

IN THE MATTER OF the Resource Management Act 1991 (the RMA)

AND

IN THE MATTER OF Thirteen Notices of Requirement (NoRs) for the North Project by Te Tupu Ngātahi Supporting Growth Alliance (SGA), a partnership between Auckland Transport (AT) and Waka Kotahi NZ Transport Agency (NZTA)

DIRECTION #1 OF THE HEARING PANEL

1. Pursuant to sections 34 and 34A of the RMA, Auckland Council (the Council) has appointed a Hearing Panel consisting of three independent hearing commissioners – Richard Blakey (Chairperson), Vaughan Smith and Mark Farnsworth. The Hearing Panel’s function is to hear the applications and submissions and make recommendations to the Requiring Authority on its 13 NoRs. It is also to deal with any procedural matters.
2. The North Projects are thirteen individual transport projects in Auckland’s North, located between Albany and Ōrewa, in the growth areas of Dairy Flat, Redvale, Stillwater, Silverdale and Wainui East. Te Tupu Ngātahi Supporting Growth Alliance has lodged a package of thirteen notices of requirement with the Council for route protection of the Projects, which will allow for future construction at a later date. These Projects include a new Rapid Transit Corridor, new rapid transit stations, improvements to State Highway 1, new connections, and upgrades to key existing routes.
3. The 13 NoRs are:

NoR 1 - North: New Rapid Transit Corridor, including a walking and cycling path – Waka Kotahi (NZTA): Notice of requirement lodged by Waka Kotahi (New Zealand Transport Agency) for a designation for a new Rapid Transit Corridor between Albany Bus Station and Milldale, via Dairy Flat, including a cycleway and/or shared path.

NoR 2 - North: New Rapid Transit Station at Milldale – Waka Kotahi (NZTA): Notice of requirement lodged by Waka Kotahi for a designation for a new Rapid Transit Station in Milldale, including transport interchange facilities and active mode facilities.

NoR 3 - North: New Rapid Transit Station at Pine Valley Road – Waka Kotahi (NZTA): Notice of requirement lodged by Waka Kotahi (New Zealand Transport Agency) for a designation for a new rapid transit station at Pine Valley Road, Dairy Flat, including transport interchange facilities, active mode facilities and park and ride facilities

NoR 4 - North: State Highway 1 Improvements – Albany to Ōrewa and Alterations to Existing Designations 6751, 6760, 6759, 6761 – Waka Kotahi (NZTA): Notice of requirement lodged by Waka Kotahi to alter Designations 6751 State Highway 1 - Albany, 6759 State Highway 1 – Silverdale, 6760 State Highway 1 – Redvale to Silverdale, and 6761 State Highway 1 – Silverdale to Puhoi for State Highway 1 improvements from Albany to Ōrewa

NoR 5 - North: New State Highway 1 Crossing at Dairy Stream – Auckland Transport (AT): Notice of requirement lodged by Auckland Transport for a designation for a new urban arterial corridor with active mode facilities and State Highway 1 motorway overbridge in the vicinity of Dairy Stream, between Top Road in Dairy Flat and East Coast Road in Stillwater

NoR 6 - North: New Connection between Milldale and Grand Drive, Ōrewa – Auckland Transport (AT): Notice of requirement lodged by Auckland Transport for a designation for a new urban arterial corridor with active mode facilities between Wainui Road in Milldale and Grand Drive in Upper Ōrewa

NoR 7 - North: Upgrade to Pine Valley Road – Auckland Transport (AT): Notice of requirement lodged by Auckland Transport for a designation for an upgrade to Pine Valley Road in Dairy Flat to an urban arterial corridor with active mode facilities between Argent Lane and the rural-urban boundary

NoR 8 - North: Upgrade to Dairy Flat Highway between Silverdale and Dairy Flat – Auckland Transport (AT): Notice of requirement lodged by Auckland Transport for a designation for an upgrade to Dairy Flat Highway to an urban arterial corridor with active mode facilities between Silverdale Interchange and Durey Road in Dairy Flat.

NoR 9 - North: Upgrade to Dairy Flat Highway between Dairy Flat and Albany – Auckland Transport (AT): Notice of requirement lodged by Auckland Transport for a designation for an upgrade to Dairy Flat Highway between Durey Road in Dairy Flat and Albany village, including active mode facilities and safety improvements

NoR 10 - North: Upgrade to Wainui Road – Auckland Transport (AT): Notice of requirement lodged by Auckland Transport for a designation for an upgrade to Wainui Road to an urban arterial corridor with active mode facilities, between Lysnar Road in Wainui, and the State Highway 1 northbound Wainui Road offramp.

NoR 11 - North: New Connection between Dairy Flat Highway and Wilks Road – Auckland Transport (AT): Notice of requirement lodged by Auckland Transport for a designation for a new urban arterial corridor with active mode facilities between Dairy Flat Highway (at the intersection of Kahikatea Flat Road) and Wilks Road in Dairy Flat.

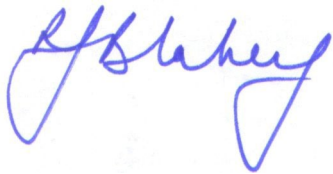
NoR 12 - North: Upgrade and Extension to Bawden Road – Auckland Transport (AT): Notice of requirement lodged by Auckland Transport for a designation for for an upgrade

and extension to Bawden Road to an urban arterial corridor active mode facilities, between Dairy Flat Highway and State Highway 1

NoR 13 - North: Upgrade to East Coast Road between Silverdale and Redvale – Auckland Transport (AT): Notice of requirement lodged by Auckland Transport for a designation for an upgrade to East Coast Road to an urban arterial corridor with active mode facilities, between Hibiscus Coast Highway in Silverdale and the Ō Mahurangi Penlink (Redvale) Interchange.

4. The NoRs have been the subject of notification, and submissions for the NoRs have been received. The hearing is scheduled to commence on **17 June 2024**.
5. The reason for this Direction is to:
 - (a) Establish dates for the provision of reports and/or expert evidence on the thirteen NoRs so that the proceedings can be conducted in an efficient and effective manner and to establish expert conferencing (if required); and
 - (b) Provide a revised set of conditions received from the SGA on 16 February 2024 to ensure submitters are aware of them. These are attached and can be used by the Council officers and submitters in their reporting/evidence.
6. The Hearing Panel has received a memorandum from the Supporting Growth Alliance (**SGA**), the Requiring Authority (see attached), outlining a proposed timetable.
7. The Hearing Panel directs, under sections 41B and 41C of the RMA, the following:
 - (a) The Council officers' section 42A reports are to be provided to the Hearings Advisor no later than **9am, Monday 8 April 2024** and published on the Council's website by **5pm on Thursday 11 April 2024**.
 - (b) The SGA, the Requiring Authority, is to provide their evidence to the Hearings Advisor by **midday on Wednesday, 1 May 2024** for circulation to the Hearing Panel, submitters and the Council officers. The evidence is to be placed on the Council's website by 5pm that same day.
 - (c) Submitters are to provide expert evidence to the Hearings Advisor by **midday on Monday 20 May 2024** for circulation to the Panel, the Requiring Authority and the Council officers. The evidence is to be placed on the Council's website by 5pm that same day.
 - (d) The SGA, the Requiring Authority, is to provide its rebuttal evidence to the Hearings Advisor by **midday on Friday, 7 June 2024** for circulation to the Hearing Panel, the submitters and the Council officers. The evidence is to be placed on the Council's website by 5pm that same day.

- (e) Submitters are requested to provide lay or non-expert statements/evidence to the Hearings Advisor by **midday on Friday, 7 June 2024** for circulation to Hearing Panel, the Requiring Authority and the Council officers. The evidence is to be placed on the Council's website by 5pm that same day.
 - (f) The SGA, the Requiring Authority, is requested to provide its legal submissions to the Hearings Advisor by **midday on Wednesday 12 June 2024** for circulation to the Hearing Panel, the submitters and the Council officers. The submissions are to be placed on the Council's website by 5pm that same day.
8. As noted in the memorandum from the SGA, AT and NZTA will seek directions in relation to expert conferencing in the event that there is a technical issue that is raised through submitter evidence which would benefit from expert conferencing. No directions around expert conferencing are being made at this time.
 9. This Direction is to be circulated to all the parties to the hearing by the Hearings Advisor.
 10. The Panel encourages the Requiring Authority to engage with submitters and with the Council to address issues of contention.
 11. Any correspondence relating to this Direction and related matters should be sent to the Hearings Manager, Ms Julie McKee via julie.mckee@aucklandcouncil.govt.nz.



Richard Blakey (Chairperson)
for the Hearing Panel

20 February 2024

NOTICES OF REQUIREMENT FOR THE NORTH PROJECTS – (NZ Transport Agency Waka Kotahi NoRs 1 – 3)

Abbreviations and definitions

Waka Kotahi proposed abbreviations and definitions		Reasons for change
Yellow <u>underlined</u> and strikethrough – changes presented following s92 response		
Acronym/Term	Definition	
Activity sensitive to noise	Any dwelling, visitor accommodation, boarding house, marae, papakāinga, integrated residential development, retirement village, supported residential care, care centre, lecture theatre in a tertiary education facility, classroom in an education facility and healthcare facility with an overnight stay facility	
ARI	Annual Recurrence Interval	Definition has been relocated to the Flood Hazard condition.
AUP	Auckland Unitary Plan	
BPO or Best Practicable Option	Has the same meaning as in section 2 of the RMA 1991	
CEMP	Construction Environmental Management Plan	
Certification <u>of material changes to management plans</u>	Confirmation from the Manager that a material change to a plan or CNVMP Schedule has been prepared in accordance with the condition to which it relates. A material change to a management plan shall be deemed certified: (a) where the Requiring Authority has received written confirmation from Council that the material change to the management plan is certified; or (b) ten working days from the submission of the material change to the management plan where no written confirmation of certification has been received. (c) five working days from the submission of the material change to a CNVMP Schedule where no written confirmation of certification has been received.	Administrative correction – Process required for material changes to a CNVMP Schedule is set out in Condition 22
CNVMP	Construction Noise and Vibration Management Plan	
CNVMP Schedule or Schedule	A schedule to the CNVMP	
Completion of Construction	When construction of the Project (or part of the Project) is complete and it is available for use	
Confirmed Biodiversity Areas	Areas recorded in the Identified Biodiversity Area Schedule where the ecological values and effects have been confirmed through the ecological survey under Condition 24	
Construction Works	Activities undertaken to construct the Project excluding Enabling Works	
Council	Auckland Council	
CTMP	Construction Traffic Management Plan	
EMP	Ecological Management Plan	
EIANZ Guidelines	Ecological Impact Assessment: EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems, second edition, dated May 2018	
Enabling works	Includes, but is not limited to, the following and similar activities: (a) geotechnical investigations (including trial embankments); (b) archaeological site investigations; (c) formation of access for geotechnical investigations; (d) establishment of site yards, site entrances and fencing; (e) constructing and sealing site access roads; (f) demolition or removal of buildings and structures; (g) relocation of services; and (h) establishment of mitigation measures (such as erosion and sediment control measures, temporary noise walls, earth bunds and planting).	
HHMP	Historic Heritage Management Plan	
HNZPT	Heritage New Zealand Pouhere Taonga	
HNZPTA	Heritage New Zealand Pouhere Taonga Act 2014	
Identified Biodiversity Area	Means an area or areas of features of ecological value where the Project ecologist has identified that the project will potentially have a moderate or greater level of ecological effect, prior to implementation of impact management measures, as determined in accordance with the EIANZ guidelines	
Manager	The Manager – Resource Consents of the Auckland Council, or authorised delegate	
Mana Whenua	Mana Whenua as referred to in the conditions are considered to be the following (in no particular order), who at the time of Notice of Requirement expressed a desire to be involved in the Project: (a) Ngāti Manuhiri (b) Te Kawerau ā Maki	

	<p>(c) Te Ākitai Waiohūa (d) Ngāti Whanaunga (e) Te Runanga o Ngāti Whātua (f) Ngāti Maru (g) Te Patu Kirikiri (h) Ngāti Whātua o Kaipara (i) Ngāti Tamaterā (j) Ngai Tai ki Tāmaki (k) Ngāti Paoa Iwi Trust (l) Ngāti Paoa Trust Board.</p> <p>Note: other iwi not identified above may have an interest in the Project and should be consulted</p>	
Network Utility Operator	Has the same meaning as set out in section 166 of the RMA	
NIMP	Network Integration Management Plan	
NOR	Notice of Requirement	
North growth area	Land for future urban development in the North of Auckland, including Future Urban zoned areas in Upper Ōrewa Wainui East, Silverdale West, Redvale and Dairy Flat	
NUMP	Network Utilities Management Plan	
NZAA	New Zealand Archaeological Association	
Outline Plan	An outline plan prepared in accordance with section 176A of the RMA	
Project Liaison Person	The person or persons appointed for the duration of the Project's Construction Works to be the main point of contact for persons wanting information about the Project or affected by the Construction Works	
Protected Premises and Facilities (PPF)	Protected Premises and Facilities as defined in New Zealand Standard NZS 6806:2010: Acoustics – Road-traffic noise – New and altered roads	
Requiring Authority	Has the same meaning as section 166 of the RMA and, for this Designation is NZ Transport Agency	
RMA	Resource Management Act (1991)	
SCEMP	Stakeholder Communication and Engagement Management Plan	
Stakeholder	<p><u>Stakeholders to be identified in accordance with Condition 3, which may include as appropriate:</u></p> <p>(a) <u>adjacent owners and occupiers;</u> (b) <u>adjacent business owners and operators;</u> (c) <u>central and local government bodies;</u> (d) <u>community groups;</u> (e) <u>developers;</u> (f) <u>development agencies;</u> (g) <u>educational facilities; and</u> (h) <u>network utility operators.</u></p>	New definition is a consequential amendment to the addition of Condition 3 – Stakeholder Communication and Engagement. The inclusion of the definition of 'Stakeholder' provides an indication of the categories that will likely be included as part of the definition and is an inclusive list.
Stage of Work	Any physical works that require the development of an Outline Plan	
Start of Construction	The time when Construction Works (excluding Enabling Works) start	
Suitably Qualified Person	A person (or persons) who can provide sufficient evidence to demonstrate their suitability, experience and competence in the relevant field of expertise.	
ULDMP	Urban and Landscape Design Management Plan	

Waka Kotahi proposed conditions			Reasons for change
Yellow <u>underlined</u> and strikethrough – changes presented following s92 response			
NoR No.	No.	Condition	
General conditions			
All	1.	<p>Activity in General Accordance with Plans and Information</p> <p>(a) Except as provided for in the conditions below, and subject to final design and Outline Plan(s), works within the designation shall be undertaken in general accordance with the Project description and concept plan in Schedule 1</p> <p>(b) Where there is inconsistency between:</p> <p>(i) the Project description and concept plan in Schedule 1 and the requirements of the following conditions, the conditions shall prevail;</p> <p>(ii) the Project description and concept plan in schedule 1, and the management plans under the conditions of the designation, the requirements of the management plans shall prevail.</p>	
All	2.	<p>Project Information</p> <p>(a) A project website, or equivalent virtual information source, shall be established within 12 months of the date on which as soon as reasonably practicable, and within 6 months of the inclusion of this designation is included in the AUP.</p> <p>(b) [relocated clause] All directly affected owners and occupiers shall be notified in writing <u>as soon as reasonably practicable</u> once the website or equivalent information source has been established. The project website or virtual information source shall include these conditions and shall provide information on:</p> <p>(i) the status of the Project;</p> <p>(ii) anticipated construction timeframes;</p> <p>(iii) contact details for enquiries;</p> <p>(iv) the implications of the designation for landowners, occupiers and business owners and operators within the designation and information on how/where they can receive additional <u>advice support following confirmation of the designation;</u></p> <p>(v) a subscription service to enable receipt of project updates by email;</p> <p>(vi) the types of activities that can be undertaken by landowners without the need for written consent to be obtained under s176(1)(b) of the RMA; and</p> <p><u>(vii) when and how to apply for consent for works in the designation under s176(1)(b) of the RMA.; and</u></p> <p><u>(viii) how/where to access noise modelling contours to inform development adjacent to the designation.</u></p> <p>(c) At the start of detailed design for a Stage of Work, the project website or virtual information source shall be updated to provide information on the likely date for Start of Construction, and any staging of works.</p>	<p>Clause (a) has been amended to establish the project website, or equivalent virtual information source as soon as reasonably practicable and within six months of the inclusion of the designation in the AUP. The amendment of the timeframe to establish the project website is based on experience with other projects within Te Tupu Ngātahi, such as the Drury Arterial Network projects.</p> <p>Minor amendment to (b)(iv).</p> <p>Addition of clause (b)(viii) to make traffic noise modelling contours more accessible to inform any future development on sites adjacent to the projects.</p>
All	3.	<p>Stakeholder Communication and Engagement</p> <p>(a) <u>At least 6 months prior to the start of detailed design for a Stage of Work, the Requiring Authority shall identify:</u></p> <p>(i) <u>a list of Stakeholders;</u></p> <p>(ii) <u>a list of properties within the designation which the Requiring Authority does not own or have occupation rights to;</u> <u>and</u></p> <p>(iii) <u>methods to engage with Stakeholders and the owners and occupiers of properties identified in (a)(i) – (ii) above.</u></p> <p>(b) <u>A record of (a) shall be submitted with an Outline Plan for the relevant Stage of Work.</u></p>	<p>New Stakeholder Communication and Engagement condition proposed. This condition requires the identification of 'Stakeholders' (defined term - refer above) and the properties that are directly affected 6 months prior to the start of detailed design. This timeframe is in line with the preparation of the ULDMP and will occur in advance of the preparation of other management plans.</p> <p>Clause (b) of the condition requires that a record of the identification of 'Stakeholders' and directly affected properties and the methods for engaging with them is provided to Council with the Outline Plan so that Council have oversight of this process</p>
All	4.	<p>Designation Review</p> <p>(a) The Requiring Authority shall within 6 months of Completion of Construction or as soon as otherwise practicable:</p> <p>(i) review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the Project; and</p> <p>(ii) give notice to Auckland Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above.</p>	
All	5.	<p>Lapse</p> <p>(a) In accordance with section 184(1)(c) of the RMA, this designation shall lapse if not given effect to within 30 years from the date on which it is included in the AUP.</p>	
All	6.	<p>Network Utility Operators (Section 176 Approval)</p> <p>(a) Prior to the start of Construction Works, Network Utility Operators with existing infrastructure located within the designation will not require written consent under section 176 of the RMA for the following activities:</p> <p>(i) operation, maintenance and urgent repair works;</p> <p>(ii) minor renewal works to existing network utilities necessary for the on-going provision or security of supply of network utility operations;</p> <p>(iii) minor works such as new service connections; and</p> <p>(iv) the upgrade and replacement of existing network utilities in the same location with the same or similar effects as the existing utility.</p> <p>(b) To the extent that a record of written approval is required for the activities listed above, this condition shall constitute written approval.</p>	<p>Proposed deletion of 'urgent' – raised through discussions with network utility operators who indicated that it is likely that most repair works are likely to be non-urgent and the deletion of this word is consistent with the drafting of the other clauses.</p>

Waka Kotahi proposed conditions			Reasons for change
Yellow <u>underlined</u> and strikethrough – changes presented following s92 response			
NoR No.	No.	Condition	
Pre-construction conditions			
All	7.	<p>Outline Plan</p> <p>(a) An Outline Plan (or Plans) shall be prepared in accordance with section 176A of the RMA.</p> <p>(b) Outline Plans (or Plan) may be submitted in parts or in stages to address particular activities (e.g. design or construction aspects), or a Stage of Work of the Project.</p> <p>(c) Outline Plans shall include any management plan or plans that are relevant to the management of effects of those activities or Stage of Work, which may include:</p> <ul style="list-style-type: none"> (i) Construction Environmental Management Plan (CEMP); (ii) Construction Traffic Management Plan (CTMP); (iii) Construction Noise and Vibration Management Plan (CNVMP); (iv) Urban and Landscape Design Management Plan (ULDMP); (v) Historic Heritage and Archaeology Management Plan (HHMP); (vi) Ecological Management Plan (EMP); (vii) Tree Management Plan; and (viii) Network Utilities Management Plan (NUMP); and (ix) Network Integration Management Plan (NIMP). 	Administrative correction.
All	8.	<p>Management Plans</p> <p>(a) Any management plan shall:</p> <ul style="list-style-type: none"> (i) be prepared and implemented in accordance with the relevant management plan condition; (ii) be prepared by a Suitably Qualified Person(s); (iii) include sufficient detail relating to the management of effects associated with the relevant activities and/or Stage of Work to which it relates; (iv) summarise comments received from Mana Whenua and other stakeholders as required by the relevant management plan condition, along with a summary of where comments have: <ul style="list-style-type: none"> A. been incorporated; and B. where not incorporated, the reasons why. (v) be submitted as part of an Outline Plan pursuant to s176A of the RMA, with the exception of SCEMPs and CNVMP Schedules; (vi) Once finalised, uploaded to the Project website or equivalent virtual information source. <p>(b) Any management plan developed in accordance with Condition 8 may:</p> <ul style="list-style-type: none"> (i) be submitted in parts or in stages to address particular activities (e.g. design or construction aspects) a Stage of Work of the Project, or to address specific activities authorised by the designation; (ii) except for material changes, be amended to reflect any changes in design, construction methods or management of effects without further process; <p>(c) [relocated clause] If there is a material change required to a management plan which has been submitted with an Outline Plan, the revised part of the plan shall be submitted to the Council as an update to the Outline Plan or for Certification as soon as practicable following identification of the need for a revision;</p> <p>(d) Any material changes to the SCEMP(s) are to be submitted to the Council for information.</p>	Administrative correction to delete 'other' – Mana Whenua are partners with Waka Kotahi.
All	9.	<p>[Relocated] Stakeholder Communication and Engagement Management Plan (SCEMP)</p> <p>(a) A SCEMP shall be prepared <u>in consultation with sStakeholders</u> prior to the Start of Construction</p> <p>(b) The objective of the SCEMP is to identify how the public and sStakeholders (including directly affected and adjacent owners and occupiers of land) will be engaged with throughout the Construction Works. To achieve the objective, the SCEMP shall include:</p> <ul style="list-style-type: none"> (i) <u>a list of Stakeholders;</u> (ii) <u>a list of properties within the designation which the Requiring Authority does not own or have occupation rights to;</u> (iii) <u>methods to engage with Stakeholders and the owners of properties identified in (b)(ii) above;</u> (iv) the contact details for the Project Liaison Person. These details shall be on the Project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s); (v) the procedures for ensuring that there is a contact person available for the duration of Construction Works, for public enquiries or complaints about the Construction Works; (vi) a list of stakeholders, organisations (such as community facilities) and businesses who will be engaged with; (vii) identification of the properties whose owners will be engaged with; (viii) methods for engaging with Mana Whenua, to be developed in consultation with Mana Whenua; (ix) methods and timing to engage with landowners whose access is directly affected; (x) methods to communicate key project milestones and the proposed hours of construction activities including outside of normal working hours and on weekends and public holidays, to the parties identified in (b)(i) <u>and (iii)</u> above; and (xi) linkages and cross-references to communication and engagement methods set out in other conditions and management plans where relevant. <p>(c) Any SCEMP prepared for a Stage of Work shall be submitted to Council for information ten working days prior to the Start of Construction for a Stage of Work.</p>	<p>Deletion in clauses (a) and (b) as the process for identifying 'Stakeholders' will be undertaken as part of the new Condition 3 and will occur closer to the start of construction and the record of this will be provided as part of the Outline Plan.</p> <p>The split of the process of identifying 'Stakeholder' from the management plan itself has been proposed as the SCEMP will continue to apply and be updated beyond the Outline Plan.</p>

Waka Kotahi proposed conditions			Reasons for change
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NoR No.	No.	Condition	
All	10.	<p><u>Network Utilities Integration</u></p> <p>(a) <u>The Requiring Authority shall consult with Network Utility Operators during the detailed design phase to consider opportunities to enable, or not preclude, the development of new network utility facilities including access to power and ducting within the Project, where practicable to do so. The consultation undertaken, opportunities considered, and whether or not they have been incorporated into the detailed design, shall be summarised in the Outline Plan(s) prepared for the Project</u></p>	New condition proposed in response to submission from Telecommunications Group regarding involvement during detailed design.
All	11.	<p>Cultural Advisory Report</p> <p>(a) At least six (6) months prior to the start of detailed design for a Stage of Work, Mana Whenua shall be invited to prepare a Cultural Advisory Report for the Project.</p> <p>(b) The objective of the Cultural Advisory Report is to assist in understanding and identifying Ngā Taonga Tuku Iho ('treasures handed down by our ancestors') affected by the Project, to inform their management and protection. To achieve the objective, the Requiring Authority shall invite Mana Whenua to prepare a Cultural Advisory Report that:</p> <p>(i) identifies the cultural sites, landscapes and values that have the potential to be affected by the construction and operation of the Project;</p> <p>(ii) sets out the desired outcomes for management of potential effects on cultural sites, landscapes and values;</p> <p>(iii) identifies traditional cultural practices within the area that may be impacted by the Project;</p> <p>(iv) identifies opportunities for restoration and enhancement of identified cultural sites, landscapes and values within the Project area;</p> <p>(v) taking into account the outcomes of (i) to (iv) above, identify cultural matters and principles that should be considered in the development of the Urban and Landscape Design Management Plan (Condition 12) and Historic Heritage Management Plan (Condition 23), and the Cultural Monitoring Plan referred to in Condition 17</p> <p>(vi) identifies and (if possible) nominates traditional names along the Project alignment. Noting there may be formal statutory processes outside the project required in any decision-making.</p> <p>(c) The desired outcomes for management of potential effects on cultural sites, landscapes and values identified in the Cultural Advisory Report shall be discussed with Mana Whenua and those outcomes reflected in the relevant management plans where practicable;</p> <p>(d) Conditions 11(b) and (c) will cease to apply if:</p> <p>(i) Mana Whenua have been invited to prepare a Cultural Advisory Report by a date at least 6 months prior to start of Construction Works; and</p> <p>(ii) Mana Whenua have not provided a Cultural Advisory Report within six months prior to start of Construction Works.</p>	

Waka Kotahi proposed conditions			Reasons for change
Yellow <u>underlined</u> and strikethrough – changes presented following s92 response			
NoR No.	No.	Condition	
All	12.	<p>Urban and Landscape Design Management Plan (ULDMP)</p> <p>(a) A ULDMP shall be prepared prior to the Start of Construction for a Stage of Work.</p> <p>(b) [relocated] The objective of the ULDMP(s) is to:</p> <p>(i) enable integration of the Project's permanent works into the surrounding landscape and urban context; and</p> <p>(ii) ensure that the Project manages potential adverse landscape and visual effects as far as practicable and contributes to a quality urban environment.</p> <p>(c) [relocated] To achieve the objective, the ULDMP(s) shall provide details of how the project:</p> <p>(i) is designed to integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (i.e. centres and density of built form), natural environment, landscape character and open space zones;</p> <p>(ii) provides appropriate walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses, public transport infrastructure and walking and cycling connections;</p> <p>(iii) promotes inclusive access (where appropriate); and</p> <p>(iv) promotes a sense of personal safety by aligning with best practice guidelines, such as:</p> <p>A. Crime Prevention Through Environmental Design (CPTED) principles;</p> <p>B. Safety in Design (SID) requirements; and</p> <p>C. Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures.</p> <p>(d) [relocated] Mana Whenua shall be invited to participate in the development of the ULDMP(s) to provide input into relevant cultural landscape and design matters including how desired outcomes for management of potential effects on cultural sites, landscapes and values identified and discussed in accordance with Condition 11 may be reflected in the ULDMP.</p> <p><u>(e) Key stakeholders shall be invited to participate in the development of the ULDMP at least six (6) months prior to the start of detailed design for a Stage of Work.</u></p> <p>(f) The ULDMP shall be prepared in general accordance with:</p> <p>(i) Waka Kotahi Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version;</p> <p>(ii) Waka Kotahi Landscape Guidelines (2013) or any subsequent updated version; and</p> <p>(iii) Waka Kotahi P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version.</p> <p>(g) The ULDMP(s) shall include:</p> <p>(i) a concept plan – which depicts the overall landscape and urban design concept, and explain the rationale for the landscape and urban design proposals;</p> <p>(ii) developed design concepts, including principles for walking and cycling facilities and public transport; and</p> <p>(iii) landscape and urban design details – that cover the following:</p> <p>A. road design – elements such as intersection form, carriageway gradient and associated earthworks contouring including cut and fill batters and the interface with adjacent land uses and existing roads (including slip lanes), benching, spoil disposal sites, median width and treatment, roadside width and treatment;</p> <p>B. roadside elements – such as lighting, fencing, wayfinding and signage;</p> <p>C. architectural and landscape treatment of all major structures, including bridges and retaining walls;</p> <p>D. architectural and landscape treatment of noise barriers;</p> <p>E. landscape treatment of permanent stormwater control wetlands and swales;</p> <p>F. integration of passenger transport;</p> <p>G. pedestrian and cycle facilities including paths, road crossings and dedicated pedestrian/ cycle bridges or underpasses;</p> <p>H. historic heritage places with reference to the HHMP (Condition 23); and</p> <p><u>I. re-instatement of construction and site compound areas, driveways, accessways and fences.; and</u></p> <p><u>J. re-instatement of features to be retained such as:</u></p> <p><u>a. boundary features;</u></p> <p><u>b. driveways;</u></p> <p><u>c. accessways; and</u></p> <p><u>d. fences.</u></p>	<p>Amendment to invite key stakeholders to participate in the development of the ULDMP six months prior to the start of detailed design. The ULDMP will also be required to summarise comments from stakeholders with a summary of where comments have been incorporated and, where not incorporated, the reasons why.</p> <p>Addition of clause (g)(iii)J - Reinstatement of site features separated from reinstatement of construction and site compound areas (administrative, no change to wording).</p>
NoRs 2 and 3	12.	K. Any design measures which assist to manage potential for noise nuisance from station operation to residential neighbours;	
All	12.	<p>(iv) The ULDMP shall also include the following planting details and maintenance requirements:</p> <p>A. planting design details including:</p> <p>a. identification of existing trees and vegetation that will be retained with reference to the Tree Management Plan. Where practicable, mature trees and native vegetation should be retained;</p> <p>b. street trees, shrubs and ground cover suitable for berms the location;</p> <p>c. treatment of fill slopes to integrate with adjacent land use, streams, Riparian margins and open space zones;</p> <p>d. planting of stormwater wetlands;</p>	Deletion of “berms” in (g)(iv)(A)(b) as it should just refer to “the location”.

Waka Kotahi proposed conditions			Reasons for change
Yellow <u>underlined</u> and strikethrough – changes presented following s92 response			
NoR No.	No.	Condition	
		<ul style="list-style-type: none"> e. identification of vegetation to be retained and any planting requirements under the Ecological Management Plan (Conditions 25) and Tree Management Plan (Condition 26); f. integration of any planting requirements required by conditions of any resource consents for the project; and g. re-instatement planting of construction and site compound areas as appropriate. B. a planting programme including the staging of planting in relation to the construction programme which shall, as far as practicable, include provision for planting within each planting season following completion of works in each Stage of Work; and C. detailed specifications relating to the following: <ul style="list-style-type: none"> h. weed control and clearance; i. pest animal management (to support plant establishment); j. ground preparation (top soiling and decompaction); k. mulching; and l. plant sourcing and planting, including hydroseeding and grassing, and use of eco-sourced species. 	
NoR 1		<p>Advice note: This designation is for the purpose of construction, operation and maintenance of an arterial transport corridor and it is not for the specific purpose of “road widening”. Therefore, it is not intended that the front yard definition in the Auckland Unitary Plan which applies a set back from a designation for road widening purposes applies to this designation. A set back is not required to manage effects between the designation boundary and any proposed adjacent sites or lots.</p>	Deletion of advice note for clarity, due to different interpretations of the term “road widening”
Specific Outline Plan requirements			
All		<p>Flood Hazard [Changes in Orange were made in the s92 response dated 25 January 2024] For the purpose of Condition 13:</p> <ul style="list-style-type: none"> (a) ARI – means Average Recurrence Interval; (b) AEP – means Annual Exceedance Probability; (c) Existing authorised habitable floor – means the floor level of any room (floor) in a residential building which is authorised by building consent and exists at the time the outline plan is submitted, excluding a laundry, bathroom, toilet or any room used solely as an entrance hall, passageway or garage; (d) Flood prone area – means a potential ponding areas that <u>may flood and commonly comprise of topographical depression areas. The areas can occur naturally or as a result of constructed features relies on a single culvert for drainage and does not have an overland flow path;</u> (e) Maximum Probable Development – is the design case for consideration of future flows allowing for development within a catchment that takes into account the maximum impervious surface limits of the current zone or if the land is zoned Future Urban in the AUP, the probable level of development arising from zone changes; (f) Pre-Project development – means existing site condition prior to the Project (including existing buildings and roadways); and (g) Post-Project development – means site condition after the Project has been completed (including existing and new buildings and roadways). 	<p>The change to (c) makes the scope of the condition wider by allowing the condition to apply to buildings that were authorised before the Building Act came into effect.</p> <p>Proposed amendment to the definition of 'flood prone area' provides some additional clarification and will be consistent with the Auckland Council GIS definition</p>

Waka Kotahi proposed conditions			Reasons for change
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All	13.	<p>Flood Hazard [Changes in Orange were made in the s92 response dated 25 January 2024]</p> <p>(a) The Project shall be designed to achieve the following flood risk outcomes:</p> <p>(i) no increase in flood levels in a 1% AEP event for existing authorised habitable floors that are already subject to flooding or have a freeboard less than 150mm<u>500mm</u>;</p> <p>(ii) no more than a 10% reduction in freeboard in a 1% AEP event for existing authorised habitable floors with a freeboard over 150mm;</p> <p>(iii) no increase in 1% AEP flood levels for existing authorised community, commercial, and industrial <u>and network utility</u> building floors that are already subject to flooding <u>or have a freeboard of less than 300mm</u>;</p> <p>(iv) no more than a 10% reduction in freeboard in a 1% AEP event for existing authorised community, commercial and industrial building floors;</p> <p>(v) no increase of more than 50mm in flood level in a 1% AEP event on land zoned for urban or future urban development where there is no existing dwelling; maximum of 50mm increase in water level in a 1% AEP event outside and adjacent to the designation boundaries between the pre and post Project scenarios;</p> <p>(vi) no new flood prone areas; and</p> <p>(vii) no more than a 10% average increase of flood hazard (defined as flow depth times velocity) for main access to authorised habitable dwellings existing at time the Outline Plan is submitted. The assessment shall be undertaken for the 1% AEP rainfall event. No increase of flood hazard for the main vehicle access to authorised habitable dwellings existing at time the Outline Plan is submitted. The assessment shall be undertaken for the 1% AEP rainfall event. Where Flood Hazard is:</p> <p>A. <u>velocity x depth >=0.6; or</u> B. <u>depth > 0.5m; or</u> C. <u>velocity > 2m/s.</u></p> <p>(b) Compliance with this condition shall be demonstrated in the Outline Plan, which shall include flood modelling of the pre-Project and post-Project 40% and 1% AEP flood levels (for Maximum Probable Development land use and including climate change).</p> <p>(c) Where the above outcomes can be achieved through alternative measures outside of the designation such as flood stop banks, flood walls, raising existing authorised habitable floor level and new overland flow paths or varied through agreement with the relevant landowner, the Outline Plan shall include confirmation that any necessary landowner and statutory approvals have been obtained for that work or alternative outcome.</p>	<p>Amendment to clause (a)(i) to require that the freeboard is maintained to be a minimum of 500mm. This change aligns with the Auckland Council Code of Practice. Changing to 500mm has a minor increase in number of floors within this condition but also covers future habitable floors constructed prior to the Projects being designed.</p> <p>Deletion of (a)(ii) as a percentage freeboard reduction is not needed if a freeboard of 500mm is utilised in (a)(i)</p> <p>Addition to (a)(iii) as increasing the freeboard to 300mm for these types of buildings aligns with freeboard standards in the Auckland Council Stormwater Code of Practice.</p> <p>Deletion of (a)(iv) as a percentage freeboard reduction is not needed if a freeboard of 300mm is utilised in (a)(iii) and is aligned with the Auckland Council Code of Practice.</p> <p>Amendments made to (v) to clarify that the flood effects will be limited to be within a very short distance upstream and downstream of the designation boundary before returning to pre-Project flood levels.</p> <p>Amendments to (vii) to reflect the change from category H2 to H3 in the Australian Institute of Disaster Resilience 2017, Handbook 7, Managing the Floodplain. Using categories of protection, allows some changes to depth or velocity within category 2 while providing appropriate protection.</p> <p>Further amendment to (vii) to remove 'vehicle' as the Australian Institute of Disaster Resilience 2017, Handbook 7, Managing the Floodplain categories apply to both pedestrians and vehicles.</p> <p>Amendment to (b) to be consistent with the event identified in clause (a) of the condition.</p>
All	14.	<p>Existing property access</p> <p>(a) Prior to submission of the Outline Plan, consultation shall be undertaken with landowners and occupiers whose vehicle access to their property will be altered by the project. The Outline Plan shall demonstrate how safe reconfigured or alternate access will be provided, unless otherwise agreed with the landowner.</p>	
Construction conditions			
All	15.	<p>Construction Environmental Management Plan (CEMP)</p> <p>(a) A CEMP shall be prepared prior to the Start of Construction for a Stage of Work.</p> <p>(b) [relocated clause] The objective of the CEMP is to set out the management procedures and construction methods to be undertaken to avoid, remedy or mitigate any adverse effects associated with Construction Works as far as practicable. To achieve the objective, the CEMP shall include:</p> <p>(i) the roles and responsibilities of staff and contractors;</p> <p>(ii) details of the site or project manager and the Project Liaison Person, including their contact details (phone and email address);</p> <p>(iii) the Construction Works programmes and the staging approach, and the proposed hours of work;</p> <p>(iv) details of the proposed construction yards including temporary screening when adjacent to residential areas</p> <p>(v) details of the proposed locations of refuelling activities and construction lighting;</p> <p>(vi) methods for controlling dust and the removal of debris and demolition of construction materials from public roads or places;</p> <p>(vii) methods for providing for the health and safety of the general public;</p> <p>(viii) measures to mitigate flood hazard effects such as siting stockpiles out of floodplains, minimising obstruction to flood flows, actions to respond to warnings of heavy rain;</p> <p>(ix) procedures for incident management;</p> <p>(x) <u>location and</u> procedures for the refuelling and maintenance of plant and equipment to avoid discharges of fuels or lubricants to watercourses;</p> <p>(xi) measures to address the storage of fuels, lubricants, hazardous and/or dangerous materials, along with contingency procedures to address emergency spill response(s) and clean up;</p> <p>(xii) procedures for responding to complaints about Construction Works; and</p> <p>(xiii) methods for amending and updating the CEMP as required.</p>	<p>Administrative amendment proposed to separate out locations of refuelling activities from clause (v) to clause (x)</p>

Waka Kotahi proposed conditions			Reasons for change
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All	16.	<p>Complaints Register</p> <p>(a) At all times during Construction Works, a record of any complaints received about the Construction Works shall be maintained. The record shall include:</p> <ul style="list-style-type: none"> (i) the date, time and nature of the complaint; (ii) the name, phone number and address of the complainant (unless the complainant wishes to remain anonymous); (iii) measures taken to respond to the complaint (including a record of the response provided to the complainant) or confirmation of no action if deemed appropriate; (iv) the outcome of the investigation into the complaint; and (v) any other activities in the area, unrelated to the Project that may have contributed to the complaint, such as non-project construction, fires, traffic accidents or unusually dusty conditions generally. <p>(b) A copy of the Complaints Register required by this condition shall be made available to the Manager upon request as soon as practicable after the request is made.</p>	
All	17.	<p>Cultural Monitoring Plan</p> <p>(a) Prior to the start of Construction Works, a Cultural Monitoring Plan shall be prepared by a Suitably Qualified Person(s) identified in collaboration with Mana Whenua.</p> <p>(b) clause The objective of the Cultural Monitoring Plan is to identify methods for undertaking cultural monitoring to assist with management of any cultural effects during Construction works. <u>To achieve the objective, the</u> Cultural Monitoring Plan shall include:</p> <ul style="list-style-type: none"> (i) Requirements for formal dedication or cultural interpretation to be undertaken prior to start of Construction Works in areas identified as having significance to Mana Whenua; (ii) Requirements and protocols for cultural inductions for contractors and subcontractors; (iii) Identification of activities, sites and areas where cultural monitoring is required during particular Construction Works; (iv) Identification of personnel to undertake cultural monitoring, including any geographic definition of their responsibilities; and (v) Details of personnel to assist with management of any cultural effects identified during cultural monitoring, including implementation of the Accidental Discovery Protocol <p>(c) If Enabling Works involving soil disturbance are undertaken prior to the start of Construction Works, an Enabling Works Cultural Monitoring Plan shall be prepared by a Suitably Qualified Person identified in collaboration with Mana Whenua. This plan may be prepared as a standalone Enabling Works Cultural Monitoring Plan or be included in the main Construction Works Cultural Monitoring Plan.</p> <p>Advice note: Where appropriate, the Cultural Monitoring Plan shall align with the requirements of other conditions of the designation and resource consents for the Project which require monitoring during Construction Works.</p>	Minor amendment to (b) for consistency with other conditions (stating how to achieve the objective).
All	18.	<p>Construction Traffic Management Plan (CTMP)</p> <p>(a) A CTMP shall be prepared prior to the Start of Construction for a Stage of Work.</p> <p>(b) The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects. To achieve this objective, the CTMP shall include:</p> <ul style="list-style-type: none"> (i) methods to manage the effects of temporary traffic management activities on traffic; (ii) measures to ensure the safety of all transport users; (iii) the estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic near schools or to manage traffic congestion; (iv) site access routes and access points for heavy vehicles, the size and location of parking areas for plant, construction vehicles and the vehicles of workers and visitors; (v) identification of detour routes and other methods to ensure the safe management and maintenance of traffic flows, including <u>public transport</u>, pedestrians and cyclists; (vi) methods to maintain access to <u>and within</u> property and/or private roads where practicable, or to provide alternative access arrangements when it will not be, <u>including details of how access is managed for loading and unloading of goods</u>; (vii) the management approach to loads on heavy vehicles, including covering loads of fine material, the use of wheel-wash facilities at site exit points and the timely removal of any material deposited or spilled on public roads; (viii) methods that will be undertaken to communicate traffic management measures to affected road users (e.g. residents / public / stakeholders / emergency services); (ix) details of minimum network performance parameters during the construction phase, including any measures to monitor compliance with the performance parameters. These could include maximum increases in journey time and traffic volumes along key routes; and (x) details of any measures proposed to be implemented in the event of thresholds identified in (ix) being exceeded. <p>(c) clause Auditing, monitoring and reporting requirements relating to traffic management activities shall be undertaken in accordance with the New Zealand Guide to Temporary Traffic Management or any subsequent version.</p>	Addition of 'and within' in clause (vi) to provide for all transport modes and circulation within the site. Addition of 'loading and unloading of goods' as a method.

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All	19.	<p>Construction Noise Standards</p> <p>(a) Construction noise shall be measured and assessed in accordance with NZS6803:1999 Acoustics – Construction Noise and shall comply with the noise standards set out in the following table as far as practicable:</p> <p>Table 19.1 Construction Noise Standards</p> <table border="1"> <thead> <tr> <th>Day of week</th> <th>Time period</th> <th>L_{Aeq}(15min)</th> <th>L_{AFmax}</th> </tr> </thead> <tbody> <tr> <td colspan="4">Occupied activity sensitive to noise</td> </tr> <tr> <td rowspan="4">Weekday</td> <td>0630h - 0730h</td> <td>55 dB</td> <td>75 dB</td> </tr> <tr> <td>0730h - 1800h</td> <td>70 dB</td> <td>85 dB</td> </tr> <tr> <td>1800h - 2000h</td> <td>65 dB</td> <td>80 dB</td> </tr> <tr> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td rowspan="4">Saturday</td> <td>0630h - 0730h</td> <td>55 dB</td> <td>75 dB</td> </tr> <tr> <td>0730h - 1800h</td> <td>70 dB</td> <td>85 dB</td> </tr> <tr> <td>1800h - 2000h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td rowspan="4">Sunday and Public Holidays</td> <td>0630h - 0730h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>0730h - 1800h</td> <td>55 dB</td> <td>85 dB</td> </tr> <tr> <td>1800h - 2000h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td colspan="4">Other occupied buildings</td> </tr> <tr> <td rowspan="2">All</td> <td>0730h – 1800h</td> <td>70 dB</td> <td></td> </tr> <tr> <td>1800h – 0730h</td> <td>75 dB</td> <td></td> </tr> </tbody> </table> <p>(b) Where compliance with the noise standards set out in Table 19.1 is not practicable, <u>and unless otherwise provided for in the CNVMP as required by Condition 21(c) then</u> the methodology in Condition 22 shall apply.</p>	Day of week	Time period	L _{Aeq} (15min)	L _{AFmax}	Occupied activity sensitive to noise				Weekday	0630h - 0730h	55 dB	75 dB	0730h - 1800h	70 dB	85 dB	1800h - 2000h	65 dB	80 dB	2000h - 0630h	45 dB	75 dB	Saturday	0630h - 0730h	55 dB	75 dB	0730h - 1800h	70 dB	85 dB	1800h - 2000h	45 dB	75 dB	2000h - 0630h	45 dB	75 dB	Sunday and Public Holidays	0630h - 0730h	45 dB	75 dB	0730h - 1800h	55 dB	85 dB	1800h - 2000h	45 dB	75 dB	2000h - 0630h	45 dB	75 dB	Other occupied buildings				All	0730h – 1800h	70 dB		1800h – 0730h	75 dB		Administrative correction – consequential deletion in clause (b) as a result of changes to the CNVMP
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All	20.	<p>Construction Vibration Standards</p> <p>(a) Construction vibration shall be measured in accordance with ISO 4866:2010 Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures and shall comply with the vibration standards set out in the following table as far as practicable.</p> <p>Table 20.1 CNV2 Construction Vibration Standards</p> <table border="1"> <thead> <tr> <th>Receiver</th> <th>Details</th> <th>Category A*</th> <th>Category B*</th> </tr> </thead> <tbody> <tr> <td colspan="4">Occupied activity sensitive to noise</td> </tr> <tr> <td rowspan="2">Occupied activities sensitive to noise</td> <td>Night-time 2000h - 0630h</td> <td>0.3mm/s ppv</td> <td>1mm/s ppv</td> </tr> <tr> <td>Daytime 0630h - 2000h</td> <td>1mm/s ppv</td> <td>5mm/s ppv</td> </tr> <tr> <td>Other occupied buildings</td> <td>Daytime 0630h - 2000h</td> <td>2mm/s ppv</td> <td>5mm/s ppv</td> </tr> <tr> <td rowspan="2">All other buildings</td> <td>At all other times Vibration transient</td> <td>5mm/s ppv</td> <td>BS 5228-2** Table B2</td> </tr> <tr> <td>At all other times Vibration continuous</td> <td>5mm/s ppv</td> <td>BS 5228-2** 50% of Table B2 values</td> </tr> </tbody> </table> <p>* Refer to Waka Kotahi State highway construction and maintenance noise and vibration guide for further explanation regarding Category A and B criteria</p> <p>** BS 5228-2:2009 'Code of practice for noise and vibration control on construction and open sites – Part 2: Vibration'</p>	Receiver	Details	Category A*	Category B*	Occupied activity sensitive to noise				Occupied activities sensitive to noise	Night-time 2000h - 0630h	0.3mm/s ppv	1mm/s ppv	Daytime 0630h - 2000h	1mm/s ppv	5mm/s ppv	Other occupied buildings	Daytime 0630h - 2000h	2mm/s ppv	5mm/s ppv	All other buildings	At all other times Vibration transient	5mm/s ppv	BS 5228-2** Table B2	At all other times Vibration continuous	5mm/s ppv	BS 5228-2** 50% of Table B2 values	Administrative correction – consequential deletion in clause (b) as a result of changes to the CNVMP																																
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		(b) Where compliance with the vibration standards set out in <u>Table 20.1 CNV2</u> is not practicable, and unless otherwise provided for in the CNVMP, the methodology in Condition 22 [Schedule to a CNVMP] shall apply. (c) If measured or predicted vibration from construction activities exceeds the Category A criteria, a Suitably Qualified Person shall assess and manage construction vibration during those activities. (d) If measured or predicted vibration from construction activities exceeds the Category B criteria those activities must only proceed if vibration effects on affected buildings are assessed, monitored and mitigated by a Suitably Qualified Person.	
All	21.	Construction Noise and Vibration Management Plan (CNVMP) (a) A CNVMP shall be prepared prior to the Start of Construction for Stage of Work. (b) A CNVMP shall be implemented during the Stage of Work to which it relates. (c) The objective of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option for the management of construction noise and vibration effects to achieve the construction noise and vibration standards set out in Conditions 19 and 20 to the extent practicable. To achieve <u>this</u> objective, the CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 'Acoustics – Construction Noise' (NZS6803:1999) and shall as a minimum, address the following: (i) description of the works and anticipated equipment/processes; (ii) hours of operation, including times and days when construction activities would occur; (iii) the construction noise and vibration standards for the project; (iv) identification of receivers where noise and vibration standards apply; (v) a hierarchy of management and mitigation options, including any requirements to limit night works and works during other sensitive times, including Sundays and public holidays as far practicable; (vi) methods and frequency for monitoring and reporting on construction noise and vibration; (vii) procedures for communication and engagement with nearby residents and stakeholders, including notification of proposed construction activities, the period of construction activities, and management of noise and vibration complaints. (viii) contact details of the Project Liaison Person; (ix) procedures for the regular training of the operators of construction equipment to minimise noise and vibration as well as expected construction site behaviours for all workers; (x) Identification of areas where compliance with the noise [Condition 17] and/or vibration standards [Condition 18] Category A or Category B will not be practicable and the specific management controls to be implemented and consultation requirements with owners and occupiers of affected sites; (xi) procedures and requirements for the preparation of a Schedule to the CNVMP (Schedule) for those areas where compliance with the noise Condition 19 and/or vibration standards Condition 20 Category A or Category B will not be practicable and where sufficient information is not available at the time of the CNVMP to determine the area specific management controls [Condition 19(e)(x)]; (xii) identification of trigger levels for undertaking building condition surveys, which shall be Category B day time levels; (xiii) procedures and identification of trigger levels for undertaking building condition surveys before and after works to determine whether any cosmetic or structural damage has occurred as a result of construction vibration; (xiv) methodology and programme of desktop and field audits and inspections to be undertaken to ensure that the CNVMP, Schedules and the best practicable option for management of effects are being implemented; and (xv) requirements for review and update of the CNVMP.	Deletion of (x) – duplicates requirement to prepare schedule to the CNVMP Administrative correction – consequential deletion in (xi) as a result of the deletion of clause Administrative correction in (xiii) as this was a drafting error.

Waka Kotahi proposed conditions			Reasons for change
Yellow <u>underlined</u> and strikethrough – changes presented following s92 response			
NoR No.	No.	Condition	
All	22.	<p>Schedule to a CNVMP</p> <p>(a) Unless otherwise provided for in a CNVMP, a Schedule to the CNVMP (Schedule) shall be prepared prior to the start of the construction to which it relates by a Suitably Qualified Person, in consultation with the owners and occupiers of sites subject to the Schedule, when:</p> <p>(i) Construction noise is either predicted or measured to exceed the noise standards in Condition 19</p> <p>(ii) Construction vibration is either predicted or measured to exceed the Category A standard at the receivers in Condition 20.</p> <p>(b) The objective of the Schedule is to set out the Best Practicable Option measures to manage noise and/or vibration effects of the construction activity beyond those measures set out in the CNVMP. <u>To achieve the objective,</u> The Schedule shall include details such as:</p> <p>(i) construction activity location, start and finish times;</p> <p>(ii) the nearest neighbours to the construction activity;</p> <p>(iii) the predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards in Conditions 19 and 20 and the predicted duration of the exceedance;</p> <p><u>(iv) for works proposed between 2000h and 0630h, the reasons why the proposed works must be undertaken during these hours and why they cannot be practicably undertaken during the daytime;</u></p> <p>(v) the proposed mitigation options that have been selected, and the options that have been discounted as being impracticable and the reasons why;</p> <p>(vi) a summary of the consultation undertaken with owners and occupiers of sites subject to the Schedule, and how consultation has and has not been taken into account; and</p> <p>(vii) location, times and types of monitoring.</p> <p>(c) The Schedule shall be submitted to the Manager for information at least 5 working days (except in unforeseen circumstances) in advance of Construction Works that are covered by the scope of the Schedule and shall form part of the CNVMP. If any comments are received from the Manager, these shall be considered by the Requiring Authority prior to implementation of the Schedule.</p> <p>(d) Where material changes are made to a Schedule required by this condition, the Requiring Authority shall consult the owners and/or occupiers of sites subject to the Schedule prior to submitting the amended Schedule to the Manager for information in accordance with (c) above. The amended Schedule shall document the consultation undertaken with those owners and occupiers, and how consultation outcomes have and have not been taken into account.</p>	<p>Consequential deletion in (a) as a result of the change to the CNVMP. Schedule to the CNVMP is required based on clause (a)(i) and (ii).</p> <p>Drafting error. Clause was omitted from condition at lodgement. Addition requires that a rationale be provided for night works.</p>

Waka Kotahi proposed conditions			Reasons for change
Yellow <u>underlined</u> and strikethrough – changes presented following s92 response			
NoR No.	No.	Condition	
All	23.	<p>Historic Heritage Management Plan</p> <p>(a) A HHMP shall be prepared in consultation with Council, HNZPT and Mana Whenua prior to the Start of Construction for a Stage of Work.</p> <p>(b) The objective of the HHMP is to protect historic heritage and to remedy and mitigate any residual effects as far as practicable. To achieve the objective, the HHMP shall identify:</p> <ul style="list-style-type: none"> (i) any adverse direct and indirect effects on historic heritage sites and measures to appropriately avoid, remedy or mitigate any such effects, including a tabulated summary of these effects and measures; (ii) methods for the identification and assessment of potential historic heritage places within the Designation to inform detailed design; (iii) known historic heritage places and potential archaeological sites within the Designation, including identifying any archaeological sites for which an Archaeological Authority under the HNZPTA will be sought or has been granted; (iv) any unrecorded archaeological sites or post-1900 heritage sites within the Designation, which shall also be documented and recorded; (v) roles, responsibilities and contact details of Project personnel, Council and HNZPT representatives, Mana Whenua representatives, and relevant agencies involved with heritage and archaeological matters including surveys, monitoring of Construction Works, compliance with AUP accidental discovery rule, and monitoring of conditions; (vi) specific areas (including archaeological site R10/1472 for NoR 1) to be investigated, monitored and recorded to the extent these are directly affected by the Project; (vii) The proposed methodology for investigating and recording post-1900 historic heritage sites (including buildings) that need to be destroyed, demolished or relocated, including details of their condition, measures to mitigate any adverse effects and timeframe for implementing the proposed methodology, in accordance with the HNZPT Archaeological Guidelines Series No.1: Investigation and Recording of Buildings and Standing Structures (November 2018), or any subsequent version; (viii) methods to acknowledge cultural values identified through Condition 11 where archaeological sites also involve ngā taonga tuku iho (treasures handed down by our ancestors) and where feasible and practicable to do so; (ix) methods for avoiding, remedying or mitigating adverse effects on historic heritage places and sites within the Designation during Construction Works as far as practicable. These methods shall include, but are not limited to: <ul style="list-style-type: none"> A. security fencing or hoardings around historic heritage and archaeological sites places to protect them from damage during construction or unauthorised access; B. measures to mitigate adverse effects on historic heritage sites that achieve positive historic heritage outcomes such as increased public awareness and interpretation signage; and C. training requirements and inductions for contractors and subcontractors on historic heritage places within the Designation, legal obligations relating to accidental and/or unexpected discoveries and the AUP Accidental Discovery Rule (E11.6.1) The training shall be undertaken prior to the Start of Construction, under the guidance of a Suitably Qualified Person and Mana Whenua representatives (to the extent the training relates to cultural values identified under Condition 11). <p>(c) Electronic copies of all historic heritage reports relating to historic heritage investigations (evaluation, excavation and monitoring), shall be submitted to the Manager within 12 months of completion.</p> <p>Advice note: Accidental Discoveries The requirements for accidental discoveries of heritage items are set out in Rule E11.6.1 of the AUP and in the Waka Kotahi Minimum Standard P45 Accidental Archaeological Discovery Specification, or any subsequent version.</p>	Administrative correction.
All	24.	<p>Pre-Construction Ecological Survey</p> <p>(a) At the start of detailed design for a Stage of Work, an updated ecological survey shall be undertaken by a Suitably Qualified Person. The purpose of the survey is to inform the detailed design of ecological management plan by:</p> <ul style="list-style-type: none"> (i) confirming whether the species of value within the Identified Biodiversity Areas recorded in the Identified Biodiversity Area Schedule 2 are still present; and (ii) confirming whether the project will or may have a moderate or greater level of ecological effect on ecological species of value, prior to implementation of impact management measures with the level of effect to be, as determined in accordance with <u>Table 10 of the EIANZ guidelines as included in Schedule 5 to these conditions (or subsequent updated version of the table).</u> <p>(b) If the ecological survey confirms the presence of ecological features of value in accordance with Condition 24(a)(i) and that effects are likely in accordance with Condition 24(a)(ii) then an Ecological Management Plan (or Plans) shall be prepared in accordance with Condition 25 for these areas (Confirmed Biodiversity Areas).</p>	<p>Deletion of words to clarify the purpose of the survey is to inform ecological management.</p> <p>The amendments to clause (a)(ii) acknowledge that Table 10 may be updated in future versions of the Guidelines and if the threshold for mitigation changes, the Requiring Authority will be required to provide mitigation in accordance with those updates.</p>

Waka Kotahi proposed conditions			Reasons for change
Yellow <u>underlined</u> and strikethrough – changes presented following s92 response			
NoR No.	No.	Condition	
All	25.	<p>Ecological Management Plan (EMP)</p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (confirmed through Condition 24) prior to the Start of Construction for a Stage of Work. The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable. The EMP shall set out the methods that will be used to achieve the objective which may include:</p> <p>(b) If an EMP is required in accordance with (a) for the presence of long tail bats:</p> <p>(i) Measures to minimise as far as practicable, disturbance from construction activities within the vicinity of any active long tail bat roosts (including maternity) that are discovered through survey until such roosts are confirmed to be vacant of bats.</p> <p>(ii) How the timing of any construction work in the vicinity of any maternity long tail bat roosts will be limited to outside the bat maternity period (between December and March) where reasonably practicable;</p> <p>(iii) Details of areas where vegetation is to be retained where practicable for the purposes of the connectivity of long tail bats;</p> <p>(iv) Details of how bat connectivity will be provided and maintained (e.g. through the presence of suitable indigenous or exotic trees or artificial alternatives); and</p> <p>(v) Details of measures to minimise any operational disturbance from light spill.</p>	
NoR 3	25.	<p>(c) If an EMP is required in accordance with (a) for the presence of threatened or at risk birds (excluding wetland birds):</p> <p>(i) How the timing of any Construction Works shall be undertaken outside of the bird breeding season (September to February) where practicable; and</p> <p>(ii) Where works are required within the area identified in the Confirmed Biodiversity Area during the bird breeding season, methods to minimise adverse effects on Threatened or At-Risk birds.</p>	
NoR 1	25.	<p>(d) If an EMP is required in accordance with (a) for the presence of threatened or at risk wetland birds:</p> <p>(i) How the timing of any Construction Works shall be undertaken outside of the bird breeding season (September to February) where practicable.</p> <p>(ii) Where works are required within the Confirmed Biodiversity Area during the bird season, methods to minimise adverse effects on Threatened or At-Risk wetland birds</p> <p>(iii) Undertaking a nesting bird survey of Threatened or At-Risk wetland birds prior to any Construction Works taking place within a 50m radius of any identified Wetlands (including establishment of construction areas adjacent to Wetlands). Surveys should be repeated at the beginning of each wetland bird breeding season and following periods of construction inactivity;</p> <p>(iv) What protection and buffer measures will be provided where nesting Threatened or At-Risk wetland birds are identified within 50m of any construction area (including laydown areas). Measures could include <u>[relocated clauses]</u>:</p> <p>A. A 20 m buffer area around the nest location and retaining vegetation. The buffer areas should be demarcated where necessary to protect birds from encroachment. This might include the use of marker poles, tape and signage;</p> <p>B. Monitoring of the nesting Threatened or At-Risk wetland birds. Construction works within the 20m nesting buffer areas should not occur until the Threatened or At-Risk wetland birds have fledged from the nest location (approximately 30 days from egg laying to fledging); and</p> <p>C. Minimising the disturbance from the works if construction works are required within 50 m of a nest;</p> <p>D. Adopting a 10m setback where practicable, between the edge of Wetlands and construction areas (along the edge of the stockpile/laydown area).</p> <p>E. Minimising light spill from construction areas into Wetlands</p> <p>(v) Details of measures to minimise any operational disturbance from light spill.</p> <p>(e) If an EMP is required in accordance with (a) for the presence of native herpetofauna:</p> <p>(i) A description of the methodology and timing for survey, trapping and relocation of lizards rescued;</p> <p>(ii) A description of the relocation site(s), including <u>[relocated clauses]</u>:</p> <p>A. any measures to ensure the relocation site remains available;</p> <p>B. any weed and pest management to ensure the relocation site is maintained as appropriate habitat;</p> <p>(iii) A post vegetation clearance search for remaining lizards; and</p> <p>(iv) Any proposed monitoring</p>	
All	25.	<p>(f) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p>Advice note: Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</p> <p>(i) Stream and/or wetland restoration plans;</p> <p>(ii) Vegetation restoration plans; and</p> <p>(iii) Fauna management plans (eg avifauna, <u>herpetofauna, bats</u>).</p>	

Waka Kotahi proposed conditions			Reasons for change						
Yellow <u>underlined</u> and strikethrough – changes presented following s92 response									
NoR No.	No.	Condition							
All	26.	<p>Tree Management Plan</p> <p>(a) Prior to the Start of Construction for a Stage of Work, a Tree Management Plan shall be prepared.</p> <p>(b) The objective of the Tree Management Plan is to avoid, remedy or mitigate effects of construction activities on trees identified in Schedule 3. <u>[relocated] To achieve the objective,</u> the Tree Management Plan shall:</p> <p>(i) confirm that the trees listed in Schedule 3 still exist; and</p> <p>(ii) demonstrate how the design and location of project works has avoided, remedied or mitigated any effects on any tree listed in Schedule 3. This may include:</p> <p>A. any opportunities to relocate listed trees where practicable;</p> <p>B. planting to replace trees that require removal (with reference to the ULDMP planting design details in Condition 12);</p> <p>C. tree protection zones and tree protection measures such as protective fencing, ground protection and physical protection of roots, trunks and branches; and</p> <p>D. methods for work within the rootzone of trees that are to be retained in line with accepted arboricultural standards.</p> <p>(iii) demonstrate how the tree management measures (outlined in A – C above) are consistent with conditions of any resource consents granted for the project in relation to managing construction effects on trees.</p>	Administrative clarification.						
All	27.	<p>Network Utility Management Plan (NUMP)</p> <p>(a) A NUMP shall be prepared prior to the Start of Construction for a Stage of Work.</p> <p>(b) The objective of the NUMP is to set out a framework for protecting, relocating and working in proximity to existing network utilities. <u>To achieve the objective,</u> Tthe NUMP shall include methods to:</p> <p>(i) provide access for maintenance at all reasonable times, or emergency works at all times during construction activities;</p> <p>(ii) protect and where necessary, relocate existing network utilities;</p> <p>(iii) manage the effects of dust and any other material potentially resulting from construction activities and able to cause material damage, beyond normal wear and tear to overhead transmission lines in the Project area;</p> <p>(iv) demonstrate compliance with relevant standards and Codes of Practice including, where relevant, the NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances 2001; AS/NZS 4853:2012 Electrical hazards on Metallic Pipelines, <u>AS/NZ 2885 Pipelines - Gas and Liquid Petroleum;</u></p> <p>(c) The NUMP shall be prepared in consultation with the relevant Network Utility Operator(s) who have existing assets that are directly affected by the Project.</p> <p>(d) The development of the NUMP shall consider opportunities to coordinate future work programmes with other Network Utility Operator(s) during detailed design where practicable.</p> <p>(e) The NUMP shall describe how any comments from the Network Utility Operator in relation to its assets have been addressed.</p> <p>(f) Any comments received from the Network Utility Operator shall be considered when finalising the NUMP.</p> <p>(g) Any amendments to the NUMP related to the assets of a Network Utility Operator shall be prepared in consultation with that asset owner.</p>	<p>Administrative clarification.</p> <p>Addition of Pipelines standard.</p> <p>Proposed deletion of clauses (d) and (e) as these matters are addressed through new Condition 10.</p>						
All	28.	<p>Network Integration Management Plan (NIMP)</p> <p>(a) At least six (6) months prior to the start of detailed design for a Stage of Work, the Requiring Authority shall prepare, in collaboration with other relevant road controlling authorities, a Network Integration Management Plan (NIMP).</p> <p>(b) The objective of the NIMP is to identify how the Project will integrate with the planned transport network in the North growth area to achieve an effective, efficient and safe land transport system. To achieve this objective, the NIMP shall include details of the:</p> <p>(i) Project implementation approach and any staging of the Project, including both design, management and operational matters.</p> <p>(ii) Sequencing of the Project with the planned transport network, including both design, management and operational matters.</p>							
Operational conditions									
NoR 1	29.	<p>Low Noise Road Surface</p> <p>(a) Asphaltic mix surface shall be implemented within twelve months of Completion of Construction of the Project.</p> <p>(b) The asphaltic mix surface shall be maintained to retain the noise reduction performance as far as practicable.</p>							
NoRs 2 and 3	30.	<p>Station Noise</p> <p>All mechanical and electrical services (including the public address system) at the Milldale and Pine Valley East Stations shall be designed to comply with the following noise rating levels and maximum noise levels, as measured and assessed at any residential zone site boundary:</p> <table border="1" data-bbox="409 1669 1285 1822"> <thead> <tr> <th>Time</th> <th>Noise level</th> </tr> </thead> <tbody> <tr> <td>Monday to Saturday 7am-10pm Sunday 9am-6pm</td> <td>50dB LAeq</td> </tr> <tr> <td>All other times</td> <td>40dB LAeq 75dB LAFmax</td> </tr> </tbody> </table>	Time	Noise level	Monday to Saturday 7am-10pm Sunday 9am-6pm	50dB LAeq	All other times	40dB LAeq 75dB LAFmax	
Time	Noise level								
Monday to Saturday 7am-10pm Sunday 9am-6pm	50dB LAeq								
All other times	40dB LAeq 75dB LAFmax								

Attachments

Schedule 1: General Accordance Plans and Information

[As lodged]

Schedule 2: Identified Biodiversity Areas

[As lodged]

Schedule 3: Trees to be included in the Tree Management Plan

[As lodged]

Schedule 4: Identified PPFs Noise Criteria Categories

[As lodged]

Schedule 5: Table 10 of the 2018 EIANZ Guidelines

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

<u>Ecological Value</u> →	<u>Very high</u>	<u>High</u>	<u>Moderate</u>	<u>Low</u>	<u>Negligible</u>
<u>Magnitude</u> ↓					
<u>Very high</u>	<u>Very high</u>	<u>Very high</u>	<u>High</u>	<u>Moderate</u>	<u>Low</u>
<u>High</u>	<u>Very high</u>	<u>Very high</u>	<u>Moderate</u>	<u>Low</u>	<u>Very low</u>
<u>Moderate</u>	<u>High</u>	<u>High</u>	<u>Moderate</u>	<u>Low</u>	<u>Very low</u>
<u>Low</u>	<u>Moderate</u>	<u>Low</u>	<u>Low</u>	<u>Very low</u>	<u>Very low</u>
<u>Negligible</u>	<u>Low</u>	<u>Very low</u>	<u>Very low</u>	<u>Very low</u>	<u>Very low</u>
<u>Positive</u>	<u>Net gain</u>	<u>Net gain</u>	<u>Net gain</u>	<u>Net gain</u>	<u>Net gain</u>