

TO Celia Davison, Manager Planning – Central/South

FROM Vanesa Leddra, Policy Planner – Central/South

DATE 28/10/2025

SUBJECT Update requested to the Auckland Unitary Plan
(Operative in Part 2016) (AUP)

I request an update to the AUP as outlined below:

Reason for update	Alteration to designation confirmed
Chapter(s)	Chapter K Designations Kiwirail Holdings Ltd
Designation only	
Designation 6302	North Island Main Trunk Railway Line
Locations:	North Island Main Trunk Railway Line from Buckland to Britomart Station, Auckland Central
Lapse Date	Given effect to (i.e. no lapse date)
Purpose	The purpose of the designation is to develop, operate and maintain railways, railway lines, railway infrastructure, and railway premises as defined in the Railways Act 2005.
Changes to text (shown in underline and strikethrough)	- Amending text for Condition 21: 21. Prior to the operation of the Third Main, the Requiring Authority shall install noise barriers on the western side of the NIMT to mitigate rail noise received at Existing Buildings identified in condition 20. The noise barriers shall ensure the increase in rail noise level as a result of the operation of the Third Main is less than 3 decibels and shall be: a. at least 3.8 metres in height above rail track level within the rail corridor between points: i. 659+715 and 659+926 of the NIMT (works in vicinity of 12 Wyllie Road); and ii. 662+102 and 662+191 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East); and iii. 662+249 to 662+545 662+415 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East); and ii. <u>662+102 and 662+415 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East);</u> and b. constructed with a surface mass of at least 10kg/m²; and c. constructed without gaps (except for station access, where required); and

	d. constructed in general accordance with the memorandum from Boffa Miskell (Oliver May) dated 30 November 2021.
Changes to diagrams	• See Attachment B – amended diagram showing noise wall location adjacent to railway line • Replaces page 16 of existing designation
Changes to spatial data	No changes required.
Attachments	• Attachment A: Alteration D6302 North Island Main Trunk Railway Line – s181(3) Report and Decision • Attachment B: Diagram showing location of noise wall adjacent to railway line • Attachment C: Updated Kiwirail Holdings Ltd Designation 6302 North Island Main Trunk Railway Line (strikethrough/underscore) • Attachment D: Updated Kiwirail Holdings Ltd Designation 6302 North Island Main Trunk Railway Line (clean)

Maps prepared by: N/A	Text Entered by: Bronnie Styles Planning Technician
Signature:	Signature: 
Prepared by: Vanessa Leddra Policy Planner	Reviewed by: Craig Cairncross Team Leader – Central/South
Signature: 	Signature: 
Authorised by: Celia Davison Manager Planning – Central-South	
Signature: 	

Attachment A
Report and Decision

Notice of Requirement for a minor alteration to a designation under section 181(3) of the Resource Management Act 1991

Notice of Requirement Description

Designation number: 6302

Requiring Authority: Kiwirail Holdings Limited

Site address: North Auckland Line, Auckland Region, Railway Network

Summary

On 15 September 2025, pursuant to s181(3) of the Resource Management Act 1991 (RMA), Auckland Council received a Notice of Requirement (NoR) entitled '*Notice of Requirement to Alter Condition 21 of Designation 6302 – Kiwirail Holdings Ltd*' from Kiwirail Holdings Limited [Kiwirail] for the alteration of Designation 6302 (North Island Main Trunk Railway Line).

Specifically, Kiwirail seeks to alter Condition 21 of the designation in order to remove a requirement for the installation of a noise barrier along the rear boundaries of 48, 50, 52, 54, 56, 58 and 62 Rosella Road, Mangere East, before the Third Main Line commences operation.

Condition 21 was one of a number of conditions applied to the subject local section of designation 6302 through the 2023 confirmation of an alteration to the designation, following an NoR being served on Auckland Council in 2020 by KiwiRail, to provide for the widening of the railway corridor to accommodate the Third Main Line.

Some flexibility was provided in Condition 21d through the use of the term 'constructed in general accordance with' a memorandum from Boffa Miskell of 30 November 2021 (discussed further in this report), given that detailed design was continuing, and noise barrier refinements were considered to be potentially necessary.

Further investigations were subsequently carried out by KiwiRail and from that it was identified that the provision of the northern section of the noise barrier as currently required by Condition 21 would result in additional visual effects on some of the adjacent properties beyond those that had been assessed in the 2021 Boffa Miskell memo.

Kiwirail report in their 2025 NoR (as prepared by Stantec NZ) that due to the height of the Third Main in this location, a 3.8m barrier above rail track level at 52 Rosella Road, would result in a barrier 4.8m high as seen from the dwelling. Additionally, 3m of the barrier would be required to be solid due to construction requirements and foundation conditions, whereas it was originally planned that the barrier could be constructed of perspex apart from the bottom 1.1m which would have been solid. This barrier would also only be 4.2m away from the dwelling.

In light of this, KiwiRail considered the effects of not providing the barrier in this location with particular consideration on acoustic impacts. Marshall Day Acoustics (MDA) was commissioned to provide an assessment.

An MDA memo dated 25 March 2025, provided as Appendix A to the NoR's AEE sets out the requirements of Condition 20 to the designation with consideration given to the impact of not providing the noise barrier as described above. The MDA memo identifies that with exception of 52 Rosella Road, the requirements of Condition 20 would be able to be met for 48-62 Rosella Road without the noise barrier being installed in the location described above.

MDA advises that in order to meet the acoustic expectations of Condition 20, the best practicable option would be for specific treatment to the rear dwelling at 52 Rosella Road. KiwiRail's NoR reports that agreement with the owner of 52 Rosella Road has been reached

regarding specific acoustic attenuation improvements that KiwiRail will undertake (inclusive of glazing, ventilation and insulation upgrades) to the rear dwelling on the property. A written approval dated 17 April 2025 has been provided from the owner of this property as Attachment C to the AEE. This identifies the owner's preference for this alternative noise mitigation solution.

Additionally, KiwiRail considers that there would be a positive visual effect because the residents of dwellings, particularly those at 48, 50 and 52 Rosella Road, will not have a noise barrier [adversely] affecting their outlook and causing shading and dominance effects.

KiwiRail's assessment concludes that the proposed alteration to the designation Condition 21 would involve no more than minor environmental effects. Following review of the NoR documentation provided, together with some consideration of the 2020/23 Kiwi Rail alteration to the designation to provide for the Third Main line, I concur with this assessment.

I consider that, after undertaking an assessment of the NoR documentation provided by KiwiRail in support of the proposed alteration, that the proposal meets the statutory tests of section 181(3) of the RMA and can therefore be processed and confirmed as a minor alteration.

Recommendation

1. That the proposed alteration of Condition 21 of KiwiRail's Designation 6302 North Island Main Trunk Railway Line in the Auckland Unitary Plan as described in KiwiRail's NoR entitled '*Notice of Requirement to Alter Condition 21 of Designation 6302 – Kiwirail Holdings Ltd*' as served on Auckland Council on 15 September 2025, be confirmed, subject to the conditions recommended within this report for the following reasons:
 - the alteration of the designation involves no more than minor changes to the effects on the environment associated with the use of the land;
 - both the requiring authority and Auckland Council agree with the alteration; and
 - the land is owned and occupied by Kiwirail Holdings Limited, and Kiwirail agrees with the proposed alteration.
2. That Kiwi Rail *Designation 6302 - North Island Main Trunk Railway Line* is altered in the Chapter K Designations schedule of the Auckland Unitary Plan as discussed in this report (Refer Section 1 below).

1.0 Minor Alteration to a Designation

On 15 September 2025, pursuant to s181(3) of the Resource Management Act 1991 (RMA), Auckland Council received a Notice of Requirement (NoR) entitled '*Notice of Requirement to Alter Condition 21 of Designation 6302 – Kiwirail Holdings Ltd*' from Kiwirail Holdings Limited [Kiwirail] for the alteration of Designation 6302 (North Island Main Trunk Railway Line).

Specifically, Kiwirail seeks to alter Condition 21 of the designation in order to remove a requirement for the installation of a noise barrier along the rear boundaries of 48, 50, 52, 54, 56, 58 and 62 Rosella Road, Mangere East, before the Third Main Line commences operation.

The proposed Condition alteration is described in KiwiRail's September 2025 NoR, as follows:

The proposed changes are to alter condition 21 for Designation 6302 as follows (changes shown in **strike out** and replace):

21. Prior to the operation of the Third Main, the Requiring Authority shall install noise barriers on the western side of the NIMT to mitigate rail noise received at Existing Buildings identified in condition 20. The noise barriers shall ensure the increase in rail noise level as a result of the operation of the Third Main is less than 3 decibels and shall be:

a. at least 3.8 metres in height above rail track level within the rail corridor between points:

i. 659+715 and 659+926 of the NIMT (works in vicinity of 12 Wyllie Road); and

ii. ~~662+102 and 662+191 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East); and~~

iii. ~~662+249 to 662+545 662+415 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East); and~~

ii. 662+102 and 662+415 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East); and

b. constructed with a surface mass of at least 10kg/m²; and

c. constructed without gaps (except for station access, where required); and

d. constructed in general accordance with the memorandum from Boffa Miskell (Oliver May) dated 30 November 2021.

All other conditions of the existing designation will continue to apply to the work.

2.0 Land Potentially Affected by the Proposed Alteration

The land which is the subject of this proposed alteration to the designation is owned by KiwiRail and is located in the section of Designation 6302 North Island Main Trunk Railway Line adjacent to the properties 50, 52, 54, 56, 58 and 60 Rosella Road, Mangere East, Auckland – as shown in the aerial photograph at Figure 2-1 below.



Figure 2-1: Extent of noise barrier proposed to be removed by way of an alteration to Condition 21 [taken from the AEE prepared by Stantec in support of KiwiRail's NoR served on Council in Sept 2025]

3.0 Description of the Site and Existing Environment

The Middlemore Station rail corridor section of Designation 6302 is legally described as being a Railway Network Title – being all parcels of land shown on SO 18583 held for railway purposes as part of the North Island Main Trunk Railway (LINZ ID: 5205145). SO Plan 18583 (1), which captures the subject land, is attached as Attachment F to this report. Access is obtained via 64 Rosella Road.

The underlying zone of the site in the Auckland Unitary Plan is Strategic Transport Corridor zone. Designation 6302 has as its purpose *"to develop, operate and maintain railways, railway lines, railway infrastructure, and railway premises as defined in the Railways Act 2005."*

The subject section of the rail corridor is located at the northern end of Middlemore Station. It is adjacent to residential properties at 48, 50, 52, 54, 56, 58 and 62 Rosella Road, Mangere East to the west and Hospital Road to the east.

The properties at 52-62 Rosella Road have dwellings located to the west of the rail corridor. Rosella Road is at a higher elevation than the land in the rail designation. Most of the residential properties have rear fences which in most instances are located within the rail designation boundary, rather than within or on their legal site boundaries. 48, 50 and 52 Rosella Road each have second, rear

dwelling located closer to the railway corridor. 52 Rosella Road has a rear, second dwelling closest to the rail designation, being approximately 2 metres at its closest point.

The underlying zone in the AUP for 52-62 Rosella Road is Residential – Single House Zone.

The rail corridor site contains rail infrastructure, including the recently constructed Third Main line. KiwiRail undertook work to construct a third main line between Wiri and Quay Park within the designated corridor to address additional demand on the rail network, expected from electrification of the North Island Main Trunk line between Pukekohe and Papakura and the City Rail Link. KiwiRail altered the Designation 6302 to provide for the third main line, including at Middlemore Station. The designation features 34 existing conditions and does not specify a lapse date, as the designation has been given effect to and remains in force. The surrounding area is predominantly urban in nature with a mix of residential zoning densities, a Special Purpose - Healthcare Facility and Hospital Zone at Middlemore Hospital and to the East, a Special Purpose - School Zone at Kings College.

4.0 Relevant statutory provisions

Section 181 “Alteration of designation” of the Resource Management Act 1991 states:

- (1) A requiring authority that is responsible for a designation may at any time give notice to the territorial authority of its requirement to alter the designation.*
- (2) Subject to subsection (3), sections 168 to 179 and 198AA to 198AD shall, with all necessary modifications, apply to a requirement referred to in subsection (1) as if it were a requirement for a new designation.*
- (3) A territorial authority may at any time alter a designation in its district plan or a requirement in its proposed district plan if-*
 - (a) The alteration-*
 - (i) Involves no more than minor changes to the effects on the environment associated with the use or proposed use of land or any water concerned; or*
 - (ii) Involves only minor changes or adjustments to the boundaries of the designation or requirement; and*
 - (b) Written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners or occupiers agree with the alteration; and*
 - (c) Both the territorial authority and the requiring authority agree with the alteration – and sections 168 to 179 and 198AA to 198AD shall not apply to any such alteration.*

5.0 Assessment of the proposed alteration

5.1 Assessment of Environmental effects (s181(3)(a)(i))

The requiring authority has provided an assessment of environmental effects (AEE) with the NoR and identifies the following reasons as to why the proposed alteration to the designation involves no more than minor changes to the effects on the environment:

- Noise levels at adjacent properties

Through this NoR, Kiwirail seeks to alter Condition 21 to remove the requirement to construct a noise barrier along 48, 50, 52, 54, 56, 58 and 62 Rosella Road, Mangere East. To mitigate noise produced by the operation of the third main line at 52 Rosella Road in accordance with Condition 20, Kiwirail has obtained written approval from the owner of 52 Rosella Road to provide acoustic upgrades to the rear dwelling as an agreed alternative to the noise barrier.

Kiwirail has commissioned Marshall Day Acoustics to undertake an assessment of predicted noise levels based on the proposed alteration to the noise barrier, using the noise thresholds stated in Condition 20. In comparison to existing noise levels as at 23 February 2022 experienced at the rear dwellings of 52, 54 and 58 Rosella Road, Marshall Day Acoustics predicts that only the rear dwelling at 52 Rosella Road will require noise mitigation.

Kiwirail regards the noise effects as a result of altering the noise barrier condition as no more than minor for the following reasons:

- The rear dwelling at 52 Rosella Road is the only dwelling predicted to exceed the noise thresholds set out in Condition 20 by 3db, which is described as “*subjectively, a just noticeable difference*” in the Marshall Day Acoustics memo.
 - The property owner of 52 Rosella Road has provided a signed agreement that they would prefer upgrades to the rear dwelling as alternative noise mitigation to the noise barrier.
- Visual effects of the noise barrier

In a report dated 30 November 2021 [Attachment D], Kiwirail commissioned Oliver May of Boffa Miskell to undertake a visual assessment of the noise barriers. The assessment concluded that the visual effects of the sound barrier would be no more than minor given that the barrier was proposed to be 3.8m in height with only the bottom 1.1 m of the barrier constructed of solid concrete and the remainder constructed of a clear material, reducing the visual bulk and allowing for greater light permeability to the dwellings. The assessment also concluded that the noise barrier would be in keeping with infrastructure expected to be seen in the rail corridor.

KiwiRail has advised that since then further investigations have identified that the three rear dwellings at 48, 50 and 52 Rosella Road are actually closer to the rail corridor than considered in the Boffa Miskell visual assessment. In particular, the rear dwelling at 52 Rosella Road would experience the height of the barrier as 4.8m, rather than the proposed 3.8m, due to the height of the third main line in that location.

KiwiRail also advise that further investigations have revealed that 3m of the barrier is now required to be solid due to construction requirements related to the height of the retaining wall, as demonstrated in Figure 2-2 (below). In brief, while a retaining wall between the Third Main’s rail tracks and the adjacent residential properties is still proposed to support the railway track, the level of the top of the retaining wall relative to the level of the Third Main track along the section between 62 and 50 Rosella Road is different to the levels shown in drawings submitted with the 2020 NoR (being sheets 77 and all of those between 256-271). This means that the height of the barrier and the transparent section of the barrier assessed in the 2021 Boffa Miskell assessment is different (i.e. taller) as the retaining wall will be up to 1.8m high in some places. 3m of the barrier is now required to be solid due to construction requirements and foundation conditions, whereas it was originally planned that the barrier could be constructed of Perspex apart from the bottom 1.1m which would have been solid.

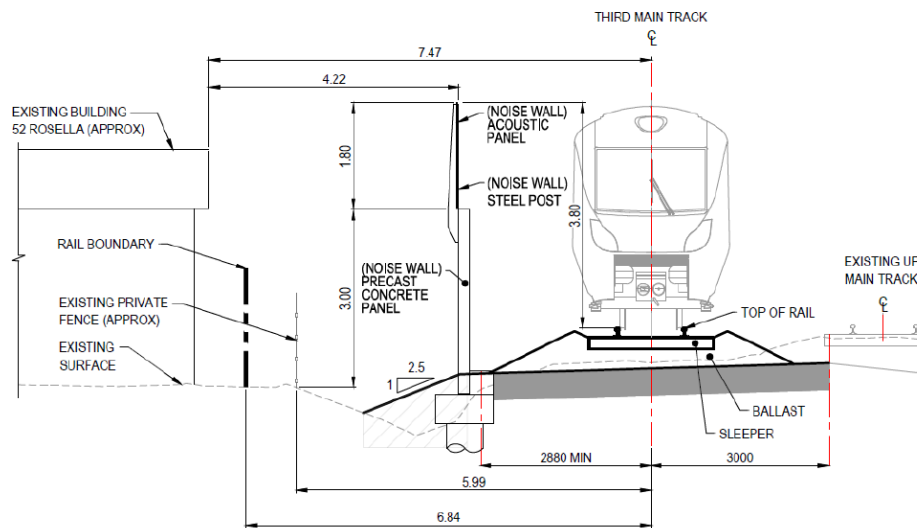


Figure 2-2:

Barrier required under Condition 21 – refer Appendix C Sketch – Cross Section a Ch662+50 at 52 Rosella Road [taken from AEE]

Kiwirail regards the visual effects as a result of altering the noise barrier condition as no more than minor for the following reasons:

- If the noise barrier were constructed, the additional height of the barrier and the closer proximity of the rear dwellings at 50, 52 and 54 Rosella Road would result in greater visual bulk and poorer light permeability effects than what was originally assessed in the Boffa Miskell visual assessment.
- The proposed alteration to remove the requirement for the noise barrier would maintain the existing view of the rail corridor from the dwellings.

The proposed changes to conditions are described in Section 1 of this report.

I concur with Stantec New Zealand's assessment of effects resulting from the proposed alteration to Condition 21 of Designation 6302. Based on the AEE and the expert advice within the 2025 MDA Memo, the proposed alteration to Designation 6302, together with the agreed acoustic upgrades to 52 Rosella Road, Mangere as per Condition 20, is considered to result in no more than minor changes to the effects on the environment. As noted, the owner of No 52 has provided written sign off for this alternative approach. Accordingly, the proposal is considered to meet the threshold under section 181(3)(a)(i) of the RMA.

5.2 Assessment of minor changes or adjustments to the boundary (s181(3)(a)(ii))

The alteration to the designation does not involve any changes to the boundaries of the existing designation.

5.3 Written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners and occupiers agree with the alteration (s181(3)(b))

Kiwirail own the subject site and as the Requiring Authority, they have proposed the changes discussed within this report. Having considered the assessment provided as part of the NoR, the sign off from the owner of No 52 and the proposed amended conditions, there are no further owners or occupiers of land directly affected by the minor alteration and therefore no (further) written sign off is not required.

5.4 Agreement of both the territorial authority and the requiring authority (181(3)(c))

The alteration to the designation has been requested by the requiring authority, and therefore it agrees to the alteration. Auckland Council agrees with the proposed alteration for the following reasons:

- The alteration involves no more than minor changes to the environmental effects
- The alteration does not involve any changes to the boundaries
- No owners and/or occupiers of land are directly affected by the alteration, other than No 52 Rosella Road.
- Adherence with recommended conditions will ensure any potential adverse effects are avoided, remedied or mitigated.

6.0 Conclusion

The proposed alteration meets the statutory tests of Section 181(3) of the Resource Management Act 1991, in that:

- The alteration involves no more than minor changes to the environmental effects.
- The amended conditions together with the acoustic improvements to the dwelling at No 52 to be undertaken by KiwiRail, noting also the sign off of the owner of the property, will ensure any potential adverse effects are avoided, remedied or mitigated.
- There are no changes or adjustments to the boundaries of the existing designation.
- No owners and/or occupiers of land are directly affected by the alteration.
- The council and the requiring authority agree with the alteration.

7.0 Recommendation

1. That pursuant to Section 181(3) of the Resource Management Act 1991, Kiwirail Holdings Limited's Notice of Requirement for an alteration to Designation 6302 North Island Main Trunk Railway Line entitled '*Notice of Requirement to Alter Condition 21 of Designation 6302 – Kiwirail Holdings Ltd*' as served on Auckland Council on 15 September 2025 is **confirmed**, subject to the amended conditions recommended in Attachment A of this report.
2. That Designation 6302 North Island Main Trunk Railway Line is amended in the Chapter K Designations in the Auckland Unitary Plan Operative in part as recommended in Attachment A of this report.

8.0 Altered Condition Wording

The agreed alteration to Condition 21 is set out in Section 1 of this report and replicated below in both mark up and 'Clean' styles.

21. Prior to the operation of the Third Main, the Requiring Authority shall install noise barriers on the western side of the NIMT to mitigate rail noise received at Existing Buildings identified in condition 20. The noise barriers shall ensure the increase in rail noise level as a result of the operation of the Third Main is less than 3 decibels and shall be:

a. at least 3.8 metres in height above rail track level within the rail corridor between points:

i. 659+715 and 659+926 of the NIMT (works in vicinity of 12 Wyllie Road); and

~~ii. 662+102 and 662+191 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East); and~~

~~iii. 662+249 to 662+545 662+415 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East); and~~

ii. 662+102 and 662+415 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East); and

b. constructed with a surface mass of at least 10kg/m²; and

- c. constructed without gaps (except for station access, where required); and
- d. constructed in general accordance with the memorandum from Boffa Miskell (Oliver May) dated 30 November 2021.

21. Prior to the operation of the Third Main, the Requiring Authority shall install noise barriers on the western side of the NIMT to mitigate rail noise received at Existing Buildings identified in condition 20. The noise barriers shall ensure the increase in rail noise level as a result of the operation of the Third Main is less than 3 decibels and shall be:

- a. at least 3.8 metres in height above rail track level within the rail corridor between points:
 - i. 659+715 and 659+926 of the NIMT (works in vicinity of 12 Wyllie Road); and
 - ii. 662+102 and 662 +415 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East); and
- b. constructed with a surface mass of at least 10kg/m²; and
- c. constructed without gaps (except for station access, where required); and
- d. constructed in general accordance with the memorandum from Boffa Miskell (Oliver May) dated 30 November 2021.

Report Prepared by:

Irene Heyes, Graduate Planner



13 October 2025

9.0 Delegated authority

The Team Leader Planning: Central-South has delegated authority, in accordance with Schedule 2A of the Auckland Council Delegations: Chief Executive Officer (Chief Executive's Delegations Register, updated July 2025, Version 2.1), to exercise the council's functions, powers, duties and discretions under the Resource Management Act 1991 in relation to section 181(3).

10.0 Section 181(3) Determination

Having read the council planner's report and recommendations on the notice or requirement, I am satisfied I have adequate information to consider the matters required by the Resource Management Act 1991 (the RMA) and to make a decision under delegated authority.

Accordingly, the Notice of Requirement for an alteration to Designation 6302 North Island Main Trunk Railway Line is confirmed under section 181(3) of the RMA as set out in this report.

Name: Craig Cairncross

Title: Team Leader: Planning Central - South

Signed:



Date: 13 October 2025

SCHEDULE OF ATTACHMENTS

Attachment	Kiwirail Holdings Limited s181(3) Notice of Requirement
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**Notice of Requirement to Alter Condition 21
Designation 6302
KiwiRail Holdings Limited**

Notice of requirement by Minister, local authority, or requiring authority for designation or alteration of designation

Section 181(3) of the Resource Management Act 1991

To: Auckland Council
Private Bag 92300
Victoria Street West
Auckland 1142

KiwiRail Holdings Limited (KiwiRail) as Requiring Authority under section 167 of the Resource Management Act 1991 (RMA) gives notice of a requirement (NoR) to for a minor alteration to designation 6302 in the Auckland Unitary Plan (Operative in Part) for works associated with the North Island Main Trunk Railway Line from Buckland to Britomart Station, Auckland Central (NIMT).

This Notice addresses the requirements of Section 181(3) (a) to (c).

The alteration is to change Condition 21 of the designation to be altered, and the nature of the alteration is as follows:

As set out in this Notice, the alteration—

- (i) involves no more than a minor change to the effects on the environment associated with the use or proposed use of land or any water concerned;

The site the Notice applies to is designated land that is part of the NIMT to the north of Middlemore Station.

The proposed alteration to the designation is to change condition 21 of the designation. The proposed changes are to alter condition 21 for Designation 6302 as follows (changes shown in **strike out** and **replace**):

21. Prior to the operation of the Third Main, the Requiring Authority shall install noise barriers on the western side of the NIMT to mitigate rail noise received at Existing Buildings identified in condition 20. The noise barriers shall ensure the increase in rail noise level as a result of the operation of the Third Main is less than 3 decibels and shall be:
- a. at least 3.8 metres in height above rail track level within the rail corridor between points:
 - i. 659+715 and 659+926 of the NIMT (works in vicinity of 12 Wyllie Road); and
 - ii. ~~662+102 and 662+191 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East); and~~
 - iii. ~~662+249 to 662+545 662 +415 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East); and~~
 - ii. 662+102 and 662 +415 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East); and
 - b. constructed with a surface mass of at least 10kg/m²; and
 - c. constructed without gaps (except for station access, where required); and
 - d. constructed in general accordance with the memorandum from Boffa Miskell (Oliver May) dated 30 November 2021.

All other conditions of the existing designation will continue to apply to the work.

The proposed alteration involves no more than a minor change to the effects on the environment because:

Condition 21 as worded requires the provision of a noise barrier at least 3.8m high above the rail line along the western side of the rail corridor to the north of Middlemore Station. The condition is

required to be read in conjunction with Condition 20 that specifies noise levels at the façade of existing buildings. It is not proposed to alter Condition 20.

The effect of the alteration to Condition 21 is that there will be a beneficial reduction in the northern extent of the required noise barrier and a removal of the potential adverse visual effects of the barrier on the visual amenity of adjacent sites. As outlined in Section 4 of the attached Assessment of Environmental Effects Report (**AEE**) the effects of not providing the barrier are that there will be a 3 dB LAFmax increase compared to existing noise levels as of 23 February 2022 for the occupiers of the rear dwelling at 52 Rosella Road at night. This is more than the 85dB LAFmax level specified in Table 3 of Condition 20 however the effect is assessed as being a just noticeable increase in noise for the occupiers.

The proposed alteration involves no more than a minor change to the effects on the environment associated with the proposed work and is therefore in accordance with Section 181(3)(a)(i) RMA.

No resource consents are required.

The following consultation has been undertaken with parties that will be directly affected:

The owner of the two dwellings on 52 Rosella Road has been consulted by KiwiRail even though the site is not directly affected by the alteration. There is an agreement that KiwiRail will upgrade the dwelling closest to the rail corridor as this is preferred to the noise barrier being installed.

The minor alteration to the designation has been discussed with Craig Cairncross from Auckland Council on 15 April 2025.

Agreement of the territorial authority and requiring authority:

KiwiRail is the Requiring Authority for the designation and agrees with the alteration. In accordance with Section 181(3)(c) RMA KiwiRail requests that Council confirm in writing its agreement to the alteration, so that the designation can then be altered in the Auckland Unitary Plan.

Signed for KiwiRail by



David Gordon, under delegated authority of KiwiRail Holdings Limited.
Dated 18 July 2025.

Address for Service:

Attention: Michelle Grinlinton- Hancock
KiwiRail Holdings Limited
2 Bunny Street, Wellington 6011
PO Box 593, Wellington 6140
Email Michelle.Grinlinton-Hancock@kiwirail.co.nz

Attachment 1 -Assessment of Effects for the NoR.
The appendices of the AEE include:

- Appendix A Marshall Day Acoustics Memo
- Appendix B Visual Assessment Memorandum from Boffa Miskell (Oliver May) dated 30 November 2021 referred to in Condition 21
- Appendix C Written Approval from the Owner 52 Rosella Road
- Appendix D Sketch – Cross Section 52 Rosella Road

Alteration to Condition 21 KiwiRail Holdings Limited Designation 6302 - North Island Main Trunk Railway Line

Assessment of Environmental Effects

Prepared for:
KiwiRail Holdings Limited

Date:
July 2025

Prepared by:
Stantec New Zealand

Project/File:
310003361 100.105



Assessment of Environmental Effects

Notice of Requirement to Alter Condition 21 of KiwiRail Holdings Limited Designation 6302

Revision Schedule

Revision No.	Date	Description	Prepared by	Quality Reviewer	Independent Reviewer	Project Manager Final Approval
1	1 April 2025	Updated after Stantec peer review	K Bell	P Hunter	Not applicable	
2	29 April 2025	Updated after Client Review	K Bell		Not applicable	
3	17 July 2025	Updated after Client Final Review	K Bell		Not applicable	

Disclaimer

The conclusions in the report are Stantec's professional opinion, as of the time of the report, and concerning the scope described in the report. The opinions in the document are based on conditions and information existing at the time the document was published and do not take into account any subsequent changes. The report relates solely to the specific project for which Stantec was retained and the stated purpose for which the report was prepared. The report is not to be used or relied on for any variation or extension of the project, or for any other project or purpose, and any unauthorized use or reliance is at the recipient's own risk.

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Prepared by:



Karen Bell

Reviewed by:



Paula Hunter



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1 Background

1.1 KiwiRail's Role and Responsibilities

KiwiRail Holdings Limited (KiwiRail) is the State-Owned Enterprise responsible for the construction, maintenance and operation of New Zealand's rail network. The network extends across New Zealand, connecting primary producers to urban centres and ports, while also providing the network infrastructure for passenger rail services in Auckland, Wellington and some interregional services. KiwiRail also supports New Zealand's tourism sector with the Northern Explorer (Auckland to Wellington), Tranz Alpine (Christchurch to Greymouth) and Coastal Pacific (Picton to Christchurch) services. Lastly, it includes a maritime branch, with interisland ferries that transport passengers and freight between the North and South Islands.

KiwiRail's national network includes more than 3700 km of track and 1300 bridges, with over 200 locomotives available to transport both freight and passengers. Additionally, KiwiRail employs 4,000 New Zealanders¹.

1.2 The Benefits of the National Network

The importance of the rail network to New Zealand's economy is demonstrated by the significant volume of freight and passengers it carries every year. On an annual basis, KiwiRail transports approximately 25% of New Zealand's exports and provides the infrastructure for 28 million commuter journeys in Auckland and Wellington².

1.3 The Auckland Rail Network

Within the Auckland Region, KiwiRail is responsible for the operation and maintenance of both the Metro rail network and sections of the North Island Main Trunk (**NIMT**) and North Auckland Line (NAL).

The Auckland Metro Network consists of five lines:

- The North Island Main Trunk, which runs from Pukekohe to Britomart
- The Newmarket Line, which runs from Newmarket to Britomart
- The North Auckland Line, which runs from Southdown to Swanson
- The Onehunga Line, which runs from Onehunga Penrose Junction and
- The Mission Bush Line, which runs from Mission Bush to Paerata

The metropolitan rail network in Auckland makes a significant contribution to the functioning of Auckland in terms of its economic wellbeing through moving people and freight and reducing congestion.

Over the last decade there has been significant investment to support passenger patronage growth in Auckland.

¹ The New Zealand Rail Plan – April 2021

² *ibid*



Notice of Requirement to Alter Condition 21 to KiwiRail Designation 6302

1 Background

This investment includes the recently completed electrification of the section of the North Island Main Trunk line between Pukekohe and Papakura and the soon to be completed City Rail Link (**CRL**) that will double passenger capacity and place extra demand on the network. Sections of the rail network have required upgrades to accommodate both an increase in the number of passenger services and increased train length associated with CRL. While these services provide community and environmental benefits, as they operate in the same corridors as current freight services, they will place additional pressure on the network's capacity.

To address this pressure on the network, KiwiRail undertook work to provide for and construct a third main line (**Third Main**) between Wiri and Quay Park within the designated corridor for the NIMT in the Auckland Unitary Plan [Operative in Part] (**AUP**). The designation is referenced in the AUP as Designation 6302. The purpose of the designation is to develop, operate and maintain railways, railway lines, railway infrastructure, and railway premises as defined in the Railways Act 2005.

KiwiRail altered the designation of the NIMT (ref 6302) to accommodate the changes to services along the North Island Main Trunk line to provide for the Third Main, one of these places was at Middlemore Station. This was achieved through a full Notice of Requirement (**NoR**) lodged in September 2020 as described below. The NoR was confirmed by consent order on 29 May 2023 and subsequently incorporated into the Auckland Unitary plan.



2 This Notice of Requirement

This NoR is seeking pursuant to s181(3) to alter Condition 21 of Designation 6302 that relates to the requirement for a noise barrier to be installed in a number of locations before the Third Main commences operation. This NoR is limited to the section of the NIMT located at the northern end of Middlemore Station adjacent to the properties at 52 – 62 Rosella Road, Mangere East.

2.1 Origins of Condition 21

The NoR lodged by KiwiRail in 2020 involved widening the spatial extent of the designation at Middlemore Station, and as part of assessment of effects the noise impacts of the proposed changes occurring as a result of the alteration to Designation were considered.

The NoR was limited notified by Auckland Council (**Council**) on 22 October 2020. This included notifying the owners and occupiers of the properties listed in Table 2-1 below.

Table 2-1: The potentially affected parties identified in the Council's notification report³

Affected Parties Identified
10A Orakau Road, Mangere East
12 Orakau Road, Mangere East
52 Rosella Road, Mangere East
54 Rosella Road, Mangere East
60 Rosella Road, Mangere East
62 Rosella Road, Mangere East
Units 1 -5, 64A Rosella Road, Mangere East

No submissions were received from landowners or occupiers of the potentially affected properties listed in Table 2-1.

Based on advice from the Council's noise peer reviewer the reporting planner recommended to the Hearing Panel that operational rail noise limits related to the Third Main being moved closer to Rosella Road properties were included in the proposed designation conditions.

Through the course of the hearing, KiwiRail proposed conditions related to mitigating operational noise effects on 100 Hospital Road. These included conditions requiring installation of noise barriers along the new western boundary of the rail designation⁴. The noise barrier was stipulated in conditions as being required to be at least 3.8m high above the Third Main rail track.

³ Notification report - notice of requirement for an alteration to Designation 6302 North Island Main Trunk (NIMT) Railway Line from Buckland to Britomart Station- dated 20 October 2020 from Vanessa Leddra, Planner, Central / South, Plans and Places.

⁴ Planning Memorandum on Design Changes and responses to Pane Questions by Tim Hegarty (30 November 2021) at 1.4.



Notice of Requirement to Alter Condition 21 to KiwiRail Designation 6302

2 This Notice of Requirement

A visual assessment of the noise barriers was also commissioned by KiwiRail. This assessment is set out in the memorandum from Oliver May of Boffa Miskell dated 30 November 2021 (**the May Assessment**)⁵ and is referred to in Condition 21 (refer Appendix B to this assessment).

The planning assessment noted that based on the description of the 3.8m high barrier in the visual assessment (it was described as having a solid 1.1 m base and the remainder being Perspex,) that the visual impacts of the noise barriers were no more than minor. It was also noted that the proposed mixed material use for the barriers was intended to assist in reducing the visual bulk of the barriers which will be incorporated into views of an existing rail corridor.⁶

The relevant operational noise conditions proposed by KiwiRail at the close of the hearing (17 and 18) stated:

17. The Requiring Authority shall mitigate in accordance with condition 18 total operational rail noise emitted from all lines in the rail corridor where the predicted noise levels at the external façade of Existing Buildings within points 659+715 to 660+005 (works in vicinity of 12 Wyllie Road) and 662+117 to 662+519 (works in vicinity of 100 Hospital Road, Mangere East) of the NIMT:

- a) exceed the thresholds in Table 3; and*
- b) increase by at least 3 decibels as a result of the operation of the Third Main.*

Table 2-2: Operational Rail Noise Mitigation thresholds

Day (0700-2200hrs)	Night (2200-0700hrs)
65 dB LAeq	60 dB LAeq
85 dB LAFmax	85 dB LAFmax

18. Prior to the operation of the Third Main, the Requiring Authority shall install noise barriers on the western side of the NIMT to mitigate rail noise received at Existing Buildings identified in condition 17. The noise barriers shall ensure the increase in rail noise level as a result of the operation of the Third Main is less than 3 decibels and shall be:

- a) at least 3.8 metres in height above rail track level within the rail corridor between points:*
 - i. 659+715 and 659+926 of the NIMT (works in vicinity of 12 Wyllie Road)*
 - ii. 662+102 and 662+191 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East)*
 - iii. 662+249 to 662+545 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East)*
- b) constructed with a surface mass of at least 10kg/m²*
- c) constructed without gaps (except for station access, where required)*

⁵ The visual assessment "Wiri to Quay Park Third Main Line, 12 Wyllie and Middlemore Station Visual Effects Assessments, Oliver May 30 November 2021" was included as Appendix I of the Planning Memorandum on Design Changes and Responses to Panel Queries dated 30 November 2021.

⁶ (Planning Memorandum by Tim Hegarty (30 November 2021) at 1.5.7; Summary of Further Information by Tim Hegarty (3 December 2021) at 3.4 (d)).



The Hearing Panel accepted the conditions included in the KiwiRail reply (renumbering them 20 and 21) and added to condition 21, a reference to the barriers being constructed in accordance with visual assessment memorandum from Boffa Miskell (Oliver May) dated 30 November 2021.

KiwiRail in its decision accepted the operational noise conditions but added the word 'general' in relation to 21 d. in recognition that the detailed design was ongoing, and refinements may be made to the design of the noise barriers with third parties.

2.2 Alteration sought to Condition 21

This NoR is to alter the wording of Condition 21a. i. and a. ii.

Condition 21 in Designation 6302 currently reads as follows:

21. Prior to the operation of the Third Main, the Requiring Authority shall install noise barriers on the western side of the NIMT to mitigate rail noise received at Existing Buildings identified in condition 20. The noise barriers shall ensure the increase in rail noise level as a result of the operation of the Third Main is less than 3 decibels and shall be:

- a. At least 3.8 metres in height above rail track level within the rail corridor between points:
 - i. 659+715 and 659+926 of the NIMT (works in vicinity of 12 Wyllie Road)*
 - ii. 662+102 and 662+191 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East)*
 - iii. 662+249 to 662+545 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East)**
- b. Constructed with a surface mass of at least 10kg/m²*
- c. Constructed without gaps (except for station access, where required)*
- d. Constructed in general accordance with the memorandum from Boffa Miskell (Oliver May) dated 30 November 2021*

This condition requires the installation of noise barrier at least 3.8m above the rail track in a number of locations on the western side of the NIMT prior to the operation of the Third Main.

In relation to this NoR it is noted that the condition states that the noise barrier is to mitigate rail noise received at Existing Buildings including, within points 662+117 to 662+519 as identified in Condition 20 (generally set out as former condition 17 above). The condition requires the noise barriers to be installed even if the noise complies with the levels set in the condition.

The alteration to the condition that this NoR seeks is as follows (changes shown in **strike-out** and **replace**):

21. Prior to the operation of the Third Main, the Requiring Authority shall install noise barriers on the western side of the NIMT to mitigate rail noise received at Existing Buildings identified in condition 20. The noise barriers shall ensure the increase in rail noise level as a result of the operation of the Third Main is less than 3 decibels and shall be:

- a. At least 3.8 metres in height above rail track level within the rail corridor between points:
 - i. 659+715 and 659+926 of the NIMT (works in vicinity of 12 Wyllie Road)**



Notice of Requirement to Alter Condition 21 to KiwiRail Designation 6302

2 This Notice of Requirement

~~ii. 662+102 and 662+191 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East)~~

~~iii. 662+249 to 662+545 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East)~~

ii. 662+102 and 662 +415 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East)

b. Constructed with a surface mass of at least 10kg/m²

c. Constructed without gaps (except for station access, where required)

d. Constructed in general accordance with the memorandum from Boffa Miskell (Oliver May) dated 30 November 2021

In summary, the amendment removes the requirement for the barrier adjacent to the southern end of 48 Rosella Road and the full boundaries of 50, 52, 54, 56, 58 and 60 Rosella Road (as shown in Figure 2-1).



Figure 2-1: Extent of noise barrier proposed to be removed by alteration to Condition 21



2.3 Reason for the Alteration

The reason for the requested alteration to condition 21 is that further investigations have been undertaken by KiwiRail and as a result it was identified that the provision of the northern section of the noise barrier as currently set out in Condition 21 would result in additional visual effects on some of the adjacent properties beyond those that had been assessed in the May Assessment referenced in Condition 21. These effects are described below and in Section 4.

The additional effects are outlined in Table 3-1 below. As noted in Table 3-1, there are three properties adjacent to the northern end of the required noise barrier that have a second dwelling on the rear of the site. These dwellings are at 48, 50 and 52 Rosella Road. The dwelling closest to the rail designation is located at 52 Rosella Road. The May Assessment considered these properties, however the detailed investigations undertaken now confirm that these rear dwellings are closer to the rail corridor than recorded in that Assessment. A review of the noise barrier designs that have been completed shows that the noise barrier located in proximity to rear dwelling at 52 Rosella Road in particular is taller and would not be as transparent as assessed in the May Assessment.

Figure 2-2 below is a graphic representation of the barrier as required under Condition 21 currently as it relates to the second dwelling located at the rear of 52 Rosella Road. The figure shows that due to the height of the Third Main in this location a 3.8m barrier above rail track level at 52 Rosella Road, would result in a barrier 4.8m high as seen from the dwelling. 3m of the barrier is now required to be solid due to construction requirements and foundation conditions, whereas it was originally planned that the barrier could be constructed of Perspex apart from the bottom 1.1m which would have been solid. This barrier would be 4.2m away from the dwelling. It is also relevant to note that the figure shows that the existing private fence is located approximately 1.9m inside the rail designation (the relevance of this is discussed in Sections 3 and 4.1).

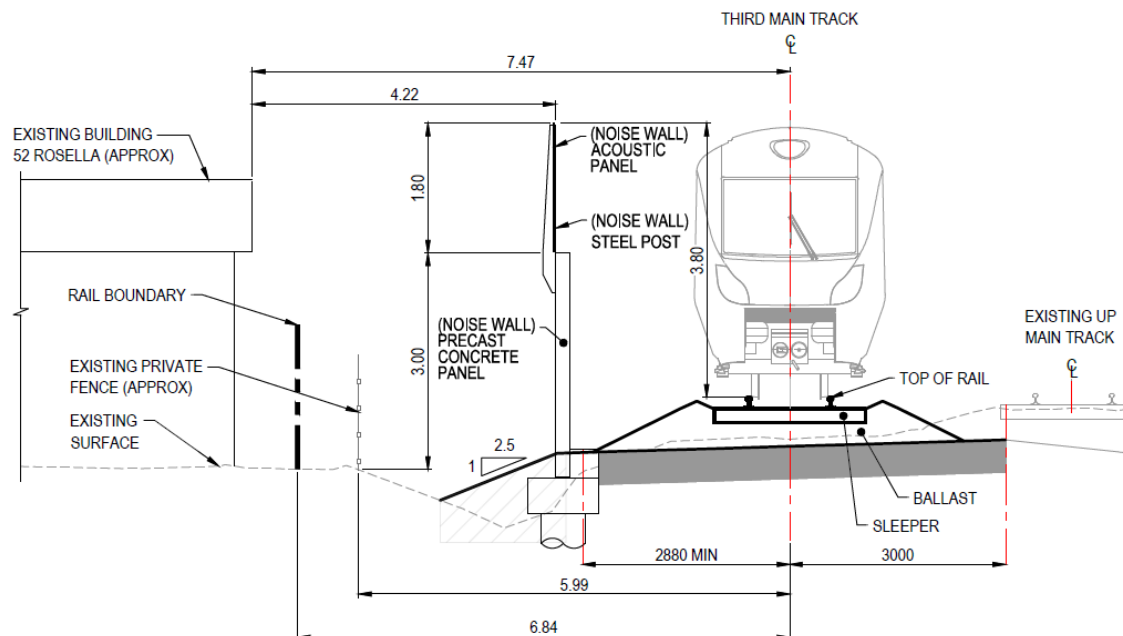


Figure 2-2: Barrier required under Condition 21 - refer Appendix C Sketch – Cross Section a Ch662+50 at 52 Rosella Road

3 Description of Environment Related to the Alteration of the Condition

The requested alteration to the condition relates to the extent of the noise barrier as it relates to properties listed in Table 3-1 below. These sites are 48, 50, 52, 54, 56, 58, 60 and 62 Rosella Road as shown in Figure 2-1. All of the sites are in the Residential – Single House zone. There are no overlays applying to the sites under the AUP.

Each of the sites have a dwelling located close to Rosella Road at or close to the level of the road which is at a higher elevation than the land in the rail designation. Most have a fence at the rear of the site although in most instances this fence is not located on the legal site boundary but is inside the rail boundary. Most of the sites are occupied by single level dwellings, except for three of the sites that have a second dwelling at the rear (48, 50 and 52 Rosella Road). As noted above, it is the dwelling at the rear of 52 Rosella Road that is closest to the rail designation.

Table 3-1: Properties located between chainage 662+ 415 and 662 +545 on the NIMT (the extent of the noise barrier currently required under Condition 21)

NIMT Chainage (approx.)	Site	Council rates / property information	Approx. Distance of a dwelling to boundary with rail designation	Other
662 +560 to 662 +540	48 Rosella Road	Single 835m2 site with two dwellings	7.5m	The chainage referenced in Condition 21 ends roughly one third of the way along the boundary.
662 +540 to 662 +525	50 Rosella Road	Single 825m2 site with two dwellings	9.2 m	The fence at rear of the site is located within KiwiRail land and the rail designation.
662 +525 to 662 +515	52 Rosella Road	Single 814m2 site with two dwellings	1.9m	The rear boundary fence is located on KiwiRail land and within the rail designation, and a shed at the rear of the site is partially also located within KiwiRail land and the rail designation, there is a gantry located in the rail designation close to property.
662 +495 to 662 +515	54 Rosella Road	Single 817m2 site with one dwelling	23 m	Garage is closer to rail boundary than dwelling, the fence at rear of the site is located within KiwiRail land and the rail designation.
662 +495 to 662 +480	56 Rosella Road	Single 814m2 site with one dwelling	29 m	Garage is closer to rail boundary than dwelling, the fence at rear of the site is located within KiwiRail land and the rail designation.
662 +480 to 662 +460	58 Rosella Road	Single 814m2 site with one dwelling	29 m	Garage is closer to rail boundary than dwelling, vegetation is present on boundary, the fence at rear of the site is located within KiwiRail land and the rail designation.



Notice of Requirement to Alter Condition 21 to KiwiRail Designation 6302

3 Description of Environment Related to the Alteration of the Condition

NIMT Chainage (approx.)	Site	Council rates / property information	Approx. Distance of a dwelling to boundary with rail designation	Other
662 +460 to 662 +420	60 Rosella Road	Single 1419 m2 site with one dwelling	25 m	Garage /ancillary building is closer to rail boundary, vegetation present on boundary, fence at rear of the site is located within KiwiRail land and the rail designation.
662 +420	62 Rosella Road	Single site with one dwelling	40m	Garage and swimming pool are closer to the rail designation; large trees present at rear of property. The rear of property does not abut the rail designation due to the orientation of the site and 64 Rosella Road.



4 Assessment of Effects on the Environment

4.1 Visual effects

Condition 21 currently requires KiwiRail to install a noise barrier that extends at least 3.8m above the Third Main's rail track level within the rail designation and to extend the barrier north from Middlemore Station to the rear of 48 Rosella Road.

This assessment of visual effects is focused on the change in effects between what is proposed as part of this alteration and the potential visual effects of the proposed use i.e. complying with Condition 21 by providing the noise barrier (as based on the May Assessment). The removal of the noise barrier will result in the status quo as the rail designation and passing trains within it are currently part of the environment.

While a retaining wall between the Third Main's rail tracks and the adjacent residential properties is still proposed to support the railway track, the level of the top of the retaining wall relative to the level of the Third Main tracks along the section between 62 and 50 Rosella Road is different to the levels shown in drawings submitted with the NoR (being sheets 77 and all of those between 256-271). This means that the height of the barrier and the transparent section of the barrier assessed in the May Assessment is different (i.e. taller) as the retaining wall will be up to 1.8m high in some places.⁷

As the barrier is on the northeastern side of the sites and close to the common boundary, the height of the solid precast section of the barrier would result in a reduction in light received at the windows of the dwelling as well as a dominance effect, particularly on the dwellings at the rear of the sites at 50, 52 and 54 Rosella Road. The effect of the reduction of light on the rear dwelling on 52 Rosella Road in particular, is expected to be more significant in the winter when the sun is lower in the sky. Figure 4-1 shows the location of the windows of the dwelling at 52 Rosella Road.

The design of the barrier in this location given the combination of the height of the Third Main rail tracks, and the proximity of the rear dwellings results in what appears to be a more severe potential visual effect than initially considered. The differences identified as a result of further investigations/detailed design are that the barrier will be a taller solid concrete barrier when located on top of the retaining wall as shown in Figure 2-2, with the transparent section of the barrier will be higher than assessed in the May Assessment. In addition, the wall is closer to the properties and dwellings than previously assessed.

The May Assessment concluded that there would be no more than minor effects resulting from the noise barrier. This was partly on the basis that noise barriers are in keeping with infrastructure expected to be seen in the rail corridor but also because the transparent section of the barrier would provide access to light and visual permeability.

⁷ Drawing number 1/6057/19/5104 , Sheet 258 Retaining Wall H1 Plan and Long Section, Part of the Opus drawings submitted with the NoR



KiwiRail consider that there is a better visual outcome by not providing the noise barrier due to the close proximity of the rear dwelling at 52 Rosella Road to the noise barrier, which is higher, less likely to allow light to windows in the dwelling and is slightly closer to the rail designation than assessed in the May Assessment. The alteration results in no more than minor effect as not providing the barrier is reverting to the viewing profile prior to requiring the noise barrier.



Figure 4-1: Rear of 52 Rosella Road as seen on from Hospital Road (source Google Street View 2025)

Altering Condition 21 and not providing the noise barrier in this section of the designation abutting 50, 52, 54, 56, 58 and 60 Rosella Road will result in an uninterrupted view of and across the rail corridor for certain properties which was the case before condition 21 was imposed), compared to viewing a noise barrier required under Condition 21. It will also result in uninterrupted access to light compared to the light being blocked by the noise barrier required under Condition 21 for the rear dwelling at 52 Rosella Road.

Installing the barrier as required by the condition will have a visual effect. While there was a high-level assessment of that effect included in the KiwiRail evidence for the hearing, the form of the barrier as shown in Figure 2-2 in relation to 52 Rosella Road and its distance from the dwellings at the rear of 50, 52 and 54 Rosella Road, has been reassessed due to the barrier having additional adverse effects. Not providing the barrier would have a better visual outcome for the owners and occupiers of these properties.

4.2 Noise Effects

MDA has undertaken a review of the noise effects of the alteration to Condition 21 proposed in this NoR. The review is appended as Appendix A and involves MDA predicting the noise levels likely to be received at specific dwellings where the night-time noise levels would be above 60 dB LAeq (the threshold specified in Table 3 of Condition 20). The properties above this level are those at 52, 54 and 58 Rosella Road (other properties including 48 and 50 Rosella are predicted to comply with Condition 20). MDA then considered what the effect would be if the noise barrier was not provided at those properties i.e. to identify what the effect of altering the condition as proposed in this NoR would be.

The MDA memo notes the difference for the daytime noise level and the nighttime noise level measured at the façade of the Existing Buildings (52, 54 and 58 Rosella Road) as defined in Condition 20. It notes that the daytime noise levels at two of the dwellings is expected to comply with Condition 20 as the level is either below the 65dB LAeq level or in the case of 52 Rosella Road complies with the second part of the condition, i.e. the increase in noise from the operation of the Third Main is less than 3dB compared to existing noise levels as at 23 February 2022.

The nighttime noise level however at 52 Rosella Road is predicted to be 67dB LAeq and 96 dB LAFmax. The dB LAFmax level is a 3 dB LAFmax increase in noise from the operation of the Third Main compared to existing noise levels as of 23 February 2022. The removal of the noise wall would mean that compliance with Condition 20, could not be achieved at 52 Rosella Road. The effect is assessed in the MDA memo as being a just noticeable increase in noise for the occupiers of the rear dwelling at 52 Rosella Road. The owner of 52 Rosella Road has provided written approval (refer Appendix C). Overall, it is considered that there is a less than minor noise effect as a result of the proposal.

4.3 Effects Conclusion

As identified above, the proposed alteration to the designation condition involves no more than minor changes to the effects on the environment.

- The change in effects of not providing the noise barrier is no more than minor as all of the Existing Buildings except 52 Rosella comply with Condition 20. This is considered to be a minor change, and the owner of 52 Rosella has provided written approval.
- Installing the barrier as required by Condition 21 will have additional adverse visual effects, particularly on 52 Rosella Road due to the close proximity of the rear dwelling at 52 Rosella Road to the higher noise barrier, due to less light accessing the properties and increased dominance due to the barrier being slightly closer.

The alteration results in no more than minor effect. There will be a positive visual effect because the residents of dwellings particularly those at 48, 50 and 52 Rosella Road will not have a noise barrier affecting their outlook and causing shading and dominance effects.



5 Section 181 assessment

KiwiRail is giving notice to Auckland Council of its requirement to alter designation 6302 under section 181 of the Resource Management Act 1991 (RMA) by way of a NoR.

Section 181 "Alteration of designation" of the RMA states:

- 1) *A requiring authority that is responsible for a designation may at any time give notice to the territorial authority of its requirement to alter the designation.*
- 2) *Subject to subsection (3), sections 168 to 179 and 198AA to 198AD shall, with all necessary modifications, apply to a requirement referred to in subsection (1) as if it were a requirement for a new designation.*
- 3) *A territorial authority may at any time alter a designation in its district plan or a requirement in its proposed district plan if–*
 - (a) the alteration–*
 - i. involves no more than minor changes to the effects on the environment associated with the use or proposed use of land or any water concerned or*
 - ii. involves only minor changes or adjustments to the boundaries of the designation or requirement*
 - (b) written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners or occupiers agree with the alteration*
 - (c) both the territorial authority and the requiring authority agree with the alteration – and sections 168 to 179 and 198AA to 198AD shall not apply to any such alteration*
- 4) *This section shall apply, with all necessary modifications, to a requirement by a territorial authority to alter its own designation or requirement within its own district.*

Section 181 provides two gateways for an alteration to a designation. Section 181(2) applies to an alteration that does not fall under section 181(3) and requires that sections 168 to 179 and 198AA to 198AD, with all necessary modifications, apply (i.e. it is processed as if it were a requirement for a new designation).

This NoR is being submitted in terms of section 181(3) as outlined above and therefore it is not necessary to consider sections 168 to 179 and 198AA to 198AD of the RMA.

- In terms of section 181(3)(a):
 - There is no boundary adjustment, so section (ii) is not applicable.
 - The change sought will result in a reduction in the length of the noise barrier that is required by Condition 21 to be provided north of Middlemore Station. Section 4 of this document contains an outline of the changes to the effects on the environment associated with the alteration. The visual impact of the barrier will be removed and other than at the dwelling at the rear of 52 Rosella Road there will be compliance with Condition 20. At 52 Rosella Road there is a "just noticeable" increase in noise levels predicted to be received at the external façade at night due to the removal of the barrier which is a no more than minor noise effect from this NoR. In this



Notice of Requirement to Alter Condition 21 to KiwiRail Designation 6302

5 Section 181 assessment

regard KiwiRail has engaged with the owner of 52 Rosella Road and obtained written approval which is attached in Appendix C.

- It is concluded that the alteration involves no more than a minor change to the effects on the environment associated with the use of the rail designation.
- In relation to section 181(3)(b):
 - There is no owner or occupier of land directly affected by the alteration provided for in the NoR as the proposed alteration relates to works located entirely within the designated land owned and occupied by KiwiRail.
- In relation to section 181(3)(c):
 - The alteration to the designation has been requested by the Requiring Authority, and therefore it agrees to the alteration.
 - Auckland Council as the Territorial Authority needs to agree with the alteration. KiwiRail requests Auckland Council's agreement to the alteration under section 181(3).



6 Conclusion

Auckland Council is requested under section 181(3) of the RMA to alter Designation 6302 by amending condition 21 to remove the requirement for a noise barrier between *chainage 662 +415 and 662 +545*.

Having undertaken an assessment of the effects of the alteration, it is considered that the proposed alteration meets the statutory tests of section 181(3) of the RMA. While there are no directly affected parties requiring agreement to the alteration under section 181(3)(b) KiwiRail has, for completeness, consulted with the party most potentially affected who agree with the alteration to the condition. The NoR can therefore be processed and confirmed under section 181(3) as a minor alteration subject to Auckland Council agreeing to this.



Appendices



Appendix A Marshall Day Acoustics Memo



MEMORANDUM

Project:	W2QP Middlemore LVT track design	Document No.:	Mm 001 r01
To:	KiwiRail	Date:	25 March 2025
Attention:	Lars Seidenfaden	Cross Reference:	Mm 001 20240059
Delivery:	Email	Project No.:	20250186
From:	Micky Yang	No. Pages:	3 Attachments: Yes
Subject:	W2QP Designation 21 Alteration		

KiwiRail proposes to vary condition 21 of designation 6302 (Appendix A shows the original). The variation relates to the new noise barrier required by condition 21. The proposed amended wording is:

Figure 1: Proposed amended wording to condition 21

~~ii. 662+102 and 662+191 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East); and~~
~~iii. 662+249 to 662+545 662 +415 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East);~~
~~and~~

This variation changes the required noise barrier by:

- Bringing the northern extent 130m southwards (i.e. shortening it).
- Removing the gap by Middlemore carpark.

This memo presents our predicted noise levels, based on the proposed variation to condition 21, and assessment against condition 20. In summary, we predict 52 Rosella Road will require further noise mitigation in accordance with condition 20.

Note, the originally assessed noise barrier enabled all Existing Buildings within the chainage to comply with the noise performance standards (refer condition 20).

Condition 20 provides the noise performance standard

Noise from rail operation is required to be mitigated if predicted noise levels:

- Exceed the following noise limits:

Day (0700 – 2200 hrs)	Night (2200 – 0700 hrs)
65 dB LAeq	60 dB LAeq
85 dB LAfmax	85 dB LAfmax

- **AND**, increase, by at least +3 dB, the existing noise levels at the date the NoR is confirmed, as a result of the Third Main.

We predict that buildings on one site will require noise mitigation

Table 1 and Table 2 shows our predicted noise levels, as a result of the proposed variation to the noise barrier, and our assessment against condition 20.

Table 1: Predicted noise levels – daytime

Address	Daytime		Mitigation needed as per Condition 20?
	Above 65 dB L _{Aeq} or 85 dB L _{AFmax} ?	Increase of 3dB or more compared to existing noise levels as at 23 February 2022?	
52 Rosella Road	Yes (67 dB L _{Aeq})	No	No
54 Rosella Road	No	No	No
58 Rosella Road	No	No	No

Table 2: Predicted noise levels – night-time

Address	Night-time		Mitigation needed as per Condition 20?
	Above 60 dB L _{Aeq} or 85 dB L _{AFmax} ?	Increase of 3dB or more compared to existing noise levels as at 23 February 2022?	
52 Rosella Road	Yes (67 dB L _{Aeq} and 96 dB L _{AFmax})	Yes (+3 dB to L _{AFmax} only)	Yes
54 Rosella Road	Yes (61 dB L _{Aeq})	No	No
58 Rosella Road	Yes (61 dB L _{Aeq})	No	No

In terms of noise effects, an increase in noise level of 3 dB is, subjectively, a just noticeable increase.

Despite this, and in accordance with condition 20, 52 Rosella Road requires mitigation such as façade upgrade and mechanical ventilation, or alternative agreed with the landowner.

With mitigation, we consider that the best practicable option would be employed to mitigate noise effects from rail noise.

APPENDIX A CONDITION

Operational Noise and Vibration

20. The Requiring Authority shall mitigate in accordance with condition 21 total operational rail noise emitted from all lines in the rail corridor where the predicted noise levels at the external façade of Existing Buildings within points 659+715 to 660+005 (works in vicinity of 12 Wyllie Road) and 662+117 to 662+519 (works in vicinity of 100 Hospital Road, Mangere East) of the NIMT:

- a) exceed the thresholds in Table 3; and
- b) increase by at least 3 decibels above levels as at **[the date this NoR is confirmed]** as a result of the operation of the Third Main.

Table 3: Operational Rail Noise Mitigation thresholds

Day (0700 – 2200hrs)	Night (2200 – 0700hrs)
65 dB L_{Aeq}	60 dB L_{Aeq}
85 dB L_{AFmax}	85 dB L_{AFmax}

21. Prior to the operation of the Third Main, the Requiring Authority shall install noise barriers on the western side of the NIMT to mitigate rail noise received at Existing Buildings identified in condition 20. The noise barriers shall ensure the increase in rail noise level as a result of the operation of the Third Main is less than 3 decibels and shall be:
- a) at least 3.8 metres in height above rail track level within the rail corridor between points:
 - i) 659+715 and 659+926 of the NIMT (works in vicinity of 12 Wyllie Road); and
 - ii) 662+102 and 662+191 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East); and
 - iii) 662+249 to 662+545 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East); and
 - b) constructed with a surface mass of at least 10kg/m²; and
 - c) constructed without gaps (except for station access, where required); and
 - d) constructed in general accordance with the memorandum from Boffa Miskell (Oliver May) dated 30 November 2021.

Appendix B Visual Assessment Memorandum from Boffa Miskell (Oliver May) dated 30 November 2021referred to in Condition 21





Memorandum

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Attention: Michelle Grinlinton-Hancock

To: KiwiRail

Date: 30th November 2021

From: Oliver May | Senior Landscape Architect

Message Ref: Wiri to Quay Park Third Main Line, 12 Wyllie and Middlemore Station Visual Effects Assessments

Project No: BM210190

Scope

This memorandum provides a high level assessment of the potential landscape and visual effects that may arise from the proposed noise barriers across two areas of the Notice of Requirement for the W2QP project. These two areas are 12 Wyllie Road and Middlemore Hospital. The design information relied on for this assessment is preliminary in nature and a desktop study has been undertaken to support this assessment, which is appropriate to support this high level assessment.¹ This assessment also assumes that all other enabling works in relation to the Notice of Requirement as part of the W2QP project (including, removal of vegetation, overhead line equipment and retaining structures as part of the third main rail), other than the noise barriers will be undertaken permitted and undertaken as currently designed.

This high level assessment has been undertaken in accordance with guidance from Te Tangi a te Manu, Aotearoa New Zealand Landscape Assessment Guidelines². These guidelines have been developed to relate to the Aotearoa New Zealand environmental planning context and align with te ao Māori and te ao Pākehā concepts of landscape. The effects ratings referred to in this assessment are based upon a seven-point scale which ranges from 'very low' to 'very high' (see Table 1 below).

The assessment considers that the proposed noise barriers (at 12 Wyllie and Middlemore Station) will be located within the context of an existing active rail corridor. The size, appearance and location of the proposed noise barriers are in keeping with the nature of structures associated with rail corridors. The appearance of dominance and visual effects as a result of the noise barrier will be reduced by the use of a translucent Perspex material on the upper portion of the noise barriers. This will allow light to pass through and existing outlooks to be partially maintained for viewing audiences. The expected visual effects on viewing audiences for both locations are between very low and low adverse.

¹ This is as a result of Covid-19 Alert Level restrictions.

² 'Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines', [Final Draft subject to final editing, graphic design, illustrations, approved by Tuia Pito Ora/NZILA 5 May 2021]

Effect Rating	Use and Definition
Very High:	Total loss of key elements / features / characteristics, i.e. amounts to a complete change of landscape character and in views.
High:	Major modification or loss of most key elements / features / characteristics, i.e. little of the pre-development landscape character remains and a major change in views. <u>Concise Oxford English Dictionary Definition</u> <i>High: adjective- Great in amount, value, size, or intensity.</i>
Moderate-High:	Modifications of several key elements / features / characteristics of the baseline, i.e. the pre-development landscape character remains evident but materially changed and prominent in views.
Moderate:	Partial loss of or modification to key elements / features / characteristics of the baseline, i.e. new elements may be prominent in views but not necessarily uncharacteristic within the receiving landscape. <u>Concise Oxford English Dictionary Definition</u> <i>Moderate: adjective- average in amount, intensity, quality or degree</i>
Moderate - Low:	Minor loss of or modification to one or more key elements / features / characteristics, i.e. new elements are not prominent within views or uncharacteristic within the receiving landscape.
Low:	Little material loss of or modification to key elements / features / characteristics. i.e. modification or change is not uncharacteristic or prominent in views and absorbed within the receiving landscape. <u>Concise Oxford English Dictionary Definition</u> <i>Low: adjective- 1. Below average in amount, extent, or intensity.</i>
Very Low:	Negligible loss of or modification to key elements/ features/ characteristics of the baseline, i.e. approximating a 'no change' situation and a negligible change in views.

Table 1: Determining the overall level of landscape and visual effects

Assessment 1: 12 Wyllie Road

Existing and Assumed Baseline Environment

The existing designation at 12 Wyllie Road is proposed to be altered in order to construct retaining walls to enable a third main to be constructed in the existing rail corridor. The construction of the third main will result in rail activity moving closer to 12 Wyllie Road and residential properties on this western side of the rail corridor.

The expansion of the North Island Main Trunk (NIMT) rail corridor to accommodate retaining walls at 12 Wyllie Road, removal of vegetation, enabling works, overhead line equipment and retaining structures as part of the third main rail works have formed the baseline for this assessment. Visual effects considered in this assessment are limited to the proposed noise barrier at 12 Wyllie Road, which will be mounted on top of the retaining wall of the expanded rail corridor.

12 Wyllie Road Proposal Description

A noise barrier has been proposed on the western side of the rail line on top of retaining walls in order to reduce the increase in noise on nearby properties associated with the alteration to the designation. The proposed noise barrier is 3.8m high measured from track level, and 210m in length along the edge of the widened rail corridor adjacent to 12 Wyllie Road (see Figure 1 below).

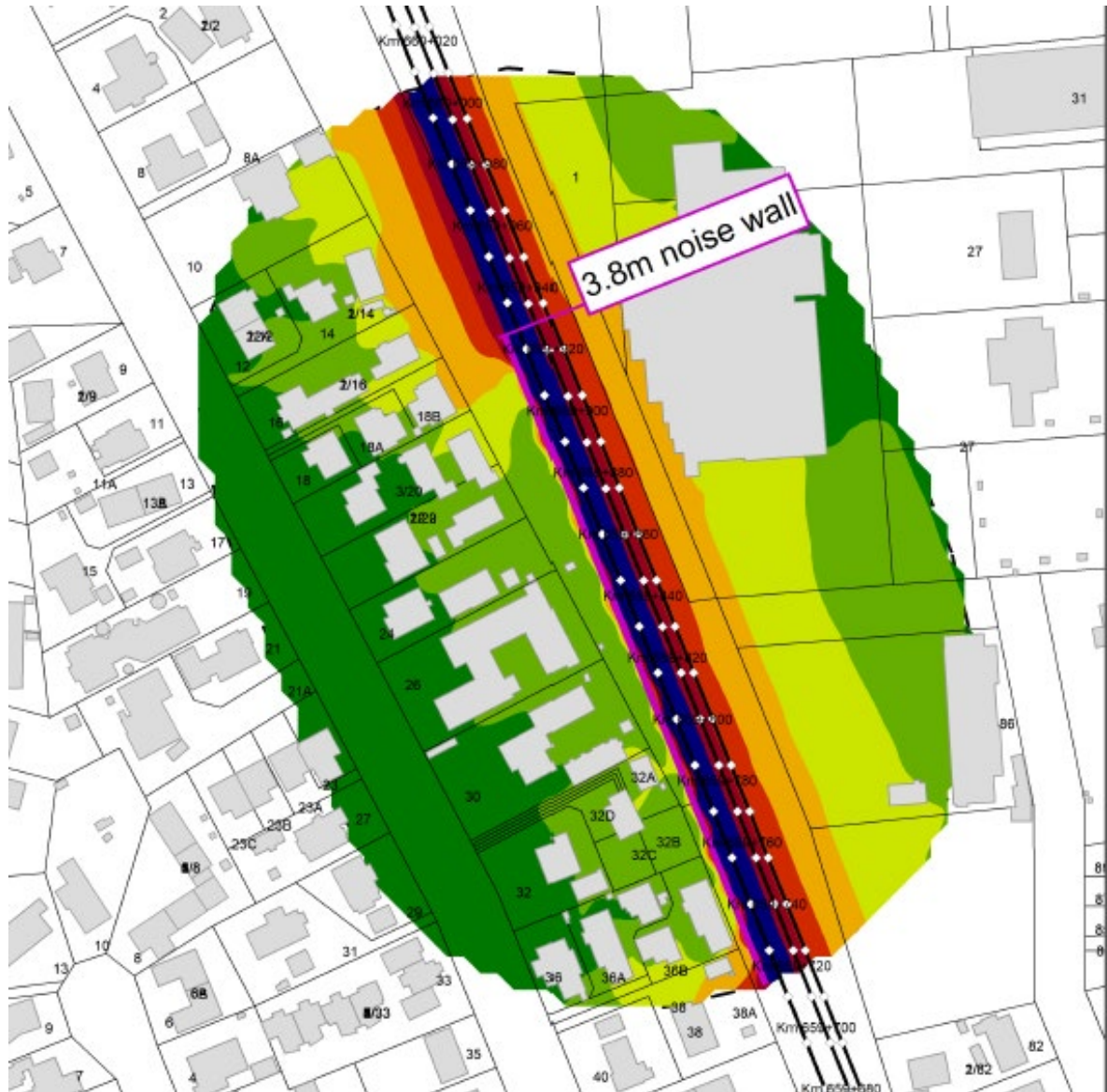


Figure 1: Excerpt from Joint Witness Statement dated 16 November 2021 illustrating the extent of the noise wall (in purple)

The proposed noise barrier will be positioned on top of the retaining wall and is proposed to have a 1.8m high solid medium-density polyethylene (MDPE) lower barrier with a finish to the fascia which replicates the look of a timber boundary fence (see Figure 2 below). The upper 2m of the noise barrier will comprise a transparent tinted Perspex material. This upper portion of the noise barrier will maintain access to light and visibility of the backdrop which comprises built form and vegetation (see Figure 3 below). It is understood that the design of the proposed noise barrier has not been finalised (given that detailed design will occur once the Notice of Requirement is confirmed) and may be refined as a result of Mana Whenua engagement that KiwiRail is undertaking.



Figure 2: Example of a MDPE noise barrier (final finishes may vary).



Figure 3: Example of a transparent material noise barrier (final finishes may vary).

Visual Context and Viewing Audiences

The proposed noise barrier is proposed to be set within the existing rail corridor in the South Auckland suburb of Papatoetoe. The visual catchment of the rail corridor is linear and relatively well contained by the existing urban grain of development that surrounds it, open views of the proposed noise barrier are considered to be limited. Short distance and glimpsed views of the rail corridor are available from the middle distance between intervening built form (primarily 1 to 2 storey residential buildings) and vegetation occurring with residential gardens and surrounding streets. In undertaking a review of the existing environment, it is considered that the sensitivity of the viewing audiences to the change proposed is reduced by the existing established rail corridor. Viewing audiences related to the proposed noise barrier are detailed in Figure 5, at the end of this section.

Viewing audiences to the west of the rail corridor are predominantly single and two storey residential properties and consist of 22 properties which are accessed from Kenderdine Road. Many of these residences are within 1-5m of the rear of their respective property boundaries. The distance between the rear of the residential boundaries and the existing rail corridor across the length of the works varies between approximately 6m and 20m due to the orientation of the rail corridor relative to the residential

boundaries. These properties do not front on to the rail corridor and views are broadly restricted due to existing close board fencing (approx. 1.8m in height) along their rear boundaries.

The raised rail line embankment within the rail corridor ranges from approximately 2m at the southern extent of the noise barrier to 1m at the northern extent of the work above the ground level either side of the rail line (see Figure 4 below). Trains frequently traverse residential viewing audiences' views at regular intervals and characterise the outlook of an established rail corridor. Beyond the rail corridor itself, the backdrop of the viewing audiences outlook comprises residential properties and the St George Bowl Club which is partially obscured by mature vegetation. Properties along the western side of the rail corridor, at the northern extent of the works experience views which are backdropped by vegetation surrounding the Allan Brewster Leisure Centre.



Figure 4: Auckland Council contour data illustrating the topography surrounding the rail corridor.

There are a limited number of viewing audiences available to the east of the rail corridor. The designation is not proposed to be expanded to the east, but these properties have been considered for completeness in terms of their viewing potential of the noise barrier on the western side of the rail corridor. The two properties abutting the proposed noise barrier are the Allan Brewster Leisure Centre and St George Bowls Club, both leisure orientated properties with internally focused activities. The old Papatoetoe Station converted to a café is 140m north of the proposed noise barrier location and will only be afforded glimpsed views at an oblique angle. Residential properties to the east are set back from these facilities and experience heavily filtered or screened views towards the rail corridor. The Allan Brewster Leisure Centre has no apparent windowed outlook over the rail corridor and has mature vegetation around the building and southern car park, which filter views from the car park and surrounding building. Views west from the St George Bowls Club clubhouse and "top" bowling green are well screened by mature vegetation adjacent to the rail corridor. However, views from the lower green and car park of this property have open views towards the elevated rail corridor. Notwithstanding this, it is considered that these recreational viewing audiences also have a reduced sensitivity to the proposed change due to the activities they are undertaking (bowls etc.) and the established character of the rail corridor in their immediate context.

There are also transient viewing audiences along Tavern Lane which runs adjacent to the rail corridor opposite to the northern extent of the works. Tavern Lane has no pedestrian footpath and is primarily frequented by vehicular traffic. This viewing audience will have open views and partially filtered views towards the noise barrier.

Due to the linear nature of the proposed noise barrier and the established urban grain of development, only viewing audiences perpendicular to the location of the works are expected to be affected by the proposal. The visual catchment to the north and south of the proposal is primarily contained within the rail corridor where there are no viewing audiences in these locations.

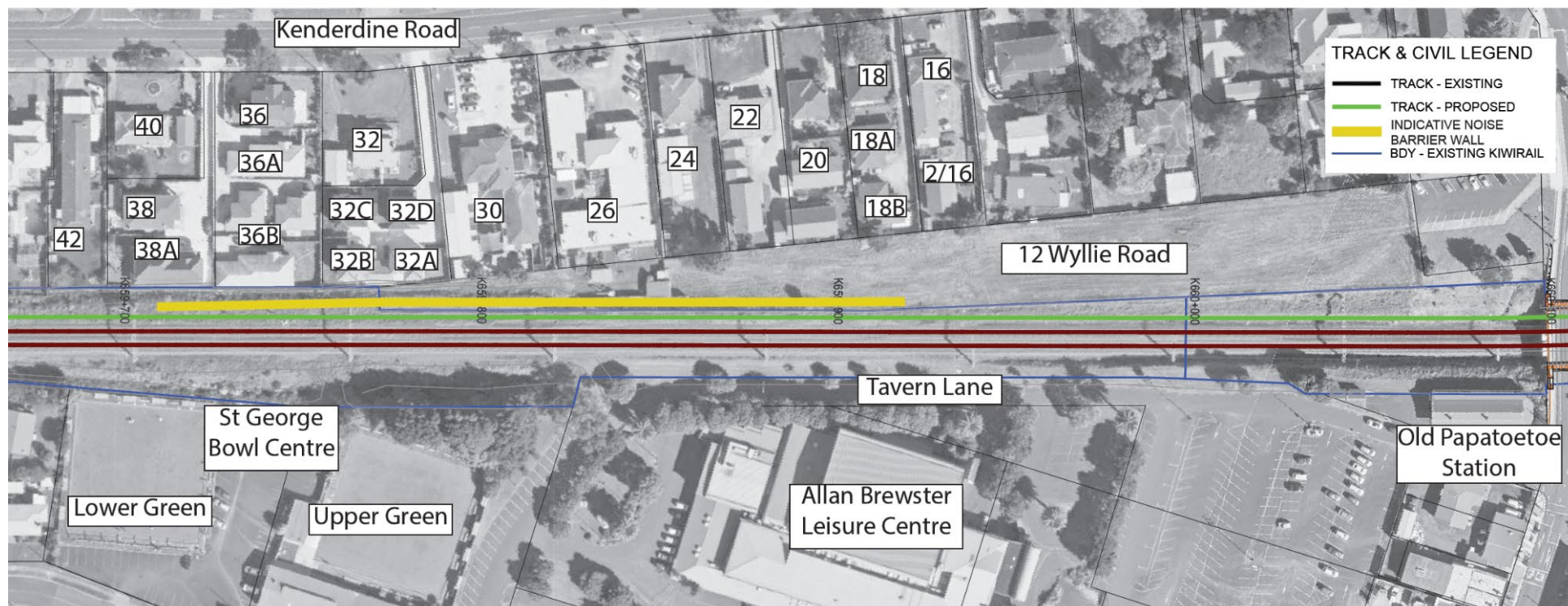


Figure 5: Viewing audience locations relation to the proposed noise barrier



Consideration of Visual Effects

The proposed noise barrier will introduce a new linear structure into short distance views currently attained by people in properties which adjoin the western edge of the NIMT. The noise barrier will be up to 3.8m in height, relative to track level, on top of the retaining wall at the edge of the rail corridor. At the southern edge of the works the noise barrier will appear more pronounced than the noise barrier to the north due to these properties being closer to the rail corridor.

Viewing Audiences at 42 to 16 Kenderdine Road

Viewing audiences to the west of the proposed noise barrier (accessed from Kenderdine Road) will experience views of the noise barrier atop the rail embankment and over the top of existing properties boundary fences. The overall height of the noise barrier will be similar to the height of rail traffic which currently traverse the view at frequent intervals. Although the proposed noise barrier will be a permanent feature in views, the bulk and scale of the structure is reduced by the transparent top half of the structure. The transparent panels along the upper portion maintain access to light, retains visual permeability and reduce visual dominance effects on properties. The impermeable lower section of the will be a noticeable element added to short distance views; however this will be lower in the view than the frequently passing rail activity and existing overhead rail infrastructure.

The materiality of the noise barrier combined with its distance from residential properties will reduce visual dominance effects in relation to viewing audiences at the north of the works. Properties 16 to 26 Kenderdine Road. Properties from 30 – 46 Kenderdine Road at the southern extent of the proposed noise barrier, are however closer to the rail corridor. From these properties existing mature vegetation in the background of the view will still be visible through the transparent upper portion of the noise barrier. Although the noise barrier will introduce a new permanent barrier into short distance views for these viewing audiences, an element of visual permeability will be maintained.

In considering the existing interface condition of these properties, the established rail activities along this road corridor in mind and visual permeability of the upper 2m of the noise barrier, it is considered the visual effects on residential viewing audiences to the west of the works are managed to very low to low adverse.

Viewing Audiences to the East of the Noise Barrier

The Allan Brewster Leisure Centre and St George Bowls Club viewing audiences to east of the proposed noise barrier are not expected to obtain direct views of the noise barrier. Glimpsed views of the proposed noise barrier from the road environment are expected to be available from Tavern Lane. From the lower bowls green, glimpsed views of the proposed noise barrier are expected to be available but are considered to be inconsequential addition into the view. Within the context of an active rail corridor, the change in the view as a result of the noise barrier on viewing audiences to the east are expected to generate very low adverse effects.

Conclusions

In summary, the existing context of these viewing audiences is an active rail corridor which is located to the rear of these properties. For those viewing audiences that do obtain views beyond their boundaries, the rail corridor is an established infrastructure activity that is visible in (and defines) the existing environment. Although the noise barrier is proposed to be 3.8m in height, it is considered the inclusion of the noise barrier will remain in keeping with the nature of structures associated with rail corridors. To reduce visual effects on viewing audiences, a 2m high transparent material will be applied as the upper portion of the noise barrier. This will retain access to light and reduce the degree of visual enclosure and effects by retaining views beyond. It is considered the adverse visual effects of the noise barrier at 12 Wyllie Road on identified viewing audiences will range from very low to low adverse.

Assessment 2: Middlemore Station

Existing and Assumed Baseline Environment

The expansion of the North Island Main Trunk (NIMT) rail corridor to accommodate retaining walls, removal of vegetation, enabling works, overhead line equipment and retaining structures as part of the third main rail works have formed the baseline for this assessment. Visual effects considered in this assessment are limited to the proposed noise barriers around Middlemore Station, which will be mounted on top of the retaining wall of the expanded rail corridor.

Middlemore Proposal description

The western side of the existing rail corridor at Middlemore Station is proposed to be widened to enable a third main to be constructed in this location. This widening of the corridor will result in rail activity moving closer to hospital activities and viewing audiences on the western side of the station. To accommodate the third rail line land outside the current rail corridor is required to be excavated and supported by retaining walls. Noise barriers are proposed at Middlemore Station to mitigate the potential change in noise effects on existing sensitive audiences as a result of the operation of the third main. The proposed noise barriers are approximately 78m and 92m in length and range from 3.8m to 5m in height relative to the track height. The perceived height of the noise barrier will vary in its height relative to the track level and its height relative to the ground level of viewing audiences.

The southernmost section of the noise barrier, adjacent to Odyssey House (a Middlemore Hospital facility building), will be approximately 3.8m (relative to the rail corridor) and 78m in length (Southern Noise Barrier). The section of noise barrier adjacent to Building 38 will be in 5m in height (relative to the rail corridor) and approximately 54m in length (Central Noise Barrier). The northern most extent of the noise barrier adjacent to residential properties will be approximately 3.8m in height and approximately 38m in length (Northern Noise Barrier). The noise barrier, as described above, is illustrated in Figure 6 below.

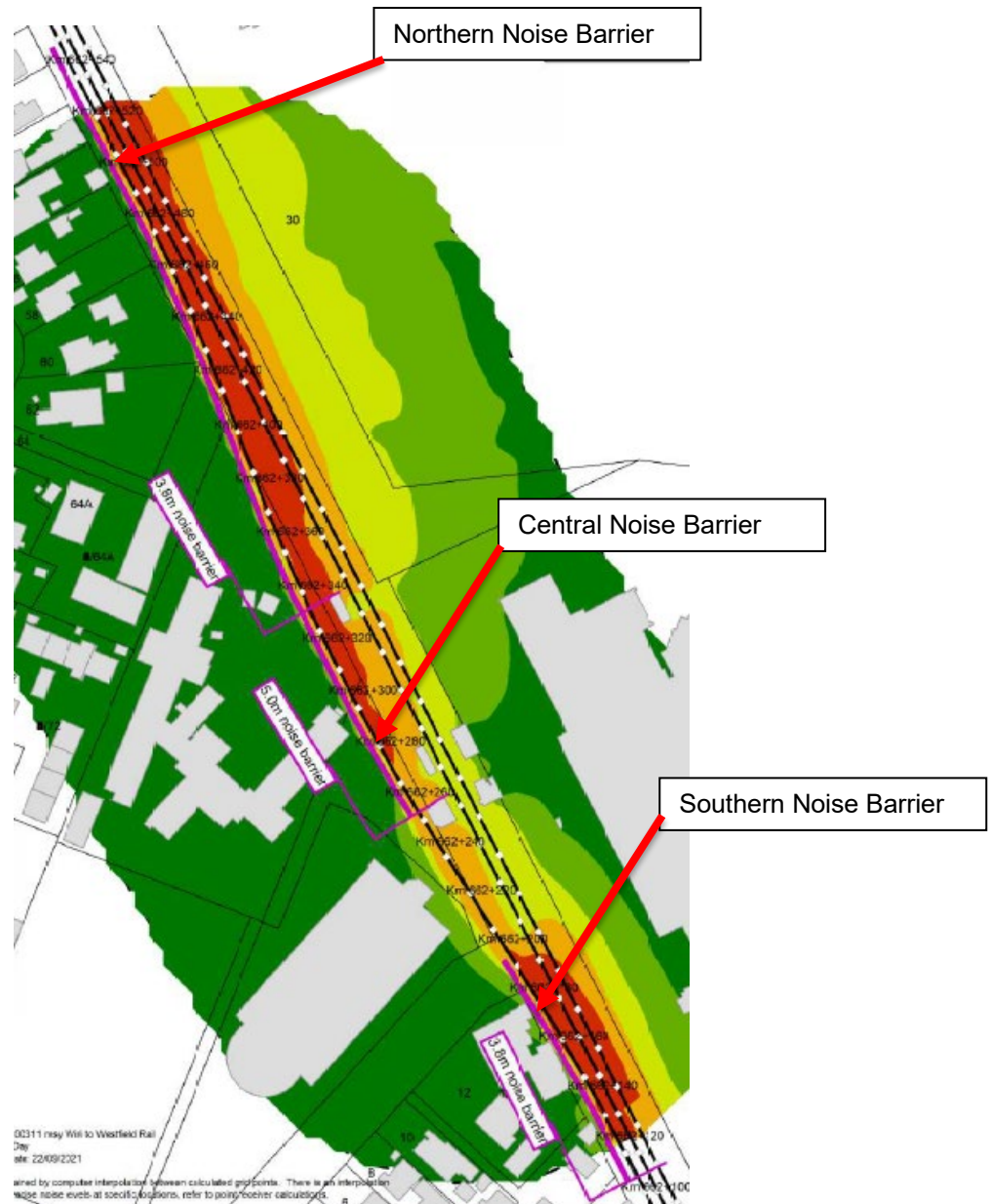


Figure 6: Excerpt from Joint Witness Statement dated 16 November 2021 illustrating the extent of the noise wall (in purple)

The proposed noise barrier will be positioned on top of the retaining wall and will generally abut the adjacent ground level. The noise barrier will comprise a 1.1m high solid concrete barrier on its lower portion, with the remaining balance/ upper portion, comprising a transparent tinted Perspex material (see Figures 7 and 8 below). The designed height of the noise barrier is relative to the third main track height. Therefore, the height of the barrier in relation to the ground level will vary dependent on the adjacent ground height.



Figure 7: Example of a transparent material noise barrier (final finishes may vary).

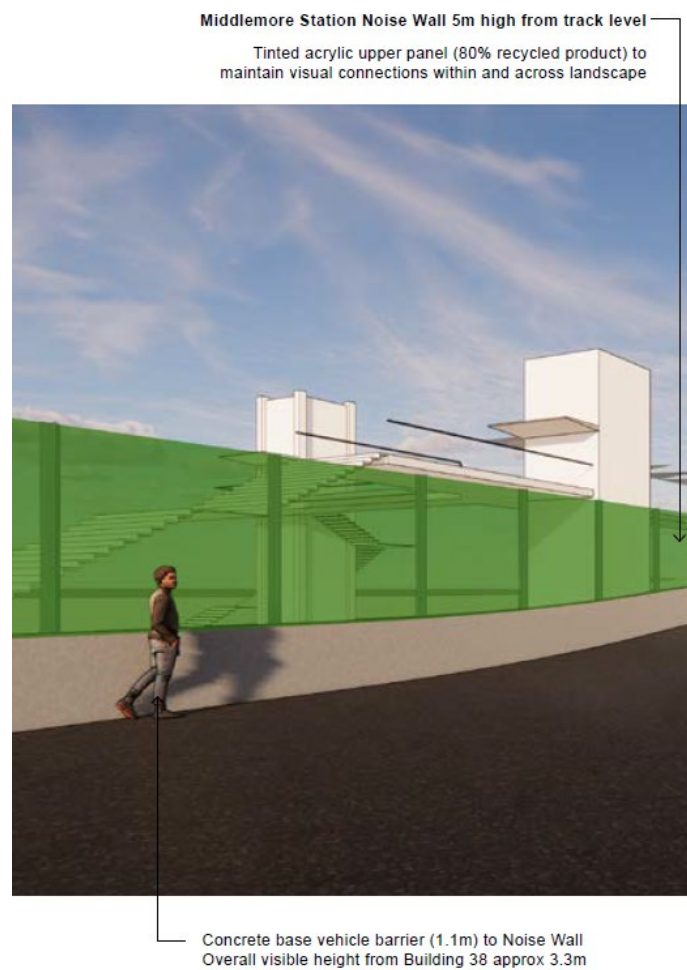


Figure 8: Example of the noise barrier in relation to the adjacent landscape (final finishes may vary).

Visual Context and Viewing Audiences

The proposed noise barrier is set within the context of South Auckland's Middlemore Station which services Middlemore Hospital and the surrounding urban areas. The visual catchment of the existing rail corridor is well contained by the surrounding urban grain of development comprising existing housing and fences to the west and mature vegetation along the rail corridor. Open views of the proposed noise barrier location are considered limited. The surrounding topography is relatively flat with the rail corridor sitting slightly lower in the landscape around Middlemore Station (see Figure 9 below). Viewing audiences related to the proposed noise barrier are detailed in Figure 10, at the end of this section.

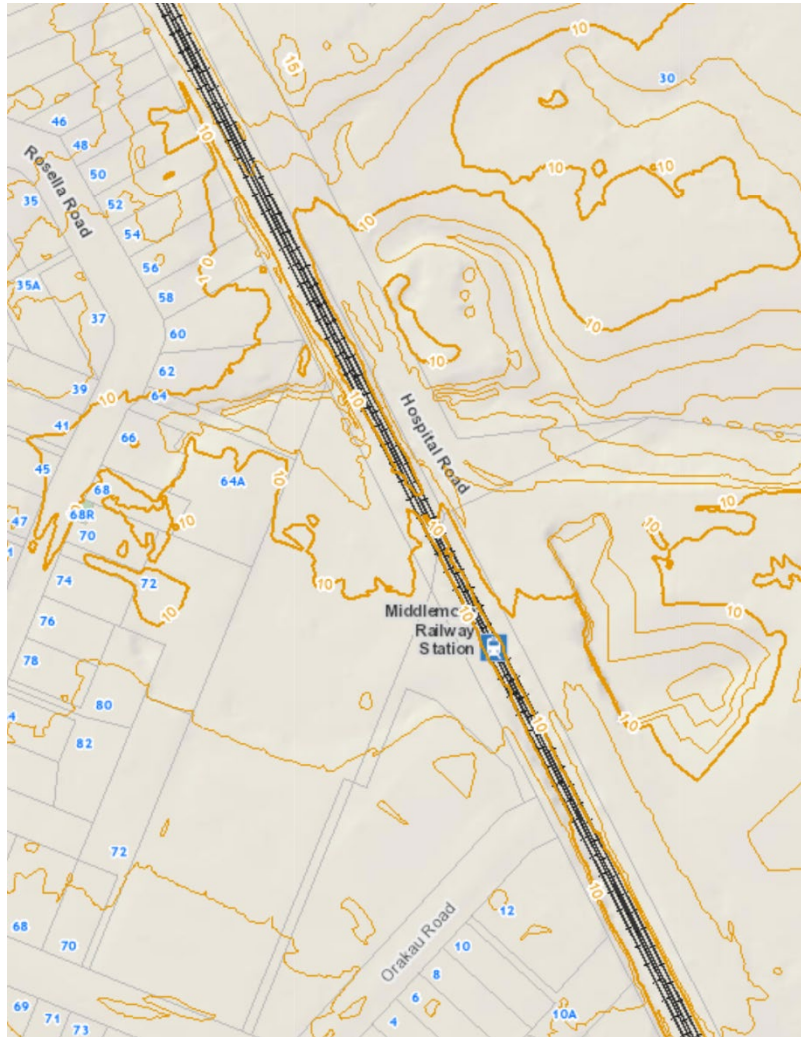


Figure 9: Auckland Council contour data illustrating the topography surrounding the rail corridor.

There are short distance views from adjacent residential and Counties Manukau District Health Board (CMDHB) owned properties, the Middlemore Station platform and the approaching streets. Glimpsed views of the rail corridor are available from the middle distance between intervening built form and vegetation along the rail corridor, in the streetscape and within private property.

Viewing audiences to the west of the works comprise CMDHB properties, single storey residential properties and people walking to and from the Middlemore Station or Hospital campuses. Odyssey House, a single storey CMDHB owned property is in proximity to the southernmost extent of the proposed alteration to the designation. Viewing audiences at the centre of the works to the west comprise pedestrian and vehicular viewing audiences on the approach to the Middlemore Train Station, CMDHB Western Car Park building and overpass link to Middlemore Hospital from Orakau Road; and the CMDHB owned two storey Building 38. Viewing audiences at the northern extent of the works comprise single storey residential properties at 62 to 44 Rosella Road. These properties are at the same ground level as the train line. Three of these residences are within 5 to 10m of the rear of their respective property boundaries. Vegetation within the rear gardens of many of these properties restrict views towards the existing rail corridor. Where there are

uninhibited views of the rail corridor from these single storey residential properties, passing trains are a frequent feature along the highly trafficked line, the background of these views comprise the residential development currently under construction at 30 Hospital Road.

Hospital Road abuts the eastern side of the rail corridor and represents a transient viewing audience that runs parallel to the proposed noise barrier. Middlemore Hospital is the principal audience on the eastern side of the rail corridor. The main entry to the Galbraith Building on the eastern campus of Middlemore Hospital fronts onto the rail corridor.³ Mature Pohutukawa trees along the eastern side of the rail corridor provide some visual screening of the rail corridor for this viewing audience. The northern extent of the works are adjacent to a residential site currently under development at 30 Hospital Road. Viewing audiences on the Middlemore Station platforms experience short distance open views over the proposed works site. This viewing audience is transient in nature and will typically only be on the platform for a short amount of time.

Due to the linear nature of the proposed noise barrier and the existing urban grain of development and intervening built form, viewing audiences identified above are perpendicular to the location of the works are expected to be affected by the proposal. The visual catchment to the north and south of the proposed noise barrier is broadly contained within the existing rail corridors which has no viewing audiences to be assessed as part of this assessment.

³ This building includes the Birthing Unit and Accident and Emergency department.

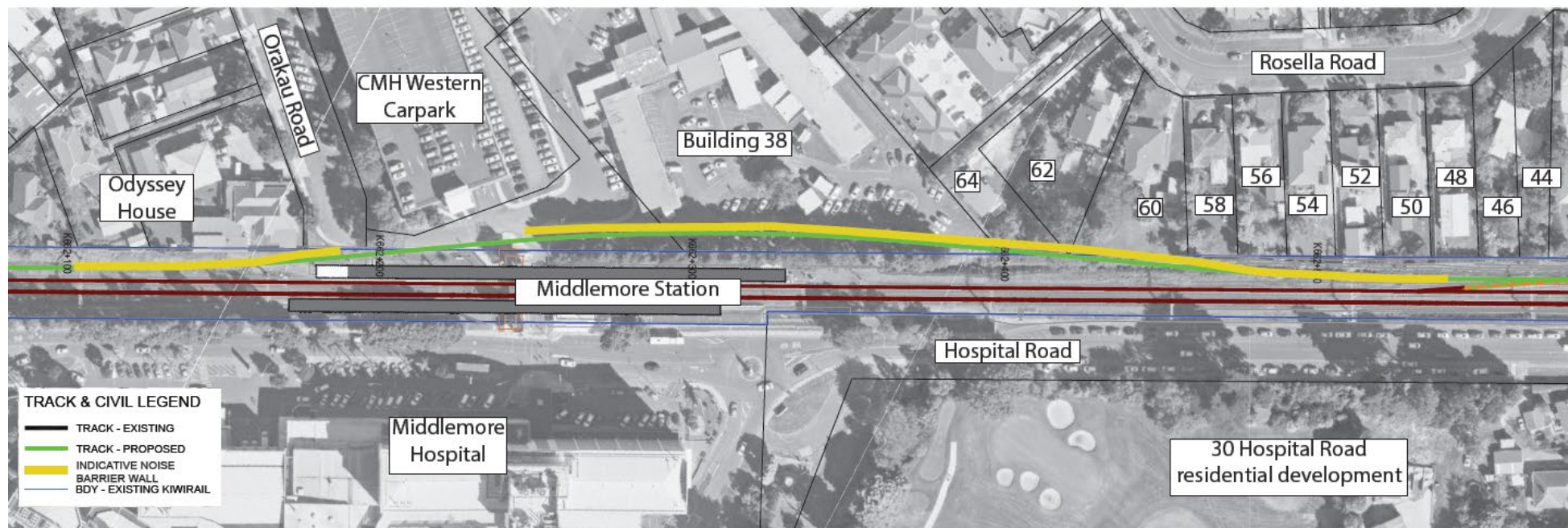


Figure 10: Viewing audience locations relation to the proposed noise barriers



Consideration of Visual Effects

Viewing audiences at the Southern noise barrier by Odyssey House

The proposed noise barrier will introduce a new structure into short distance views for the Odyssey House viewing audiences to the west. The southern noise barrier adjacent to Odyssey House will extend up to the eaves of the building, approximately 2.7m above ground level. The impermeable lower 1.1m of the noise barrier will not be visible by this viewing audience due to the properties intervening 1.8m close boarded boundary fence. The upper transparent portion of the barrier will be visible over the top of the property's boundary fence. Views across the rail corridor towards Middlemore Hospital, including rail traffic, and access to light for this viewing audience will be maintained. Visual effects on this visual audience are expected to be low adverse.

Viewing Audiences adjacent to the Centre of the noise barrier by Building 38, station approaches and the CMH Western Car Park

The CMDHB owned Building 38 is orientated with north and south aspects, resulting in oblique views towards the proposed noise barrier. Views will also be available from the approaches, car park and common areas around the building. The proposed noise barrier will be approximately 3.3m in height relative to this viewing audience. The lower 1.1m portion of the noise barrier will be concrete with the remaining balance of the noise barrier a transparent tinted Perspex material. The transparent upper portion of the noise barrier will allow for passive surveillance of this area from the train station platform. Views from within Building 38 will remain largely the same as the outlook is not directly towards the proposed noise barrier, however oblique views towards the noise barrier will be available. This will be most apparent from lower storey windows as upper storey windows will look over the noise barrier. With consideration of the angle of view and the design of the barrier within the context of a transportation corridor, it is expected that visual effects on this viewing audience will be very low adverse.

Viewing audiences at the northern noise barrier

At the northern extent of the works the proposed 3.8m high barrier will comprise a 1.1m with the balance of the barrier a tinted Perspex material. Residential viewing audiences at the western side of the rail corridor will experience views of the proposed barrier. Properties with vegetated rear gardens will experience filtered views of the proposed barrier. Viewing audiences with open views towards the rail corridor will experience glimpsed views of the impermeable barrier over their boundary fence or the full extent of the barrier for properties with a visually permeable chain-link boundary fence. Properties closer to the rail corridor will have open views of the proposed noise barrier and will maintain views across the rail corridor, passing trains will continue to be transient feature.

The upper transparent portion of the noise barrier will not restrict the access to light for properties and will assist in reducing potential adverse visual effects. Although the barrier will be a new feature within views from these properties, it is considered the barrier will be broadly in keeping with infrastructure expected to be seen within the established rail corridor. These properties do not front on to the rail corridor and views are broadly restricted due to existing close board fencing (approx. 1.8m in height) along their rear boundaries. Visual effects on these viewing audiences as a result of the works are expected to be low adverse.

Transient viewing audiences

Road users and pedestrians approaching the station from the west are a transient viewing audience and are considered to have a lower level of sensitivity to the proposed change. The noise barrier is positioned at the northern and southern extents of this viewing audience, through the centre of the concourse the proposed barrier will be limited to a 1.1m concrete barrier primarily for vehicular restraint for a length of approximately 30m. Angled coloured Perspex panels will be added to the concrete barrier to provide continuity and visual interest for this viewing audience. The total height of the barrier will be approximately 1.8m in this location. The concrete barrier and Perspex panels in this location are typical of infrastructure

around a rail transportation corridor. Overall, in consideration of the viewing audience's transient nature and low sensitivity to the change proposed, the visual effects on this audience are expected to be very low adverse.

Transient viewing audiences to the east of the rail along Hospital Road will experience open views across the rail corridor to the north of the rail corridor and filtered views to the centre and south of the rail corridor. Within the context of the busy rail line, the barrier will only be a small feature and will also result in very low adverse visual effects.

The viewing audience on the Middlemore Station platform will experience short distance views of the noise barrier when looking west. This viewing audience has a lower level of sensitivity due to their transient nature, the short amount of time likely to be spent on the platform and the existing context of being within a rail corridor. Passive surveillance of the adjacent land to the west will be available through the transparent portion of the noise barrier. The approximately 4m high noise barrier, relative to this audience, will be in keeping with infrastructure expected to be seen within the rail corridor, visual effects on this viewing audience are expected to be very low adverse.

Views from Middlemore Hospital Eastern Campus and Galbraith building and the grounds to the west will generally be contained by the mature trees that border the eastern boundary of the rail corridor, when viewed from the ground floor and lower storey windows. Views from upper storey windows of this viewing audience will experience generally overlook the proposed noise barrier. Where views are available the barrier will be seen in the context of the rail corridor. Visual effects on this viewing audience as a result of the proposed noise barrier will be very low adverse.

Conclusions

In summary, the existing context of viewing audiences is an active rail corridor at the rear of residential properties, DHB buildings and adjacent transient road users and pedestrians. These viewing audiences that have existing views of the rail corridor, which is an established infrastructure activity. In consideration of their existing context and interface with the existing rail corridor, it is considered that the noise barrier will be in keeping with the type of structures associated with rail corridors. To reduce visual effects on viewing audiences the upper portion of the noise barriers will comprise a minimum of 2m of transparent material. This will retain access to light, reduce visual enclosure and effects by retaining views beyond. It is considered that adverse visual effects of the noise barriers at Middlemore on viewing audiences will range from very low to low adverse.

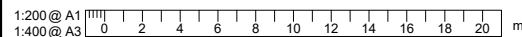
Appendix C Written Approval from the Owner 52 Rosella Road



Redacted for privacy reasons

Appendix D Sketch – Cross Section 52 Rosella Road



[illegible]

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CLIENT KIWIRAIL				TITLE MIDDLEMORE STATION SKETCH - CROSS SECTION 52 ROSELLA ROAD			
PROJECT W2QP - WIRI TO QUAY PARK THIRD RAIL							
DRAWN NB		DRAWING CHECK NL		REVIEWED AC		APPROVED MM	
DESIGNED GD		DESIGN REVIEW AS		DATE		SCALE 1:250	
				DATE		DRAWING No DR-NIMT-CV-HS-02822	
						REV A	

1. EXISTING SITE LAYOUT BASED ON SITE PLAN AND TOPOGRAPHIC SURVEY (OPUS 2012) PROVIDED BY KIWIRAIL.

LEGAL BOUNDARIES

RAIL BOUNDARY

EXISTING TRACK

NEW THIRD MAIN

PROPOSED OLE

EXISTING OLE TO BE REMOVED

EXISTING OLE

EXISTING FENCE



Stantec is a global leader in sustainable engineering, architecture, and environmental consulting. The diverse perspectives of our partners and interested parties drive us to think beyond what's previously been done on critical issues like climate change, digital transformation, and future-proofing our cities and infrastructure. We innovate at the intersection of community, creativity, and client relationships to advance communities everywhere, so that together we can redefine what's possible.

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NEW ZEALAND

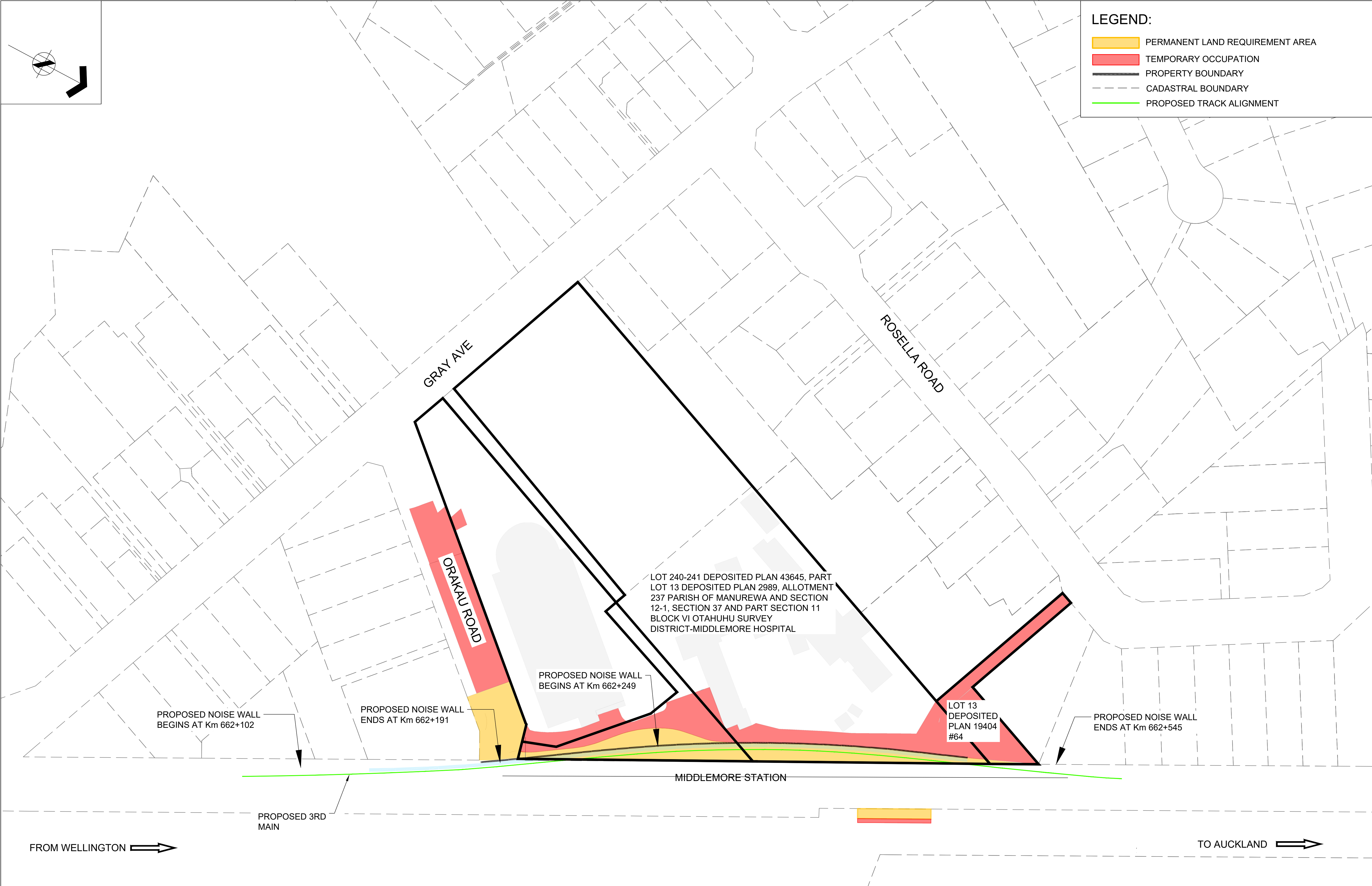
Mail to: PO Box 13052, Christchurch 8140

stantec.com



Attachment B

Diagram showing location of noise wall adjacent to railway line



C:\Users\BOYTEN\MB\CAD\KiwiRail - W2QP\Noise wall\W2QP - Middlemore-Designation plan\W2QP - Middlemore-Designation plan_V-A_2023-01-23.dwg 23-10-25 02:41 PM BoytenM



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PROJECT FILE No:

Digital Data in Terms of MOUNT EDEN 2000 Coordinate system.

REV	REVISION PARTICULARS	DRAWN	DATE	DESIGNED	INITIALS	DATE
0.1	FOR INFORMATION	PP	01/12/2022	DESIGNED	DW	01/12/2022
0.2	REVISED	PP	08/12/2022	DRAWN	PP	01/12/2022
-	-	-	-	CHECKED	DW	01/12/2022
-	-	-	-	APPROVED	-	-
-	-	-	-	LINE: NIMT	Km: -	
-	-	-	-	SCALE: NTS		

W2QP
WO -
MIDDLEMORE
DESIGNATION PLAN

CONSULTANT/CONTRACTOR:-			
APPROVED BY :- DATE :-			
DRAWING No.	Original	A1 Std	Rev No 0.2
DR-3			

Attachment C

**Updated KiwiRail Holdings Ltd conditions
6302 North Island Main Trunk Railway Line
(~~strikethrough~~/underscore)**

6302 North Island Main Trunk Railway Line

Designation Number	6302
Requiring Authority	KiwiRail Holdings Ltd
Location	North Island Main Trunk Railway Line from Buckland to Britomart Station, Auckland Central
Rollover Designation	Yes
Legacy References	Designation 89, Auckland Council District Plan (Franklin Section) 2000; Designation 11, Auckland Council District Plan (Papakura Section) 1999; Designation 230, Auckland Council District Plan (Manukau Section) 2002; Designation B10-05, Auckland Council District Plan (Isthmus Section) 1999; Designation 282, Auckland Council District Plan (Central Area Section) 2005
Lapse Date	Given effect to (i.e. no lapse date)

Purpose

The purpose of the designation is to develop, operate and maintain railways, railway lines, railway infrastructure, and railway premises as defined in the Railways Act 2005.

Conditions

1. **The following conditions apply between points X: 1,763,282.256m Y: 5,909,226.484m and X: 1,758,983.051m Y: 5,920,480.938m (NZTM2000):**

Any activity on land within the defined Tamaki Drive Scenic Way (Map Reference B10-08) shall comply with the Auckland City Design Guidelines Tamaki Drive.

2. The geological feature which is scheduled in the District Plan (Map Reference D12-04) shall not be excavated, physically investigated, damaged, or altered, other than in accordance with an outline plan submitted and processed in terms of Section 176A of the Resource Management Act 1991.
3. Where the Purewa Tunnel passes under the following properties, the designation applies to subsoil space only:
 - Lot 416, DP 41185;
 - Lot 1, DP 74916;
 - Lot 2, DP 74916;
 - Part Lot 2, DP 40127;
 - Part Lot 1, DP 40127;
 - Part Lot 22, DP 18321; and
 - Part Lot 19, DP 18321.

For these properties, the extent of the designation is limited to the subsoil space owned by the requiring authority and recorded on the certificates of title. The location of these properties and the strata nature of the designation is illustrated in Diagram B10-05(1).

4. Where the Purewa Tunnel passes under St Johns Road, the extent of the designation is limited to the subsoil space owned by the requiring authority and recorded on Survey Office Plan 22701. The location of this road in relation to the tunnel and the strata nature of the designation is illustrated in Diagram B10-05(1).

The following conditions apply between points XL 1,758,983.051m Y: 5,920,480.938m and X: 1,757,893.28m Y: 5.920,853.469m (NZTM2000):

5. With exception of the temporary station site, the designation (for existing and future corridors) is limited as to airspace at 6m above the rail tracks and the future corridor to the Britomart Transport Centre is limited to both airspace and substrata as shown in the Diagram 282.
6. Development of the temporary station site shall comply with the underlying development controls.
7. Conditions 7 to 34 of this designation only apply in respect of works for the Wiri to Quay Park Project undertaken on land shown in yellow and red shading on the following land requirement plans:

- drawing entitled "3rd Main – Papatoetoe Land Requirement Layout Plan (Sheet 1)", Reference DR-NIMT-CV-HS-00169 and dated 22 November 2021;
- drawing entitled "3rd Main – Papatoetoe Land Requirement Layout Plan (Sheet 2)", Reference DR-NIMT-CV-HS-00170 and dated 16 December 2021;
- drawing entitled "3rd Main – Papatoetoe Land Requirement Layout Plan (Sheet 3)", Reference DR-NIMT-CV-HS-00171 and dated 22 November 2021;
- drawing entitled "3rd Main – Papatoetoe Land Requirement Layout Plan (Sheet 4)", Reference DR-NIMT-CV-HS-00172 and dated 22 November 2021;
- drawing entitled "W2QP WO - Middlemore Designation Plan", Drawing No. DR3, Revision 0.2; and
- drawing entitled "Wiri Junction Land Requirement Layout Plan (Sheet 2)", Reference DR-NIMT-CV-HS-00175 and dated 22 November 2021.

Advice Note: The following terms relate to Conditions 7 to 34

Term	Definition
Existing Building	Any building that physically existed and was being used as a dwelling or healthcare facility as at [the date this NoR is confirmed] .
Third Main	Third rail line to be constructed as part of the Wiri to Quay Park Project.
NIMT	North Island Main Trunk Line
Te Whatu Ora	Te Whatu Ora – Health New Zealand (or any successor body).

Outline Plan of Works

8. Pursuant to s176A of the Resource Management Act an outline plan of the work (OPW) to be constructed must be submitted by the Requiring Authority to the Council to allow the Council to request changes before construction is commenced.

Advice Notes:

1. The OPW should address methodologies for removal or alteration of trees as required for the proposed works and the mitigation proposed.
 2. The OPW should address visual amenity matters including, but not limited to, mitigation of the proposed noise barrier wall at 12 Wyllie Road, including evidence of consultation with the owner of that property.
9. The management plans required by conditions 11 and 16 shall not be submitted to the Council for certification prior to the submission of the OPW but may be submitted with an OPW.
 10. The Middlemore Design Plan required by condition 25 must be prepared prior to submitting the relevant OPW and the Middlemore Design Plan must be submitted to the Council with the relevant OPW.

Construction Traffic Management Plan

11. The Requiring Authority must prepare and submit a Construction Traffic Management Plan (CTMP) to Auckland Council for certification prior and obtain certification prior to the commencement of works for the Third Main. If the Requiring Authority has not received a response from Auckland Council within 20 working days after the date of submission of the CTMP it will be deemed certified.
12. The CTMP must be prepared by a suitably qualified and experienced person in consultation with Auckland Transport, and where it relates to works at Middlemore Station, also with Te Whatu Ora. The purpose of the CTMP is to ensure:
 - a. the management and minimisation of traffic congestion arising from construction vehicles;
 - b. the management of temporary reductions in on-site parking at 100 Hospital Road including temporary parking provision;
 - c. the management of internal vehicle and pedestrian movements at 100 Hospital Road;
 - d. the safe movement of vehicles to and from construction sites;
 - e. the safety of other road users, including public transport providers, pedestrians and cyclists; and
 - f. that sufficient on-site parking or other transport arrangements are provided for the project's construction workers.

Advice Note: Auckland Council's certification role is limited to ensuring that the CTMP addresses all matters listed in Conditions 12 and 13.

13. The CTMP must detail how the purpose of the CTMP is to be achieved and must include:
 - a. methods to manage the effects of temporary traffic management activities on traffic capacity, operations and movements during construction periods;
 - b. measures to manage the safety of all transport users on construction routes during construction works;

- c. hours for construction activities, the estimated numbers, frequencies 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;
- d. site access points to be used by construction related traffic;
- e. 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 or diversions and other methods for the safe management and maintenance of traffic flows, including general traffic, buses, pedestrians and cyclists on existing roads;
- f. methods to maintain pedestrian and/or vehicle access to property and/or private roads where practicable, or to provide alternative access arrangements where access cannot be maintained;
- g. methods to communicate traffic management measures to affected road users, Te Whatu Ora and other relevant parties;
- h. details of a construction staff travel management plan to reduce the potential impact of staff vehicles on the road network; and
- i. for works at Middlemore Station:
 - i. measures to manage heavy vehicle movements at the Gray Avenue/Orakau Road intersection (if and when these are required) and to manage these movements to minimise peak staff arrival and departure times;
 - ii. measures to manage two-way hospital and construction traffic via the 64 Rosella Road access;
 - iii. measures to safely manage pedestrians travelling between the multi-storey carpark and at-grade parking areas on 100 Hospital Road west of Middlemore Station, and Middlemore Hospital's eastern campus, during construction;
 - iv. measures to minimise the temporary occupation of at-grade parking on 100 Hospital Road, including details of the number of spaces to be occupied and the duration of this occupation;
 - v. the identification of temporary parking provision for the Te Whatu Ora; and
 - vi. measures regarding the provision of safe pedestrian and vehicular access to and within 100 Hospital Road.

Construction Noise and Vibration

14. Construction noise must be measured and assessed in accordance with the provisions of New Zealand Standard NZS6803:1999 "Acoustics - Construction Noise" and comply with the noise standards in Table 1 at any occupied building as far as practicable. The Construction Noise and Vibration Management Plan (CNVMP) prepared in accordance with Condition 17 below sets out the procedure to be followed where the below standards cannot be met.

Table 1: Construction Noise Standards

Receiving Environment	Day (0700 – 2000 hrs)	Night (2000 – 0700 hrs)
Occupied activities sensitive to noise	75 dB LAeq (30 min)	60 dB LAeq (30 min) 75 dB LAFmax
All other occupied buildings	75 dB LAeq (30 min)	80 dB LAeq (30 min)

15. Construction vibration must be measured and assessed in accordance with German Standard DIN 4150-3:1999 “Structural Vibration – Part 3: Effects of Vibration on Structures”, and comply with the vibration standards in Table 2 as far as practicable. The CNVMP prepared in accordance with Condition 17 below sets out the procedure to be followed where the below standards cannot be met.

Table 2: Construction Vibration Standards

Line	Type of Structure	Vibration limits (mm/s PPV)
1	Buildings used for commercial purposes, industrial buildings, and buildings of similar design	10
2	Dwellings and buildings of similar design and/or occupancy including hospitals	5

16. Prior to the commencement of construction works for the Third Main, the Requiring Authority must prepare and submit a CNVMP for certification and obtain certification by the Council. If the Requiring Authority has not received a response from the Council within 20 working days of the date of submission of the CNVMP it will be deemed certified.
17. The CNVMP must be prepared by a suitably qualified and experienced person. The purpose of the CNVMP is to:
- identify and adopt the Best Practicable Option to avoid, remedy or mitigate construction noise and vibration effects;
 - define the procedures to be followed when construction activities cannot meet the noise and vibration standards in Conditions 14 and 15, which shall include evidence of any feedback from consultation with affected parties;
 - inform the duration, frequency and timing of works to manage disruption; and
 - set out procedures to record engagement with affected receivers and timely management of complaints.
18. The CNVMP shall include:
- the relevant measures from NZS 6803:1999 "Acoustics - Construction Noise", Annex E2 "Noise management plans";
 - the relevant measures from DIN 4150-3:1999 “Structural vibration - Part 3 Effects of vibration on structures”, Appendix B “Measures for limiting the effects of vibration”;
 - a requirement and process to offer and if accepted, undertake, a pre-construction condition survey for any building where the construction vibration levels are predicted to exceed the cosmetic building damage limits in Condition 15 above; and
 - relating to works at Middlemore Station:
 - the following site-specific standards that must be used to trigger engagement with the Te Whatu Ora to enable the effective management of noise and vibration effects in Building 38 (including Home Healthcare and the renal unit):
 - 1mm/s PPV measured on the foundation of the building (for vibration); and
 - 75 dB LAeq measured 1m from the façade(s) of the occupied and noise sensitive spaces of the building (for noise); and

- ii. The methods used by the Requiring Authority to manage construction noise and vibration on activities at 100 Hospital Road.

Advice Note: Auckland Council's certification role is limited to ensuring that the CNVMP addresses all matters listed in Conditions 17 and 18.

19. Where engagement is triggered with the Te Whatu Ora in condition 18d)i., the Requiring Authority shall maintain records of the outcomes of the engagement and the responses of the Requiring Authority to any feedback received by Te Whatu Ora, including any additional temporary mitigation measures undertaken (e.g. rescheduling works, changing construction methodologies).

Operational Noise and Vibration

20. The Requiring Authority shall mitigate in accordance with condition 21 total operational rail noise emitted from all lines in the rail corridor where the predicted noise levels at the external façade of Existing Buildings within points 659+715 to 660+005 (works in vicinity of 12 Wyllie Road) and 662+117 to 662+519 (works in vicinity of 100 Hospital Road, Mangere East) of the NIMT:
 - a. exceed the thresholds in Table 3; and
 - b. increase by at least 3 decibels above levels as at [the date this NoR is confirmed] as a result of the operation of the Third Main.

Table 3: Operational Rail Noise Mitigation thresholds

Day (0700 – 2200hrs)	Night (2200 – 0700hrs)
65 dB LAeq 85 dB LAFmax	60 dB LAeq 85 dB LAFmax

21. Prior to the operation of the Third Main, the Requiring Authority shall install noise barriers on the western side of the NIMT to mitigate rail noise received at Existing Buildings identified in condition 20. The noise barriers shall ensure the increase in rail noise level as a result of the operation of the Third Main is less than 3 decibels and shall be:
 - a. at least 3.8 metres in height above rail track level within the rail corridor between points:
 - i. 659+715 and 659+926 of the NIMT (works in vicinity of 12 Wyllie Road); and
 - ii. ~~662+102 and 662+191 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East); and~~
 - iii. ~~662+249 to 662+545 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East); and~~
 - ii. 662+102 and 662+415 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East), and
 - b. constructed with a surface mass of at least 10kg/m²; and
 - c. constructed without gaps (except for station access, where required); and
 - d. constructed in general accordance with the memorandum from Boffa Miskell (Oliver May) dated 30 November 2021.
22. Prior to the operation of the Third Main, the Requiring Authority shall install ballast mats under ballasted track (or alternative vibration mitigation material) to mitigate rail vibration at Existing Buildings between points 659+715 to 660+005 NIMT (works in vicinity of 12 Wyllie Road) and 662+117 to 662+519 NIMT (works in vicinity of 100 Hospital Road, Mangere East) to achieve

NS 8176:2017 Class C (as far as practicable). The ballast mats (or alternative vibration mitigation material) shall be installed between points:

- a. 659+715 and 660+005 of the NIMT (works in vicinity of 12 Wyllie Road); and
- b. 662+102 and 662+545 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East).

23. Within three months of the commencement of freight operations on the Third Main, the Requiring Authority shall engage a suitably qualified and experienced person to:
- a. undertake representative noise monitoring to quantify the noise mitigation provided by the noise barrier(s) in condition 21; and
 - b. undertake representative vibration monitoring to quantify the vibration mitigation provided by condition 22; and
 - c. prepare a report confirming compliance with conditions 21 and 22, which shall be provided to the Council for certification and a copy shall be provided to Te Whatu Ora; and
 - d. If the report required in condition 23c) above indicates a non-compliance with conditions 21 and 22 remedial measures shall be undertaken to ensure compliance and this condition repeated for that work.

Middlemore Design Plan

24. Subject to condition 28, the works in the vicinity of the Middlemore Station shall be undertaken in general accordance with the Jacobs plan DR-NIMT-CV-HS-00701 entitled "Middlemore Station Works Plan" dated 26/11/21.
25. Prior to submitting an OPW for Middlemore Station, the Requiring Authority must prepare a Middlemore Design Plan.
26. The purpose of the Middlemore Design Plan is to demonstrate how safe, efficient and well integrated transport facilities to enable access to Middlemore train station will be provided, as well as how the transport effects of the Third Main on 100 Hospital Road and the surrounding road network will be avoided, remedied or mitigated. The Middlemore Design Plan shall include details of:
- a. parking and other road markings on Orakau Road;
 - b. the turning head facility to access Middlemore Station;
 - c. the pedestrian overbridge / lift to provide access to Middlemore Station and between Middlemore Hospital Campuses;
 - d. vehicular access to 100 Hospital Road;
 - e. the reinstatement of any at-grade parking areas at 100 Hospital Road affected by these works;
 - f. access to the northern carpark at 100 Hospital Road, including measures to prevent pedestrians from using the access at 64 Rosella Road as access to and from Middlemore Station;
 - g. noise barriers;
 - h. mitigation planting, including in relation to the loss of existing trees; and
 - i. pedestrian footpath access and crossing facilities at the end of Orakau Road to access Middlemore Station.
27. The Requiring Authority shall provide a draft of the Middlemore Design Plan to Auckland Transport and Te Whatu Ora at least two months prior to submitting the OPW for Middlemore Station and invite them to comment on the plan within 15 working days of receiving the draft plan. The Requiring Authority must consider any feedback received and amend the draft

Middlemore Design Plan to incorporate that feedback. If aspects of the feedback are unable to be incorporated, the Requiring Authority shall provide reasons in writing to those parties as to why that feedback was not included, prior to submitting the OPW. Such feedback shall also be provided to the Council as part of the OPW.

Advice Note: Where the Middlemore Design Plan requires changes within the existing road reserve of Orakau Road or any potential extension of the existing road reserve to be vested with Auckland Council, Engineering Plan Approval will be required.

28. Any relevant OPW and the construction of the Third Main and any related mitigation works shall be undertaken in accordance with the Middlemore Design Plan.

Access and parking at Middlemore Station

29. The Requiring Authority shall, in consultation with Te Whatu Ora, provide legal access to the northern car park at 100 Hospital Road as identified in the plan referenced in condition 24 for Te Whatu Ora staff via 64 Rosella Road (LOT 13 DP 19404 NA82C/132) and provide 10 carparking spaces on 64 Rosella Road for Te Whatu Ora staff use. The designation shall remain in place with access and carparks continuing to be provided until such time as:
- a. an alternative legal access to the northern car park and replacement carparking is provided by Te Whatu Ora or the Requiring Authority; or
 - b. Te Whatu Ora confirms in writing to the Requiring Authority that it no longer requires access to the northern carpark via 64 Rosella Road and the carparking spaces on 64 Rosella Road.
30. The Requiring Authority shall secure Te Whatu Ora's use of 64 Rosella Road for access and car parking in condition 29 by way of legal instrument.
31. The Requiring Authority shall ensure the design of safe access through 64 Rosella Road includes measures to restrict a public pedestrian connection to the Middlemore train station.

Watercare Utility Protection Plan

32. Prior to undertaking any works for the Wiri to Quay Park project within the land requirement area shown on the plans listed in condition 7, the Requiring Authority shall, in consultation with Watercare, prepare a Watercare Utility Protection Plan that:
- a. ensures Watercare's existing assets within the land requirement area are protected from any damage that may arise as a result of the works;
 - b. does not preclude Watercare's ability to construct and operate new infrastructure in the land requirement area in the future, where it is compatible with the works the Requiring Authority is undertaking;
 - c. establishes a process for consultation with Watercare on the proposed relocation of any existing Watercare assets that is required as a result of works undertaken by the Requiring Authority within the land requirement area;
 - d. makes the Requiring Authority wholly responsible for the cost of any relocation of Watercare assets that are required as a result of works undertaken by the Requiring Authority within the land requirement area; and
 - e. ensures Watercare maintains access to its assets within the land requirement area 24 hours a day, 7 days a week for maintenance, safety and operation, provided that:
 - i. Watercare holds a permit to enter the land requirement area; and
 - ii. Watercare staff and / or contractors provide advance notice to Train Control before entering the land requirement area.

Review of Designation

33. As soon as practicable following completion of construction of the Third Main in the locations set out in condition 7, the Requiring Authority shall:
- a. review the designation extent between these locations;
 - b. identify areas of designated land that the Requiring Authority considers are no longer necessary; and
 - c. give notice to the Council and other parties required under section 182 of the RMA to remove those parts of the designation that it no longer requires under (b). For the avoidance of doubt, this will include those parts of the designation identified as "temporary" on the plans listed in condition 7 (except in the case of the designation over 64 Rosella Road which shall remain in place until such time that condition 29(a) or (b) is satisfied).
34. Notwithstanding condition 33, the Requiring Authority must apply to Council to remove the designation identified as temporary on the relevant plan in condition 7 at 12 and 14 Wyllie Road (being Lot 1 DP 152288 NA90C/848 and Part Lot 1 DP 136372 NA80B/675) within 3 months of construction being completed or the site no longer being required as a construction yard, whichever occurs earliest.

Attachments

Diagram B10-05 - Purewa Tunnel Strata

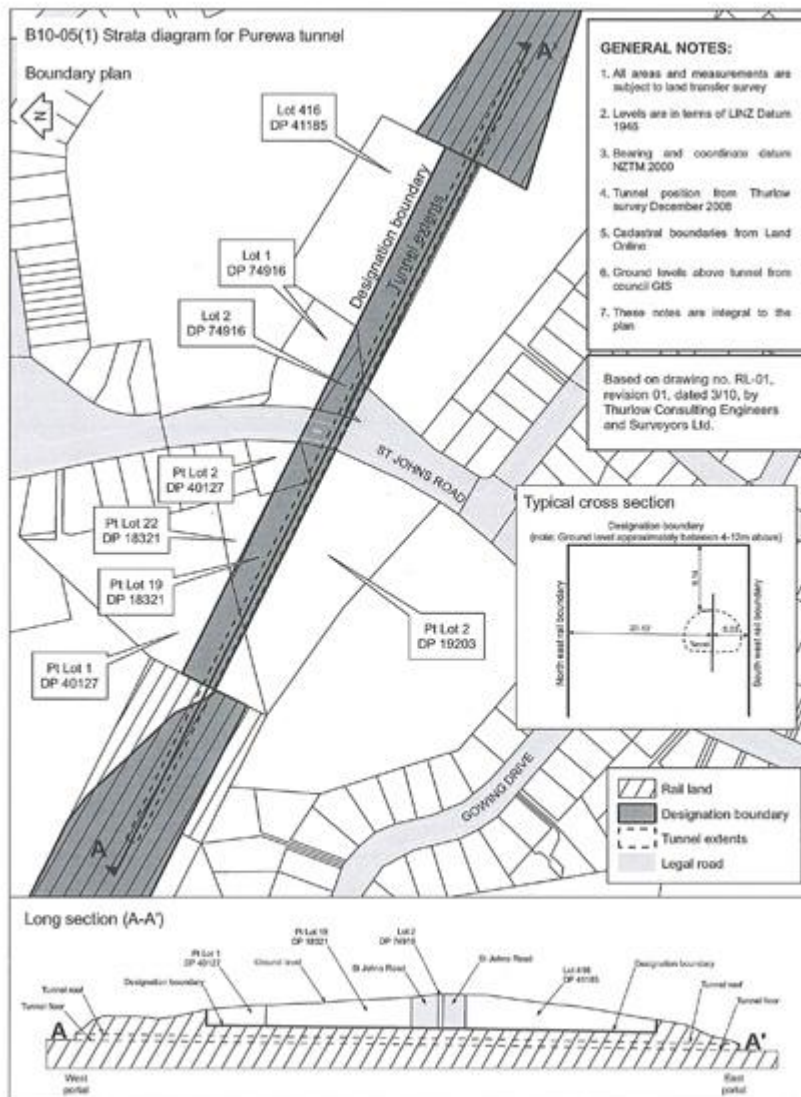
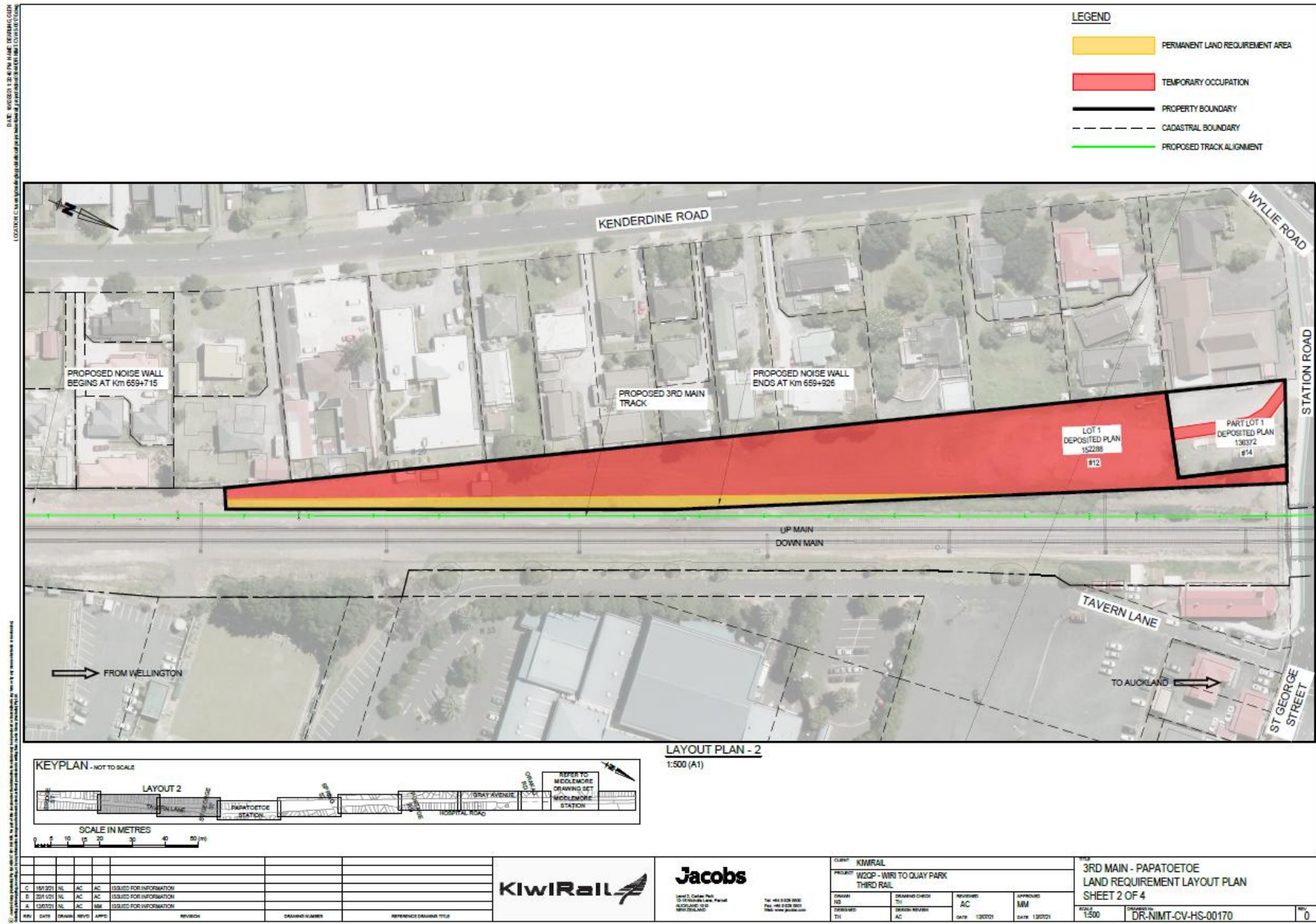
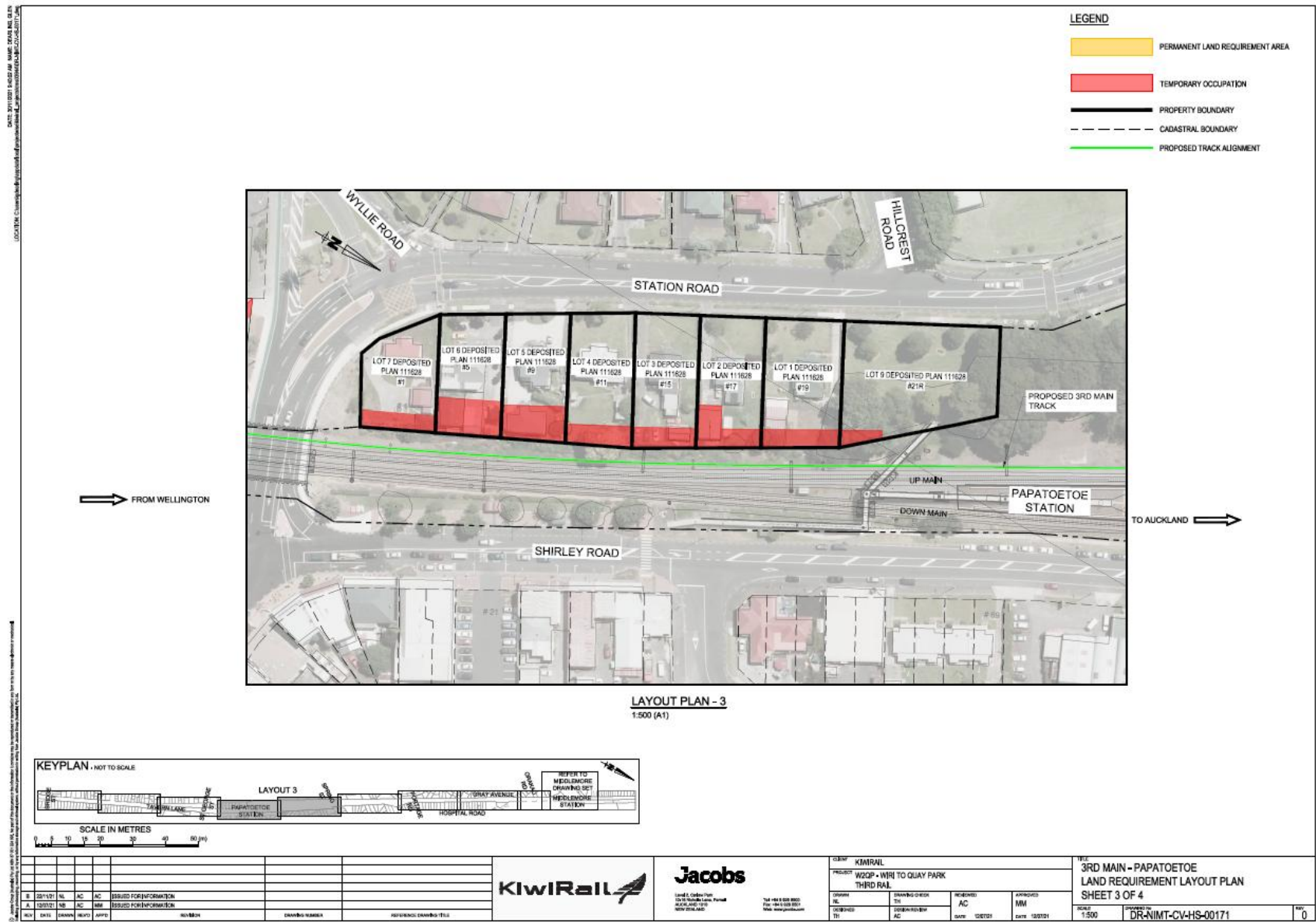
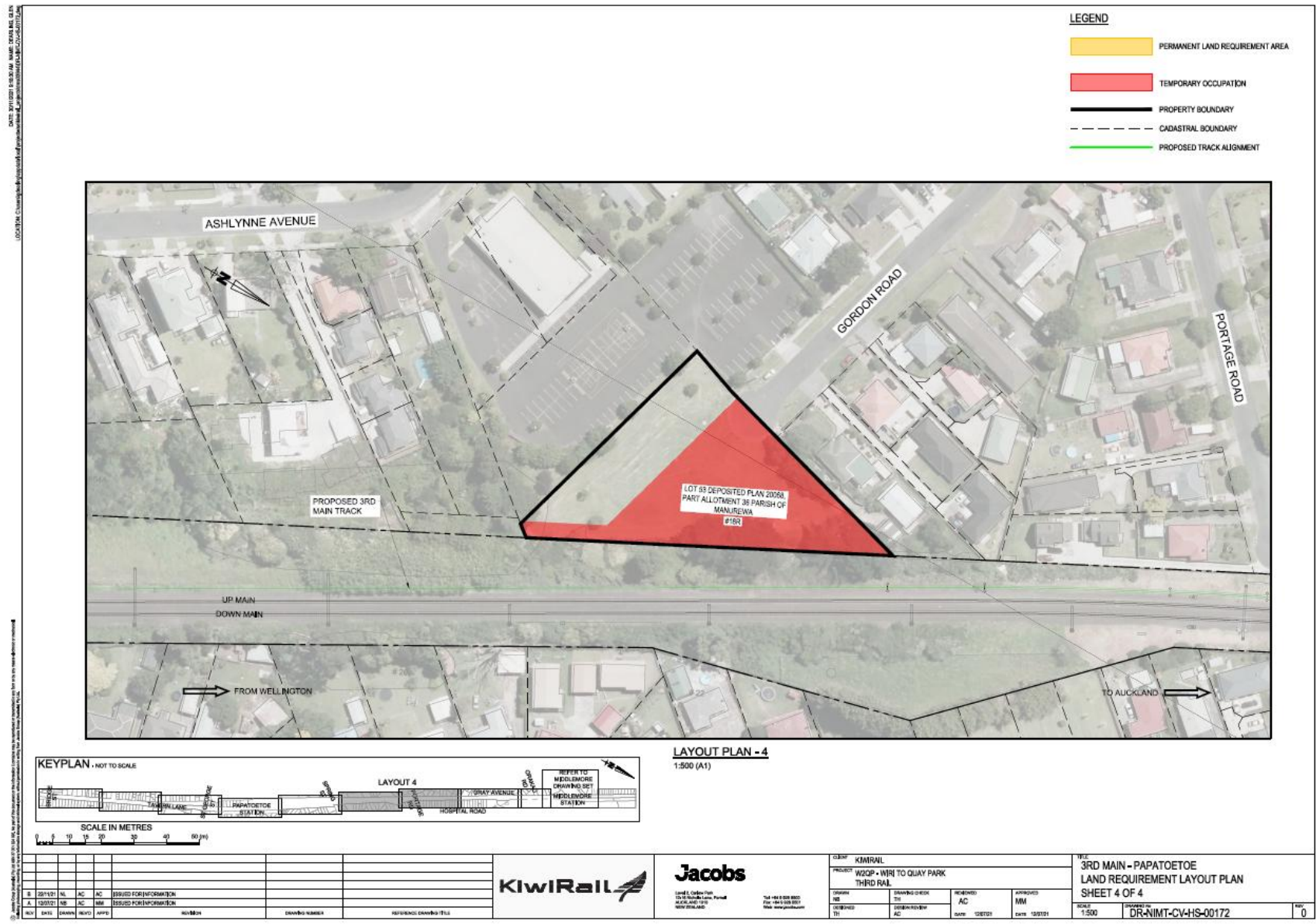
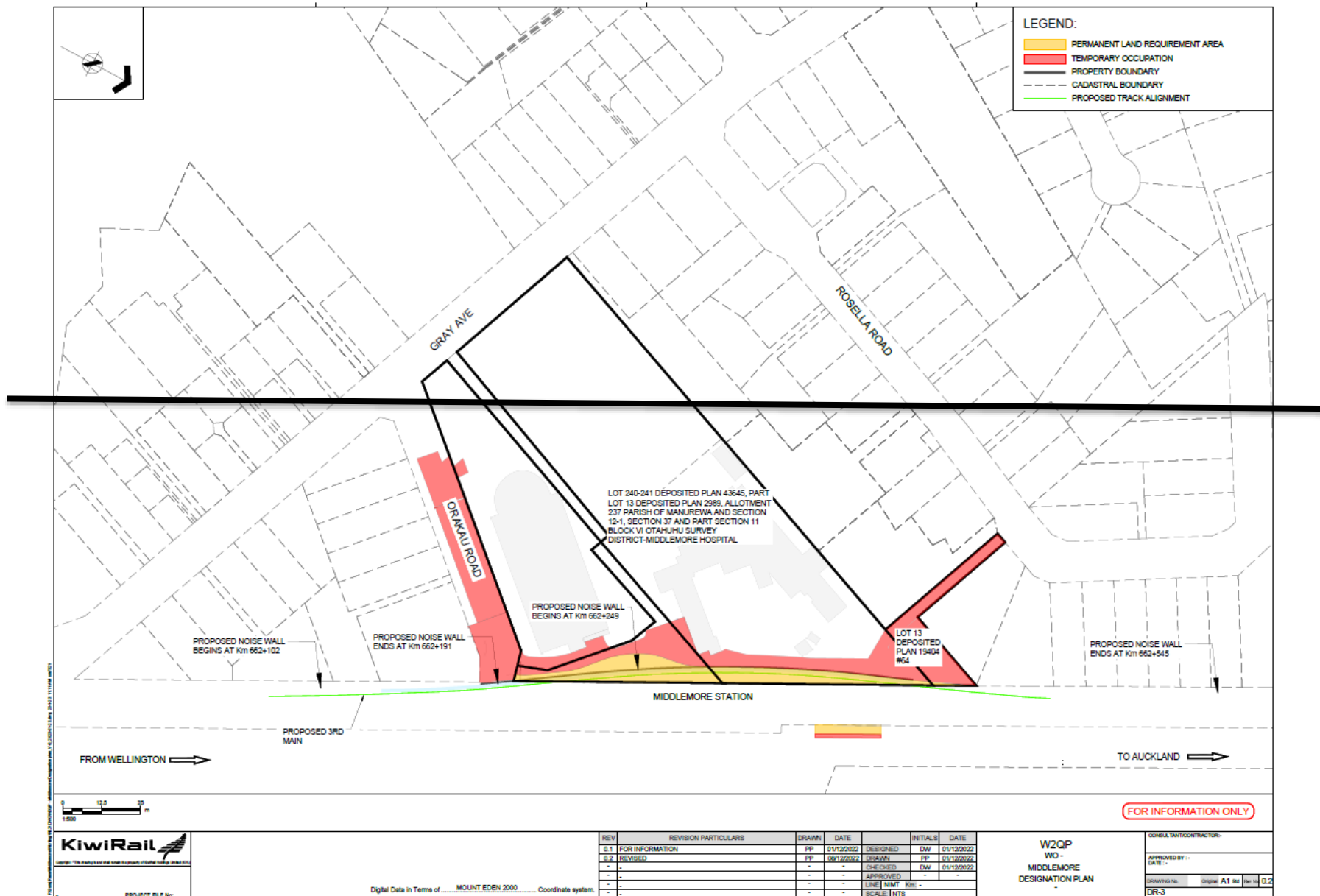


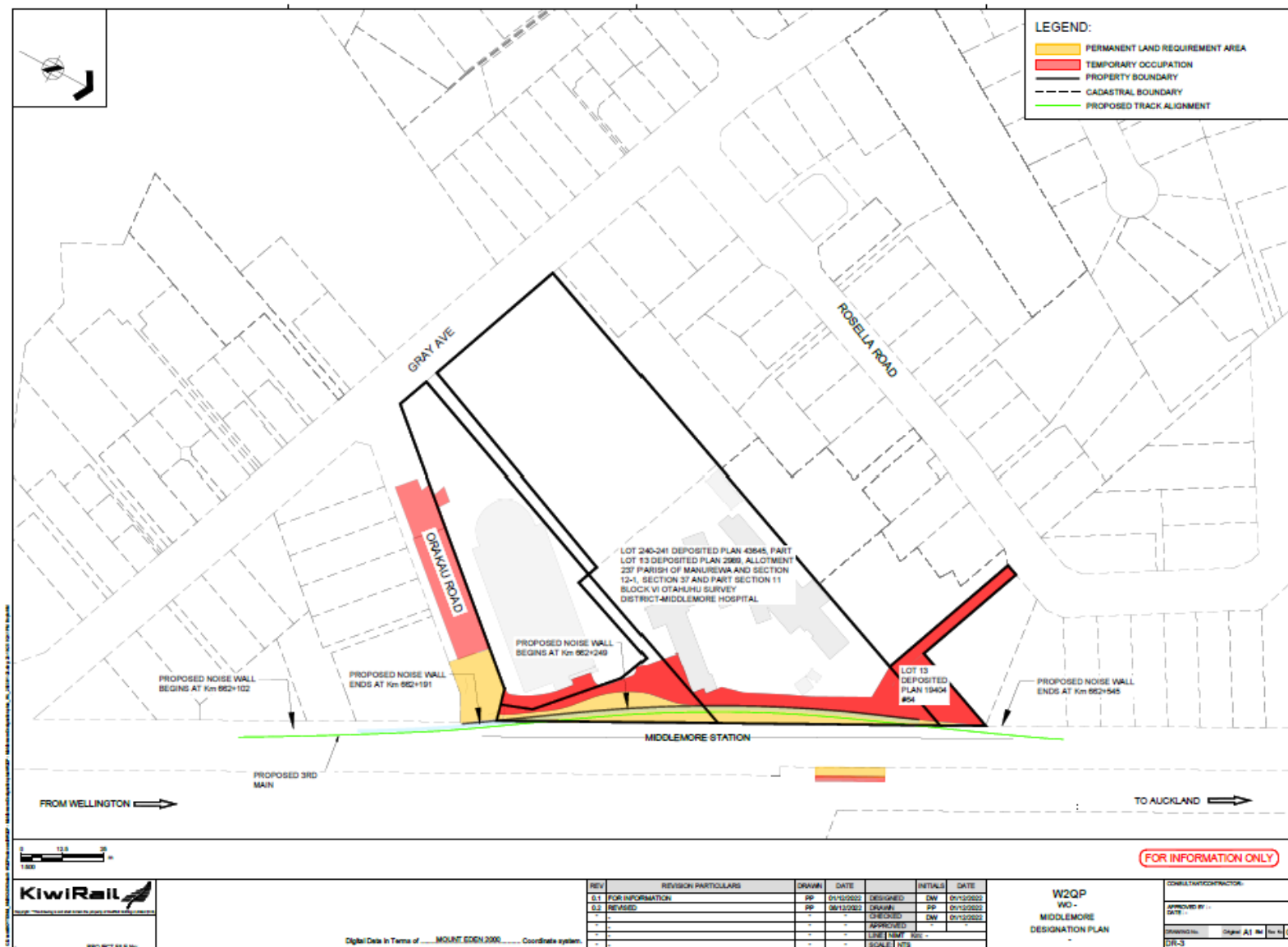
Diagram 282 - Auckland Railway Station and Railway Designation Heights











Attachment D
Updated KiwiRail Holdings Ltd conditions
6302 North Island Main Trunk Railway Line
(clean)

6302 North Island Main Trunk Railway Line

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Requiring Authority	KiwiRail Holdings Ltd
Location	North Island Main Trunk Railway Line from Buckland to Britomart Station, Auckland Central
Rollover Designation	Yes
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For these properties, the extent of the designation is limited to the subsoil space owned by the requiring authority and recorded on the certificates of title. The location of these properties and the strata nature of the designation is illustrated in Diagram B10-05(1).

4. Where the Purewa Tunnel passes under St Johns Road, the extent of the designation is limited to the subsoil space owned by the requiring authority and recorded on Survey Office Plan 22701. The location of this road in relation to the tunnel and the strata nature of the designation is illustrated in Diagram B10-05(1).

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 - c. the management of internal vehicle and pedestrian movements at 100 Hospital Road;
 - d. the safe movement of vehicles to and from construction sites;
 - e. the safety of other road users, including public transport providers, pedestrians and cyclists; and
 - f. that sufficient on-site parking or other transport arrangements are provided for the project's construction workers.

Advice Note: Auckland Council's certification role is limited to ensuring that the CTMP addresses all matters listed in Conditions 12 and 13.

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 - b. measures to manage the safety of all transport users on construction routes during construction works;

- c. hours for construction activities, the estimated numbers, frequencies 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;
- d. site access points to be used by construction related traffic;
- e. 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 or diversions and other methods for the safe management and maintenance of traffic flows, including general traffic, buses, pedestrians and cyclists on existing roads;
- f. methods to maintain pedestrian and/or vehicle access to property and/or private roads where practicable, or to provide alternative access arrangements where access cannot be maintained;
- g. methods to communicate traffic management measures to affected road users, Te Whatu Ora and other relevant parties;
- h. details of a construction staff travel management plan to reduce the potential impact of staff vehicles on the road network; and
- i. for works at Middlemore Station:
 - i. measures to manage heavy vehicle movements at the Gray Avenue/Orakau Road intersection (if and when these are required) and to manage these movements to minimise peak staff arrival and departure times;
 - ii. measures to manage two-way hospital and construction traffic via the 64 Rosella Road access;
 - iii. measures to safely manage pedestrians travelling between the multi-storey carpark and at-grade parking areas on 100 Hospital Road west of Middlemore Station, and Middlemore Hospital's eastern campus, during construction;
 - iv. measures to minimise the temporary occupation of at-grade parking on 100 Hospital Road, including details of the number of spaces to be occupied and the duration of this occupation;
 - v. the identification of temporary parking provision for the Te Whatu Ora; and
 - vi. measures regarding the provision of safe pedestrian and vehicular access to and within 100 Hospital Road.

Construction Noise and Vibration

14. Construction noise must be measured and assessed in accordance with the provisions of New Zealand Standard NZS6803:1999 "Acoustics - Construction Noise" and comply with the noise standards in Table 1 at any occupied building as far as practicable. The Construction Noise and Vibration Management Plan (CNVMP) prepared in accordance with Condition 17 below sets out the procedure to be followed where the below standards cannot be met.

Table 1: Construction Noise Standards

Receiving Environment	Day (0700 – 2000 hrs)	Night (2000 – 0700 hrs)
Occupied activities sensitive to noise	75 dB LAeq (30 min)	60 dB LAeq (30 min) 75 dB LAFmax
All other occupied buildings	75 dB LAeq (30 min)	80 dB LAeq (30 min)

15. Construction vibration must be measured and assessed in accordance with German Standard DIN 4150-3:1999 “Structural Vibration – Part 3: Effects of Vibration on Structures”, and comply with the vibration standards in Table 2 as far as practicable. The CNVMP prepared in accordance with Condition 17 below sets out the procedure to be followed where the below standards cannot be met.

Table 2: Construction Vibration Standards

Line	Type of Structure	Vibration limits (mm/s PPV)
1	Buildings used for commercial purposes, industrial buildings, and buildings of similar design	10
2	Dwellings and buildings of similar design and/or occupancy including hospitals	5

16. Prior to the commencement of construction works for the Third Main, the Requiring Authority must prepare and submit a CNVMP for certification and obtain certification by the Council. If the Requiring Authority has not received a response from the Council within 20 working days of the date of submission of the CNVMP it will be deemed certified.
17. The CNVMP must be prepared by a suitably qualified and experienced person. The purpose of the CNVMP is to:
- identify and adopt the Best Practicable Option to avoid, remedy or mitigate construction noise and vibration effects;
 - define the procedures to be followed when construction activities cannot meet the noise and vibration standards in Conditions 14 and 15, which shall include evidence of any feedback from consultation with affected parties;
 - inform the duration, frequency and timing of works to manage disruption; and
 - set out procedures to record engagement with affected receivers and timely management of complaints.
18. The CNVMP shall include:
- the relevant measures from NZS 6803:1999 "Acoustics - Construction Noise", Annex E2 "Noise management plans";
 - the relevant measures from DIN 4150-3:1999 “Structural vibration - Part 3 Effects of vibration on structures”, Appendix B “Measures for limiting the effects of vibration”;
 - a requirement and process to offer and if accepted, undertake, a pre-construction condition survey for any building where the construction vibration levels are predicted to exceed the cosmetic building damage limits in Condition 15 above; and
 - relating to works at Middlemore Station:
 - the following site-specific standards that must be used to trigger engagement with the Te Whatu Ora to enable the effective management of noise and vibration effects in Building 38 (including Home Healthcare and the renal unit):
 - 1mm/s PPV measured on the foundation of the building (for vibration); and
 - 75 dB LAeq measured 1m from the façade(s) of the occupied and noise sensitive spaces of the building (for noise); and

- ii. The methods used by the Requiring Authority to manage construction noise and vibration on activities at 100 Hospital Road.

Advice Note: Auckland Council's certification role is limited to ensuring that the CNVMP addresses all matters listed in Conditions 17 and 18.

19. Where engagement is triggered with the Te Whatu Ora in condition 18d)i., the Requiring Authority shall maintain records of the outcomes of the engagement and the responses of the Requiring Authority to any feedback received by Te Whatu Ora, including any additional temporary mitigation measures undertaken (e.g. rescheduling works, changing construction methodologies).

Operational Noise and Vibration

20. The Requiring Authority shall mitigate in accordance with condition 21 total operational rail noise emitted from all lines in the rail corridor where the predicted noise levels at the external façade of Existing Buildings within points 659+715 to 660+005 (works in vicinity of 12 Wyllie Road) and 662+117 to 662+519 (works in vicinity of 100 Hospital Road, Mangere East) of the NIMT:
 - a. exceed the thresholds in Table 3; and
 - b. increase by at least 3 decibels above levels as at [the date this NoR is confirmed] as a result of the operation of the Third Main.

Table 3: Operational Rail Noise Mitigation thresholds

Day (0700 – 2200hrs)	Night (2200 – 0700hrs)
65 dB LAeq 85 dB LAfmax	60 dB LAeq 85 dB LAfmax

21. Prior to the operation of the Third Main, the Requiring Authority shall install noise barriers on the western side of the NIMT to mitigate rail noise received at Existing Buildings identified in condition 20. The noise barriers shall ensure the increase in rail noise level as a result of the operation of the Third Main is less than 3 decibels and shall be:
 - a. at least 3.8 metres in height above rail track level within the rail corridor between points:
 - i. 659+715 and 659+926 of the NIMT (works in vicinity of 12 Wyllie Road); and
 - ii. 662+102 and 662+415 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East), and
 - b. constructed with a surface mass of at least 10kg/m²; and
 - c. constructed without gaps (except for station access, where required); and
 - d. constructed in general accordance with the memorandum from Boffa Miskell (Oliver May) dated 30 November 2021.
22. Prior to the operation of the Third Main, the Requiring Authority shall install ballast mats under ballasted track (or alternative vibration mitigation material) to mitigate rail vibration at Existing Buildings between points 659+715 to 660+005 NIMT (works in vicinity of 12 Wyllie Road) and 662+117 to 662+519 NIMT (works in vicinity of 100 Hospital Road, Mangere East) to achieve NS 8176:2017 Class C (as far as practicable). The ballast mats (or alternative vibration mitigation material) shall be installed between points:
 - a. 659+715 and 660+005 of the NIMT (works in vicinity of 12 Wyllie Road); and
 - b. 662+102 and 662+545 of the NIMT (works in vicinity of 100 Hospital Road, Mangere East).

23. Within three months of the commencement of freight operations on the Third Main, the Requiring Authority shall engage a suitably qualified and experienced person to:
- undertake representative noise monitoring to quantify the noise mitigation provided by the noise barrier(s) in condition 21; and
 - undertake representative vibration monitoring to quantify the vibration mitigation provided by condition 22; and
 - prepare a report confirming compliance with conditions 21 and 22, which shall be provided to the Council for certification and a copy shall be provided to Te Whatu Ora; and
 - If the report required in condition 23c) above indicates a non-compliance with conditions 21 and 22 remedial measures shall be undertaken to ensure compliance and this condition repeated for that work.

Middlemore Design Plan

24. Subject to condition 28, the works in the vicinity of the Middlemore Station shall be undertaken in general accordance with the Jacobs plan DR-NIMT-CV-HS-00701 entitled "Middlemore Station Works Plan" dated 26/11/21.
25. Prior to submitting an OPW for Middlemore Station, the Requiring Authority must prepare a Middlemore Design Plan.
26. The purpose of the Middlemore Design Plan is to demonstrate how safe, efficient and well integrated transport facilities to enable access to Middlemore train station will be provided, as well as how the transport effects of the Third Main on 100 Hospital Road and the surrounding road network will be avoided, remedied or mitigated. The Middlemore Design Plan shall include details of:
- parking and other road markings on Orakau Road;
 - the turning head facility to access Middlemore Station;
 - the pedestrian overbridge / lift to provide access to Middlemore Station and between Middlemore Hospital Campuses;
 - vehicular access to 100 Hospital Road;
 - the reinstatement of any at-grade parking areas at 100 Hospital Road affected by these works;
 - access to the northern carpark at 100 Hospital Road, including measures to prevent pedestrians from using the access at 64 Rosella Road as access to and from Middlemore Station;
 - noise barriers;
 - mitigation planting, including in relation to the loss of existing trees; and
 - pedestrian footpath access and crossing facilities at the end of Orakau Road to access Middlemore Station.
27. The Requiring Authority shall provide a draft of the Middlemore Design Plan to Auckland Transport and Te Whatu Ora at least two months prior to submitting the OPW for Middlemore Station and invite them to comment on the plan within 15 working days of receiving the draft plan. The Requiring Authority must consider any feedback received and amend the draft Middlemore Design Plan to incorporate that feedback. If aspects of the feedback are unable to be incorporated, the Requiring Authority shall provide reasons in writing to those parties as to why that feedback was not included, prior to submitting the OPW. Such feedback shall also be provided to the Council as part of the OPW.

Advice Note: Where the Middlemore Design Plan requires changes within the existing road reserve of Orakau Road or any potential extension of the existing road reserve to be vested with Auckland Council, Engineering Plan Approval will be required.

28. Any relevant OPW and the construction of the Third Main and any related mitigation works shall be undertaken in accordance with the Middlemore Design Plan.

Access and parking at Middlemore Station

29. The Requiring Authority shall, in consultation with Te Whatu Ora, provide legal access to the northern car park at 100 Hospital Road as identified in the plan referenced in condition 24 for Te Whatu Ora staff via 64 Rosella Road (LOT 13 DP 19404 NA82C/132) and provide 10 carparking spaces on 64 Rosella Road for Te Whatu Ora staff use. The designation shall remain in place with access and carparks continuing to be provided until such time as:
- an alternative legal access to the northern car park and replacement carparking is provided by Te Whatu Ora or the Requiring Authority; or
 - Te Whatu Ora confirms in writing to the Requiring Authority that it no longer requires access to the northern carpark via 64 Rosella Road and the carparking spaces on 64 Rosella Road.
30. The Requiring Authority shall secure Te Whatu Ora's use of 64 Rosella Road for access and car parking in condition 29 by way of legal instrument.
31. The Requiring Authority shall ensure the design of safe access through 64 Rosella Road includes measures to restrict a public pedestrian connection to the Middlemore train station.

Watercare Utility Protection Plan

32. Prior to undertaking any works for the Wiri to Quay Park project within the land requirement area shown on the plans listed in condition 7, the Requiring Authority shall, in consultation with Watercare, prepare a Watercare Utility Protection Plan that:
- ensures Watercare's existing assets within the land requirement area are protected from any damage that may arise as a result of the works;
 - does not preclude Watercare's ability to construct and operate new infrastructure in the land requirement area in the future, where it is compatible with the works the Requiring Authority is undertaking;
 - establishes a process for consultation with Watercare on the proposed relocation of any existing Watercare assets that is required as a result of works undertaken by the Requiring Authority within the land requirement area;
 - makes the Requiring Authority wholly responsible for the cost of any relocation of Watercare assets that are required as a result of works undertaken by the Requiring Authority within the land requirement area; and
 - ensures Watercare maintains access to its assets within the land requirement area 24 hours a day, 7 days a week for maintenance, safety and operation, provided that:
 - Watercare holds a permit to enter the land requirement area; and
 - Watercare staff and / or contractors provide advance notice to Train Control before entering the land requirement area.

Review of Designation

33. As soon as practicable following completion of construction of the Third Main in the locations set out in condition 7, the Requiring Authority shall:
- a. review the designation extent between these locations;
 - b. identify areas of designated land that the Requiring Authority considers are no longer necessary; and
 - c. give notice to the Council and other parties required under section 182 of the RMA to remove those parts of the designation that it no longer requires under (b). For the avoidance of doubt, this will include those parts of the designation identified as "temporary" on the plans listed in condition 7 (except in the case of the designation over 64 Rosella Road which shall remain in place until such time that condition 29(a) or (b) is satisfied).
34. Notwithstanding condition 33, the Requiring Authority must apply to Council to remove the designation identified as temporary on the relevant plan in condition 7 at 12 and 14 Wyllie Road (being Lot 1 DP 152288 NA90C/848 and Part Lot 1 DP 136372 NA80B/675) within 3 months of construction being completed or the site no longer being required as a construction yard, whichever occurs earliest.

Attachments

Diagram B10-05 - Purewa Tunnel Strata

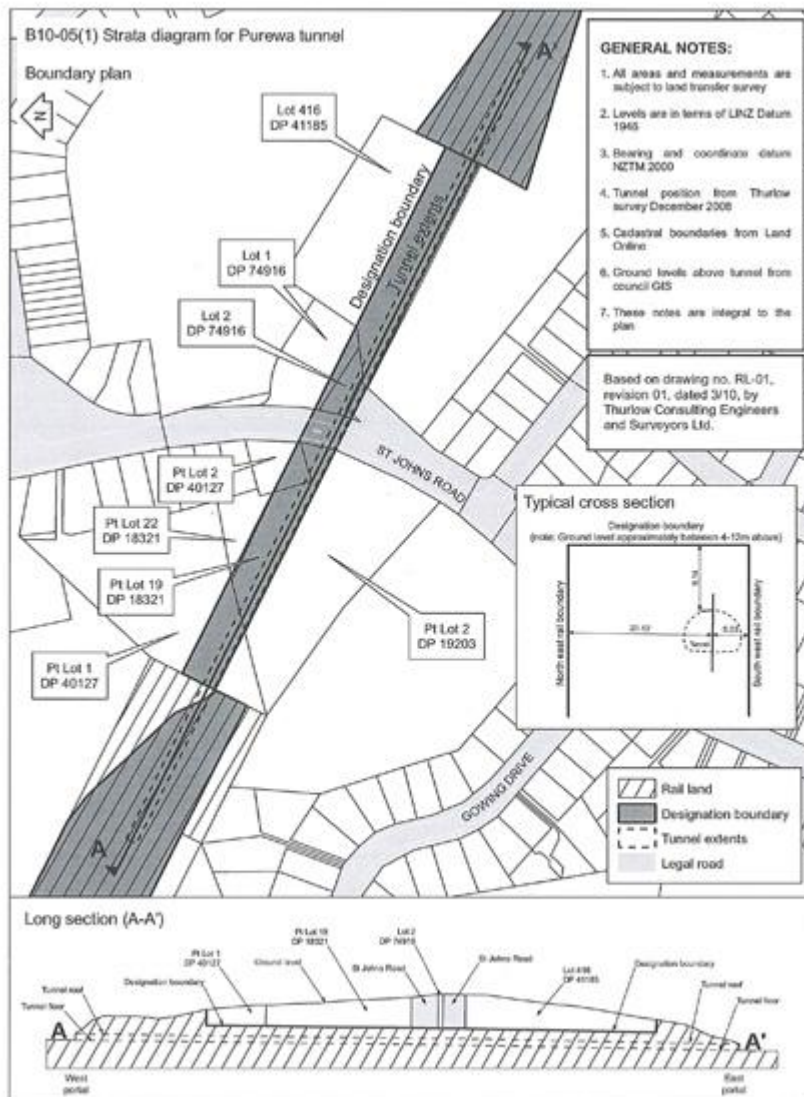


Diagram 282 - Auckland Railway Station and Railway Designation Heights

