

IN THE ENVIRONMENT COURT OF NEW ZEALAND
AUCKLAND REGISTRY

I MUA TE KŌTI TAIAO O AOTEAROA
TĀMAKI MAKĀURAU ROHE

ENV-2024-AKL-

UNDER the Resource Management Act 1991 ("the Act")

IN THE MATTER of an appeal under section 174 of the RMA against a decision on a Notice of Requirement that comprises part of the North West Project

BETWEEN **Barry Frank Boric, Stefan Barry Boric and Brent John Whatnall as Trustees for the Barry Boric Family Trust and Milenko Bartul Boric, Anthony Frank Boric, Michael Boric and Brent John Whatnall as Trustees for the Milenko Boric Family Trust**
Appellants

AND **Auckland Transport (NoR-S4)**
Respondent

NOTICE OF APPEAL

12 JULY 2024

ELLIS GOULD
LAWYERS
AUCKLAND

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NOTICE OF APPEAL

TO: The Registrar

Environment Court

Auckland

1. Barry Frank Boric, Stefan Barry Boric and Brent John Whatnall as Trustees for the Barry Boric Family Trust and Milenko Bartul Boric, Anthony Frank Boric, Michael Boric and Brent John Whatnall as Trustees for the Milenko Boric Family Trust (“**the Appellants**”) appeal the decision of Auckland Transport (“**AT**”) dated 31 May 2024 but issued to submitters on 20 June 2024 (“**the Decision**”) confirming a Notice of Requirement for designation in the Auckland Unitary Plan (“**AUP**”), being North West Strategic Network: Access Road, known as NoR-S4 (“**the NoR**”).
2. The NoR provides for upgrades to the existing road network in the immediate vicinity of the intersection of Access Road and Waitakere Road, Kumeu (“**the Access/Waitakere Intersection**”).
3. The NoR forms part of a group of Notices of Requirement¹, lodged by AT and Waka Kotahi-NZ Transport Agency (“**Waka Kotahi**”) and collectively known as the “**North West Project**”. Also relevant to this appeal is the decision of Waka Kotahi on NoR-S2 which provides for upgrades to the intersection of Access Road and SH16, Kumeu (“**the SH16/Access Intersection**”).
4. The Appellants made a submission on the NoR on 24 April 2023.
5. The Appellants received notice of the Decision on 20 June 2024.
6. The Decision subject to the appeal was made by AT.
7. The Appellants are not trade competitors for the purposes of section 308D of

¹ NoR S4 – Access Road; NoR W1 – Trig Road; NoR W2 – Māmari Road; NoR W3 – Brigham Creek Road; NoR W4 – Spedding Road; NoR W5 – Hobsonville Road; NoR RE1 – Don Buck Road; NoR RE2 – Fred Taylor Drive; NoR R1 – Coatesville-Riverhead Highway; NoR RATN1 – Redhills North-South Arterial Transport Corridor; NoR RATN2a – Redhills East-West Arterial Transport Corridor – Dunlop Road; NoR RATN2b – Redhills East-West Arterial Transport Corridor – Baker Lake; NoR RATN2c – Redhills East-West Arterial Transport Corridor – Nixon Road Connection; TR HIFtr – Trig Road Corridor Upgrade

the Resource Management Act 1991 (“**RMA**”).

8. The Appellants will be directly and adversely affected by the North West Project and the Decision, as they are the owners of 993 Waitakere Road, Kumeu (“**the Appellants’ Land**”) which:
 - (a) Has frontage to those parts of Access Road and Waitakere Road subject to NoR-S4 and is directly affected by a proposed land take in the vicinity of the Access/Waitakere Intersection (“**the AT Land Take**”); and
 - (b) Has frontage to that part of Access Road subject to NoR-S2 and is directly affected by a proposed land take along that Access Road frontage (“**the Waka Kotahi Land Take**”).
9. The Appellants are not opposed to outcomes that the North West Project seeks to deliver, but do not support the NoR due to the significant adverse effects that the Project will have on parking, loading, storage and access areas on the Appellants’ Land and on the future operation of activities on that land. Accordingly, the Appellants seek amendments to the terms and conditions of the NoR to mitigate those effects.

Reasons for the Appeal

10. The reasons for the appeal are as follows:
 - (a) The NoR, as approved in the Decision and in the absence of the amendments and conditions specified in the relief sought in this appeal:
 - (i) Does not promote the sustainable management of the natural and physical resources;
 - (ii) Does not amount to and promote the efficient use and development of resources;
 - (iii) Is not consistent with the purpose and principles in Part 2 of RMA;

- (iv) Will generate unacceptable adverse effects on the environment, and in particular, on the Appellants' Land;
- (v) Does not enable the social, economic, and cultural wellbeing of the community; and
- (vi) Does not warrant being upheld in terms of section 171 of the Act.

In addition, and without limiting the generality of the above:

The Appellants' interest in the NoR

- (b) The Appellants' Land is bordered by Access Road to the north-west, Waitakere Road to the south-west, and the North Island railway to the north-east. The site has a lengthy frontage to Waitakere Road (opposite to the Kumeu Showgrounds) and the railway and is subject to a Business – Mixed Use zoning under the AUP.
- (c) The north-western end of the Site is occupied by a modern two-storey mixed use building accommodating Plumbing World and Scott Electrical at ground floor, with offices above. Car parking serving those activities is located between the building and the Waitakere Road and Access Road frontages. Access to the internal Plumbing World loading areas for heavy vehicles, along with an outdoor storage area, is located between the building and the Access Road frontage. There are low-lying vegetated and wetland areas immediately to the south-east of the building.
- (d) The impact of the North West Project on the Appellants' Land arises directly from both the NoR and the cumulative impacts of NoR-S4 and NoR-S2:
 - (i) The AT Land Take under NoR-S4 as notified proposes to take 266 m² of land along the south-western boundary of the Site fronting Waitakere Road. This will remove the western two-way access to the road network and at-grade car parks. It will

also obstruct access to other at-grade car parks on the south-western side of the building.

- (ii) The Waka Kotahi Land Take under NoR-S2 as notified proposes to take 699 m² of land along the north-western boundary of the Site fronting Access Road. This will remove existing at-grade car parks, loading and yard storage areas, and a projecting canopy. Any vehicular access to the internal heavy vehicle loading bay would need to be provided directly off the road reserve.
- (e) In summary, the North West Project as notified will have significant and adverse effects on the amenity of the Appellant's' Land, the adequacy of car parking, the accessibility of truck bays and loading areas, and the functionality of the building and activities within it. The presence of vegetated and wetland areas immediately to the south-east will render it extremely difficult or not impossible to:
- (i) Alter access arrangements to the building so that heavy vehicles can continue to use the ground floor areas; or
 - (ii) Replace the lost car parking areas elsewhere on the Site.
- (f) The decisions on NoR-S4 and NoR-S2 in combination reduce the extent of the designation and land take under NoR-S4 but do not reduce the extent of the land take or designation under NoR-S2.

Implications of the NoR for the Appellants' Land

- (g) The North West Project involves unnecessarily extensive land takes, particularly along the Access Road frontage.
- (h) The Access Road traffic flows that are anticipated once the North West Project has been given effect warrant the widening of Access Road to four lanes at its south-western end, adjacent to the Kumeu Bypass, but not at the north-eastern end in the immediate vicinity of the Appellants' Land, close to the Kumeu town Centre and the railway.

- (i) It is feasible and appropriate for the current width of the Access Road road-reserve to be maintained without the widening enabled under NoR-S4 and NoR-S2. That would enable:
 - (i) The retention of the existing at-grade car parking along the Access Road frontage of the Appellants' Land, heavy vehicle access to the internal loading bay, and the existing storage areas.
 - (ii) Continued operation of the businesses in the building, without necessitating a significant redesign and renovation of the building and construction of new car parking and access arrangements on the south-eastern side of the building (assuming that can be consented).

Strategic planning implications of the NoRs

- (j) The NoRs have been developed without due regard to the relationship between the Appellants' Land, Access Road, the Rapid Transit Corridor, the railway corridor and the current State Highway 16:
- (k) In its current form, the North West Project involves:
 - (i) Widening of Access Road to provide a four-lane carriageway along with provision for active modes. It is this change that has generated the need for the AT Land Take and the Waka Kotahi Land Take.
 - (ii) The replacement of buildings on the north-eastern side of the railway corridor with public transport facilities to be contained within the Rapid Transit Corridor, which is expected to be grade separated from the adjacent road network.
 - (iii) Retention of an at-grade crossing of the railway corridor by the widened Access Road road-reserve.
- (l) The railway corridor currently accommodates a single rail line. If Auckland is to make better use of its rail network and the investment

already incurred in infrastructure such as the Central Rail Link, it is appropriate to extend passenger rail services to or beyond Kumeu and to double-track the line.

- (m) AT and KiwiRail are currently undertaking a programme of closing at-grade crossings of the rail corridor or grade-separating such crossings. The Submitters anticipate that, before the expiry of the lapse periods applying to the North West Project, the Access Road crossing of the rail corridor will need to be grade-separated, particularly if passenger rail services are to be extended.
- (n) Regardless of the method chosen for that grade separation (i.e.: whether the road bridges the rail or goes underneath it) there will inevitably be significant and adverse urban design implications for the Appellants' Land and the Kumeu town centre.
- (o) AT and Waka Kotahi have not liaised substantively with KiwiRail regarding future changes to the rail network and rail corridor. In that context, the proposal for Access Road in the vicinity of the Appellants' Land:
 - (i) Lacks a strategic rationale; and
 - (ii) Proposes extensive changes to the layout of the road, extensive takes of adjacent land, and adverse effects on existing businesses in buildings

without having regard to the most significant physical works likely to occur in the vicinity over the next few decades, being the grade separation of the rail and road networks.

Need for Site-specific Conditions

- (p) The designation process enables requiring authorities to carry out works within a broad envelope, subject to conditions. Those works affect adjacent land and activities in a range of ways, related to the nature and scale of the proposed works in that locality and the sensitivity of the affected sites and activities.

- (q) The North West Project involves extensive changes to the environment across an existing and future urban area. It is inevitable that site-specific issues will arise which would most appropriately be addressed via site-specific conditions.
- (r) The Appellants propose incorporating into the NoR a new “*Schedule X - Communication and Engagement Site-Specific Issues*” within which site-specific solutions to issues and adverse effects can be identified. That will provide certainty for the requiring authority and affected landowners, including but not limited to the Appellants.

Construction Effects

- (s) The Appellants are concerned to ensure that the conditions on the NoR governing construction effects are comprehensive and take sufficient account of concerns raised by affected landholders.
- (t) The Decision wrongly rejected the relief sought by submitters regarding the timing of the submission to Council of the Stakeholder and Communication and Engagement Management Plan (“**SCEMP**”). SCEMPs should form part of, and be prepared well in advance of, each Outline Plan of Works, to ensure the requiring authority can satisfy the local authority:
 - (i) That meaningful engagement has occurred; and
 - (ii) How issues that remain live for stakeholders have been considered and will be addressed.
- (u) The Decision requires that stakeholders be identified for communication and engagement purposes 6 months prior to start of detailed design for a stage of work. It is appropriate that consultation then occur with those stakeholders and that the content and outcome of that process be submitted with the Outline Plan by way of the SCEMP.

Lack of Certainty generated by the NoRs

- (v) The Appellants are concerned by the adverse effects that might arise if the various transport upgrades included in the North West Project are not all implemented as proposed:
 - (i) The use of the “*route protection*” model and the absence of funding to cover any phase beyond consenting raises real doubts as to whether the various aspects of the Proposal will ever be completed or, if they are constructed, will be sequenced in a way that has been assessed by AT and Waka Kotahi.
 - (ii) There is no guarantee that the outcome assumed by AT and Waka Kotahi will be realised in whole or in part. That uncertainty is exacerbated by the lengthy lapse periods sought.
 - (iii) AT and Waka Kotahi’s effects assessments have not considered the implications of a partial implementation.

- (w) Given the lengthy lapse dates imposed by AT and Waka Kotahi, the NoRs need to provide for:
 - (i) Regular reviews of the need for the designations and the extent of land subject to them.
 - (ii) The designations to be removed as soon as possible from any areas of land that are no longer required for the North West Project.
 - (iii) The removal of the designations from land needed for construction purposes as soon as possible after the relevant construction has been completed.

Lapse Date issues

- (x) The Appellants are concerned by the implications of the variable, but lengthy, lapse dates proposed which, in the absence of a programme for early purchase of affected land, will perpetuate the planning blight of affected land that commenced when Waka Kotahi and AT identified potential locations for “*route protection*” (particularly with regard to privately owned residential land).
- (y) The Appellants consider that an appropriate and coordinated lapse period is required for both the NoR-S4 and NoR-S2 designations.

Relief Sought

11. The Appellants seek the following relief:

- (a) That the appeal be allowed.
- (b) That NoR-S4 be removed from Appellants’ Land, failing which NoR-S4 should be declined in its entirety.
- (c) That the terms and conditions of NoR-S4 be amended to address the other issues and concerns identified in paragraph 10 above. The items of relief set out in paragraphs 11(c)(i) to (viii) below are examples of amendments and additions to the terms and conditions that would appropriately address those issues and concerns:
 - (i) Amend Condition 5 (NoR-S4) - Designation Review so it reads:

“Pre-construction review

- a) *The Requiring Authority shall, at five (5) yearly intervals from the confirmation of the designation, undertake a review of the designation. The review shall involve affected landowners and occupiers and:*
 - i) *assess the need for, and extent of the land, as part of the designation;*
 - ii) *provide an update on the progress or effort made to give effect to the designation; and*

- iii) *be made publicly available on the project website and be made available to the Council.*

Post-construction review

- b) *As soon as reasonably practicable, but no later than six (6) months, following the Completion of Construction, the Requiring Authority shall:*
 - i) *review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the Project; and*
 - ii) *give notice to the Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above.”*
- (ii) Impose a 10-year lapse period on NoR-S4.
- (iii) Retain the definition of “*stakeholder*” adopted in the Decision.
- (iv) Amend Condition 8 (NoR-S4) – Outline Plan to ensure any Outline Plan of Works includes a “*Stakeholder Communication and Engagement Management Plan*” (or “**SCEMP**”).
- (v) Amend Condition 10 (NoR-S4) – Existing Property Access so the condition reads:

“Where it is proposed to alter existing property vehicle access, parking or manoeuvring which exists at or prior to the time the Outline Plan is submitted, the Requiring Authority shall consult with the directly affected landowners and occupiers regarding the proposed changes. The Outline Plan shall demonstrate how safe, efficient and effective access to the transport corridor, and on-site parking or manoeuvring will be provided, unless otherwise agreed with the affected landowner.

To address this condition, the following process shall occur:

- a) *The Requiring Authority shall request, and if accepted, shall facilitate a meeting between itself, affected landowners / occupiers and Auckland Council planning officers to discuss any matters of disagreement that remain outstanding between the parties.*
- b) *The Requiring Authority shall prepare an assessment of the effects of the Project on the existing access(es), parking or manoeuvring in terms of safety, efficiency and effectiveness.*

c) That assessment shall be accompanied by a consultation record outlining engagement in accordance with the SCEMP and Schedule X Communication and Engagement Site Specific Issues.

d) The Requiring Authority shall supply that consultation record and assessment to the Council for consideration alongside the Outline Plan.”

(vi) Amend Condition 11 (NoR-S4) – Management Plans so (amendments annotated):

- Condition (a)(i) is amended to read: “(a) Any management plan shall: (i) Be prepared and implemented in accordance with the relevant management plan condition and to achieve its objective or purpose.”
- Condition (a)(v) is amended to read: “(a) Any management plan shall: (v) Be submitted as part of an Outline Plan pursuant to section 176A of the RMA, ~~with the exception of SCEMPs and CNVMP Schedules.~~”

(vii) Amend Condition 12 (NoR-S4) – Stakeholder and Communication and Engagement Management Plan (“SCEMP”) so the condition reads:

“a) A SCEMP shall be prepared in consultation with Stakeholders, prior to any Outline Plan being. The objective of the SCEMP is to identify how the public and Stakeholders will be engaged with prior to and throughout Construction Works.

b) To achieve the objective, the SCEMP shall include:

- i) *At least 18 months prior to any Outline Plan being submitted, the Requiring Authority shall identify:*
 - A. *A list of Stakeholders;*
 - B. *A list of properties within the designation which the Requiring Authority does not own or have occupation rights to;*

C. Methods and timing to engage with Stakeholders and the owners of properties identified in (b)(i)(A) and (B) above;

D. Having regard to the above, cross-references to the parties listed in the Schedule X Communication and Engagement Site-Specific Issues;

- ii) 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);*
- iii) 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;*
- iv) Methods for engaging with Mana Whenua, to be developed in consultation with Mana Whenua;*
- v) Methods and timing to engage with owners and occupiers whose access is directly affected;*
- vi) Details of how the Requiring Authority has considered and responded to the issues listed in Schedule X Communication and Engagement Site-Specific Issues, where relevant to each Stage of Work;*
- vii) 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 this condition; and*
- viii) Linkages and cross-references to communication and engagement methods set out in other conditions and management plans where relevant.*

c) Any SCEMP prepared for a Stage of Work shall be submitted to the Council for information with the Outline Plan.”

- (viii) Insert a new “Schedule X - Communication and Engagement Site-Specific Issues” for the NoR to address site-specific issues. A proposed format of Schedule X, addressing site-specific issues and incorporating exemplar comments relating to the Appellants’ Land is annexed as **Attachment 4**.

- (d) Such further orders, relief, consequential amendments or other amendments as are considered appropriate and necessary to address the Appellants' concerns set out above.
- (e) Costs of and incidental to this appeal.

Attachments

- 12. The following documents are attached to this notice:
 - (a) **Attachment 1:** A copy of the Appellants' submission on the NoR.
 - (b) **Attachment 2:** Relevant extracts from the Decision.
 - (c) **Attachment 3:** A list of persons to be served with a copy of this notice.
 - (d) **Attachment 4:** Proposed format for new "*Schedule X - Communication and Engagement Site-Specific Issues*" to be attached to the NoR, addressing site-specific issues (incorporating exemplar comments relating to the Appellants' Land).

DATED this 12th day of July 2024

BARRY FRANK BORIC, STEFAN BARRY BORIC AND BRENT JOHN WHATNALL AS TRUSTEES FOR THE BARRY BORIC FAMILY TRUST AND MILENKO BARTUL BORIC, ANTHONY FRANK BORIC, MICHAEL BORIC AND BRENT JOHN WHATNALL AS TRUSTEES FOR THE MILENKO BORIC FAMILY TRUST by their solicitors and duly authorised agents Ellis Gould



Douglas Allan / Alex Devine

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

Advice to recipients of copy of notice of appeal

How to become party to proceedings

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

To become a party to the appeal, you must —

- Within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- Within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

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

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

How to obtain copies of documents relating to appeal

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

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

Attachment 1: A copy of the Appellants' submission on the NoR

**SUBMISSION ON A REQUIREMENT FOR A DESIGNATION SUBJECT TO
FULL NOTIFICATION**

**FORM 21, SECTIONS 168A, 169, 181, 189A, 190 AND 195A OF THE
RESOURCE MANAGEMENT ACT 1991**

To: Auckland Council
Private Bag 92300
Auckland 1142

Attention: Planning Technician
unitaryplan@aucklandcouncil.govt.nz

Name of submitters: Barry Frank Boric, Stefan Barry Boric and Brent John Whatnall as Trustees for the Barry Boric Family Trust and Milenko Bartul Boric, Anthony Frank Boric, Michael Boric and Brent John Whatnall as Trustees for the Milenko Boric Family Trust (together, "**the Submitters**")

Introduction

1. This is a submission on the Notice of Requirement requested by Auckland Transport as Requiring Authority for a new designation in relation to NoR S4 – Northwest Strategic Network: Access Road, in the Auckland Unitary Plan ("**AUP**").
2. The site affected is 993 Waitakere Road, Kumeu, shown in red in the images below. The boundary of the proposed designation affects the southern parking area and access arrangements to this property, which is occupied by a recently constructed industrial/commercial building.
3. The Submitters purchased the site in 1996 and recently obtained resource consent for and completed construction of the commercial/industrial building within the western part of the site, illustrated above.
4. The building is occupied by three tenancies: Plumbing World on the western side, with ancillary at-grade storage on the western half of the site adjacent Access Road; Scott Electrical on the eastern side; and Archiology, an architectural drafting company, at first floor.
5. Two two-way vehicle crossings to Waitakere Road serve the site providing access to the shared at-grade parking area located along the western and southern perimeters of the site, as shown below.

6. Stormwater drainage is provided within the berm including culverts beneath vehicle crossings to the site.
7. A vegetated stormwater pond is located centrally within the site, to the south east of the commercial building described above.

Proposed alteration to boundary of designation (pink) and site (red)



Aerial photograph showing full extent of site (red)



Aerial photograph showing extent of site affected by designation (pink)



Reasons for Submission

8. The Submitters **oppose** the NoR, subject to the boundary of the designation being revised to exclude the access and existing at-grade parking areas within the site at 993 Waitakere Road.
9. The reasons for the Submitters' view are set out below, and in summary are that the design of the Access Road corridor is unnecessarily wide resulting in adverse effects on the functional use and operation of, and access to, the site.
10. The NoR proposes to upgrade Access Road, widening the road corridor from its existing width of 20m to 30m – 35m. The associated upgrade works to the Access Road/Main Road intersection are contained within NoR S2 (refer separate submission) and NoR S4, being the subject of this submission.
11. The Assessment of Transport Effects states that Access Road has previously been upgraded from a rural to urban form between Wookey Lane and Main Road. However, further widening and upgrades are proposed along this 'urban' stretch of Access Road to accommodate four lanes of vehicular movement in addition to a central median (approx. 3m wide), a footpath, cycle lane, stormwater management and battering on both sides of Access Road, as shown below.



Figure 1-7: Indicative Access Road Upgrade cross section for urban section

12. As stated, the design for the urban section of Access Road is overly wide and the assessment provided does not adequately address the necessity for a 30m wide corridor. Whereas by comparison, other arterials such as Main Road and the Trig Road extension remain 24m in width, which can comfortably accommodate arterial functions.
13. In particular, the need for two lanes travelling south-west does not appear to be required, thus resulting in an overly wide urban section between Wookey Lane and Main Road. The reason for this is that vehicles will primarily enter Access Road from Main Road. The proposed layout of Main Road provides only one lane of traffic turning into Access Road from each direction at any one time. As such, there is no apparent need for two south-west bound lanes within the urban cross-section between Main Road and Wookey Lane.
14. A small number of vehicles may also turn left into Access Road from Waitakere Road, Grivelle Street and Wookey Lane, however these are local roads generating comparatively fewer vehicle movements. The presence of these local roads does not appear to warrant two-lanes for south-west bound traffic.
15. Further, the urban nature of this cross-section is such that vehicle speeds are typically slower proximate to an intersection, thus on the face of it resulting in the ability to reduce the width of the central median, or to remove it entirely, between Main Road and Wookey Lane. This would further reduce the width of the cross-section.
16. The width of the design coincidentally requires additional land to be taken as the upgrade 'turns the corner' to tie in with upgrades within adjacent local roads, including Waitakere Road. The proposed designation requires the north western corner of the site to accommodate the fourth traffic lane, pedestrian and cycle paths, stormwater management and extensive battering within the site boundary.

17. Overall, the Access Road urban cross-section appears unnecessarily wide and the amendments illustrated below are proposed to reduce the width of the urban cross-section between Wookey Lane and Main Road, therefore reducing the extent of land required within the north western corner of the site and adverse effects on an existing access.



Figure 1-7: Indicative Access Road Upgrade cross section for urban section

Implications of NoR S4 on 993 Waitakere Road

18. As notified and owing to the overly wide transport corridor, NoR S4 requires the entirety of the north western corner of the site, affecting the shared access and at-grade parking shared by all three tenancies.
19. The NoR requires 266m² of the site at the north western corner, in addition to the 699m² of land proposed to be taken by NoR S2, being a total of 965m². The application documents do not adequately assess the adverse effects this will have on the ongoing operation of existing and future activities on the site.
20. The proposed designation will:
- Require the removal of a two-way vehicle crossing and access to the site. While one two-way access will be retained, the parking area is unlikely to provide sufficient on-site manoeuvring for the large vehicles/trucks that are required to service the tenants. The carpark will be rendered unsuitable and functionally inoperable for the long-term tenants;
 - Result in the loss of around seven at-grade parking spaces which are shared by all three tenancies on the site; and
 - Possibly result in an elevated road corridor and battering; there is insufficient information to determine whether stormwater from the road will enter the site via the one access that will be retained at the south eastern end of the Waitakere Road frontage.

21. Plumbing World is the anchor tenant and holds a lease until 2039, such that it is highly likely they will be the tenant in place at the time the proposed upgrade works occur.
22. NoR S4 as notified will render Plumbing World commercially unviable and inoperable in the absence of a carpark that provides for access and manoeuvring of large vehicles and trucks required by its operation. The loss of at-grade parking will also result in adverse effects on the function and operation of the two other tenancies within this part of the site.
23. These effects are further exacerbated when viewed together with the works proposed by NoR S2 relating to land required along the western boundary. A further six at-grade carparks (and at-grade loading area) are required by NoR S2, resulting in a total loss of 13 carparks across the site.

South western frontage of 993 Waitakere Road (affected area in red)



24. Further, the Submitters request certainty that construction effects on 993 Waitakere Road will be appropriately managed at the time of construction.

Flooding effects

25. Little assessment is provided in respect of potential flooding effects on the property, the majority of which is currently within a flood plain and a stream traverses the site from south to north, entering the site from a culvert within Waitakere Road. While the NoR boundary is outside of the flood plain, there appears to be potential for downstream effects on the site which are not fully addressed within the Assessment of Flooding Effects.



26. The Assessment of Flooding Effects variously states that increasing the level of Access Road may result in downstream effects. It is proposed to provide diversion drains alongside the corridor to realign existing overland flow paths to discharge toward the existing culvert under Waitakere Road. The Submitters seek clarification as to the location of the diversion drains relative to the designation boundary, the site boundary, and the existing drains in the berm fronting the site boundary.
27. Further clarification is required as to whether the proposed wetland on the southern side of Waitakere Road will adequately mitigate downstream effects prior to stormwater entering the culvert under Waitakere Road, and subsequently entering the subject site. Importantly, the stormwater pond and stream within the subject site should not be relied on to mitigate any flooding effects of the proposed NoR.
28. The Assessment of Flooding Effects identifies that the proposed NoR may result in 0.1-0.5m of additional flooding within the site western half of the site, and 0.05-0.1m of additional flooding within the eastern half of the subject site, as illustrated below.
29. Rather, the modelling indicates that the proposal will result in new flooding within the western part of the site, which is not currently identified as being within a flood plain. While NoR Condition 10 does not refer to effects on non-habitable buildings, the creation of a new flood plain appears contrary to the intent of this condition, and further clarification is requested accordingly. New flooding of up to 0.5m on a commercial property is considered to be significant and warrants further mitigation within the catchment.
30. Proposed NoR Condition 10 states:
 - a) The Project shall be designed to achieve the following flood risk outcomes:

- (i) no increase in flood levels for existing authorised habitable floors that are already subject to flooding
- (ii) no more than a 10% reduction in freeboard for existing authorised habitable floors
- (iii) no increase of more than 50mm in flood level on land zoned for urban or future urban development where there is no existing dwelling
- (iv) no new flood prone areas
- (v) 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.

Relief Sought

- 31. The Submitters seek that NoR S4 be declined for the reasons stated in this submission.
- 32. Failing that, the Submitters seek that NoR S4 only be accepted provided conditions are inserted to address the following:
 - a) That the designation be amended and conditions imposed on the designation to ensure that:
 - i. The designation extent is removed from 993 Waitakere Road in its entirety by reducing the overall width of the Access Road urban cross-section between Main Road and Wookey Lane, including such amendments as the removal of one south-west bound lane and the central median.
 - ii. No changes will arise to flood levels within the site as these effects should be appropriately mitigated within the boundary of the proposed NoR.
 - b) That conditions are imposed on the designation to ensure that:
 - i. Prior to the commencement of construction in the vicinity of 993 Waitakere Road, a site-specific construction management plan applying to the area in the immediate vicinity of 993 Waitakere Road is:
 - Prepared by the requiring authority in consultation with the Submitter;
 - Provided to Council, along with details of the Submitter's observations and comments on the plan, if any; and
 - Approved by the Council.
 - c) Such other conditions, relief or other consequential amendments as are considered appropriate or necessary to address the matters outlined in this submission.

33. The Submitters wish to be heard in support of this submission.
34. If others make a similar submission, the Submitters would consider presenting a joint case with them at the hearing.

DATED at Auckland this 24th day of **April 2023**

Signature:

Stefan Barry Boric
Trustee

Michael Boric
Trustee

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Attachment 2: Relevant extracts from the Decision

31 May 2024

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

Dear Todd

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

Thank you for your letter received 18 April 2024 advising of the recommendations of the Auckland Council Independent Hearing Commissioners in relation to the fourteen Auckland Transport Notices of Requirement that comprise part of the North West Project:

- NoR S4 – Access Road
- NoR W1 – Trig Road
- NoR W2 - Māmari Road
- NoR W3 – Brigham Creek Road
- NoR W4 – Spedding Road
- NoR W5 – Hobsonville Road
- NoR RE1 – Don Buck Road
- NoR RE2 – Fred Taylor Drive
- NoR R1 – Coatesville-Riverhead Highway
- NoR RATN1 – Redhills North-South Arterial Transport Corridor
- NoR RATN2a – Redhills East-West Arterial Transport Corridor – Dunlop Road
- NoR RATN2b – Redhills East-West Arterial Transport Corridor – Baker Lake
- NoR RATN2c – Redhills East-West Arterial Transport Corridor – Nixon Road Connection
- TRHIF – Trig Road Corridor Upgrade

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

Pursuant to section 172 of the Resource Management Act 1991, Auckland Transport (AT) accepts the Commissioners' recommendation that the NORs should be confirmed and accepts in part and rejects in part the Commissioners' recommendations on conditions of the Notices of Requirement.

The Table 1 below sets out:



- The Commissioners' recommended conditions which are rejected or partially accepted, along with the reasons for our decision; and
- Other modifications that AT has made to the conditions for consistency, clarity and ease of implementation.

Only those recommended conditions that AT has modified are outlined in the table below (shown in bold strikethrough for deletions and bold underline for additions).

Minor formatting and grammatical changes recommended by the Commissioners where they have been adopted have not been tracked.

A schedule of amendments that have been made to the proposed designation boundaries since the Closing Legal Submissions is attached in **Appendix A**. Refer to Closing Legal Submissions for amendments made since the application was lodged.

Complete clean sets of designation conditions as a result of the AT decision, are attached to this letter as **Appendices B – O**. The clean set of conditions in **Appendices B – O** includes the changes set out in the table below, formatting changes (including rearranging order of conditions) and minor non-substantive changes (such as capitalisations).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jane Small', written over a faint grey circular stamp.

Jane Small

Group Manager, Property and Planning

Modifications made by Auckland Transport to conditions recommended by the Hearing Commissioners for NoRs S4, W1, W2, W3, W4, W5, RE1, RE2, R1, RATN1, RATN2A, RATN2B, RATN2C, HIFTR

Designation	Condition number	Modifications made by Auckland Transport to conditions recommended by the Hearing Commissioners (additions to conditions are in bold and <u>underlined</u> and rejections are in bold and strikethrough)	Reason for modifications
All	-	The panel has recommended the inclusion of a brief description of the NoRs at the front of the 'W1', 'W2' etc descriptions. RE2 and W5 have also been added into combined set.	Reject new conditions. The Panel has proposed new conditions to describe the designation purposes. Auckland Transport (AT) rejects these additional conditions because the purpose of the designation is already described in each of the NoRs, and that purpose will be reflected in the AUP schedule of designations. <i>Schedule 1: General Accordance Plans and Information</i> provides the Project description for which the works within the designation shall be undertaken in general accordance with, as referred to in Condition 1. AT is neutral on the conditions for RE2 and W5 being moved into the combined condition set. This is because it has no material impact on the condition sets since they will be separated out into individual designations before being included in the AUP. However, in some cases RE2 and W5 have not been incorporated for each condition that may apply to them. In other cases, AT rejects the conditions being merged on the basis that there are intentional differences across the NoRs and those nuances would be lost. Refer to the appended clean condition sets for the conditions specific to each NoR.
All	Abbreviations and definitions	Certification of material changes to management plans Confirmation from the Manager that a CNVMP Schedule (or change thereto) or a material change to a management plan has been prepared in accordance with the condition to which it relates. A CNVMP Schedule (or change thereto) or a material change to a management plan shall be deemed certified: (a) where the Requiring Authority has received written confirmation from the Council that the CNVMP Schedule or the material change to the management plan is certified ; or (b) ten (10) working days from the submission of the CNVMP Schedule or the material change to the management plan where no written confirmation of certification has been received; or (c) Five (5) working days from the submission of the material change to a CNVMP Schedule where no written confirmation of certification has been received.	Reject amendments regarding CNVMP Schedule / amendment by AT. The Panel has recommended amendments relating to certification of the CNVMP Schedule. AT rejects the recommended amendments as the requirement to certify the CNVMP Schedule is set out in the Schedule to a CNVMP condition, not the definition. AT is also re-locating the requirement to certify a <i>material change</i> to a CNVMP to that condition so that the definition relates to certification of material changes to management plans only. Accordingly, clause (c) has been relocated to that condition to sit alongside the existing initial certification requirements in that condition. AT notes that the removal of "CNVMP Schedules" from this definition means that some of the Panel's tracking is indirectly accepted. Accept amendment to condition to include the word "management". AT agrees with adding the word "management" for clarity.
All	Abbreviations and definitions	EIANZ Guidelines Ecological Impact Assessment: EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems, second edition, dated May 2018 (or any updated version).	Reject the insertion of or any updated version to the definition of the EIANZ Guidelines. The Panel has recommended adding "or any updated version" at the end of this definition. AT rejects this amendment but has instead proposed an amendment to the Pre-Construction Ecological Survey condition (as discussed within that condition below).
All	Abbreviations and definitions	Mana Whenua Mana Whenua as referred to in the conditions is considered to be (as a minimum but not limited to) the following (in no particular order), who at the time of Notice of Requirement expressed a desire to be involved in the Project includes but is not limited to: <ul style="list-style-type: none">• Te Kawerau a Maki• Ngāi Whātua o Kaipara• Te Akitai Waiohau Note: Other iwi and hapū not identified above may have an interest in the Project and should be consulted.	Amendment by AT Amendments to improve drafting.

Designation	Condition number	Modifications made by Auckland Transport to conditions recommended by the Hearing Commissioners (additions to conditions are in bold and underlined and rejections are in bold and strikethrough)	Reason for modifications
All	Abbreviations and definitions	Urban zoning Land-zoned-residential-or-business-together-with-adjoining-special-purpose-and-open-space zones.	Amendment by AT AT have deleted the definition as it is not used in the condition set.
RE2 W5		Conditions 1 – 24A of this designation shall only apply to the work described in the Project Description and the altered area identified in Concept Plan in Schedule 1.	Reject amendment to condition The Panel has amended the conditions references in this condition to "1-24A". The reason for this change is unclear and AT notes that the operational noise conditions (conditions 25 onwards) do apply to W5 and RE2. On that basis, AT rejects this recommendation and refers to the appended clean condition sets for the conditions specific to each designation and the correct referencing.
HIFTR-R1 RATN1 RATN2A RATN2B RATN2C RE1-S4-W1 W2-W3-W4		Conditions 1 – 36 of this designation shall only apply to the work described in the Project Description and the altered area identified in the Concept Plan in Schedule 1.	Reject The Panel has proposed this condition for all new corridors in addition to W5 and RE2 (alterations to existing designations). AT rejects this new condition as it is unnecessary for new corridors. Condition sets are split out into individual designations and will therefore apply to each designation.
All	2	Project Information (a) A project website, or equivalent virtual information source, shall be established as soon as reasonably practicable, and within six (6) months of the inclusion of this designation inclusion in the AUP. (b) All directly affected owners and occupiers shall be notified in writing as soon as reasonably practicable once the website or equivalent information source has been established. The project website or virtual information source shall include these conditions and shall provide information on: (i) the status of the Project; (ii) anticipated construction timeframes; (iii) contact details for enquiries; (iv) a subscription service to enable receipt of project updates by email; (v) the implications of the designation for landowners, occupiers and business owners and operators within the designation on how/where they can receive additional support following confirmation of the designation; (vi) how/where to access noise-modelling contours to inform the design of development adjacent to the designation; and (vii) when and how to apply for consent for works in the designation under section 176(1)(b) of the RMA. (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.	Reject new clause (vi) The Panel recommends including a new clause relating to noise modelling contours into the Project Information condition. AT rejects this addition on the basis that this matter is already addressed by the LIP condition and is therefore unnecessary. The LIP will provide a tool to encourage and facilitate the integration of master planning and land use development activity on land directly affected by, or adjacent to the designation. This will provide a mechanism for engagement between the developers adjacent to the designation to aid and inform the development. Clause (c)(i)(E) of the LIP condition has specific regard to information requested in relation to the traffic noise modelling contours. Amendment by AT AT amends clause (a) to improve wording.
All	2A	Land use Integration Process (LIP) (a) A-The Requiring Authority shall set up a Land use Integration Process for the period between confirmation of the designation and the Start of Construction shall be established. The purpose of this process is to encourage and facilitate the integration of master planning and land use development activity on land directly affected by, or adjacent to the designation. To achieve this purpose:	(v) Reject / amendment by AT The Panel proposes to include "the design of" into the clause that relates to noise modelling contours. AT rejects this amendment but relocates the reference to noise modelling contours into (c)(i) so that the information requested or provided may include design details including traffic noise modelling contours. Amendment by AT

Designation	Condition number	Modifications made by Auckland Transport to conditions recommended by the Hearing Commissioners	Reason for modifications
		<p>(additions to conditions are in bold and underlined and rejections are in bold and strikethrough)</p> <p>(i) The Requiring Authority shall include the contact details of a nominated contact shall be included on the project website (or equivalent information source) required to be established by Condition 2)(a)(iii); and</p> <p>(ii) The nominated contact shall facilitate engagement with be the main point of contact for a Developer or Development Agency wanting to work with the Requiring Authority to integrate their development plans or master planning with the designation.</p> <p>(b) At any time prior to the Start of Construction, the nominated contact shall will be available to engage with a Developer or Development Agency for the purpose of:</p> <p>(i) responding to requests made to the Requiring Authority for information regarding design details that could assist with land use integration; and</p> <p>(ii) receiving information from a Developer or Development Agency regarding master planning or land development details that could assist with land use integration.</p> <p>(c) Information requested or provided under Condition 2A(b) above may include but not be limited to the following matters:</p> <p>(i) design details including but not limited to:</p> <ul style="list-style-type: none"> A. boundary treatment (e.g. the use of retaining walls or batter slopes); B. the horizontal and vertical alignment of the road (levels); C. potential locations for mid-block crossings; D. integration of stormwater infrastructure; E. traffic noise modelling contours; and F. Outputs from any flood modelling. <p>(ii) Potential modifications to the extent of the designation in response to information received through Condition 2A(b)(ii);</p> <p>(iii) a process for the Requiring Authority to undertake a technical review of or provide comments on any master planning or development proposal advanced by the Developer or Development Agency as it relates to integration with the Project; and</p> <p>(iv) details of how to apply for written consent from the Requiring Authority for any development proposal that relates to land is within the designation under section 176(1)(b) of the RMA. and</p> <p>(v) how to access noise modelling contours to inform the design of development adjacent to the designation.</p> <p>(d) Where information is requested from the Requiring Authority and is available, it shall be provided the nominated contact shall provide the information unless there are reasonable grounds for not providing it.</p> <p>(e) The Requiring Authority nominated contact shall maintain a record of engagement with between the Requiring Authority and Developers and Development Agencies for the period following the date in which this designation is included in the AUP through to the Start of Construction for a Stage of Work. The record shall include:</p> <ul style="list-style-type: none"> (i) a list of all Developers and Development Agencies who indicated through the notice of requirement process that they intend to master plan or develop sites along the Project alignment that may require specific integration with the designation; (ii) a summary of details of any requests made to the Requiring Authority that could influence detailed design, the results of any engagement and, where such requests that could influence detailed design are declined, the reasons why the Requiring Authority has declined the requests; and (iii) details of any requests to co-ordinate the forward work programme, where appropriate, with Development Agencies and Network Utility Operators. 	<p>AT has also made a series of amendments to the LIP condition for clarity and to improve readability.</p>

Designation	Condition number	Modifications made by Auckland Transport to conditions recommended by the Hearing Commissioners	Reason for modifications
<p>All W4 W2 W3 W4 RE1 RE2 RATN1 RATN2C HIFR S4</p>	<p>3</p>	<p>(additions to conditions are in bold and <u>underlined</u> and rejections are in bold and strikethrough) (f) The record shall be submitted to the Council for information ten working days prior to the Start of Construction for a Stage of Work.</p> <p>Designation Review Pre-construction review The Requiring Authority shall, at five (5)-yearly intervals from the confirmation of the designation, undertake a review of the designation. The review shall involve affected landowners and occupiers and:</p> <ul style="list-style-type: none"> (i) assess the need for, and extent of the land, as part of the designation; (ii) provide an update on the progress or effort made to give effect to the designation; and (iii) be made publicly available on the project website and be made available to the Council. <p>Post-construction review (a) As soon as reasonably practicable, but no later than six (6) months, following the Completion of Construction, the Requiring Authority shall:</p> <ul style="list-style-type: none"> (i) review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the Project; and (ii) give notice to the Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above. 	<p>Reject pre-construction review The Panel has recommended the inclusion of a pre-construction review condition. AT rejects this recommendation on the basis that it is unnecessary.</p> <p>AT explained why such a condition is unnecessary in its closing submissions¹ and in particular notes that:</p> <ul style="list-style-type: none"> • The requirement to undertake such reviews across all designations (including others within the region) would be a costly and inefficient imposition on public funds that could otherwise be allocated to priority projects. • Section 79 of the RMA requires the Council to undertake a review of the District Plan every 10 years, which provides an appropriate opportunity for a Requiring Authority to consider the need for a designation. • The lapse periods are based on long-term implementation timeframes and a periodic review could create an expectation for a shorter timeframe than is the case. • Further the project website will be established, as soon as reasonably practicable, and within 6 months of the designation inclusion in the AUP to provide landowners, occupiers and the community updates on the Projects. <p>Reject post-construction review/ amendments by AT The Panel has recommended that the post-construction review occur no later than six months following the Completion of Construction. AT rejects this recommendation and amends the condition to remove reference to the six-month timeframe.</p> <p>As outlined in the evidence of Mr Lovell², the intent of the condition is to retain some flexibility as the roll back process is subject to third party actions and other factors that could impact the timeframe.</p> <p>Reject condition The Panel recommends a different condition for RATN2A and RATN2B. AT rejects having a separate designation review condition for RATN2A and RATN2B for the reasons explained above.</p>
<p>RATN2A RATN2B</p>	<p>3</p>	<p>Designation Review As soon as reasonably practicable, but no later than six (6) months, following the Completion of Construction, the Requiring Authority shall:</p> <ul style="list-style-type: none"> (i) review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the Project; and (ii) give notice to the Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above. 	<p>Reject condition The Panel recommends a different condition for RATN2A and RATN2B. AT rejects having a separate designation review condition for RATN2A and RATN2B for the reasons explained above.</p>

¹ Closing legal submissions of Requiring Authority, dated 24 November 2023, at [4.35 – 4.44]

² Rebuttal evidence of Alastair Lovell, dated 8 September 2023 [4.1 – 4.4].

Designation	Condition number	Modifications made by Auckland Transport to conditions recommended by the Hearing Commissioners (additions to conditions are in bold and underlined and rejections are in bold and strikethrough)	Reason for modifications
RATN2A RATN2B	3A	<u>Lapse</u> In accordance with section 184(4)(c) of the RMA, this designation shall lapse if not given effect to within ten (10) years from the date on which it is included in the AUP.	Reject reduced lapse date for RATN2A, RATN2B The Panel has recommended that the lapse periods for RATN2A and RATN2B be reduced from 15 to 10 years. AT rejects this recommendation. The Panel's justification for the recommendation is that the availability of funding under the HIF scheme provides greater certainty for the delivery of these corridors. Since the hearing, the HIF funding has been significantly scaled back from the figures previously shared in Mr Lovell's evidence ³ . With the current constrained funding environment and budget cuts being implemented across the public sector including Auckland Council, it is now highly unlikely that the next RLTP will allocate sufficient funding to deliver both arterial corridors within the next 10 years. Given the uncertainty of financing and current funding constraints, AT reaffirms the need for 15-year lapse periods for RATN2A and RATN2B and the conditions provide appropriate mechanisms and processes to mitigate uncertainty and other potential effects ⁴ .
W1 W2 W3 W4 RE1 RATN1 RATN2A RATN2B RATN2C HIFTR	3A	<u>Lapse</u> (a) In accordance with section 184(1)(c) of the RMA, this designation shall lapse if not given effect to within 15 years from the date on which it is included in the AUP.	Reject reduced lapse date for RATN2A, RATN2B See above.
All	4	Network Utility Operators and Auckland Council (Section 176 Approval) (a) Prior to the start of Construction Works, Network Utility Operators with existing infrastructure and Auckland Council in relation to parks located within the designation will not require written consent under section 176 of the RMA for the following activities: (i) operation, maintenance and repair works; (ii) minor renewal works to existing network utilities or parks necessary for the on-going provision or security of supply of network utility or parks operations; (iii) minor works such as new service connections; and (iv) the upgrade and replacement of existing network utilities or parks in the same location with the same or similar effects on the work authorised by the designation as the existing utility or park . (b) To the extent that a record of written approval is required for the activities listed above, this condition shall constitute written approval.	Amendment by AT Condition 4 provides that Network Utility Operators with existing infrastructure and Auckland Council in relation to parks that are located within the designation will not be required to obtain written consent from the Requiring Authority for the activities listed in the condition. AT amends clause (iv) to clarify the nature of the effects referred to, and to remove the reference to parks given the potential scale of activities that could risk preventing or hindering the Projects, it is, however, appropriate to provide for upgrades and replacement of existing utilities anticipated within transport corridors as these are critical services.
All	6	Management Plans (a) Any management plan shall: (i) Be prepared and implemented in accordance with the relevant management plan condition and to achieve its objective or purpose ; (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.	Reject amendment to (i) The Panel recommends including "and to achieve its objective or purpose". The AT decision is to reject this addition on the basis that it is unnecessary as the individual management plan conditions already include such requirements. Amendment by AT Remove "other" as Mana Whenua are a Project partner.

³ Primary Evidence of Alistair Lovell, dated 2 August 2023 [5.17]

⁴ Closing legal submissions of Requiring Authority, dated 24 November 2023, at [4.45 - 4.55].



Designation	Condition number	Modifications made by Auckland Transport to conditions recommended by the Hearing Commissioners	Reason for modifications
W3 W5	8A	<p>(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;</p> <p>...</p> <p>Stakeholder Communication and Engagement Management Plan (SCEMP)</p> <p>(b) The objective of the SCEMP is to identify how the public and Stakeholders will be engaged with throughout Construction Works. To achieve the objective, the SCEMP shall include</p> <p>...</p> <p>(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);</p> <p>(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;</p> <p>(vi) methods to manage avoid, remedy or mitigate the potential loss of visibility from public spaces and physical severance to businesses in the Business - Local Centre Zones, informed by engagement undertaken in accordance with Condition (i) and (ii) above. These methods could include (but not be limited to) customer access arrangements, temporary wayfinding and signage.</p> <p>...</p> <p>(vii) provision for a hardship fund to compensate or offset business costs or losses arising from the Construction Works on the operation of the business</p> <p>(c) Any SCEMP prepared for a Stage of Work shall be submitted to the Council for information with the Outline Plan a minimum of ten (10) working days prior to the Start of Construction for a Stage of Work.</p>	<p>Reject amendment to (vii)</p> <p>The Panel recommends that "avoid, remedy or mitigate" is more appropriate than "manage" in clause (b)(vii). The AT decision is to reject this amendment as it is unnecessary. The objective of the SCEMP is to identify how the public and Stakeholders will be engaged with throughout Construction Works. In this context, "manage" is more appropriate as this is an administrative process. Consideration of avoid, remedy or mitigate is used in other management plans that specifically address effects.</p> <p>Reject insertion of "physical" in (vii)</p> <p>The Panel recommends that severance is limited to "physical" severance. AT rejects the addition of "physical" as it is considered severance should encompass all forms of potential severance.</p> <p>Reject addition of clause (xi)</p> <p>The Panel proposes an additional clause relating to a hardship fund. AT rejects this recommendation and considers the Panel has not provided adequate justification for its inclusion and it is not mandated by current statutory requirements. Rejection of the recommendation does not preclude future consideration of such a fund. AT considers any additional support for businesses impacted by a Stage of Work is best considered on a case-by-case basis. In addition, compensation matters are provided for within the PWA.</p> <p>Amendment by AT to clause (b)(v)</p> <p>AT removes clause (b)(v) because the content is unnecessary as it duplicates requirements in (b)(iv).</p> <p>Amendment by AT to clause (c)</p> <p>AT has amended clause (c) consistent with the approach outlined in its written closing submissions. That is, that the SCEMP will be provided separate to the Outline Plan process and prepared prior to the start of construction. The proposed Stakeholder Communication and Engagement condition requires that the identification of stakeholders, directly affected properties and engagement methods must take place at least six months before detailed design, and it is a record of those matters that must be submitted at the Outline Plan stage (not the SCEMP). Previous wording was retained in error.</p> <p>AT also adopts the inclusion of "minimum" to clause (c), to be consistent with the Panel's recommendation for the other corridors.</p>
S4 W1 W2 W4 RE1 RE2 R1 RATN1 RATN2A RATN2B	8A	<p>Stakeholder Communication and Engagement Management Plan (SCEMP)</p> <p>(b) The objective of the SCEMP is to identify how the public and Stakeholders will be engaged with throughout Construction Works. To achieve the objective, the SCEMP shall include</p> <p>...</p> <p>(vi) the contact details for the Project Liaison Person. These details shall be on the Project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s);</p> <p>(vii) the procedures for ensuring that there is a contact person available for the duration of Construction Works, for public enquiries or complaints about the Construction Works;</p>	<p>See above with respect to (b)(vi) and (vii) and (c).</p>

Designation	Condition number	Modifications made by Auckland Transport to conditions recommended by the Hearing Commissioners	Reason for modifications
RATN2C HIFTR		(c) Any SCEMP prepared for a Stage of Work shall be submitted to the Council for information with the Outline Plan Plan a minimum of ten (10) working days prior to the Start of Construction for a Stage of Work.	
All	9	<p>Urban and Landscape Design Management Plan (ULDMP) [note some clauses have been relocated in clean sets]</p> <p>(c) Relevant stakeholders identified through the Condition-3B shall be invited to participate in the development of the ULDMP at least six (6) months prior to the start of detailed design for a Stage of Work.</p> <p>(d) The ULDMP shall be prepared in general accordance with: (i) Auckland Transport's Urban Roads and Streets Design Guide or any subsequent updated version; (iii) Waka Kotahi Landscape Guidelines (20138) or any subsequent updated version; and</p> <p>(e) To achieve the objective set out in Condition 9(1), the ULDMP(s) shall provide details of how the project:</p> <p>(vii) Has responded to requests that could influence detailed design matters identified through the Land Use Integration Process condition (Condition 2A);</p> <p>(f) The ULDMP(s) shall include:</p> <p>(iii) Landscape and urban design details – that cover the following:</p> <p>E. Landscape treatment and planting of permanent stormwater control wetlands and swales ...</p> <p>J. Reinstatement of features to be retained such as:</p> <ul style="list-style-type: none"> a. boundary features; b. landscaping; c. driveways; d. accessways; and e. fences; and f. site utilities. <p>(g) The ULDMP shall also include the following planting details and maintenance requirements:</p> <ul style="list-style-type: none"> (i) Planting design details including: <ul style="list-style-type: none"> a. identification of existing trees and vegetation that will be retained with reference to the Tree Management Plan (where relevant) and Ecological Management Plan*. Where practicable, mature trees and native vegetation should be retained; <p>... d. Planting of stormwater wetlands;</p>	<p>Accept in part - (c) removal of key. The Panel recommends the deletion of the word "key" in front of Stakeholders. The AT decision is to accept the removal of "key" in clause (c) and replace with "relevant". The reference to "relevant" stakeholders in the conditions is required because at this stage of a project, engagement should be focussed on those Stakeholders considered relevant to the Stage of Work. The ULDMP will be prepared by a Suitably Qualified Person who will be best qualified to advise on who the relevant stakeholders are that should be invited to participate in the development of the ULDMP.</p> <p>Reject – (f)(iii)(i) site utilities. The Panel recommends including "site utilities" as an example of features to be re-instated. The AT decision is to reject the addition of "site utilities" in (f)(iii)(i) as the list of features to be re-instated is inclusive so it is unnecessary to list every feature. In addition, AT notes that reinstatement of utilities is provided for under the PWA.</p> <p>Reject - (g)(iii) irrigation and plant replacement. The Panel recommends including "irrigation" and "plant replacement (due to theft or plants dying)" into the list of detailed specifications. AT rejects this recommendation as the list of features is inclusive so it is unnecessary to list every feature. AT also considers that plant replacement is already addressed in the lead in sentence that captures "planting details and maintenance requirements". Maintenance of landscaping will also be guided by the NZTA Landscape Guidelines which the ULDMP will be prepared in general accordance with.</p> <p>Accept – removal of advice note (front yard setback) The Panel recommends deleting the advice note to the ULDMP. AT accepts the deletion of the advice note.</p> <p>Amendments by AT AT has amended the condition to improve clarity and to remove reference to Condition 3B in clause (c). The ULDMP is prepared by a Suitably Qualified Person, who is best positioned to identify relevant stakeholders. *AT notes that the reference to the "Ecological Management Plan" is not included in the ULDMP condition for the HIFTR, W5 and RE2 corridors. AT has also removed the reference to "planting of stormwater wetlands" in clause (g)(f)(d) and instead inserted "planting" in clause (f)(iii)(E) to avoid duplication, and has corrected an incorrect date in the Waka Kotahi Landscape Guidelines.</p> <p>The ULDMP condition has also been separated into three separate conditions and some clauses relocated in the clean sets for ease of implementation. To ensure that there is a link between the three ULDMP conditions, the phrase "set out in Condition 9(1)" has been added (with updated numbering in the clean sets).</p>



Designation	Condition number	Modifications made by Auckland Transport to conditions recommended by the Hearing Commissioners	Reason for modifications
		<p>(additions to conditions are in bold and <u>underlined</u> and rejections are in bold and struckthrough)</p> <p>e. Identification of vegetation to be retained and any planting requirements under the Ecological Management Plan (Conditions 21B)* and Tree Management Plan (Condition 22);</p> <p>...</p> <p>(iii) Detailed specifications relating to the following:</p> <p>...</p> <p>f. Irrigation; and g. Plant replacement (due to theft or plants dying).</p>	
All		<p>Flood Hazard</p> <p>For the purpose of Condition 10:</p> <p>...</p> <p>(d) Flood prone area – means a potential ponding areas that may flood and commonly comprised of topographical depression areas. These areas can occur naturally or as a result of constructed features which act as embankments when stormwater outlets are blocked. Flood prone areas typically include depressions formed by road/railway/motorway embankments built across natural gullies.</p>	<p>Accept – removal of ARI in definitions</p> <p>The Panel recommends deleting the definition of ARI. The Panel is correct that this is not a term that is subsequently used in the flood hazard condition and its deletion is accepted by AT.</p> <p>Amendment by AT to the definition of flood prone area.</p> <p>AT is amending the definition of “flood prone area” to provide some additional clarification and to be consistent with the Auckland Council GIS definition.</p>
All	10	<p>Flood Hazard</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 500mm within the designation or upstream or downstream of the designation;</p> <p>(ii) no more than a 10% reduction in freeboard in a 1% AEP event for existing authorised habitable floors with a freeboard of over 500mm (to maintain a minimum freeboard of 500mm), within the designation or upstream or downstream of the designation; no increase in 1% AEP flood levels for existing authorised community, commercial, industrial and network utility building floors that are already subject to flooding or have a freeboard of less than 300mm within the designation or upstream or downstream of the designation,</p> <p>(iv) no more than a 10% reduction in freeboard in a 1% AEP event for existing authorised community, commercial, industrial and network utility building floors with a freeboard of over 300mm (to maintain a minimum freeboard of 300mm), within the designation or upstream or downstream of the designation; no increase in 1% AEP flood level, except where the increase in level occurs within a well-defined stream cross-section and the increase will not increase the flood-plain extent;</p> <p>(v) existing or new overland flow paths shall be diverted away from private properties and discharge to a suitable location so that there is no increase in flood levels in a 1% AEP event downstream. Overland flow paths shall be kept free of obstructions; 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>(viii) no new flood prone areas; and</p> <p>(ix) no increase of flood hazard class for the main vehicle and pedestrian access route to authorised habitable dwellings existing at time the Outline Plan is submitted. The assessment shall be undertaken for the 1% AEP rainfall event and reference the hazard class in accordance with Schedule 5 to these conditions.</p>	<p>Reject amendments to condition.</p> <p>The Panel has recommended changes to the Flood Hazard condition to align with the Healthy Waters version of the conditions along with some amendments. AT rejects these changes and (except for the amendment discussed below) retains the version of the condition proposed in its Memorandum of Counsel dated 22 December 2023 for the reasons explained in both that Memorandum and Closing Submissions.⁵</p> <p>Amendment by AT to clause (a)(ix)</p> <p>AT is amending this clause to improve clarity by capitalising “Flood Hazard” and to make it clear that the requirement relates to both the main “vehicle” and “pedestrian” route. AT are removing the numerical threshold values and replacing it with a requirement to not increase the Flood Hazard class, to improve the workability of the condition whilst achieving a similar outcome. Schedule 5 has been added to set hazard classifications aligned with (Smith et al., 2014).</p>

⁵ Closing Legal Submissions of Requiring Authority, dated 24 November 2023, at [15.3] – [15.15]; Memorandum of Counsel dated 22 December 2023, at [7.1 – 7.5].



Designation	Condition number	Modifications made by Auckland Transport to conditions recommended by the Hearing Commissioners (additions to conditions are in bold and underlined and rejections are in bold and strikethrough)	Reason for modifications
All	11	<p>Where Flood Hazard is:</p> <ul style="list-style-type: none"> • velocity x depth \rightarrow = 0.5 of • depth \rightarrow 0.5 of • velocity \rightarrow 2m/s. <p>(b) Compliance with <u>this</u> condition (a) shall be demonstrated in the Outline Plan, which shall include flood modelling of the pre-Project and post-Project 1% AEP flood levels (for Maximum Probable Development land use and including climate change).</p> <p>(f) proposed horizontal and vertical alignments of the road design; and</p> <p>(f) all stormwater, drainage and mitigation infrastructure proposed to service the road construction;</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>(d) The capacity of the designator's stormwater management network to drain surface water from private properties shall not be reduced or if reduced is appropriately accommodated by other means</p> <p>Advice Note: Consultation with Auckland Council Healthy Waters (or its equivalent) to identify opportunities for collaboration on catchment improvement projects shall be carried out at the detailed design stage.</p> <p>Existing property access</p> <p>(e) Where existing property vehicle access which exists at the time the Outline Plan is submitted is proposed to be altered by the project, the Requiring Authority shall consult with the directly affected landowners and occupiers regarding the required changes. The Outline Plan shall demonstrate how safe, efficient and effective access to the transport corridor, and on-site parking and manoeuvring, will be provided, unless otherwise agreed with the affected landowner.</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. <u>The Outline Plan shall demonstrate how safe reconfigured or alternate access will be provided, unless otherwise addressed with the affected landowner.</u></p>	<p>Amendments by AT</p> <p>AT has revised the wording of this condition to improve clarity and add the phrase "reconfigured or alternate access". AT has also changed 'agreed' to 'addressed' as changes to access may not require a formal agreement; this may depend on the nature of the change and whether land acquisition is required under the PWA.</p> <p>Reject insertion of "on-site parking and manoeuvring."</p> <p>The Panel recommended amending this condition so that it reads "... safe efficient and effective access to the transport corridor, and on-site parking and manoeuvring will be provided..." AT rejects the addition of "on-site parking and manoeuvring" as the insertions are unnecessary for the reasons provided in the Closing Legal Submissions.⁶</p> <p>Reject insertion of "efficient and effective."</p> <p>AT rejects the addition of "efficient and effective access to the transport corridor" on the basis that it is unnecessary for the reasons explained in Closing Legal Submissions and the evidence of Ms Seymour.⁷</p>

⁶ Closing Legal Submissions of Requiring Authority, dated 24 November 2023, at [14.8]

⁷ Closing Legal Submissions of Requiring Authority, dated 24 November 2023, at [13.10] and [14.8]; and Rebuttal evidence of Michelle Seymour, dated 8 September 2023, at [3.15].



Designation	Condition number	Modifications made by Auckland Transport to conditions recommended by the Hearing Commissioners (additions to conditions are in bold and underlined and rejections are in bold and strikethrough)	Reason for modifications
All	12	<p>Construction Environmental Management Plan (CEMP)</p> <p>(b) The objective of the CEMP is to set out the management procedures and construction methods to be undertaken to, avoid, remedy or mitigate any adverse effects associated with Construction Works as far as practicable. To achieve the objective, the CEMP shall include:</p> <p>...</p> <p>(iii) details of the proposed construction yards including temporary screening when adjacent to Residential zones;</p> <p>(iv) details of the proposed locations of refuelling activities and construction lighting;</p> <p>...</p> <p>(x) Location and procedures for the refuelling and maintenance of plant and equipment to avoid discharges of fuels or lubricants to Watercourses;</p> <p>...</p>	<p>Accept addition to clause (iv) The Panel recommends amending "residential areas" to "residential zones" in clause (b)(iv), which is accepted by AT.</p> <p>Amendment by AT AT has made administrative amendments to condition 12(b) to separate out locations of refuelling activities from clause (v) to clause (x)</p>
All	15	<p>Cultural Monitoring Plan (CMP)</p> <p>(a) Prior to the start of Construction Works, a CMP shall be prepared by a Suitably Qualified Person(s) identified in collaboration with Mana Whenua.</p> <p>(b) The objective of the CMP is to identify methods for undertaking cultural monitoring to assist with management of any cultural effects during Construction Works. To achieve the objective,</p> <p>... The CMP shall include:</p>	<p>Amendment by AT Minor wording improvement.</p>

Designation	Condition number	Modifications made by Auckland Transport to conditions recommended by the Hearing Commissioners	Reason for modifications																					
All	16	<p>(additions to conditions are in bold and underlined and rejections are in bold and strikethrough)</p> <p>Construction Traffic Management Plan (CTMP)</p> <p>(a) A CTMP shall be prepared prior to the Start of Construction for a Stage of Work. (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> <p>...</p> <p>(vi) methods to maintain vehicle access parking and manoeuvring to and within property and/or private roads where practicable, or to provide alternative vehicle access parking and manoeuvring arrangements when it will not be, including details of how access is managed for loading and unloading of goods. Engagement with landowners or occupiers whose access parking and manoeuvring is directly affected shall be undertaken in accordance with Condition 3B of the SCEMP.</p> <p>(vii) details of how the loading and unloading of goods will be provided for;</p> <p>(viii) the management approach to loads on heavy vehicles, including covering loads of fine material, the use of wheel-wash facilities at site exit points and the timely removal of any material deposited or spilled on public roads;</p> <p>(ix) methods that will be undertaken to communicate traffic management measures to affected road users (e.g. residents/ public/ stakeholders/ emergency services);</p> <p>(x) 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> <p>(xi) details of minimum network performance parameters during the construction phase, including any measures to monitor compliance with the performance parameters; and</p> <p>(xii) details of any measures proposed to be implemented in the event of thresholds identified in (xi) being exceeded.</p> <p>(c) 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>	<p>Reject additions to clause (vi) (vi) – "Vehicle" access. The Panel recommends inserting "vehicle" in front of "Access". AT does not intend to limit the CTMP to vehicle access and rejects this recommendation. This retains flexibility for other modes of transport (such as active modes).</p> <p>Reject additions to clause (vi) – "parking and manoeuvring" to and within property ... "parking and manoeuvring" arrangements The Panel recommends including references to "parking and manoeuvring" into the CTMP. AT does not accept that the CTMP should in all instances require maintenance of parking and manoeuvring areas within private property. It notes this is a matter that will generally also be considered under the PWA.</p> <p>Amendment by AT to clause (vi) and (vii) AT has relocated the reference to the loading and unloading of goods from a standalone clause to clause (vi) to recognise the link between access and loading areas, and has corrected a reference from Condition 3B to the SCEMP. AT has also deleted the word "access" in the requirement to provide alternative arrangements where access will not be maintained to improve workability of the condition.</p> <p>Amendment proposed by AT to clause (c) and (b)(x) AT has relocated clause (c) from (b)(x)</p>																					
All	17	<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 17.1: Construction noise standards</p> <table border="1" data-bbox="1102 1133 1355 1783"> <thead> <tr> <th>Day of week</th> <th>Time period</th> <th>L_{day/Even}</th> <th>L_{Even}</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> </tbody> </table>	Day of week	Time period	L _{day/Even}	L _{Even}	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	<p>Amendment by AT AT has amended the 55dB reference in Saturday 06:30 – 07:30 to 45dB to correct the error</p>
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All	18	<table border="1"> <tr> <td>Saturday</td> <td>0630h - 0730h</td> <td>65 45 dB</td> <td>75 dB</td> </tr> <tr> <td></td> <td>0730h - 1800h</td> <td>70 dB</td> <td>85 dB</td> </tr> <tr> <td></td> <td>1800h - 2000h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td></td> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>Sunday and Public Holidays</td> <td>0630h - 0730h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td></td> <td>0730h - 1800h</td> <td>55 dB</td> <td>85 dB</td> </tr> <tr> <td></td> <td>1800h - 2000h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td></td> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td colspan="4">Other occupied buildings</td> </tr> <tr> <td>All</td> <td></td> <td>0730h - 1800h</td> <td>70 dB</td> </tr> <tr> <td></td> <td></td> <td>1800h - 0730h</td> <td>75 dB</td> </tr> </table> <p>b. Where compliance with the noise standards set out in Table 17.1 is not practicable, the methodology in Condition 20 shall apply.</p>	Saturday	0630h - 0730h	65 45 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	Amendment by AT Minor administrative amendments.
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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 Table 18.1 as far as practicable.</p> <p>Table 18.1 Construction vibration criteria- 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 rowspan="2">Occupied Activities sensitive to noise</td> <td>Night-time 2000h - 0630h</td> <td>0.3mm/s ppv</td> <td>2mm/s ppv</td> </tr> <tr> <td>Daytime 0630h - 2000h</td> <td>2mm/s ppv</td> <td>5mm/s ppv</td> </tr> <tr> <td rowspan="2">Other occupied buildings</td> <td>Daytime 0630h - 2000h</td> <td>2mm/s ppv</td> <td>5mm/s ppv</td> </tr> <tr> <td>At all other times</td> <td>Tables 1 and 3 of DIN4150-3:1999</td> <td></td> </tr> </tbody> </table> <p>*Category A criteria adopted from Rule E25.6.30.1 of the AUP **Category B criteria based on DIN 4150-3:1999 building damage criteria for daytime Where compliance with the vibration standards set out in Table 18.1 is not practicable, the methodology in Condition 20 shall apply.</p>	Receiver	Details	Category A *	Category B **	Occupied Activities sensitive to noise	Night-time 2000h - 0630h	0.3mm/s ppv	2mm/s ppv	Daytime 0630h - 2000h	2mm/s ppv	5mm/s ppv	Other occupied buildings	Daytime 0630h - 2000h	2mm/s ppv	5mm/s ppv	At all other times	Tables 1 and 3 of DIN4150-3:1999		Amendments by AT The references to certification of the CNVMP Schedule have been removed from the definition, as the certification process is best placed in this Schedule to a CNVMP condition rather than the																										
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Designation	Condition number	Modifications made by Auckland Transport to conditions recommended by the Hearing Commissioners	Reason for modifications
		<p>(additions to conditions are in bold and underlined and rejections are in bold and strikethrough)</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. To achieve the objective, the Schedule shall include details such as:</p> <p>...</p> <p>(d) The CNVMP Schedule shall be deemed certified five working days from the submission of the CNVMP Schedule where no written confirmation of certification has been received.</p> <p>...</p>	<p>definition. Accordingly, clause (c) of the definition has been relocated to this condition to sit alongside the existing certification requirements. AT has also made a drafting improvement to (b).</p>
All	21	<p>Historic Heritage Management Plan (HHMP)</p> <p>...</p> <p>(e) 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>Accidental Discoveries</p> <p>Advice Note: The Requiring Authority is advised of the requirements of Rule E11.6.1 of the AUP and in the Waka Kotahi Minimum Standard 245 Accidental Archaeological Discovery Specification, of any subsequent version:</p> <p>Accidental Discoveries</p> <p>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 245 Accidental Archaeological Discovery Specification, of any subsequent version:</p>	<p>Amendment by AT</p> <p>AT has deleted clause (c) because:</p> <ul style="list-style-type: none"> The actions to avoid, remedy and mitigate adverse effects on historic heritage are set out in the HHMP inclusions in 21(b). The HHMP will be submitted through the Outline Plan process. Monitoring and reporting actions are inherent in 21(b); it is not necessary to then condition a subsequent administrative process. This deletion is consistent with other management plan conditions (e.g. TMP, CNVMP, EMP) which also include monitoring and reporting actions but do not condition a subsequent administrative process. <p>AT amends the advice note to remove duplication and improve clarity regarding accidental discoveries.</p>
W1 W2 W3 W4 R1 RE1 S4 RATN1 RATN2A RATN2B RATN2C	21A	<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> <ol style="list-style-type: none"> Confirming whether the species of value within the Identified Biodiversity Areas recorded in the <i>Identified Biodiversity Area Schedule 2</i> are still present; and 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 <u>with the level of effect to be as determined in accordance with Table 10 of the EIANZ guidelines as included in Schedule 5 to these conditions (or subsequent updated version of the table).</u> If the ecological survey confirms the presence of ecological features species of value in accordance with Condition 21A(a)(i) and that effects are likely in accordance with Condition 21A(a)(ii) then an Ecological Management Plan (or Plans) shall be prepared in accordance with Condition 21B for these areas (Confirmed Biodiversity Areas). 	<p>Amendment by AT to clause (a)(ii)</p> <p>AT has amended clause (a)(ii) to acknowledge that Table 10 may be updated in future versions of the Guidelines and if the threshold for mitigation changes, there will be a requirement to provide mitigation in accordance with those updates.</p> <p>Amendment by AT to clause (a)</p> <p>AT amends the wording to improve clarity, and amends (b) to use wording consistent with the clause it refers to.</p>
RATN1 RATN2A RATN2B RATN2C	21B	<p>Ecological Management Plan (EMP)</p> <p>...</p> <p>(b) The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable. To achieve the objective, the EMP shall set out the methods that will be used to achieve the objective which may include:</p> <p>...</p>	<p>Amendment by AT</p> <p>AT amends the wording to improve clarity.</p>
W1	21B	<p>Ecological Management Plan (EMP)</p> <p>...</p>	<p>Amendment by AT</p>

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W2 W3 W4 S4 R1 RE1		<p>(additions to conditions are in bold and underlined and rejections are in bold and strikethrough)</p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (under taken in confirmed through Condition 21A) prior to the Start of Construction for a Stage of Work.</p> <p>(b) The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable. To achieve the objective, the EMP shall set out the methods that will be used to achieve the objective which may include: W3, R1, W1, W2, W4 and S4 only: <i>i. If an EMP is required in accordance with Condition 21A(b) for the presence of long tail bats: D. Details of how bat connectivity (including suitable indigenous or exotic trees or artificial alternatives) will be provided and maintained (e.g. through the presence of suitable indigenous or exotic trees or artificial alternatives). This could include identification of areas and timeframes for establishment of advance restoration / mitigation planting taking into account land ownership, accessibility and the timing of funding, measures to manage the effects of light spill on bat connectivity as far as practicable.</i></p>	<p>AT amends the wording to improve clarity.</p>
All	22	<p>Tree Management Plan (TMP)</p> <p>...</p> <p>(b) To achieve the objective, the TMP shall: To achieve the objective, the TMP shall: ...</p>	<p>Amendment by AT. AT amends clause (c) to be consistent with other management plans and to correct an error.</p>
All	23	<p>Network Utility Management Plan (NUMP)</p> <p>(a) A NUMP shall be prepared prior to the Start of Construction for a Stage of Work.</p> <p>(b) The objective of the NUMP is to set out a framework for protecting, relocating and working in proximity to existing network utilities. To achieve the objective, the NUMP shall include methods to: ... (iv) Demonstrate compliance with relevant standards and Codes of Practice including, where relevant, the NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances 2001; AS/NZS 4853:2012 Electrical hazards on Metallic Pipelines, and AS/NZS 2885 Pipelines – Gas and Liquid Petroleum. ... (e) 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. (f) 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>Amendment by AT AT amends clause (b) to be consistent with other management plans and to update (iv) as the AS/NZS 2885 Pipelines – Gas and Liquid Petroleum standard was excluded in error. AT deletes clause (e) as it is not required on AT transport corridors given integration is already provided for through the LIP condition. It also includes new clause (f) to ensure that opportunities to coordinate with Network Utility Operators during detailed design where practicable is considered in development of the NUMP.</p>
All	23	<p>Low Noise Road Surface</p> <p>(a) Asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented within 12 months of Completion of Construction of the project.</p> <p>(b) The asphaltic concrete surface shall be maintained to retain the noise reduction performance of the surface established in accordance with (a).</p>	<p>Reject amendment to clause (b) The Panel recommends inserting a new clause that requires the asphaltic concrete surface to be maintained to retain the noise reduction performance of the surface. AT rejects the insertion of clause (b). It is impractical to retain the noise reduction performance on the original surface on an ongoing basis as original road surfaces inherently degrade over time. Resurfacing decisions must take into account the whole-of-life cost of assets, as well as ensuring equitable resource allocation.</p>



Designation	Condition number	Modifications made by Auckland Transport to conditions recommended by the Hearing Commissioners (additions to conditions are in bold and <u>underlined</u> and rejections are in bold and strikethrough)	Reason for modifications												
All	24A	<p>Where the Project passes through areas with a residential or future urban zoning, noise barriers shall be erected where they can be demonstrated to provide the Best Practicable Option for the control of road traffic noise having regard to the future residential use of the adjoining land.</p>	<p>AT also notes that resurfacing can result in an improvement in road noise performance. AT considers this matter has been appropriately considered in the closing legal submissions⁹.</p> <p>Reject additional condition The Panel recommends a new condition relating to noise barriers. AT rejects the recommended additional condition and notes that the proposed conditions on the designations appropriately provide for assessing road traffic noise during detailed design. This has been discussed extensively through the evidence⁹ provided by AT and the legal submissions.¹⁰</p> <p>AT notes that the majority of the NoRs are upgrades to existing noisy roads. Sections of new roads and upgrades to existing roads will be low-speed urban arterials. AI implementation, AT has proposed designation conditions that require the implementation of a low noise road surface which will benefit both existing and future receivers.</p> <p>The proposed conditions also provide for the Best Practicable Option (beyond road surface material if required and appropriate) to be assessed as part of detailed design, for those PPFs set out in the relevant schedule of the proposed designation conditions.</p>												
All	24B	<p>Future Resurfacing Work</p> <p>a) Any future resurfacing works of the Project shall be undertaken in accordance with the Auckland Transport Reseal Guidelines, Asset Management and Systems 2013 or any updated version and asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented where:</p> <ul style="list-style-type: none"> (i) the volume of traffic exceeds 10,000 vehicles per day; or (ii) the road is subject to high wear and tear (such as cul de sac heads, roundabouts and main road intersections); or (iii) it is in an industrial or commercial area where there is a high concentration of truck traffic; or (iv) it is subject to high usage by pedestrians, such as town centres, hospitals, shopping centres and schools. <p>b) Prior to commencing any future resurfacing works, the Requiring Authority shall advise the Manager if any of the triggers in Condition 24B(a)(i) – (iv) are not met by the road or a section of it and therefore where the application of asphaltic concrete surfacing (or equivalent low noise road surface) is no longer required on the road or a section of it. Such advice shall also indicate when any resealing is to occur.</p>	<p>Reject deletion of Future Resurfacing Work condition The Panel recommends deleting the Future Resurfacing Work condition. AT rejects this recommendation. As explained in closing legal submissions, these criteria set out when the low noise road surface will be implemented. The criteria are drawn from the AT Reseal Guidelines and the condition also reflects AT's commercial and operational requirements.</p> <p>Resurfacing decisions must take into account the whole-of-life cost of assets, as well as ensuring equitable resource allocation. AT must consider its responsibility to future residents, and this goes beyond noise impacts and must take into account cost to ratepayers. These issues are particularly relevant to the AT corridors as the road surfaces are more likely to require the entire road pavement to be upgraded (rather than just the road surface).</p> <p>If future arterial corridors meet the criteria set out in the condition, then they will continue to be resealed in asphaltic concrete (or equivalent low noise road surface).</p> <p>AT proposed amendment to clause (a) Administrative amendment to refer to any updated version of the AT Reseal Guidelines.</p>												
NoR S4 NoR W1 NoR W2 NoR W3 NoR W4 NoR RE1 NoR R1 NoR RATM1 NoR RATN2a	New Schedule	<p>Schedule 5: Table 10 of the 2018 EIANZ Guidelines</p> <p>Criteria for describing level of effects (Adapted from Regini (2000) and Bofra Miskell (2011))</p> <table border="1"> <thead> <tr> <th>Ecological Value</th> <th>Very high</th> <th>High</th> <th>Moderate</th> <th>Low</th> <th>Negligible</th> </tr> </thead> <tbody> <tr> <td>Magnitude ↓</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Ecological Value	Very high	High	Moderate	Low	Negligible	Magnitude ↓						<p>Amendment by AT See explanation in the Pre-Construction Ecological Survey condition above for the rationale for this additional schedule.</p>
Ecological Value	Very high	High	Moderate	Low	Negligible										
Magnitude ↓															

⁹ Closing legal submissions of Requiring Authority, dated 24 November 2023, at [16:13 - 16:16].

⁹ Rebuttal Evidence of Claire Drewery dated 8 September 2023 [4.1 – 4.7].

¹⁰ Opening Legal Submissions on behalf of Auckland Transport and NZ Transport Agency Waka Kotahi dated 14 September 2023 [10.81]

Designation	Condition number	Modifications made by Auckland Transport to conditions recommended by the Hearing Commissioners (additions to conditions are in bold and <u>underlined</u> and rejections are in bold and strikethrough)	Reason for modifications																																				
NoR RATN2b NoR RATN2c		<table border="1"> <tr> <td>Very high</td> <td>Very high</td> <td>Very high</td> <td>High</td> <td>Moderate</td> <td>Low</td> </tr> <tr> <td>High</td> <td>Very high</td> <td>Very high</td> <td>Moderate</td> <td>Low</td> <td>Very low</td> </tr> <tr> <td>Moderate</td> <td>High</td> <td>High</td> <td>Moderate</td> <td>Low</td> <td>Very low</td> </tr> <tr> <td>Low</td> <td>Moderate</td> <td>Low</td> <td>Low</td> <td>Very low</td> <td>Very low</td> </tr> <tr> <td>Neutral/able</td> <td>Low</td> <td>Very low</td> <td>Very low</td> <td>Very low</td> <td>Very low</td> </tr> <tr> <td>Positive</td> <td>Net gain</td> <td>Net gain</td> <td>Net gain</td> <td>Net gain</td> <td>Net gain</td> </tr> </table>	Very high	Very high	Very high	High	Moderate	Low	High	Very high	Very high	Moderate	Low	Very low	Moderate	High	High	Moderate	Low	Very low	Low	Moderate	Low	Low	Very low	Very low	Neutral/able	Low	Very low	Very low	Very low	Very low	Positive	Net gain	Net gain	Net gain	Net gain	Net gain	
Very high	Very high	Very high	High	Moderate	Low																																		
High	Very high	Very high	Moderate	Low	Very low																																		
Moderate	High	High	Moderate	Low	Very low																																		
Low	Moderate	Low	Low	Very low	Very low																																		
Neutral/able	Low	Very low	Very low	Very low	Very low																																		
Positive	Net gain	Net gain	Net gain	Net gain	Net gain																																		
All	<p>New schedule</p>	<p>Schedule 5 Flood Hazard Class</p> <p>The combined flood hazard curves shown below set hazard thresholds that relate to the vulnerability of the community when interacting with floodwaters. The combined curves are divided into hazard classifications that relate to specific vulnerability thresholds. The vulnerability thresholds identified in the flood hazard curves can be applied to the best description of flood behaviour available for a subject site. In this regard, the hazard curves can be applied equally to flood behaviour estimates from measured data, simpler 1D numerical modelling approaches, through to complex 2D model estimates with the level of accuracy and uncertainty of the flood hazard estimate linked to the method used to derive the flood behaviour estimate.</p>	<p>Amendment by AT</p> <p>See explanation in the Flood Hazard condition above for the rationale for the additional schedule.</p>																																				

Source: Australian Rainfall and Runoff, Book 6, 2019

Appendix B – Auckland Transport’s Modifications to NoR S4 conditions (clean)

Council to allocate #] – Access Road

Designation Number	XXXX
Requiring Authority	Auckland Transport
Location	Access Road between State Highway 16 and Tawa Road.
Lapse Date	In accordance with section 184(1)(c) of the RMA, this designation shall lapse if not given effect to within 20 years from the date on which it is included in the AUP.

Purpose

Construction, operation, and maintenance of an arterial transport corridor.

Conditions

Abbreviations and definitions

Acronym/Term	Definition
Activity sensitive to noise	Any dwelling, visitor accommodation, boarding house, marae, papakāinga, integrated residential development, retirement village, supported residential care, care centre, lecture theatre in a tertiary education facility, classroom in an education facility and healthcare facility with an overnight stay facility
AUP	Auckland Unitary Plan
BPO or Best Practicable Option	Has the same meaning as in section 2 of the RMA 1991
CEMP	Construction Environmental Management Plan
Certification of material changes to management plans	Confirmation from the Manager that a material change to a management plan has been prepared in accordance with the condition to which it relates. A material change to a management plan shall be deemed certified: (a) where the Requiring Authority has received written confirmation from Council that the material change to the management plan is certified; or (b) ten working days from the submission of the material change to the management plan where no written confirmation of certification has been received
CMP	Cultural Monitoring Plan
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 27
Construction Works	Activities undertaken to construct the Project excluding Enabling Works
Council	Auckland Council
CTMP	Construction Traffic Management Plan
Developer	Any legal entity that intends to master plan or develop land adjacent to the designation
Development Agency	Public entities involved in development projects

Educational facility	<p>Facility used for education to secondary level</p> <p>Includes:</p> <ul style="list-style-type: none"> • schools and outdoor education facilities; and • accommodation, administrative, cultural, religious, health, retail and communal facilities accessory to the above <p>Excludes:</p> <ul style="list-style-type: none"> • care centres; and • tertiary education facilities
EIANZ Guidelines	Ecological Impact Assessment: EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems, second edition, dated May 2018
EMP	Ecological Management Plan
Enabling works	<p>Includes, but is not limited to, the following and similar activities:</p> <ul style="list-style-type: none"> (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; (h) establishment of mitigation measures (such as erosion and sediment control measures, temporary noise walls, earth bunds and planting)
HHMP	Historic Heritage Management Plan
HNZPT	Heritage New Zealand Pouhere Taonga
HNZPTA	Heritage New Zealand Pouhere Taonga Act 2014
Identified Biodiversity Area	Means an area or areas of features of ecological value where the Project ecologist has identified that the project will potentially have a moderate or greater level of ecological effect, prior to implementation of impact management measures, as determined in accordance with the EIANZ guidelines
LIP	Land Use Integration Process
Manager	The Manager – Resource Consents of the Auckland Council, or authorised delegate
Mana Whenua	<p>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:</p> <ul style="list-style-type: none"> (a) Te Kawerau ā Maki (b) Ngāti Whātua o Kaipara (c) Te Ākitai Waiohū <p>Note: other iwi and hapū 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
NUMP	Network Utilities Management Plan
North West growth area	Constitutes the Future Urban Zone, or live zoned urban land in Kumeū, Huapai, Redhills, Redhills North, Riverhead and Whenuapai
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: <i>Acoustics – Road-traffic noise – New and altered roads</i>
Requiring Authority	Has the same meaning as section 166 of the RMA and, for this Designation is Auckland Transport
RMA	Resource Management Act (1991)
SCEMP	Stakeholder Communication and Engagement Management Plan
Stakeholder	Stakeholders to be identified in accordance with Condition 4, which may include as appropriate: <ul style="list-style-type: none"> (a) adjacent owners and occupiers; (b) adjacent business owners and operators; (c) central and local government bodies; (d) community groups; (e) developers; (f) development agencies; (g) educational facilities; and (h) network utility operators
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
TMP	Tree Management Plan
ULDMP	Urban and Landscape Design Management Plan

General conditions	
1.	<p>Activity in General Accordance with Plans and Information</p> <p>(a) Except as provided for in the conditions below, and subject to final design and Outline Plan(s), works within the designation shall be undertaken in general accordance with the Project description and concept plan in Schedule 1</p> <p>(b) Where there is inconsistency between:</p> <ul style="list-style-type: none"> (i) the Project description and concept plan in Schedule 1 and the requirements of the following conditions, the conditions shall prevail; (ii) the Project description and concept plan in Schedule 1, and the management plans under the conditions of the designation, the requirements of the management plans shall prevail.
2.	<p>Project Information</p> <p>(a) A project website, or equivalent virtual information source, shall be established as soon as reasonably practicable, and within six months of the inclusion of this designation in the AUP.</p> <p>(b) All directly affected owners and occupiers shall be notified in writing as soon as reasonably practicable once the website or equivalent information source has been established. The project website or virtual information source shall include these conditions and shall provide information on:</p> <ul style="list-style-type: none"> (i) the status of the Project; (ii) anticipated construction timeframes; (iii) contact details for enquiries; (iv) the implications of the designation for landowners, occupiers and business owners and operators within the designation on how/where they can receive additional support following confirmation of the designation; (v) a subscription service to enable receipt of project updates by email; and (vi) when and how to apply for consent for works in the designation under section 176(1)(b) of the RMA. <p>(c) At the start of detailed design for a Stage of Work, the project website or virtual information source shall be updated to provide information on the likely date for Start of Construction, and any staging of works.</p>

3.

Land use Integration Process

- (a) The Requiring Authority shall set up a Land use Integration Process for the period between confirmation of the designation and the Start of Construction. The purpose of this process is to encourage and facilitate the integration of master planning and land use development activity on land directly affected or adjacent to the designation. To achieve this purpose:
- (i) the Requiring Authority shall include the contact details of a nominated contact on the project website (or equivalent information source) required to be established by Condition 2 (b)(iii); and
 - (ii) the nominated contact shall be the main point of contact for a Developer or Development Agency wanting to work with the Requiring Authority to integrate their development plans or master planning with the designation.
- (b) At any time prior to the Start of Construction, the nominated contact will be available to engage with a Developer or Development Agency for the purpose of:
- (i) responding to requests made to the Requiring Authority for information regarding design details that could assist with land use integration; and
 - (ii) receiving information from a Developer or Development Agency regarding master planning or land development details that could assist with land use integration.
- (c) Information requested or provided under Condition 3(b) above may include but not be limited to the following matters:
- (i) design details including but not limited to:
 - A. boundary treatment (e.g. the use of retaining walls or batter slopes);
 - B. the horizontal and vertical alignment of the road (levels);
 - C. potential locations for mid-block crossings;
 - D. integration of stormwater infrastructure;
 - E. traffic noise modelling contours; and
 - F. outputs from any flood modelling.
 - (ii) Potential modifications to the extent of the designation in response to information received through Condition 3 (b)(ii);
 - (iii) a process for the Requiring Authority to undertake a technical review of or provide comments on any master planning or development proposal advanced by the Developer or Development Agency as it relates to integration with the Project; and
 - (iv) details of how to apply for written consent from the Requiring Authority for any development proposal that relates to land is within the designation under section 176(1)(b) of the RMA.
- (d) Where information is requested from the Requiring Authority and is available, the nominated contact shall provide the information unless there are reasonable grounds for not providing it.
- (e) The nominated contact shall maintain a record of the engagement between the Requiring Authority and Developers and Development Agencies for the period following the date in which this designation is included in the AUP through to the Start of Construction for a Stage of Work. The record shall include:
- (i) a list of all Developers and Development Agencies who indicated through the notice of requirement process that they intend to master plan or develop sites along the Project alignment that may require specific integration with the designation;
 - (ii) details of any requests made to the Requiring Authority that could influence detailed design, the results of any engagement and, where such requests that could influence detailed design are declined, the reasons why the Requiring Authority has declined the requests; and
 - (iii) details of any requests to co-ordinate the forward work programme, where appropriate, with Development Agencies and Network Utility Operators.
- (f) The record shall be submitted to Council for information ten working days prior to the Start of Construction for a Stage of Work

4.	<p>Stakeholder Communication and Engagement</p> <p>(a) At least six months prior to the start of detailed design for a Stage of Work, the Requiring Authority shall identify:</p> <ul style="list-style-type: none"> (i) a list of Stakeholders; (ii) a list of properties within the designation which the Requiring Authority does not own or have occupation rights to; and (iii) methods to engage with Stakeholders and the owners and occupiers of properties identified in 4(a)(i) – (ii) above. <p>(b) A record of (a) shall be submitted with an Outline Plan for the relevant Stage of Work.</p>
5.	<p>Designation Review</p> <p>As soon as reasonably practicable following Completion of Construction, the Requiring Authority shall:</p> <ul style="list-style-type: none"> (i) review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the Project; and (ii) give notice to Auckland Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above.
6.	<p>Lapse</p> <p>In accordance with section 184(1)(c) of the RMA, this designation shall lapse if not given effect to within 20 years from the date on which it is included in the AUP.</p>
7.	<p>Network Utility Operators and Auckland Council (Section 176 Approval)</p> <p>(a) Prior to the start of Construction Works, Network Utility Operators with existing infrastructure and Auckland Council in relation to parks located within the designation will not require written consent under section 176 of the RMA for the following activities:</p> <ul style="list-style-type: none"> (i) operation, maintenance and repair works; (ii) minor renewal works to existing network utilities or parks necessary for the on-going provision or security of supply of network utility or parks operations; (iii) minor works such as new service connections; and (iv) the upgrade and replacement of existing network utilities in the same location with the same or similar effects on the work authorised by the designation as the existing utility. <p>(b) To the extent that a record of written approval is required for the activities listed above, this condition shall constitute written approval.</p>
<p>Pre-construction conditions</p>	
8.	<p>Outline Plan</p> <p>(a) An Outline Plan (or Plans) shall be prepared in accordance with section 176A of the RMA.</p> <p>(b) 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; (ii) Construction Traffic Management Plan; (iii) Construction Noise and Vibration Management Plan; (iv) Network Integration Management Plan; (v) Urban and Landscape Design Management Plan; (vi) Historic Heritage Management Plan; (vii) Ecological Management Plan; (viii) Tree Management Plan; and (ix) Network Utilities Management Plan

	<p>Flood Hazard</p> <p>For the purpose of Condition 9:</p> <ul style="list-style-type: none"> (a) AEP – means Annual Exceedance Probability; (b) Existing authorised habitable floor – means the floor level of any room (floor) in a residential building which is authorised and exists at the time the outline plan is submitted, excluding a laundry, bathroom, toilet or any room used solely as an entrance hall, passageway or garage; (c) Flood prone area – means potential ponding areas that may flood and commonly comprise of topographical depression areas. The areas can occur naturally or as a result of constructed features; (d) 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; (e) Pre-Project development – means existing site condition prior to the Project (including existing buildings and roadways); and (f) Post-Project development – means site condition after the Project has been completed (including existing and new buildings and roadways).
<p>9.</p>	<p>Flood Hazard</p> <ul style="list-style-type: none"> (a) The Project shall be designed to achieve the following flood risk outcomes: <ul style="list-style-type: none"> (i) no increase in flood levels in a 1% AEP event for existing authorised habitable floors that are already subject to flooding or have a freeboard less than 500mm; (ii) no increase in 1% AEP flood levels for existing authorised community, commercial, industrial and network utility building floors that are already subject to flooding or have a freeboard of less than 300mm; (iii) 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; (iv) no new flood prone areas; and (v) no increase of Flood Hazard class for the main vehicle and pedestrian access route to authorised habitable dwellings existing at time the Outline Plan is submitted. The assessment shall be undertaken for the 1% AEP rainfall event and reference the hazard class in accordance with Schedule 2 to these conditions. (b) Compliance with this condition shall be demonstrated in the Outline Plan, which shall include flood modelling of the pre-Project and post-Project 1% AEP flood levels (for Maximum Probable Development land use and including climate change). (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>10.</p>	<p>Existing property access</p> <p>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 addressed with the affected landowner.</p>

<p>11.</p>	<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 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 section 176A 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 11 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) If there is a material change required to a management plan which has been submitted with an Outline Plan, the revised part of the plan shall be submitted to the Council as an update to the Outline Plan or for Certification as soon as practicable following identification of the need for a revision;</p> <p>(d) Any material changes to the SCEMP(s) are to be submitted to the Council for information.</p>
<p>12.</p>	<p>Stakeholder Communication and Engagement Management Plan (SCEMP)</p> <p>(a) A SCEMP shall be prepared in consultation with Stakeholders prior to the Start of Construction. The objective of the SCEMP is to identify how the public and Stakeholders will be engaged with throughout Construction Works.</p> <p>(b) To achieve the objective, the SCEMP shall include:</p> <ul style="list-style-type: none"> (i) a list of Stakeholders; (ii) a list of properties within the designation which the Requiring Authority does not own or have occupation rights to; (iii) methods to engage with Stakeholders and the owners of properties identified in (b)(ii) above; (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) methods for engaging with Mana Whenua, to be developed in consultation with Mana Whenua; (vi) methods and timing to engage with owners and occupiers whose access is directly affected; (vii) 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 12(b)(i) and (ii) above; and (viii) 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 a minimum of ten working days prior to the Start of Construction for a Stage of Work.</p>

13.	<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 West growth area to achieve an effective, efficient and safe land transport system. To achieve this objective, the NIMP shall include details of the:</p> <ul style="list-style-type: none"> (i) Project implementation approach and any staging of the Project, including both design, management and operational matters; and (ii) Sequencing of the Project with the planned transport network, including both design, management and operational matters.
14.	<p>Cultural Advisory Report</p> <p>(a) At least six 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. 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.</p> <p>(b) To achieve the objective, the Requiring Authority shall invite Mana Whenua to prepare a Cultural Advisory Report that:</p> <ul style="list-style-type: none"> (i) identifies the cultural sites, landscapes and values that have the potential to be affected by the construction and operation of the Project; (ii) sets out the desired outcomes for management of potential effects on cultural sites, landscapes and values; (iii) identifies traditional cultural practices within the area that may be impacted by the Project; (iv) identifies opportunities for restoration and enhancement of identified cultural sites, landscapes and values within the Project area; (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, the Stakeholder Communication and Engagement Management Plan and Historic Heritage Management Plan, and the CMP referred to in Condition 20 (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>(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 14(b) and (c) will cease to apply if:</p> <ul style="list-style-type: none"> (i) Mana Whenua have been invited to prepare a Cultural Advisory Report by a date at least six months prior to start of Construction Works; and (ii) Mana Whenua have not provided a Cultural Advisory Report within six months prior to start of Construction Works.
15.	<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. The objective of the ULDMP(s) is to:</p> <ul style="list-style-type: none"> (i) enable integration of the Project's permanent works into the surrounding landscape and urban context; and (ii) ensure that the Project manages potential adverse landscape and visual effects as far as practicable and contributes to a quality urban environment. <p>(b) 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 14 may be reflected in the ULDMP.</p> <p>(c) Relevant stakeholders shall be invited to participate in the development of the ULDMP at least six months prior to the start of detailed design for a Stage of Work.</p>

<p>16.</p>	<p>(a) To achieve the objective set out in Condition 15, the ULDMP(s) shall provide details of how the project:</p> <ul style="list-style-type: none"> (i) is designed to integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (i.e. centres and density of built form), natural environment, landscape character and open space zones (including Kumeū Community Centre), and Kumeū Showgrounds; (ii) provides appropriate walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses, public transport infrastructure and walking and cycling connections; (iii) promotes inclusive access (where appropriate); and (iv) promotes a sense of personal safety by aligning with best practice guidelines, such as: <ul style="list-style-type: none"> A. Crime Prevention Through Environmental Design (CPTED) principles; B. Safety in Design (SID) requirements; and C. Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures. (v) has responded to matters identified through the Land Use Integration Process (Condition 3) (vi) Interfaces with the operational areas of commercial premises within business zoned land, including loading areas, internal circulation and car parking, where practicable. <p>(b) The ULDMP shall be prepared in general accordance with:</p> <ul style="list-style-type: none"> (i) Auckland Transport's Urban Roads and Streets Design Guide; (ii) NZTA Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version; (iii) NZTA Landscape Guidelines (2018) or any subsequent updated version; (iv) NZTA P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version; and (v) Auckland's Urban Ngahere (Forest) Strategy or any subsequent updated version.
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17.	<p>The ULDMP(s) shall include:</p> <ul style="list-style-type: none"> (a) a concept plan – which depicts the overall landscape and urban design concept, and explain the rationale for the landscape and urban design proposals; (b) developed design concepts, including principles for walking and cycling facilities and public transport; and (c) landscape and urban design details – that cover the following: <ul style="list-style-type: none"> (i) 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; (ii) roadside elements – such as lighting, fencing, wayfinding and signage; (iii) architectural and landscape treatment of all major structures, including bridges and retaining walls; (iv) architectural and landscape treatment of noise barriers; (v) landscape treatment and planting of permanent stormwater control wetlands and swales; (vi) integration of passenger transport; (vii) pedestrian and cycle facilities including paths, road crossings and dedicated pedestrian/ cycle bridges or underpasses; (viii) historic heritage places with reference to the HHMP (Condition 26); and (ix) re-instatement of construction and site compound areas; and (x) re-instatement of features to be retained such as: <ul style="list-style-type: none"> A. boundary features; B. landscaping; C. driveways; D. accessways; and E. fences. (d) The ULDMP shall also include the following planting details and maintenance requirements: <ul style="list-style-type: none"> (i) planting design details including: <ul style="list-style-type: none"> A. identification of existing trees and vegetation that will be retained with reference to the TMP (where relevant) and Ecological Management Plan. Where practicable, mature trees and native vegetation should be retained; B. street trees, shrubs and ground cover suitable for the location; C. treatment of fill slopes to integrate with adjacent land use, streams, Riparian margins and open space zones; D. identification of any planting requirements under the Ecological Management Plan (Conditions 28) and TMP (Condition 29); E. integration of any planting requirements required by conditions of any resource consents for the project; and F. re-instatement planting of construction and site compound areas as appropriate. (ii) a planting programme including the staging of planting in relation to the construction programme which shall, as far as practicable, include provision for planting within each planting season following completion of works in each Stage of Work; and (iii) detailed specifications relating to the following: <ul style="list-style-type: none"> A. weed control and clearance; B. pest animal management (to support plant establishment); C. ground preparation (top soiling and decompaction); D. mulching; and E. plant sourcing and planting, including hydroseeding and grassing, and use of eco-sourced species.
Specific Outline Plan requirements	
Construction conditions	

<p>18.</p>	<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. 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.</p> <p>(b) To achieve the objective, the CEMP shall include:</p> <ul style="list-style-type: none"> (i) the roles and responsibilities of staff and contractors; (ii) details of the site or project manager and the Project Liaison Person, including their contact details (phone and email address); (iii) the Construction Works programmes and the staging approach, and the proposed hours of work; (iv) details of the proposed construction yards including temporary screening when adjacent to residential zones; (v) details of the proposed construction lighting; (vi) methods for controlling dust and the removal of debris and demolition of construction materials from public roads or places; (vii) methods for providing for the health and safety of the general public; (viii) measures to mitigate flood hazard effects such as siting stockpiles out of floodplains, minimising obstruction to flood flows, actions to respond to warnings of heavy rain; (ix) procedures for incident management; (x) location and procedures for the refuelling and maintenance of plant and equipment to avoid discharges of fuels or lubricants to watercourses; (xi) measures to address the storage of fuels, lubricants, hazardous and/or dangerous materials, along with contingency procedures to address emergency spill response(s) and clean up; (xii) summary of measures included to respond to matters raised in engagement, if not already covered above; (xiii) procedures for responding to complaints about Construction Works; and (xiv) methods for amending and updating the CEMP as required.
<p>19.</p>	<p>Complaints Register</p> <p>(a) At all times during Construction Works, a record of any complaints received about the Construction Works shall be maintained. The record shall include:</p> <ul style="list-style-type: none"> (i) the date, time and nature of the complaint; (ii) the name, phone number and address of the complainant (unless the complainant wishes to remain anonymous); (iii) measures taken to respond to the complaint (including a record of the response provided to the complainant) or confirmation of no action if deemed appropriate; (iv) the outcome of the investigation into the complaint; and (v) any other activities in the area, unrelated to the Project that may have contributed to the complaint, such as non-project construction, fires, traffic accidents or unusually dusty conditions generally. <p>(b) A copy of the Complaints Register required by this condition shall be made available to the Manager upon request as soon as practicable after the request is made.</p>

20.	<p>Cultural Monitoring Plan (CMP)</p> <p>(a) Prior to the start of Construction Works, a CMP shall be prepared by a Suitably Qualified Person(s) identified in collaboration with Mana Whenua. The objective of the CMP is to identify methods for undertaking cultural monitoring to assist with management of any cultural effects during Construction works.</p> <p>(b) To achieve the objective, the CMP 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 CMP shall be prepared by a Suitably Qualified Person identified in collaboration with Mana Whenua. This plan may be prepared as a standalone Enabling Works CMP or be included in the main Construction Works CMP.</p> <p>Advice note: Where appropriate, the CMP shall align with the requirements of other conditions of the designation and resource consents for the Project which require monitoring during Construction Works.</p>
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<p>21.</p>	<p>Construction Traffic Management Plan (CTMP)</p> <p>(a) A CTMP shall be prepared prior to the Start of Construction for a Stage of Work. The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects.</p> <p>(b) 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 educational facilities or to manage traffic congestion; (iv) site access routes and access points for heavy vehicles, the size and location of parking areas for plant, construction vehicles and the vehicles of workers and visitors; (v) identification of detour routes and other methods to ensure the safe management and maintenance of traffic flows, including public transport services, pedestrians and cyclists; (vi) methods to maintain access to and within property and/or private roads where practicable, or to provide alternative arrangements when it will not be, including details of how access is managed for loading and unloading of goods. Engagement with landowners or occupiers whose access is directly affected shall be undertaken in accordance with the SCEMP; (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; and (x) details of any measures proposed to be implemented in the event of thresholds identified in 21(b)(ix) being exceeded. <p>(c) 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>
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22.

Construction Noise Standards

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

Table 22-1 Construction Noise Standards

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

(b) Where compliance with the noise standards set out in Table 22-1 is not practicable, the methodology in Condition 25 shall apply.

23.

Construction Vibration Standards

(a) Construction vibration shall be measured in accordance with ISO 4866:2010 Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures and shall comply with the vibration standards set out in the following table as far as practicable.

Table 23-1 Construction Vibration Standards

Receiver	Details	Category A*	Category B**
Occupied activities sensitive to noise	Night-time 2000h - 0630h	0.3mm/s ppv	2mm/s ppv
	Daytime 0630h - 2000h	2mm/s ppv	5mm/s ppv
Other occupied buildings	Daytime 0630h - 2000h	2mm/s ppv	5mm/s ppv
All other buildings	At all other times	Tables 1 and 3 of DIN4150-3:1999	

* Category A criteria adopted from Rule E25.6.30.1 of the AUP

** Category B criteria based on DIN 4150-3:1999 building damage criteria for daytime

(b) Where compliance with the vibration standards set out in Table 23-1 is not practicable, the methodology in Condition 25 shall apply

24.	<p>Construction Noise and Vibration Management Plan (CNMVP)</p> <p>(a) A CNMVP shall be prepared prior to the Start of Construction for Stage of Work. A CNMVP shall be implemented during the Stage of Work to which it relates. The objective of the CNMVP is to provide a framework for the development and implementation of the Best Practicable Option for the management of construction noise and vibration effects to achieve the construction noise and vibration standards set out in Conditions 22 and 23 to the extent practicable.</p> <p>(b) To achieve the objective, the CNMVP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 'Acoustics – Construction Noise' (NZS6803:1999) and shall as a minimum, address the following:</p> <ul style="list-style-type: none"> (i) description of the works and anticipated equipment/processes; (ii) hours of operation, including times and days when construction activities would occur; (iii) the construction noise and vibration standards for the project; (iv) identification of receivers where noise and vibration standards apply; (v) a hierarchy of management and mitigation options, including any requirements to limit night works and works during other sensitive times, including Sundays and public holidays as far as 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) procedures and requirements for the preparation of a Schedule to the CNMVP (Schedule) for those areas where compliance with the noise Condition 22 and/or vibration standards Condition 23 Category B will not be practicable; (xi) identification of trigger levels for undertaking building condition surveys, which shall be Category B day time levels; (xii) procedures and trigger levels for undertaking building condition surveys before and after works to determine whether any cosmetic or structural damage has occurred as a result of construction vibration; (xiii) methodology and programme of desktop and field audits and inspections to be undertaken to ensure that the CNMVP, Schedules and the best practicable option for management of effects are being implemented; and (xiv) requirements for review and update of the CNMVP.
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25.

Schedule to a CNVMP

- (a) A Schedule to the CNVMP (Schedule) shall be prepared prior to the start of the construction to which it relates by a Suitably Qualified Person, in consultation with the owners and occupiers of sites subject to the Schedule, when:
 - (i) construction noise is either predicted or measured to exceed the noise standards in Condition 22, except where the exceedance of the L_{Aeq} criteria is no greater than 5 decibels and does not exceed:
 - A. 0630 – 2000: 2 period of up to 2 consecutive weeks in any 2 months;
 - or
 - B. 2000 - 0630: 1 period of up to 2 consecutive nights in any 10 days.
 - (ii) construction vibration is either predicted or measured to exceed the Category B standard at the receivers in Condition 23.
- (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.
- (c) To achieve the objective, the Schedule shall include details such as:
 - (i) construction activity location, start and finish dates;
 - (ii) the nearest neighbours to the construction activity;
 - (iii) the predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards and predicted duration of the exceedance;
 - (iv) for works proposed between 2000h and 0630h, the reasons why the proposed works must be undertaken during these hours and why they cannot be practicably undertaken during the daytime;
 - (v) the proposed mitigation options that have been selected, and the options that have been discounted as being impracticable and the reasons why;
 - (vi) the consultation undertaken with owners and occupiers of sites subject to the Schedule, and how consultation has and has not been taken into account; and
 - (vii) location, times and types of monitoring.
- (d) The Schedule shall be submitted to the Manager for certification at least 5 working days (except in unforeseen circumstances) in advance of Construction Works that are covered by the scope of the Schedule and shall form part of the CNVMP.
- (e) The CNVMP Schedule shall be deemed certified five working days from the submission of the CNVMP Schedule where no written confirmation of certification has been received.
- (f) Where material changes are made to a Schedule required by this condition, the Requiring Authority shall consult the owners and/or occupiers of sites subject to the Schedule prior to submitting the amended Schedule to the Manager for certification in accordance with (d) 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.

26.

Historic Heritage Management Plan (HHMP)

- (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. The objective of the HHMP is to protect historic heritage and to remedy and mitigate any residual effects as far as practicable.
- (b) To achieve the objective, the HHMP shall identify:
- (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 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 14 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:
 - A. security fencing or hoardings around historic heritage 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 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 14).

Advice note:

Accidental Discoveries

The requirements for accidental discoveries of heritage items are set out in Rule E11.6.1 of the AUP

27.	<p>Pre-Construction Ecological Survey</p> <p>(a) At the start of detailed design for a Stage of Work, an updated ecological survey shall be undertaken by a Suitably Qualified Person. The purpose of the survey is to inform ecological management by:</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 3 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 effects to be determined in accordance with Table 10 of the EIANZ guidelines as included in Schedule 5 to these conditions (or subsequent updated version of the table). <p>(b) If the ecological survey confirms the presence of ecological species of value in accordance with Condition 27(a)(i) and that effects are likely in accordance with Condition 27(a)(ii) then an Ecological Management Plan (or Plans) shall be prepared in accordance with Condition 28 for these areas (Confirmed Biodiversity Areas).</p>
28.	<p>Ecological Management Plan (EMP)</p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (confirmed through Condition 27) 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.</p> <p>(b) To achieve the objective, the EMP shall set out the methods which may include:</p> <ul style="list-style-type: none"> (i) If an EMP is required in accordance with Condition 27(b) for the presence of long tail bats: <ul style="list-style-type: none"> A. Measures to minimise as far as practicable, disturbance from construction activities within the vicinity of any active long tail bat roosts (including maternity) that are discovered through survey until such roosts are confirmed to be vacant of bats; B. How the timing of any construction work in the vicinity of any maternity long tail bat roosts will be limited to outside the bat maternity period (between December and March) where reasonably practicable; C. Details of areas where vegetation is to be retained where practicable for the purposes of the connectivity of long tail bats; D. Details of how bat connectivity will be provided and maintained (e.g. through the presence of suitable indigenous or exotic trees or artificial alternatives). This could include identification of areas and timeframes for establishment of advance restoration / mitigation planting taking into account land ownership, accessibility and the timing of funding, measures to manage the effects of light spill on bat connectivity as far as practicable; E. Details of where opportunities for advance restoration / mitigation planting have previously been identified and implemented; and F. Where mitigation to minimise effects is not practicable, details of any offsetting proposed. <p>(c) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p>Advice note: Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</p> <ul style="list-style-type: none"> (i) Stream and/or wetland restoration plans; (ii) Vegetation restoration plans; and (iii) Fauna management plans (e.g. avifauna, herpetofauna, bats).

29.	<p>Tree Management Plan (TMP)</p> <p>(a) Prior to the Start of Construction for a Stage of Work, a TMP shall be prepared. The objective of the TMP is to avoid, remedy or mitigate effects of construction activities on trees identified as protected or notable in the Auckland Unitary Plan.</p> <p>(b) To achieve the objective, the TMP shall:</p> <ul style="list-style-type: none"> (i) confirm the trees that will be affected by the project work and are identified as protected or notable in the Auckland Unitary Plan; and (ii) demonstrate how the design and location of project works has avoided, remedied or mitigated any effects on any tree identified in 29(b)(i) above. This may include: <ul style="list-style-type: none"> A. any opportunities to relocate existing trees where practicable; B. planting to replace trees that require removal (with reference to the ULDMP planting design details in Condition 17); C. tree protection zones and tree protection measures such as protective fencing, ground protection and physical protection of roots, trunks and branches; and D. methods for work within the rootzone of trees that are to be retained in line with accepted arboricultural standards. (iii) demonstrate how the tree management measures (outlined in 29(b)(ii)A – D above) are consistent with conditions of any resource consents granted for the project in relation to managing construction effects on trees.
30.	<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. The objective of the NUMP is to set out a framework for protecting, relocating and working in proximity to existing network utilities.</p> <p>(b) To achieve the objective, the NUMP shall include methods to:</p> <ul style="list-style-type: none"> (i) provide access for maintenance at all reasonable times, or emergency works at all times during construction activities; (ii) protect and where necessary, relocate existing network utilities; (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; (iv) demonstrate compliance with relevant standards and Codes of Practice including, where relevant, the NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances 2001; AS/NZS 4853:2012 Electrical hazards on Metallic Pipelines, and AS/NZS 2885 Pipelines – Gas and Liquid Petroleum. <p>(c) The NUMP shall include methods (including timing) to protect and where required safely relocate the International Cable.</p> <p>(d) The NUMP shall be prepared in consultation with the relevant Network Utility Operator(s) who have existing assets that are directly affected by the Project.</p> <p>(e) The 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>(f) The NUMP shall describe how any comments from the Network Utility Operator in relation to its assets have been addressed.</p> <p>(g) Any comments received from the Network Utility Operator shall be considered when finalising the NUMP.</p> <p>(h) 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>Operational conditions</p>
31.	<p>Low Noise Road Surface</p> <p>(a) Asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented within 12 months of Completion of Construction of the project.</p>

32.	<p>Future Resurfacing Work</p> <p>(a) Any future resurfacing works of the Project shall be undertaken in accordance with the Auckland Transport Reseal Guidelines, Asset Management and Systems 2013 or any updated version and asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented where:</p> <ul style="list-style-type: none"> (i) the volume of traffic exceeds 10,000 vehicles per day; or (ii) the road is subject to high wear and tear (such as cul de sac heads, roundabouts and main road intersections); or (iii) it is in an industrial or commercial area where there is a high concentration of truck traffic; or (iv) it is subject to high usage by pedestrians, such as town centres, hospitals, shopping centres and schools. <p>(b) Prior to commencing any future resurfacing works, the Requiring Authority shall advise the Manager if any of the triggers in Condition 32 (a)(i) – (iv) are not met by the road or a section of it and therefore where the application of asphaltic concrete surfacing (or equivalent low noise road surface) is no longer required on the road or a section of it. Such advice shall also indicate when any resealing is to occur.</p>
	<p>Traffic Noise</p> <p>For the purposes of Conditions 33 to 44:</p> <ul style="list-style-type: none"> (a) Building-Modification Mitigation – has the same meaning as in NZS 6806; (b) Design year has the same meaning as in NZS 6806; (c) Detailed Mitigation Options – means the fully detailed design of the Selected Mitigation Options, with all practical issues addressed; (d) Habitable Space – has the same meaning as in NZS 6806; (e) Identified Noise Criteria Category – means the Noise Criteria Category for a PPF identified in Schedule 4: Identified PPFs Noise Criteria Categories; (f) Mitigation – has the same meaning as in NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads; (g) Noise Criteria Categories – means the groups of preference for sound levels established in accordance with NZS 6806 when determining the Best Practicable Option for noise mitigation (i.e. Categories A, B and C); (h) NZS 6806 – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads; (i) Protected Premises and Facilities (PPFs) – means only the premises and facilities identified in Schedule 4: PPFs Noise Criteria Categories; (j) Selected Mitigation Options – means the preferred mitigation option resulting from a Best Practicable Option assessment undertaken in accordance with NZS 6806 taking into account any low noise road surface to be implemented in accordance with Condition 31; and (k) Structural Mitigation – has the same meaning as in NZS 6806.
33.	<p>The Noise Criteria Categories identified in Schedule 4: PPFs Noise Criteria Categories at each of the PPFs shall be achieved where practicable and subject to Conditions 33 to 44 (all traffic noise conditions).</p> <p>The Noise Criteria Categories do not need to be complied with at a PPF where:</p> <ul style="list-style-type: none"> (a) The PPF no longer exists; or (b) Agreement of the landowner has been obtained confirming that the Noise Criteria Category does not need to be met. <p>Achievement of the Noise Criteria Categories for PPFs shall be by reference to a traffic forecast for a high growth scenario in a design year at least 10 years after the programmed opening of the Project.</p>
34.	<p>As part of the detailed design of the Project, a Suitably Qualified Person shall determine the Selected Mitigation Options for the PPFs identified on Schedule 4: PPFs Noise Criteria Categories.</p> <p>For the avoidance of doubt, the low noise road surface implemented in accordance with Condition 31 may be (or be part of) the Selected Mitigation Option(s).</p>

35.	Prior to construction of the Project, a Suitably Qualified Person shall develop the Detailed Mitigation Options for the PPFs identified in Schedule 4 PPFs Noise Criteria Categories, taking into account the Selected Mitigation Options.
36.	If the Detailed Mitigation Options would result in the Identified Noise Criteria Category changing to a less stringent Category, e.g. from Category A to B or Category B to C, at any relevant PPF, a Suitably Qualified Person shall provide confirmation to the Manager that the Detailed Mitigation Option would be consistent with adopting the Best Practicable Option in accordance with NZS 6806 prior to implementation.
37.	The Detailed Mitigation Options shall be implemented prior to Completion of Construction of the Project, with the exception of any low-noise road surfaces, which shall be implemented within 12 months of Completion of Construction.
38.	Prior to the Start of Construction, a Suitably Qualified Person shall identify those PPFs which, following implementation of all the Detailed Mitigation Options, will not be Noise Criteria Categories A or B and where Building-Modification Mitigation might be required to achieve 40 dB LAeq(24h) inside Habitable Spaces ('Category C Buildings').
39.	Prior to the Start of Construction in the vicinity of each Category C Building, the Requiring Authority shall write to the owner of the Category C Building requesting entry to assess the noise reduction performance of the existing building envelope. If the building owner agrees to entry within three months of the date of the Requiring Authority's letter, the Requiring Authority shall instruct a Suitably Qualified Person to visit the building and assess the noise reduction performance of the existing building envelope.
40.	For each Category C Building identified, the Requiring Authority is deemed to have complied with Condition 39 above if: (a) The Requiring Authority's Suitably Qualified Person has visited the building and assessed the noise reduction performance of the building envelope; or (b) The building owner agreed to entry, but the Requiring Authority could not gain entry for some reason (such as entry denied by a tenant); or (c) The building owner did not agree to entry within three months of the date of the Requiring Authority's letter sent in accordance with Condition 39 above (including where the owner did not respond within that period); or (d) The building owner cannot, after reasonable enquiry, be found prior to Completion of Construction of the Project. If any of (b) to (d) above apply to a Category C Building, the Requiring Authority is not required to implement Building-Modification Mitigation to that building.
41.	Subject to Condition 40 above, within six months of the assessment undertaken in accordance with Condition 39, the Requiring Authority shall write to the owner of each Category C Building advising: (a) If Building-Modification Mitigation is required to achieve 40 dB LAeq(24h) inside habitable spaces; and (b) The options available for Building-Modification Mitigation to the building, if required; and (c) That the owner has three months to decide whether to accept Building-Modification Mitigation to the building and to advise which option for Building-Modification Mitigation the owner prefers, if the Requiring Authority has advised that more than one option is available.
42.	Once an agreement on Building-Modification Mitigation is reached between the Requiring Authority and the owner of a Category C Building, the mitigation shall be implemented, including any third party authorisations required, in a reasonable and practical timeframe agreed between the Requiring Authority and the owner.

43.	Subject to Condition 40, where Building-Modification Mitigation is required, the Requiring Authority is deemed to have complied with Condition 42 if: (a) The Requiring Authority has completed Building Modification Mitigation to the building; or (b) An alternative agreement for mitigation is reached between the Requiring Authority and the building owner; or (c) The building owner did not accept the Requiring Authority's offer to implement Building-Modification Mitigation within three months of the date of the Requiring Authority's letter sent in accordance with Condition 40 (including where the owner did not respond within that period); or (d) The building owner cannot, after reasonable enquiry, be found prior to Completion of Construction of the Project.
44.	The Detailed Mitigation Options shall be maintained so they retain their noise reduction performance as far as practicable

Attachments

Schedule 1: General Accordance Plans and Information

Project Description

The proposed work is the construction, operation, and maintenance of a transport corridor in Kumeu, from State Highway 16 intersection to the intersection with Motu Road, including active transport facilities and associated infrastructure. The proposed work is shown in the following Concept Plan and includes:

- (a) An upgraded transport corridor, including active transport facilities;
- (b) Associated works including intersections, bridges, embankments, retaining, culverts, stormwater management systems;
- (c) Changes to local roads, where the proposed work intersects with local roads; and
- (d) Construction activities, including vegetation removal, construction compounds, laydown areas, bridge works area, construction traffic management and the re-grade of driveways.

Concept Plan



Attachment 3: A list of persons to be served with a copy of this notice

Waka Kotahi NZ Transport Agency: Care of:

- Megan Exton megan.exton@supportinggrowth.nz
- Bruce Hawkins c/o environmentalplanning@nzta.govt.nz

Auckland Transport: Care of:

- Megan Exton megan.exton@supportinggrowth.nz
- Holly Atkins holly.atkins@at.govt.nz

Auckland Council: Care of:

- Manager Regulatory Litigation, Legal and Risk, Private Bag 92300, Auckland 1142
- Bronnie.Styles@aucklandcouncil.govt.nz
- unitaryplan@aucklandcouncil.govt.nz

The submitters listed in the attached schedule.

Access Road (NoR S4)

NoR	Sub #	Submitter Name	Agents name	Address for Service
S4	1	Peiping Liu and Tony Wu		maryhng@hotmail.com
S4	2	Rizheng Zeng		mizeng23@gmail.com
S4	3	Christopher Penk Member of Parliament for Kaipara ki Mahurangi		chris_penkmp@parliament.govt.nz
S4	4	GH Atchison PM Atchison		gatchison05@gmail.com
S4	5	John Martin Alexander		john.alexander@mbrands.co.nz
S4	6	Hamid GholamHosseini		hgh37@hotmail.com
S4	7	Joseph Stapleton and Karen Crosland		staplecros36@gmail.com
S4	8	Spark New Zealand Trading Limited (Spark)	Attn: Chris Horne	chris@incite.co.nz
S4	9	Walter Ian Dutton		ilandutton@xtra.co.nz
S4	10	Ezra and Gael Keren	Kerry Knight	knightbarrister@gmail.com
S4	11	Renee Cornwall		candrcornwall@gmail.com
S4	12	Bryce Kiipatrick		brycek@activesurvey.co.nz
S4	13	Monica Collier		mcolliernz@gmail.com
S4	14	Gayelene Grbic		g-bgrbic@xtra.co.nz
S4	15	Leslie Collicutt		g-bgrbic@xtra.co.nz
S4	16	Geoff and Gayle Levick		riverdownfarm@hotmail.com
S4	17	Louise Baker		bakermouse@yahoo.co.uk
S4	18	Kiel Cailil Harvey		kielharvey@gmail.com
S4	19	Vincent La Rosa		vtlr100@gmail.com
S4	20	Jing Wang and Fongzhi Zhao		155 Fred Taylor Drive Whenuapai Auckland 0618
S4	21	Namhye Kim		kite138@naver.com
S4	22	Allens Village Pharmacy	Attn: Simon David Allen	linsim.allen@xtra.co.nz
S4	23	Garth Halliday		familyhalliday@outlook.co.nz
S4	24	Vaigalu Junior Aumua		junz027@gmail.com
S4	25	Peter Edward Clark and Diane Margaret Clark		petermosquita01@gmail.com
S4	26	Atlas Concrete Limited	Attn: David Haines c/- Haines Planning Consultants Limited	david.haines@hainesplanning.co.nz
S4	27	Price Properties Limited	Attn: Joan Forret and Charlotte Mugeridge	joan.forret@harkness.co.nz; charlotte.mugeridge@harkness.co.nz

S4	28	W&P Enterprises Limited	Attn: Stephen Pye	jwsp@xtra.co.nz
S4	29	Heritage New Zealand Pouhere Taonga		PlannerNR@heritage.org.nz
S4	30	The Walker Family Trust	Keren McDonnell	keren@mhg.co.nz
S4	31	The Walker Family Trust and Sharon Walker Family Trust	Keren McDonnell	keren@mhg.co.nz
S4	32	Ross Roderick Spence and Adrienne Mayo Spence	Peter William Smith	peter.smith@smithpartners.co.nz
S4	33	Adrian Bullock		adrianbullock@gmail.com
S4	34	Watercare Services Limited	Mark Bishop	mark.bishop@water.co.nz
S4	35	Telecommunications Submitters	Attn: Chris Horne c/- Incite	chris@incite.co.nz
S4	36	Barry Frank Boric et al	Attn: Hannah Edwards c/- Forme Planning	hannah@formeplanning.co.nz
S4	37	The Beachaven Trust	Attn: Hannah Edwards c/- Forme Planning	hannah@formeplanning.co.nz
S4	38	Christopher McGuire		cjm McGuire@xtra.co.nz
S4	39	Murphy Property Development Limited	Attn: Alisa Neal c/- Barker & Associates	alisan@barker.co.nz
S4	40	NZRPG	Attn: Campbell Barbour	cbarbour@nzrpg.co.nz
S4	41	Kāinga Ora Homes and Communities	Attn: Jennifer Chivers	developmentplanning@kaingaora.govt.nz

Attachment 4: Proposed format for new “*Schedule X - Communication and Engagement Site-Specific Issues*” to be attached to the NoR, addressing site-specific issues (incorporating exemplar comments relating to the Appellants’ Land).

Attachment 4: Schedule X - Communication and Engagement Site-Specific Issues

Nb: This document is the proposed format for a new Schedule X to be attached to the NoR, addressing site-specific issues. It incorporates exemplar comments relating to the Submitters' Land. The Submitters' expectation is that additional comments relating to other landholdings that raise site-specific issues in terms of the NoRs would be added into the Schedule.

Ref / designation	Property Address	Party consulted (at NoR Stage)	Site-Specific Issue	Requiring Authority response
NoR-S2	993 Waitakere Road	F. Boric & Sons	Confirm the extent of land that is required within the designation (both temporarily and permanently) at the earliest possible date.	
NoR-S4	993 Waitakere Road	F. Boric & Sons	<p>Minimise the duration and extent of effects on the operation and function of the at-grade storage and loading area, including by:</p> <ul style="list-style-type: none"> - Limiting the width of the Access Road carriageway to three lanes in total. - Avoiding battering across the carpark and loading area, so as to retain all or the majority of these functions, including vehicular access to the at grade storage yard. 	