trees (at full maturity height) shall not be able to fall within 4m of a transmission line conductor at maximum swing.
Transpower Infrastructure Management Plan	

Ref	Condition
CC.15	A Transpower Infrastructure Management Plan (TIMP) shall be prepared prior to the start of construction works within fifty metres of the transmission assets listed in Condition 17(ii) below. The TIMP shall be prepared in consultation with Transpower.
CC.16	The purpose of the TIMP is to set out the management procedures and construction methods to be undertaken so that works are safe and any potential adverse effects of works on Transpower assets are appropriately managed.
CC.17	<p>(a) To achieve the purpose, the TIMP shall include:</p> <ul style="list-style-type: none"> (i) Roles and responsibilities of staff and contractors responsible for implementation of the TIMP. (ii) Drawings showing proposed works in the vicinity of, or directly affecting, the following transmission assets: <ul style="list-style-type: none"> A. Bombay to Otahuhu A (BOB-OTA-A) 110kV B. Glenbrook – Deviation A (GLN-DEV-A) 220 KV C. Huntly to Otahuhu A (HLY-OTA-A) 220kV (iii) Proposed staff and contractor training for those working near the transmission assets. (iv) Proposed methods to comply with Conditions CC.9 – CC.12 above; (v) Proposed methods to comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP 34: 2001). (vi) Dispensations agreed with Transpower for any construction works that cannot meet New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP 34:2001). (vii) Proposed methods to: <ul style="list-style-type: none"> A. Maintain access to the BOB-OTA-A 110kV, GLN-DEV-A 220 KV and HLY-OTA-A 220kV transmission assets for maintenance at all reasonable times, and emergency works at all times; B. Delineate areas that are out of bounds during construction and areas within which additional management measures are required, such as fencing off, entry and exit hurdles, maximum height limits, or where a Transpower observer may be required; C. Manage the effects of dust (including any other material potentially resulting from construction activities able to cause material damage beyond normal wear and tear) on the transmission lines; D. Manage any changes to drainage patterns, runoff characteristics and stormwater to avoid adverse effects on foundations of any support structure; E. Manage construction activities that could result in ground vibrations and/or ground instability to avoid causing damage to transmission lines and support structures.
CC.18	The TIMP shall include confirmation that it has been reviewed and endorsed by Transpower and shall be submitted to Council for information.

Ref	Condition
CC.19	<p>Construction works shall not commence within fifty metres of the BOB-OTA-A 110kV, GLN-DEV-A 220 KV and HLY-OTA-A 220kV transmission assets until the TIMP required by Condition CC.15 above has been completed and either:</p> <p>(a) the Project has been designed to comply with Condition CC.9 – CC.12 above; or</p> <p>(b) the BOB-OTA-A 110kV, GLN-DEV-A 220 KV and HLY-OTA-A 220kV transmission assets have been relocated or altered as agreed by Transpower.</p>
CC.20	<p>Construction works shall be undertaken in accordance with the TIMP prepared in accordance with Condition CC.17 above.</p> <p>ADVICE NOTE:</p> <p>Written notice should be provided to Transpower 10 working days before starting works within 50 metres of transmission assets. Written notice should be sent to: transmission.corridor@transpower.co.nz</p>
Cultural Monitoring Plan	
CC.21	<p>(a) A Cultural Monitoring Plan shall be submitted to the Manager for information at least 10 working days prior to the Start of Construction. The Cultural Monitoring Plan shall be prepared by a person identified in collaboration with the NZTA Southern IIG.</p> <p>(b) The purpose of the Cultural Monitoring Plan is to set out the agreed cultural monitoring requirements and measures to be implemented during construction activities, to acknowledge the historic and living cultural values of the area to the NZTA Southern IIG and to minimise potential adverse effects on these values.</p> <p>(c) 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 the NZTA Southern IIG; (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 nominated by the NZTA Southern IIG to undertake cultural monitoring, including any geographic definition of their responsibilities; and (v) Details of personnel nominated by the NZTA Southern IIG to assist with management of any issues identified during cultural monitoring. <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 and Experienced Person identified in collaboration with the NZTA Southern IIG. This plan may be prepared as a standalone Enabling Works Cultural Monitoring Plan or be included in the main Construction Works Cultural Monitoring Plan and include the requirements of condition CC.21.1(c)(i) to (v).</p>

Ref	Condition
	(e) A copy of the Cultural Monitoring Plan shall be provided to the Council for information.
Construction traffic management plan	
CC.22	<p>(a) A Construction Traffic Management Plan (CTMP) shall be submitted with the Outline Plan of Works prior to the Start of Construction of a Stage of Work. The CTMP shall be prepared in consultation with Auckland Transport (including Auckland Transport Metro), in accordance with NZTA most recent guidelines for temporary traffic management. The outcome of consultation undertaken between the Requiring Authority and Auckland Transport shall be documented including any Auckland Transport comments not incorporated within the final CTMP submitted to the Manager.</p> <p>(b) The purpose of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects.</p> <p>(c) To achieve this purpose, the CTMP shall include:</p> <ul style="list-style-type: none"> (i) methods to manage the effects of temporary traffic management activities on traffic capacity and movements, in consultation with Auckland Transport; (ii) measures to manage 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 schools or to manage traffic congestion; (iv) methods for engaging with Parks, Sport and Recreation and Land Advisory, to be developed in consultation with Parks, Sport and Recreation and Land Advisory; (v) 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; (vi) methods to manage any road closures that will be required and the nature and duration of any traffic management measures such as the identification of detour routes, temporary restrictions, or diversions and other methods for the safe management and maintenance of traffic flows, including general traffic, buses (including along Great South Road, and Ararimu Road), pedestrians and cyclists, on existing roads. Such access shall be safe, clearly identifiable and seek to minimise significant detours; (vii) methods to maintain pedestrian and/or vehicle access to private property and/or private roads where practicable, or to provide alternative access arrangements when it will not be; (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);

Ref	Condition
	<ul style="list-style-type: none"> (x) Auditing, monitoring and reporting requirements relating to traffic management activities shall be undertaken in accordance with the NZTA most recent guidelines for temporary traffic management; (xi) Methods to manage the availability of on-street and off-street parking if the designated site is unable to accommodate all contractor parking. This shall include an assessment of available parking (if any) for contractors on street and identify measures to meet and/or reduce contractor parking demand for on-street parking to meet this demand; (xii) Methods for recognising and providing for the on-going operation of Auckland Transport managed passenger transport services; (xiii) Methods to maintain the functional operational and recreational access to any Auckland Council Park land during construction where practicable. <p>ADVICE NOTE:</p> <p>Where construction activities may affect the local road network, separate approval will be required from Auckland Transport (as the road controlling authority). The approval will likely include a Corridor Access Request and accompanying Traffic Management Plan.</p>
Construction noise and vibration management plan	
CC.23	<ul style="list-style-type: none"> (a) A Construction Noise and Vibration Management Plan (CNVMP) shall be submitted with the Outline Plan of Works prior to the Start of Construction of a Stage of Work. (b) A CNVMP shall be implemented during the Stage of Work to which it relates. (c) The purpose 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 CC.24 and CC.25 to the extent practicable. To achieve this purpose, the CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 'Acoustics – Construction Noise' (NZS6803:1999) and the NZTA State highway construction and maintenance noise and vibration guide (version 1.1, 2019), and shall as a minimum, address the following: <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) management and mitigation options, and identification of the Best Practicable Option; (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

Ref	Condition																																																			
	<p>period of construction activities, and management of noise and vibration complaints;</p> <p>(viii) contact details of the Project Liaison Person;</p> <p>(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;</p> <p>(x) procedures and requirements for the preparation of a Schedule to the CNVMP (Schedule) for those areas where compliance with the noise [Condition CC.24] and/or vibration standards [Condition CC.25] Category A or Category B will not be practicable [Condition CC.26(c)(x)];</p> <p>(xi) 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;</p> <p>(xii) methodology and programme of desktop and field audits and inspections to be undertaken to ensure that CNVMP, Schedules and the best practicable option for management of effects are being implemented; and</p> <p>(xiii) requirements for review and update of the CNVMP.</p>																																																			
Noise Criteria																																																				
CC.24	<p>Construction noise from the Project shall be measured and assessed in accordance with the NZS 6803:1999 and shall, as far as practicable, comply with the following criteria:</p> <p>Table CC.24.1 Construction noise criteria</p> <table><tr><th>Day of week</th><th>Time</th><th>dB LAeq(15min)</th><th>dB LAmax</th></tr><tr><td colspan="4">Buildings containing activities sensitive to noise</td></tr><tr><td rowspan="4">Weekdays</td><td>0630 – 0730</td><td>60</td><td>75</td></tr><tr><td>0730 – 1800</td><td>75</td><td>90</td></tr><tr><td>1800 – 2000</td><td>70</td><td>85</td></tr><tr><td>2000 – 0630</td><td>45</td><td>75</td></tr><tr><td rowspan="4">Saturdays</td><td>0630 – 0730</td><td>45</td><td>75</td></tr><tr><td>0730 – 1800</td><td>75</td><td>90</td></tr><tr><td>1800 – 2000</td><td>45</td><td>75</td></tr><tr><td>2000 – 0630</td><td>45</td><td>75</td></tr><tr><td rowspan="4">Sundays and Public Holidays</td><td>0630 – 0730</td><td>45</td><td>75</td></tr><tr><td>0730 – 1800</td><td>55</td><td>85</td></tr><tr><td>1800 – 2000</td><td>45</td><td>75</td></tr><tr><td>2000 – 0630</td><td>45</td><td>75</td></tr><tr><td colspan="4">Other occupied buildings</td></tr></table>	Day of week	Time	dB LAeq(15min)	dB LAmax	Buildings containing activities sensitive to noise				Weekdays	0630 – 0730	60	75	0730 – 1800	75	90	1800 – 2000	70	85	2000 – 0630	45	75	Saturdays	0630 – 0730	45	75	0730 – 1800	75	90	1800 – 2000	45	75	2000 – 0630	45	75	Sundays and Public Holidays	0630 – 0730	45	75	0730 – 1800	55	85	1800 – 2000	45	75	2000 – 0630	45	75	Other occupied buildings			
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Other occupied buildings																																																				

Ref	Condition			
	All days	0730 - 1800	75	n/a
		1800 - 0730	80	n/a
	(a) Where compliance with the noise standards set out in Table CC.24.1 is not practicable, then the methodology in Condition CC.23 shall apply.			
Vibration Criteria				
CC.25	(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.			
	Table CC.25.1 Construction vibration criteria			
	Receiver	Details	Category A	Category B
	Occupied Activities sensitive to noise	Night-time 2000h - 0630h	0.3mm/s ppv	1mm/s ppv
		Daytime 0630h - 2000h	1mm/s ppv	5mm/s ppv
	Other occupied buildings	Daytime 0630h - 2000h	2mm/s ppv	5mm/s ppv
	All other buildings	At all other times Vibration transient	5mm/s ppv	BS 5228-2* Table B2
		At all other times Vibration continuous	5mm/s ppv	BS 5228-2* 50% of Table B2 values
	*BS 5228-2:2009 'Code of practice for noise and vibration control on construction and open sites – Part 2: Vibration'			
	(b) Where compliance with the vibration standards set out in Table CC.24.1 is not practicable, then the methodology in Condition CC.23 shall apply.			
(c) If measured or predicted vibration from construction activities exceeds the Category A criteria, construction vibration shall be assessed and managed during those activities.				
(d) If measured or predicted vibration from construction activities exceeds the Category B criteria those activities must only proceed if vibration effects on affected buildings are assessed, monitored and mitigated.				
CC.26	(a) A Schedule to the CNVMP (Schedule) shall be prepared, in consultation with the owners and occupiers of sites subject to the Schedule to the CNVMP, when:			
	(i) construction noise is either predicted or measured to exceed the noise standards in Condition CC.24;			
	(ii) construction vibration is either predicted or measured to exceed the Category A standard at the receivers in Condition CC.25.			

Ref	Condition
	<p>(b) The purpose of the Schedule is to set out the Best Practicable Option for the management of noise and/or vibration effects of the construction activity beyond those measures set out in the CNVMP. The Schedule shall include details such as:</p> <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 CC.24 and CC.25; (iv) the proposed mitigation; (v) the proposed communication with neighbours; and (vi) location, times and types of monitoring. <p>(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.</p>
Historic Heritage Management Plan	
CC.27	<p>(a) A Historic Heritage Management Plan (HHMP) shall be submitted with the Outline Plan of Works prior to the Start of Construction of a Stage of Work. The HHMP shall be prepared in consultation with Council, HNZPT and the NZTA Southern IIG.</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) 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; B. methods for the identification and assessment of potential historic heritage places within the Designation to inform detailed design; C. 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; D. 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); E. 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; F. specific areas to be investigated, monitored and recorded to the extent these are directly affected by the Project;

Ref	Condition
	<p>(ii) 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;</p> <p>G. methods to acknowledge cultural values identified through the Mana Whenua CVA's and the ULDMP where archaeological sites also involve ngā taonga tuku iho (treasures handed down by our ancestors) and where feasible and practicable to do so;</p> <p>H. 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:</p> <ol style="list-style-type: none"> i. measures to mitigate adverse effects on historic heritage sites that achieve positive historic heritage outcomes such as increased public awareness and interpretation signage; and ii. 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. <p>(c) NZTA At the completion of the Historic heritage investigation component of the Project Works the Requiring Authority will provide confirmation from the Project Archaeologist to the Manager that all works have been completed in accordance with the requirements of the HHMP.</p>
Pre-Construction Ecological Survey	
CC.28	<p>(a) Prior to the start of detailed design for a Stage of Work, a Suitably Qualified Person shall prepare an updated ecological survey. The purpose of the survey is to inform the preparation of the ecological management plan by:</p> <ol style="list-style-type: none"> (i) Confirming whether the species of value identified as potentially present within Biodiversity Areas¹ identified in Schedule 2 are actually present, and; (ii) Confirming whether the Project will or is likely to have a moderate or greater level of ecological effect on species of value, (prior to implementation of impact management measures), with the level of effect as determined in accordance with Table 10 of the EIANZ guidelines (or subsequent updated version of the table) as included in Schedule 2 to these conditions. <p>(b) If the ecological survey confirms the presence of species of value in accordance with Condition CC.28(a)(i) and that moderate or greater effects are likely in accordance with Condition CC.28(a)(ii) then an Ecological Management Plan (or Plans) shall be prepared in accordance with Condition CC.29 for these areas (Confirmed Biodiversity Areas).</p>

¹ **Biodiversity Areas:** refers to an area or areas of ecological value where the Project ecologist has identified that the Project will potentially support moderate or higher values, or have a moderate or greater level of ecological effect, prior to implementation of impact management measures, as determined in accordance with the EIANZ guidelines.

Ref	Condition
Ecological Management Plan (EMP)	
CC.29	<p>(a) An EMP shall be submitted with the Outline Plan of Works for any Confirmed Biodiversity Areas (confirmed through Condition CC.28) prior to the Start of Construction of a Stage of Work. 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. The EMP shall set out the methods that will be used to achieve the objective which may include:</p> <p>(i) If an EMP is required in accordance with Condition CC.28(b) for the presence of long-tail bats:</p> <ul style="list-style-type: none"> A. Measures to minimise as far as practicable, disturbance from construction activities within the vicinity of any active long tail bat roosts (including maternity) that are discovered through survey 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 tail 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); E. Details of measures to minimise operational disturbance from light spill; and F. Details of where opportunities for advance restoration / mitigation planting have previously been identified and implemented. <p>(ii) If an EMP is required in accordance with the Condition CC.28(b) 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; and B. Where works are required within the area identified in the Confirmed Biodiversity Area during the bird breeding season, methods to minimise adverse effects on Threatened or At-Risk birds. <p>(iii) If an EMP is required in accordance with Condition CC.28(b) 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 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

Ref	Condition
	<p>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 100m of any construction area (including laydown areas). Measures could include:</p> <ul style="list-style-type: none"> i. a buffer area around the nest location and retaining vegetation. The buffer areas should be of a distance appropriate to the species and likely disturbance risk (noise, vibration and traffic) as determined by a Suitably Qualified Person. Buffer areas can be demarcated where necessary to protect birds from encroachment. This might include the use of marker poles, tape and signage; ii. monitoring of the nesting Threatened or At-Risk wetland birds by a Suitably Qualified Person. Construction works within the nesting buffer areas must 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; iii. minimising the disturbance from the works if construction works are required within 100m of a nest, as advised by a Suitably Qualified Person; iv. adopting a 10m setback where practicable, between the edge of Wetlands and construction areas (along the edge of the stockpile/laydown area); and v. minimising light spill from construction areas into Wetlands. <p>ADVICE NOTE:</p> <p>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 (eg avifauna, herpetofauna, bats).
Tree Management Plan	
CC.30	<p>(a) A Tree Management Plan shall be submitted with the Outline Plan of Works prior to the Start of Construction of a Stage of Work. The objective of the Tree Management Plan is to retain mature vegetation and native trees, where practicable and otherwise avoid, remedy or mitigate the effects of construction activities on trees, identified to be retained in Condition PC.7 (ULDMP).</p> <p>(b) The Tree Management Plan shall:</p> <ul style="list-style-type: none"> (i) demonstrate how the design and location of project works has avoided, remedied or mitigated any effects on any tree identified in Condition PC.7. This may include: <ul style="list-style-type: none"> A. planting to replace trees that require removal (with reference to the ULDMP planting design details in Condition PC.7(i);

Ref	Condition
	<p>B. tree protection zones and tree protection measures such as protective fencing, ground protection and physical protection of roots, trunks and branches; and</p> <p>C. methods for work within the rootzone of trees that are to be retained in line with accepted arboricultural standards.</p>
Protected Trees (Bishop Selwyn Cairn)	
CC.31	<p>(a) Prior to the Start of Construction, a survey shall be conducted by a suitably qualified person to determine the location and existence of the following trees included in Schedule 3:</p> <p>(i) Item ID. 2152, Puriri, located at 1832 Great South Road, Pt Lot B DP 6559; and;</p> <p>(ii) Item ID. 2695, Norfolk Island Pine, located at 1850 Great South Road, SECT 4 SO69909, PT LOT B DP6559, PT LOT B DP6559, and SECT 3 SO69909.</p> <p>(b) If these trees exist at the time of the survey, a specific Tree Management Plan shall be prepared. The objective of this Tree Management Plan is to protect the trees throughout the construction of the Project.</p>
Protected Heritage Site (Bishop Selwyn Cairn)	
CC.32	<p>(a) Prior to the Start of Construction, a survey shall be conducted by a suitably qualified person to determine the extent of the historic heritage extent of place 'Bishop Selwyn Cairn' listed in the AUPOP Schedule 14.1: Schedule of Historic Heritage (ID 01537), which includes PART ALLOT 254 PSH OF MANGATAWHIRI, PART LOT 3 DP 6559, PART LOTB DP 6559, and the road reserve, as indicated in Schedule 4.</p> <p>(b) No construction activities shall take place within the 'no works' area identified in Schedule 4 throughout the duration of the construction of the Project. The boundaries of the 'no works' area must be clearly illustrated in the OPW provided to the Council.</p>
Operational Conditions (OC)	
Low Noise Road Surface	
ON.1	Asphaltic mix surface shall be implemented within twelve months of completion of construction of the Project.
ON.2	Asphaltic mix surface shall be maintained to retain the noise reduction performance as far as practicable.

Attachments

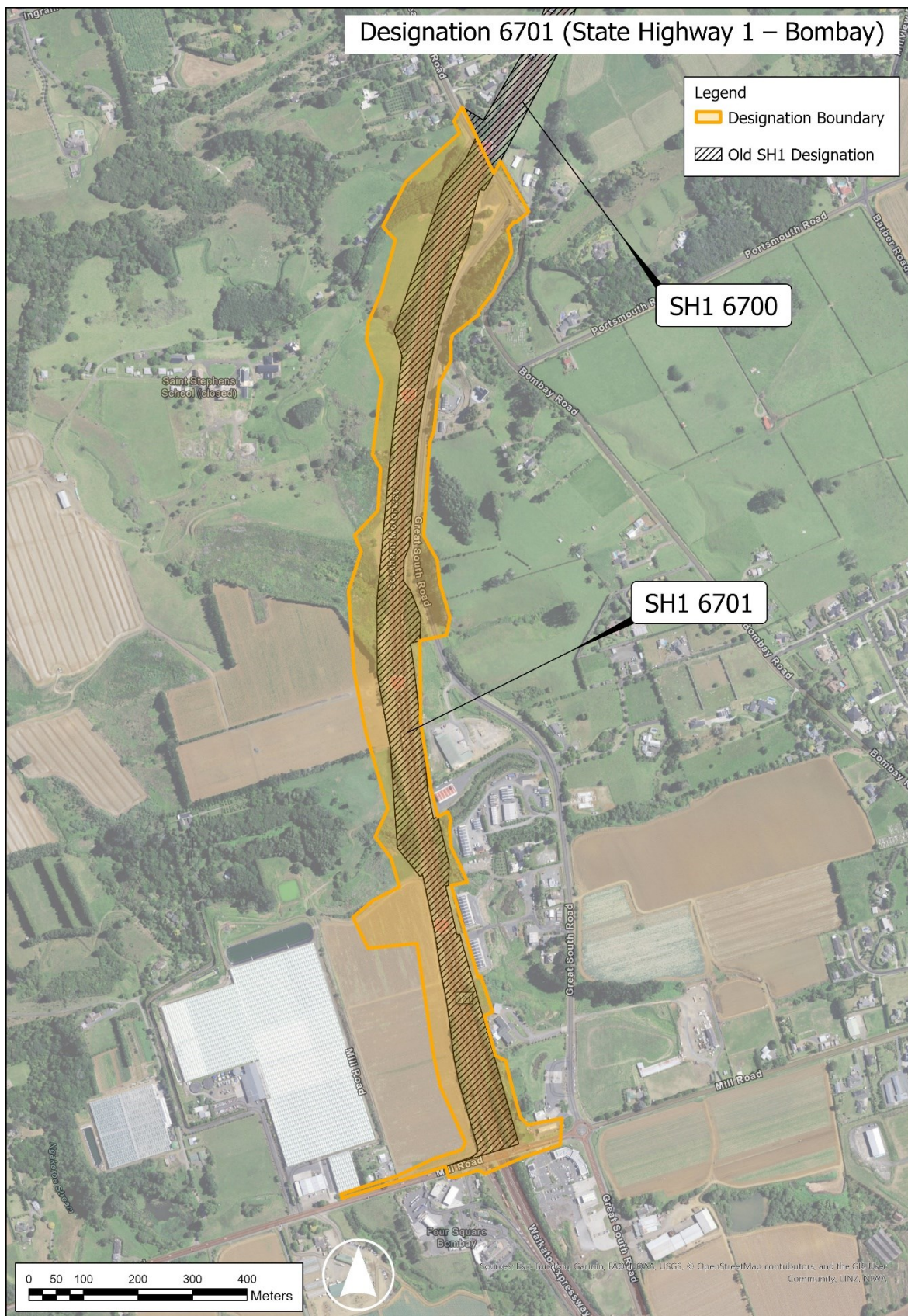
Schedule 1: General Accordance Plans and Information

Project Description:

The proposed alteration is for the construction, operation, and maintenance of a motorway between the SH1 Great South Road over-bridge at Bombay and Bombay Interchange, and associated infrastructure. The proposed work is shown in the following Concept Plan and includes:

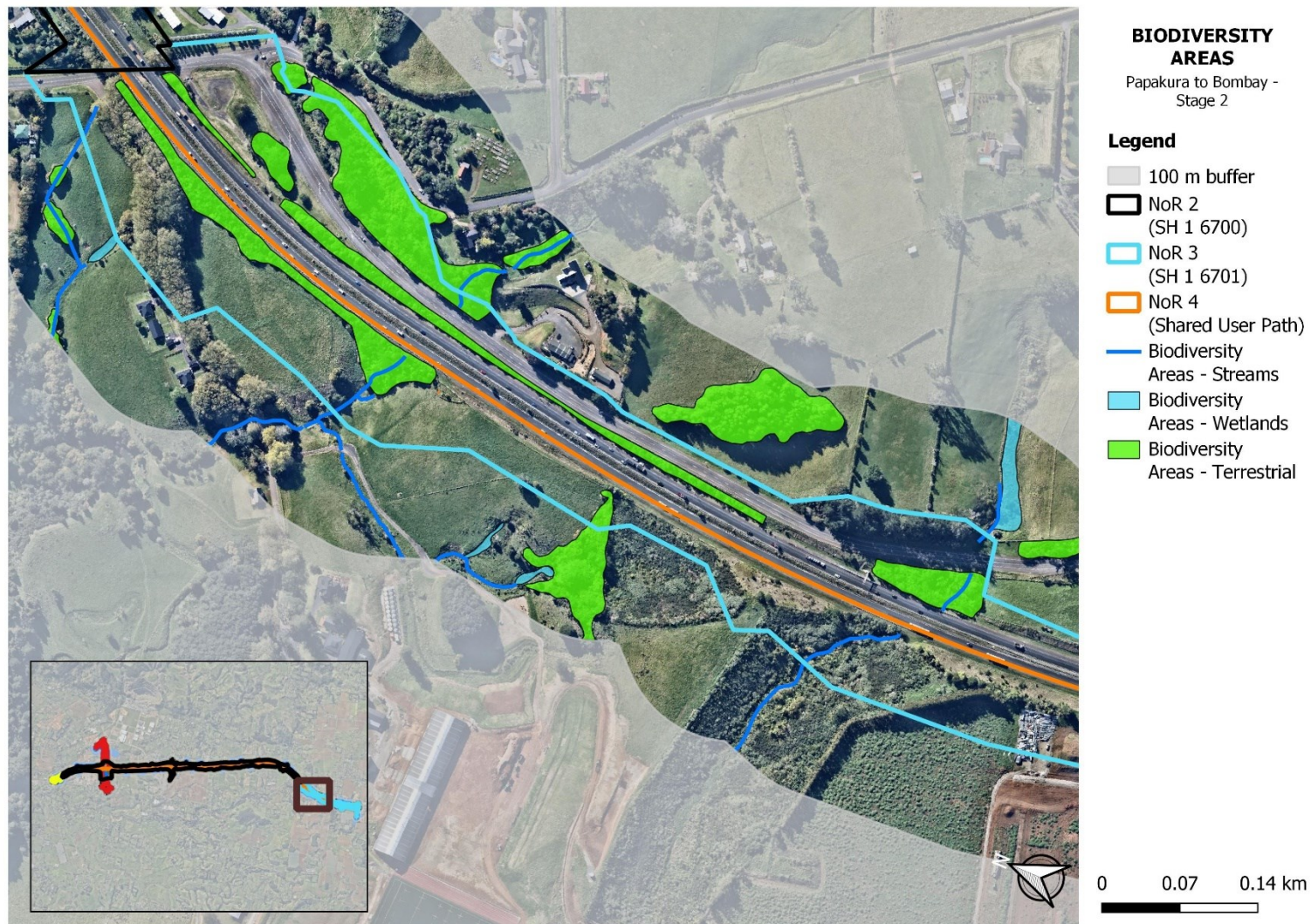
- Safety improvements including the upgrading of interchanges, wider shoulders, new barriers and improvements to lighting along the extent of the Project area;
- Upgrades to Bombay Interchange, including modification of the existing intersections, and replacement and/or additions to the existing over-pass at Mill Road;
- Associated works including intersections, bridges, embankments, retaining structures, culverts and stormwater management systems;
- Changes to local roads, where the proposed work intersects with local roads; and
- Construction activities including construction areas, construction traffic management and the re-grade of driveways.

Concept Plan



Schedule 2: Ecology

Identified Biodiversity Areas



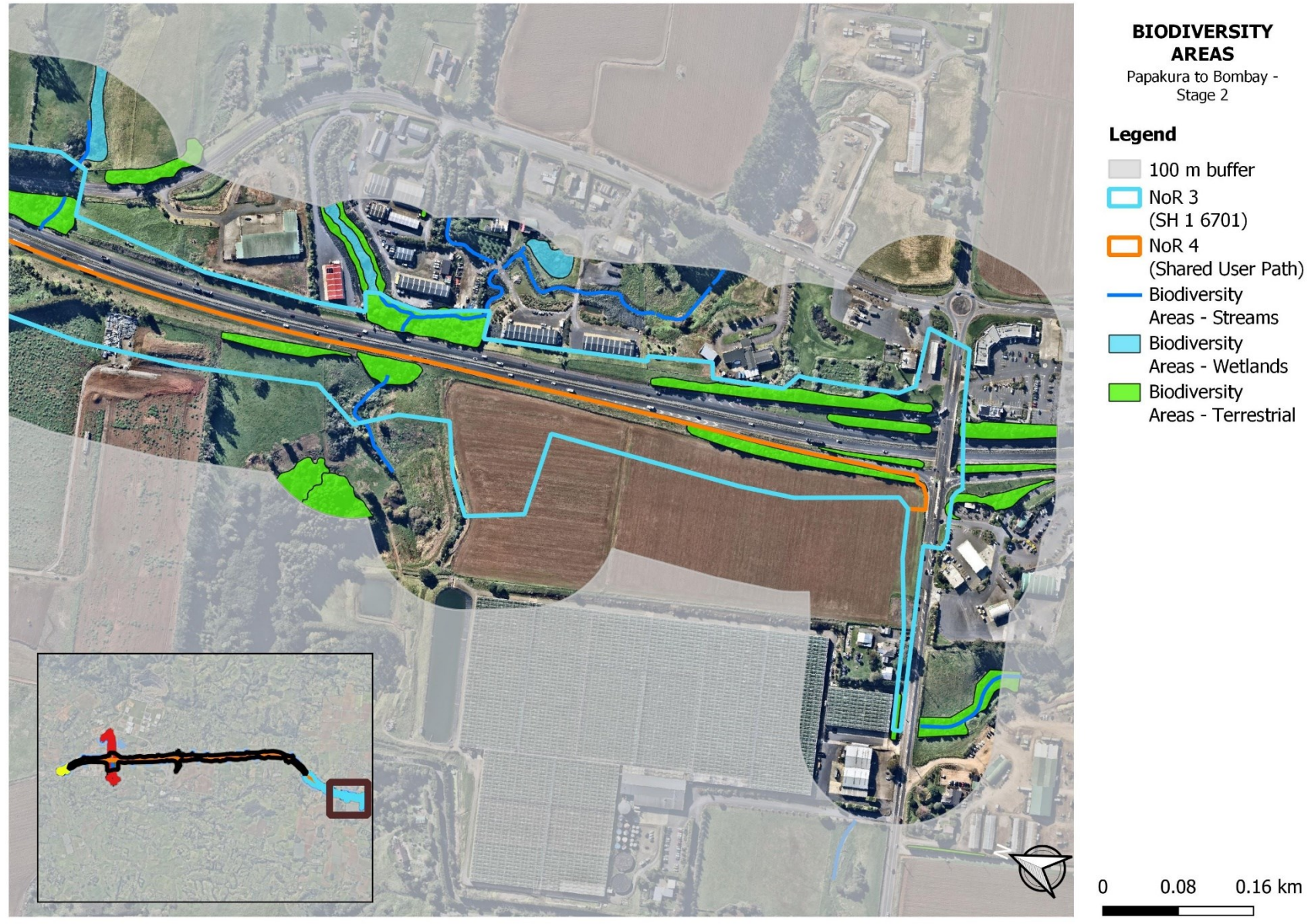


Table 10 EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems (2nd Edition, 2018)

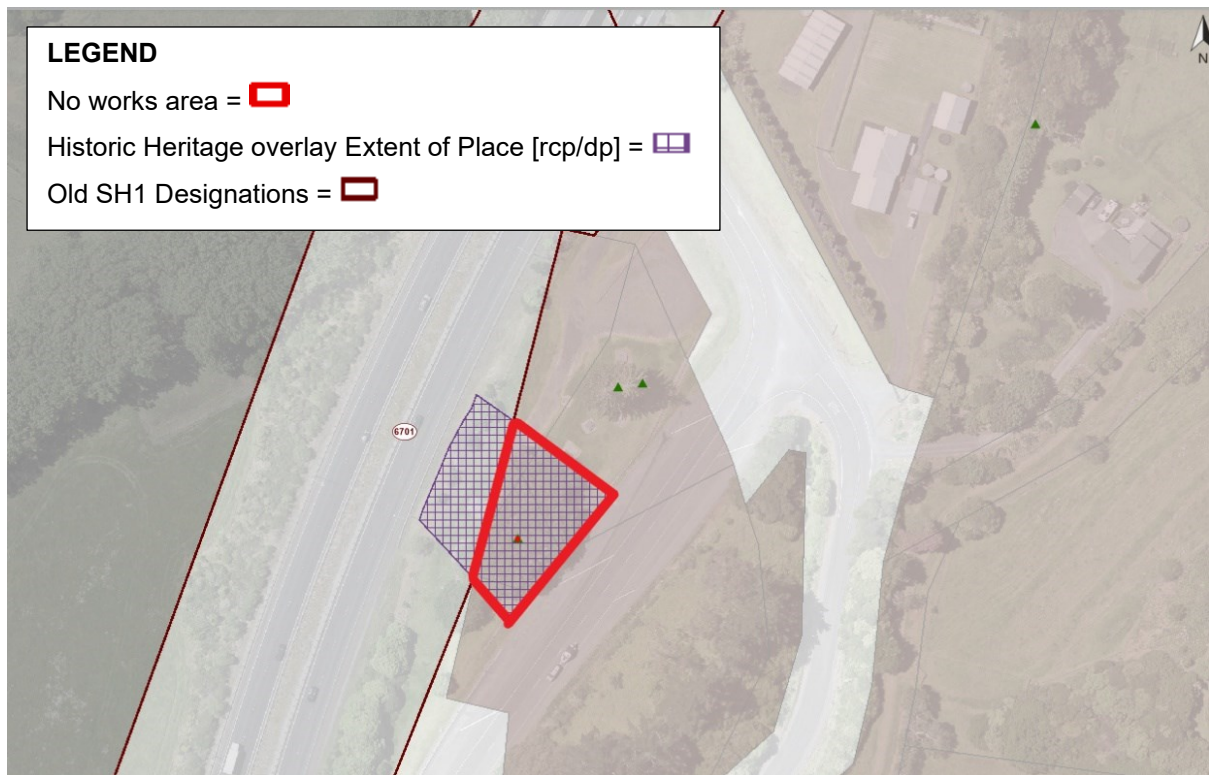
Table 10. Criteria for describing level of effects (Adapted from Regini (2000) and Boffa Miskell (2011))

Ecological Value ► Magnitude ▼	Very high	High	Moderate	Low	Negligible
Very high	Very high	Very high	High	Moderate	Low
High	Very high	Very high	Moderate	Low	Very low
Moderate	High	High	Moderate	Low	Very low
Low	Moderate	Low	Low	Very low	Very low
Negligible	Low	Very Low	Very low	Very low	Very low
Positive	Net gain	Net gain	Net gain	Net gain	Net gain

Schedule 3: Trees to be included in Tree Management Plan

Status	Tree / Group No.	Vegetation Type	Protection	Location	Species	Age	Comments
Portion to be removed.	1	Group of Trees	SEA (Private land)	Within 1799B Great South Road adjacent to SH1	Mixed exotic and indigenous species (Eucalyptus, Puriri, Taraire etc)	Semi – Mature to mature	Portion to be removed for future Shared User Path.
Likely to be removed/ portion to be removed.	2	Group of Trees	Strategic Corridor/Road reserve	Boundary of 1832 Great South Road	20x London Plane trees (semi-mature)	Semi-mature	Removal currently proposed to accommodate upgraded motorway infrastructure including a for Shared Use Path.
Likely to be removed/ portion to be removed.	3	Group of Trees	Strategic Corridor/Road reserve and Private land Notable x37	1832 Great South Road	18x Notable Plane trees affected. 6x removals	Mature	Removal currently proposed to accommodate upgraded motorway infrastructure including a Shared Use Path.
To be retained and protected	4	Group of Trees	Road Reserve	SEC 4 SO 69909, SEC 3 SO 69909, Pt Lot B DP 6559, Pt Lot B DP 6559	Notable Group of Puriri trees	Mature	To be retained and protected as part of works
To be retained and protected	5	Group of Trees	Road Reserve	1832 Great South Road Bombay. To southeast of SH1.	2x Notable Norfolk Island Pine trees	Mature	To be retained and protected as part of works
To be retained and protected	7	Group of Trees	Road Reserve (Not protected due to adjacent Rural zone)	Western side of Maher Road near intersection.	Pin Oak trees x3	Mature	To be retained and protected as part of works
Possible removal / works within protected root zone	8	Single tree	Notable tree	Within 185 Mill Road, Bombay.	Puriri tree	Mature	Removal currently proposed for Shared Use Path and batter.

Schedule 4: Protected heritage site (Bishop Selwyn Cairn)



[# Council to allocate #] Shared User Path

Designation Number	[# Council to allocate #]
Requiring Authority	New Zealand Transport Agency
Location	State Highway 1 from approximately 200 metres north of Quarry Road, Drury to Bombay Interchange/Mill Road.
Lapse Date	In accordance with section 184(1)(c) of the RMA, this designation shall lapse if not given effect to within 20 years from the date which it is included in the AUP.

Purpose

Construction, operation and maintenance of a shared path and associated infrastructure.

Conditions

Definitions and Explanation of Terms

The table below defines the acronyms and terms used in the conditions.

Abbreviation/term	Meaning/definition
AEE	The Assessment of Effects on the Environment for Stage 2 of the Papakura to Bombay Project
Application	The notices of requirement and supporting information for Stage 2 of the Papakura to Bombay Project dated 16 February 2024
AUP	Auckland Unitary Plan Operative in Part
Best Practicable Option	Has the same meaning as in section 2 of the RMA 1991.
Biodiversity Area	Area or areas of ecological value where the Project ecologist has identified that the Project will potentially support moderate or higher values, or have a moderate or greater level of ecological effect, prior to implementation of impact management measures, as determined in accordance with the EIANZ guidelines.
CEMP	Construction Environmental Management Plan
CNVMP	Construction Noise and Vibration Management Plan
CMP	Cultural Management Plan
Completion of Construction	When construction of the Project (or the relevant part of the Project) is complete and it is available for use.
Construction Works	Activities undertaken to construct the Project under these designations/resource consents, excluding Enabling Works.

Abbreviation/term	Meaning/definition
Council	Auckland Council
CTMP	Construction Traffic Management Plan
EIANZ	Environment Institute of Australia and New Zealand
EMP	Ecological Management Plan
Enabling Works	Includes the following and similar activities: <ul style="list-style-type: none"> • Geotechnical investigations and land investigations, including formation of access on land for investigations; • Establishing site yards, site offices, site entrances and fencing; • Constructing site access roads; • Relocation of services; • Establishing mitigation measures (such as erosion and sediment control measures, earth bunds and planting).
HHMP	Historic Heritage Management Plan
Historic Heritage	Meaning as in the Resource Management Act 1991
HNZPT	Heritage New Zealand Pouhere Taonga
Manager	The Manager – Resource Consents, of Auckland Council, or authorised delegate.
Network Utility Operator	Has the same meaning as set out in section 166 of the RMA
NOR	Notice(s) of Requirement
NUMP	Network Utility Management Plan
NZTA	NZ Transport Agency Waka Kotahi
NZTA Southern Iwi Integration Group (IIG)	A collective of iwi representatives in Southern Auckland who meet regularly to discuss and advise on matters related to NZTA activities.
Outline Plan of Works	An outline plan prepared in accordance with section 176A of the RMA.
Project	The construction, operation, and maintenance of Stage 2 of the Papakura to Bombay Project and associated works.
Project Liaison Person	The person or persons appointed by the Requiring Authority / Consent Holder to be the main and readily accessible point of contact for persons wanting information about the Project or affected by the construction work.
Requiring Authority	NZ Transport Agency Waka Kotahi
RMA	Resource Management Act 1991

Abbreviation/term	Meaning/definition
Schedule	A schedule sets out the best practicable option for the management of noise and/or vibration effects for a specific construction activity and/or location beyond those measures set out in the CNVMP.
SCEMP	Stakeholder Communications and Engagement Management Plan
SUP	Shared use path
Specific Area	Specific Area relates to a particular site within the Stage 2 works areas.
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), or works referred to in a specific condition or Stage, start.
Suitably Qualified Person	A person (or persons) who can provide sufficient evidence to demonstrate their suitability and competence in the relevant field of expertise.
TIMP	Transpower Infrastructure Management Plan
TMP	Tree Management Plan
ULDF	Urban and Landscape Design Framework
ULDMP	Urban and Landscape Design Management Plan

Conditions

Ref	Condition
General Conditions (GC)	
Activity in General Accordance with Plans and Information	
GC.1	<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; (ii) the Project description and concept plan in Schedule 1, and the management plans prepared in general accordance with the conditions of the designation, the requirements of the management plans shall prevail.
Project Information	
GC.2	<p>(a) A project website, or equivalent virtual information source, shall be established as soon as reasonably practicable, and within six months of the date on which this designation is included in the AUP. All directly affected owners and occupiers shall be notified in writing once the website or equivalent information source has been</p>

	<p>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 information on how/where they can receive additional support following confirmation of the designation; (v) a subscription service to enable receipt of project updates by email; and (vi) when and how to apply for consent for works in the designation under s176(1)(b) of the RMA. <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>
Designation Review	
GC.3	<p>(a) As soon as practicable following Completion of Construction the Requiring Authority shall:</p> <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 the Manager in accordance with section 182 of the RMA for the removal of those parts of the designation identified above.
GC.4	The preparation of all plans and all actions required by these conditions shall be undertaken by a Suitably Qualified Person.
Designation Lapse	
GC.5	In accordance with section 184(1)(c) of the RMA, this designation shall lapse if not given effect to within 20 years from the date on which it is included in the AUP.
Network Utility Operators (Section 176 Approval)	
GC.6	<p>(a) Prior to the start of Construction Works, Network Utility Operators with existing infrastructure 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 urgent 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 on the work authorised by the designation as the existing utility.

	(b) To the extent that a record of written approval is required for the activities listed above, this condition shall constitute written approval.
Pre-construction conditions (PC)	
Pre-construction site meeting	
PC.1	<p>At least five working days prior to the Start of Construction, a preconstruction meeting shall be arranged with the Manager as follows:</p> <ul style="list-style-type: none"> (a) The meeting shall be located on the Project site unless otherwise agreed; (b) The meeting shall include representation from the contractor who will undertake the works; (c) The following information shall be made available at the pre- construction meeting: <ul style="list-style-type: none"> (i) Conditions of consent; (ii) Timeframes for key stages of the works authorised under this consent; (iii) Contact details of the site contractor and other key contractors; (iv) All relevant management plans; and (d) Representatives of the NZTA Southern IIG shall be invited to attend the pre-construction meeting.
PC.2	Prior to the Start of Construction, appropriate provision shall be made for a cultural induction of the contractor's staff. The NZTA Southern IIG or its nominated representative(s) (cultural monitors) shall be invited to participate.
Outline Plan(s) of Works (designation)	
PC.3	<ul style="list-style-type: none"> (a) An Outline Plan (or Plans) shall be prepared in accordance with section 176A of the RMA. (b) 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 (c) Outline Plan (or Plans) shall include any of the following management plan or plans that are relevant to the management of effects of those activities or Stage of Work, prepared in consultation with the NZTA Southern IIG: <ul style="list-style-type: none"> (i) Construction Traffic Management Plan (CTMP); (ii) Construction Noise and Vibration Management Plan (CNVMP); (iii) Construction Environmental Management Plan (CEMP); (iv) Historic Heritage Management Plan (HHMP); (v) Ecological Management Plan (EMP); (vi) Tree Management Plan (TMP), (vii) Urban and Landscape Design Management Plan (ULDMP); and (viii) Network Utility Management Plan (NUMP).

	(d) The Outline Plan shall include a copy of any archaeological authority if obtained for project works.
Management Plans	
PC.4	<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); (iii) Include sufficient detail relating to the management of effects associated with the relevant activities and/or Stage of Work to which it relates. (iv) The management plans shall summarise comments received from the NZTA Southern IIG along with a summary of where comments have; been incorporated; and where not incorporated the reasons why. (v) Be submitted as part of an Outline Plan pursuant to s176A of the RMA, with the exception of SCEMPs and CNVMP Schedules. (vi) Once finalised, uploaded to the Project website or equivalent virtual information source. <p>(b) Any management plan developed in accordance with Condition PC.3 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. (ii) Except for material changes, be amended to reflect any changes in design, construction methods or management of effects without further process. (iii) 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 as soon as practicable following identification of the need for a revision; <p>(c) Any material changes to the SCEMPs, are to be submitted to the Council for information.</p>
PC.5	<p>Prior to the lodgement of any outline plan of works for activities on the following roads</p> <ul style="list-style-type: none"> (a) Quarry Road; (b) Great South Road; (c) Maher Road; (d) Ararimu Road (Ramarama Interchange); and , (e) Mill Road (Bombay Interchange). <p>NZTA will consult with Auckland Transport regarding the extent and duration of temporary and on-going effects of the works on the local road network.</p> <p>ADVICE NOTE:</p> <p>Where any parts of the works are to be vested with Auckland Council, separate approval will be required from Auckland Council including an Engineering Approval.</p>

Stakeholder Communication and Engagement Management Plan (SCEMP)

PC.6	<ul style="list-style-type: none"> (a) A Stakeholder Communication and Engagement Management Plan (SCEMP) shall be submitted to the Manager for information at least 10 working days prior to the Start of Construction. (b) The purpose of the SCEMP is to identify how the public and stakeholders (including directly affected and adjacent owners and occupiers of land) will be communicated and engaged with throughout the Construction Works. (c) To achieve the purpose, the SCEMP shall include: <ul style="list-style-type: none"> (i) 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); (ii) 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; (iii) methods for engaging with the NZTA Southern IIG, to be developed in consultation with the NZTA Southern IIG; (iv) a list of stakeholders, organisations, businesses and persons who will be communicated with; (v) methods to communicate the proposed hours of construction activities outside of normal working hours and on weekends and public holidays, to surrounding businesses and residential communities; (vi) linkages and cross-references to communication methods set out in other conditions and management plans where relevant. (d) Any SCEMP prepared for a Stage of Work shall be submitted to the Manager for information ten working days prior to the Start of Construction for a Stage of Work.
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Urban and Landscape Design Management Plan (ULDMP)

PC.7	<ul style="list-style-type: none"> (a) A ULDMP shall be submitted with the Outline Plan of Works prior to the Start of Construction of 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 rural-urban context; (ii) Ensure that the Project manages potential adverse landscape and visual effects as far as practicable and contributes to a quality environment; and (iii) Acknowledge and recognise the whakapapa mana whenua have to the Project area. (c) Representatives of the NZTA Southern IIG shall be invited to participate in the development of the ULDMP(s) at least six (6) months prior to the start of detailed design for the Stage of Work to provide input into cultural landscape and design matters. This shall include (but not limited to) how desired outcomes for management of potential effects on cultural sites, landscapes and values including where identified in condition CC.27 (Historic Heritage Management Plan) may be reflected in the ULDMP.
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	<p>(d) Stakeholders identified through Conditions PC.6 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 the:</p> <ul style="list-style-type: none"> (i) The principles contained in the Project Urban and Landscape Design Framework (ULDF) Rev G dated February 2024; (ii) NZTA P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent version, and; (iii) NZTA Landscape Guidelines (March 2018) or any subsequent version. <p>(f) To achieve the objective, the ULDMP(s) 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 opportunities to incorporate Mana Whenua Values and cultural narrative through 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 opportunities for cultural expression through, for example mahi toi, art, sculptures or other public amenity features will be provided; and D. how opportunities to utilise flora and fauna with a specific connection to the area are provided; (iii) Is consistent with an integrated stormwater management approach which prioritises in the following order: <ul 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. (iv) Provides appropriate walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses, public transport infrastructure and walking and cycling connections. Particular consideration should be given to enhancing the convenience and legibility of pedestrian and cycle connections through the Project Interchanges; (v) Promotes inclusive access (where appropriate); and (vi) 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. (vii) Retains mature trees and native vegetation, where practicable.
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	<p>(g) The ULDMP(s) shall include:</p> <ul style="list-style-type: none"> (i) A concept plan – 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; and (iii) Landscape and urban design details. <p>(h) The ULDMP shall be designed to integrate with any Historic Heritage information or sites affected by this project, including the provision of interpretation signage, if appropriate.</p> <p>(i) The ULDMP shall also include the following planting details and maintenance requirements:</p> <ul style="list-style-type: none"> (i) Tree management and planting design details including: <ul style="list-style-type: none"> A. Measures to ensure construction works within the designation are managed to avoid, remedy or mitigate effects on vegetation identified as protected or notable in Schedule 3. B. Identification of existing trees and vegetation that will be retained, and any planting requirements under Condition CC.29 (Ecological Management Plan). C. Street trees, shrubs and ground cover suitable for the location; D. Treatment of fill slopes to integrate with adjacent land use, streams, Riparian margins and open space zones; E. Planting of stormwater wetlands; 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) Design of all embankments shall enable mass planting of native trees, shrubs and groundcover. Where steeper slopes are unavoidable, mass planting is not advised, and they must be minimised and stabilised sufficiently, applying an architectural façade, or screened from public interfaces; (iii) 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 (iv) 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.
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Network Utilities Integration	
PC.9	The Requiring Authority shall consult with Network Utility Operators during the detailed design phase with respect to their existing assets and to consider opportunities to enable, or not preclude, the development of new network utility facilities including access to power and ducting within the Project, where practicable to do so. The consultation undertaken, opportunities considered, and whether or not they have been incorporated into the detailed design, shall be summarised in the Outline Plan(s) prepared for the Project.
Specific Outline Plan Requirements (OPW)	
Flood	
OPW.1	<p>(a) The Project shall be designed to ensure post-Project flood risk defined as flood levels, during a 1% AEP event, are maintained at pre-Project levels outside the designation extent or confined to stream banks existing as at the time of the submission of the Outline Plan outside the designation extent. Stream banks means the raised border to a permanent natural stream that constrains the water's usual movement.</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 Existing Development without climate change, pre-Project and post-Project, and Existing Development with Maximum Probable Development land use and including climate change, pre-Project and post-Project).</p>
Existing Property Access	
OPW.2	Prior to submission of the Outline Plan, consultation shall be undertaken with landowners and occupiers whose vehicle access to their property will be altered by the project. The Outline Plan shall demonstrate how safe reconfigured or alternate access will be provided.
Construction Conditions (CC)	
General	
CC.1	Subject to compliance with the Consent Holder's health and safety requirements and provision of reasonable notice, the servants or agents of Council shall be permitted to have access to relevant parts of the construction sites controlled by the Consent Holder at all reasonable times for the purpose of carrying out inspections, surveys, investigations, tests, measurements and/or to take samples.
CC.2	A copy of the plans and these designation and resource consent conditions shall be kept either electronically or in hard copy on-site at all times that Enabling Works and Construction Works are being undertaken
CC.3	2-5 earthmoving machinery, pumps, generators and ancillary equipment must be operated in a manner that ensures spillages of fuel, oil and similar contaminants are prevented, particularly during refuelling and machinery services and maintenance.

CC.3A	The land modification works proposed must be undertaken in a manner which ensures that the land within the site and the land on adjoining properties remain stable at all times. In this regard the consent holder must employ a suitably qualified civil / geotechnical engineer to investigate, direct and supervise - land modification works, particularly in close proximity to neighbouring properties, to ensure that an appropriate design and construction methodology is carried out to maintain the short and long term stability of the site and surrounds.
Construction Environmental Management Plan	
CC.4	<ul style="list-style-type: none"> (a) A Construction Environmental Management Plan (CEMP) shall be submitted with the Outline Plan of Works prior to the Start of Construction of a Stage of Work. (b) The purpose 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. (c) To achieve the purpose, 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) the location, configuration and screening of construction yards to minimise visibility from sensitive activities such as residential, community and open space uses; (v) the proposed site layouts (including construction yards), locations of refuelling activities and 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) 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; (xiii) methods for amending and updating the CEMP as required; (xiv) methodology and staging for demolition of existing fences and construction of replacement fences, adjacent to residential sites; and

	<p>(xv) confirmation that the construction methodology manages the potential for an increase in flood risk during construction through consideration of mitigation to include but not limited to:</p> <ul style="list-style-type: none"> A. construction activities undertaken outside of flood plains and overland flow paths where practicable; B. scheduling of construction activities during dry periods; and C. staging of construction activities. <p>(d) Any CEMP prepared for a Stage of Work shall be submitted to the Manager for information at least ten working days before the Start of Construction for a Stage of Work.</p> <p>(e) The CEMP shall be prepared having regard to the NZTA Guideline for Preparing Environmental and Social Management Plans (April 2014), or any subsequent version.</p>
CC.5	If the CEMP required by condition CC.4 is amended or updated, the revised CEMP shall be submitted to the Manager for information within five (5) working days of the update being made.
Complaints Management Process	
CC.6	<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) The weather conditions at the time of the complaint (as far as practicable), including wind direction and approximate wind speed if the complaint relates to air quality, odour or noise and where weather conditions are relevant to the nature of the complaint; (iv) Measures taken to respond to the complaint or confirmation of no action if deemed appropriate (including a record of the response provided to the complainant) (v) The outcome of the investigation into the complaint; (vi) 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>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>
CC.7	Complaints related to Construction Works shall be responded to as soon as reasonably practicable and as appropriate to the circumstances.
Network Utility Management Plan	
CC.8	(a) A Network Utility Management Plan (NUMP) shall be submitted with the Outline Plan of Works prior to the Start of Construction of a Stage of Work.

	<p>(b) The objective of the NUMP is to set out a framework for protecting, relocating and working in proximity to existing network utilities.</p> <p>(c) 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; <p>(d) The NUMP shall be prepared in consultation with the relevant Network Utility Operator(s) who have existing assets that are directly affected by the Project.</p> <p>(e) The NUMP shall describe how any comments from the Network Utility Operator in relation to its assets have been addressed.</p> <p>(f) Any comments received from the Network Utility Operator shall be considered when finalising the NUMP.</p> <p>(g) Any amendments to the NUMP related to the assets of a Network Utility Operator shall be prepared in consultation with that asset owner.</p>
Transpower	
CC.9	Temporary and permanent works in the vicinity of overhead transmission assets shall be designed and undertaken to comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).
CC.10	Temporary and permanent works shall be designed to mitigate Earth Potential Rise (EPR) where the use of conductive materials for road infrastructure (e.g. metallic barriers, lighting, noise walls) or relocated network utilities are within 50m of the Bombay to Otahuhu A (BOB-OTA-A) 110kV, Glenbrook – Deviation A (GLN-DEV-A) 220 KV and Huntly to Otahuhu A (HLY-OTA-A) 220kV transmission assets.
CC.11	Temporary and permanent works shall be designed so that the vertical clearance provided between the transmission line conductors and the finished road level of State Highway 1 (including approach roundabouts and on/off ramps) is a minimum of 9.5 metres for the BOB-OTA-A 110kV line, 10.5m for the GLN-DEV-A 220 KV and the HLY-OTA-A 220kV line.
CC.12	Temporary and permanent works shall be designed to maintain a comparable standard of access to the BOB-OTA-A 110kV, GLN-DEV-A 220 KV and HLY-OTA-A 220kV transmission assets for maintenance at all reasonable times, and emergency works at all times.
CC.13	Proposed planting and ongoing maintenance of trees and vegetation in the vicinity of overhead transmission lines shall comply with the Electricity (Hazards from Trees) Regulations 2003.
CC.14	Species planted within 12m of the centreline of the National Grid transmission lines shall not exceed 2m in height. When planted, trees (at full maturity height) shall not be able to fall within 4m of a transmission line conductor at maximum swing.
Transpower Infrastructure Management Plan	

CC.15	A Transpower Infrastructure Management Plan (TIMP) shall be prepared prior to the start of construction works within fifty metres of the transmission assets listed in Condition 17(ii) below. The TIMP shall be prepared in consultation with Transpower.
CC.16	The purpose of the TIMP is to set out the management procedures and construction methods to be undertaken so that works are safe and any potential adverse effects of works on Transpower assets are appropriately managed.
CC.17	<p>(a) To achieve the purpose, the TIMP shall include:</p> <ul style="list-style-type: none"> (i) Roles and responsibilities of staff and contractors responsible for implementation of the TIMP. (ii) Drawings showing proposed works in the vicinity of, or directly affecting, the following transmission assets: <ul style="list-style-type: none"> A. Bombay to Otahuhu A (BOB-OTA-A) 110kV B. Glenbrook – Deviation A (GLN-DEV-A) 220 KV C. Huntly to Otahuhu A (HLY-OTA-A) 220kV (iii) Proposed staff and contractor training for those working near the transmission assets. (iv) Proposed methods to comply with Conditions CC.9 – CC.12 above; (v) Proposed methods to comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP 34: 2001). (vi) Dispensations agreed with Transpower for any construction works that cannot meet New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP 34:2001). (vii) Proposed methods to: <ul style="list-style-type: none"> A. Maintain access to the BOB-OTA-A 110kV, GLN-DEV-A 220 KV and HLY-OTA-A 220kV transmission assets for maintenance at all reasonable times, and emergency works at all times; B. Delineate areas that are out of bounds during construction and areas within which additional management measures are required, such as fencing off, entry and exit hurdles, maximum height limits, or where a Transpower observer may be required; C. Manage the effects of dust (including any other material potentially resulting from construction activities able to cause material damage beyond normal wear and tear) on the transmission lines; D. Manage any changes to drainage patterns, runoff characteristics and stormwater to avoid adverse effects on foundations of any support structure; E. Manage construction activities that could result in ground vibrations and/or ground instability to avoid causing damage to transmission lines and support structures.
CC.18	The TIMP shall include confirmation that it has been reviewed and endorsed by Transpower and shall be submitted to Council for information.

CC.19	<p>Construction works shall not commence within fifty metres of the BOB-OTA-A 110kV, GLN-DEV-A 220 KV and HLY-OTA-A 220kV transmission assets until the TIMP required by Condition CC.15 above has been completed and either:</p> <p>(a) the Project has been designed to comply with Condition CC.9 – CC.12 above; or</p> <p>(b) the BOB-OTA-A 110kV, GLN-DEV-A 220 KV and HLY-OTA-A 220kV transmission assets have been relocated or altered as agreed by Transpower.</p>
CC.20	<p>Construction works shall be undertaken in accordance with the TIMP prepared in accordance with Condition CC.17 above.</p> <p>ADVICE NOTE:</p> <p>Written notice should be provided to Transpower 10 working days before starting works within 50 metres of transmission assets. Written notice should be sent to: transmission.corridor@transpower.co.nz</p>
Cultural Monitoring Plan	
CC.21	<p>(a) A Cultural Monitoring Plan shall be submitted to the Manager for information at least 10 working days prior to the Start of Construction. The Cultural Monitoring Plan shall be prepared by a person identified in collaboration with the NZTA Southern IIG.</p> <p>(b) The purpose of the Cultural Monitoring Plan is to set out the agreed cultural monitoring requirements and measures to be implemented during construction activities, to acknowledge the historic and living cultural values of the area to the NZTA Southern IIG and to minimise potential adverse effects on these values.</p> <p>(c) 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 the NZTA Southern IIG; (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 nominated by the NZTA Southern IIG to undertake cultural monitoring, including any geographic definition of their responsibilities; and (v) Details of personnel nominated by the NZTA Southern IIG to assist with management of any issues identified during cultural monitoring. <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 and Experienced Person identified in collaboration with the NZTA Southern IIG. This plan may be prepared as a standalone Enabling Works Cultural Monitoring Plan or be included in the main Construction Works Cultural Monitoring Plan and include the requirements of condition CC.21.1(c)(i) to (v).</p>

	(e) A copy of the Cultural Monitoring Plan shall be provided to the Council for information.
Construction traffic management plan	
CC.22	<p>(a) A Construction Traffic Management Plan (CTMP) shall be submitted with the Outline Plan of Works prior to the Start of Construction of a Stage of Work. The CTMP shall be prepared in consultation with Auckland Transport (including Auckland Transport Metro), in accordance with NZTA most recent guidelines for temporary traffic management. The outcome of consultation undertaken between the Requiring Authority and Auckland Transport shall be documented including any Auckland Transport comments not incorporated within the final CTMP submitted to the Manager.</p> <p>(b) The purpose of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects.</p> <p>(c) To achieve this purpose, the CTMP shall include:</p> <ul style="list-style-type: none"> (i) methods to manage the effects of temporary traffic management activities on traffic capacity and movements, in consultation with Auckland Transport; (ii) measures to manage 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 schools or to manage traffic congestion; (iv) methods for engaging with Parks, Sport and Recreation and Land Advisory, to be developed in consultation with Parks, Sport and Recreation and Land Advisory; (v) 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; (vi) methods to manage any road closures that will be required and the nature and duration of any traffic management measures such as the identification of detour routes, temporary restrictions, or diversions and other methods for the safe management and maintenance of traffic flows, including general traffic, buses (including along Great South Road, and Ararimu Road), pedestrians and cyclists, on existing roads. Such access shall be safe, clearly identifiable and seek to minimise significant detours; (vii) methods to maintain pedestrian and/or vehicle access to private property and/or private roads where practicable, or to provide alternative access arrangements when it will not be; (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);

	<ul style="list-style-type: none"> (x) Auditing, monitoring and reporting requirements relating to traffic management activities shall be undertaken in accordance with the NZTA most recent guidelines for temporary traffic management; (xi) Methods to manage the availability of on-street and off-street parking if the designated site is unable to accommodate all contractor parking. This shall include an assessment of available parking (if any) for contractors on street and identify measures to meet and/or reduce contractor parking demand for on-street parking to meet this demand; (xii) Methods for recognising and providing for the on-going operation of Auckland Transport managed passenger transport services; (xiii) Methods to maintain the functional operational and recreational access to any Auckland Council Park land during construction where practicable. <p>ADVICE NOTE:</p> <p>Where construction activities may affect the local road network, separate approval will be required from Auckland Transport (as the road controlling authority). The approval will likely include a Corridor Access Request and accompanying Traffic Management Plan.</p>
Construction noise and vibration management plan	
CC.23	<ul style="list-style-type: none"> (a) A Construction Noise and Vibration Management Plan (CNVMP) shall be submitted with the Outline Plan of Works prior to the Start of Construction of a Stage of Work. (b) A CNVMP shall be implemented during the Stage of Work to which it relates. (c) The purpose 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 CC.24 and CC.25 to the extent practicable. To achieve this purpose, the CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 'Acoustics – Construction Noise' (NZS6803:1999) and the NZTA State highway construction and maintenance noise and vibration guide (version 1.1, 2019), and shall as a minimum, address the following: <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) management and mitigation options, and identification of the Best Practicable Option; (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

	<p>period of construction activities, and management of noise and vibration complaints;</p> <p>(viii) contact details of the Project Liaison Person;</p> <p>(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;</p> <p>(x) procedures and requirements for the preparation of a Schedule to the CNVMP (Schedule) for those areas where compliance with the noise [Condition CC.24] and/or vibration standards [Condition CC.25] Category A or Category B will not be practicable [Condition CC.26(c)(x)];</p> <p>(xi) 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;</p> <p>(xii) methodology and programme of desktop and field audits and inspections to be undertaken to ensure that CNVMP, Schedules and the best practicable option for management of effects are being implemented; and</p> <p>(xiii) requirements for review and update of the CNVMP.</p>
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Noise Criteria

CC.24

Construction noise from the Project shall be measured and assessed in accordance with the NZS 6803:1999 and shall, as far as practicable, comply with the following criteria:

Table CC.24.1 Construction noise criteria

Day of week	Time	dB L _{Aeq} (15min)	dB L _{Amax}
Buildings containing activities sensitive to noise			
Weekdays	0630 – 0730	60	75
	0730 – 1800	75	90
	1800 – 2000	70	85
	2000 – 0630	45	75
Saturdays	0630 – 0730	45	75
	0730 – 1800	75	90
	1800 – 2000	45	75
	2000 – 0630	45	75
Sundays and Public Holidays	0630 – 0730	45	75
	0730 – 1800	55	85
	1800 – 2000	45	75
	2000 – 0630	45	75
Other occupied buildings			
All days	0730 - 1800	75	n/a
	1800 - 0730	80	n/a

- (a) Where compliance with the noise standards set out in Table CC.24.1 is not practicable, then the methodology in Condition CC.23 shall apply.

Vibration Criteria

CC.25

- (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.

Table CC.25.1 Construction vibration criteria

Receiver	Details	Category A	Category B
Occupied Activities sensitive to noise	Night-time 2000h - 0630h	0.3mm/s ppv	1mm/s ppv
	Daytime 0630h - 2000h	1mm/s ppv	5mm/s ppv
Other occupied buildings	Daytime 0630h - 2000h	2mm/s ppv	5mm/s ppv
All other buildings	At all other times Vibration transient	5mm/s ppv	BS 5228-2* Table B2
	At all other times Vibration continuous	5mm/s ppv	BS 5228-2* 50% of Table B2 values

**BS 5228-2:2009 'Code of practice for noise and vibration control on construction and open sites – Part 2: Vibration'*

- (b) Where compliance with the vibration standards set out in Table CC.24.1 is not practicable, then the methodology in Condition CC.23 shall apply.
- (c) If measured or predicted vibration from construction activities exceeds the Category A criteria, construction vibration shall be assessed and managed during those activities.
- (d) If measured or predicted vibration from construction activities exceeds the Category B criteria those activities must only proceed if vibration effects on affected buildings are assessed, monitored and mitigated.

CC.26

- (a) A Schedule to the CNVMP (Schedule) shall be prepared, in consultation with the owners and occupiers of sites subject to the Schedule to the CNVMP, when:
- construction noise is either predicted or measured to exceed the noise standards in Condition CC.24;
 - construction vibration is either predicted or measured to exceed the Category A standard at the receivers in Condition CC.25.
- (b) The purpose of the Schedule is to set out the Best Practicable Option for the management of noise and/or vibration effects of the construction activity beyond those measures set out in the CNVMP. The Schedule shall include details such as:
- construction activity location, start and finish times;
 - the nearest neighbours to the construction activity;

	<ul style="list-style-type: none"> (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 CC.24 and CC.25; (iv) the proposed mitigation; (v) the proposed communication with neighbours; and (vi) location, times and types of monitoring. <p>(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.</p>
Historic Heritage Management Plan	
CC.27	<ul style="list-style-type: none"> (a) A Historic Heritage Management Plan (HHMP) shall be submitted with the Outline Plan of Works prior to the Start of Construction of a Stage of Work. The HHMP shall be prepared in consultation with Council, HNZPT and the NZTA Southern IIG. (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) 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; B. methods for the identification and assessment of potential historic heritage places within the Designation to inform detailed design; C. 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; D. 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); E. 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; F. specific areas to be investigated, monitored and recorded to the extent these are directly affected by the Project; (ii) 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;

	<p>A. methods to acknowledge cultural values identified through the Mana Whenua CVA's and the ULDMP where archaeological sites also involve ngā taonga tuku iho (treasures handed down by our ancestors) and where feasible and practicable to do so;</p> <p>B. 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:</p> <ul style="list-style-type: none"> i. measures to mitigate adverse effects on historic heritage sites that achieve positive historic heritage outcomes such as increased public awareness and interpretation signage; and ii. 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. <p>(c) NZTA At the completion of the Historic heritage investigation component of the Project Works the Requiring Authority will provide confirmation from the Project Archaeologist to the Manager that all works have been completed in accordance with the requirements of the HHMP.</p>
Pre-Construction Ecological Survey	
CC.28	<p>(a) Prior to the start of detailed design for a Stage of Work, a Suitably Qualified Person shall prepare an updated ecological survey. The purpose of the survey is to inform the preparation of the ecological management plan by:</p> <ul style="list-style-type: none"> (i) Confirming whether the species of value identified as potentially present within Biodiversity Areas identified in Schedule 2 are actually present, and; (ii) Confirming whether the Project will or is likely to have a moderate or greater level of ecological effect on species of value, (prior to implementation of impact management measures), with the level of effect as determined in accordance with Table 10 of the EIANZ guidelines (or subsequent updated version of the table) as included in Schedule 2 to these conditions. <p>(b) If the ecological survey confirms the presence of species of value in accordance with Condition CC.28(a)(i) and that moderate or greater effects are likely in accordance with Condition CC.28(a)(ii) then an Ecological Management Plan (or Plans) shall be prepared in accordance with Condition CC.29 for these areas (Confirmed Biodiversity Areas).</p>
Ecological Management Plan (EMP)	
CC.29	<p>(a) An EMP shall be submitted with the Outline Plan of Works for any Confirmed Biodiversity Areas (confirmed through Condition CC.28) prior to the Start of Construction of a Stage of Work. 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. The EMP shall set out the methods that will be used to achieve the objective which may include:</p> <ul style="list-style-type: none"> (i) If an EMP is required in accordance with Condition CC.28(b) for the presence of long-tail bats:

	<ul style="list-style-type: none"> A. Measures to minimise as far as practicable, disturbance from construction activities within the vicinity of any active long tail bat roosts (including maternity) that are discovered through survey 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 tail 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); E. Details of measures to minimise operational disturbance from light spill; and F. Details of where opportunities for advance restoration / mitigation planting have previously been identified and implemented. <p>(ii) If an EMP is required in accordance with the Condition CC.28(b) 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; and B. Where works are required within the area identified in the Confirmed Biodiversity Area during the bird breeding season, methods to minimise adverse effects on Threatened or At-Risk birds. <p>(iii) If an EMP is required in accordance with Condition CC.28(b) 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 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 100m of any construction area (including laydown areas). Measures could include: <ul style="list-style-type: none"> i. a buffer area around the nest location and retaining vegetation. The buffer areas should be of a distance appropriate to the species and likely disturbance risk (noise, vibration and traffic) as determined by a Suitably Qualified Person. Buffer areas can be
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	<p>demarcated where necessary to protect birds from encroachment. This might include the use of marker poles, tape and signage;</p> <ul style="list-style-type: none"> ii. monitoring of the nesting Threatened or At-Risk wetland birds by a Suitably Qualified Person. Construction works within the nesting buffer areas must 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; iii. minimising the disturbance from the works if construction works are required within 100m of a nest, as advised by a Suitably Qualified Person; iv. adopting a 10m setback where practicable, between the edge of Wetlands and construction areas (along the edge of the stockpile/laydown area); and v. minimising light spill from construction areas into Wetlands. <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 (eg avifauna, herpetofauna, bats).
Tree Management Plan	
CC.30	<ul style="list-style-type: none"> (a) A Tree Management Plan shall be submitted with the Outline Plan of Works prior to the Start of Construction of a Stage of Work. The objective of the Tree Management Plan is to retain mature vegetation and native trees, where practicable and otherwise avoid, remedy or mitigate the effects of construction activities on trees, identified to be retained in Condition PC.7 (ULDMP). (b) The Tree Management Plan shall: <ul style="list-style-type: none"> (i) demonstrate how the design and location of project works has avoided, remedied or mitigated any effects on any tree identified in Condition PC.7. This may include: <ul style="list-style-type: none"> A. planting to replace trees that require removal (with reference to the ULDMP planting design details in Condition PC.7(i); B. tree protection zones and tree protection measures such as protective fencing, ground protection and physical protection of roots, trunks and branches; and C. methods for work within the rootzone of trees that are to be retained in line with accepted arboricultural standards.

Attachments

Schedule 1: General Accordance Plans and Information

Project Description:

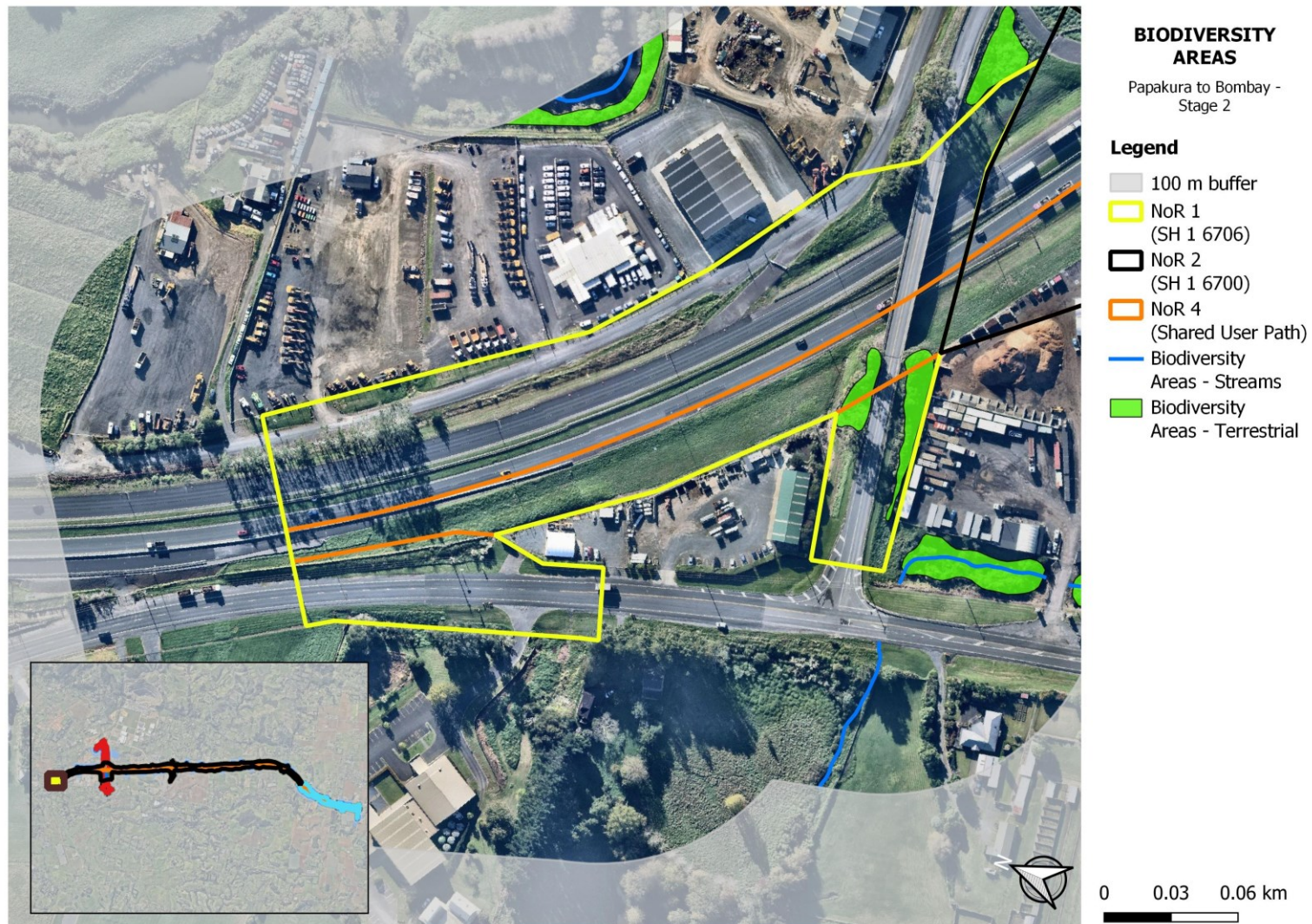
The proposed designation is for the construction, operation, maintenance of a Shared User Path between Drury Interchange and Bombay Interchange, and associated infrastructure. The proposed work is shown in the following Concept Plan and includes:

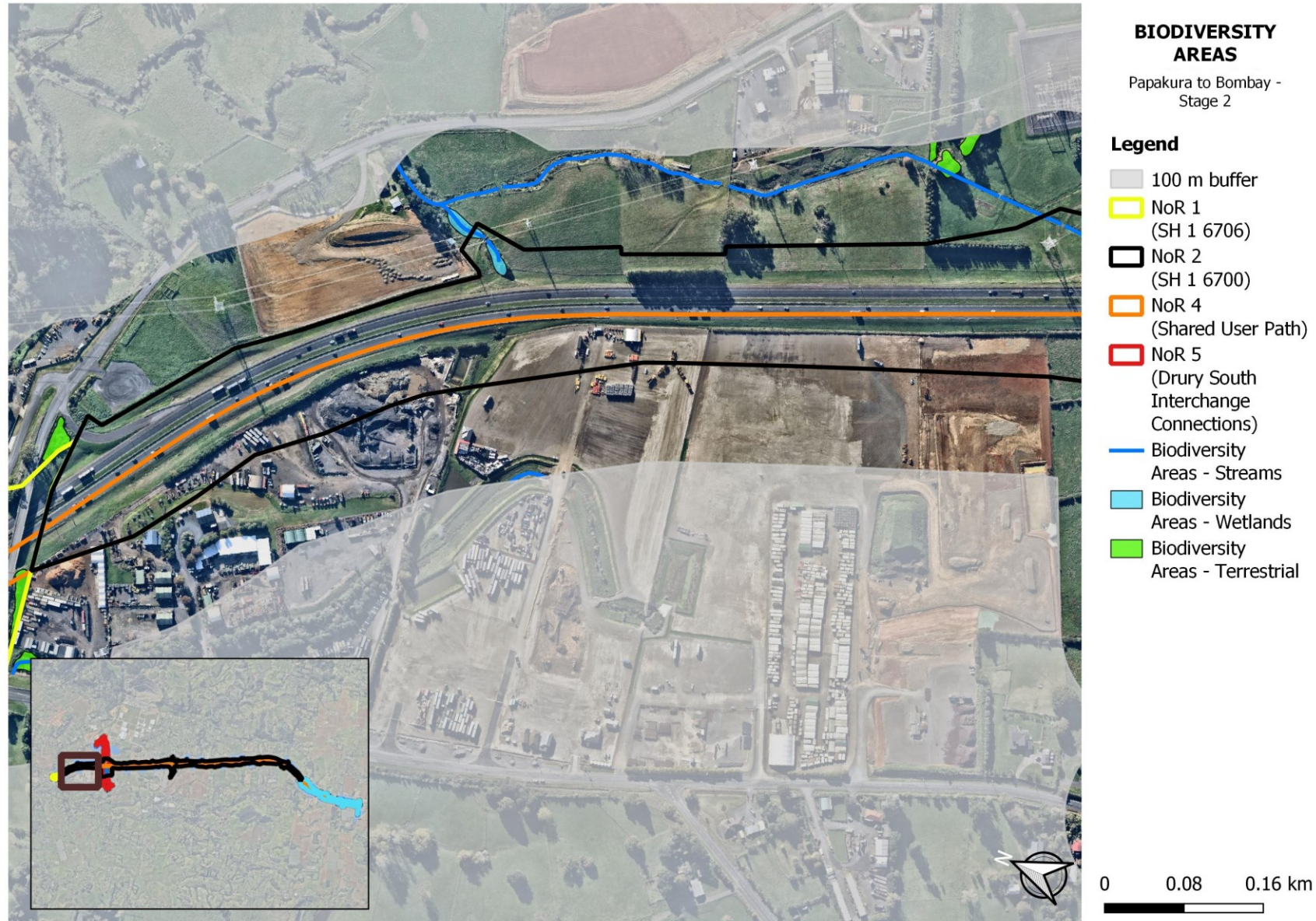
- Associated works including intersections, bridges, embankments, retaining walls, culverts and stormwater management systems;
- Changes to local roads, where the proposed work intersects with local roads; and
- Construction activities including construction areas, construction traffic management and the re-grade of driveways.

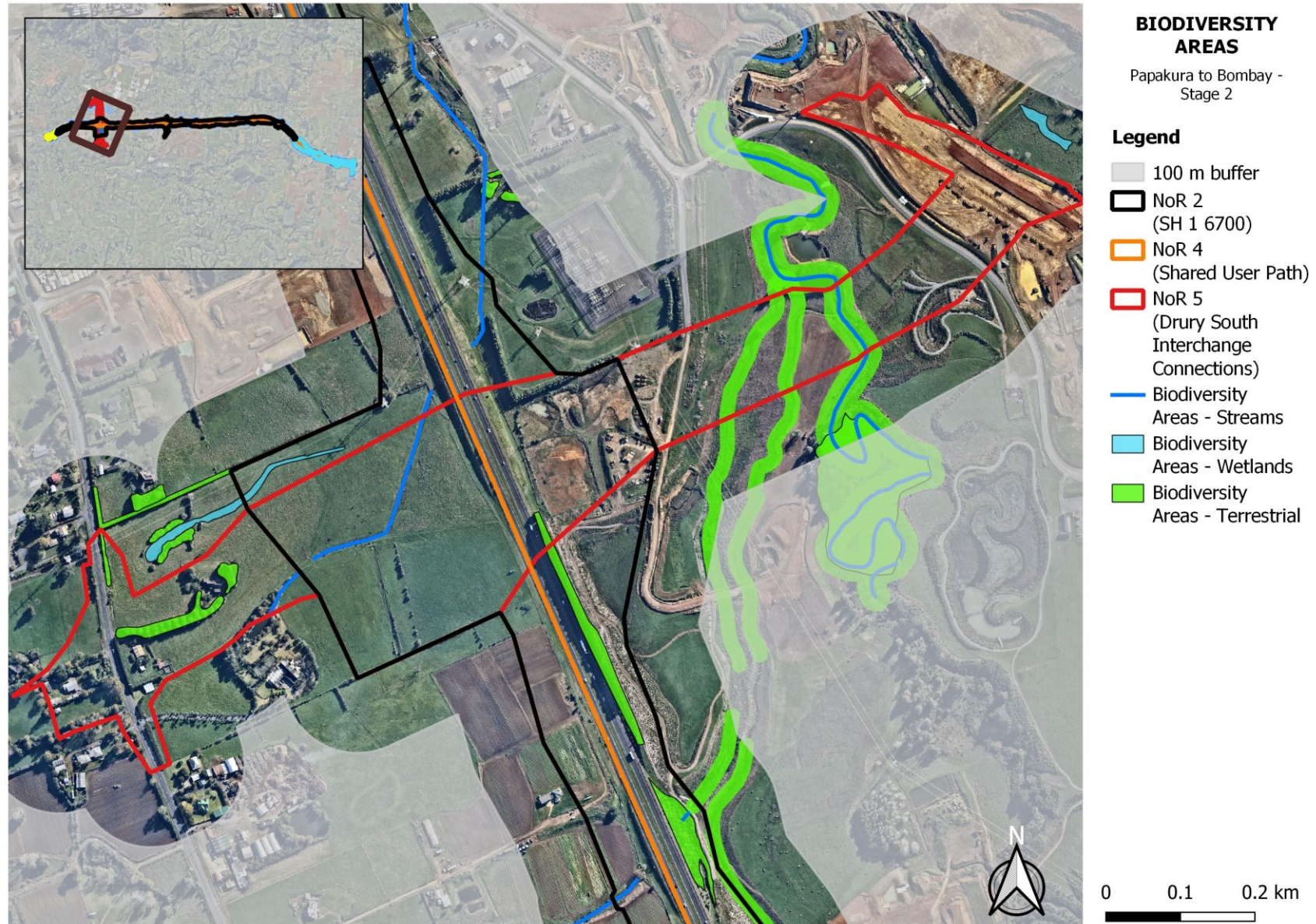


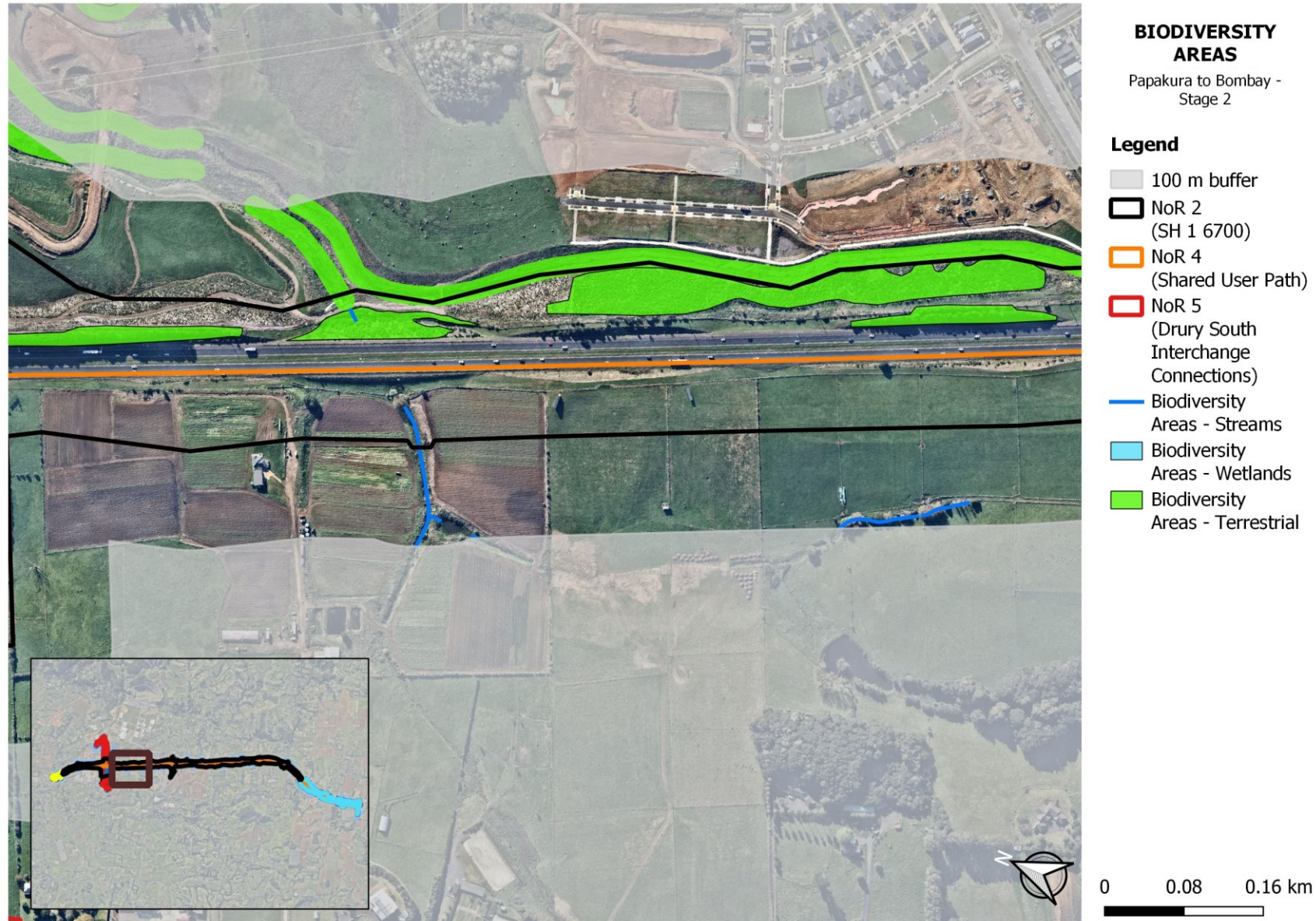
Schedule 2: Ecology

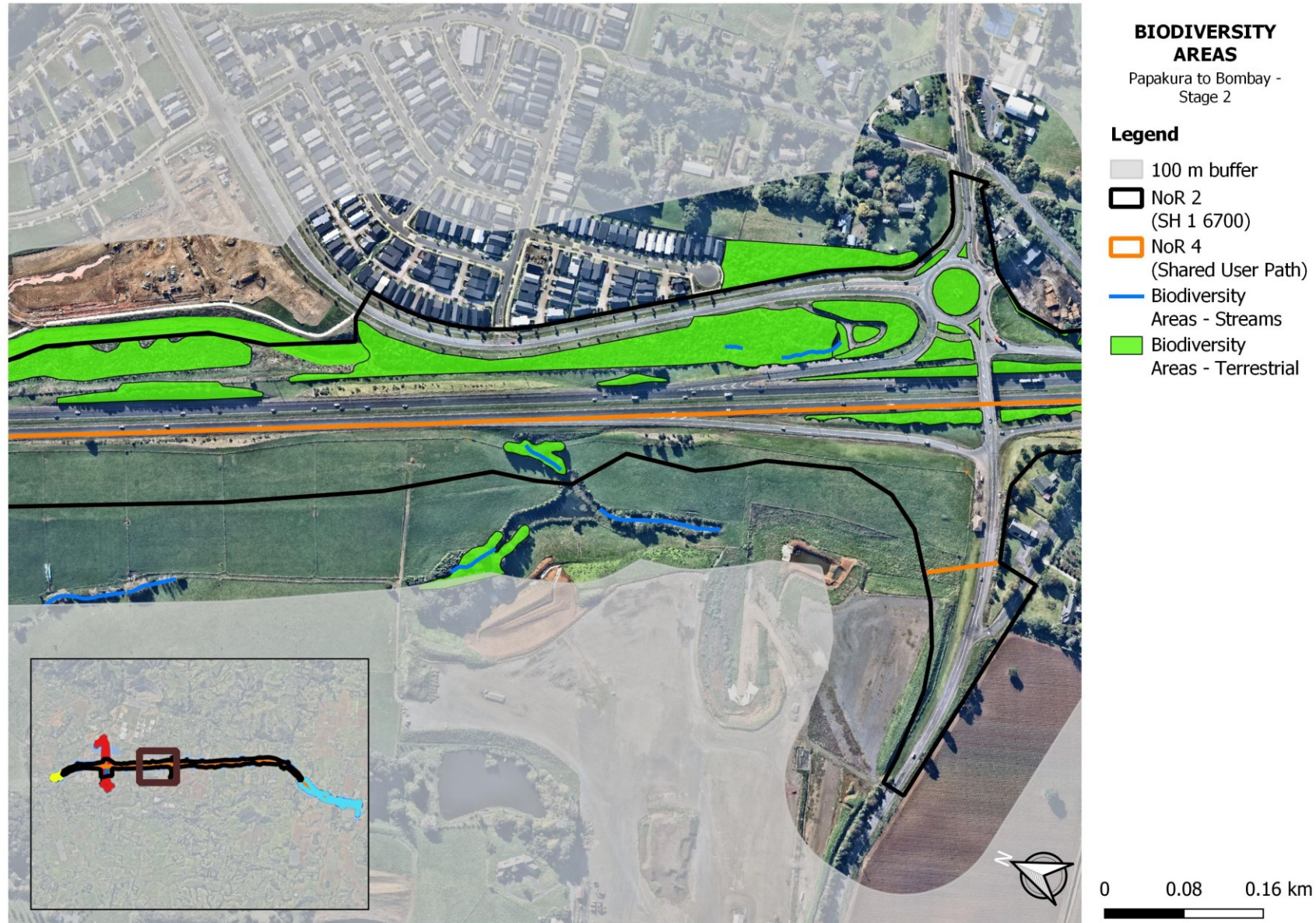
Identified Biodiversity Areas





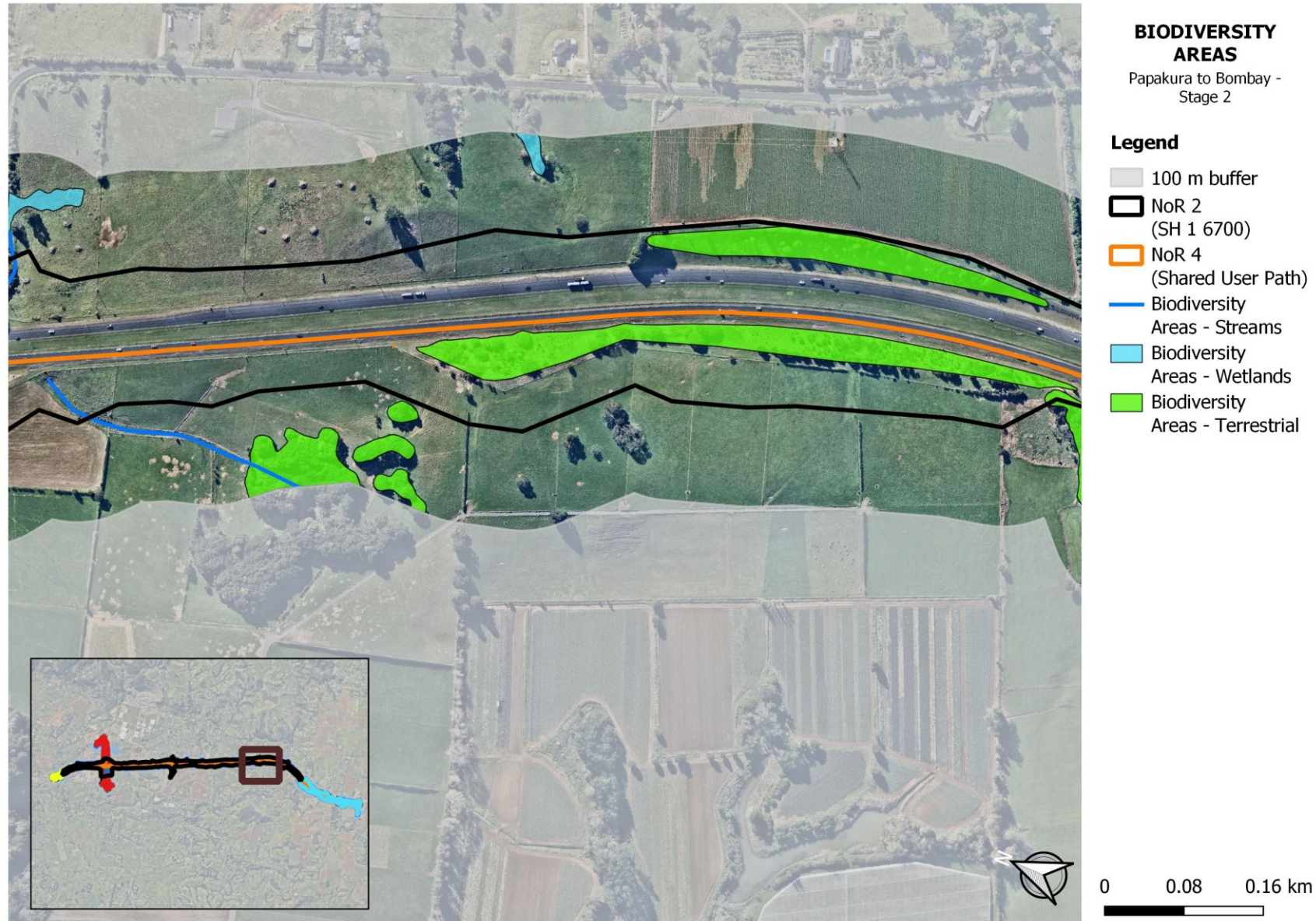


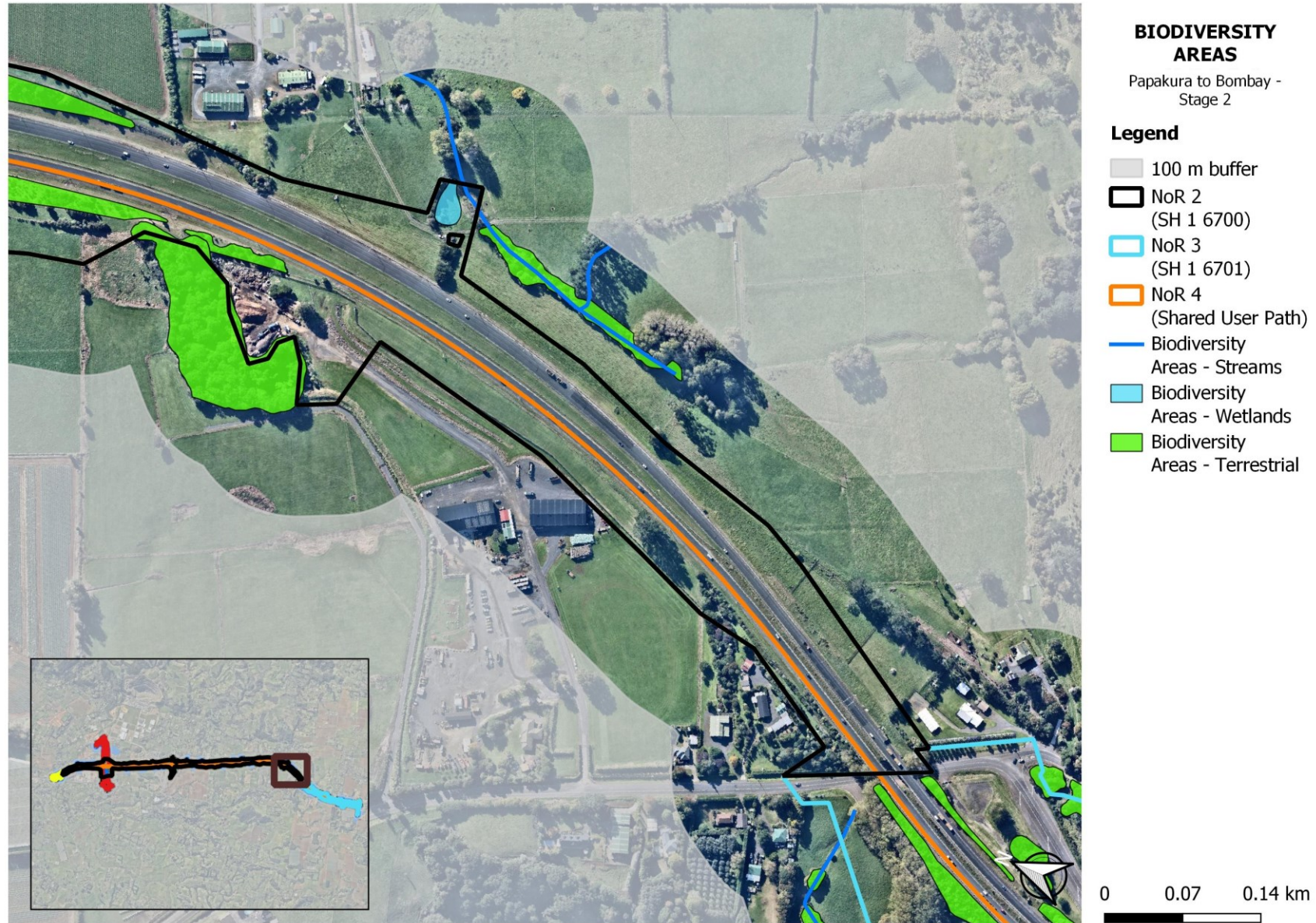


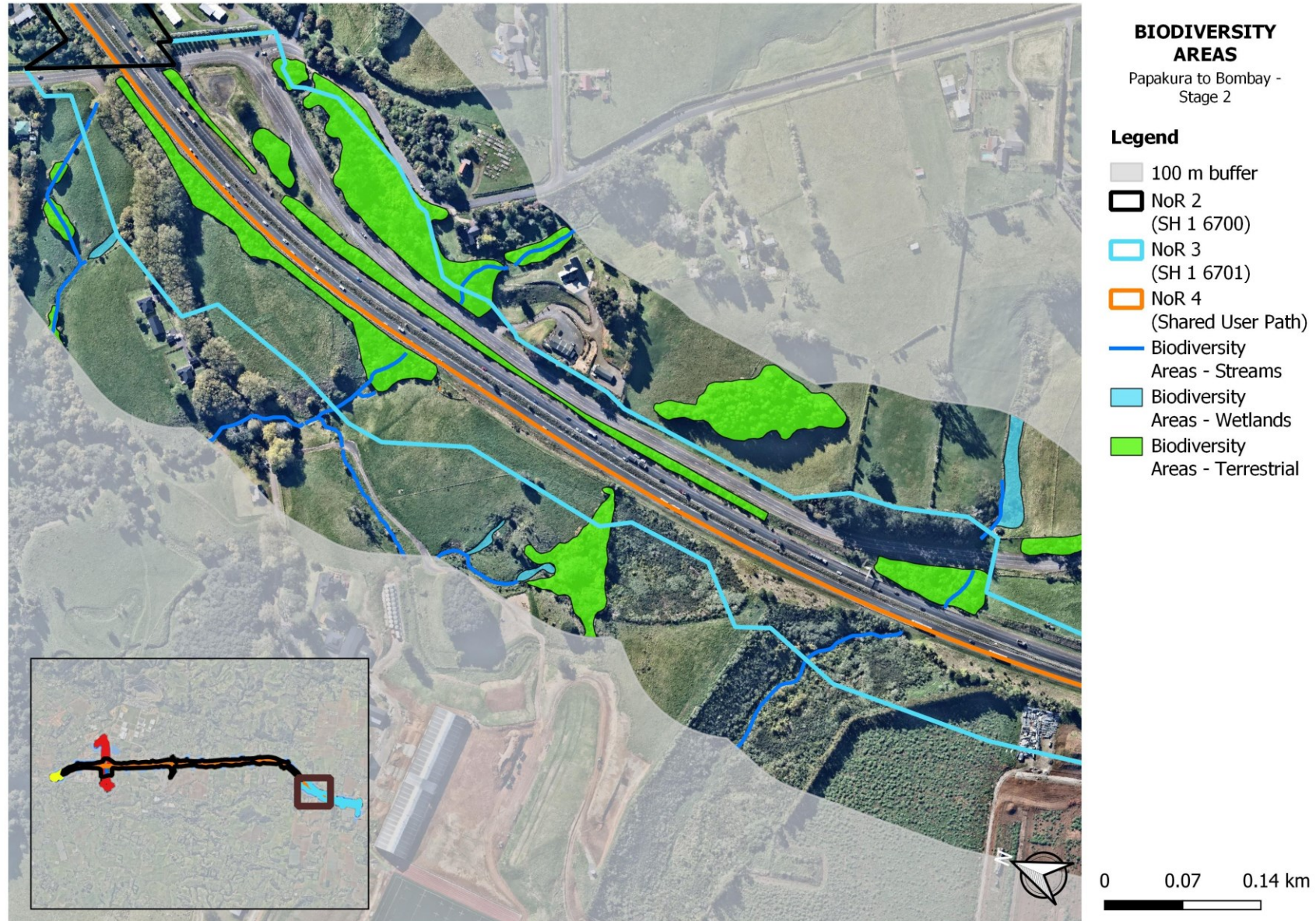












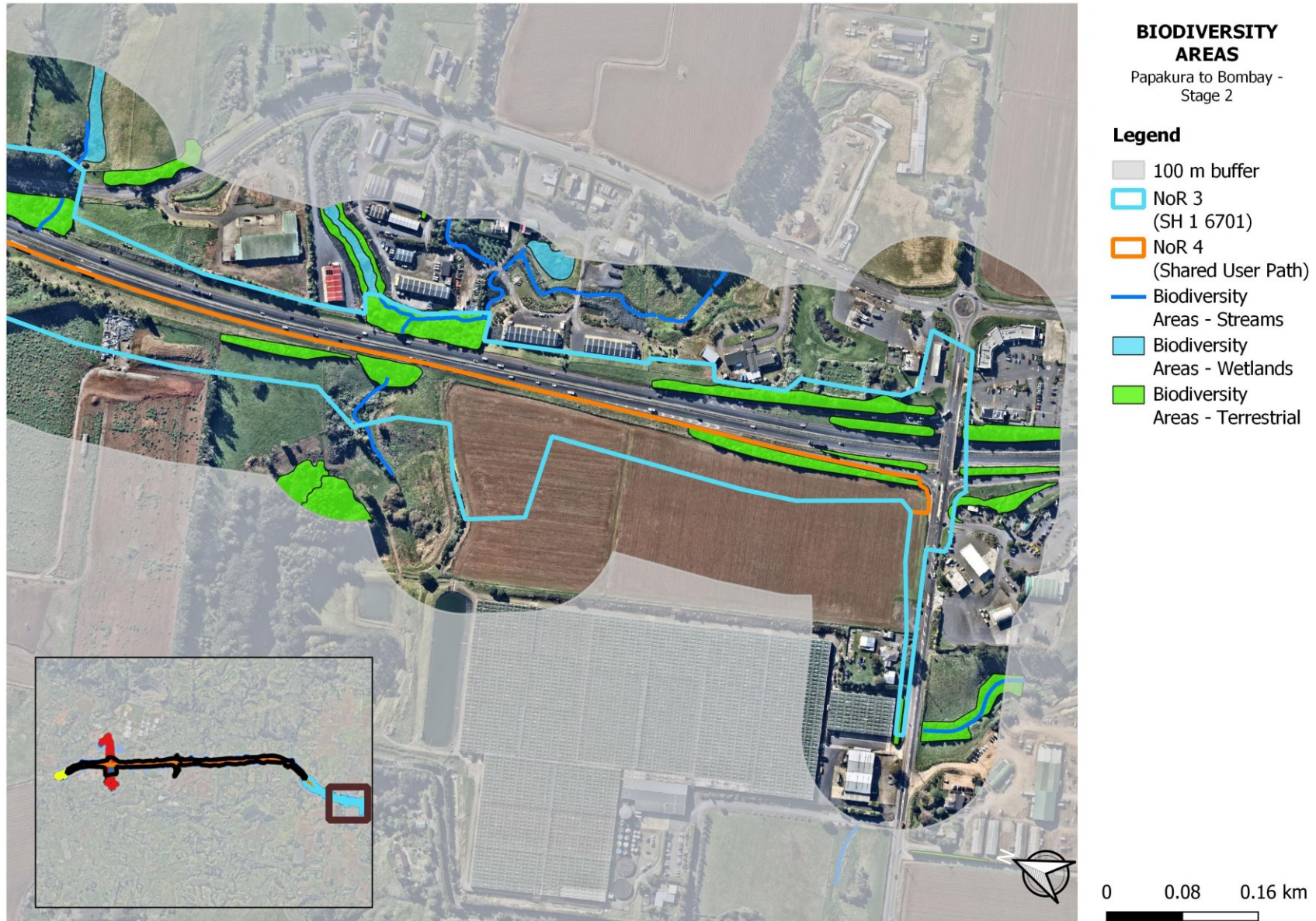


Table 10 EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems (2nd Edition, 2018)

Table 10. Criteria for describing level of effects (Adapted from Regini (2000) and Boffa Miskell (2011))

Ecological Value ► Magnitude ▼	Very high	High	Moderate	Low	Negligible
Very high	Very high	Very high	High	Moderate	Low
High	Very high	Very high	Moderate	Low	Very low
Moderate	High	High	Moderate	Low	Very low
Low	Moderate	Low	Low	Very low	Very low
Negligible	Low	Very Low	Very low	Very low	Very low
Positive	Net gain	Net gain	Net gain	Net gain	Net gain

Schedule 3: Trees to be included in Tree Management Plan

Status	Tree / Group No.	Vegetation Type	Protection	Location	Species	Age	Comments
Portion to be removed.	1	Group of Trees	SEA (Private land)	Within 1799B Great South Road adjacent to SH1	Mixed exotic and indigenous species (Eucalyptus, Puriri, Taraire etc)	Semi – Mature to mature	Portion to be removed for future Shared User Path.
Likely to be removed/ portion to be removed.	2	Group of Trees	Strategic Corridor/Road reserve	Boundary of 1832 Great South Road	20x London Plane trees (semi-mature)	Semi-mature	Removal currently proposed to accommodate upgraded motorway infrastructure including a for Shared Use Path.
Likely to be removed/ portion to be removed.	3	Group of Trees	Strategic Corridor/Road reserve and Private land Notable x37	1832 Great South Road	18x Notable Plane trees affected. 6x removals	Mature	Removal currently proposed to accommodate upgraded motorway infrastructure including a Shared Use Path.

Attachment 4: A list of persons to be served with a copy of this notice.

Submitter List: NoR 3

Sub #	Submitter Name	Address for Service
1	Telecommunications Submitters	chris@incite.co.nz
2	Matthew John Waring	Mattwaring01@gmail.com
3	S J and R E Allen	markb@mhg.co.nz
4	Auckland Transport	robbie.lee@at.govt.nz
5	Counties Energy Limited	david@osbornehay.co.nz sarah.mitchell@simpsongrierson.com clara.evans@simpsongrierson.com
6	Drury South Limited	kirsty.dibley@russellmcveagh.com nicki.hogarth@russellmcveagh.com
7	Dutton Land Holdings Limited	markb@mhg.co.nz
8	Z Energy Limited	stephanie.degroot@minterellison.co.nz
9	Watercare Services Limited	Mark.Bishop@water.co.nz
10	Transpower New Zealand Ltd	Andy.Eccleshall@transpower.co.nz
11	Bone 187 Limited	Daniel@sfhconsultants.co.nz
12	bp Oil New Zealand Limited	samantha.redward@slrconsulting.com

Submitter List: NoR 4

Sub #	Submitter Name	Address for Service
1	Telecommunications Submitters	chris@incite.co.nz
2	New Zealand Storage Holdings Limited and New Zealand Agrhub Limited	Francelle@greenwoodroche.com
3	Sain Family Trust	Francelle@greenwoodroche.com
4	Puiz Trust	Francelle@greenwoodroche.com
5	Auckland Transport	robbie.lee@at.govt.nz
6	Counties Energy Limited	david@osbornehay.co.nz sarah.mitchell@simpsongrierson.com clara.evans@simpsongrierson.com
7	Drury South Limited	kirsty.dibley@russellmcveagh.com nicki.hogarth@russellmcveagh.com
8	Watercare Services Limited	Mark.Bishop@water.co.nz
9	BRO Tonganui	philip@campbellbrown.co.nz
10	Transpower New Zealand Ltd	Andy.Eccleshall@transpower.co.nz
11	Kiwi Property Holdings No.2 Limited	adevine@ellisgould.co.nz
13	Rebekca Kelsey Vernon, Cameron Graham Vernon and CG Vernon KW Trustee Limited	jeremy@brabant.co.nz shannon@brabant.co.nz
14	Bone 187 Limited	Daniel@sfhconsultants.co.nz