

TO Celia Davison, Manager Planning – Central/South


FROM Ben Kildare, Planner – Central/South



DATE 22 May 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 Auckland International Airport Ltd
Designation only	
Designation # 1100	Auckland International Airport
Locations:	George Bolt Memorial Drive, Mangere
Lapse Date	Given effect to
Purpose	The land to which this designation applies ("the designated area") may be used for activities for the operation of Auckland International Airport ("the Airport") subject to... conditions...
Changes to text (shown in underline and strikethrough)	Change to condition 9a, the Terms of Reference (ToR) as per Attachment B.
Changes to diagrams	N/A
Changes to spatial data	N/A
Attachments	Attachment A: Auckland Council s181(3) report Attachment B: Designation 1100 Auckland International Airport conditions (Strikethrough/underscore) Attachment C: Designation 1100 Auckland International Airport conditions (Clean)

Maps prepared by: Geospatial Specialist	Text Entered by: Bronnie Styles Planning Technician
Signature: n/a	Signature: 

Prepared by: Ben Kildare Planner	Reviewed by: Craig Cairncross Team Leader – Central/South
Signature: 	Signature: 
Authorised by: Celia Davison Manager Planning – Central/South	
Signature: 	

Attachment A

Auckland Council s181(3) Report

Notice of a minor alteration to a Designation under Section 181(3) of the Resource Management Act 1991

Designation Description

Designation number: 1100
Requiring authority: Auckland International Airport Limited (AIAL)
Site address: George Bolt Memorial Drive, Māngere, Auckland
2022

Summary

Designation 1100 is a designation within the AUP for which AIAL is the responsible requiring authority. The designation provides for the designated area to be used for the operation of Auckland International Airport. The designation is subject to a range of conditions.

Auckland Council has received a notice from Auckland International Airport Limited (**AIAL**) for a minor alteration of Designation 1100 under s181(3) of the Resource Management Act 1991 (RMA).

The minor alteration to Designation 1100 is described as being to:

- Amend Attachment A: Aircraft Noise Community Consultative Group (ANCCG) Terms of Reference ('ToR') of Designation 1100 Auckland Unitary Plan (AUP) by replacing the current ToR wording with a revised version.

Recommendations

1. That the proposed minor alteration of Designation 1100 to amend Attachment A: Aircraft Noise Community Consultative Group (ANCCG) Terms of Reference, as described at Attachments 3 and 4 to this report, within the Auckland Unitary Plan, be confirmed
2. That Designation 1100 be accordingly amended in Chapter K Designations – Schedules and Designations Auckland International Airport, within the Auckland Unitary Plan.

1. Background

AIAL's Aircraft Noise Community Consultative Group (ANCCG) is an independently chaired group that makes recommendations to AIAL on aircraft noise arising from the airport's operations and activities. ANCCG was set up under the conditions of Designation 1100 in the AUP.

The purpose of the ANCCG Terms of Reference (ToR) is to articulate how the members will work together in the pursuit of their shared goal of making recommendations to AIAL on aircraft noise arising from the operation and activities at AIAL. Specifically, it outlines the purpose, activities, roles, membership, and processes of the ANCCG. Condition 9(a) of AIAL's Designation 1100 in the Auckland Unitary Plan requires AIAL to maintain the ANCCG within the ToR which is included as Attachment A to the designation. The condition also provides that the ToR can be amended with approval of Auckland Council under Part 8 of the RMA (which includes the process for altering designations).

Timeline of ToR Review and Consultation

AIAL's notice describes that:

A proposed review of the ToR was discussed at the 10 June 2024 ANCCG meeting and was informed by a memo prepared by AIAL. The outgoing Chair of the ANCCG suggested a general need for the ToR to be updated in a memo dated 7 June 2024 entitled "Chair Reflection".

These matters were discussed at the ANCCG meeting of 10 June and it was agreed by members that a review of the ToR should begin, starting with seeking feedback from all members. The following has occurred since June 2024:

- June-July 2024 - initial feedback on ToR review from members was sought and received.
- August - November 2024 - AIAL reviewed the current ToR with consideration of member's feedback. Draft report compiled outlining recommended changes to the ToR.
- December 2024 - AIAL presented the draft report to members with tracked changes, seeking further feedback by 31 January 2025.
- February - March 2025 - feedback received from members and the new Chair informed a memo to the ANCCG (Attachment D), including a proposed final ToR document.
- March 2025 - At the March 10th meeting, the ToR changes were discussed. All attendees voted in support of the changes as identified at Attachment B including one minor wording change (reverting to original wording compared with the track change version) to clause 8 of the ToR Activities; this was discussed and agreed at the meeting. This is reflected in the meeting minutes from the March 10th ANCCG meeting at Attachment E. These minutes were circulated via email to all members following the meeting. No comments have been received.
- Late March 2025 - email communications between AIAL and Auckland Council's Senior Policy Planner in relation to the appropriate process under the RMA to request this minor alternation. Therefore, no notice has been given to any owner or occupier of land. Agreement to the proposed changes by all ANCCG members has been obtained.

2. Designation 1100

Designation 1100 is a designation within the AUP, for which AIAL is the responsible requiring authority.

The designation provides for the designated area to be used for the operation of Auckland International Airport. It is subject to a range of conditions. As relevant to the ANCCG Terms of Reference, under the heading "Noise Management" and subheading "ANCCG", condition 9.a. provides:

AIAL shall maintain at its cost, the existing ANCCG within the Terms of Reference which are contained in Attachment A (ANCCG Terms of Reference) of this designation, or such other terms or amended terms of reference that are approved by the Council pursuant to Part 8 of the RMA.

The Terms of Reference, which are included within Designation 1100, do not reference the ability, or process, through which the Terms of Reference are to be reviewed or amended.⁴

It is accordingly anticipated by the designation that the Terms of Reference can be amended and that any such amendment would be progressed as an amendment to the designation under Part 8 of the RMA.

3. Minor alteration to Designation 1100

Auckland Council received a notice on 4 April 2025 from Auckland International Airport Limited (AIAL) for the alteration of Designation 1100 under s181(3) of the RMA. The minor alteration to Designation 1100 seeks to amend Attachment A: Aircraft Noise Community Consultative Group (ANCCG) Terms of Reference (ToR)) by replacing the current ToR with a revised version.

AIAL's notice comprised a letter with attachments. A completed Form 18 and a statutory assessment of the requested alteration against the tests of section 181(3) was provided by the Requiring Authority.

AIAL's notice proposes a number of amendments to Attachment A (the TOR) to the designation. The notice describes that the proposed changes to the ToR, in general, seek to:

- improve clarity of process,
- bring the ToR in line with more modern processes and procedures - including matters such as reference to updated technology,
- make roles and responsibilities clear, and
- improve meeting and feedback expectations and process.

Attachment B attached to AIAL's notice contains a track change version of the proposed ToR changes. Attachment C to AIAL's notice contains a clean version of the proposed changes to the ToR. These are included as Attachments 3 and 4 to this report.

4. Relevant statutory provisions

Section 181 "Alteration of designation" of the Resource Management Act 1991 provides for amending designation conditions. Section 181 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. Analysis of the proposed alteration

The proposal is assessed against the three requirements of section 181(3), - being as described in 181(3)(a), 3(b) and 3(c), as follows.

S181(3)(a)(i)

The ToR's purpose is to articulate how the members will work together in pursuit of their shared goal of making recommendations to AIAL on aircraft noise arising from the operation and activities at AIAL. Specifically, it outlines the purpose, activities, roles, membership, and processes of the ANCCG. The proposed changes to the ToR, seek to:

- Improve clarity of process,
- Bring the ToR in line with more modern processes and procedures – including matters such as reference to updated technology,
- Make roles and responsibilities clear, and
- Improve meeting and feedback expectations and process.

AIAL's proposed alteration is limited. The activity authorised by the designation is not changing. The use or proposed use of land is not changing. The mitigation measures in place are not changing - in this case the ANCCG is still required. The changes proposed to the ToR appear to be more mechanical than substantive in nature and are proposed for the reasons listed above.

The changes are assessed as likely having no change in effects on the environment associated with the use or proposed use of designated land.

S181(3)(a)(ii)

N/A - There are no proposed changes to the boundaries of the designation resultant from the proposed alteration.

S181(3)(b)

Formal consultation of the change to the ToR began in June 2024 and continued through March 2025. Relevant parties provided a memo to the ANCCG (Attachment D to the Requiring Authority's NoR), including the proposed final document, was received in March 2025. Council was informed of the request in late March 2025.

In terms of the phrasing of section 181(3), the focus is on consideration of those owners or occupiers directly affected by the alteration rather than the entire designation. Whilst the ANCCG itself will be affected by the changes to the TOR, the ANCCG is not an owner or occupier of land directly affected, in terms of section 181(3)(b). It is assessed that there are no changes in environmental effects (as discussed for section 181(3)(a)(i) above) arising from the proposed change and therefore no owner or occupier of land directly affected by the proposed alteration. AIAL's notice also advises that agreement to the proposed ToR changes has been obtained from ANCCG members, with reference provided to Attachment E to the notice being meeting minutes from the March 10, 2025 meeting of the ANCCG.

Given the assessment above for 181(3)(a), no written notice is considered necessary under Section 181(3)(b). AIAL's notice also concluded that no notice was required.

S181(3)(c)

The alteration to the designation has been requested by AIAL and therefore it agrees to the alteration. Auckland Council agrees with the proposed alteration in line with the assessment against the matters discussed above. Adherence with recommended amendments to Attachment A to the designation, will ensure that ANCCG can continue to function as appropriate in line with Condition 9(a) of the Designation.

6. Conclusions And Recommendations

6.1 Conclusions

The proposed alteration satisfies the statutory tests of Section 181(3) of the Resource Management Act 1991 such that sections 168 to 179 and 198AA to 198AD do not apply, in that:

- the alteration involves no changes to the environmental effects resultant from the designation and there are no changes or adjustments to the boundaries of the existing designation.
- no notice need be given in terms of section 181(3)(b), given the nature of the alteration sought, the agreement from the ANCCG members to the proposed changes to Attachment A (TOR)
- recommended amendments to Attachment A to the designation will ensure that ANCCG can continue to function as appropriate in line with Condition 9(a) of the designation.
- the council and the requiring authority agree with the alteration.

6.2 Recommendations

1. That pursuant to Section 181(3) of the Resource Management Act 1991, Auckland International Airport Ltd's notice under Section 181(3) of the Resource Management Act 1991 for an alteration to Attachment A to Designation 1100, as described within Attachments 3 and 4 to this report be **confirmed**.
2. That Designation 1100 be amended in Chapter K Designations in the Auckland Unitary Plan Operative in part, as recommended in this report.

6.3 Agreed alteration to Designation 1100's Attachment A (TOR)

The text changes to Attachment A to the Designation 1100 (TOR) are shown in Attachment 3 to this report. Amendments are shown as either ~~strike through~~ or underlined.

Report Prepared by:

Ben Kildare
Policy Planner



Date: 9 May, 2025

SCHEDULE OF ATTACHMENTS

Attachment 1	Auckland International Airport Ltd.'s Notice for alterations to Designation #1100 under s181(3) of the RMA
Attachment 2	Attachment A Existing ANCCG ToR – Designation 1100
Attachment 3	Attachment B Proposed Track Changes
Attachment 4	Attachment C Proposed ToR – Clean
Attachment 5	Attachment D ToR memo Update – March ANCCG 2025
Attachment 6	Attachment E ANCCG Minutes 10 March 2025

7.Delegated Authority

The Team Leader – Planning Central South has delegated authority, in accordance with Schedule 2A of the Auckland Council Delegations: Chief Executive Officer (updated March 2025) v1.8.1, to exercise the council's functions, powers, duties and discretions under the Resource Management Act 1991 in relation to section 181(3) to approve minor alterations to a designation. AIAL's request under section 181(3) can therefore be considered by the Team Leader – Planning - Central South.

8. Section 181(3) Determination

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

Accordingly, the notice for an alteration under section 181(3) of the RMA to Attachment A to Designation 1100 Auckland International Airport Ltd is confirmed.

Name: Craig Cairncross

Title: Team Leader – Planning: Central South



Date: 9 May, 2025

4 April 2025

Auckland Council
Private Bag 92300
Victoria Street West
Auckland 1142

Attn: David Wong

CC: Nicholas Lau

By email

Dear David,

Minor alteration to designation 1100 under section 181 of the Resource Management Act 1991 ("RMA")

Introduction

Auckland International Airport Limited ("AIAL") as the requiring authority gives notice to Auckland Council of a minor alteration to designation 1100 under section 181(3) RMA.

The following minor alteration is required and is described in further detail in the remainder of this notice:

- Amend Attachment A: Aircraft Noise Community Consultative Group ("ANCCG") Terms of Reference ("ToR") of designation 1100 Auckland Unity Plan ("AUP") by replacing the current ToR with a revised version.

The proposed minor alteration to designation 1100 ("the minor alteration") satisfies the items in section 181(3) RMA for the reasons set out in this notice.

ANCCG background

The ANCCG was set up under the conditions of designation 1100 in the AUP. It is an independently chaired group that makes recommendations to AIAL on aircraft noise arising from the airport's operations and activities.

Condition 9(a) of Designation 1100 requires AIAL to maintain the ANCCG within the ToR (which are included as Attachment A to the designation). That condition also provides that the ToR can be amended with approval of Auckland Council under Part 8 of the RMA (which includes the process for altering designations).

The purpose of the ANCCG ToR is to articulate how the members will work together in the pursuit of their shared goal of making recommendations to AIAL on aircraft noise arising from the operation and activities at AIAL. Specifically, it outlines the purpose, activities, roles, membership, and processes of the ANCCG.

Attachment A of this letter contains the existing ToR.

ToR changes - overview

The proposed changes to the ToR, in general, seek to:

- improve clarity of process,
- bring the ToR in line with more modern processes and procedures - including matters such as reference to updated technology,
- make roles and responsibilities clear, and
- improve meeting and feedback expectations and process.

Attachment B of this letter contains a track change version of the proposed ToR changes. **Attachment C** contains a clean version of the proposed changes to the ToR.

Timeline of ToR review and consultation

A proposed review of the ToR was discussed at the 10 June 2024 ANCCG meeting and was informed by a memo prepared by AIAL. The outgoing Chair of the ANCCG suggested a general need for the ToR to be updated in a memo dated 7 June 2024 entitled "*Chair Reflection*".

These matters were discussed at the ANCCG meeting of 10 June and it was agreed by members that a review of the ToR should begin, starting with seeking feedback from all members. The following has occurred since June 2024:

- June-July 2024 – initial feedback on ToR review from members was sought and received.
- August – November 2024 – AIAL reviewed the current ToR with consideration of member's feedback. Draft report compiled outlining recommended changes to the ToR.
- December 2024 – AIAL presented the draft report to members with tracked changes, seeking further feedback by 31st January 2025.
- February – March 2025 – feedback received from members and the new Chair informed a memo to the ANCCG (**Attachment D**), including a proposed final ToR document.
- March 2025 – At the March 10th meeting, the ToR changes were discussed. All attendees voted in support of the changes as identified at **Attachment B** including one minor wording change (reverting to original wording compared with the track change version) to clause 8 of the ToR Activities; this was discussed and agreed at the meeting¹. This is reflected in the meeting minutes from the March 10th ANCCG meeting at **Attachment E**. These minutes were circulated via email to all members following the meeting. No comments have been received.
- Late March 2025 – email communications between AIAL and Auckland Council's Senior Policy Planner in relation to the appropriate process under the RMA to request this minor alternation.

¹ Refer Item 11 of the confirmed meeting minutes – **Attachment E** of this letter.

Form 18 RMA

The Table below provides information as is relevant to this minor alteration to designation 1100 under Form 18 RMA Regulations 2003 and not discussed elsewhere in this notice.

Form 18 RMA item	Details
Notice	AIAL gives notice to Auckland Council of a requirement to alter designation 1100 of the AUP
Location	George Bolt Memorial Drive, Māngere
Designation and its Purpose	1100 – land may be used for the operation of Auckland International Airport
Requiring Authority	AIAL
The effects that the change will have on the environment	Discussed under ‘statutory assessment’ below this Table.
Alternative methods	The objective of this proposal is to improve the ToR to better achieve the purpose of the ANCCG. The members of the ANCCG support the proposed changes and there is no practicable alternative to formalise the changes without a minor alteration to designation 1100.
Reasonably necessary	The existing ToR have been in place since 2019 and are no longer fit for purpose. The proposed changes do not alter the purpose of the ANCCG but provide necessary updates for the benefit of all parties.
Consultation	Consultation with all ANCCG members has occurred, summarised above and as evidenced in the 10 th of March 2025 meeting minutes (Attachment E).

Notes: Designation 1100 is given effect to so there is no lapse date. No resource consents are required for the proposed ToR changes. While this minor alteration relates to condition 9(a) of designation 1100 AUP, there are no proposed conditions and condition 9(a) is not proposed to be altered other than by way of amending the ToR that the condition refers to.

Statutory assessment

Under section 181(3) RMA, the following is noted:

- (a)(i) - The ToR changes will therefore not result in any change in use of the land subject to Designation 1100 or the effects on the environment; it is, on the other hand, changing by way of an improvement, the framework for how the ANCCG operates. The changes to the ToR provide clarity of process, roles and responsibilities, necessary updates to the terms, and improve meeting and feedback procedures.
- (a)(ii) No changes to the boundaries of designation 1100 are required.
- (b) This section of the RMA anticipates physical effects or changes to the designated land. There are no physical changes to the land affected by designation 1100 resulting from the proposed minor alteration

to the ToR. Therefore, no notice has been given to any owner or occupier of land under this section. Agreement to the proposed changes by all ANCCG members has been obtained.

Summary of findings and request

This letter provides notice to Auckland Council under section 181(1) RMA of the requirement to alter designation 1100 to update Attachment A of designation 1100 by replacing the ToR. All matters in Form 18 have been provided. All ANCCG members agree to the updates. The minor alteration satisfies section 181(3) RMA such that sections 168 to 179 and 198AA to 198AD RMA do not apply.

We therefore request that the notice is processed and confirmed as a minor alteration under section 181(3) RMA.

Yours sincerely,



Sarah Westoby
Principal Planner

Attachments:

- Attachment A: Existing Terms of Reference
- Attachment B: Proposed Terms of Reference (track changes)
- Attachment C: Proposed Terms of Reference (clean)
- Attachment D: ToR Memo update – March ANCCG 2025
- Attachment E: ANCCG Meeting Minutes – 10th March 2025

Attachments

Attachment A: Aircraft Noise Community Consultative Group Terms of Reference

DESIGNATION AIAL 1100 — ATTACHMENT A

AIRCRAFT NOISE COMMUNITY CONSULTATIVE GROUP ("Group")

TERMS OF REFERENCE

Purpose

To consider, and where appropriate make recommendations to Auckland International Airport Limited ("**AIAL**"), on aircraft noise issues and concerns that arise from the operation and activities at Auckland International Airport ("**Airport**").

Activities

1. To identify community concerns regarding aircraft noise.
2. To co-operatively formulate and propose rules and procedures to minimise the impact of aircraft noise on the community and to consider how AIAL should respond to community concerns regarding aircraft noise.
3. To assist and advise AIAL and Council in the dissemination of relevant information to the community.
4. To regularly review the current procedure for handling noise complaints, modify that procedure where necessary and make it publicly available as soon as practicable.
5. To assist AIAL in the review of and, where necessary, to recommend modifications to, the Annual Noise Management Report's recommended initiatives, methods and procedures for reducing noise levels from Aircraft Operations and engine testing.

AIAL is to consider any recommended modifications in good faith and provide the Group with a written response to the recommendations, including the reasons for rejecting any recommendations, should such a response be requested by the Group.

6. To monitor noise levels and compliance with the noise abatement procedures and Annual Noise Management Report.
7. To access appropriate technical expertise and guidance as required, including to, where appropriate, independently peer review noise monitoring and other technical data provided to the Group by AIAL.

Chairperson

Meetings will be chaired by an independent chairperson appointed by Council and AIAL jointly. The chairperson may invite other persons on an ad hoc basis to address the Group on particular agenda items. Where a matter is to be considered by the Group which would be likely to directly affect residents of a local board that is not otherwise represented on the Group, then the chairperson should notify the chair of that local board and invite them to the relevant meeting.

Membership

Local Board Representatives	(x 12)	<ul style="list-style-type: none"> • Mangere-Ōtāhuhu • Otara-Papatoetoe • Manurewa • Howick • Franklin • Maungakiekie-Tamaki • Albert-Eden • Puketepapa • Whau • Orakei • Waitakere Ranges • Papakura
Auckland Council Representative	(x1)	
Industry Representative (freight forwarder or manufacturer, etc)	(x1)	
Airways Corporation Representative	(x1)	
Board of Airline Representatives of New Zealand	(x2)	
AIAL Representatives	(x2)	
Mana Whenua Representatives	(x2)	
Community Representatives (one of whom must live within the Aircraft Noise Areas)	(x2)	

General

1. The Group will meet at least every three months.
2. Meetings of the Group will be held at a place decided by the chairperson anytime between 2:00 pm and 9:00 pm.
3. AIAL will provide secretarial and support services at AIAL's cost and expense.
4. The selection of the Local Board and Community Representatives will be on the basis of:
 - (a) one Representative on behalf of each of the Local Boards namely, Mangere-Ōtāhuhu, Otara-Papatoetoe, Manurewa, Howick, Franklin, Maungakiekie - Tamaki, Albert-Eden, Puketepapa, Whau, Orakei, Waitakere Ranges and Papakura; and
 - (b) two Community Representatives, one of whom must live within the Aircraft Noise Areas. The appointment will be made by the majority of the chairperson, the Council Representative and one AIAL Representative. Applications are to be made in writing and will be called for by way of a notice on the internet and an advertisement in both the New Zealand Herald and the Manukau Courier.
5. The term of office for Local Board appointed Representatives and Community Representatives will be the same as the local body electoral term, that is three years. Council will be responsible for any payments to be made to the Local Board appointed Representatives.

6. AIAL will be responsible for any payments that are to be made to the Mana Whenua and Community Representatives in return for their services to the Group.
7. AIAL and Council will share equally the reasonable costs of the independent chairperson.
8. AIAL will provide data and technical information on aircraft movements and a noise complaint summary. The Group will monitor AIAL's process for responding to noise complaints and queries. Noise complaints will not be dealt with on an individual basis.

The Group has an objective to reach consensus, however, dissenting views will be recorded.

Meeting procedure

1. **Chairperson:** AIAL and Council will be jointly responsible for appointing and removing the chairperson. The terms of appointment will set out the conditions of appointment and removal, and will include that the term of appointment for the chairperson is limited to 5 years, unless the Group otherwise agrees. The chairperson will chair the meeting. If the chairperson is not present within 15 minutes of the time appointed for the meeting then the Group will appoint another person to chair the meeting.
2. **Notice of meeting:** AIAL will arrange for:
 - public notice of the meeting to be published on the internet, including the contact details of all members of the Group; and
 - a reminder of meeting, together with any other relevant information to be sent to all members of the Group at least 5 working days before the meeting. The notice of meeting will set out the time and place of the meeting, and the nature of the business to be discussed. Members of the Group may advise AIAL of items to be included in the notice of meeting.
3. **Method of holding meeting:** Meetings will be held by a number of members, who constitute a quorum, being assembled together at the place, date and time appointed for the meeting.
4. **Quorum:** No business may be transacted at a meeting of the Group if a quorum is not present. A quorum is present if there are at least 6 people including three Local Board representatives, one Board of Airline Representatives of New Zealand representative, the Airways Corporation representative and one AIAL representative. If a quorum is not present within 15 minutes of the time appointed for the meeting then the meeting is to be adjourned to the same day in the following week at the same time and place or to such other date, time and place as the Group may appoint.
5. **Members may act by representative:** A member of the Group may appoint a representative to attend one or more meetings of the Group. A Representative appointed on behalf of the Community Representative who lives within the Aircraft Noise Areas, must also live within the Aircraft Noise Areas.
6. **Minutes:** The Group will ensure that minutes are kept of all proceedings and that the minutes are made available as soon as possible after the meeting on the internet. Minutes of the previous meeting will be sent to members with the notice of meeting for the next meeting.
7. **Public Forum:** A brief public forum may be held at the start of each meeting for one or more members of the public to speak in front of the Group. The allocation of time for the public forum and speaking rights are to be pre-arranged with, and managed by, the chairperson.

Attachments

Attachment A: Aircraft Noise Community Consultative Group Terms of Reference

DESIGNATION AIAL 1100 — ATTACHMENT A

AIRCRAFT NOISE COMMUNITY CONSULTATIVE GROUP ("Group")

TERMS OF REFERENCE

Purpose

To consider, and where appropriate make recommendations to Auckland International Airport Limited ("AIAL"), on aircraft noise issues and concerns that arise from the operation and activities at of Auckland International Airport ("Airport").

Meetings provide a forum for information and analysis sharing, open discussion and consensus resolution of issues between Group members, representatives from relevant agencies, consultant advisors, and AIAL.

Activities

1. To identify community concerns regarding aircraft noise.
2. To co-operatively formulate and propose rules and procedures to minimise the impact of aircraft noise on the community and to consider how AIAL should respond to community concerns regarding aircraft noise.
3. To assist and advise AIAL and Council in the dissemination of relevant clear and timely information to the community.
4. To regularly review the current procedure for handling noise complaints, modify recommend modifications to that procedure where necessary appropriate, and make it ensure the latest procedure is publicly available as soon as practicable possible.
5. To identify potential opportunities to improve the implementation and uptake of the Noise Reduction Package.
- 5.6. To assist AIAL in the review of and, where necessary, to recommend modifications to, the Annual Noise Management Report's recommended initiatives, methods and procedures for reducing noise levels and adverse effects from Aircraft Operations and engine testing.
7. To monitor compliance with the noise conditions of AIAL's designation, the noise abatement procedures and Annual Noise Management Report.
8. To access appropriate technical expertise and guidance as required, including to, request, where appropriate, independent peer review of noise monitoring and other technical data provided to the Group by AIAL.

AIAL is to consider any recommended modifications feedback from the Group in good faith and provide the Group with a written response to the recommendations, including the reasons for rejecting any recommendations, should such a response be requested by the Group.

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6. To monitor noise levels and compliance with the noise abatement procedures and Annual Noise Management Report.
7. To access appropriate technical expertise and guidance as required, including to, where appropriate, independently peer review noise monitoring and other technical data provided to the Group by AIAL.

Independent Chairperson

Meetings will be chaired by an Independent Chairperson, AIAL and Council will be jointly responsible for appointing and removing the chairperson, independent chairperson appointed by Council and The terms of appointment will set out the conditions of appointment and removal and will include that the term of appointment for the chairperson is limited to 6 years, unless the Group otherwise agrees. AIAL jointly and Council will share equally the reasonable costs of the Independent Chairperson.

The chairperson may invite other persons on an ad-hoc basis to address the Group on particular agenda items. Where a matter is to be considered by the Group which would be likely to directly affect residents of a local board that is not otherwise represented on the Group, then the chairperson should notify the chair of that local board and invite them to the relevant meeting.

Membership

Local Board Representatives	(x 12)	<ul style="list-style-type: none"> • <u>Mangere</u> • <u>Māngere</u> • <u>Ōtāhuhu</u> • <u>Ōtara</u> • <u>Ōtara</u> • <u>Papatoetoe</u> • <u>Manurewa</u> • <u>Howick</u> • <u>Papakura</u> • <u>Franklin</u> • <u>Maungakiekie</u> • <u>Tāmaki</u> • <u>Tāmaki</u> • <u>Ōrākei</u> • <u>Albert-Eden</u> • <u>Puketāpapa</u> • <u>Puketāpapa</u> • <u>Whau</u> • <u>Orakei</u> • <u>Waitākere</u> • <u>Waitākere</u> • <u>Ranges</u> • <u>Papakura</u>
Auckland Council Representative	(x1)	
Industry Representative (e.g. freight forwarder, or, logistics, manufacturer, regular user of cargo or air export facilities, business organisation etc)	(x1)	
Airways Corporation Representative	(x1)	
Board of Airline Representatives of New Zealand (BARNZ) Representatives	(x2)	

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AIAL Representatives	(x2)	The group may require additional AIAL representatives and consultants to attend.
Mana Whenua Representatives	(x2)	•Te Ākitai •Te Ahiwaru
Community Representatives (one two of whom must live within the Aircraft Noise Areas)	(2 3)	

[Memberships](#)

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Roles

AIAL members represent the operator of Auckland International Airport which is responsible for ensuring that aircraft noise from its activities are managed to minimise noise as far as practicable and in compliance with Designation 1100.

Auckland Council's member represents the territorial authority which is the regulator with responsibilities under the Resource Management Act 1991, including for ensuring that Auckland Airport undertakes its activities in accordance with the Auckland Unitary Plan and Designation 1100.

Airways' member represents New Zealand's air navigation service provider which is responsible for the management of all air traffic within New Zealand's airspace. Airways' roles of most relevance to the management of aircraft noise from Auckland Airport relate to the design of procedures for aircraft arrivals and departures and the design of flight tracks.

The Board of Airline Representatives of New Zealand Inc. (BARNZ) members represent the perspective of the member airlines that make up its incorporated society (approximately 25 airlines) which operate scheduled, and code share international and domestic services, including airlines using Auckland Airport. BARNZ also represents businesses that supply aviation, such as ground handlers, wastes management system companies, and catering firms. The main interest of BARNZ in relation to noise relates to its role in representing the airlines that utilise Auckland Airport.

The Industry Representative member provides a perspective from businesses that utilise the airport's facilities, for instance for freight and logistic purposes.

The Local Board Members represent the views of their local communities.

The Community Representatives represent the perspectives of residents directly affected by aircraft noise, including within the Airport's aircraft noise contour.

All members are expected to actively engage with the parties they represent and provide corresponding feedback to the ANCCG.

General

1. ~~The Group will meet at least every three months.~~
2. ~~Meetings of the Group will be held at a place decided by the chairperson anytime between 2:00 pm and 9:00 pm.~~
- 3.1. AIAL will provide venue, secretarial, and support services at AIAL's cost and expense.
2. Council will provide planning staff to attend and represent Council's regulatory interests at its cost and expense.
- 4.3. The selection of the Local Board and Community Representatives will be on the basis of:
 - (a) one Representative on behalf of each of the Local Boards namely, Mangere~~Māngere~~, Ōtāhuhu, Ōtara~~Ōtara~~, Papatoetoe, Manurewa, Howick, Papakura, Franklin, Maungakiekie, Tamaki~~Tāmaki~~, Ōrākei, Albert-Eden, Puketāpapa, Whau, and Waitākere Ranges; and Puketepapa, Whau, Orakei, Waitakere Ranges and Papakura; and

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(b) ~~three~~ Community Representatives, ~~one~~two of whom must live within the Aircraft Noise Areas. The ~~appointment~~appointments will be made by the majority of the ~~chairperson~~Independent Chairperson, the Council Representative and one AIAL Representative. ~~Applications are to be made in writing and~~The opportunities will be ~~called~~ for by way of a notice on the internet and an advertisement in both the widely advertised (e.g. New Zealand Herald and the Manukau Courier, freely circulated local community newspapers in the relevant areas, online employment sites, AIAL/Council career sites, social media and community platforms) and applications must be made in writing.

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5.4. The term of office for Local Board appointed Representatives and Community Representatives will be the same as the local body electoral term, that is currently three years. Council will be responsible for any payments to be made to the Local Board appointed Representatives.

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5. Mana Whenua representatives may choose to engage directly on aircraft noise matters via the Kaitiaki Forum established in 2020 (refer Designation 1100 Condition 21) or attend Group meetings.

6. AIAL will be responsible for any payments that are to be made to the Mana Whenua and Community Representatives in return for their services to the Group.

7. AIAL and Council will share equally the reasonable costs of the independent chairperson.

8. AIAL will provide data and technical information on aircraft movements and a noise complaint summary. ~~The Group will monitor AIAL's process for responding to noise complaints and queries.~~ Noise complaints will not be dealt with on an individual basis.

Meeting procedures

While it is anticipated the Group will develop and modify its own processes for the facilitation of meetings over time, the following procedures are expected to be followed:

1. The Group will meet at least every three months.

~~The Group has an objective to reach consensus, however, dissenting views will be recorded.~~

Meeting procedure

2. Meetings of the Group will be held at a place, date, and time decided by the Chairperson; AIAL and Council will be jointly responsible for appointing and removing the chairperson.

1.3. Chairperson: ~~The terms of appointment will set out the conditions of appointment and removal, and will include that the term of appointment for the chairperson is limited to 5 years, unless the Group otherwise agrees. The chairperson~~Independent Chairperson will chair the meeting. If the ~~chairperson~~Chairperson is not present within 15 minutes of the time appointed for the meeting, then the Group will appoint another person to chair the meeting.

2.4. **Notice of meeting:** AIAL will arrange for:

- public notice of the meeting to be published on the internet, including ~~thea means to~~ contact ~~details of all members of~~ the Group, ~~its chairperson or members~~; and
- a reminder of ~~the~~ meeting, together with any other relevant information to be sent to all members of the Group at least 5 working days before the meeting. The notice of meeting will set out the ~~date, time,~~ and place of the meeting, ~~including a link for online attendance where available,~~ and the ~~nature of the business to be discussed~~proposed agenda. Members of the Group may advise AIAL of items ~~to be included~~for the Chairperson to ~~consider including~~ in the notice of meeting.

3.5. **Method of holding meeting:** Meetings will be held by a number of members, who constitute a quorum, ~~being assembled together at the place, date and time appointed for the meeting~~attending at the date and time appointed for the meeting. Members may attend online ~~except in circumstances where the Independent Chairperson decides an in-person meeting is required. The online meeting platform must be of suitable quality, enabling everyone participating in the meeting to hear each other and receive or view documents shown as part of the meeting. Where there are technological issues that prevent a member from attending online, that member must be deemed to be no longer in attendance.~~

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4.6. **Quorum:** No business may be transacted at a meeting of the Group if ~~at there is no~~ quorum ~~is not present~~. A quorum is present if there are at least 6 people including three Local Board representatives, one Board of Airline Representatives of New Zealand (**BARNZ**) representative, the Airways Corporation of New Zealand representative and one AIAL representative. Members attending online will be counted as present for the purposes of a quorum. If a quorum is not present within 15 minutes of the time appointed for the meeting, then the meeting is to be adjourned to the same day in the following week at the same time and place or to such other date, time and place as the Group Independent Chairperson may appoint.

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6.7. **Members may act by alternate representative:** ~~A~~Where a member of the Group ~~may appoint a representative is unavailable~~ to attend ~~all or part of~~ one or more meetings ~~of advice to the Group. A Representative appointed on behalf~~ chairperson of a nominated alternate representative is to be provided in advance and their attendance approved at the Chairperson's discretion. An alternate representative for a Community Representative who lives within the Aircraft Noise Areas, must also live within the Aircraft Noise Areas.

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8. **MinutesNon-attendance:** The Independent Chair has discretion to determine a named member of the Group will ensure has resigned if that minutes are kept of all proceedings member is absent from three consecutive meetings and that the minutes are made available as soon as possible after the extenuating circumstances do not apply.

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6.9. **Public attendance:** Meetings of the Group shall generally be open to the public to observe with access arranged in advance via AIAL. Any person who wants to record a meeting ~~or must notify their intention to the internet. Minutes of chairperson before the previous meeting will be sent~~ starts and subject to members with the notice of chair's approval, record the meeting for the next meeting ~~unobtrusively, without distracting members.~~

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10. **Public Forum:** A brief public forum may be held at the start of each meeting for one or more members of the public to speak ~~in front of~~ the Group. ~~The Speaking rights, including the allocation of time for the public forum and speaking rights are to be pre-arranged with, and managed by, at the discretion of the~~ chairperson.

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11. **Confidentiality and exclusion of the Public:** At the discretion of the Independent Chairperson, non- members may be excluded from meetings or portions of meetings. Such instances could include consideration of commercial-in-confidence issues, aviation security issues, privacy issues or other grounds. Specified people may remain to assist the Group. All members and those in attendance are asked to respect such requests. (Note: The Local Government Official Information and Meetings Act 1987 does not apply to Group proceedings although it provides guidance that may be applicable for excluding the public).

12. **Code of Conduct:** All members are required to adhere to the Group's Code of Conduct.

13. **Minutes:** AIAL will ensure minutes are kept of proceedings and made available to the public online. Unless exceptional circumstances exist, draft minutes should be made available to the chairperson for review within ten working days and thereafter to members within 15 working days. Members must provide amendments, objections or issues within seven working days. No comment will be taken as acceptance of the minutes and they will be published, incorporating any minor edits, on the internet no later than 30 working days after each meeting. If issues are raised, draft minutes will be sent to members for consideration and formal confirmation at the next meeting before publication on the internet.

7.14. These terms of reference shall be reviewed at least every three years.

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Attachments

Attachment A: Aircraft Noise Community Consultative Group Terms of Reference

DESIGNATION AIAL 1100 — ATTACHMENT A

AIRCRAFT NOISE COMMUNITY CONSULTATIVE GROUP ("Group")

TERMS OF REFERENCE

Purpose

To consider, and where appropriate make recommendations to Auckland International Airport Limited ("AIAL"), on aircraft noise matters that arise from the operation of Auckland International Airport ("Airport").

Meetings provide a forum for information and analysis sharing, open discussion and consensus resolution of issues between Group members, representatives from relevant agencies, consultant advisors, and AIAL.

Activities

1. To identify community feedback regarding aircraft noise.
2. To co-operatively formulate and propose options to minimise the impact of aircraft noise on the community and to consider how AIAL should respond to community concerns regarding aircraft noise.
3. To assist and advise AIAL and Council in the dissemination of relevant, clear, and timely information to the community.
4. To regularly review the procedure for handling noise complaints, recommend modifications to that procedure where appropriate, and ensure the latest procedure is publicly available as soon as possible.
5. To identify potential opportunities to improve the implementation and uptake of the Noise Reduction Package.
6. To assist AIAL in the review of and, where necessary, to recommend modifications to, the Annual Noise Management Report's recommended initiatives, methods and procedures for reducing noise levels and adverse effects from Aircraft Operations and engine testing.
7. To monitor compliance with the noise conditions of AIAL's designation, the noise abatement procedures and Annual Noise Management Report.
8. To access appropriate technical expertise and guidance as required, including to, request, where appropriate, independent peer review of noise monitoring and other technical data provided to the Group by AIAL.

AIAL is to consider feedback from the Group in good faith and provide the Group with a written response to recommendations, including the reasons for rejecting any recommendations, should such a response be requested by the Group.

Independent Chairperson

Meetings will be chaired by an Independent Chairperson. AIAL and Council will be jointly responsible for appointing and removing the chairperson. The terms of appointment will set out the conditions of appointment and removal and will include that the term of appointment for the chairperson is limited to 6 years, unless the Group otherwise agrees. AIAL and Council will share equally the reasonable costs of the Independent Chairperson.

The chairperson may invite other persons on an ad-hoc basis to address the Group on particular agenda items. Where a matter is to be considered by the Group which would be likely to directly affect residents of a Local Board that is not otherwise represented on the Group, then the chairperson should notify the chair of that Local Board and invite them to the relevant meeting.

Memberships

Local Board Representatives	(x 12)	<ul style="list-style-type: none"> •Māngere-Ōtāhuhu •Ōtara-Papatoetoe •Manurewa •Howick •Papakura •Franklin •Maungakiekie-Tāmaki •Ōrākei •Albert-Eden •Puketāpapa •Whau •Waitākere Ranges
Auckland Council Representative	(x1)	
Industry Representative (e.g. freight forwarder, logistics, manufacturer, regular user of cargo or air export facilities, business organisation etc)	(x1)	
Airways Corporation Representative	(x1)	
Board of Airline Representatives of New Zealand (BARNZ) Representatives	(x2)	
AIAL Representatives	(x2)	The group may require additional AIAL representatives and consultants to attend.
Mana Whenua Representatives	(x2)	<ul style="list-style-type: none"> •Te Ākitai •Te Ahiwaru
Community Representatives (two of whom must live within the Aircraft Noise Areas)	(x3)	

Roles

AIAL members represent the operator of Auckland International Airport which is responsible for ensuring that aircraft noise from its activities are managed to minimise noise as far as practicable and in compliance with Designation 1100.

Auckland Council's member represents the territorial authority which is the regulator with responsibilities under the Resource Management Act 1991, including for ensuring that Auckland Airport undertakes its activities in accordance with the Auckland Unitary Plan and Designation 1100.

Airways' member represents New Zealand's air navigation service provider which is responsible for the management of all air traffic within New Zealand's airspace. Airways' roles of most relevance to the management of aircraft noise from Auckland Airport relate to the design of procedures for aircraft arrivals and departures and the design of flight tracks.

The Board of Airline Representatives of New Zealand Inc. (BARNZ) members represent the perspective of the member airlines that make up its incorporated society (approximately 25 airlines) which operate scheduled, and code share international and domestic services, including airlines using Auckland Airport. BARNZ also represents businesses that supply aviation, such as ground handlers, wastes management system companies, and catering firms. The main interest of BARNZ in relation to noise relates to its role in representing the airlines that utilise Auckland Airport.

The Industry Representative member provides a perspective from businesses that utilise the airport's facilities, for instance for freight and logistic purposes.

The Local Board Members represent the views of their local communities.

The Community Representatives represent the perspectives of residents directly affected by aircraft noise, including within the Airport's aircraft noise contour.

All members are expected to actively engage with the parties they represent and provide corresponding feedback to the ANCCG.

General

1. AIAL will provide venue, secretarial, and support services at AIAL's cost and expense.
2. Council will provide planning staff to attend and represent Council's regulatory interests at its cost and expense.
3. The selection of the Local Board and Community Representatives will be on the basis of:
 - (a) one Representative on behalf of each of the Local Boards namely, Māngere-Ōtāhuhu, Ōtara-Papatoetoe, Manurewa, Howick, Papakura, Franklin, Maungakiekie-Tāmaki, Ōrākei, Albert-Eden, Puketāpapa, Whau, and Waitākere Ranges; and
 - (b) three Community Representatives, two of whom must live within the Aircraft Noise Areas. The appointments will be made by the majority of the Independent Chairperson, the Council Representative and one AIAL Representative. The opportunities will be widely advertised (e.g. New Zealand Herald, freely circulated local community newspapers in the relevant areas, online employment sites, AIAL/Council career sites, social media and community platforms) and applications must be made in writing.
4. The term of office for Local Board appointed Representatives and Community Representatives

will be the same as the local body electoral term, that is currently three years. Council will be responsible for any payments to be made to the Local Board appointed Representatives.

5. Mana Whenua representatives may choose to engage directly on aircraft noise matters via the Kaitiaki Forum established in 2020 (refer Designation 1100 Condition 21) or attend Group meetings.
6. AIAL will be responsible for any payments that are to be made to the Mana Whenua and Community Representatives in return for their services to the Group.
7. AIAL and Council will share equally the reasonable costs of the independent chairperson.
8. AIAL will provide data and technical information on aircraft movements and a noise complaint summary. Noise complaints will not be dealt with on an individual basis.

Meeting procedures

While it is anticipated the Group will develop and modify its own processes for the facilitation of meetings over time, the following procedures are expected to be followed:

1. The Group will meet at least every three months.
2. Meetings of the Group will be held at a place, date, and time decided by the Chairperson.
3. **Chairperson:** The Independent Chairperson will chair the meeting. If the Chairperson is not present within 15 minutes of the time appointed for the meeting, then the Group will appoint another person to chair the meeting.
4. **Notice of meeting:** AIAL will arrange for:
 - public notice of the meeting to be published on the internet, including a means to contact the Group, its chairperson or members; and
 - a reminder of the meeting, together with any other relevant information to be sent to all members of the Group at least 5 working days before the meeting. The notice of meeting will set out the date, time, and place of the meeting, including a link for online attendance where available, and the proposed agenda. Members of the Group may advise AIAL of items for the Chairperson to consider including in the notice of meeting.
5. **Method of holding meeting:** Meetings will be held by a number of members, who constitute a quorum, attending at the date and time appointed for the meeting. Members may attend online except in circumstances where the Independent Chairperson decides an in-person meeting is required. The online meeting platform must be of suitable quality, enabling everyone participating in the meeting to hear each other and receive or view documents shown as part of the meeting. Where there are technological issues that prevent a member from attending online, that member must be deemed to be no longer in attendance.
6. **Quorum:** No business may be transacted at a meeting of the Group if there is no quorum. A quorum is present if there are at least 6 people including three Local Board representatives, one Board of Airline Representatives of New Zealand (BARNZ) representative, the Airways Corporation of New Zealand representative and one AIAL representative. Members attending online will be counted as present for the purposes of a quorum. If a quorum is not present within 15 minutes of the time appointed for the meeting, then the meeting is to be adjourned to the same day in the following week at the same time and place or to such other date, time and place as the Independent Chairperson may appoint.

7. **Members may act by alternate representative:** Where a member of the Group is unavailable to attend all or part of one or more meetings, advice to the chairperson of a nominated alternate representative is to be provided in advance and their attendance approved at the Chairperson's discretion. An alternate representative for a Community Representative who lives within the Aircraft Noise Areas, must also live within the Aircraft Noise Areas.
8. **Non-attendance:** The Independent Chair has discretion to determine a named member of the Group has resigned if that member is absent from three consecutive meetings and extenuating circumstances do not apply.
9. **Public attendance:** Meetings of the Group shall generally be open to the public to observe with access arranged in advance via AIAL. Any person who wants to record a meeting must notify their intention to the chairperson before the meeting starts and subject to the chair's approval, record the meeting unobtrusively, without distracting members.
10. **Public Forum:** A brief public forum may be held at the start of each meeting for one or more members of the public to speak to the Group. Speaking rights, including the allocation of time are at the discretion of the chairperson.
11. **Confidentiality and exclusion of the Public:** At the discretion of the Independent Chairperson, non- members may be excluded from meetings or portions of meetings. Such instances could include consideration of commercial-in-confidence issues, aviation security issues, privacy issues or other grounds. Specified people may remain to assist the Group. All members and those in attendance are asked to respect such requests. (Note: The Local Government Official Information and Meetings Act 1987 does not apply to Group proceedings although it provides guidance that may be applicable for excluding the public).
12. **Code of Conduct:** All members are required to adhere to the Group's Code of Conduct.
13. **Minutes:** AIAL will ensure minutes are kept of proceedings and made available to the public online. Unless exceptional circumstances exist, draft minutes should be made available to the chairperson for review within ten working days and thereafter to members within 15 working days. Members must provide amendments, objections or issues within seven working days. No comment will be taken as acceptance of the minutes and they will be published, incorporating any minor edits, on the internet no later than 30 working days after each meeting. If issues are raised, draft minutes will be sent to members for consideration and formal confirmation at the next meeting before publication on the internet.
14. These terms of reference shall be reviewed at least every three years.

Memorandum

To: Aircraft Noise Community Consultative Group

From: Kylie Higgs

Date: March 2025

Subject: Review of the Aircraft Noise Community Consultative Group Terms of Reference

1.0 Purpose

The purpose of this memo is to:

- present the proposed final version of the Aircraft Noise Community Consultative Group (ANCCG) Terms of Reference (ToR) incorporating for members to consider.
- provide an outline of next steps

2.0 Background

Auckland International Airport Limited (AIAL) and Auckland Council (Council) advised members in a memo presented at the June 2024 ANCCG meeting that the ToR for the ANCCG would be reviewed. The review process began on 10th June 2024. Subject to feedback from the members at the March meeting, the final version will be formally submitted to the Council as a proposed alteration in April/May 2025.

The key actions completed to date include:

Date	Key Actions
June/July 2024	AIAL collated a draft ToR which incorporated feedback from members, local board reps, Catherine Harland and AIAL.
August 2024	The Council provided its feedback on the collated draft ToR. In response, AIAL convened in September to review and address the Council's comments. As part of this process, AIAL also sought legal guidance from Russell McVeagh to better understand the process for altering the ToR.
September 2024	AIAL and the Council reconvened to discuss the updates made to the draft ToR. This meeting resulted in a series of follow-up actions for AIAL to complete. By November, AIAL finalised these actions, incorporating the rationale for changes proposed by AIAL, the Council, and the outgoing Chair. The finalised draft ToR was then submitted to the Council for final review and feedback.
November 2024	Council completed its final review and AIAL incorporated the feedback into the draft version of the ToR.
December 2024	AIAL presented the draft report to members in the December 2024 ANCCG. Members were given an opportunity to review the draft ToR and submit feedback to AIAL by 31 January 2025.

February 2025

AIAL collated the final ToR report which included consideration of all the suggested feedback from members, local board reps, Rachel Devine and AIAL.

3.0 Key Dates

Timeline	Key Actions	Status
10 th June ANCCG	<ul style="list-style-type: none"> AIAL to advise members that a ToR review is due. AIAL to provide members with an outline of the ToR review process and provide a timeline of key dates. AIAL to provide members with a copy of the existing ToR and invite them to provide input into the updating. Members to provide input by 1st July 2024 	<p>COMPLETE</p> <p>COMPLETE</p> <p>COMPLETE</p> <p>COMPLETE</p>
August - November 2024	<ul style="list-style-type: none"> AIAL and Auckland Council staff to review current ToR with consideration to member's input. AIAL and Auckland Council compile a draft report that outlines recommended updates. 	<p>COMPLETE</p> <p>COMPLETE</p>
December 2024 ANCCG	<ul style="list-style-type: none"> AIAL to present a draft report to members that provides recommendations for changes along with a draft tracked-changed version for members to consider and provide feedback on. Members to provide feedback by 31st January 2025 	<p>COMPLETE</p> <p>COMPLETE</p>
February 2025	<ul style="list-style-type: none"> AIAL and Auckland Council to consider feedback from members on recommended draft ToR changes. AIAL and Auckland Council to compile final report. 	<p>COMPLETE</p> <p>COMPLETE</p>
March 2025 ANCCG	<ul style="list-style-type: none"> AIAL to provide a final updated version of ToR for members. 	
April 2025	<ul style="list-style-type: none"> Submit to Auckland Council. 	

4.0 Next Steps

AIAL will submit a formal request for an alteration of Designation 1100 to Council in April 2025, including evidence of engagement with ANCCG members, including mana whenua representatives.

Minutes

Subject:	Meeting of the Aircraft Noise Community Consultative Group	
Location:	Meeting held in Person and via Microsoft Teams	
Date:	10 March 2025	
Members Present	In Person: Kylie Higgs, Auckland Airport Rachel Devine, Independent Chair	Via "Teams": Councillor Alf Filipaina, Auckland Council Cath O'Brian, BARNZ Bruce Kendall, Howick Local Board (From 1.20pm) Fiona Lai, Puketāpapa Local Board Geoff Hounsell, Airways Corporation (From 1.13pm) Heather Haylock, Community Representative Helen Futter, Community Representative Jack Tan, Albert-Eden Local Board Joe Glassie-Rasmussen, Māngere-Ōtāhuhu Local Board (alternate) Karl Taylor, Airways Corporation Kelvin Hieatt, Papakura Local Board (From 1.25pm) Laura Platts, Auckland Airport (until 2.31pm) Malcom Bell, Franklin Local Board Mark Allen, Waitākere Ranges Local Board Mark Easson, Community Representative Maria Meredith, Maungakiekie-Tāmaki Local Board Tauanu'u Nick Bakulich, Māngere-Ōtāhuhu Local Board (From 1.40pm)
In Attendance	In Person: Andrea Marshall, Auckland Airport (from 2.36pm) Caitlin Goodman, Auckland Airport Jeremy Lo, Auckland Airport Kathleen Delaney, CASPER Airport Solutions Manager (Australia) Mark Laurenson, Auckland Airport Stephanie King, Marshall Day Acoustics Steve Hardwick, Auckland Airport Steve Peakall, Marshall Day Acoustics	Via "Teams": David Wong, Auckland Council
Members of the Public	Nil	
Apologies	Helen Twose, Auckland Airport Troy Churton, Ōrākei Local Board	

1. Opening Karakia, Kylie Higgs

2. Meeting Quorum & Apologies

The Independent Chair, once quorum was confirmed, declared the meeting opened at 1:00pm.

Apologies as listed on cover page 1 of these Minutes. Visitor, Kathleen Delaney from CASPER Australia, was welcomed and noted that she had been invited to address the group later in the meeting.

In considering quorum, the Chair raised the issue of non-attending members or their alternates. It was noted that non-attendance for three meetings can result in the Chair determining the member to have resigned. Four members were identified as not attended for at least the last three meetings, and had neither given apologies or ensured alternates attended. Some discussion about their status ensued. It included the importance of local board members attending to represent their communities, particularly those close to the airport. The Chair indicated that she would consider non-attendance from the next meeting as resignation and require new representatives to be nominated.

The Chair also enquired about the presence on-line of the Council Planners (i.e., compliance monitoring staff as per a Matters Arising action item from the December 2024 meeting). They were confirmed not in attendance, and Councillor Alf Filipaina undertook to break from the meeting in order to phone the “Manager for Licensing and Environmental Health” to discuss, and to re-join the meeting to convey the outcome. *[Alf Filipaina subsequently re-joined and gave the meeting a summary of this phone call: After recent restructures, the compliance monitoring position does not exist, and the GM will now await an email from the Secretariat. Alf Filipaina will also undertake to write a letter relating to the above wider “non-attendance” issue].*

Actions: 1; Both the Secretariat and Alf Filipaina to write to all identified “absent” members and their Board Chairs to note their lack of attendance, the lack of attendance of alternates and to request confirmation of their attendance or a new representative at future meetings.

3. Public Forum

The Chair noted that no requests were received from the public to speak at or to observe the meeting.

4. Minutes of Meeting Held on 09 December 2024

Jeremy Lo spoke to minimal feedback received on the previous minutes under the new process proposed at and implemented after the September 2024 meeting.

[At this point of the meeting, Helen Futter informed the group that she had repeated her previous test (refer to the Matters Arising item in Minutes of 09 December 2024 meeting) of the Council website noise complaints number. The minute record of the resulting discussion is contained within Item 7 below].

5. Changes to Work Plan and Agenda

The Chair gave thanks to Jeremy Lo for his service as Secretariat (this will be his final meeting) and introduced Caitlin Goodman who will be his replacement. Jeremy Lo spoke to the agenda adjustment to allow a presentation from a visiting CASPER representative (new item 10 below).

6. Identification of Conflicts of Interest for this Meeting

No conflicts were identified.

7. Matters Arising from the Previous Minutes

Jeremy Lo spoke to completion of several items, and progress on various other items in the Matters Arising paper circulated as part of the Meeting Pack:

- Item 2; Jeremy Lo has had a link to the Auckland Airport noise complaints webpage put up on the Council website (the Council site is “generic” on aircraft noise).
- Item 2; Helen Futter informed the group that she remained concerned about the Council noise complaints process, as a result of her re-testing (since the previous meeting) the Council website noise complaints number and described the three either incorrect or unhelpful suggestions the call-

taker had offered her. She asserted that Council call-takers still needed some “professional development”. Councillor Alf Filipaina agreed to raise it with the Council website “owner”.

- Item 10; There is no issue, as local government elections are after the September 2025 ANCCG meeting (and representatives get elected in November):
- Item 13; the CASPER Noise Lab will be an AIAL business decision in conjunction with finalising FY26 budgets.

There were no further questions or comments.

Actions: 1; Helen Futter to email Alf Filipaina the details of her testing of the Council call-takers’ responses to her “aircraft noise complaint(s)”.

2; Alf Filipaina to then write to the Council “owner” of the website and/or the Council “owner” of the noise complaint call-taking process, seeking solution(s), and to report back the results to the Secretariat and to Helen Futter.

3; AIAL to write an email to the Manager for Licensing and Environmental Health to encourage training of council front line staff about responding to noise complaints

8. Quarterly Aircraft Noise Report

Steve Peakall from Marshall Day Acoustics (“MDA”) spoke to the Report (separated into main report and “Supplementary” report), noting that the items members previously observed as missing had now been added back in.

The Chair requested an explanation of the Airways data feed outage mentioned on slide 2 of the main report and in several places in the supplementary report. Steve Peakall stated that it had not been an equipment problem but a “correlation issue” (citing the example of being able to attribute a recorded noise to an aircraft, as opposed to a chainsaw, for instance). Kathleen Delaney advised that CASPER relies on data that Airways provides under a contractual arrangement. Data provision relies on certain hardware installed at Airways, a piece of which had failed for that 2-week period, but which was back in operation after that period. Investigation is ongoing, including whether the missing data could be obtained via alternative “hard files”. The Chair asked Geoff Hounsell to report back to the group about what has been done to restore the group’s confidence that accurate, usable, aircraft noise data will be continuously recorded and available.

Heather Haylock asked if the “historic complainant” cited in slide 13 of the supplementary report had been spoken to; Jeremy Lo responded he had not done so. The Chair suggested the person could be invited to attend one of the ANCCG meetings.

In response to a Mark Allen query whether the data revealed any trends, particularly relating to commonalities in aircrafts or timing of day, general discussion ensued and covered the following:

- Whether data is analysed for specific aircraft “types” being responsible for higher noise (it is not).
- Aircraft manufacturers’ maintenance requirements.
- The requirement for aircraft to fly paths that Airways directs them to fly, and the issues of wind conditions and “separation” requirements upon aircraft traffic.
- “Tight turns” above Conifer Grove, “Rate 1 turns” and aircraft power settings.
- BARNZ does not undertake analysis of noise relative to aircraft type. Neither does Airways, who rely on CAA for approving aircraft that met noise standards. Airways noted that the standards differ for commercial versus state aircraft, that some being more prone to generating noise than others and always recognising that many factors relate to noise.

Actions: 1; Geoff Hounsell of Airways to report back to the group about the investigation of the data outage and steps taken to ensure it doesn’t happen again.

2; Jeremy Lo to contact the “historic complainant” and invite them to attend and/or speak to a future ANCCG meeting.

9. Quarterly Noise Reduction Report

Mark Laurenson spoke to the Report. General discussion ensued about whether Council or other attendees could suggest sources of information that could help fill certain gaps in AIAL's records of its historical noise remediation activities for affected properties so that the finite quantity of properties eligible for AIAL packages could be understood. (Mark Laurenson cited, as an example, records on age and numbers of dwellings by suburb (as at, for example, 2001)). David Wong of Auckland Council undertook to investigate. The Chair and members offered the following suggestions:

- The existence of a Report for economic analysis prepared for Unitary Plan hearings regarding the existing and potential numbers of buildings/residences by suburb to support arguments that increased density was possible.
- Council GIS Team or a "Data & Insights" Team.
- Possible dwelling counts for Unitary Plan purposes, or Council records of rates/property values.
- Determining the number of covenants in existence, as evidenced by Land Transfer/Property Titles records.
- Census information.

Helen Futter raised the issue of lifespan and maintenance of things like heat pumps AIAL has helped install, given that some would be more than 20 years old now. AIAL advised that the covenant places the onus on landowners to maintain the pumps after they are installed.

The Chair thanked Mark Laurenson for report that included a long list of encouraging activities for the year ahead, with potential for significant positive engagement.

[At this point, Alf Filipaina spoke of the results of his phone conversation minute above in item 2, and the result is recorded in these minutes as part of item 2].

- Actions:**
- 1; Mark Laurenson to provide David Wong with the list of suburbs/locations for which additional data records are sought; and
 - 2; David Wong to make enquiries using sources of information available to the Council to help the group understand the number of eligible properties in the HANA, MANA and future MANA areas (with any assistance to be given by Alf Filipaina and Mervin Chetty at David's request) and report back at the following meeting.

10. CASPER Global Insights Update

Kathleen Delaney's verbal presentation (ie, not part of the meeting materials pack) on "global insights" replaced the agenda item, "Noise Complaint Process".

[The Chair requested that prior to Kathleen Delaney's presentation, Alf Filipaina (having now returned to this meeting) be appraised of the results of Helen Futtters phone call to the Council noise number. Helen summarised the call again for Alf Filipaina. The outcome is recorded in these minutes as part of item 7].

Kathleen Delaney's verbal presentation to the meeting (and in response to members' questions) touched upon the following:

- Many non-Europe airports are now moving away from having a dedicated "Noise Office" to aircraft noise being just one of several concerns of an "Environmental" or "Sustainability Team" (eg, sustainability, electric vehicles, waste reduction, etc), resulting in a less capacity to focus on aircraft noise.
- Some noise issues with disembarking noise where airports don't have airbridges and use stairs and passengers walking across tarmac.
- Introduction of new aircraft types, and a greater discussion of aircraft noise *outside of* airports.
- India's new Pollution Control Board requiring airports with over 200,000 annual movement to install noise monitoring systems.
- Trend towards consultant-generated, short-term (eg, 6-months), trials and noise reporting (especially USA airports).

- In Australia, the Air Services Australia monitors aircraft noise, and some airports are doing their own analysis and reporting due to an increased focus on community consultation about noise.
- A new focus on using AI for things like video analysis of aircraft on stands, analysis of noise recordings to distinguish aircraft noise from other noise sources, analysis of noise from a directional point-of-view, noise detection without the need for radar.
- Electric aircraft, both piloted and autonomous (especially on conference discussion agendas).
- Airport curfews in Australia are a unique case, as that is governed by their Curfews Act.

The Chair thanked Kathleen Delaney and expressed gratitude she could attend in person and share these international insights.

11. Draft Terms of Reference

Kylie Higgs updated the group that members' feedback had all now informed a final draft; it was now for the Group to agree that the document proceed to the formal adoption process to become part of Designation 1100.

Jeremy Lo summarised feedback received over the Christmas break period, including feedback from BARNZ and the Chair. Mark Laurenson advised that both Te Ākitai and Te Ahiwaru were given the opportunity for feedback on the Terms of Reference document and that the response received from Te Ākitai supported the flexibility of attending ANCCG meetings online or in person and for Te Ākitai to input re noise matters via the ANCCG or Kaitiaki Forum. Te Ākitai requested it be advised of ANCCG meetings and agenda to inform its attendance. No feedback had been received from Te Ahiwaru at the time of the meeting.

In response to the Chair's expressed desire for a respectful approach to the concerns of mana whenua and a desire for the group to have the benefit of their insights, learnings and concerns regarding noise, Mark Laurenson explained that direct hui with Te Ākitai and Te Ahiwaru have been providing the forum for addressing noise concerns from iwi. As drafted the ToR would provide for that to continue or for iwi to attend meetings of the ANCCG. Where the preference from iwi was for noise matters to be addressed via the kaitiaki forum AIAL advised it would seek approval to bring that information back to the ANCCG. The Chair suggested that such an opportunity for kaitiaki feedback could be included in each meeting and AIAL could speak to that if kaitiaki did not attend the ANCCG meeting. AIAL agreed.

The Chair questioned the change of wording from former "to access" technical guidance, to now "to consider" technical guidance (in effect, replacing the onus to ask for information with considering whatever guidance the group is given, if any), and Mark Laurenson responded that this was an oversight and that the original wording could be reinstated.

The Chair thanked AIAL for undertaking the process in a patient and considered manner and requested a show of hands in person and on-line to demonstrate support for AIAL to progress the changes to the Terms of Reference with Auckland Council. The group unanimously voted in support of the changes.

- Actions:**
1. AIAL to reinstate former wording "to access" technical guidance in Activity 8 of the draft Terms of Reference document.
 2. AIAL to submit to Council a formal alteration to the designation seeking to replace the Terms of Reference and to inform Alf Filipaina of when it is being presented to Council, and he would liaise with the Council CEO.
 3. AIAL to include Te Akitai and Te Ahiwaru in the circulation of minutes and work with the Chair to include in the agenda a standing item which seeks feedback from kaitiaki directly or via AIAL.

12. DMAPS Pre and Post-implementation Memo and Report

Kylie Higgs elaborated upon minor corrections that were needed to the materials pack on this matter (the Secretariat having emailed updated documents to group members at 12.15pm on the day this meeting was held).

Steve Peakall spoke to the broad methodology that while some specific flights may be more noticeable, the overall average noise levels will be largely unaffected. He agreed that a 10dBA change is significant. Kylie

Higgs also reiterated that the turboprop north departure “line on the map” had been permanently moved, in actual practice, most of those flights “get turned early”. AIAL will closely monitor complaints that can be attributed to specific flights in this area.

The Chair asked representatives of specific suburbs for feedback, noting that the report clearly identified Māngere as the most impacted area. General feedback was received and discussed (Nick Bakulich, Māngere; Alf Filipaina; Heather Haylock & Helen Futter, Māngere East) along the lines that local people did not commonly complain despite the increase in noise. Nick Bakulich offered to help promote the complaint line in his community.

Actions: 1. AIAL to liaise with Nick Bakulich and the Māngere local board about ways to promote the noise complaints process.

13. Auckland Airport Community Trust ANCCG Appointment

The Chair requested a show of hands in person and on-line to the proposal that the group agree to Apulu Reece Autagavia becoming the Auckland Airport Community Trust ANCCG appointment to replace the outgoing Tauanu’u Nick Bakulich.

The Chair assessed the response as “consensus” to the proposal.

Alf Filipaina raised the issue of the timing of such processes when elections come after these appointments.

Actions: 1; The Secretariat to ensure required formalities are performed to put forward Apulu Reece Autagavia as an Auckland Airport Community Trust member.

2; AIAL consider an appropriate update to the procedures to seek to avoid appointments to this position prior to an election (such as triggering the position after October in any election year) .

14. Any Other Business and Introduction to Masterplan

Andrea Marshall advised that AIAL was about to start community consultation on its airport masterplan to 204. Aircraft noise, noise contours and noise complaint procedures will be raised in these community processes. Her intention is to report at the next meeting some of the content being consulted on and noise issues raised as part of the consultation process. The Group appreciated the early advice of the process and welcomed the forthcoming briefing.

Action: AIAL to promptly email the group with further details about the AKL Masterplan community consultation process so that members can ensure their communities attend these events.

There being no other business, the Chair closed the meeting with Karakia.

Closing Karakia by Kylie Higgs

Meeting closed: 3.01pm

Next meeting: 9 June 2025

Attachment B

Designation 1100 Auckland International Airport conditions

(Strikethrough/underscore)

1100 Auckland International Airport

Designation Number	1100
Requiring Authority	Auckland International Airport Limited
Location	George Bolt Memorial Drive, Mangere
Rollover Designation	Yes
Legacy Reference	Designation 231, Auckland Council District Plan (Manukau Section) 2002
Lapse Date	Given effect to (i.e. no lapse date)

Purpose

The land to which this designation applies ("**the designated area**") may be used for activities for the operation of Auckland International Airport ("**the Airport**") subject to the conditions set out below, including but not limited to:

- aircraft operations,
- runways,
- taxiways and other aircraft movement areas,
- aprons,
- terminals,
- rescue facilities,
- navigation and safety aids,
- maintenance and servicing facilities including the testing of aircraft engines (in situ or otherwise),
- catering facilities,
- freight facilities,
- quarantine and incineration facilities,
- fuelling facilities including Joint User Hydrant Installations,
- stormwater facilities,
- roads,
- monitoring activities,
- site investigation activities,
- vehicle parking and storage,
- rental vehicle activities,
- vehicle valet activities,
- public transport facilities,
- landscaping,
- flags,
- signs,
- the relocation of heritage buildings from elsewhere within this Designation and the subsequent restoration and use of those buildings for purposes compatible with their heritage values;
- offices associated with any of the foregoing activities; and

- all related construction and earthwork activities.

Conditions

1. For the purposes of this designation, unless the context otherwise requires:

"Activities Sensitive to Aircraft Noise" or **"ASAN"** means any dwellings, boarding houses, tertiary education facilities, marae, integrated residential development, papakainga, retirement village, supported residential care, educational facilities, care centres, hospitals and healthcare facilities with an overnight stay facility.

"Aircraft Operations" means:

- the landing and take-off of any aircraft at the Airport;
- the taxiing of aircraft associated with landing and take-off and other surface movements of aircraft for the purpose of taking an aircraft from one part of the Airport to another;
- aircraft flying along any Flight Path (refer definition below).

"Aircraft Noise Notification Area" or **"ANNA"** is the area generally between the 55 dB L_{dn} and 60 dB L_{dn} future aircraft noise contours as shown on the Aircraft Noise Overlay map for Auckland International Airport.

"Aircraft Noise Community Consultative Group" or **"ANCCG"** is that group referred to in Condition 9(a).

"Airport" means Auckland International Airport.

"Air Shows" for the purpose of Condition 8 means a sequence of unscheduled Aircraft Operations of a maximum of three days duration, occurring at a frequency not exceeding one per year, which is organised to provide a spectacle for members of the public.

"Annual Aircraft Noise Contour" or **"AANC"** means an L_{dn} contour published by AIAL annually as a prediction of noise from Aircraft Operations for the following 12 months (excluding noise excepted from the limit in Conditions 5 and 6, by virtue of Condition 8 of this designation). The prediction is based on monitoring undertaken in accordance with Condition 5(d).

"Annual Noise Management Report" means the noise management report described in Condition 9.

"Auckland International Airport Limited" or **"AIAL"** is the requiring authority under this designation.

"Council" means the Auckland Council or any committee, sub-committee, or person to whom the relevant powers, duties and discretions of the Council have been delegated lawfully.

"Designated area" is the area shown as the designated area in the Council's Auckland Unitary Plan GIS viewer.

"Existing Building" means any building:

- that existed at 10 December 2001 and was being used for an ASAN at that time; or
- that existed at 18 November 2019 and was being used for an ASAN at that time and is within the area shown on the plans in Attachment C to this designation; or
- for which a resource consent for an ASAN was granted by 10 December 2001; or

- which was shown on an outline plan that was lodged with the Council under section 176A of the Resource Management Act 1991 ("**RMA**") and was beyond challenge as at 10 December 2001.

"Existing Runway" means the runway located to the south of the Airport's terminal facilities with an Operational Length of 3,635 metres.

"Flight Path" means the actual path of an aircraft in flight, following take-off from or prior to landing at the Airport, for so long as that aircraft is within the area of the Control Zone shown in Figure 2 of this designation.

"Future Aircraft Noise Contour" or "**FANC**" means each of the long term predicted noise contours shown on the Future Aircraft Noise Contour map for Auckland International Airport in Appendix 19 of the Auckland Unitary Plan.

"High Aircraft Noise Area" or "**HANA**" is the area generally within the 65dB L_{dn} future aircraft noise contours as shown on the Aircraft Noise Overlay map for Auckland International Airport.

"L_{dn} Contour" means a line connecting points of equal day/night sound level (dB L_{dn}).

"Moderate Aircraft Noise Area" or "**MANA**" is the area generally between the 60dB L_{dn} and 65dB L_{dn} future aircraft noise contours as shown on the Aircraft Noise Overlay map for Auckland International Airport.

"Noise Minimisation Procedures" includes:

- procedures and measures adopted to ensure compliance with noise limits for:
 - Aircraft Operations in Condition 5; and
 - Engine Testing on Aircraft in Condition 13;
- Civil Aviation Authority ("CAA") noise rules applicable to the Airport from time to time;
- voluntary or self imposed procedures or measures for the reduction of aircraft noise.

"Non-Jet Aircraft" means any aircraft that is not a turbo-jet or a turbo-fan powered aircraft. For the avoidance of doubt turbo-prop aircraft are non-jet aircraft.

"Northern Runway" means the runway that is located to the north of the Airport's terminal facilities with an Operational Length of 2,983 metres once constructed.

"Operational Length" is the length of Runway available and suitable for the ground run of an aircraft taking off, in accordance with the Civil Aviation Advisory Circular 139-6 Revision 5 dated 9 August 2016 called the "Take-Off Run Available" or "TORA".

"Principal Living Room" means the room which the owner identifies as the principal living room.

"Runway" means a defined rectangular area on a land aerodrome prepared for the landing and take-off of aircraft.

"Working Days" are those days defined by the RMA.

Runway System

2. The following limitations in this Condition apply to all runways:
 - a. Subject to clause (b) of this Condition, the number of runways shall not exceed two.

- b. Nothing in this Condition shall preclude the use of the taxiway of the Existing Runway for the take-off and landing of aircraft (i.e. as a runway) in substitution for the Existing Runway:
- where the Existing Runway is under repair; or
 - in an emergency.

Note:

Use of the taxiway as a runway will be subject to approval under the Civil Aviation Act 1990.

3. a. The Operational Length of the Northern Runway shall not exceed 2,983 metres;
- b. The provisions of section 176A of the RMA shall apply to the construction, reconstruction or replacement of the Northern Runway.
4. Non-Jet Aircraft using the Northern Runway between the hours of 10.00pm and 7.00am, and jet aircraft using the Northern Runway between the hours of 10.00pm and 7.00am, shall not depart to or arrive from the east except in cases of:
- a. aircraft landing or taking off in an emergency;
- b. emergency flights required to rescue persons from life-threatening situations or to transport patients, human vital organs or medical personnel in a medical emergency;
- c. the operation of unscheduled flights required to meet the needs of a national or civil defence emergency declared under the Civil Defence Act 2002;
- d. Aircraft Operations resulting from an emergency which necessitates the closure of the Existing Runway;
- e. Aircraft Operations resulting from the temporary closure of the Existing Runway for essential maintenance which necessitates the unrestricted use of the Northern Runway.

Explanatory Note for Condition 4 — Northern Runway: Night-Time Restriction

- i. Throughout the life of this Unitary Plan it is AIAL's clear intention to maximise the use of the Existing Runway at night and as a result, during the lifetime of this Unitary Plan, Non-Jet Aircraft using the Northern Runway between the hours of 10.00pm and 7.00am, and jet aircraft using the Northern Runway between the hours of 10.00pm and 7.00am, are not permitted to depart to or arrive from the east except within the limited exceptions provided for in this Condition.
- ii. For the avoidance of doubt, the need or otherwise for a similar night time restriction on use of the Northern Runway in any subsequent unitary plan will be assessed at the relevant time, and the presence of this Condition on this designation is not intended as an indication that such a condition will or will not be appropriate in any future designation for the Airport.

Noise from Aircraft Operations

5. Subject to Conditions 6 and 7 below, noise from Aircraft Operations shall not exceed a noise limit of:

- a. A Day/Night Level of 65 dB L_{dn} anywhere outside the HANA. For the purpose of this control, aircraft noise shall be measured in accordance with NZS 6805:1992 and calculated as a 12 month rolling logarithmic average; and
- b. A Day/Night Level of 60 dB L_{dn} anywhere outside the HANA and the MANA. For the purpose of this control, aircraft noise shall be calculated as a 12 month rolling logarithmic average using recognised aircraft noise modelling software and records of actual Aircraft Operations.
- c. Clauses (a) and (b) of this Condition do not apply within the designated area or within the Coastal Marine Area.
- d. In addition, AIAL shall:
 - i. monitor noise from Aircraft Operations at a minimum of three locations associated with the Existing Runway which are as near as practicable to the boundary of the HANA to obtain an accurate reading so as to demonstrate compliance with (a) above;
 - ii. monitor noise from Aircraft Operations at a minimum of two locations associated with the Northern Runway so as to demonstrate compliance with (b) above. The required monitoring may be undertaken at points in the MANA and then by calculating the corresponding noise level at the MANA boundary;
 - iii. use recognised aircraft noise modelling software and noise monitoring data to calculate whether noise from Aircraft Operations complies with (b) above;
 - iv. calculate noise levels at every other location necessary to ensure compliance with this Condition and with Condition 10.

The results of this monitoring shall be included in the Annual Noise Management Report.

- 5A. Six years after the commencement of Aircraft Operations on the Northern Runway, AIAL shall review the spatial extent of the HANA, MANA and ANNA in this designation for the ongoing operation of the Airport. This review shall be undertaken by a suitably qualified and experienced person and include (but not be limited to) consideration of the actual level of aircraft noise generated, updated forecast of future aircraft activity, updated methods of air navigation and the selected runway mode of operation. The review, including its findings and reasons for any recommended amendments (or reasons why amendments are not recommended) must be completed within 6 months, then submitted to the Council for written certification and published on AIAL's website.

If, as a result of this review an amendment is necessary to the spatial extent of the HANA, MANA and / or ANNA in this designation, AIAL shall:

- a. give notice to the Council pursuant to section 181(1) of the RMA of its requirement to alter the extent of the HANA, MANA and / or ANNA; and
- b. request a corresponding change to the Auckland Unitary Plan to alter the extent of the Aircraft Noise Overlay pursuant to clause 21 of Schedule 1 of the RMA.

This condition is offered by AIAL on an *Augier* basis and forms part of the designation.

Interim Noise Control on Northern Runway

6.
 - a. For the first five years following the commencement of aircraft operations on the Northern Runway:
 - i. noise from Aircraft Operations associated with the Northern Runway shall not exceed 58.5 dB L_{dn} at the intersection of the Northern Runway centreline and State Highway 20, and at the southernmost part of Naylor's Drive. For the purpose of this control, compliance may be assessed by measuring aircraft noise at an alternative location (closer to the Airport) and calculating the corresponding noise level at the intersection of the Northern Runway centreline and State Highway 20, and at the southernmost part of Naylor's Drive. In addition, for the purpose of this control, aircraft noise shall be measured in accordance with NZS 6805:1992 and calculated as a 12 month rolling logarithmic average. The measurements and calculations for any such assessment shall be produced by AIAL if requested by the ANCCG and, if required by the ANCCG, shall be subject to independent review and verification.
 - ii. wide body (Code D, E and F) jet aircraft shall not depart from the Northern Runway to the west between the hours of 10pm and 7am.
 - b. Clause (a)(i) of this Condition shall not apply from the date of receipt by the Council of a certificate from a suitably qualified independent person proposed by AIAL and approved by the Council, certifying that, either of the following circumstances apply:
 - i. There is a need to establish new operations, or relocate existing operations, because there are insufficient apron areas or taxiway capacity alongside the Existing Runway, or a new or existing operation requires facilities or services not available at the Existing Runway but which are or can be provided at the Northern Runway.
 - ii. Rehabilitation works on the Existing Runway require use of the Northern Runway to a level which would exceed the 58.5 dB L_{dn} at State Highway 20, and at Naylor's Drive control locations to maintain current and projected demand.
 - c. The suitably qualified independent person referred to in Condition 6(b) above shall include, when supplying any certificate to the Council, a report which contains:
 - A summary of the information provided to the suitably qualified independent person by AIAL; and
 - The suitably qualified independent person's reasons for supplying the certificate.
 - d. The costs of the suitably qualified independent person shall be met by AIAL.
7. Exceedance by up to 1 dB L_{dn} of the noise limits in Conditions 5 and 6 is permitted, provided AIAL demonstrates at the request of, and to the satisfaction of, the Council that any such exceedance is due to atypical weather patterns (including wind speed and direction) during the measurement period, such as produced by the El Niño/La Niña climatic oscillation.

8. Aircraft Operations described in clauses (a) to (g) of this Condition, below, are excluded from the calculation of the rolling logarithmic average in Conditions 5, 6 and 7 above:
- a. Aircraft landing or taking off in an emergency;
 - b. Emergency flights required to rescue persons from life-threatening situations or to transport patients, human vital organs or medical personnel in a medical emergency;
 - c. The operation of unscheduled flights required to meet the needs of a national or civil defence emergency declared under the Civil Defence Emergency Management Act 2002;
 - d. Aircraft Operations resulting from an emergency which necessitates the closure of the Existing Runway;
 - e. Aircraft Operations resulting from the temporary closure of the Existing Runway for essential maintenance which necessitates the unrestricted use of the Northern Runway;
 - f. Aircraft using the Airport as a planned alternative to landing at a scheduled airport elsewhere;
 - g. Air Shows.

Noise Management

ANCCG

9. a. AIAL shall maintain at its cost, the existing ANCCG within the Terms of Reference which are contained in Attachment A (ANCCG Terms of Reference) of this designation, or such other terms or amended terms of reference that are approved by the Council pursuant to Part 8 of the RMA.

Annual Noise Management Report

- b. Without in any way limiting its obligations to fully comply with the conditions attaching to this designation, AIAL shall publish every 12 months, an Annual Noise Management Report which details:
- calculations and findings of monitoring required by Condition 5(d);
 - calculations and findings of monitoring required by Condition 6(a);
 - results of any surveys undertaken with owner(s) as to satisfaction with the installation of acoustic treatment measures in accordance with Condition 10;
 - any recommendations for initiatives, methods and procedures that could be implemented to reduce noise levels from all aspects of Aircraft Operations and engine testing for the following 12 months; and
 - any investigations, methods, procedures (including noise abatement procedures) and resources put in place in the year prior, either exclusively or in combination with other parties, to reduce noise levels from all aspects of Aircraft Operations and engine testing and the outcomes of those methods, procedures and resources as they relate to the reduction of aircraft noise.

The report shall be published on AIAL's website and a copy shall be made available to both the Council and the ANCCG.

Reporting of Noise Complaints

- c. The procedure for the recording, responding and reporting of complaints received in respect of noise from Aircraft Operations, engine testing activities and any other activities generating noise at the Airport shall be published on AIAL's website.

Reporting of Exceptions

- d. AIAL shall maintain a register (electronic and hard copy) which is available for public inspection of all exceptions to the Noise Minimisation Procedures. The register shall list:

- The date and time of the exception;
- An explanation for the exception;
- Any actions undertaken to prevent a recurrence of the exception.

For the avoidance of doubt an exception includes:

- A breach of noise limits in Conditions 5, 6 and 13;
- A breach of the CAA noise rules applicable to the Airport which has been the subject of an investigation by AIAL into a related complaint;
- Any lapse in AIAL's voluntary or self-imposed procedures for the reduction of aircraft noise.

Noise Mitigation Programme

10. The development or use of any runway is subject to compliance with clauses (a) to (m) of this Condition (called in this designation, the "Noise Mitigation Programme"):

- a. For the purpose of determining compliance with clauses (b) to (m) of this condition, AIAL has supplied to the Council:
- i. A list identifying all sites wholly or partly within the HANA and the MANA ("affected sites");
 - ii. A list of the legal descriptions and street addresses of all the affected sites; and
 - iii. Details of any Existing Building located on the affected sites.

Proviso:

Where a site lies within a mixture of HANA and MANA, or is partly located within one of those noise areas, then for the purposes of clauses (b) to (m) of this Condition:

- If any Existing Building is located wholly or partly within the HANA, that Existing Building shall be deemed to be in the HANA;
- If any Existing Building is located wholly outside the HANA, but wholly or partly within the MANA, that Existing Building shall be deemed to be in the MANA.

Further provisos:

- For the avoidance of doubt, nothing in clauses (b) to (m) of this Condition shall be treated as requiring AIAL to fund acoustic treatment and ventilation measures in Existing Buildings that are located wholly outside the HANA and the MANA.
- Clauses (b) to (m) of this Condition do not apply to those properties that have previously accepted Auckland Airport's offer to install acoustic treatment and related ventilation measures under this Condition prior to 18 November 2019.

Existing Buildings Located within the HANA

- b. Before any part of an affected site falls within the 65dB L_{dn} AANC, AIAL shall, in respect of any Existing Building in the HANA on that site (other than any building used as educational facilities or as a registered pre-school) make an offer to the owner(s) to install, at AIAL's sole cost (and if the offer is accepted, install), acoustic treatment, related ventilation measures and cooling measures to achieve, in the manner provided for in clause (l) of this Condition, an internal acoustic environment in the existing habitable rooms of the building(s) (with all external doors of the building and all windows of the habitable rooms closed), of 40 dB L_{dn}. These measures shall include but not be limited to:
- i. A ventilation system that:
- Provides at least 1 air change of outdoor air per hour in the principal living room of each building and 3 air changes of outdoor air per hour in the other habitable rooms of each building, in each case with all external doors and windows of the building closed with the exception of such windows in non habitable rooms that need to be ajar to provide air relief paths;
 - Enables the rate of airflow to be controlled across the range, from the maximum airflow capacity down to 0.5 air changes (plus or minus 0.1) of outdoor air per hour in all habitable rooms and is capable of being individually switched on and off by the building occupants;
 - Limits internal air pressure to not more than 30 pascals above the ambient air pressure; and
 - Creates no more than 40 dB L_{Aeq} in the principal living room, no more than 30 dB L_{Aeq} in the other habitable rooms, and no more than 40 dB L_{Aeq} in any hallway, in each building. Noise levels from the mechanical system(s) shall be measured at least 1 metre away from any diffuser.
- ii. A hi-wall heat pump in the principal living room providing a minimum of 3KW of heating and cooling and not exceeding an internal noise level of 40 dB L_{Aeq};
- iii. Thermal grade (minimum R1.8) ceiling insulation to all habitable rooms where equivalent ceiling insulation is not already in place; and
- iv. A mechanical kitchen extractor fan and kitchen range hood ducted directly to the outside to serve any cooking hob, if such extractor fan and kitchen range hood is not already installed and in sound working order.

The above mentioned offer shall be made on the following basis:

- i. any structural or other changes required under the Building Act 2004 ("Building Act") or otherwise to enable the installation of the acoustic treatment, related ventilation measures and cooling measures shall be at AIAL's cost, except that nothing in this clause shall require AIAL to fund any measures required to:
 - bring a building up to the standard required in any building bylaws or any provisions of any statute that applied when the building or relevant part thereof was constructed; or
 - remove any asbestos that is likely to be disturbed by the installation of the acoustic treatment, related ventilation measures and cooling measures in any building (having regard to AIAL's obligations under the Health and Safety at Work (Asbestos) Regulations 2016); and
- ii. the owner(s) accepting an obligation to enter into a covenant in the terms set out in clause (m) of this Condition.

Provisos:

- If requested by the owner, AIAL may, at its discretion, install or contribute to the cost of the installation of alternative ventilation measures to those described in clause (b) of this Condition (which may result in a different acoustic internal environment), subject to the owner being granted any necessary building or resource consents, the Council waiving AIAL's obligations in respect of the required ventilation measures listed above and the provisions of clauses (j) to (l) applying with the necessary modifications.
- AIAL shall not be in breach of clause (b) of this Condition where it is not reasonably practicable to achieve an internal acoustic environment of 40dB L_{dn} applying the measures in clause (b) of this Condition in existing habitable rooms of Existing Buildings having regard to:
 - the type, structural nature, age or state of repair of the Existing Building; and / or
 - the desirability to maintain heritage features of the Existing Building; and

provided that in each of those cases the internal acoustic environment does not exceed 45 dB L_{dn} .

Existing Buildings Located Within the MANA

- c. Before any part of an affected site falls within the 60 dB L_{dn} AANC AIAL shall, in respect of any Existing Building in the MANA on that site (other than any building used as educational facilities or as a registered pre-school) make an offer to the owner(s) to install (and if the offer is accepted, install):
 - i. A ventilation system that:
 - Provides at least 1 air change of outdoor air per hour in the principal living room of each building and 3 air changes of outdoor air per hour in the other habitable rooms of each building, in each case with all external doors and windows of the

building closed with the exception of such windows in non-habitable rooms that need to be ajar to provide air relief paths;

- Enables the rate of airflow to be controlled across the range, from the maximum airflow capacity down to 0.5 air changes (plus or minus 0.1) of outdoor air per hour in all habitable rooms and is capable of being individually switched on and off by the building occupants;
 - Limits internal air pressure to not more than 30 pascals above the ambient air pressure; and
 - Creates no more than 40 dB L_{Aeq} in the principal living room, no more than 30 dB L_{Aeq} in the other habitable rooms, and no more than 40 dB L_{Aeq} in any hallway, in each building. Noise levels from the mechanical system(s) shall be measured at least 1 metre away from any diffuser.
- ii. A hi-wall heat pump in the principal living room providing a minimum of 3KW of heating and cooling and not exceeding an internal noise level of 40 dB L_{Aeq}; and
- iii. A mechanical kitchen extractor fan and kitchen range hood ducted directly to the outside to serve any cooking hob, if such extractor fan and kitchen range hood is not already installed and in sound working order.

The abovementioned offer shall be made on the following basis:

- i. Any structural or other changes required under the Building Act or otherwise, to enable the installation of the acoustic treatment, related ventilation measures and cooling measures shall be at AIAL's cost, except that nothing in this clause shall require AIAL to fund any measures required to:
- bring a building up to the standard required in any building bylaws or any provisions of any statute that applied when the building or relevant part was constructed; or
 - remove any asbestos that is likely to be disturbed by the installation of the acoustic treatment, related ventilation measures and cooling measures in any building (having regard to AIAL's obligations under the Health and Safety at Work (Asbestos) Regulations 2016).
- ii. The owner(s) accepting an obligation to enter into a covenant in the terms set out in clause (m) of this Condition;
- iii. AIAL shall contribute 75% of the cost of the above works; and
- iv. The owner agrees to contribute the balance of the cost which may be funded by contribution received from the Aircraft Noise Mitigation fund as set out in Condition 12(c).
- v. Clauses (iii) and (iv) shall not apply to Pūkaki Marae. AIAL shall contribute 100% of the cost of the above works for Pūkaki Marae.

Proviso:

If requested by the owner, AIAL may, at its discretion, install or contribute to the cost of the installation of alternative ventilation measures to those described in this clause, subject to the owner being granted any necessary building or resource consents, the Council waiving AIAL's obligations in respect of the required ventilation measures in this clause, and the provisions of this clause and clauses (j) to (l) applying with the necessary modifications.

Existing Registered Pre-schools Located Within the HANA

- d. Before any part of an affected site falls within the 60 dB L_{dn} AANC, AIAL shall, in respect of any Existing Building in the HANA on that site used as a registered pre-school, make an offer to the owner(s) to install at AIAL's sole cost (and if the offer is accepted, install), in all learning areas:
- i. Acoustic treatment measures to achieve, in the manner provided for in clause (l) of this Condition, an internal acoustic environment in each learning area (with all external doors and windows of the learning area closed) of 40 dB L_{dn} ; and
- Mechanical ventilation system or mechanical ventilation systems for each learning area:
 - Designed to achieve indoor air temperatures not less than 16 degrees celsius in winter at 5% ambient design conditions as published by the National Institute of Water & Atmospheric Research ("NIWA") (NIWA, Design Temperatures for Air Conditioning (degrees Celsius), Data Period 1991-2000);
 - Capable of providing (when all external doors and windows of the learning area are closed) outdoor air ventilation at the rate of 15 litres of air per second per square metre for the first 50 square metres and 7.5 litres of air per second per square metre of remaining area;
 - Capable of enabling the rate of air flow to be controlled across the range, from the maximum air flow capacity down to 8 litres of air per second per person for the maximum number of people able to be accommodated in the learning area at one time;
 - Otherwise complying with the New Zealand Standard NZS 4303:1990 *Ventilation for Acceptable Indoor Air Quality*;
 - Each ventilation system shall be capable of being individually switched on and off by the building occupants; and
 - Capable of creating no more than 35 dB L_{Aeq} in each learning area, and no more than 40 dB L_{Aeq} in any hallway or corridor. Noise levels from the mechanical system(s) shall be measured at least 1 metre away from any diffuser.

The abovementioned offer shall be made on the following basis:

- i. any structural or other changes required under the Building Act or otherwise required to enable the installation of the acoustic treatment and related ventilation measures shall be at AIAL's cost, except that nothing in this clause shall require AIAL to fund any measures required to:

- bring a building up to the standard required in any building bylaws or any provisions of any statute that applied when the building or relevant part thereof was constructed; or
 - remove any asbestos that is likely to be disturbed by the installation of the acoustic treatment and related ventilation measures in any building (having regard to AIAL's obligations under the Health and Safety at Work (Asbestos) Regulations 2016); and
- ii. the owner accepting an obligation to enter into a covenant in the terms set out in clause (m) of this Condition.

Existing Registered Pre-schools Located Within the HANA or the MANA

- e. Before any part of an affected site falls within the 60 dB L_{dn} AANC, AIAL shall in respect of any Existing Building in the HANA or the MANA on that site used as a registered pre-school, make an offer to the owner(s) to install (and if the offer is accepted, install) at AIAL's sole cost:
- i. A mechanical ventilation system or mechanical ventilation systems for each learning area:
- Designed to achieve indoor air temperatures not less than 16 degrees Celsius in winter at 5% ambient design conditions as published by NIWA (NIWA, Design Temperatures for Air Conditioning (degrees Celsius), Data Period 1991-2000);
 - Capable of providing (when all external doors and windows of the learning area are closed) outdoor air ventilation at the rate of 15 litres of air per second per square metre for the first 50 square metres and 7.5 litres of air per second per square metre of remaining area;
 - Capable of enabling the rate of air flow to be controlled across the range, from the maximum air flow capacity down to 8 litres of air per second per person for the maximum number of people able to be accommodated in the learning area at one time;
 - Otherwise complying with the New Zealand Standard NZS 4303:1990 *Ventilation for Acceptable Indoor Air Quality*;
 - Each ventilation system shall be capable of being individually switched on and off by the building occupants; and
 - Capable of creating no more than 35 dB L_{Aeq} in each learning area, and no more than 40 dB L_{Aeq} in any hallway or corridor. Noise levels from the mechanical system(s) shall be measured at least 1 metre away from any diffuser.
- ii. Thermal grade (minimum R1.8) ceiling insulation in all learning areas where equivalent ceiling insulation is not already in place.

Proviso:

If the owner wishes to install a ventilation system at greater cost, (e.g. an air conditioning system), then AIAL shall contribute the equivalent cost of the ventilation system(s) prescribed in clause (c) of this Condition.

The abovementioned offer shall be made on the following basis:

- i. any structural or other changes required under the Building Act or otherwise required to enable the installation of the acoustic treatment and ventilation measures shall be at AIAL's cost, except that nothing in this clause shall require AIAL to fund any measures required to:
 - bring a building up to the standard required in any building bylaws or any provisions of any statute that applied when the building or relevant part thereof was constructed; or
 - remove any asbestos that is likely to be disturbed by the installation of the acoustic treatment and related ventilation measures in any building (having regard to AIAL's obligations under the Health and Safety at Work (Asbestos) Regulations 2016); and
- ii. the owner(s) accepting an obligation to enter into a covenant in the terms set out in clause (m) of this Condition.

Existing Educational Facilities Within the HANA or the MANA

- f. Before any part of an affected site falls within the 60 dB L_{dn} AANC, AIAL shall, in respect of any Existing Building in the HANA or MANA on that site used as an educational facility or facilities, make an offer to the owner(s) to install (and if the offer is accepted, install) acoustic treatment and related ventilation measures to achieve, in the manner provided for in clause (l) of this Condition, an internal acoustic environment in all existing classrooms, libraries and halls (with all external doors and windows of the classrooms, libraries and halls closed) of 40 dB L_{dn}, together with related ventilation requirements. These measures shall include but not be limited to:
 - i. In the case of classrooms and libraries, air conditioning and/or a mechanical ventilation system or mechanical ventilation systems for each classroom and library, that are:
 - Designed to achieve indoor air temperatures not less than 16 degrees Celsius in winter and not greater than 27 degrees Celsius in summer at 5% ambient design conditions as published by NIWA (NIWA, Design Temperatures for Air Conditioning (degrees Celsius), Data Period 1991-2000);
 - Capable of providing outdoor air ventilation at the rate of 8 litres of air per second per person for the maximum number of people able to be accommodated in any such room at one time ("**the required airflow**");
 - Capable of enabling, (in the case of classrooms or libraries in which only mechanical ventilation systems are used to satisfy the above temperature and outdoor air requirements), the outdoor airflow to be controlled across the range, from the maximum airflow capacity down to the required airflow when all external doors and windows of the classroom or library are closed;
 - Otherwise complying with the New Zealand Standard NZS 4303:1990 Ventilation for Acceptable Indoor Air Quality; and
 - Capable of creating no more than 35 dB L_{Aeq} in each classroom, no more than 40 dB L_{Aeq} in each library, and no more than 40 dB L_{Aeq} in any hallway or corridor.

Noise levels from the mechanical system(s) shall be measured at least 1 metre away from any diffuser.

- ii. in the case of halls, a mechanical ventilation system or mechanical ventilation systems for each hall capable of:
- Providing at least 12 litres of outdoor air per second per square metre with all external doors and windows of the hall closed;
 - Enabling the outdoor airflow to be controlled across the range, from the maximum airflow down to the rate of 8 litres of outdoor air per second per person for the maximum number of occupants able to be accommodated in the hall at one time;
 - Otherwise complying with the New Zealand Standard NZS 4303:1990 Ventilation for Acceptable Indoor Air Quality; and
 - Creating no more than 35 dB L_{Aeq} in each hall, and no more than 40 dB L_{Aeq} in any hallway or corridor. Noise levels from the mechanical system(s) shall be measured at least 1 metre away from any diffuser.
- iii. Thermal grade (minimum R1.8) ceiling insulation shall be provided in the case of school halls where equivalent ceiling insulation is not already in place.

The abovementioned offer shall be made on the basis that any structural or other changes required under the Building Act or otherwise to enable the installation of the acoustic treatment and related ventilation measures shall be at AIAL's cost, except that nothing in this clause shall require AIAL to fund any measures required to:

- bring a building up to the standard required in any building bylaws or any provisions of any statute that applied when the building or relevant part thereof was constructed; or
- remove any asbestos that is likely to be disturbed by the installation of the acoustic treatment, related ventilation measures and cooling measures in any building (having regard to AIAL's obligations under the Health and Safety at Work (Asbestos) Regulations 2016).

New Buildings at Existing Educational Facilities Within the MANA

- g. Where, in the case of educational facilities established within the MANA before 10 December 2001:
- i. A new classroom, library, or hall is to be established; or
- ii. An addition or alteration is to be made to any existing classroom, library or hall, and the new classroom, library or hall, or the addition or alteration, is not by definition, an Existing Building, then AIAL upon receiving advice of the proposed works, shall make an offer to the owner(s) of the relevant educational facilities to provide funding (and if the offer is accepted, provide funding) for acoustic treatment and related ventilation measures to achieve an internal acoustic environment (with all external doors and windows of the classrooms, libraries or halls closed) of 40 dB L_{dn} for all such new

facilities along with ventilation to a standard consistent with clause (f) of this Condition, above, provided that this offer shall be conditional on:

- The owner agreeing to contribute 25% of the costs of the acoustic treatment and ventilation measures;
- Construction of the new or additional facilities otherwise complying with the relevant requirements of the Building Act and any relevant legislation, and further provided that AIAL's obligations under clause (g) of this Condition shall only extend, in the case of additional classrooms, libraries or halls, to those which the Regional Network Manager — Auckland of the Ministry of Education or successor of that office certifies are required as a result of roll growth caused by underlying increases in population in the catchment in the immediate vicinity of the educational facility.

- h. The offer referred to in clause (g) of this Condition may be made on the basis that if the new or additional facilities are removed from the affected site before the 60 dB L_{dn} AANC reaches the affected site, any cost incurred by AIAL in respect of that building shall be returned to AIAL.

New Public Schools or Pre-schools Within the MANA

- i. AIAL shall offer the owner(s) of any new public (i.e. non-private or integrated) school or preschool to be established on affected sites located within the MANA, funding (and if the offer is accepted, provide funding) for acoustic treatment and related ventilation measures to meet the requirements in, and to a standard consistent with, clause (g) of this Condition, above, provided that this offer shall be conditional on:
- The owner agreeing to contribute 50% of the costs of the acoustic treatment and ventilation measures;
 - The Regional Network Manager — Auckland of the Ministry of Education or successor of that office certifying, following consultation on the issue of location with AIAL, that the proposed new school or preschool could not reasonably be located outside the MANA, such consultation having been undertaken as soon as reasonably practicable before selecting a potential new school or pre-school site.

Building Act 2004

- j. All work undertaken pursuant to the terms of this Condition (Condition 10) shall be in accordance with the Building Act and any other relevant legislation.
- k. Nothing in this Condition (Condition 10) shall require AIAL to fund any measures required to bring a building up to the standard of the building regulations that applied when the building was constructed or the relevant part thereof was last modified.

Certified Standard Packages and Individual Packages

- I. Where this Condition (Condition 10) requires AIAL to offer to provide acoustic treatment and ventilation measures, AIAL:
- i. Has developed standard acoustic and ventilation treatment packages for as many types of building for each FANC, as is practicable ("**standard packages**"). These standard packages may be updated or further developed at any time. Each standard package shall be:
- Sufficient to achieve the internal acoustic environment and ventilation requirements specified in this Condition (Condition 10) for the type of building within the FANC for which the package has been developed;
 - Certified to that effect by a suitably qualified independent person (or persons) nominated by AIAL and approved by the Council ("**an approved person**") ("**certified standard package**"); and
 - Developed in consultation with the Building Research Association of New Zealand.

For the avoidance of doubt the standard packages are intended to mitigate against aircraft noise, not against other sources which may have different characteristics and hence require different attenuation in respect to the treatment measures on offer;

- ii. Shall offer to install (and if the offer is accepted, install) the relevant certified standard package, which has been certified by an approved person as being suitable to fulfil the requirements of this Condition (Condition 10) for the building and FANC within which the building is located; and in all other cases, shall offer a package certified by an approved person as suitable, at the time of the offer, to achieve the internal acoustic environment and ventilation requirements specified in this Condition (Condition 10) for the FANC within which the building is located ("**certified individual package**") and if that offer is accepted, shall install the certified individual package.

Covenants

- m. AIAL shall not be obliged to undertake any work pursuant to clauses (b) to (eh) of this Condition (Condition 10) unless the owner of the particular affected site agrees to enter into a covenant with AIAL (which shall be registered on the site's title) in the terms set out in Attachment C of this designation with such necessary changes, approved by the Council. The cost of preparing and registering the covenant on the site's title shall be met by AIAL. AIAL shall meet the reasonable legal costs incurred by the owner for the perusal and approval of the covenant.

Monitoring of Noise Mitigation Programme

- 10A. AIAL is to monitor the implementation of the Noise Mitigation Programme as set out in Condition 10 and provide a written report setting out its findings in detail to the Council on an ongoing basis at six monthly intervals each year.

Preparation and Publication of the AANC

- 10B. AIAL shall:
- a. Publish the procedure for the preparation of the 60 dB L_{dn} and 65 dB L_{dn} AANCs on its website.
- b. Prepare annually the 60 dB L_{dn} and 65 dB L_{dn} AANCs.

- c. Publish a public notice in:
 - i. One or more daily newspapers circulating in the areas contained in the HANA, MANA and ANNA; or
 - ii. One or more other newspapers that have at least an equivalent circulation, advising the public that:
 - The AANCs have been prepared for the following twelve months;
 - Explaining what the AANCs are and who is potentially affected; and
 - That the AANCs are available for public inspection at such Council offices as determined by a designated Council officer approved by the Chief Executive of the Council.

Aircraft Noise Mitigation Fund

11. AIAL shall (at its cost and to the Council's satisfaction) maintain a Trust with two Trustees appointed by AIAL, two Trustees appointed from the community by the Council, and one Trustee appointed by the ANCCG.
12. AIAL shall contribute \$340,670 (in 2017 New Zealand dollar terms) per annum plus GST if any (adjusted thereafter to compensate for inflation and increased annually from October 2017 by the percentage increase in the Consumer Price Index (All Groups) as provided for in Condition 12B, below), to a Noise Mitigation Fund, to be administered by the Trustees for the benefit of the local community affected by aircraft noise and located or residing within the HANA, MANA and ANNA, for the purpose of:
 - a. The mitigation of adverse effects associated with noise from Aircraft Operations which are not provided for under Condition 10 ("**other adverse effects**"); or
 - b. Ensuring positive effects on the external environment to offset those other adverse effects; or
 - c. Assisting an owner or owners to meet their share of the costs of acoustic treatment measures or enhancements as set out in Condition 10(c)(iv).
- 12A. On each anniversary of the Trust, AIAL will make a payment to the Trust of an amount sufficient to compensate for inflation over the immediately preceding annual period calculated in accordance with the following formula:

$A \times B\%$, where A is the previous year's contribution, and B is the percentage increase in the Consumer Price Index (All Groups) (or any substitute national measure of inflation) for that preceding 12 month period measured from June to June.

Explanatory Note, Aircraft Noise Mitigation Fund:

While there are various physical measures proposed by way of acoustic insulation and ventilation of buildings containing ASAN, the Aircraft Noise Mitigation Fund is designed to ensure that adverse effects of aircraft noise on the external environment which cannot be mitigated by physical means can at least be partially offset by providing positive effects in the form of enhanced cultural, recreational, educational, vocational, and other opportunities and facilities to affected residents. Those opportunities and facilities may be provided outside the affected area but should be readily available to affected residents.

Engine Testing on Aircraft

13. a. Any use of the designated area for the testing of engines which are in situ on an aircraft ("**in situ aircraft engines**") shall not exceed the following noise limits within the Identified Area shown on Figure 1 attached to this designation:

7 day rolling average	55 dB L_{dn}
10pm to 7am	75 dB L_{Amax}

For the purpose of this control, testing of in situ aircraft engines shall be measured in accordance with NZS 6801:2008 Acoustics Measurement of Environmental Sound.

- b. AIAL shall monitor and record all testing of in situ aircraft engines and provide a summary report of the tests undertaken and the calculated noise levels whenever requested in writing by the ANCCG.
- c. The testing of in situ aircraft engines is excluded from the calculation of the 7 day rolling average in clause (a) above where such testing is associated with work necessary to satisfy an airworthiness directive or other like safety requirement issued by the Minister of Transport, the Director of Civil Aviation or the Civil Aviation Authority, which requires within 7 days of the directive or requirement being issued, the ground running of the engines on:
- All aircraft with a specific engine type; or
 - aircraft of a specific make or model.

Prior to any testing excluded by this clause commencing, AIAL shall give written notice to the ANCCG and the Council explaining:

- The nature of and the reason for the testing;
- Its expected duration and noise effects; and
- Details of the directive or requirement received.

Other Noise

- 13A. Any use of the land for any purpose other than:

- Aircraft Operations (Conditions 5 and 6);
- testing of in situ aircraft engines (Condition 13);
- the use of audible bird scaring devices for the discouragement of birds; and
- construction works (condition 13B)

shall not exceed the following noise limits within the Identified Area shown on Figure 1 attached to this designation:

Average Levels			Maximum
dB L _{Aeq}			dB L _{Amax}
Monday to Saturday 7am-6pm (0700-1800)	Monday to Saturday 6pm-10pm (1800-2200) AND Sunday & Public Holidays, 7am-10pm (0700-2200)	At all other times	10pm-7am (2200-0700)
55	50	45	70

For the purpose of this control, Other Noise shall be measured in accordance with NZS 6801:2008 Acoustics Measurement of Environmental Sound and assessed in accordance with NZS 6802:2008 Acoustics — Environmental Noise.

Construction Noise

- 13B. All construction work shall be designed, managed and controlled to ensure that construction noise does not exceed the noise limits in the following tables. Sound levels shall be measured and assessed in accordance with NZS 6803:1999 Acoustics Construction Noise.

Recommended upper limits for construction noise received in residential zones, dwellings in rural zones, and the Special Purpose – Māori Purpose zone.

Time of week	Time period	Duration of work					
		Typical duration (dB)		Short-term duration (dB)		Long-term duration (dB)	
		L _{Aeq}	L _{AFmax}	L _{Aeq}	L _{AFmax}	L _{Aeq}	L _{AFmax}
Weekdays	0630-0730	60	75	65	75	55	75
	0730-1800	75	90	80	95	70	85
	1800-2000	70	85	75	90	65	80
	2000-0630	45	75	45	75	45	75
Saturdays	0630-0730	45	75	45	75	45	75
	0730-1800	75	90	80	95	70	85
	1800-2000	45	75	45	75	45	75
	2000-0630	45	75	45	75	45	75
Sundays and public holidays	0630-0730	45	75	45	75	45	75
	0730-1800	55	85	55	85	55	85
	1800-2000	45	75	45	75	45	75
	2000-0630	45	75	45	75	45	75

Recommended upper limits for construction noise received in business zones for all days of the year.

Time Period	Duration of work		
	Typical duration (dB)	Short-term duration (dB)	Long-term duration (dB)
	L _{Aeq}	L _{Aeq}	L _{Aeq}
0730-1800	75	80	70
1800-0730	80	85	75

Construction Vibration

- 13C. Except where certified by the Council, construction vibration received by any building shall be measured and assessed in accordance with the German Standard DIN 4150-3:1999 "Structural vibration – Part 3: Effects of vibration on structures", and shall comply with the criteria set out as follows:

Type of structure	Short-term vibration			Long term vibration	
	PPV at the foundation at a frequency of			PPV at horizontal plane of highest floor (mm/s)	PPV at horizontal plane of highest floor (mm/s)
	1 – 10 Hz (mm/s)	1 – 50 Hz (mm/s)	50 -100 Hz (mm/s)		
Commercial/Industrial	20	20-40	40-50	40	10
Residential/School	5	5-15	15-20	15	5
Historic or sensitive structures	3	3-8	8-10	8	2.5

N.B. PPV means Peak Particle Velocity

Explanatory note:

For the avoidance of doubt, conditions 13B and 13C do not apply to construction noise and vibration received in buildings on land to which this Designation applies.

Coastal Protection Yard

14. A coastal protection yard having a minimum depth of 20 metres shall be maintained where any part of the designated area abuts the Mean High Water Spring Tide Mark. No structure shall be erected in the coastal protection yard except essential Airport operational facilities (for example, security fences, navigational aids, rescue facilities and stormwater facilities) which require a location in the area of the coastal protection yard. Prior to any land modification works within the coastal protection yard, the requiring authority shall submit an outline plan to the Council for approval.
15. Subject to any waiver of this Condition, or any part of this Condition, prior to any land modification or development on any land within 200 metres of the northern boundary of the designated area east of Pūkaki Creek ("**northern boundary**"), the requiring authority shall submit an outline plan to the Council for approval which, without limiting the requirements of Section 176A of the RMA, shall show:

- a. Provision for the landscaping in native vegetation of a five metre wide strip along the northern boundary and a limitation on building height in relation to the northern boundary so that no part of any building shall project beyond a building envelope contained by a 55 degree recession plane from points 2.5 metres above the northern boundary (i.e. maximum height = 2.5 metres plus 1.428 x distance from boundary).
- b. Details of any land modification within:
 - i. 200 metres of the northern boundary which involves more than 500m³ of earthworks; or
 - ii. 30 metres of the northern boundary which involves more than 200m³.
- c. The timetable for completion of the abovementioned landscaping, earthworks and remedial work.
- d. The height, shape and bulk of any proposed structures.

16. For the purpose of conditions 14 and 15(b) details shall be given of the following:

Alteration to Natural Landscape

- a. Whether any earthcut or fill will remove existing vegetation, alter the existing topography of the site, or affect existing natural features including landforms, and the impacts on the area's amenity values.

Alteration to cultural heritage sites or cultural landscape

- b. Whether any earthcut, fill, structures or buildings will adversely affect values associated with cultural heritage sites or identified cultural landscapes.

Site Stability and Erosion

- c. Whether the effects from natural hazards will be avoided, remedied or mitigated, and the extent to which earthworks affect the stability and erosion potential of the site and surrounding site.

Topography in Relation to Adjacent Land

- d. Whether the site contours and final contours coordinate with the final levels of adjoining land.

Flooding

- e. Whether the earthworks and final levels will adversely affect overland flowpaths or increase the potential for flooding within the site or surrounding area.

Utility Services

- f. Whether the earthworks and final levels will adversely affect existing utility services.

Public Access to the Coastal Marine Area and Fossil Forest

- 17. AIAL shall provide road access for the public to the coastal marine area, through the designated area, to a point near the fossil forest (located in the coastal banks of Lot 2 DP 62092 and Allotment 164 Manurewa Parish) and shall provide pedestrian access from the end of that road

down to Mean High Water Springs, so as to provide public access to the coastal marine area and the fossil forest.

Public Consultation

- 17A. a. Construction of the Northern Runway, shall not take place until AIAL has completed a process of public notification and consultation. The process of public notification and consultation shall include the following:
- i. Written notice to the ANCCG (or its successor from time to time); and
 - ii. A public notice published in a daily newspaper circulating in the Auckland Council area, and in each of the local newspapers circulating in those parts of the Auckland Council area subject to the ANNA, MANA and HANA. Such notice to be published in each case twice at an interval of approximately a fortnight.
- b. Each of the abovementioned notices shall include a brief description of the proposal and shall advise:
- i. Where full details of the proposal can be inspected and copies of those details obtained;
 - ii. Of the opportunity to forward comments to AIAL about the proposal;
 - iii. The date by which comments about the proposal should be sent to AIAL, which date shall not be less than 20 working days from the date of the last of the public notices;
 - iv. Details of any additional consultation proposed by AIAL.
- c. The information available for inspection under this Condition shall include the following:
- i. Diagram(s) and description of the proposal including all associated work;
 - ii. A description of the proposed operating scenario for the Northern Runway;
 - iii. The reasons for the proposed operating scenario;
 - iv. The reasons for the proposal including an explanation of the need for the Northern Runway to have the proposed Operational Length;
 - v. Reference to any relevant reports; and
 - vi. Any other information AIAL wishes to make available for the purpose of explaining the proposal or in respect of which it would like to invite comments.
- d. AIAL shall consider any comments made to it pursuant to the notification and consultation process described above before deciding whether or not to proceed with the proposal. If AIAL decides to proceed, it shall provide as soon as possible to the Council copies of all comments received, together with written advice of:
- i. Details of the notification and consultation undertaken;
 - ii. A summary of comments received;

- iii. A statement describing the actions planned, if any, in respect to the comments received; and
 - iv. A statement explaining the reasons for the actions to be taken or the decision not to take any action.
- e. AIAL shall regularly consult the ANCCG and seek its input and comment on community consultation that the latter may recommend to inform the public from time to time on any matter relating to the Northern Runway.

Outline Plan

18. Where AIAL seeks to rely on the provisions of the designation for any works within its land, an outline plan of any work to be constructed on the designated area must be submitted to the Council pursuant to section 176A of the RMA unless the works have been otherwise approved under the RMA or the details of the work are incorporated in the designation or Council waives the requirement for an outline plan. For any proposed work to be constructed for taxiing of aircraft on the designated area north of the Northern Runway, the outline plan shall include, in addition to the matters required under section 176A of the RMA, an analysis and prediction of the noise associated with the Aircraft Operations component of the proposal so as to demonstrate compliance with Condition 5.

Mana whenua

19. AIAL shall engage with Te Ākitai Waiohū, Te Kawerau Iwi Tribal Authority and Makaurau Marae Māori Trust (individually if so requested) when preparing any relevant plans, including Reptile Management, Wildlife Hazard Management, Erosion and Sediment Control and Stormwater Management plans, as part of any Outline Plan for the Northern Runway, and also provide these groups with the opportunity to review and comment on these plans.
20. Within six months of 18 November 2019, AIAL shall collaborate with Te Ākitai Waiohū, Te Kawerau Iwi Tribal Authority and Makaurau Marae Māori Trust (individually if so requested) to prepare agreed Kōiwi Protocol and Interment Plan(s) and an agreed iwi/cultural monitoring programme prior to any works recommencing for the Northern Runway.

Explanatory Note:

AIAL, Te Ākitai Waiohū, Te Kawerau Iwi Tribal Authority and Makaurau Marae Māori Trust shall use their best endeavours to reach agreement on Kōiwi Protocol and Interment Plan(s) and an iwi/cultural monitoring programme. In the event of any differences between any of the parties arising out of the development of the Kōiwi Protocol and Interment Plan(s) and / or an iwi/cultural monitoring programme, the parties shall use their best endeavours to resolve any such differences in good faith and in accordance with tikanga Māori principles and protocols.

21. Within six months of 18 November 2019, AIAL shall invite mana whenua to participate in a Kaitiaki Forum, which shall be established and maintained by AIAL (at its cost) until such time as the Northern Runway has been constructed. The purpose of the Kaitiaki Forum is to facilitate engagement between AIAL and mana whenua, and to provide Forum members with updates, and opportunities for feedback, on the development of the Northern Runway.
- 21A. Within six months of 18 November 2019 AIAL shall establish a fund and provide a contribution of \$50,000 (in 2017 New Zealand dollar terms) per annum plus GST if any (adjusted thereafter to compensate for inflation as provided for in Condition 12A) to be made available specifically and exclusively for the purpose of education scholarships and vocational training relating to

travel, trade, tourism, sporting, aviation, engineering, construction and environmental planning, for the mandated entities for Te Ākitai Waiohūa (\$25,000) and Te Kawerau ā Maki and / or Te Ahiwaru (\$25,000).

Heritage Resources and Archaeology

22. Each of the following heritage resources shall be relocated by the requiring authority in a manner and to a site that will ensure the continued protection of the resource before any construction or work is commenced on the designated area that would damage or destroy the resource:
 - a. Abbeville Farm House and Barn, Part Lot 2, DP 12194 (refer Schedule of Significant Heritage Places, Item 1414);
 - b. Westney Road Methodist Church, Part Lot 2, DP 12194 (refer Schedule of Significant Heritage Places, Item 1414); and
 - c. Rennie Jones Homestead, Pt Allot 163, Manurewa Parish (refer Schedule of Significant Heritage Places, Item 1424).
23. AIAL shall apply for all necessary archaeological authorities under Section 44(a) of the Heritage New Zealand Pouhere Taonga Act 2014 prior to the start of any earthworks on the Northern Runway with the potential to affect archaeological remains.
24. AIAL shall undertake a full archaeological investigation to identify, investigate and record subsurface archaeological remains, including Taonga Tuturu, across the full extent of the Northern Runway project area.
25. AIAL shall provide the following to the Team Leader – Southern Monitoring (for the attention of the Council's Manager-Heritage Unit):
 - (a) copies of any documents approved under the Heritage New Zealand Pouhere Taonga Act 2014, including archaeological management plans and archaeological authorities;
 - (b) copies of any reports on the results of any archaeological investigations; and
 - (c) details of any unrecorded historic heritage or archaeological sites that are exposed as a result of the earthworks undertaken for the Northern Runway for inclusion in the Council's Cultural Heritage Inventory.
- 25A. Within six months of 18 November 2019, AIAL shall carry out a non-invasive archaeological investigation to record any material that is exposed at the western end of the Northern Runway as a result of coastal erosion and prepare a report on the results of the investigation.

Ecology

26. AIAL shall submit a Wildlife Hazard Management Plan (WHMP) prepared by a suitably experienced and qualified ecologist with the Outline Plan for the Northern Runway. The objective of the WHMP is to provide a framework for the avoidance, remediation, mitigation or offset of adverse effects on protected coastal birds roosting in the vicinity of the Northern Runway as far as is reasonably practicable.

In addition to engaging with Te Ākitai Waiohūa, Te Kawerau Iwi Tribal Authority and Makaurau Marae Māori Trust (individually if so requested), AIAL shall consult with the Department of

Conservation, the Council's Biodiversity Group and the Project Manukau Bird Roost Advisory Group when preparing the WHMP.

The WHMP shall include (but not be limited to):

- a. Details and locations of any new high tide roosts to be provided;
- b. Details of any modification and enhancement works to existing roosts; and
- c. Measures to mitigate the risk of bird strike from aircraft.

27. AIAL shall submit a Reptile Management Plan (RMP) prepared by a suitably experienced and qualified ecologist with the Outline Plan for the Northern Runway. The objective of the RMP is to avoid, remedy or mitigate adverse effects on protected native reptiles in the vicinity of the Northern Runway as far as is reasonably practicable.

In addition to engaging with Te Ākitai Waiohū, Te Kawerau Iwi Tribal Authority and Makaurau Marae Māori Trust (individually if so requested), AIAL shall consult with the Department of Conservation and the Council's Biodiversity Group when preparing the RMP.

The RMP shall include (but not be limited to):

- a. Details of search methods to be implemented for capturing arboreal and ground-dwelling lizards prior to any construction works commencing for the Northern Runway;
- b. Mechanisms for re-establishing affected lizard habitat;
- c. Locations for the potential release of lizards, including whether a pest control programme before and after the release of lizards is necessary and, if so, the details of such a control programme;
- d. The methodology for any post-capture release of lizards; and
- e. The methodology for captive management of lizards if they are required to be held in captivity.

Explanatory note:

A Wildlife Act Authority (i.e. permit) under the Wildlife Act 1953 will be required from the Department of Conservation before any reptile capture or translocations can occur.

Construction Traffic

28. Within three months of AIAL appointing a civil works (earthworks) contractor for the construction of the Northern Runway, AIAL shall prepare and submit a Construction Traffic Management Plan (CTMP) for approval by Auckland Council. The CTMP is to be implemented as approved and shall ensure heavy construction vehicles operating in connection with the construction of the Northern Runway are prohibited from using Westney Road or passing through Oruarangi Village. The CTMP shall consider the safety and efficiency of all travel modes in relation to that construction. AIAL shall consult with Auckland Transport and the NZ Transport Agency in relation to the CTMP and include evidence of that consultation in the CTMP.

Explanatory note:

A heavy construction vehicle is a motor vehicle having a gross laden weight exceeding 3,500 kilograms.

- 28A. Within three months of AIAL appointing a civil works (earthworks) contractor for construction of the Northern Runway, AIAL shall provide Auckland Council for approval a document setting out a process (in consultation with Auckland Transport and the NZ Transport Agency) for identifying, monitoring and rectifying damage caused by heavy construction vehicles to Ihumatao Road and at construction access points from public roads. AIAL shall identify, monitor and rectify damage in accordance with the approved process throughout construction of the Northern Runway.

Transport Plan

29. At least six months before the commencement of construction of the Northern Runway, AIAL shall submit a Transport Plan to Auckland Council for written certification.
- 29A. AIAL shall implement the transport measures described in Condition 29D(f) of the certified Transport Plan in accordance with the programme in Condition 29D(h).
- 29B. The purpose of the Transport Plan is to ensure that the Auckland Airport Precinct transport network is appropriately managed and integrated with the adjacent transport networks.
- 29C. The Transport Plan shall demonstrate compliance with the following objectives:
- a. The connections between the Auckland Airport Precinct transport network and the adjacent transport networks (to the north and east) are:
- integrated; and
 - provide for the same level (as a minimum) of capacity and functionality (as at July 2018); and

Explanatory note: for the purposes of Condition 29C(a):

- *"capacity" means the number of people and vehicles (all modes) per direction per day (considering peak periods) that can be accommodated on the transport network existing at July 2018.*
 - *"functionality" means the infrastructure that accommodates all modes and operates as per the existing transport network as at July 2018.*
- b. At least the same level of connectivity between Puhinui Road (SH20B) and George Bolt Memorial Drive (SH20A) (as at July 2018) is retained, such that the connection does not divert traffic away from the Auckland Airport Precinct onto SH20; and
- c. Mass rapid transit corridors are provided and protected, in accordance with Condition 30; and
- d. A walking and cycling network is enabled within the Auckland Airport Precinct and integrated with the existing and proposed external walking and cycling network at the north and east boundaries of the Precinct.
- 29D. To achieve the objectives in Condition 29C, the Transport Plan shall include:

- a. A **design philosophy statement** for the transport network within the Auckland Airport Precinct and its connections with adjacent transport networks (all modes) that will exist following the construction of the Northern Runway, including targeted levels of service, design standards, mode split, and performance criteria for the network.
- b. A **description of the current** (July 2018) **land use and transport network** (all modes) in the Auckland Airport Precinct and its connections with adjacent transport networks, including:
 - key transport routes;
 - public transport services and facilities (including connectivity and capacity);
 - vehicle volumes (including heavy goods vehicles, light goods vehicles, private cars, buses);
 - walking and cycling facilities; and
 - constraints relating to the provision of transport routes and services over Pūkaki Creek.
- c. A **description of the future land use and transport network** (all modes) in the Auckland Airport Precinct and its connections with adjacent transport networks (including the matters in Condition 29D(b) above) for the years 2028 and 2044 and any relevant interim years.
- d. A description of the **current and future factors that affect transport demand** to and from the Auckland Airport Precinct (all modes), including:
 - passenger numbers;
 - commercial and industrial activities in the Auckland Airport Precinct (including anticipated trip generation);
 - demand management tools (including parking management);
 - through traffic; and
 - public transport services.
- e. A **modelling report** of the performance of the future transport network (all modes) in the area defined in (ii) below for the years 2028 and 2044 and any relevant interim years.
 - (i) The modelling shall consider (against the objectives in Condition 29C):
 - land uses;
 - the transport infrastructure;
 - a range of operational scenarios (including mode share splits); and
 - the timing of (and triggers for) the staged implementation of the infrastructure and operational measures.
 - (ii) The modelling shall be undertaken using an appropriate network transport model, which shall consider:
 - the transport network within the Auckland Airport Precinct;
 - the commercial/industrial areas located to the north of the Auckland Airport Precinct; and
 - the state highway system of SH20A, SH20B and SH20.
 - (iii) The modelling shall be supported by a network transport model scoping report and an independent peer review of the network transport model.

- f. A description and drawings of the transport infrastructure (specifically including mass rapid transit corridors), and a description of the operational measures, that AIAL shall implement to meet the objectives in Condition 29C;
 - g. A description of the transport infrastructure and operational measures that the NZ Transport Agency and Auckland Transport are anticipated to provide outside and / or within the Auckland Airport Precinct;
 - h. A programme of the triggers for the staged timing of implementation of the measures in (f) and (g) above.
- 29E. The Transport Plan shall be prepared by a suitably qualified and experienced traffic engineer/transport planner.
- 29F. AIAL shall consult, collaborate and share information with the NZ Transport Agency and Auckland Transport during the preparation of the draft Transport Plan. AIAL shall provide the NZ Transport Agency and Auckland Transport with a copy of the final draft Transport Plan for comment. AIAL shall provide a report which outlines the feedback received from the NZ Transport Agency and Auckland Transport to Auckland Council when the Transport Plan is submitted for certification. If feedback from the NZ Transport Agency and/or Auckland Transport has not been incorporated into the Transport Plan, the report shall explain the reasons why.
- 29G. At 3 yearly intervals following the first certification of the Transport Plan under Condition 29, AIAL shall submit a report to Auckland Council for written certification demonstrating the achievement of the purpose and objectives in Conditions 29B and 29C. A copy of such report shall be provided to Auckland Transport and the NZ Transport Agency. If the Council does not certify that the purpose and objectives are achieved, AIAL shall update the Transport Plan (to demonstrate new or revised measures to achieve the purpose and objectives) following the process in Conditions 29 through 29F.

Mass rapid transit corridors

30. AIAL shall provide and protect mass rapid transit corridors (meaning dedicated land corridors within which mass rapid transit will be located) within the Auckland Airport Precinct. The corridors shall connect:
- a. A point in the vicinity of SH20A on the northern boundary of the Auckland Airport Precinct (to connect to the future City Centre to Māngere mass rapid transit route); and
 - b. A point in the vicinity of Puhinui Road / SH20B on the eastern boundary of the Auckland Airport Precinct (to connect to the future Airport to Botany mass rapid transit route)

with the integrated Airport terminal and the Auckland Airport business precinct (at a minimum).

The mass rapid transit corridors shall be set back a minimum of 20 metres from Mean High Water Springs except for the approaches to the Pūkaki Creek.

Note: 'Mass rapid transit' means public transport capable of moving a large number of people, for example light rail and dedicated bus routes. Common characteristics of rapid transit include frequent services, fast loading and unloading capability, and largely dedicated or exclusive right-of-way routes.

31. AIAL shall design, construct and have operational an alternate access to the Auckland Airport Precinct from the North prior to the severance of George Bolt Memorial Drive as a result of the construction of the Northern Runway. AIAL must ensure that the alternate access retains two general traffic lanes in both directions (as a minimum) and is sufficient to accommodate mass rapid transit from the North and an integrated walking and cycling network. AIAL shall design and construct the alternate Northern access in collaboration with the NZ Transport Agency and Auckland Transport.

Lapsing Date

32. As this designation has been given effect to, the designation cannot lapse pursuant to section 184(1) of the RMA.

Attachments

Attachment A: Aircraft Noise Community Consultative Group Terms of Reference

DESIGNATION AIAL 1100 — ATTACHMENT A

AIRCRAFT NOISE COMMUNITY CONSULTATIVE GROUP ("Group")

TERMS OF REFERENCE

Purpose

To consider, and where appropriate make recommendations to Auckland International Airport Limited ("AIAL"), on aircraft noise ~~issues and concerns matters~~ that arise from the operation ~~and activities at of~~ Auckland International Airport ("Airport").

Meetings provide a forum for information and analysis, open discussion and consensus resolution of issues between Group members, representatives from relevant agencies, consultant advisors, and AIAL.

Activities

1. To identify community ~~concerns feedback~~ regarding aircraft noise.
2. To co-operatively formulate and propose ~~rules and procedures options~~ to minimise the impact of aircraft noise on the community and to consider how AIAL should respond to community concerns regarding aircraft noise.
3. To assist and advise AIAL and Council in the dissemination of relevant clear, and timely information to the community.
4. To regularly review the ~~current~~ procedure for handling noise complaints, ~~modify recommend modifications to~~ that procedure where ~~necessary appropriate~~, and ~~make it ensure the latest procedure is~~ publicly available as soon as ~~practicable possible~~.
5. To identify potential opportunities to improve the implementation and uptake of the Noise Reduction Package.
56. To assist AIAL in the review of and, where necessary, to recommend modifications to, the Annual Noise Management Report's recommended initiatives, methods and procedures for reducing noise levels and adverse effects from Aircraft Operations and engine testing.
7. To monitor compliance with the noise conditions of AIAL's designation, the noise abatement procedures and Annual Noise Management Report.
8. To access appropriate technical expertise and guidance as required, including to request, where appropriate, independent peer review of noise monitoring and other technical data provided to the Group by AIAL.

AIAL is to consider ~~any recommended modifications feedback from the Group~~ in good faith and provide the Group with a written response to ~~the~~ recommendations, including the reasons for rejecting any recommendations, should such a response be requested by the Group.

6. ~~To monitor noise levels and compliance with the noise abatement procedures and Annual Noise Management Report.~~

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~~7. To access appropriate technical expertise and guidance as required, including to, where appropriate, independently peer review noise monitoring and other technical data provided to the Group by AIAL.~~

Independent Chairperson

Meetings will be chaired by an ~~independent~~ Independent chairperson. ~~Chairperson. AIAL and Council will be jointly responsible for appointing and removing the chairperson, appointed by Council and The terms of appointment will set out the conditions of appointment and removal and will include that the term of appointment for the chairperson is limited to 6 years, unless the Group otherwise agrees. AIAL jointly and Council will share equally the reasonable costs of the Independent Chairperson.~~

The chairperson may invite other persons on an ~~ad-ad~~ ad-hoc basis to address the Group on particular agenda items. Where a matter is to be considered by the Group which would be likely to directly affect residents of a ~~local board~~ Local Board that is not otherwise represented on the Group, then the chairperson should notify the chair of that ~~local board~~ Local Board and invite them to the relevant meeting.

Membership

Local Board Representatives	(x 12)	<ul style="list-style-type: none"> • Māangere-Ōtāhuhu • Ōatara-Papatoetoe • Manurewa • Howick • <u>Papakura</u> • Franklin • Maungakiekie-Tāamaki • <u>Ō</u>rākei • Albert-Eden • Puketā<u>ep</u>apa • Whau • Orakei • Waitā<u>ak</u>ere Ranges • <u>Papakura</u>
Auckland Council Representative	(x1)	
Industry Representative (e.g. freight forwarder, or logistics, manufacturer, regular user of cargo or air export facilities, business organisation etc)	(x1)	
Airways Corporation Representative	(x1)	
Board of Airline Representatives of New Zealand (<u>BARNZ) Representatives</u>)	(x2)	
AIAL Representatives	(x2)	<u>The group may require additional AIAL representatives and consultants to attend.</u>
Mana Whenua Representatives	(x2)	<ul style="list-style-type: none"> • <u>Te Ākitai</u> • <u>Te Ahiwaru</u>

Community Representatives (one <u>two</u> of whom must live within the Aircraft Noise Areas)	(2 <u>3</u>)	
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Memberships

Roles

AIAL members represent the operator of Auckland International Airport which is responsible for ensuring that aircraft noise from its activities are managed to minimise noise as far as practicable and in compliance with Designation 1100.

Auckland Council's member represents the territorial authority which is the regulator with responsibilities under the Resource Management Act 1991, including for ensuring that Auckland Airport undertakes its activities in accordance with the Auckland Unitary Plan and Designation 1100.

Airways' member represents New Zealand's air navigation service provider which is responsible for the management of all air traffic within New Zealand's airspace. Airways' roles of most relevance to the management of aircraft noise from Auckland Airport relate to the design of procedures for aircraft arrivals and departures and the design of flight tracks.

The Board of Airline Representatives of New Zealand Inc. (BARNZ) members represent the perspective of the member airlines that make up its incorporated society (approximately 25 airlines) which operate scheduled, and code share international and domestic services, including airlines using Auckland Airport. BARNZ also represents businesses that supply aviation, such as ground handlers, wastes management system companies, and catering firms. The main interest of BARNZ in relation to noise relates to its role in representing the airlines that utilise Auckland Airport.

The Industry Representative member provides a perspective from businesses that utilise the airport's facilities, for instance for freight and logistic purposes.

The Local Board Members represent the views of their local communities.

The Community Representatives represent the perspectives of residents directly affected by aircraft noise, including within the Airport's aircraft noise contour.

All members are expected to actively engage with the parties they represent and provide corresponding feedback to the ANCCG.

General

1. The Group will meet at least every three months.

2. Meetings of the Group will be held at a place decided by the chairperson anytime between 2:00 pm and 9:00 pm.

3. AIAL will provide venue, secretarial and support services at AIAL's cost and expense.

2. Council will provide planning staff to attend and represent Council's regulatory interests at its cost and expense.

43. The selection of the Local Board and Community Representatives will be on the basis of:

(a) one Representative on behalf of each of the Local Boards namely, Māangere-Ōtāhuhu, Ōtara-Papatoetoe, Manurewa, Howick, Papakura, Franklin, Maungakiekie--Tāamaki, Ōrākei, Albert-Eden, Puketāepapa, Whau, Ōrākei and Waitakere Ranges, and Papakura; and

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(b) ~~two-three~~ Community Representatives, ~~one-two~~ of whom must live within the Aircraft Noise Areas. The appointments will be made by the majority of the Independent eChairperson, the Council Representative and one AIAL Representative. ~~Applications are to be made in writing and The opportunities will be called for by way of a notice on the internet and an advertisement in both the widely advertised e.g. New Zealand Herald, and the Manukau Courier freely circulated local community newspapers in the relevant areas, online employment sites, AIAL/Council career sites, social media and community platforms) and applications must be made in writing.~~

~~54.~~ The term of office for Local Board appointed Representatives and Community Representatives will be the same as the local body electoral term, that is currently three years. Council will be responsible for any payments to be made to the Local Board appointed Representatives.

~~5.~~ Mana Whenua representatives may choose to engage directly on aircraft noise matters via the Kaitiaki Forum established in 2020 (refer Designation 1100 Condition 21) or attend Group meetings.

6. AIAL will be responsible for any payments that are to be made to the Mana Whenua and Community Representatives in return for their services to the Group.

7. AIAL and Council will share equally the reasonable costs of the independent chairperson.

8. AIAL will provide data and technical information on aircraft movements and a noise complaint summary. ~~The Group will monitor AIAL's process for responding to noise complaints and queries.~~ Noise complaints will not be dealt with on an individual basis.

Meeting procedures

~~While it is anticipated the Group will develop and modify its own processes for the facilitation of meetings over time, the following procedures are expected to be followed:~~

~~1.~~ The Group will meet at least every three months.

~~The Group has an objective to reach consensus, however, dissenting views will be recorded.~~

Meeting procedure

~~2.~~ Meetings of the Group will be held at a place, date, and time decided by the Chairperson.

~~13.~~ **Chairperson:** ~~AIAL and Council will be jointly responsible for appointing and removing the chairperson. The terms of appointment will set out the conditions of appointment and removal, and will include that the term of appointment for the chairperson is limited to 5 years, unless the Group otherwise agrees. The chairperson Independent Chairperson will chair the meeting. If the eChairperson is not present within 15 minutes of the time appointed for the meeting, then the Group will appoint another person to chair the meeting.~~

~~24.~~ **Notice of meeting:** AIAL will arrange for:

- public notice of the meeting to be published on the internet, including ~~the a means to~~ contact details of all members of the Group, its chairperson or members; and
- a reminder of the meeting, together with any other relevant information to be sent to all members of the Group at least 5 working days before the meeting. The notice of meeting will set out the date, time, and place of the meeting, including a link for online attendance where available, and the ~~nature of the business to be discussed. proposed agenda.~~

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Members of the Group may advise AIAL of items ~~to be included for the Chairperson to consider including~~ in the notice of meeting.

35. **Method of holding meeting:** Meetings will be held by a number of members, who constitute a quorum, ~~being assembled together at the place, date and time appointed for the meeting, attending at the date and time appointed for the meeting. Members may attend online except in circumstances where the Independent Chairperson decides an in-person meeting is required. The online meeting platform must be of suitable quality, enabling everyone participating in the meeting to hear each other and receive or view documents shown as part of the meeting. Where there are technological issues that prevent a member from attending online, that member must be deemed to be no longer in attendance.~~
46. **Quorum:** No business may be transacted at a meeting of the Group if ~~a there is no~~ quorum ~~is not present~~. A quorum is present if there are at least 6 people including three Local Board representatives, one Board of Airline Representatives of New Zealand (BARNZ) representative, the Airways Corporation of New Zealand representative and one AIAL representative. ~~Members attending online will be counted as present for the purposes of a quorum. If~~ a quorum is not present within 15 minutes of the time appointed for the meeting, then the meeting is to be adjourned to the same day in the following week at the same time and place or to such other date, time and place as the ~~Group Independent Chairperson~~ may appoint.
57. **Members may act by alternate representative:** ~~A Where a~~ member of the Group ~~may appoint a representative is unavailable to attend all or part of one or more meetings, of advice to the Group. A Representative appointed on behalf chairperson of a nominated alternate representative is to be provided in advance and their attendance approved at the Chairperson's discretion. An alternate representative for a~~ Community Representative who lives within the Aircraft Noise Areas, must also live within the Aircraft Noise Areas.
68. **MinutesNon attendance:** ~~The Independent Chair has discretion to determine a named member of the Group will ensure has resigned if that minutes are kept of all proceedings member is absent from three consecutive meetings and that the minutes are made available as soon as possible after the extenuating circumstances do not apply.~~
9. **Public attendance:** Meetings of the Group shall generally be open to the public to observe with access arranged in advance via AIAL. Any person who wants to record a meeting ~~on must notify their intention to the internet. Minutes of chairperson before the previous meeting will be sent starts and subject to members with the notice of chair's approval, record the meeting for the next meeting unobtrusively, without distracting members.~~
710. **Public Forum:** A brief public forum may be held at the start of each meeting for one or more members of the public to speak ~~in front of to~~ the Group. ~~The Speaking rights, including the allocation of time for the public forum and speaking rights are to be pre-arranged with, and managed by, at the discretion of the~~ chairperson.
11. **Confidentiality and exclusion of the Public:** At the discretion of the Independent Chairperson, ~~non- members may be excluded from meetings or portions of meetings. Such instances could include consideration of commercial-in-confidence issues, aviation security issues, privacy issues or other grounds. Specified people may remain to assist the Group. All members and those in attendance are asked to respect such requests. (Note: The Local Government Official Information and Meetings Act 1987 does not apply to Group proceedings although it provides guidance that may be applicable for excluding the public).~~
12. **Code of Conduct:** All members are required to adhere to the Group's Code of Conduct.

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13. **Minutes:** AIAL will ensure minutes are kept of proceedings and made available to the public online. Unless exceptional circumstances exist, draft minutes should be made available to the chairperson for review within ten working days and thereafter to members within 15 working days. Members must provide amendments, objections or issues within seven working days. No comment will be taken as acceptance of the minutes and they will be published, incorporating any minor edits, on the internet no later than 30 working days after each meeting. If issues are raised, draft minutes will be sent to members for consideration and formal confirmation at the next meeting before publication on the internet.
14. These terms of reference shall be reviewed at least every three years.

Attachment B: Example of Deed of Covenant

Form 26

Covenant Instrument to note land covenant

(Sections 116(1)(a) & (b) Land Transfer Act 2017)

Covenantor
underlined

Surname must be

[]

Covenantee
underlined

Surname must be

Auckland International Airport Limited

Grant of Covenant
underlined

Surname must be

The Covenantor, being the registered owner of the burdened land(s) set out in Schedule A, **grants to the Covenantee** (and, if so stated, in gross) the covenant(s) **set out** in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s).

Schedule A

Continue in additional Annexure Schedule, if required

Purpose of Covenant	Shown (plan reference)	Burdened Land (Record of Title)	Benefitted Land (Record of Title) or in gross
Land Covenant	N/A	The land described in Schedule 1	The land described in Schedule 2

Covenant rights and powers (including terms, covenants and conditions)

Delete phrases in { } and insert Memorandum number as required; continue in additional Annexure Schedule, if required

The provisions applying to the specified covenants are those set out in:

~~(Memorandum number {insert}, registered under section 209 of the Land Transfer Act 2017)~~
Annexure Schedule.

SCHEDULE 1
(Burdened Land)

Legal Description	Area (ha)	Title Reference

SCHEDULE 2

(Benefitted Land)

The following parcels of land:

Legal Description	Area (ha)	Record of Title
Part allotment 163 Parish of Manurewa	19.6196	NA47C/137
Allotment 164 Parish of Manurewa	21.8530	NA47C/82
Lot 3 Deposited Plan 38518	0.9105	NA1675/15
Lot 1 Deposited Plan 28940	38.5463	NA985/62
Lot 15 Deposited Plan 13141	2.0513	NA305/113
Part Allotment 163 Parish of Manurewa	0.6533	NA1691/38
Lot 1 Deposited Plan 144042 and Section 1 Survey Office Plan 67433	20.3965	NA105D/359
Lot 2 Deposited Plan 62092	37.8887	NA24A/830
Part Allotment 179 Parish of Manurewa	2.6133	NA78D/185
Part Allotment 163 Parish of Manurewa	0.3581	NA55A/937
Lot 1 Deposited Plan 111094	0.5094	NA62C/558
Lot 1 Deposited Plan 94420	10.0219	NA58D/290
Lot 1 Deposited Plan 125742	0.5566	NA73B/518
Allotment 497 Parish of Manurewa	0.4047	NA78D/204
Part Allotment 179 Parish of Manurewa	0.2024	NA78D/183
Lot 1 Deposited Plan 46409	36.6342	NA78D/191
Lot 2 Deposited Plan 46409	36.6089	NA78D/192
Lot 1 Deposited Plan 103178	3.7408	NA56D/993
Part Lot 2 Deposited Plan 12194	24.7847	NA56B/945
Part Lot 1 Deposited Plan 13104	19.6273	NA78D/205
Lot 2 Deposited Plan 421357 and Allotment 561 Parish of Manurewa	20.9102	482062
Part Lot 2 Deposited Plan 32275 and Lot 3 Deposited Plan 421357	12.6388	482063
Lot 1 Deposited Plan 51077	6.0703	NA1B/711
Part Allotment 89 Parish of Manurewa and Lot 2 Deposited Plan 125742	44.9201	NA586/220
Lot 3 Deposited Plan 353776	28.7665	219885
Section 2 Survey Office Plan 540318	0.7712	931599
Lot 2 Deposited Plan 490990	19.5854	710641
Section 1-2 Survey Office Plan 446054 and Section 3-4 Survey Office Plan 446174	6.1118	682538
Lot 1 Deposited Plan 173452	37.5882	NA106B/643
Lot 1 Deposited Plan 178161	8.1360	NA109D/595
Lot 2 Deposited Plan 178161	2.4980	NA109D/596
Lot 2 Deposited Plan 41238	0.0969	NA1120/171
Lot 4 Deposited Plan 41238	0.1563	NA1121/14
Lot 3 Deposited Plan 41238	0.0943	NA1138/48
Lot 1 Deposited Plan 41238	0.0878	NA1189/51
Lot 1 Deposited Plan 57642	25.8999	NA11C/663
Lot 1 Deposited Plan 196235	0.3233	NA125B/39
Part Allotment 89 Parish of Manurewa and Defined On Deposited Plan 13716	31.6464	NA366/26

Legal Description	Area (ha)	Record of Title
Part Allotment 89 Parish of Manurewa	40.4686	NA586/221
Lot 1 Deposited Plan 36039	0.2982	NA78D/182
Allotment 474 and Allotment 476 Parish of Manurewa	170.0600	NA78D/186
Allotment 484 Parish of Manurewa	13.9400	NA78D/187
Allotment 482-483 Parish of Manurewa	15.4300	NA78D/188
Allotment 477-481 Parish of Manurewa	53.5270	NA78D/189
Allotment 504 Parish of Manurewa	70.4026	NA78D/193
Allotment 492 Parish of Manurewa	0.6085	NA78D/194
Allotment 508 Parish of Manurewa	36.4260	NA78D/195
Allotment 506 Parish of Manurewa	54.6326	NA78D/196
Allotment 328 Parish of Manurewa	0.4426	NA78D/197
Allotment 470 Parish of Manurewa and Defined on Survey Office Plan 49515	313.9000	NA78D/198
Allotment 505 Parish of Manurewa and Defined on Survey Office Plan 52973	0.5975	NA78D/199
Allotment 469 Parish of Manurewa and Defined On Survey Office Plan 49514	40.3600	NA78D/200
Allotment 494 Parish of Manurewa	2.7290	NA78D/201
Allotment 493 Parish of Manurewa and Defined On Survey Office Plan 49184	1.3673	NA78D/202
Allotment 182-185 Parish of Manurewa	60.2981	NA78D/203
Allotment 543 Parish of Manurewa and Defined On Survey Office Plan 53644	0.3792	NA78D/206
Allotment 565 Parish of Manurewa and Defined On Survey Office Plan 60283	54.2300	NA78D/207
Lot 1 Deposited Plan 31279	1.4460	NA798/163
Part Lot 2 Deposited Plan 111094	37.6418	NA82C/672
Lot 7 Deposited Plan 24346	22.3083	NA867/2
Lot 8 Deposited Plan 24346	43.7060	NA902/21
Lot 1 Deposited Plan 162130	0.6984	NA97D/261
Part Allotment 163 Parish of Manurewa	0.8094	NA994/274
Lot 1 Deposited Plan 421357	4.1077	482061

SCHEDULE 3

INTRODUCTION

- A. The Covenantor is registered as proprietor of the land more particularly described in Schedule 1 ("**Burdened Land**").
- B. The Covenantee ("Auckland Airport") is registered as proprietor of, or is entitled to use, and owns, the land more particularly described in Schedule 2 ("**Benefitted Land**").
- C. Auckland Airport is the owner and operator of Auckland International Airport ("**Airport**") which is situated on the Benefitted Land. The Benefitted Land is authorised by current zoning and designations for airport activity and airport development.
- D. The Airport has noise contours around its site which correspond to levels of aircraft noise. These are respectively referred to as the high aircraft noise area ("**HANA**"), moderate aircraft noise area ("**MANA**") and aircraft noise notification area ("**ANNA**") in the Auckland Unitary Plan.
- E. The operation of the Airport results and is likely to result in environmental effects such as noise disturbance associated with aircraft and airport activity, which may have consequences beyond the boundaries of the Benefitted Land, including upon the Burdened Land.
- F. The Burdened Land is within the [**HANA/MANA**] and the Covenantor has accepted Auckland Airport's offer to install physical works and equipment in the building(s) on the Burdened Land, for the purpose of mitigating the effects of such noise, more particularly described in Schedule 5 ("**Aircraft Noise Mitigation Works**").
- G. In consideration of Auckland Airport's offer the Covenantor has agreed with Auckland Airport to accept for itself and its successors in title to the Burdened Land and any part or interest in the Burdened Land, an obligation, in accordance with this Deed, not to lessen the effectiveness of, or remove, the Aircraft Noise Mitigation Works.

COVENANT

The Covenantor for itself and its successors in title, lessees and/or invitees to the Burdened Land (or any part of it) (excluding any tenants occupying the Burdened Land pursuant to a lease or tenancy vested in the Housing New Zealand Corporation or any statutory or regulatory successor to the Housing New Zealand Corporation), hereby covenants, acknowledges and agrees with Auckland Airport and its successors in title lessees and/or invitees to the Benefitted Land or any part of it as a positive covenant for the benefit of the registered proprietors and users from time to time of the Benefitted Land, that the Covenantor will henceforth and at all times hereafter observe and perform all the stipulations and restrictions contained in Schedule 4 to the end and intent that each of the stipulations and restrictions shall, in the manner and to the extent prescribed, endure until 31 March 2044 for the benefit of, and be appurtenant to, the whole of the Benefitted Land, every part thereof and any other land zoned or set aside for airport activity in the Auckland Unitary Plan from time to time.

SCHEDULE 4

(Covenants)

1. The Covenantor will do nothing to lessen the effectiveness of the Aircraft Noise Mitigation Works ("**modifications**") and will not remove the Aircraft Noise Mitigation Works ("**removal work**") in any building on the Burdened Land unless:
 - (a) The Covenantor has obtained the written approval of the Covenantee; or
 - (b) The modifications or removal works are being undertaken for the purpose of reconstructing, altering or extending the building or part of the building or removing part of the building, and:
 - (i) the entire building; or
 - (ii) any room directly affected by the modifications or removal works, which is to remain a habitable room,will meet the requirements of the Auckland Unitary Plan for acoustic treatment measures to mitigate aircraft noise; or
 - (c) The Covenantor is demolishing the entire building or removing it from the Burdened Land.
2. Auckland Airport shall not unreasonably withhold its approval under clause 1(a); and in considering a request for approval it shall take into account the reason(s) why approval is sought and in particular whether:
 - (a) the owner intends to upgrade or improve the acoustic insulation in the building or relevant parts of the building;
 - (b) whether the proposed modifications or removal works will affect in any material way the mitigation of the effects of aircraft noise in any habitable room in the building;
 - (c) the owner wishes to change the use of a habitable room to a non-habitable room;
 - (d) the use of the building for an ASAN has or is intended to cease, on more than a temporary basis.
3. Auckland Airport shall deal promptly with any request for approval under clause 1(a) and shall as soon as is practicable:
 - (a) serve the Covenantor with written notice of the Auckland Airport's decision under clause 1(a);
 - (b) include as part of that written notice its reasons for any refusal to give its approval; and
 - (c) where approval is refused, forward a copy of that written notice to the ANCCG.
4. The parties agree that if Auckland Airport determines (in Auckland Airport's sole and unfettered discretion) at any stage that any part or parts of the Benefitted Land should no longer receive

the benefit of the terms of this Covenant:

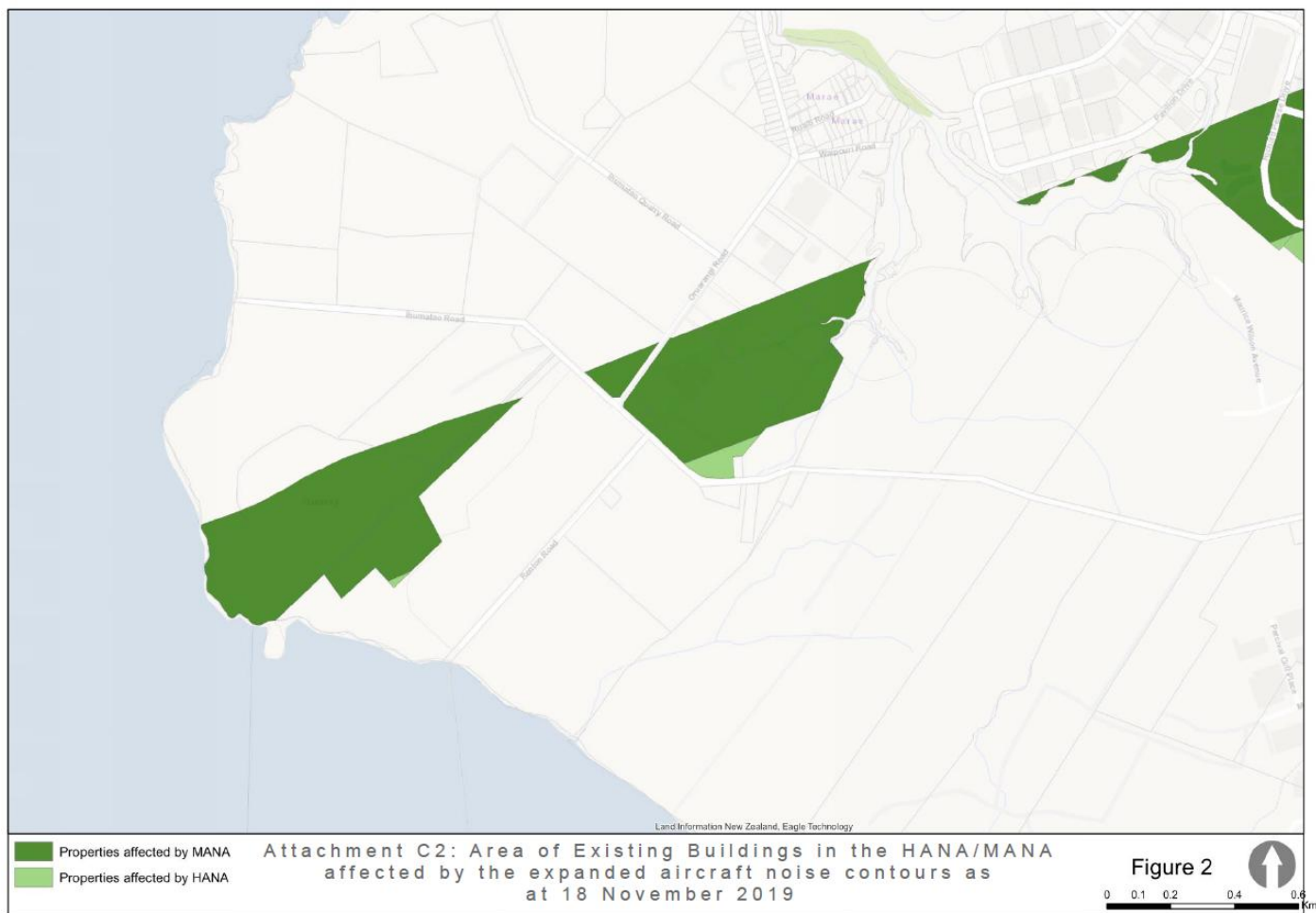
- (a) Auckland Airport shall provide written notice to the Covenantor setting out the relevant certificate(s) of title for the Benefitted Land from which this Covenant is to be surrendered, and such notice is to be accompanied by a surrender instrument in registrable form in respect of the same ("Surrender Instrument") and an Authority and Instruction form ("A & I Form") authorising Auckland Airport's solicitor to effect registration of the Surrender Instrument on behalf of the Grantor;
 - (b) the Covenantor shall execute the Surrender Instrument, A & I Form, and procure the consent to the registration of, the Surrender Instrument by any mortgagees, chargeholders, lessees or encumbranceholders required to enable registration of the Surrender Instrument against the Burdened Land and the relevant Benefitted Land;
 - (c) the Covenantor shall hand to Auckland Airport the Surrender Instrument, A & I Form, and any other documents (duly executed as aforesaid) required to enable Auckland Airport to register the Surrender Instrument against the Burdened Land and the relevant Benefitted Land within 14 days after receiving written notice from Auckland Airport in accordance with clause 4(a) of this Covenant; and
 - (d) Auckland Airport shall arrange for the registration of the Surrender Instrument at Land Information New Zealand. All costs in respect of the execution of the Surrender Instrument, the procurement of any consents pursuant to clause 4(b) of this Covenant and the registration of the Surrender Instrument shall be met by Auckland Airport.
5. If the Covenantor refuses to or fails to execute and return to Auckland Airport the Surrender Instrument within the 14 day period referred to in clause 4(c), then for the sole purpose of giving effect to clause 4, the Covenantor hereby grants to Auckland Airport an irrevocable power of attorney to Auckland Airport to do all things necessary, and sign all documents necessary to register the Surrender Instrument against the Burdened Land and the relevant Benefitted Land.
6. For the avoidance of doubt, in giving effect to clause 4, Auckland Airport shall be entitled to (but shall not be limited to):
- (a) sign the A & I Form on the Covenantor's behalf;
 - (b) if the consent of any mortgagees, chargeholders, lessees or encumbranceholders is required to enable registration of the Surrender Instrument, request consent to the registration of the Surrender Instrument on behalf of the Covenantor. Any such request shall be deemed to be from the Covenantor and shall be binding on the Covenantor; and
 - (c) register the Surrender Instrument.
7. For the purpose of clause 4 of this Covenant, the term "the Covenantor" is deemed to refer to the Covenantor and its successors in title to the Burdened Land, or any part of it.
8. For the purpose of this Covenant:
- (a) "designation" is as defined under the Resource Management Act 1991, or any equivalent subsequent legislation, and references to any sections or parts of the Resource Management Act 1991 are deemed to refer to any equivalent provisions of subsequent legislation also; and

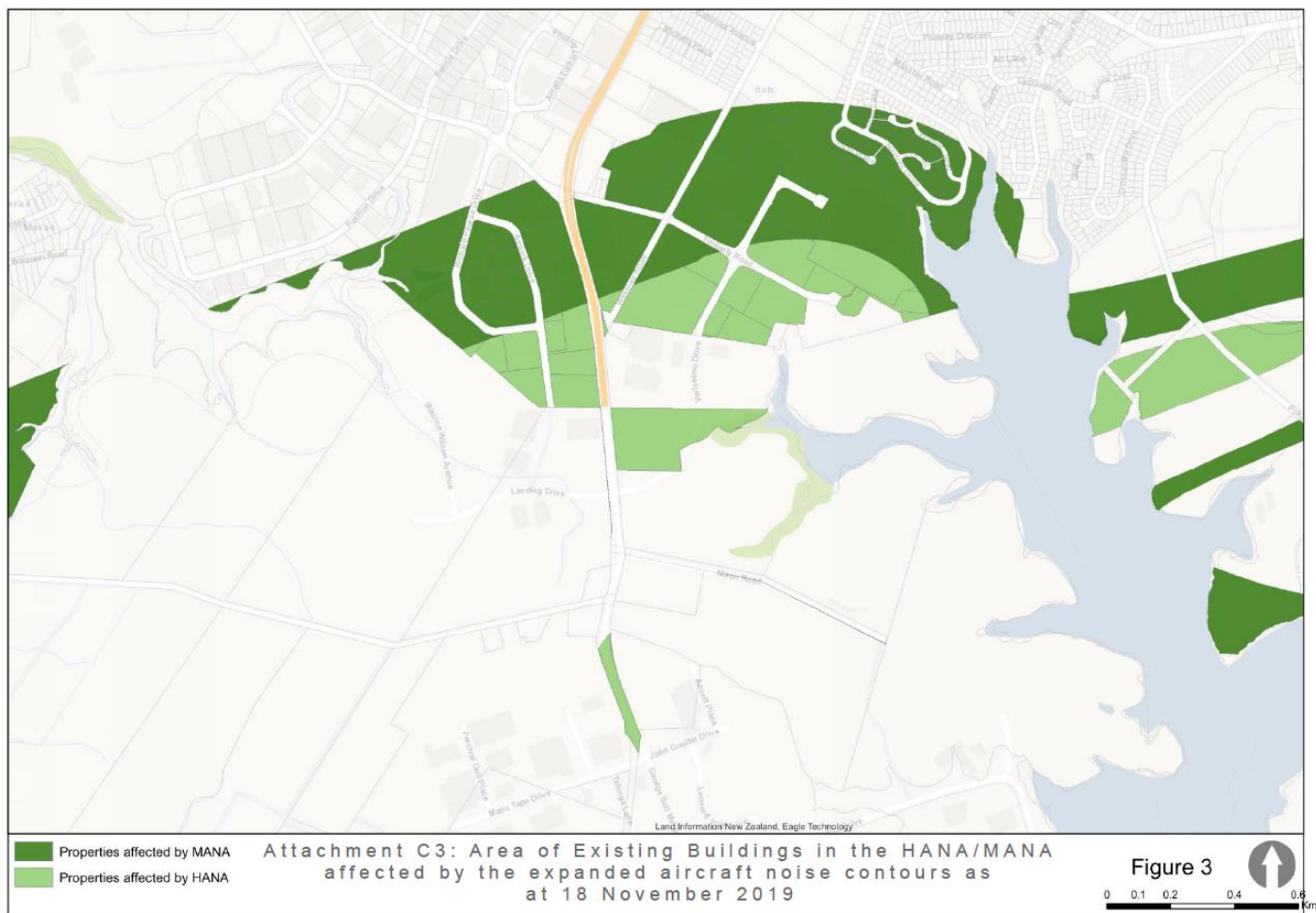
- (b) ASAN and ANCCG are as defined in Condition 1 of Designation 1100 in Chapter K of the Auckland Unitary Plan.

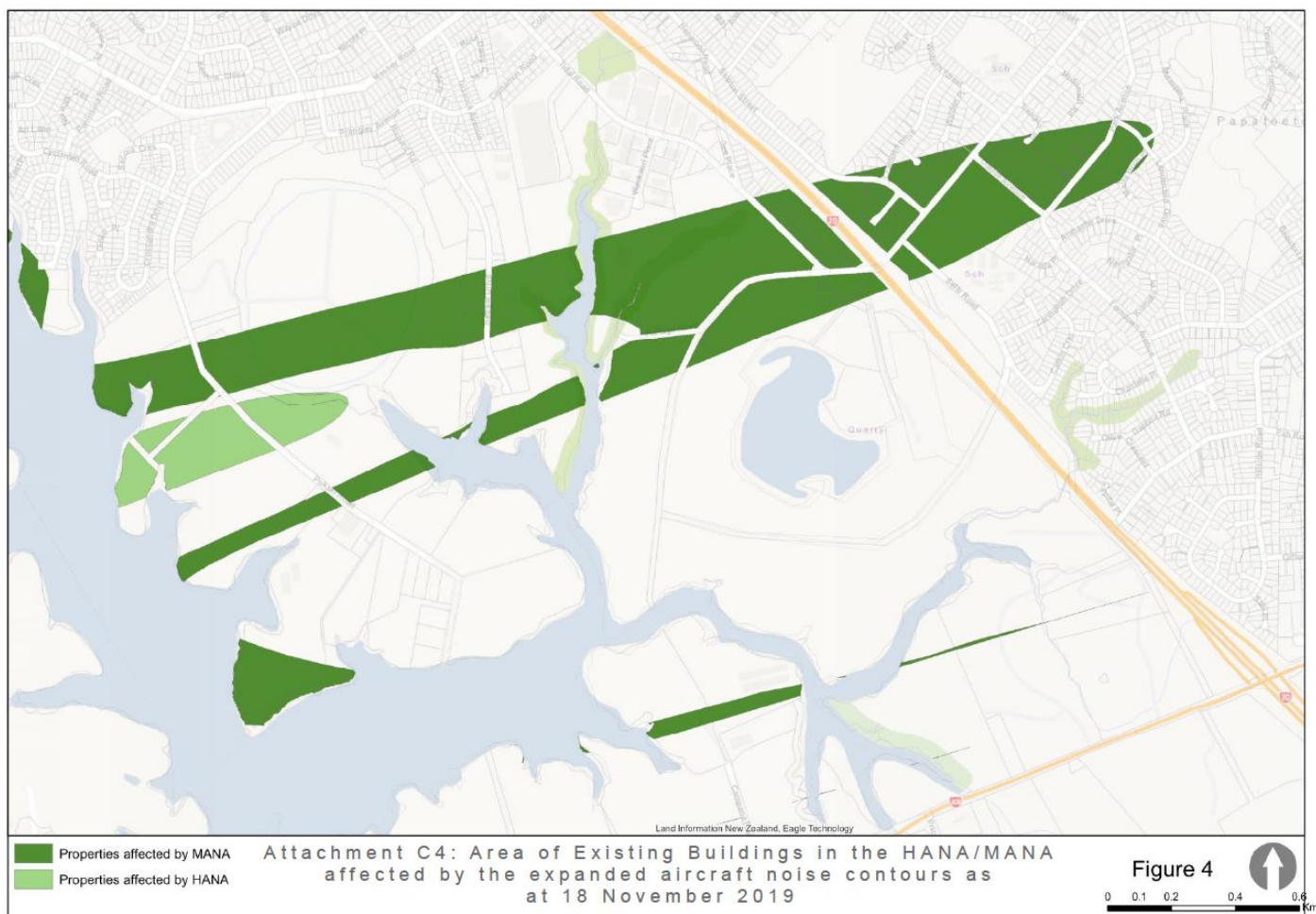
SCHEDULE 5
(Aircraft Noise Mitigation Works)

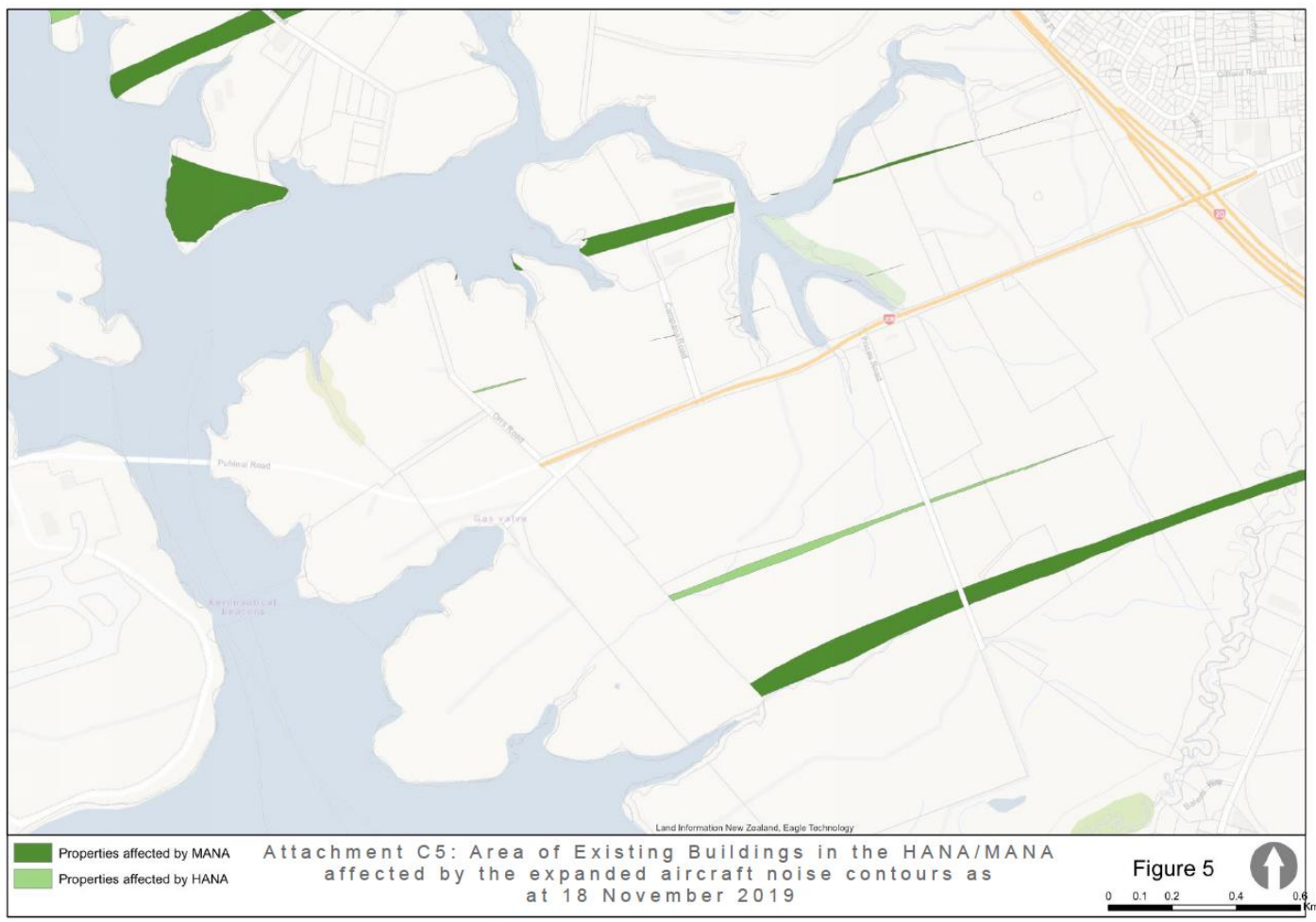
ATTACHMENT C

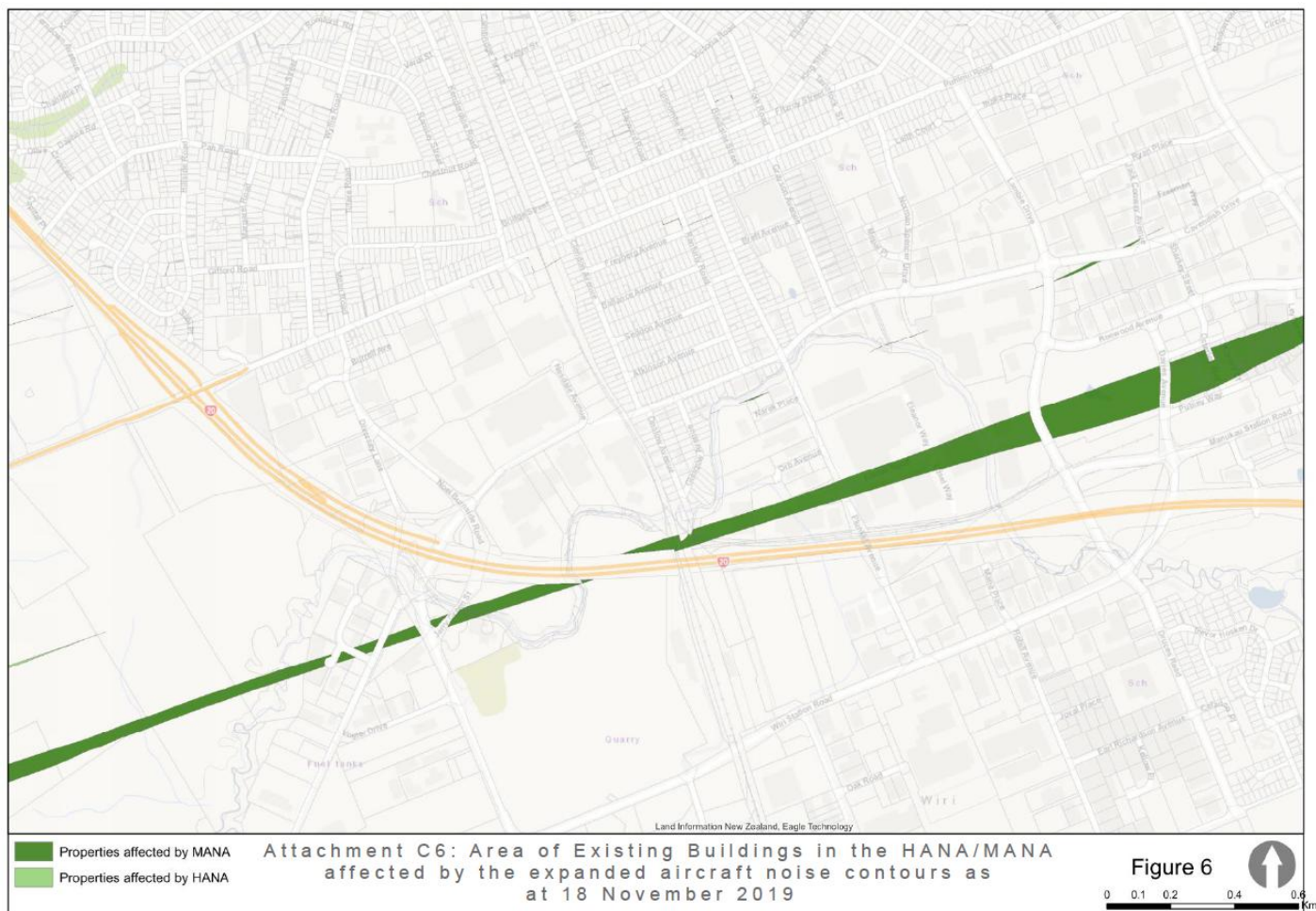


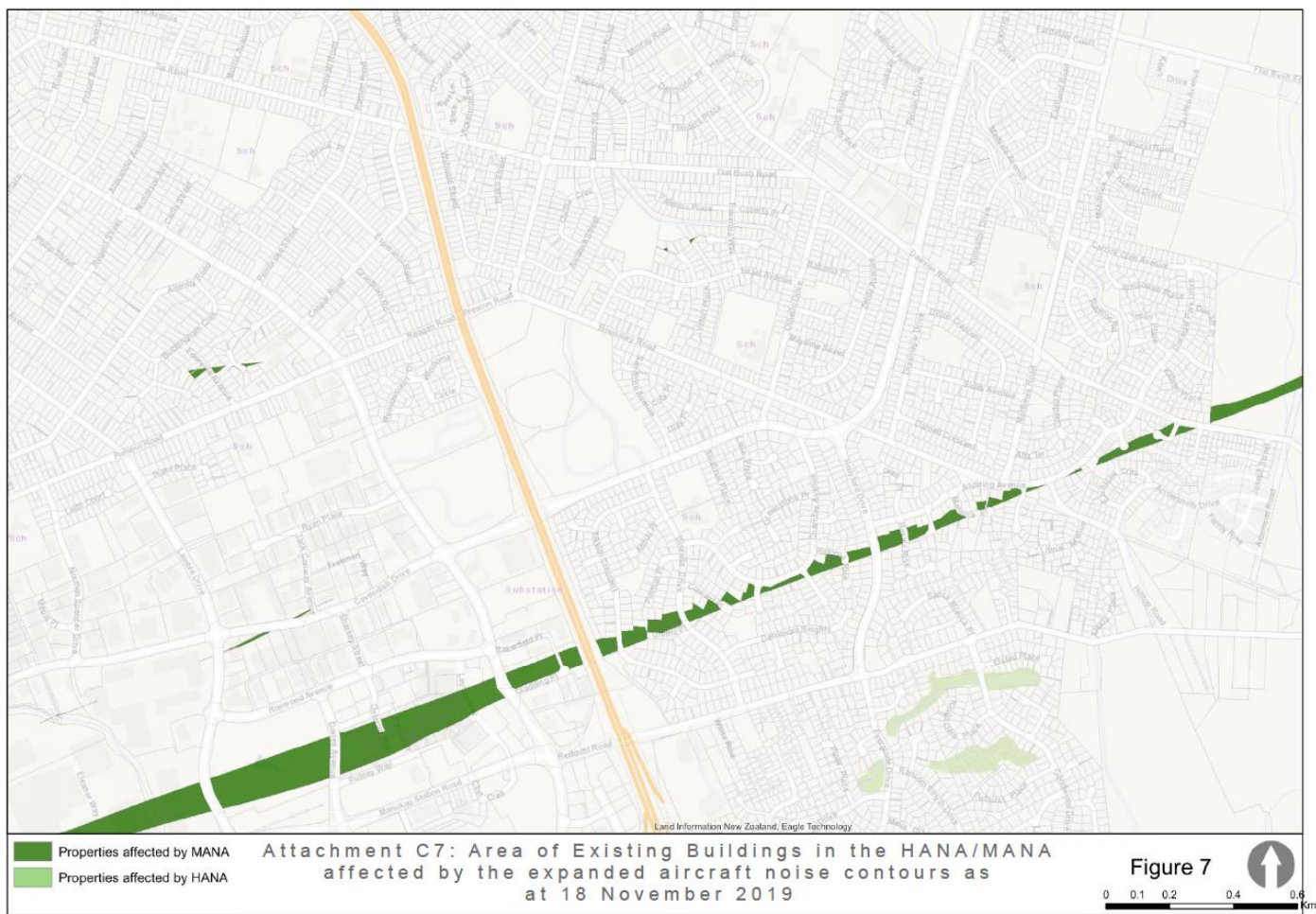














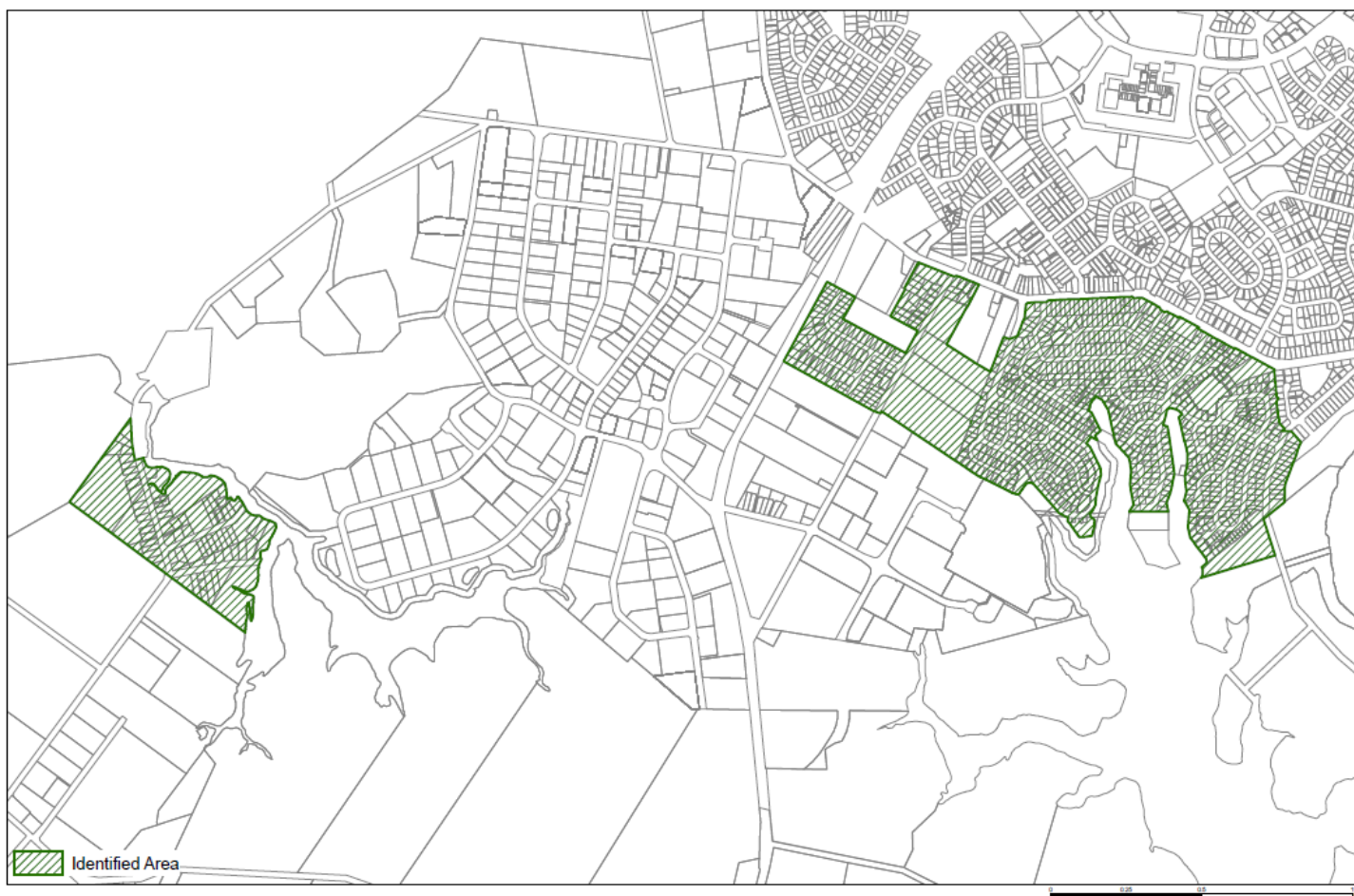
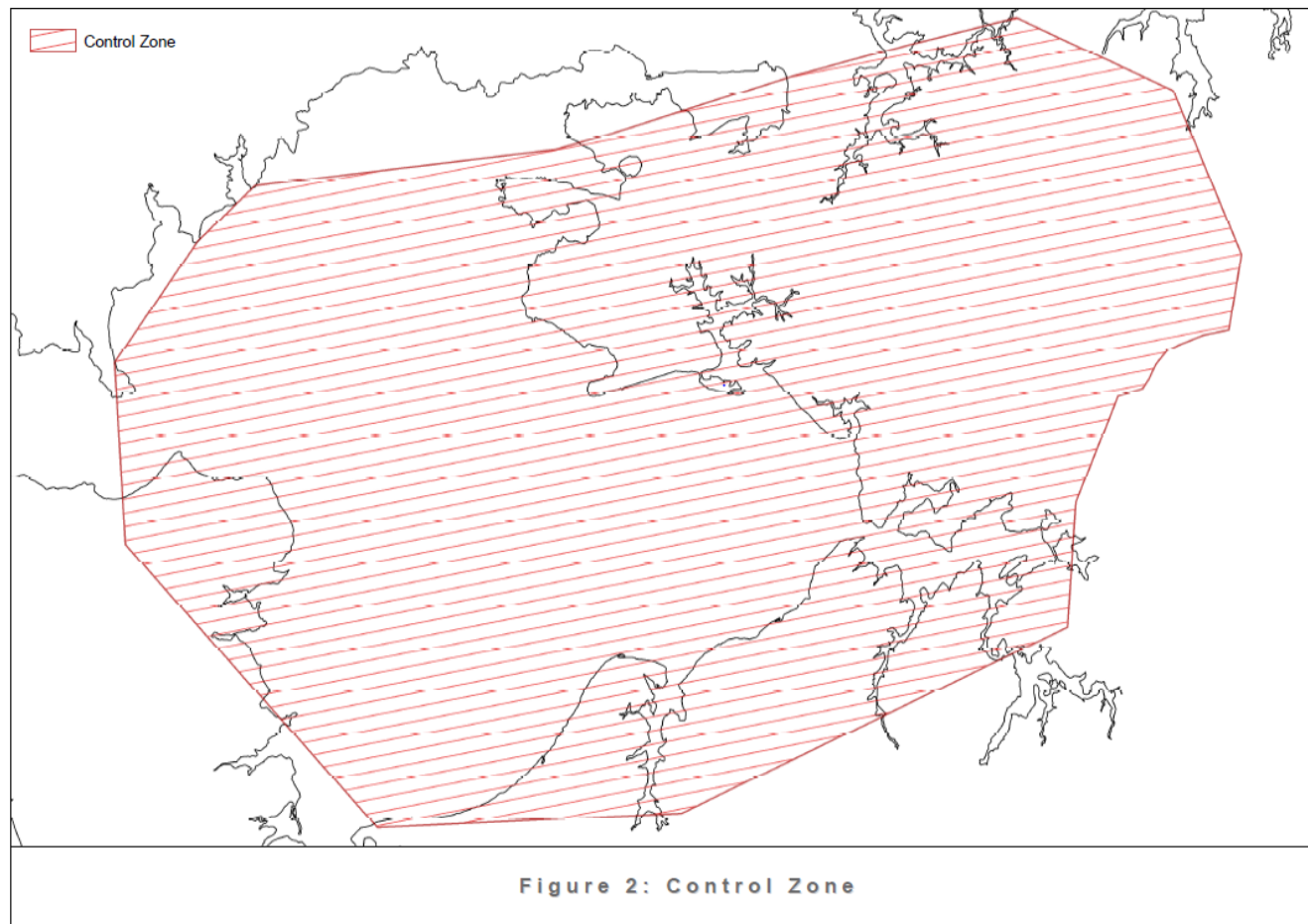


Figure 1: Identified Areas



Attachment C

**Designation 1100 Auckland International Airport conditions
(Clean)**

1100 Auckland International Airport

Designation Number	1100
Requiring Authority	Auckland International Airport Limited
Location	George Bolt Memorial Drive, Mangere
Rollover Designation	Yes
Legacy Reference	Designation 231, Auckland Council District Plan (Manukau Section) 2002
Lapse Date	Given effect to (i.e. no lapse date)

Purpose

The land to which this designation applies ("**the designated area**") may be used for activities for the operation of Auckland International Airport ("**the Airport**") subject to the conditions set out below, including but not limited to:

- aircraft operations,
- runways,
- taxiways and other aircraft movement areas,
- aprons,
- terminals,
- rescue facilities,
- navigation and safety aids,
- maintenance and servicing facilities including the testing of aircraft engines (in situ or otherwise),
- catering facilities,
- freight facilities,
- quarantine and incineration facilities,
- fuelling facilities including Joint User Hydrant Installations,
- stormwater facilities,
- roads,
- monitoring activities,
- site investigation activities,
- vehicle parking and storage,
- rental vehicle activities,
- vehicle valet activities,
- public transport facilities,
- landscaping,
- flags,
- signs,
- the relocation of heritage buildings from elsewhere within this Designation and the subsequent restoration and use of those buildings for purposes compatible with their heritage values;
- offices associated with any of the foregoing activities; and

- all related construction and earthwork activities.

Conditions

1. For the purposes of this designation, unless the context otherwise requires:

"Activities Sensitive to Aircraft Noise" or "ASAN" means any dwellings, boarding houses, tertiary education facilities, marae, integrated residential development, papakainga, retirement village, supported residential care, educational facilities, care centres, hospitals and healthcare facilities with an overnight stay facility.

"Aircraft Operations" means:

- the landing and take-off of any aircraft at the Airport;
- the taxiing of aircraft associated with landing and take-off and other surface movements of aircraft for the purpose of taking an aircraft from one part of the Airport to another;
- aircraft flying along any Flight Path (refer definition below).

"Aircraft Noise Notification Area" or "ANNA" is the area generally between the 55 dB L_{dn} and 60 dB L_{dn} future aircraft noise contours as shown on the Aircraft Noise Overlay map for Auckland International Airport.

"Aircraft Noise Community Consultative Group" or "ANCCG" is that group referred to in Condition 9(a).

"Airport" means Auckland International Airport.

"Air Shows" for the purpose of Condition 8 means a sequence of unscheduled Aircraft Operations of a maximum of three days duration, occurring at a frequency not exceeding one per year, which is organised to provide a spectacle for members of the public.

"Annual Aircraft Noise Contour" or "AANC" means an L_{dn} contour published by AIAL annually as a prediction of noise from Aircraft Operations for the following 12 months (excluding noise excepted from the limit in Conditions 5 and 6, by virtue of Condition 8 of this designation). The prediction is based on monitoring undertaken in accordance with Condition 5(d).

"Annual Noise Management Report" means the noise management report described in Condition 9.

"Auckland International Airport Limited" or "AIAL" is the requiring authority under this designation.

"Council" means the Auckland Council or any committee, sub-committee, or person to whom the relevant powers, duties and discretions of the Council have been delegated lawfully.

"Designated area" is the area shown as the designated area in the Council's Auckland Unitary Plan GIS viewer.

"Existing Building" means any building:

- that existed at 10 December 2001 and was being used for an ASAN at that time; or
- that existed at 18 November 2019 and was being used for an ASAN at that time and is within the area shown on the plans in Attachment C to this designation; or
- for which a resource consent for an ASAN was granted by 10 December 2001; or

- which was shown on an outline plan that was lodged with the Council under section 176A of the Resource Management Act 1991 ("**RMA**") and was beyond challenge as at 10 December 2001.

"Existing Runway" means the runway located to the south of the Airport's terminal facilities with an Operational Length of 3,635 metres.

"Flight Path" means the actual path of an aircraft in flight, following take-off from or prior to landing at the Airport, for so long as that aircraft is within the area of the Control Zone shown in Figure 2 of this designation.

"Future Aircraft Noise Contour" or "FANC" means each of the long term predicted noise contours shown on the Future Aircraft Noise Contour map for Auckland International Airport in Appendix 19 of the Auckland Unitary Plan.

"High Aircraft Noise Area" or "HANA" is the area generally within the 65dB L_{dn} future aircraft noise contours as shown on the Aircraft Noise Overlay map for Auckland International Airport.

"L_{dn} Contour" means a line connecting points of equal day/night sound level (dB L_{dn}).

"Moderate Aircraft Noise Area" or "MANA" is the area generally between the 60dB L_{dn} and 65dB L_{dn} future aircraft noise contours as shown on the Aircraft Noise Overlay map for Auckland International Airport.

"Noise Minimisation Procedures" includes:

- procedures and measures adopted to ensure compliance with noise limits for:
 - Aircraft Operations in Condition 5; and
 - Engine Testing on Aircraft in Condition 13;
- Civil Aviation Authority ("CAA") noise rules applicable to the Airport from time to time;
- voluntary or self imposed procedures or measures for the reduction of aircraft noise.

"Non-Jet Aircraft" means any aircraft that is not a turbo-jet or a turbo-fan powered aircraft. For the avoidance of doubt turbo-prop aircraft are non-jet aircraft.

"Northern Runway" means the runway that is located to the north of the Airport's terminal facilities with an Operational Length of 2,983 metres once constructed.

"Operational Length" is the length of Runway available and suitable for the ground run of an aircraft taking off, in accordance with the Civil Aviation Advisory Circular 139-6 Revision 5 dated 9 August 2016 called the "Take-Off Run Available" or "TORA".

"Principal Living Room" means the room which the owner identifies as the principal living room.

"Runway" means a defined rectangular area on a land aerodrome prepared for the landing and take-off of aircraft.

"Working Days" are those days defined by the RMA.

Runway System

2. The following limitations in this Condition apply to all runways:
 - a. Subject to clause (b) of this Condition, the number of runways shall not exceed two.

- b. Nothing in this Condition shall preclude the use of the taxiway of the Existing Runway for the take-off and landing of aircraft (i.e. as a runway) in substitution for the Existing Runway:
 - where the Existing Runway is under repair; or
 - in an emergency.

Note:

Use of the taxiway as a runway will be subject to approval under the Civil Aviation Act 1990.

- 3.
 - a. The Operational Length of the Northern Runway shall not exceed 2,983 metres;
 - b. The provisions of section 176A of the RMA shall apply to the construction, reconstruction or replacement of the Northern Runway.
- 4. Non-Jet Aircraft using the Northern Runway between the hours of 10.00pm and 7.00am, and jet aircraft using the Northern Runway between the hours of 10.00pm and 7.00am, shall not depart to or arrive from the east except in cases of:
 - a. aircraft landing or taking off in an emergency;
 - b. emergency flights required to rescue persons from life-threatening situations or to transport patients, human vital organs or medical personnel in a medical emergency;
 - c. the operation of unscheduled flights required to meet the needs of a national or civil defence emergency declared under the Civil Defence Act 2002;
 - d. Aircraft Operations resulting from an emergency which necessitates the closure of the Existing Runway;
 - e. Aircraft Operations resulting from the temporary closure of the Existing Runway for essential maintenance which necessitates the unrestricted use of the Northern Runway.

Explanatory Note for Condition 4 — Northern Runway: Night-Time Restriction

- i. Throughout the life of this Unitary Plan it is AIAL's clear intention to maximise the use of the Existing Runway at night and as a result, during the lifetime of this Unitary Plan, Non-Jet Aircraft using the Northern Runway between the hours of 10.00pm and 7.00am, and jet aircraft using the Northern Runway between the hours of 10.00pm and 7.00am, are not permitted to depart to or arrive from the east except within the limited exceptions provided for in this Condition.
- ii. For the avoidance of doubt, the need or otherwise for a similar night time restriction on use of the Northern Runway in any subsequent unitary plan will be assessed at the relevant time, and the presence of this Condition on this designation is not intended as an indication that such a condition will or will not be appropriate in any future designation for the Airport.

Noise from Aircraft Operations

- 5. Subject to Conditions 6 and 7 below, noise from Aircraft Operations shall not exceed a noise limit of:

- a. A Day/Night Level of 65 dB L_{dn} anywhere outside the HANA. For the purpose of this control, aircraft noise shall be measured in accordance with NZS 6805:1992 and calculated as a 12 month rolling logarithmic average; and
- b. A Day/Night Level of 60 dB L_{dn} anywhere outside the HANA and the MANA. For the purpose of this control, aircraft noise shall be calculated as a 12 month rolling logarithmic average using recognised aircraft noise modelling software and records of actual Aircraft Operations.
- c. Clauses (a) and (b) of this Condition do not apply within the designated area or within the Coastal Marine Area.
- d. In addition, AIAL shall:
 - i. monitor noise from Aircraft Operations at a minimum of three locations associated with the Existing Runway which are as near as practicable to the boundary of the HANA to obtain an accurate reading so as to demonstrate compliance with (a) above;
 - ii. monitor noise from Aircraft Operations at a minimum of two locations associated with the Northern Runway so as to demonstrate compliance with (b) above. The required monitoring may be undertaken at points in the MANA and then by calculating the corresponding noise level at the MANA boundary;
 - iii. use recognised aircraft noise modelling software and noise monitoring data to calculate whether noise from Aircraft Operations complies with (b) above;
 - iv. calculate noise levels at every other location necessary to ensure compliance with this Condition and with Condition 10.

The results of this monitoring shall be included in the Annual Noise Management Report.

- 5A. Six years after the commencement of Aircraft Operations on the Northern Runway, AIAL shall review the spatial extent of the HANA, MANA and ANNA in this designation for the ongoing operation of the Airport. This review shall be undertaken by a suitably qualified and experienced person and include (but not be limited to) consideration of the actual level of aircraft noise generated, updated forecast of future aircraft activity, updated methods of air navigation and the selected runway mode of operation. The review, including its findings and reasons for any recommended amendments (or reasons why amendments are not recommended) must be completed within 6 months, then submitted to the Council for written certification and published on AIAL's website.

If, as a result of this review an amendment is necessary to the spatial extent of the HANA, MANA and / or ANNA in this designation, AIAL shall:

- a. give notice to the Council pursuant to section 181(1) of the RMA of its requirement to alter the extent of the HANA, MANA and / or ANNA; and
- b. request a corresponding change to the Auckland Unitary Plan to alter the extent of the Aircraft Noise Overlay pursuant to clause 21 of Schedule 1 of the RMA.

This condition is offered by AIAL on an *Augier* basis and forms part of the designation.

Interim Noise Control on Northern Runway

6.
 - a. For the first five years following the commencement of aircraft operations on the Northern Runway:
 - i. noise from Aircraft Operations associated with the Northern Runway shall not exceed 58.5 dB L_{dn} at the intersection of the Northern Runway centreline and State Highway 20, and at the southernmost part of Naylor's Drive. For the purpose of this control, compliance may be assessed by measuring aircraft noise at an alternative location (closer to the Airport) and calculating the corresponding noise level at the intersection of the Northern Runway centreline and State Highway 20, and at the southernmost part of Naylor's Drive. In addition, for the purpose of this control, aircraft noise shall be measured in accordance with NZS 6805:1992 and calculated as a 12 month rolling logarithmic average. The measurements and calculations for any such assessment shall be produced by AIAL if requested by the ANCCG and, if required by the ANCCG, shall be subject to independent review and verification.
 - ii. wide body (Code D, E and F) jet aircraft shall not depart from the Northern Runway to the west between the hours of 10pm and 7am.
 - b. Clause (a)(i) of this Condition shall not apply from the date of receipt by the Council of a certificate from a suitably qualified independent person proposed by AIAL and approved by the Council, certifying that, either of the following circumstances apply:
 - i. There is a need to establish new operations, or relocate existing operations, because there are insufficient apron areas or taxiway capacity alongside the Existing Runway, or a new or existing operation requires facilities or services not available at the Existing Runway but which are or can be provided at the Northern Runway.
 - ii. Rehabilitation works on the Existing Runway require use of the Northern Runway to a level which would exceed the 58.5 dB L_{dn} at State Highway 20, and at Naylor's Drive control locations to maintain current and projected demand.
 - c. The suitably qualified independent person referred to in Condition 6(b) above shall include, when supplying any certificate to the Council, a report which contains:
 - A summary of the information provided to the suitably qualified independent person by AIAL; and
 - The suitably qualified independent person's reasons for supplying the certificate.
 - d. The costs of the suitably qualified independent person shall be met by AIAL.
7. Exceedance by up to 1 dB L_{dn} of the noise limits in Conditions 5 and 6 is permitted, provided AIAL demonstrates at the request of, and to the satisfaction of, the Council that any such exceedance is due to atypical weather patterns (including wind speed and direction) during the measurement period, such as produced by the El Nino/La Nina climatic oscillation.

8. Aircraft Operations described in clauses (a) to (g) of this Condition, below, are excluded from the calculation of the rolling logarithmic average in Conditions 5, 6 and 7 above:
- a. Aircraft landing or taking off in an emergency;
 - b. Emergency flights required to rescue persons from life-threatening situations or to transport patients, human vital organs or medical personnel in a medical emergency;
 - c. The operation of unscheduled flights required to meet the needs of a national or civil defence emergency declared under the Civil Defence Emergency Management Act 2002;
 - d. Aircraft Operations resulting from an emergency which necessitates the closure of the Existing Runway;
 - e. Aircraft Operations resulting from the temporary closure of the Existing Runway for essential maintenance which necessitates the unrestricted use of the Northern Runway;
 - f. Aircraft using the Airport as a planned alternative to landing at a scheduled airport elsewhere;
 - g. Air Shows.

Noise Management

ANCCG

9. a. AIAL shall maintain at its cost, the existing ANCCG within the Terms of Reference which are contained in Attachment A (ANCCG Terms of Reference) of this designation, or such other terms or amended terms of reference that are approved by the Council pursuant to Part 8 of the RMA.

Annual Noise Management Report

- b. Without in any way limiting its obligations to fully comply with the conditions attaching to this designation, AIAL shall publish every 12 months, an Annual Noise Management Report which details:
- calculations and findings of monitoring required by Condition 5(d);
 - calculations and findings of monitoring required by Condition 6(a);
 - results of any surveys undertaken with owner(s) as to satisfaction with the installation of acoustic treatment measures in accordance with Condition 10;
 - any recommendations for initiatives, methods and procedures that could be implemented to reduce noise levels from all aspects of Aircraft Operations and engine testing for the following 12 months; and
 - any investigations, methods, procedures (including noise abatement procedures) and resources put in place in the year prior, either exclusively or in combination with other parties, to reduce noise levels from all aspects of Aircraft Operations and engine testing and the outcomes of those methods, procedures and resources as they relate to the reduction of aircraft noise.

The report shall be published on AIAL's website and a copy shall be made available to both the Council and the ANCCG.

Reporting of Noise Complaints

- c. The procedure for the recording, responding and reporting of complaints received in respect of noise from Aircraft Operations, engine testing activities and any other activities generating noise at the Airport shall be published on AIAL's website.

Reporting of Exceptions

- d. AIAL shall maintain a register (electronic and hard copy) which is available for public inspection of all exceptions to the Noise Minimisation Procedures. The register shall list:

- The date and time of the exception;
- An explanation for the exception;
- Any actions undertaken to prevent a recurrence of the exception.

For the avoidance of doubt an exception includes:

- A breach of noise limits in Conditions 5, 6 and 13;
- A breach of the CAA noise rules applicable to the Airport which has been the subject of an investigation by AIAL into a related complaint;
- Any lapse in AIAL's voluntary or self-imposed procedures for the reduction of aircraft noise.

Noise Mitigation Programme

10. The development or use of any runway is subject to compliance with clauses (a) to (m) of this Condition (called in this designation, the "Noise Mitigation Programme"):

- a. For the purpose of determining compliance with clauses (b) to (m) of this condition, AIAL has supplied to the Council:

- i. A list identifying all sites wholly or partly within the HANA and the MANA ("affected sites");
- ii. A list of the legal descriptions and street addresses of all the affected sites; and
- iii. Details of any Existing Building located on the affected sites.

Proviso:

Where a site lies within a mixture of HANA and MANA, or is partly located within one of those noise areas, then for the purposes of clauses (b) to (m) of this Condition:

- If any Existing Building is located wholly or partly within the HANA, that Existing Building shall be deemed to be in the HANA;
- If any Existing Building is located wholly outside the HANA, but wholly or partly within the MANA, that Existing Building shall be deemed to be in the MANA.

Further provisos:

- For the avoidance of doubt, nothing in clauses (b) to (m) of this Condition shall be treated as requiring AIAL to fund acoustic treatment and ventilation measures in Existing Buildings that are located wholly outside the HANA and the MANA.
- Clauses (b) to (m) of this Condition do not apply to those properties that have previously accepted Auckland Airport's offer to install acoustic treatment and related ventilation measures under this Condition prior to 18 November 2019.

Existing Buildings Located within the HANA

- b. Before any part of an affected site falls within the 65dB L_{dn} AANC, AIAL shall, in respect of any Existing Building in the HANA on that site (other than any building used as educational facilities or as a registered pre-school) make an offer to the owner(s) to install, at AIAL's sole cost (and if the offer is accepted, install), acoustic treatment, related ventilation measures and cooling measures to achieve, in the manner provided for in clause (l) of this Condition, an internal acoustic environment in the existing habitable rooms of the building(s) (with all external doors of the building and all windows of the habitable rooms closed), of 40 dB L_{dn}. These measures shall include but not be limited to:
- i. A ventilation system that:
- Provides at least 1 air change of outdoor air per hour in the principal living room of each building and 3 air changes of outdoor air per hour in the other habitable rooms of each building, in each case with all external doors and windows of the building closed with the exception of such windows in non habitable rooms that need to be ajar to provide air relief paths;
 - Enables the rate of airflow to be controlled across the range, from the maximum airflow capacity down to 0.5 air changes (plus or minus 0.1) of outdoor air per hour in all habitable rooms and is capable of being individually switched on and off by the building occupants;
 - Limits internal air pressure to not more than 30 pascals above the ambient air pressure; and
 - Creates no more than 40 dB L_{Aeq} in the principal living room, no more than 30 dB L_{Aeq} in the other habitable rooms, and no more than 40 dB L_{Aeq} in any hallway, in each building. Noise levels from the mechanical system(s) shall be measured at least 1 metre away from any diffuser.
- ii. A hi-wall heat pump in the principal living room providing a minimum of 3KW of heating and cooling and not exceeding an internal noise level of 40 dB L_{Aeq};
- iii. Thermal grade (minimum R1.8) ceiling insulation to all habitable rooms where equivalent ceiling insulation is not already in place; and
- iv. A mechanical kitchen extractor fan and kitchen range hood ducted directly to the outside to serve any cooking hob, if such extractor fan and kitchen range hood is not already installed and in sound working order.

The above mentioned offer shall be made on the following basis:

- i. any structural or other changes required under the Building Act 2004 ("Building Act") or otherwise to enable the installation of the acoustic treatment, related ventilation measures and cooling measures shall be at AIAL's cost, except that nothing in this clause shall require AIAL to fund any measures required to:
 - bring a building up to the standard required in any building bylaws or any provisions of any statute that applied when the building or relevant part thereof was constructed; or
 - remove any asbestos that is likely to be disturbed by the installation of the acoustic treatment, related ventilation measures and cooling measures in any building (having regard to AIAL's obligations under the Health and Safety at Work (Asbestos) Regulations 2016); and
- ii. the owner(s) accepting an obligation to enter into a covenant in the terms set out in clause (m) of this Condition.

Provisos:

- If requested by the owner, AIAL may, at its discretion, install or contribute to the cost of the installation of alternative ventilation measures to those described in clause (b) of this Condition (which may result in a different acoustic internal environment), subject to the owner being granted any necessary building or resource consents, the Council waiving AIAL's obligations in respect of the required ventilation measures listed above and the provisions of clauses (j) to (l) applying with the necessary modifications.
- AIAL shall not be in breach of clause (b) of this Condition where it is not reasonably practicable to achieve an internal acoustic environment of 40dB L_{dn} applying the measures in clause (b) of this Condition in existing habitable rooms of Existing Buildings having regard to:
 - the type, structural nature, age or state of repair of the Existing Building; and / or
 - the desirability to maintain heritage features of the Existing Building; and

provided that in each of those cases the internal acoustic environment does not exceed 45 dB L_{dn} .

Existing Buildings Located Within the MANA

- c. Before any part of an affected site falls within the 60 dB L_{dn} AANC AIAL shall, in respect of any Existing Building in the MANA on that site (other than any building used as educational facilities or as a registered pre-school) make an offer to the owner(s) to install (and if the offer is accepted, install):
 - i. A ventilation system that:
 - Provides at least 1 air change of outdoor air per hour in the principal living room of each building and 3 air changes of outdoor air per hour in the other habitable rooms of each building, in each case with all external doors and windows of the

building closed with the exception of such windows in non-habitable rooms that need to be ajar to provide air relief paths;

- Enables the rate of airflow to be controlled across the range, from the maximum airflow capacity down to 0.5 air changes (plus or minus 0.1) of outdoor air per hour in all habitable rooms and is capable of being individually switched on and off by the building occupants;
 - Limits internal air pressure to not more than 30 pascals above the ambient air pressure; and
 - Creates no more than 40 dB L_{Aeq} in the principal living room, no more than 30 dB L_{Aeq} in the other habitable rooms, and no more than 40 dB L_{Aeq} in any hallway, in each building. Noise levels from the mechanical system(s) shall be measured at least 1 metre away from any diffuser.
- ii. A hi-wall heat pump in the principal living room providing a minimum of 3KW of heating and cooling and not exceeding an internal noise level of 40 dB L_{Aeq} ; and
- iii. A mechanical kitchen extractor fan and kitchen range hood ducted directly to the outside to serve any cooking hob, if such extractor fan and kitchen range hood is not already installed and in sound working order.

The abovementioned offer shall be made on the following basis:

- i. Any structural or other changes required under the Building Act or otherwise, to enable the installation of the acoustic treatment, related ventilation measures and cooling measures shall be at AIAL's cost, except that nothing in this clause shall require AIAL to fund any measures required to:
- bring a building up to the standard required in any building bylaws or any provisions of any statute that applied when the building or relevant part was constructed; or
 - remove any asbestos that is likely to be disturbed by the installation of the acoustic treatment, related ventilation measures and cooling measures in any building (having regard to AIAL's obligations under the Health and Safety at Work (Asbestos) Regulations 2016).
- ii. The owner(s) accepting an obligation to enter into a covenant in the terms set out in clause (m) of this Condition;
- iii. AIAL shall contribute 75% of the cost of the above works; and
- iv. The owner agrees to contribute the balance of the cost which may be funded by contribution received from the Aircraft Noise Mitigation fund as set out in Condition 12(c).
- v. Clauses (iii) and (iv) shall not apply to Pūkaki Marae. AIAL shall contribute 100% of the cost of the above works for Pūkaki Marae.

Proviso:

If requested by the owner, AIAL may, at its discretion, install or contribute to the cost of the installation of alternative ventilation measures to those described in this clause, subject to the owner being granted any necessary building or resource consents, the Council waiving AIAL's obligations in respect of the required ventilation measures in this clause, and the provisions of this clause and clauses (j) to (l) applying with the necessary modifications.

Existing Registered Pre-schools Located Within the HANA

- d. Before any part of an affected site falls within the 60 dB L_{dn} AANC, AIAL shall, in respect of any Existing Building in the HANA on that site used as a registered pre-school, make an offer to the owner(s) to install at AIAL's sole cost (and if the offer is accepted, install), in all learning areas:
- i. Acoustic treatment measures to achieve, in the manner provided for in clause (l) of this Condition, an internal acoustic environment in each learning area (with all external doors and windows of the learning area closed) of 40 dB L_{dn}; and
- Mechanical ventilation system or mechanical ventilation systems for each learning area:
 - Designed to achieve indoor air temperatures not less than 16 degrees celsius in winter at 5% ambient design conditions as published by the National Institute of Water & Atmospheric Research ("NIWA") (NIWA, Design Temperatures for Air Conditioning (degrees Celsius), Data Period 1991-2000);
 - Capable of providing (when all external doors and windows of the learning area are closed) outdoor air ventilation at the rate of 15 litres of air per second per square metre for the first 50 square metres and 7.5 litres of air per second per square metre of remaining area;
 - Capable of enabling the rate of air flow to be controlled across the range, from the maximum air flow capacity down to 8 litres of air per second per person for the maximum number of people able to be accommodated in the learning area at one time;
 - Otherwise complying with the New Zealand Standard NZS 4303:1990 *Ventilation for Acceptable Indoor Air Quality*;
 - Each ventilation system shall be capable of being individually switched on and off by the building occupants; and
 - Capable of creating no more than 35 dB L_{Aeq} in each learning area, and no more than 40 dB L_{Aeq} in any hallway or corridor. Noise levels from the mechanical system(s) shall be measured at least 1 metre away from any diffuser.

The abovementioned offer shall be made on the following basis:

- i. any structural or other changes required under the Building Act or otherwise required to enable the installation of the acoustic treatment and related ventilation measures shall be at AIAL's cost, except that nothing in this clause shall require AIAL to fund any measures required to:

- bring a building up to the standard required in any building bylaws or any provisions of any statute that applied when the building or relevant part thereof was constructed; or
 - remove any asbestos that is likely to be disturbed by the installation of the acoustic treatment and related ventilation measures in any building (having regard to AIAL's obligations under the Health and Safety at Work (Asbestos) Regulations 2016); and
- ii. the owner accepting an obligation to enter into a covenant in the terms set out in clause (m) of this Condition.

Existing Registered Pre-schools Located Within the HANA or the MANA

- e. Before any part of an affected site falls within the 60 dB L_{dn} AANC, AIAL shall in respect of any Existing Building in the HANA or the MANA on that site used as a registered pre-school, make an offer to the owner(s) to install (and if the offer is accepted, install) at AIAL's sole cost:
- i. A mechanical ventilation system or mechanical ventilation systems for each learning area:
- Designed to achieve indoor air temperatures not less than 16 degrees Celsius in winter at 5% ambient design conditions as published by NIWA (NIWA, Design Temperatures for Air Conditioning (degrees Celsius), Data Period 1991-2000);
 - Capable of providing (when all external doors and windows of the learning area are closed) outdoor air ventilation at the rate of 15 litres of air per second per square metre for the first 50 square metres and 7.5 litres of air per second per square metre of remaining area;
 - Capable of enabling the rate of air flow to be controlled across the range, from the maximum air flow capacity down to 8 litres of air per second per person for the maximum number of people able to be accommodated in the learning area at one time;
 - Otherwise complying with the New Zealand Standard NZS 4303:1990 *Ventilation for Acceptable Indoor Air Quality*;
 - Each ventilation system shall be capable of being individually switched on and off by the building occupants; and
 - Capable of creating no more than 35 dB L_{Aeq} in each learning area, and no more than 40 dB L_{Aeq} in any hallway or corridor. Noise levels from the mechanical system(s) shall be measured at least 1 metre away from any diffuser.
- ii. Thermal grade (minimum R1.8) ceiling insulation in all learning areas where equivalent ceiling insulation is not already in place.

Proviso:

If the owner wishes to install a ventilation system at greater cost, (e.g. an air conditioning system), then AIAL shall contribute the equivalent cost of the ventilation system(s) prescribed in clause (c) of this Condition.

The abovementioned offer shall be made on the following basis:

- i. any structural or other changes required under the Building Act or otherwise required to enable the installation of the acoustic treatment and ventilation measures shall be at AIAL's cost, except that nothing in this clause shall require AIAL to fund any measures required to:
 - bring a building up to the standard required in any building bylaws or any provisions of any statute that applied when the building or relevant part thereof was constructed; or
 - remove any asbestos that is likely to be disturbed by the installation of the acoustic treatment and related ventilation measures in any building (having regard to AIAL's obligations under the Health and Safety at Work (Asbestos) Regulations 2016); and
- ii. the owner(s) accepting an obligation to enter into a covenant in the terms set out in clause (m) of this Condition.

Existing Educational Facilities Within the HANA or the MANA

- f. Before any part of an affected site falls within the 60 dB L_{dn} AANC, AIAL shall, in respect of any Existing Building in the HANA or MANA on that site used as an educational facility or facilities, make an offer to the owner(s) to install (and if the offer is accepted, install) acoustic treatment and related ventilation measures to achieve, in the manner provided for in clause (l) of this Condition, an internal acoustic environment in all existing classrooms, libraries and halls (with all external doors and windows of the classrooms, libraries and halls closed) of 40 dB L_{dn}, together with related ventilation requirements. These measures shall include but not be limited to:
 - i. In the case of classrooms and libraries, air conditioning and/or a mechanical ventilation system or mechanical ventilation systems for each classroom and library, that are:
 - Designed to achieve indoor air temperatures not less than 16 degrees Celsius in winter and not greater than 27 degrees Celsius in summer at 5% ambient design conditions as published by NIWA (NIWA, Design Temperatures for Air Conditioning (degrees Celsius), Data Period 1991-2000);
 - Capable of providing outdoor air ventilation at the rate of 8 litres of air per second per person for the maximum number of people able to be accommodated in any such room at one time ("**the required airflow**");
 - Capable of enabling, (in the case of classrooms or libraries in which only mechanical ventilation systems are used to satisfy the above temperature and outdoor air requirements), the outdoor airflow to be controlled across the range, from the maximum airflow capacity down to the required airflow when all external doors and windows of the classroom or library are closed;
 - Otherwise complying with the New Zealand Standard NZS 4303:1990 Ventilation for Acceptable Indoor Air Quality; and
 - Capable of creating no more than 35 dB L_{Aeq} in each classroom, no more than 40 dB L_{Aeq} in each library, and no more than 40 dB L_{Aeq} in any hallway or corridor.

Noise levels from the mechanical system(s) shall be measured at least 1 metre away from any diffuser.

- ii. in the case of halls, a mechanical ventilation system or mechanical ventilation systems for each hall capable of:
 - Providing at least 12 litres of outdoor air per second per square metre with all external doors and windows of the hall closed;
 - Enabling the outdoor airflow to be controlled across the range, from the maximum airflow down to the rate of 8 litres of outdoor air per second per person for the maximum number of occupants able to be accommodated in the hall at one time;
 - Otherwise complying with the New Zealand Standard NZS 4303:1990 Ventilation for Acceptable Indoor Air Quality; and
 - Creating no more than 35 dB L_{Aeq} in each hall, and no more than 40 dB L_{Aeq} in any hallway or corridor. Noise levels from the mechanical system(s) shall be measured at least 1 metre away from any diffuser.
- iii. Thermal grade (minimum R1.8) ceiling insulation shall be provided in the case of school halls where equivalent ceiling insulation is not already in place.

The abovementioned offer shall be made on the basis that any structural or other changes required under the Building Act or otherwise to enable the installation of the acoustic treatment and related ventilation measures shall be at AIAL's cost, except that nothing in this clause shall require AIAL to fund any measures required to:

- bring a building up to the standard required in any building bylaws or any provisions of any statute that applied when the building or relevant part thereof was constructed; or
- remove any asbestos that is likely to be disturbed by the installation of the acoustic treatment, related ventilation measures and cooling measures in any building (having regard to AIAL's obligations under the Health and Safety at Work (Asbestos) Regulations 2016).

New Buildings at Existing Educational Facilities Within the MANA

- g. Where, in the case of educational facilities established within the MANA before 10 December 2001:
 - i. A new classroom, library, or hall is to be established; or
 - ii. An addition or alteration is to be made to any existing classroom, library or hall, and the new classroom, library or hall, or the addition or alteration, is not by definition, an Existing Building, then AIAL upon receiving advice of the proposed works, shall make an offer to the owner(s) of the relevant educational facilities to provide funding (and if the offer is accepted, provide funding) for acoustic treatment and related ventilation measures to achieve an internal acoustic environment (with all external doors and windows of the classrooms, libraries or halls closed) of 40 dB L_{dn} for all such new

facilities along with ventilation to a standard consistent with clause (f) of this Condition, above, provided that this offer shall be conditional on:

- The owner agreeing to contribute 25% of the costs of the acoustic treatment and ventilation measures;
- Construction of the new or additional facilities otherwise complying with the relevant requirements of the Building Act and any relevant legislation, and further provided that AIAL's obligations under clause (g) of this Condition shall only extend, in the case of additional classrooms, libraries or halls, to those which the Regional Network Manager — Auckland of the Ministry of Education or successor of that office certifies are required as a result of roll growth caused by underlying increases in population in the catchment in the immediate vicinity of the educational facility.

- h. The offer referred to in clause (g) of this Condition may be made on the basis that if the new or additional facilities are removed from the affected site before the 60 dB L_{dn} AANC reaches the affected site, any cost incurred by AIAL in respect of that building shall be returned to AIAL.

New Public Schools or Pre-schools Within the MANA

- i. AIAL shall offer the owner(s) of any new public (i.e. non-private or integrated) school or preschool to be established on affected sites located within the MANA, funding (and if the offer is accepted, provide funding) for acoustic treatment and related ventilation measures to meet the requirements in, and to a standard consistent with, clause (g) of this Condition, above, provided that this offer shall be conditional on:
- The owner agreeing to contribute 50% of the costs of the acoustic treatment and ventilation measures;
 - The Regional Network Manager — Auckland of the Ministry of Education or successor of that office certifying, following consultation on the issue of location with AIAL, that the proposed new school or preschool could not reasonably be located outside the MANA, such consultation having been undertaken as soon as reasonably practicable before selecting a potential new school or pre-school site.

Building Act 2004

- j. All work undertaken pursuant to the terms of this Condition (Condition 10) shall be in accordance with the Building Act and any other relevant legislation.
- k. Nothing in this Condition (Condition 10) shall require AIAL to fund any measures required to bring a building up to the standard of the building regulations that applied when the building was constructed or the relevant part thereof was last modified.

Certified Standard Packages and Individual Packages

- I. Where this Condition (Condition 10) requires AIAL to offer to provide acoustic treatment and ventilation measures, AIAL:
- i. Has developed standard acoustic and ventilation treatment packages for as many types of building for each FANC, as is practicable ("**standard packages**"). These standard packages may be updated or further developed at any time. Each standard package shall be:
- Sufficient to achieve the internal acoustic environment and ventilation requirements specified in this Condition (Condition 10) for the type of building within the FANC for which the package has been developed;
 - Certified to that effect by a suitably qualified independent person (or persons) nominated by AIAL and approved by the Council ("**an approved person**") ("**certified standard package**"); and
 - Developed in consultation with the Building Research Association of New Zealand.

For the avoidance of doubt the standard packages are intended to mitigate against aircraft noise, not against other sources which may have different characteristics and hence require different attenuation in respect to the treatment measures on offer;

- ii. Shall offer to install (and if the offer is accepted, install) the relevant certified standard package, which has been certified by an approved person as being suitable to fulfil the requirements of this Condition (Condition 10) for the building and FANC within which the building is located; and in all other cases, shall offer a package certified by an approved person as suitable, at the time of the offer, to achieve the internal acoustic environment and ventilation requirements specified in this Condition (Condition 10) for the FANC within which the building is located ("**certified individual package**") and if that offer is accepted, shall install the certified individual package.

Covenants

- m. AIAL shall not be obliged to undertake any work pursuant to clauses (b) to (e) of this Condition (Condition 10) unless the owner of the particular affected site agrees to enter into a covenant with AIAL (which shall be registered on the site's title) in the terms set out in Attachment C of this designation with such necessary changes, approved by the Council. The cost of preparing and registering the covenant on the site's title shall be met by AIAL. AIAL shall meet the reasonable legal costs incurred by the owner for the perusal and approval of the covenant.

Monitoring of Noise Mitigation Programme

- 10A. AIAL is to monitor the implementation of the Noise Mitigation Programme as set out in Condition 10 and provide a written report setting out its findings in detail to the Council on an ongoing basis at six monthly intervals each year.

Preparation and Publication of the AANC

- 10B. AIAL shall:
- a. Publish the procedure for the preparation of the 60 dB L_{dn} and 65 dB L_{dn} AANCs on its website.
- b. Prepare annually the 60 dB L_{dn} and 65 dB L_{dn} AANCs.

- c. Publish a public notice in:
 - i. One or more daily newspapers circulating in the areas contained in the HANA, MANA and ANNA; or
 - ii. One or more other newspapers that have at least an equivalent circulation, advising the public that:
 - The AANCs have been prepared for the following twelve months;
 - Explaining what the AANCs are and who is potentially affected; and
 - That the AANCs are available for public inspection at such Council offices as determined by a designated Council officer approved by the Chief Executive of the Council.

Aircraft Noise Mitigation Fund

11. AIAL shall (at its cost and to the Council's satisfaction) maintain a Trust with two Trustees appointed by AIAL, two Trustees appointed from the community by the Council, and one Trustee appointed by the ANCCG.
12. AIAL shall contribute \$340,670 (in 2017 New Zealand dollar terms) per annum plus GST if any (adjusted thereafter to compensate for inflation and increased annually from October 2017 by the percentage increase in the Consumer Price Index (All Groups) as provided for in Condition 12B, below), to a Noise Mitigation Fund, to be administered by the Trustees for the benefit of the local community affected by aircraft noise and located or residing within the HANA, MANA and ANNA, for the purpose of:
 - a. The mitigation of adverse effects associated with noise from Aircraft Operations which are not provided for under Condition 10 ("**other adverse effects**"); or
 - b. Ensuring positive effects on the external environment to offset those other adverse effects; or
 - c. Assisting an owner or owners to meet their share of the costs of acoustic treatment measures or enhancements as set out in Condition 10(c)(iv).
- 12A. On each anniversary of the Trust, AIAL will make a payment to the Trust of an amount sufficient to compensate for inflation over the immediately preceding annual period calculated in accordance with the following formula:

$A \times B\%$, where A is the previous year's contribution, and B is the percentage increase in the Consumer Price Index (All Groups) (or any substitute national measure of inflation) for that preceding 12 month period measured from June to June.

Explanatory Note, Aircraft Noise Mitigation Fund:

While there are various physical measures proposed by way of acoustic insulation and ventilation of buildings containing ASAN, the Aircraft Noise Mitigation Fund is designed to ensure that adverse effects of aircraft noise on the external environment which cannot be mitigated by physical means can at least be partially offset by providing positive effects in the form of enhanced cultural, recreational, educational, vocational, and other opportunities and facilities to affected residents. Those opportunities and facilities may be provided outside the affected area but should be readily available to affected residents.

Engine Testing on Aircraft

13. a. Any use of the designated area for the testing of engines which are in situ on an aircraft ("**in situ aircraft engines**") shall not exceed the following noise limits within the Identified Area shown on Figure 1 attached to this designation:

7 day rolling average	55 dB L _{dn}
10pm to 7am	75 dB L _{Amax}

For the purpose of this control, testing of in situ aircraft engines shall be measured in accordance with NZS 6801:2008 Acoustics Measurement of Environmental Sound.

- b. AIAL shall monitor and record all testing of in situ aircraft engines and provide a summary report of the tests undertaken and the calculated noise levels whenever requested in writing by the ANCCG.
- c. The testing of in situ aircraft engines is excluded from the calculation of the 7 day rolling average in clause (a) above where such testing is associated with work necessary to satisfy an airworthiness directive or other like safety requirement issued by the Minister of Transport, the Director of Civil Aviation or the Civil Aviation Authority, which requires within 7 days of the directive or requirement being issued, the ground running of the engines on:
- All aircraft with a specific engine type; or
 - aircraft of a specific make or model.

Prior to any testing excluded by this clause commencing, AIAL shall give written notice to the ANCCG and the Council explaining:

- The nature of and the reason for the testing;
- Its expected duration and noise effects; and
- Details of the directive or requirement received.

Other Noise

- 13A. Any use of the land for any purpose other than:

- Aircraft Operations (Conditions 5 and 6);
- testing of in situ aircraft engines (Condition 13);
- the use of audible bird scaring devices for the discouragement of birds; and
- construction works (condition 13B)

shall not exceed the following noise limits within the Identified Area shown on Figure 1 attached to this designation:

Average Levels			Maximum
dB L _{Aeq}			dB L _{Amax}
Monday to Saturday 7am-6pm (0700-1800)	Monday to Saturday 6pm-10pm (1800-2200) AND Sunday & Public Holidays, 7am-10pm (0700-2200)	At all other times	10pm-7am (2200-0700)
55	50	45	70

For the purpose of this control, Other Noise shall be measured in accordance with NZS 6801:2008 Acoustics Measurement of Environmental Sound and assessed in accordance with NZS 6802:2008 Acoustics — Environmental Noise.

Construction Noise

13B. All construction work shall be designed, managed and controlled to ensure that construction noise does not exceed the noise limits in the following tables. Sound levels shall be measured and assessed in accordance with NZS 6803:1999 Acoustics Construction Noise.

Recommended upper limits for construction noise received in residential zones, dwellings in rural zones, and the Special Purpose – Māori Purpose zone.

Time of week	Time period	Duration of work					
		Typical duration (dB)		Short-term duration (dB)		Long-term duration (dB)	
		L _{Aeq}	L _{AFmax}	L _{Aeq}	L _{AFmax}	L _{Aeq}	L _{AFmax}
Weekdays	0630-0730	60	75	65	75	55	75
	0730-1800	75	90	80	95	70	85
	1800-2000	70	85	75	90	65	80
	2000-0630	45	75	45	75	45	75
Saturdays	0630-0730	45	75	45	75	45	75
	0730-1800	75	90	80	95	70	85
	1800-2000	45	75	45	75	45	75
	2000-0630	45	75	45	75	45	75
Sundays and public holidays	0630-0730	45	75	45	75	45	75
	0730-1800	55	85	55	85	55	85
	1800-2000	45	75	45	75	45	75
	2000-0630	45	75	45	75	45	75

Recommended upper limits for construction noise received in business zones for all days of the year.

Time Period	Duration of work		
	Typical duration (dB)	Short-term duration (dB)	Long-term duration (dB)
	L _{Aeq}	L _{Aeq}	L _{Aeq}
0730-1800	75	80	70
1800-0730	80	85	75

Construction Vibration

- 13C. Except where certified by the Council, construction vibration received by any building shall be measured and assessed in accordance with the German Standard DIN 4150-3:1999 “Structural vibration – Part 3: Effects of vibration on structures”, and shall comply with the criteria set out as follows:

Type of structure	Short-term vibration			Long term vibration	
	PPV at the foundation at a frequency of			PPV at horizontal plane of highest floor (mm/s)	PPV at horizontal plane of highest floor (mm/s)
	1 – 10 Hz (mm/s)	1 – 50 Hz (mm/s)	50 -100 Hz (mm/s)		
Commercial/Industrial	20	20-40	40-50	40	10
Residential/School	5	5-15	15-20	15	5
Historic or sensitive structures	3	3-8	8-10	8	2.5

N.B. PPV means Peak Particle Velocity

Explanatory note:

For the avoidance of doubt, conditions 13B and 13C do not apply to construction noise and vibration received in buildings on land to which this Designation applies.

Coastal Protection Yard

14. A coastal protection yard having a minimum depth of 20 metres shall be maintained where any part of the designated area abuts the Mean High Water Spring Tide Mark. No structure shall be erected in the coastal protection yard except essential Airport operational facilities (for example, security fences, navigational aids, rescue facilities and stormwater facilities) which require a location in the area of the coastal protection yard. Prior to any land modification works within the coastal protection yard, the requiring authority shall submit an outline plan to the Council for approval.
15. Subject to any waiver of this Condition, or any part of this Condition, prior to any land modification or development on any land within 200 metres of the northern boundary of the designated area east of Pūkaki Creek ("**northern boundary**"), the requiring authority shall submit an outline plan to the Council for approval which, without limiting the requirements of Section 176A of the RMA, shall show:

- a. Provision for the landscaping in native vegetation of a five metre wide strip along the northern boundary and a limitation on building height in relation to the northern boundary so that no part of any building shall project beyond a building envelope contained by a 55 degree recession plane from points 2.5 metres above the northern boundary (i.e. maximum height = 2.5 metres plus $1.428 \times$ distance from boundary).
 - b. Details of any land modification within:
 - i. 200 metres of the northern boundary which involves more than 500m³ of earthworks; or
 - ii. 30 metres of the northern boundary which involves more than 200m³.
 - c. The timetable for completion of the abovementioned landscaping, earthworks and remedial work.
 - d. The height, shape and bulk of any proposed structures.
16. For the purpose of conditions 14 and 15(b) details shall be given of the following:

Alteration to Natural Landscape

- a. Whether any earthcut or fill will remove existing vegetation, alter the existing topography of the site, or affect existing natural features including landforms, and the impacts on the area's amenity values.

Alteration to cultural heritage sites or cultural landscape

- b. Whether any earthcut, fill, structures or buildings will adversely affect values associated with cultural heritage sites or identified cultural landscapes.

Site Stability and Erosion

- c. Whether the effects from natural hazards will be avoided, remedied or mitigated, and the extent to which earthworks affect the stability and erosion potential of the site and surrounding site.

Topography in Relation to Adjacent Land

- d. Whether the site contours and final contours coordinate with the final levels of adjoining land.

Flooding

- e. Whether the earthworks and final levels will adversely affect overland flowpaths or increase the potential for flooding within the site or surrounding area.

Utility Services

- f. Whether the earthworks and final levels will adversely affect existing utility services.

Public Access to the Coastal Marine Area and Fossil Forest

- 17. AIAL shall provide road access for the public to the coastal marine area, through the designated area, to a point near the fossil forest (located in the coastal banks of Lot 2 DP 62092 and Allotment 164 Manurewa Parish) and shall provide pedestrian access from the end of that road

down to Mean High Water Springs, so as to provide public access to the coastal marine area and the fossil forest.

Public Consultation

- 17A. a. Construction of the Northern Runway, shall not take place until AIAL has completed a process of public notification and consultation. The process of public notification and consultation shall include the following:
- i. Written notice to the ANCCG (or its successor from time to time); and
 - ii. A public notice published in a daily newspaper circulating in the Auckland Council area, and in each of the local newspapers circulating in those parts of the Auckland Council area subject to the ANNA, MANA and HANA. Such notice to be published in each case twice at an interval of approximately a fortnight.
- b. Each of the abovementioned notices shall include a brief description of the proposal and shall advise:
- i. Where full details of the proposal can be inspected and copies of those details obtained;
 - ii. Of the opportunity to forward comments to AIAL about the proposal;
 - iii. The date by which comments about the proposal should be sent to AIAL, which date shall not be less than 20 working days from the date of the last of the public notices;
 - iv. Details of any additional consultation proposed by AIAL.
- c. The information available for inspection under this Condition shall include the following:
- i. Diagram(s) and description of the proposal including all associated work;
 - ii. A description of the proposed operating scenario for the Northern Runway;
 - iii. The reasons for the proposed operating scenario;
 - iv. The reasons for the proposal including an explanation of the need for the Northern Runway to have the proposed Operational Length;
 - v. Reference to any relevant reports; and
 - vi. Any other information AIAL wishes to make available for the purpose of explaining the proposal or in respect of which it would like to invite comments.
- d. AIAL shall consider any comments made to it pursuant to the notification and consultation process described above before deciding whether or not to proceed with the proposal. If AIAL decides to proceed, it shall provide as soon as possible to the Council copies of all comments received, together with written advice of:
- i. Details of the notification and consultation undertaken;
 - ii. A summary of comments received;

- iii. A statement describing the actions planned, if any, in respect to the comments received; and
- iv. A statement explaining the reasons for the actions to be taken or the decision not to take any action.
- e. AIAL shall regularly consult the ANCCG and seek its input and comment on community consultation that the latter may recommend to inform the public from time to time on any matter relating to the Northern Runway.

Outline Plan

- 18. Where AIAL seeks to rely on the provisions of the designation for any works within its land, an outline plan of any work to be constructed on the designated area must be submitted to the Council pursuant to section 176A of the RMA unless the works have been otherwise approved under the RMA or the details of the work are incorporated in the designation or Council waives the requirement for an outline plan. For any proposed work to be constructed for taxiing of aircraft on the designated area north of the Northern Runway, the outline plan shall include, in addition to the matters required under section 176A of the RMA, an analysis and prediction of the noise associated with the Aircraft Operations component of the proposal so as to demonstrate compliance with Condition 5.

Mana whenua

- 19. AIAL shall engage with Te Ākitai Waiohū, Te Kawerau Iwi Tribal Authority and Makaurau Marae Māori Trust (individually if so requested) when preparing any relevant plans, including Reptile Management, Wildlife Hazard Management, Erosion and Sediment Control and Stormwater Management plans, as part of any Outline Plan for the Northern Runway, and also provide these groups with the opportunity to review and comment on these plans.
- 20. Within six months of 18 November 2019, AIAL shall collaborate with Te Ākitai Waiohū, Te Kawerau Iwi Tribal Authority and Makaurau Marae Māori Trust (individually if so requested) to prepare agreed Kōiwi Protocol and Interment Plan(s) and an agreed iwi/cultural monitoring programme prior to any works recommencing for the Northern Runway.

Explanatory Note:

AIAL, Te Ākitai Waiohū, Te Kawerau Iwi Tribal Authority and Makaurau Marae Māori Trust shall use their best endeavours to reach agreement on Kōiwi Protocol and Interment Plan(s) and an iwi/cultural monitoring programme. In the event of any differences between any of the parties arising out of the development of the Kōiwi Protocol and Interment Plan(s) and / or an iwi/cultural monitoring programme, the parties shall use their best endeavours to resolve any such differences in good faith and in accordance with tikanga Māori principles and protocols.

- 21. Within six months of 18 November 2019, AIAL shall invite mana whenua to participate in a Kaitiaki Forum, which shall be established and maintained by AIAL (at its cost) until such time as the Northern Runway has been constructed. The purpose of the Kaitiaki Forum is to facilitate engagement between AIAL and mana whenua, and to provide Forum members with updates, and opportunities for feedback, on the development of the Northern Runway.
- 21A. Within six months of 18 November 2019 AIAL shall establish a fund and provide a contribution of \$50,000 (in 2017 New Zealand dollar terms) per annum plus GST if any (adjusted thereafter to compensate for inflation as provided for in Condition 12A) to be made available specifically and exclusively for the purpose of education scholarships and vocational training relating to

travel, trade, tourism, sporting, aviation, engineering, construction and environmental planning, for the mandated entities for Te Ākitai Waiohū (\$25,000) and Te Kawerau ā Maki and / or Te Ahiwaru (\$25,000).

Heritage Resources and Archaeology

22. Each of the following heritage resources shall be relocated by the requiring authority in a manner and to a site that will ensure the continued protection of the resource before any construction or work is commenced on the designated area that would damage or destroy the resource:
 - a. Abbeville Farm House and Barn, Part Lot 2, DP 12194 (refer Schedule of Significant Heritage Places, Item 1414);
 - b. Westney Road Methodist Church, Part Lot 2, DP 12194 (refer Schedule of Significant Heritage Places, Item 1414); and
 - c. Rennie Jones Homestead, Pt Allot 163, Manurewa Parish (refer Schedule of Significant Heritage Places, Item 1424).
23. AIAL shall apply for all necessary archaeological authorities under Section 44(a) of the Heritage New Zealand Pouhere Taonga Act 2014 prior to the start of any earthworks on the Northern Runway with the potential to affect archaeological remains.
24. AIAL shall undertake a full archaeological investigation to identify, investigate and record subsurface archaeological remains, including Taonga Tūhū, across the full extent of the Northern Runway project area.
25. AIAL shall provide the following to the Team Leader – Southern Monitoring (for the attention of the Council's Manager-Heritage Unit):
 - (a) copies of any documents approved under the Heritage New Zealand Pouhere Taonga Act 2014, including archaeological management plans and archaeological authorities;
 - (b) copies of any reports on the results of any archaeological investigations; and
 - (c) details of any unrecorded historic heritage or archaeological sites that are exposed as a result of the earthworks undertaken for the Northern Runway for inclusion in the Council's Cultural Heritage Inventory.
- 25A. Within six months of 18 November 2019, AIAL shall carry out a non-invasive archaeological investigation to record any material that is exposed at the western end of the Northern Runway as a result of coastal erosion and prepare a report on the results of the investigation.

Ecology

26. AIAL shall submit a Wildlife Hazard Management Plan (WHMP) prepared by a suitably experienced and qualified ecologist with the Outline Plan for the Northern Runway. The objective of the WHMP is to provide a framework for the avoidance, remediation, mitigation or offset of adverse effects on protected coastal birds roosting in the vicinity of the Northern Runway as far as is reasonably practicable.

In addition to engaging with Te Ākitai Waiohū, Te Kawerau Iwi Tribal Authority and Makaurau Marae Māori Trust (individually if so requested), AIAL shall consult with the Department of

Conservation, the Council's Biodiversity Group and the Project Manukau Bird Roost Advisory Group when preparing the WHMP.

The WHMP shall include (but not be limited to):

- a. Details and locations of any new high tide roosts to be provided;
- b. Details of any modification and enhancement works to existing roosts; and
- c. Measures to mitigate the risk of bird strike from aircraft.

27. AIAL shall submit a Reptile Management Plan (RMP) prepared by a suitably experienced and qualified ecologist with the Outline Plan for the Northern Runway. The objective of the RMP is to avoid, remedy or mitigate adverse effects on protected native reptiles in the vicinity of the Northern Runway as far as is reasonably practicable.

In addition to engaging with Te Ākitai Waiohū, Te Kawerau Iwi Tribal Authority and Makaurau Marae Māori Trust (individually if so requested), AIAL shall consult with the Department of Conservation and the Council's Biodiversity Group when preparing the RMP.

The RMP shall include (but not be limited to):

- a. Details of search methods to be implemented for capturing arboreal and ground-dwelling lizards prior to any construction works commencing for the Northern Runway;
- b. Mechanisms for re-establishing affected lizard habitat;
- c. Locations for the potential release of lizards, including whether a pest control programme before and after the release of lizards is necessary and, if so, the details of such a control programme;
- d. The methodology for any post-capture release of lizards; and
- e. The methodology for captive management of lizards if they are required to be held in captivity.

Explanatory note:

A Wildlife Act Authority (i.e. permit) under the Wildlife Act 1953 will be required from the Department of Conservation before any reptile capture or translocations can occur.

Construction Traffic

28. Within three months of AIAL appointing a civil works (earthworks) contractor for the construction of the Northern Runway, AIAL shall prepare and submit a Construction Traffic Management Plan (CTMP) for approval by Auckland Council. The CTMP is to be implemented as approved and shall ensure heavy construction vehicles operating in connection with the construction of the Northern Runway are prohibited from using Westney Road or passing through Oruarangi Village. The CTMP shall consider the safety and efficiency of all travel modes in relation to that construction. AIAL shall consult with Auckland Transport and the NZ Transport Agency in relation to the CTMP and include evidence of that consultation in the CTMP.

Explanatory note:

A heavy construction vehicle is a motor vehicle having a gross laden weight exceeding 3,500 kilograms.

- 28A. Within three months of AIAL appointing a civil works (earthworks) contractor for construction of the Northern Runway, AIAL shall provide Auckland Council for approval a document setting out a process (in consultation with Auckland Transport and the NZ Transport Agency) for identifying, monitoring and rectifying damage caused by heavy construction vehicles to Ihumatao Road and at construction access points from public roads. AIAL shall identify, monitor and rectify damage in accordance with the approved process throughout construction of the Northern Runway.

Transport Plan

29. At least six months before the commencement of construction of the Northern Runway, AIAL shall submit a Transport Plan to Auckland Council for written certification.
- 29A. AIAL shall implement the transport measures described in Condition 29D(f) of the certified Transport Plan in accordance with the programme in Condition 29D(h).
- 29B. The purpose of the Transport Plan is to ensure that the Auckland Airport Precinct transport network is appropriately managed and integrated with the adjacent transport networks.
- 29C. The Transport Plan shall demonstrate compliance with the following objectives:
- a. The connections between the Auckland Airport Precinct transport network and the adjacent transport networks (to the north and east) are:
- integrated; and
 - provide for the same level (as a minimum) of capacity and functionality (as at July 2018); and

Explanatory note: for the purposes of Condition 29C(a):

- *"capacity" means the number of people and vehicles (all modes) per direction per day (considering peak periods) that can be accommodated on the transport network existing at July 2018.*
 - *"functionality" means the infrastructure that accommodates all modes and operates as per the existing transport network as at July 2018.*
- b. At least the same level of connectivity between Puhinui Road (SH20B) and George Bolt Memorial Drive (SH20A) (as at July 2018) is retained, such that the connection does not divert traffic away from the Auckland Airport Precinct onto SH20; and
- c. Mass rapid transit corridors are provided and protected, in accordance with Condition 30; and
- d. A walking and cycling network is enabled within the Auckland Airport Precinct and integrated with the existing and proposed external walking and cycling network at the north and east boundaries of the Precinct.
- 29D. To achieve the objectives in Condition 29C, the Transport Plan shall include:

- a. A **design philosophy statement** for the transport network within the Auckland Airport Precinct and its connections with adjacent transport networks (all modes) that will exist following the construction of the Northern Runway, including targeted levels of service, design standards, mode split, and performance criteria for the network.
- b. A **description of the current** (July 2018) **land use and transport network** (all modes) in the Auckland Airport Precinct and its connections with adjacent transport networks, including:
 - key transport routes;
 - public transport services and facilities (including connectivity and capacity);
 - vehicle volumes (including heavy goods vehicles, light goods vehicles, private cars, buses);
 - walking and cycling facilities; and
 - constraints relating to the provision of transport routes and services over Pūkaki Creek.
- c. A **description of the future land use and transport network** (all modes) in the Auckland Airport Precinct and its connections with adjacent transport networks (including the matters in Condition 29D(b) above) for the years 2028 and 2044 and any relevant interim years.
- d. A description of the **current and future factors that affect transport demand** to and from the Auckland Airport Precinct (all modes), including:
 - passenger numbers;
 - commercial and industrial activities in the Auckland Airport Precinct (including anticipated trip generation);
 - demand management tools (including parking management);
 - through traffic; and
 - public transport services.
- e. A **modelling report** of the performance of the future transport network (all modes) in the area defined in (ii) below for the years 2028 and 2044 and any relevant interim years.
 - (i) The modelling shall consider (against the objectives in Condition 29C):
 - land uses;
 - the transport infrastructure;
 - a range of operational scenarios (including mode share splits); and
 - the timing of (and triggers for) the staged implementation of the infrastructure and operational measures.
 - (ii) The modelling shall be undertaken using an appropriate network transport model, which shall consider:
 - the transport network within the Auckland Airport Precinct;
 - the commercial/industrial areas located to the north of the Auckland Airport Precinct; and
 - the state highway system of SH20A, SH20B and SH20.
 - (iii) The modelling shall be supported by a network transport model scoping report and an independent peer review of the network transport model.

- f. A description and drawings of the transport infrastructure (specifically including mass rapid transit corridors), and a description of the operational measures, that AIAL shall implement to meet the objectives in Condition 29C;
 - g. A description of the transport infrastructure and operational measures that the NZ Transport Agency and Auckland Transport are anticipated to provide outside and / or within the Auckland Airport Precinct;
 - h. A programme of the triggers for the staged timing of implementation of the measures in (f) and (g) above.
- 29E. The Transport Plan shall be prepared by a suitably qualified and experienced traffic engineer/transport planner.
- 29F. AIAL shall consult, collaborate and share information with the NZ Transport Agency and Auckland Transport during the preparation of the draft Transport Plan. AIAL shall provide the NZ Transport Agency and Auckland Transport with a copy of the final draft Transport Plan for comment. AIAL shall provide a report which outlines the feedback received from the NZ Transport Agency and Auckland Transport to Auckland Council when the Transport Plan is submitted for certification. If feedback from the NZ Transport Agency and/or Auckland Transport has not been incorporated into the Transport Plan, the report shall explain the reasons why.
- 29G. At 3 yearly intervals following the first certification of the Transport Plan under Condition 29, AIAL shall submit a report to Auckland Council for written certification demonstrating the achievement of the purpose and objectives in Conditions 29B and 29C. A copy of such report shall be provided to Auckland Transport and the NZ Transport Agency. If the Council does not certify that the purpose and objectives are achieved, AIAL shall update the Transport Plan (to demonstrate new or revised measures to achieve the purpose and objectives) following the process in Conditions 29 through 29F.

Mass rapid transit corridors

30. AIAL shall provide and protect mass rapid transit corridors (meaning dedicated land corridors within which mass rapid transit will be located) within the Auckland Airport Precinct. The corridors shall connect:
- a. A point in the vicinity of SH20A on the northern boundary of the Auckland Airport Precinct (to connect to the future City Centre to Māngere mass rapid transit route); and
 - b. A point in the vicinity of Puhinui Road / SH20B on the eastern boundary of the Auckland Airport Precinct (to connect to the future Airport to Botany mass rapid transit route)

with the integrated Airport terminal and the Auckland Airport business precinct (at a minimum).

The mass rapid transit corridors shall be set back a minimum of 20 metres from Mean High Water Springs except for the approaches to the Pūkaki Creek.

Note: 'Mass rapid transit' means public transport capable of moving a large number of people, for example light rail and dedicated bus routes. Common characteristics of rapid transit include frequent services, fast loading and unloading capability, and largely dedicated or exclusive right-of-way routes.

31. AIAL shall design, construct and have operational an alternate access to the Auckland Airport Precinct from the North prior to the severance of George Bolt Memorial Drive as a result of the construction of the Northern Runway. AIAL must ensure that the alternate access retains two general traffic lanes in both directions (as a minimum) and is sufficient to accommodate mass rapid transit from the North and an integrated walking and cycling network. AIAL shall design and construct the alternate Northern access in collaboration with the NZ Transport Agency and Auckland Transport.

Lapsing Date

32. As this designation has been given effect to, the designation cannot lapse pursuant to section 184(1) of the RMA.

Attachments

Attachment A: Aircraft Noise Community Consultative Group Terms of Reference

DESIGNATION AIAL 1100 — ATTACHMENT A

AIRCRAFT NOISE COMMUNITY CONSULTATIVE GROUP ("Group")

TERMS OF REFERENCE

Purpose

To consider, and where appropriate make recommendations to Auckland International Airport Limited ("AIAL"), on aircraft noise matters that arise from the operation of Auckland International Airport ("Airport").

Meetings provide a forum for information and analysis, open discussion and consensus resolution of issues between Group members, representatives from relevant agencies, consultant advisors, and AIAL.

Activities

1. To identify community feedback regarding aircraft noise.
2. To co-operatively formulate and propose options to minimise the impact of aircraft noise on the community and to consider how AIAL should respond to community concerns regarding aircraft noise.
3. To assist and advise AIAL and Council in the dissemination of relevant, clear, and timely information to the community.
4. To regularly review the procedure for handling noise complaints, recommend modifications to that procedure where appropriate, and ensure the latest procedure is publicly available as soon as possible.
5. To identify potential opportunities to improve the implementation and uptake of the Noise Reduction Package.
6. To assist AIAL in the review of and, where necessary, to recommend modifications to, the Annual Noise Management Report's recommended initiatives, methods and procedures for reducing noise levels and adverse effects from Aircraft Operations and engine testing.
7. To monitor compliance with the noise conditions of AIAL's designation, the noise abatement procedures and Annual Noise Management Report.
8. To access appropriate technical expertise and guidance as required, including to, request, where appropriate, independent peer review of noise monitoring and other technical data provided to the Group by AIAL.

AIAL is to consider feedback from the Group in good faith and provide the Group with a written response to recommendations, including the reasons for rejecting any recommendations, should such a response be requested by the Group.

Independent Chairperson

Meetings will be chaired by an Independent Chairperson. AIAL and Council will be jointly responsible for appointing and removing the chairperson. The terms of appointment will set out the conditions of appointment and removal and will include that the term of appointment for the chairperson is limited to 6 years, unless the Group otherwise agrees. AIAL and Council will share equally the reasonable costs of the Independent Chairperson.

The chairperson may invite other persons on an ad-hoc basis to address the Group on particular agenda items. Where a matter is to be considered by the Group which would be likely to directly affect residents of a Local Board that is not otherwise represented on the Group, then the chairperson should notify the chair of that Local Board and invite them to the relevant meeting.

Local Board Representatives	(x 12)	<ul style="list-style-type: none"> • Māngere-Ōtāhuhu • Ōtara-Papatoetoe • Manurewa • Howick • Papakura • Franklin • Maungakiekie-Tāmaki • Ōrākei • Albert-Eden • Puketāpapa • Whau • Waitākere Ranges
Auckland Council Representative	(x1)	
Industry Representative (e.g. freight forwarder, logistics, manufacturer, regular user of cargo or air export facilities, business organisation etc)	(x1)	
Airways Corporation Representative	(x1)	
Board of Airline Representatives of New Zealand (BARNZ) Representatives	(x2)	
AIAL Representatives	(x2)	The group may require additional AIAL representatives and consultants to attend.
Mana Whenua Representatives	(x2)	<ul style="list-style-type: none"> •Te Ākitai •Te Ahiwaru
Community Representatives (two of whom must live within the Aircraft Noise Areas)	(x3)	

Memberships

Roles

AIAL members represent the operator of Auckland International Airport which is responsible for ensuring that aircraft noise from its activities are managed to minimise noise as far as practicable and in compliance with Designation 1100.

Auckland Council's member represents the territorial authority which is the regulator with responsibilities under the Resource Management Act 1991, including for ensuring that Auckland Airport undertakes its activities in accordance with the Auckland Unitary Plan and Designation 1100.

Airways' member represents New Zealand's air navigation service provider which is responsible for the management of all air traffic within New Zealand's airspace. Airways' roles of most relevance to the management of aircraft noise from Auckland Airport relate to the design of procedures for aircraft arrivals and departures and the design of flight tracks.

The Board of Airline Representatives of New Zealand Inc. (BARNZ) members represent the perspective of the member airlines that make up its incorporated society (approximately 25 airlines) which operate scheduled, and code share international and domestic services, including airlines using Auckland Airport. BARNZ also represents businesses that supply aviation, such as ground handlers, wastes management system companies, and catering firms. The main interest of BARNZ in relation to noise relates to its role in representing the airlines that utilise Auckland Airport.

The Industry Representative member provides a perspective from businesses that utilise the airport's facilities, for instance for freight and logistic purposes.

The Local Board Members represent the views of their local communities.

The Community Representatives represent the perspectives of residents directly affected by aircraft noise, including within the Airport's aircraft noise contour.

All members are expected to actively engage with the parties they represent and provide corresponding feedback to the ANCCG.

General

1. AIAL will provide venue, secretarial and support services at AIAL's cost and expense.
2. Council will provide planning staff to attend and represent Council's regulatory interests at its cost and expense.
3. The selection of the Local Board and Community Representatives will be on the basis of:
 - (a) one Representative on behalf of each of the Local Boards namely, Māngere-Ōtāhuhu, Ōtara-Papatoetoe, Manurewa, Howick, Papakura, Franklin, Maungakiekie-Tāmaki, Ōrākei, Albert-Eden, Puketāpapa, Whau, and Waitakere Ranges; and
 - (b) three Community Representatives, two of whom must live within the Aircraft Noise Areas. The appointments will be made by the majority of the Independent Chairperson, the Council Representative and one AIAL Representative. The opportunities will be widely advertised e.g. New Zealand Herald, freely circulated local community newspapers in the relevant areas, online employment sites, AIAL/Council career sites, social media and community platforms) and applications must be made in writing.
4. The term of office for Local Board appointed Representatives and Community Representatives will be the same as the local body electoral term, that is currently three years. Council will be responsible for any payments to be made to the Local Board appointed Representatives.
5. Mana Whenua representatives may choose to engage directly on aircraft noise matters via the Kaitiaki Forum established in 2020 (refer Designation 1100 Condition 21) or attend Group meetings.

6. AIAL will be responsible for any payments that are to be made to the Mana Whenua and Community Representatives in return for their services to the Group.
7. AIAL and Council will share equally the reasonable costs of the independent chairperson.
8. AIAL will provide data and technical information on aircraft movements and a noise complaint summary. Noise complaints will not be dealt with on an individual basis.

Meeting procedures

While it is anticipated the Group will develop and modify its own processes for the facilitation of meetings over time, the following procedures are expected to be followed:

1. The Group will meet at least every three months.
2. Meetings of the Group will be held at a place, date, and time decided by the Chairperson.
- 3.. **Chairperson:** The Independent Chairperson will chair the meeting. If the Chairperson is not present within 15 minutes of the time appointed for the meeting, then the Group will appoint another person to chair the meeting.
4. **Notice of meeting:** AIAL will arrange for:
 - public notice of the meeting to be published on the internet, including a means to contact the Group, its chairperson or members; and
 - a reminder of the meeting, together with any other relevant information to be sent to all members of the Group at least 5 working days before the meeting. The notice of meeting will set out the date, time, and place of the meeting, including a link for online attendance where available, and the proposed agenda. Members of the Group may advise AIAL of items for the Chairperson to consider including in the notice of meeting.
5. **Method of holding meeting:** Meetings will be held by a number of members, who constitute a quorum, attending at the date and time appointed for the meeting. Members may attend online except in circumstances where the Independent Chairperson decides an in-person meeting is required. The online meeting platform must be of suitable quality, enabling everyone participating in the meeting to hear each other and receive or view documents shown as part of the meeting. Where there are technological issues that prevent a member from attending online, that member must be deemed to be no longer in attendance.
6. **Quorum:** No business may be transacted at a meeting of the Group if there is no quorum. A quorum is present if there are at least 6 people including three Local Board representatives, one Board of Airline Representatives of New Zealand (BARNZ) representative, the Airways Corporation of New Zealand representative and one AIAL representative. Members attending online will be counted as present for the purposes of a quorum. If a quorum is not present within 15 minutes of the time appointed for the meeting, then the meeting is to be adjourned to the same day in the following week at the same time and place or to such other date, time and place as the Independent Chairperson may appoint.
7. **Members may act by alternate representative:** Where a member of the Group is unavailable to attend all or part of one or more meetings, advice to the chairperson of a nominated alternate representative is to be provided in advance and their attendance approved at the Chairperson's discretion. An alternate representative for a Community Representative who lives within the Aircraft Noise Areas, must also live within the Aircraft Noise Areas.

8. **Non attendance:** The Independent Chair has discretion to determine a named member of the Group has resigned if that member is absent from three consecutive meetings and extenuating circumstances do not apply.
9. **Public attendance:** Meetings of the Group shall generally be open to the public to observe with access arranged in advance via AIAL. Any person who wants to record a meeting must notify their intention to the chairperson before the meeting starts and subject to the chair's approval, record the meeting unobtrusively, without distracting members.
10. **Public Forum:** A brief public forum may be held at the start of each meeting for one or more members of the public to speak to the Group. Speaking rights, including the allocation of time are at the discretion of the chairperson.
11. **Confidentiality and exclusion of the Public:** At the discretion of the Independent Chairperson, non- members may be excluded from meetings or portions of meetings. Such instances could include consideration of commercial-in-confidence issues, aviation security issues, privacy issues or other grounds. Specified people may remain to assist the Group. All members and those in attendance are asked to respect such requests. (Note: The Local Government Official Information and Meetings Act 1987 does not apply to Group proceedings although it provides guidance that may be applicable for excluding the public).
12. **Code of Conduct:** All members are required to adhere to the Group's Code of Conduct.
13. **Minutes:** AIAL will ensure minutes are kept of proceedings and made available to the public online. Unless exceptional circumstances exist, draft minutes should be made available to the chairperson for review within ten working days and thereafter to members within 15 working days. Members must provide amendments, objections or issues within seven working days. No comment will be taken as acceptance of the minutes and they will be published, incorporating any minor edits, on the internet no later than 30 working days after each meeting. If issues are raised, draft minutes will be sent to members for consideration and formal confirmation at the next meeting before publication on the internet.
14. These terms of reference shall be reviewed at least every three years.

Attachment B: Example of Deed of Covenant

Form 26

Covenant Instrument to note land covenant

(Sections 116(1)(a) & (b) Land Transfer Act 2017)

Covenantor
underlined

Surname must be

[]

Covenantee
underlined

Surname must be

Auckland International Airport Limited

Grant of Covenant
underlined

Surname must be

The Covenantor, being the registered owner of the burdened land(s) set out in Schedule A, **grants to the Covenantee** (and, if so stated, in gross) the covenant(s) **set out** in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s).

Schedule A

Continue in additional Annexure Schedule, if required

Purpose of Covenant	Shown (plan reference)	Burdened Land (Record of Title)	Benefitted Land (Record of Title) or in gross
Land Covenant	N/A	The land described in Schedule 1	The land described in Schedule 2

Covenant rights and powers (including terms, covenants and conditions)

Delete phrases in { } and insert Memorandum number as required; continue in additional Annexure Schedule, if required

The provisions applying to the specified covenants are those set out in:

~~{Memorandum number {insert}, registered under section 209 of the Land Transfer Act 2017}~~
Annexure Schedule.

SCHEDULE 1
(Burdened Land)

Legal Description	Area (ha)	Title Reference

SCHEDULE 2

(Benefitted Land)

The following parcels of land:

<i>Legal Description</i>	<i>Area (ha)</i>	<i>Record of Title</i>
Part allotment 163 Parish of Manurewa	19.6196	NA47C/137
Allotment 164 Parish of Manurewa	21.8530	NA47C/82
Lot 3 Deposited Plan 38518	0.9105	NA1675/15
Lot 1 Deposited Plan 28940	38.5463	NA985/62
Lot 15 Deposited Plan 13141	2.0513	NA305/113
Part Allotment 163 Parish of Manurewa	0.6533	NA1691/38
Lot 1 Deposited Plan 144042 and Section 1 Survey Office Plan 67433	20.3965	NA105D/359
Lot 2 Deposited Plan 62092	37.8887	NA24A/830
Part Allotment 179 Parish of Manurewa	2.6133	NA78D/185
Part Allotment 163 Parish of Manurewa	0.3581	NA55A/937
Lot 1 Deposited Plan 111094	0.5094	NA62C/558
Lot 1 Deposited Plan 94420	10.0219	NA58D/290
Lot 1 Deposited Plan 125742	0.5566	NA73B/518
Allotment 497 Parish of Manurewa	0.4047	NA78D/204
Part Allotment 179 Parish of Manurewa	0.2024	NA78D/183
Lot 1 Deposited Plan 46409	36.6342	NA78D/191
Lot 2 Deposited Plan 46409	36.6089	NA78D/192
Lot 1 Deposited Plan 103178	3.7408	NA56D/993
Part Lot 2 Deposited Plan 12194	24.7847	NA56B/945
Part Lot 1 Deposited Plan 13104	19.6273	NA78D/205
Lot 2 Deposited Plan 421357 and Allotment 561 Parish of Manurewa	20.9102	482062
Part Lot 2 Deposited Plan 32275 and Lot 3 Deposited Plan 421357	12.6388	482063
Lot 1 Deposited Plan 51077	6.0703	NA1B/711
Part Allotment 89 Parish of Manurewa and Lot 2 Deposited Plan 125742	44.9201	NA586/220
Lot 3 Deposited Plan 353776	28.7665	219885
Section 2 Survey Office Plan 540318	0.7712	931599
Lot 2 Deposited Plan 490990	19.5854	710641
Section 1-2 Survey Office Plan 446054 and Section 3-4 Survey Office Plan 446174	6.1118	682538
Lot 1 Deposited Plan 173452	37.5882	NA106B/643
Lot 1 Deposited Plan 178161	8.1360	NA109D/595
Lot 2 Deposited Plan 178161	2.4980	NA109D/596
Lot 2 Deposited Plan 41238	0.0969	NA1120/171
Lot 4 Deposited Plan 41238	0.1563	NA1121/14
Lot 3 Deposited Plan 41238	0.0943	NA1138/48
Lot 1 Deposited Plan 41238	0.0878	NA1189/51
Lot 1 Deposited Plan 57642	25.8999	NA11C/663
Lot 1 Deposited Plan 196235	0.3233	NA125B/39
Part Allotment 89 Parish of Manurewa and Defined On Deposited Plan 13716	31.6464	NA366/26

Legal Description	Area (ha)	Record of Title
Part Allotment 89 Parish of Manurewa	40.4686	NA586/221
Lot 1 Deposited Plan 36039	0.2982	NA78D/182
Allotment 474 and Allotment 476 Parish of Manurewa	170.0600	NA78D/186
Allotment 484 Parish of Manurewa	13.9400	NA78D/187
Allotment 482-483 Parish of Manurewa	15.4300	NA78D/188
Allotment 477-481 Parish of Manurewa	53.5270	NA78D/189
Allotment 504 Parish of Manurewa	70.4026	NA78D/193
Allotment 492 Parish of Manurewa	0.6085	NA78D/194
Allotment 508 Parish of Manurewa	36.4260	NA78D/195
Allotment 506 Parish of Manurewa	54.6326	NA78D/196
Allotment 328 Parish of Manurewa	0.4426	NA78D/197
Allotment 470 Parish of Manurewa and Defined on Survey Office Plan 49515	313.9000	NA78D/198
Allotment 505 Parish of Manurewa and Defined on Survey Office Plan 52973	0.5975	NA78D/199
Allotment 469 Parish of Manurewa and Defined On Survey Office Plan 49514	40.3600	NA78D/200
Allotment 494 Parish of Manurewa	2.7290	NA78D/201
Allotment 493 Parish of Manurewa and Defined On Survey Office Plan 49184	1.3673	NA78D/202
Allotment 182-185 Parish of Manurewa	60.2981	NA78D/203
Allotment 543 Parish of Manurewa and Defined On Survey Office Plan 53644	0.3792	NA78D/206
Allotment 565 Parish of Manurewa and Defined On Survey Office Plan 60283	54.2300	NA78D/207
Lot 1 Deposited Plan 31279	1.4460	NA798/163
Part Lot 2 Deposited Plan 111094	37.6418	NA82C/672
Lot 7 Deposited Plan 24346	22.3083	NA867/2
Lot 8 Deposited Plan 24346	43.7060	NA902/21
Lot 1 Deposited Plan 162130	0.6984	NA97D/261
Part Allotment 163 Parish of Manurewa	0.8094	NA994/274
Lot 1 Deposited Plan 421357	4.1077	482061

SCHEDULE 3

INTRODUCTION

- A. The Covenantor is registered as proprietor of the land more particularly described in Schedule 1 ("**Burdened Land**").
- B. The Covenantee ("Auckland Airport") is registered as proprietor of, or is entitled to use, and owns, the land more particularly described in Schedule 2 ("**Benefitted Land**").
- C. Auckland Airport is the owner and operator of Auckland International Airport ("**Airport**") which is situated on the Benefitted Land. The Benefitted Land is authorised by current zoning and designations for airport activity and airport development.
- D. The Airport has noise contours around its site which correspond to levels of aircraft noise. These are respectively referred to as the high aircraft noise area ("**HANA**"), moderate aircraft noise area ("**MANA**") and aircraft noise notification area ("**ANNA**") in the Auckland Unitary Plan.
- E. The operation of the Airport results and is likely to result in environmental effects such as noise disturbance associated with aircraft and airport activity, which may have consequences beyond the boundaries of the Benefitted Land, including upon the Burdened Land.
- F. The Burdened Land is within the [**HANA/MANA**] and the Covenantor has accepted Auckland Airport's offer to install physical works and equipment in the building(s) on the Burdened Land, for the purpose of mitigating the effects of such noise, more particularly described in Schedule 5 ("**Aircraft Noise Mitigation Works**").
- G. In consideration of Auckland Airport's offer the Covenantor has agreed with Auckland Airport to accept for itself and its successors in title to the Burdened Land and any part or interest in the Burdened Land, an obligation, in accordance with this Deed, not to lessen the effectiveness of, or remove, the Aircraft Noise Mitigation Works.

COVENANT

The Covenantor for itself and its successors in title, lessees and/or invitees to the Burdened Land (or any part of it) (excluding any tenants occupying the Burdened Land pursuant to a lease or tenancy vested in the Housing New Zealand Corporation or any statutory or regulatory successor to the Housing New Zealand Corporation), hereby covenants, acknowledges and agrees with Auckland Airport and its successors in title lessees and/or invitees to the Benefitted Land or any part of it as a positive covenant for the benefit of the registered proprietors and users from time to time of the Benefitted Land, that the Covenantor will henceforth and at all times hereafter observe and perform all the stipulations and restrictions contained in Schedule 4 to the end and intent that each of the stipulations and restrictions shall, in the manner and to the extent prescribed, endure until 31 March 2044 for the benefit of, and be appurtenant to, the whole of the Benefitted Land, every part thereof and any other land zoned or set aside for airport activity in the Auckland Unitary Plan from time to time.

SCHEDULE 4

(Covenants)

1. The Covenantor will do nothing to lessen the effectiveness of the Aircraft Noise Mitigation Works ("**modifications**") and will not remove the Aircraft Noise Mitigation Works ("**removal work**") in any building on the Burdened Land unless:
 - (a) The Covenantor has obtained the written approval of the Covenantee; or
 - (b) The modifications or removal works are being undertaken for the purpose of reconstructing, altering or extending the building or part of the building or removing part of the building, and:
 - (i) the entire building; or
 - (ii) any room directly affected by the modifications or removal works, which is to remain a habitable room,will meet the requirements of the Auckland Unitary Plan for acoustic treatment measures to mitigate aircraft noise; or
 - (c) The Covenantor is demolishing the entire building or removing it from the Burdened Land.
2. Auckland Airport shall not unreasonably withhold its approval under clause 1(a); and in considering a request for approval it shall take into account the reason(s) why approval is sought and in particular whether:
 - (a) the owner intends to upgrade or improve the acoustic insulation in the building or relevant parts of the building;
 - (b) whether the proposed modifications or removal works will affect in any material way the mitigation of the effects of aircraft noise in any habitable room in the building;
 - (c) the owner wishes to change the use of a habitable room to a non-habitable room;
 - (d) the use of the building for an ASAN has or is intended to cease, on more than a temporary basis.
3. Auckland Airport shall deal promptly with any request for approval under clause 1(a) and shall as soon as is practicable:
 - (a) serve the Covenantor with written notice of the Auckland Airport's decision under clause 1(a);
 - (b) include as part of that written notice its reasons for any refusal to give its approval; and
 - (c) where approval is refused, forward a copy of that written notice to the ANCCG.
4. The parties agree that if Auckland Airport determines (in Auckland Airport's sole and unfettered discretion) at any stage that any part or parts of the Benefitted Land should no longer receive

the benefit of the terms of this Covenant:

- (a) Auckland Airport shall provide written notice to the Covenantor setting out the relevant certificate(s) of title for the Benefitted Land from which this Covenant is to be surrendered, and such notice is to be accompanied by a surrender instrument in registrable form in respect of the same ("Surrender Instrument") and an Authority and Instruction form ("A & I Form") authorising Auckland Airport's solicitor to effect registration of the Surrender Instrument on behalf of the Grantor;
 - (b) the Covenantor shall execute the Surrender Instrument, A & I Form, and procure the consent to the registration of, the Surrender Instrument by any mortgagees, chargeholders, lessees or encumbranceholders required to enable registration of the Surrender Instrument against the Burdened Land and the relevant Benefitted Land;
 - (c) the Covenantor shall hand to Auckland Airport the Surrender Instrument, A & I Form, and any other documents (duly executed as aforesaid) required to enable Auckland Airport to register the Surrender Instrument against the Burdened Land and the relevant Benefitted Land within 14 days after receiving written notice from Auckland Airport in accordance with clause 4(a) of this Covenant; and
 - (d) Auckland Airport shall arrange for the registration of the Surrender Instrument at Land Information New Zealand. All costs in respect of the execution of the Surrender Instrument, the procurement of any consents pursuant to clause 4(b) of this Covenant and the registration of the Surrender Instrument shall be met by Auckland Airport.
5. If the Covenantor refuses to or fails to execute and return to Auckland Airport the Surrender Instrument within the 14 day period referred to in clause 4(c), then for the sole purpose of giving effect to clause 4, the Covenantor hereby grants to Auckland Airport an irrevocable power of attorney to Auckland Airport to do all things necessary, and sign all documents necessary to register the Surrender Instrument against the Burdened Land and the relevant Benefitted Land.
6. For the avoidance of doubt, in giving effect to clause 4, Auckland Airport shall be entitled to (but shall not be limited to):
- (a) sign the A & I Form on the Covenantor's behalf;
 - (b) if the consent of any mortgagees, chargeholders, lessees or encumbranceholders is required to enable registration of the Surrender Instrument, request consent to the registration of the Surrender Instrument on behalf of the Covenantor. Any such request shall be deemed to be from the Covenantor and shall be binding on the Covenantor; and
 - (c) register the Surrender Instrument.
7. For the purpose of clause 4 of this Covenant, the term "the Covenantor" is deemed to refer to the Covenantor and its successors in title to the Burdened Land, or any part of it.
8. For the purpose of this Covenant:
- (a) "designation" is as defined under the Resource Management Act 1991, or any equivalent subsequent legislation, and references to any sections or parts of the Resource Management Act 1991 are deemed to refer to any equivalent provisions of subsequent legislation also; and

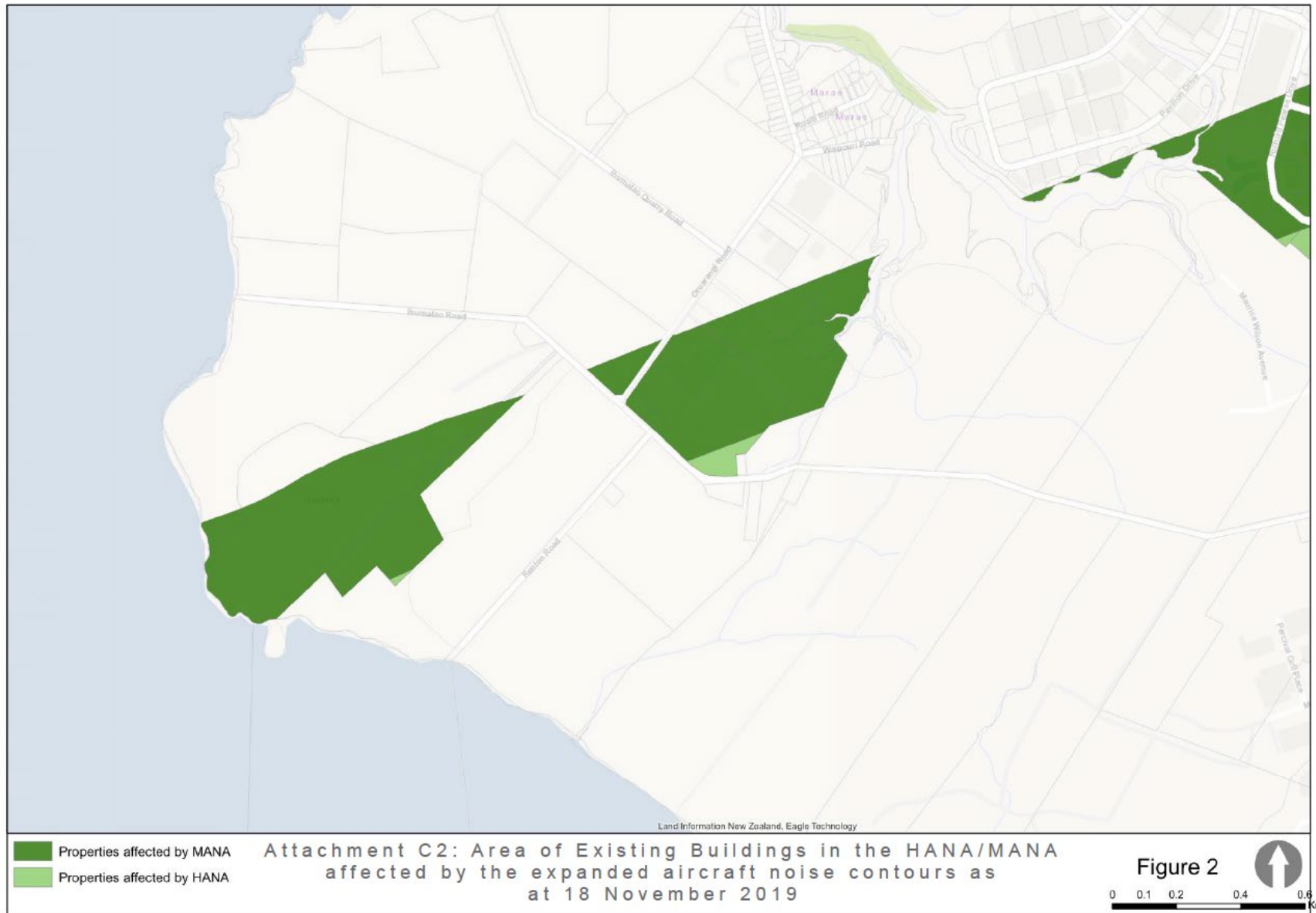
- (b) ASAN and ANCCG are as defined in Condition 1 of Designation 1100 in Chapter K of the Auckland Unitary Plan.

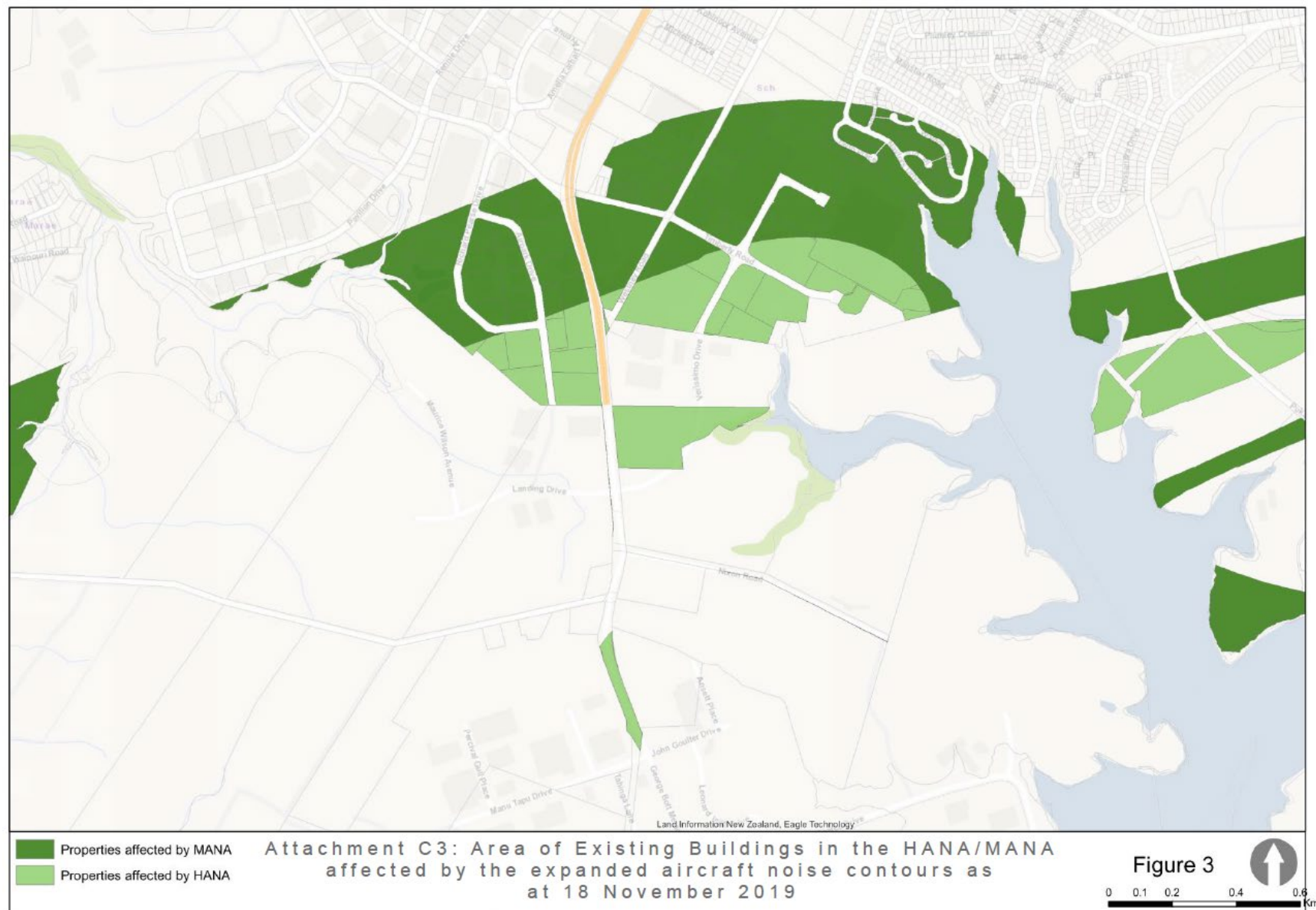
SCHEDULE 5

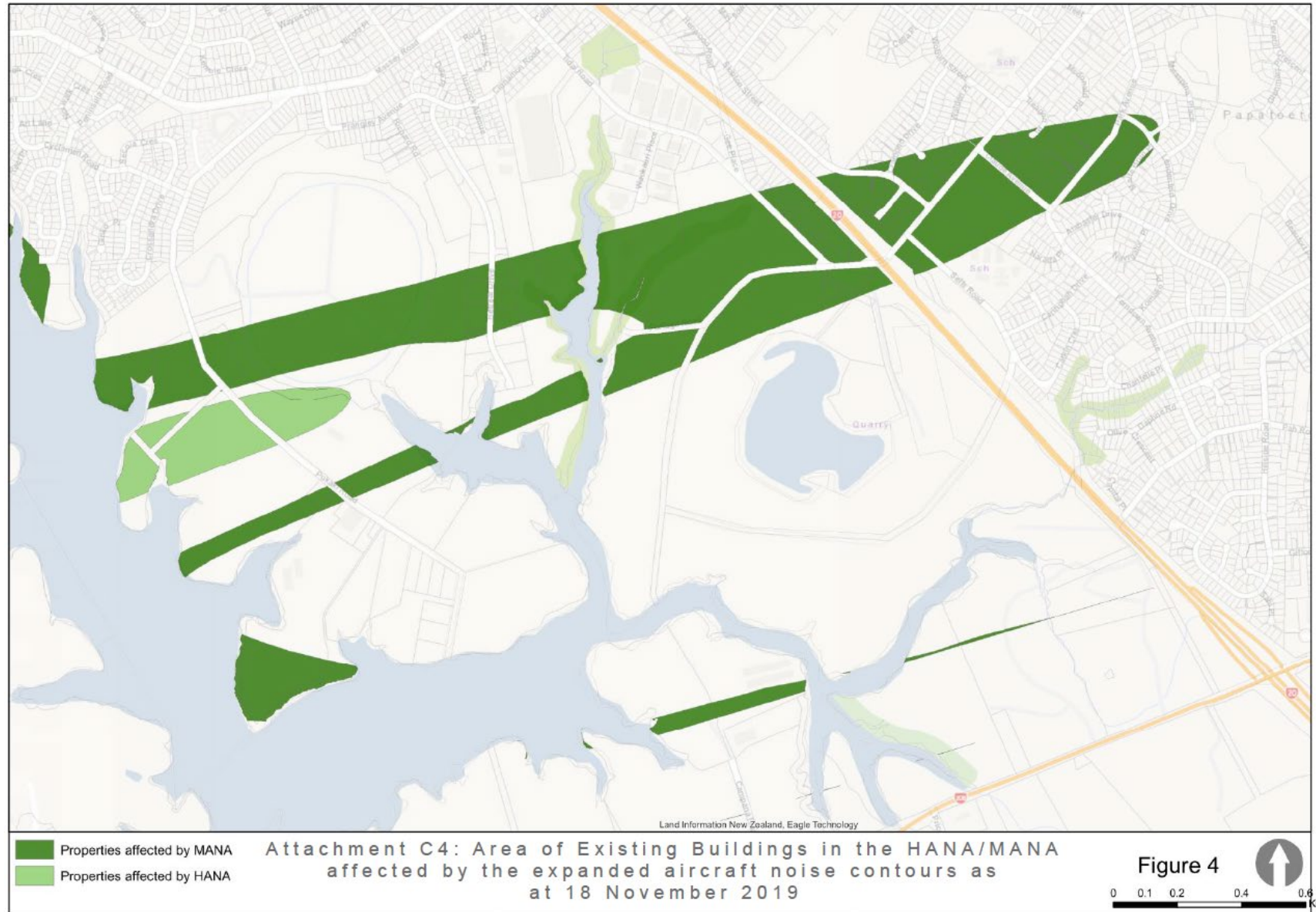
(Aircraft Noise Mitigation Works)

ATTACHMENT C

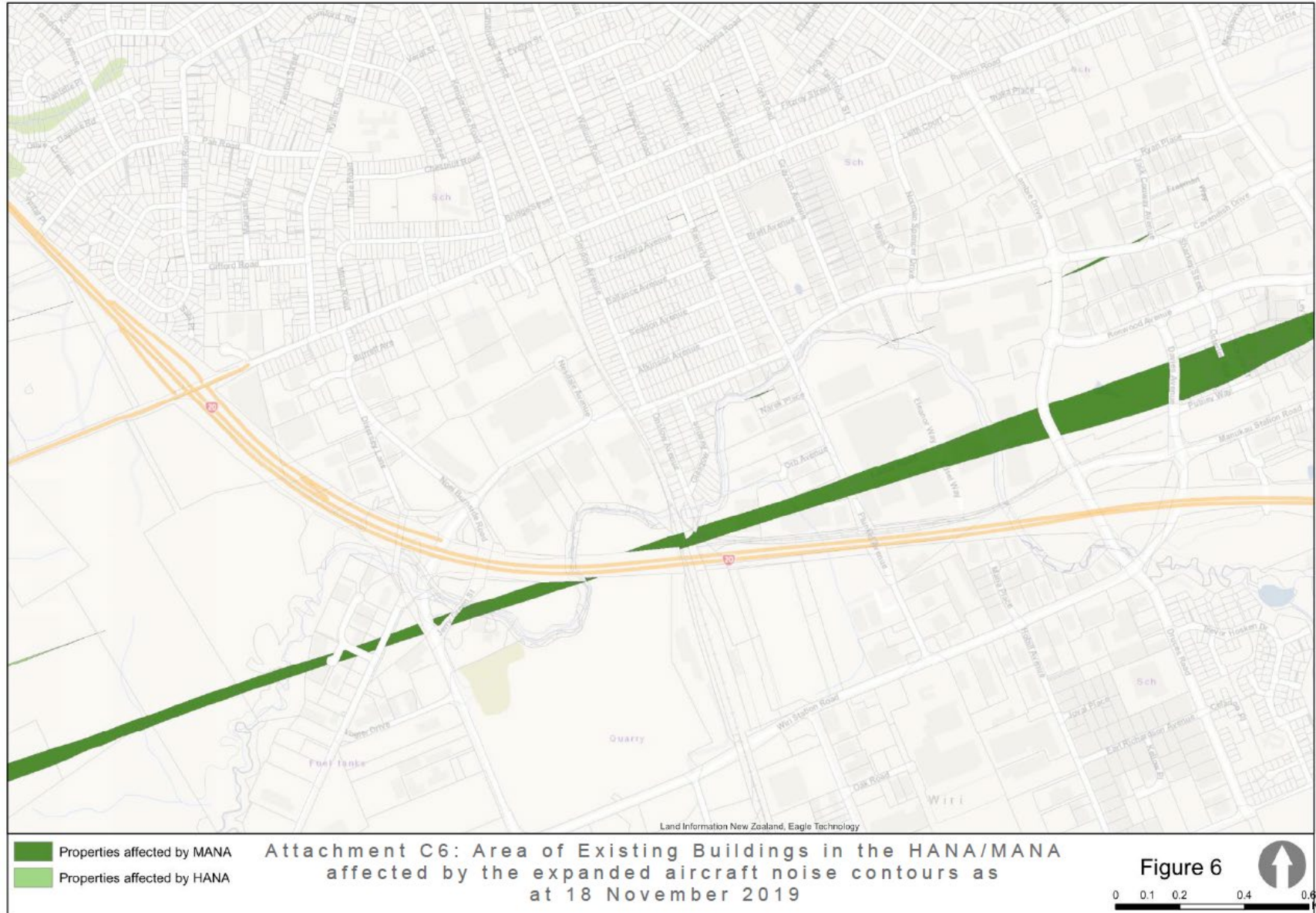


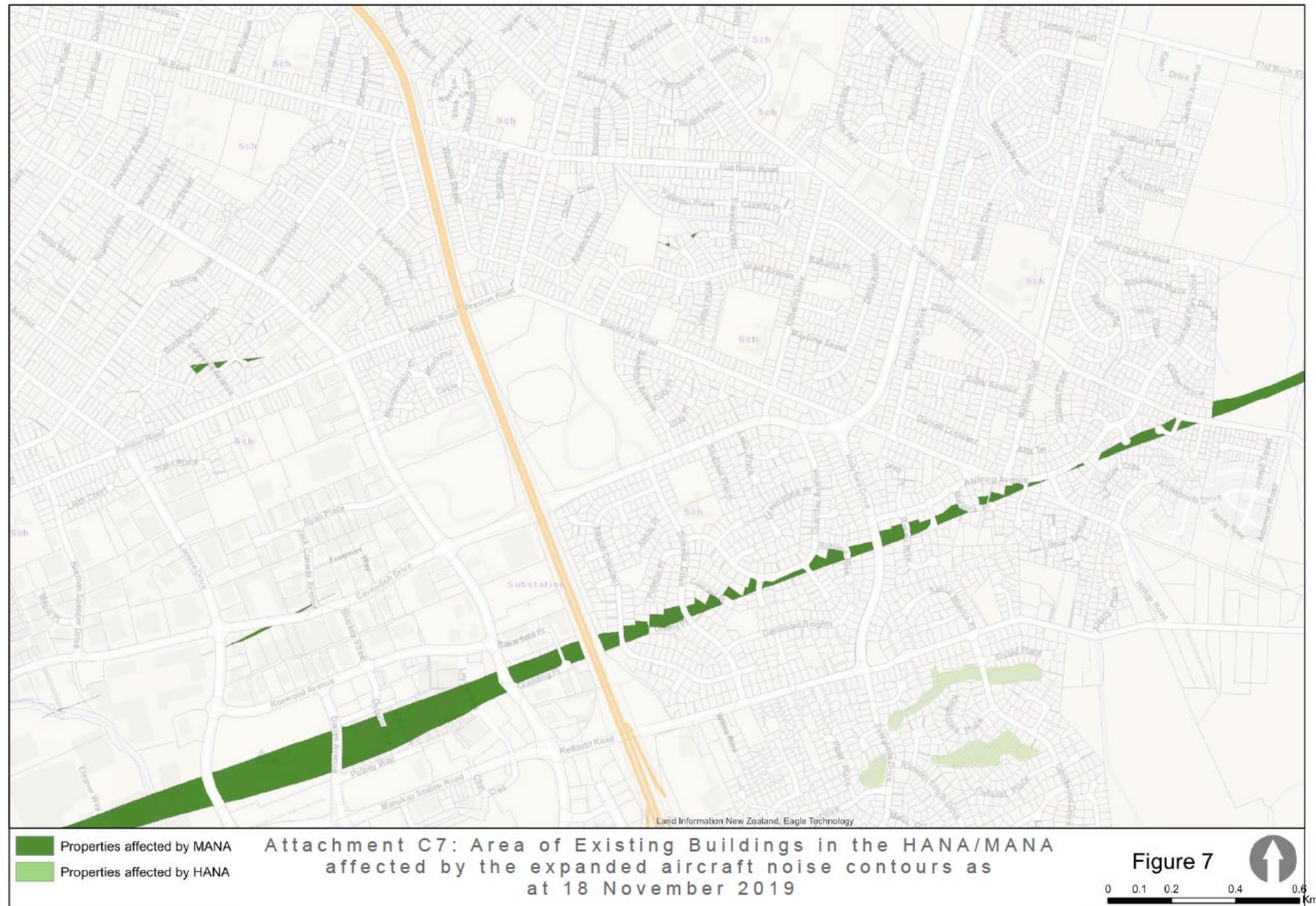














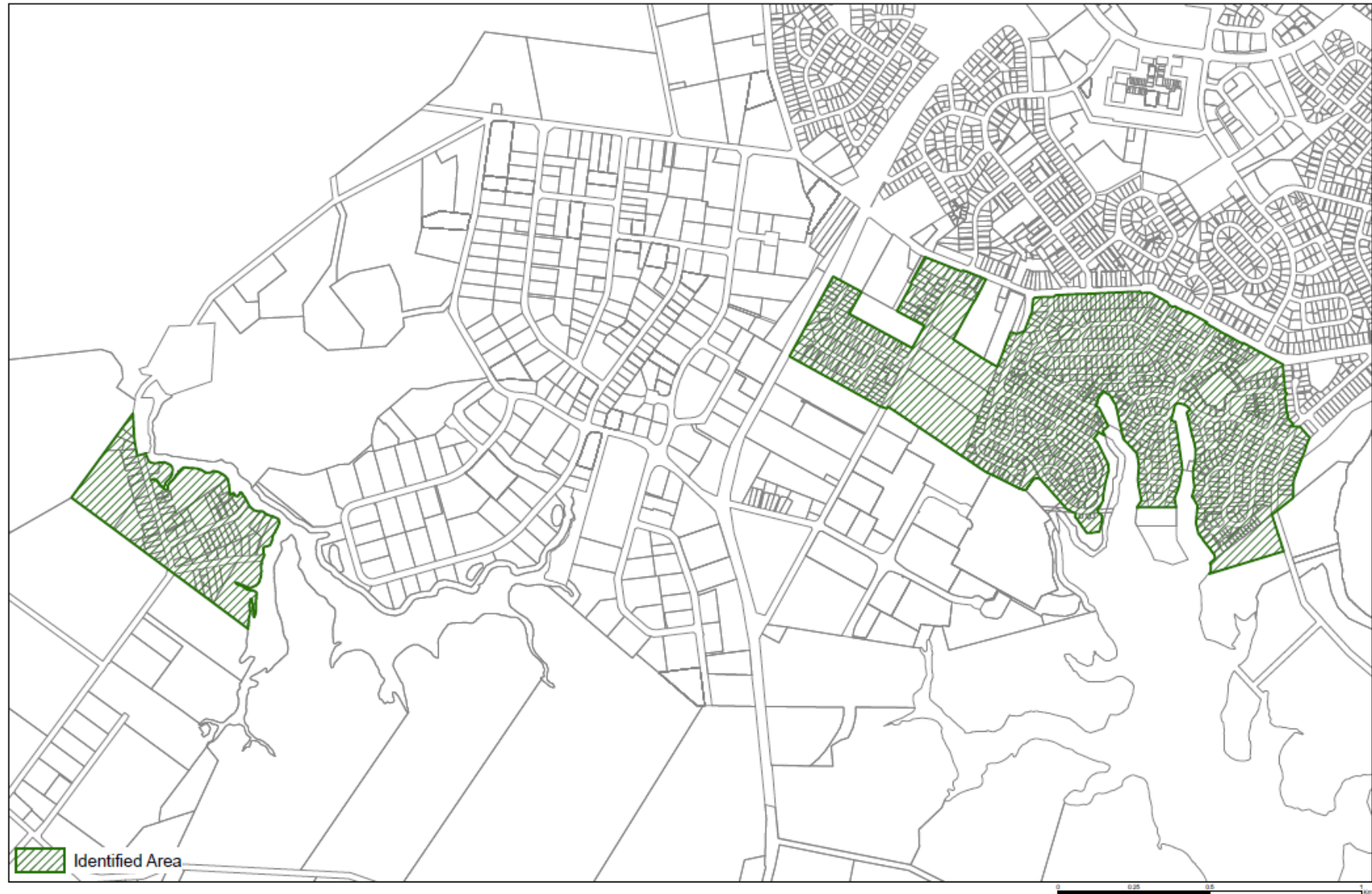


Figure 1: Identified Areas

