

IN THE ENVIRONMENT COURT OF NEW ZEALAND
AUCKLAND REGISTRY

I MUA TE KŌTI TAIAO O AOTEAROA
TĀMAKI MAKAURAU ROHE

ENV-2024-AKL-

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

IN THE MATTER of an appeal under section 174 of the Act against a decision on a Notice of Requirement that comprises part of the Mill Road and Pukekohe East Upgrade (NoR 8)

BETWEEN **Narandrabhai Haribhai Master and Mahesh Master as Trustees for the Haribhai Master (1975) Trust**
Appellants

AND **NZ Transport Agency – Waka Kotahi (NoR 8)**
Respondent

NOTICE OF APPEAL

14 NOVEMBER 2024

ELLIS GOULD
LAWYERS
AUCKLAND

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

Level 31 Vero Centre
48 Shortland Street, Auckland
Tel: 09 307 2172
PO Box 1509, DX CP22003
AUCKLAND

NOTICE OF APPEAL

TO: The Registrar

Environment Court

Auckland

1. Narandrabhai Haribhai Master and Mahesh Master as Trustees for the Haribhai Master (1975) Trust (“**the Appellants**”) appeal the decision of NZ Transport Agency – Waka Kotahi (“**the Respondent**”) dated 3 October 2024 but issued to submitters on 24 October 2024 (“**the Decision**”) confirming a Notice of Requirement for a designation in the Auckland Unitary Plan, being the Mill Road and Pukekohe East Road Upgrade known as NoR 8 (“**the NoR**” or “**NoR 8**”).
2. The NoR provides for the upgrade of Mill Road (Bombay) in the east for additional vehicle lanes and a shared path, as well as and an upgrade of Pukekohe East Road, Pukekohe in the west for a shared path.
3. The NoR forms part of a group of Notices of Requirement¹, lodged by the Respondent and Auckland Transport for transport projects within the Pukekohe, Paerata and Drury West areas, collectively known as the “**Pukekohe Transport Network**”.
4. The Appellants made a submission on the NoR on 21 December 2023.
5. The Appellants received notice of the Decision on 24 October 2024.
6. The Decision subject to the appeal was made by the Respondent.
7. The Appellants are not trade competitors for the purposes of section 308D of the Resource Management Act 1991 (“**RMA**”).

¹ Auckland Transport NoRs: NoR 1 - Drury West Arterial; NoR 3 – Paerata Connections; NoR 4 – Pukekohe North-East Arterial; NoR 5 – Pukekohe South-East Arterial; NoR 6 – Pukekohe South-West Upgrade; NoR 7 – Pukekohe North-West Upgrade.

Waka Kotahi – NZ Transport Agency NoRs: NoR2 – Pukekohe Link.; NoR 8 (Auckland Council) – Mill Road and Pukekohe East Road Upgrade and NoR 8 (Waikato District Council) – Mill Road and Pukekohe East Road Upgrade.

8. The Appellants will be directly and adversely affected by NoR 8 and the Decision, as they are the owners of a site² at the eastern end of Mill Road, immediately to the north-west of the intersection between SH1 and Mill Road (“**the Site**”). The Site has frontage to those parts of Mill Road subject to NoR 8 and is directly affected by a proposed land take in the vicinity of the SH1 / Mill Road intersection.
9. The Site is currently used for horticulture, however, the Appellants have begun exploring options for future use of the Site. The underlying Mixed Rural zoning enables a range of rural production activities and associated non-residential activities.
10. The Appellants are not opposed to the outcomes that NoR 8 seeks to deliver, but do not support the NoR due to the potentially significant adverse effects that the Project will have on access to the Site and on the existing and future use of that land. Accordingly, the Appellants seek amendments to the NoR to mitigate those effects.

Reasons for the Appeal

11. 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 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 of Part 2 of the RMA;

² Legally described as Part Allotment 6 Parish Mangatawhiri District, Pt Allot 4 Parish Mangatawhiri District, comprised in Record of Title NA1352/38 (North Auckland Registry (“Site”). The Trust also owns (through its trustees) the adjoining site to the north. The title affected by NoR8 is approximately 8.6813 hectare. Combined with the adjoining site, it is a total of 8.9971 hectares.

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

In addition, and without limiting the generality of the above, the further reasons for the appeal are set out in paragraphs 12 to 27 below:

Access

12. The Appellants appeal the part of the Decision which fails to provide for access to / egress from the Site to be:
 - (a) Maintained during construction;
 - (b) Retained in its current form following completion of construction; or
 - (c) As an alternative to (b), to provide certainty as to where the future access will be located.
13. The NoR 8 applies across the entire southern frontage of the Site. The only access to the Site is via this (Mill Rd) frontage.
14. Insufficient or no detail is provided regarding:
 - (a) Construction access. Condition 21 simply requires access to be maintained "where practicable" during construction or provision of "alternative arrangements" where it will not be.
 - (b) Permanent access. The General Arrangement Plan provides no detail regarding access to or egress from the Site. Condition 10 simply requires the provision of "safe" reconfigured or alternate access.
15. As a result, the designation has the potential to create unacceptable adverse effects on ingress and egress from the Site, particularly when combined with

the related (but yet to be decided) Papakura to Bombay SH1 Project also lodged by the Respondent (“**P2B NoR**”).

16. Safe, efficient and effective access to and from the Appellants’ Land (including retention of all access movements for large horticultural vehicles), and certainty as to its location, is required to ensure the continued operation and viability of horticultural or future activities at the Site.
17. Due to the Site’s location, design work will need to be undertaken to ensure that the Site has an appropriate vehicular interface with the road network if there is to be a change in use in future. Realistically, that can only occur if the designation provides a base level of certainty that the Appellants can work to.
18. The Appellants therefore seek certainty regarding the roading layout and form of access, for example through:
 - (a) Amendment of Condition 10 or the imposition of new conditions to ensure that:
 - (i) The Site’s existing access is reinstated and retained, or, with the Appellants’ agreement, relocated and reformed to enable the Appellants to more effectively and efficiently access the Site for current and future uses.
 - (ii) There will be no long-term (i.e.: post construction) effects on the vehicle access to and egress from the Site, for example by ensuring there are no restrictions on ingress and egress or number of vehicle movements (including large agricultural vehicles) to the Site as a result of the designation
 - (b) Amendment of Condition 21 or the imposition of new conditions to ensure that the Appellants can continue to directly access the Site at all times during construction.

Land Requirements

19. The Appellants’ appeal the part of the Decision which fails to provide certainty as to land requirements during the construction period relative to after completion of construction and commencement of operation of the works.

20. A lack of certainty as to the ultimate extent of land required poses difficulties to the Appellants for any future planning for the Site. In the absence of detail (discussed above) as to roading frontage, the Appellants are unable to determine whether the land requirements (temporary or permanent) are appropriate. The notified (but yet to be decided) P2B NoR also applies to the Site and is understood to be the designation that the Respondent intends to rely on to undertake works on the Site's frontage.
21. The Appellants therefore request that the extent of the designation over the Site:
 - (a) Include only the areas necessary for the permanent operation and maintenance of the proposed works under NoR 8, or mitigation of effects generated by it;
 - (b) Alternatively, in the event that the Court is not minded to grant the request in (a) above, identify the areas required for construction purposes and to the extent it does, require that land for the minimum duration possible; and
 - (c) In addition to (a) or (b), include a condition requiring the designation be removed from the Site if and when the P2B NoR proceeds ahead of NoR 8.

Consultation and Engagement re Construction

22. The Appellants appeal the part of the Decision which fails to include a requirement to appropriately engage with affected landowners regarding the relevant Management Plans (including the Construction Environmental Management Plan ("**CEMP**") and the Construction Traffic Management Plan ("**CTMP**").
23. The Decision wording of conditions 12, 18 and 21 fails to ensure that the CEMP and CTMP will be consulted on adequately; and fails to provide certainty that the operation of the Site will not be unreasonably impacted by construction of the project (including continued direct access and that there will be no impacts such as dust which might affect the horticultural activities onsite).

24. The Appellants therefore seek amendment to conditions 12, 18 and 21, or the imposition of new conditions, to ensure that any CEMP and CTMP are:
- (a) Prepared by the Respondent in consultation with the Appellants, and include requirements to ensure access is maintained and construction effects on the Site that could impact on horticultural activities (e.g.: dust) are avoided;
 - (b) Provided to Council, along with details of the Appellants' observations and comments on the plan, if any; and
 - (c) Approved by the Council.

Lapse Period

25. The Appellants appeal the part of the Decision which imposes a lapse date of 20 years.
26. The lapse date is excessive, creates considerable uncertainty for the Appellants and conflicts with time frames for related transport projects (e.g.: the Respondent's P2B NoR).
27. The Appellants therefore seek a reduced lapse date of 5 years to reflect the default statutory lapse date.

Relief Sought

28. The Appellants seek the following relief:
- (a) That the appeal be allowed.
 - (b) That NoR 8 be removed from the Site, failing which NoR 8 should be declined in its entirety.
 - (c) In the event that the Court is not minded to grant the relief sought in (b) above, that the terms and conditions of NoR 8 be amended to address the issues and concerns identified in paragraph 12 – 27 above, including (but not limited to):

- (i) Amending Condition 21 or imposing a new condition which ensures adverse effects on access to and egress from the Site are minimised as far as practicable during construction; with access from the Site being maintained at all times throughout the construction period.

- (ii) Amending Condition 10 or imposing a new condition which:
 - Clearly identifies the Site's existing access as being reinstated and retained, or, with the Appellants' agreement, relocated and reformed to enable the Appellants to more effectively and efficiently access the Site for current and future uses.

 - Overall, avoids any long-term (i.e.: post construction) effects on vehicle access to and egress from the Site, including, but not limited to, ensuring that:
 - There are no restrictions on ingress and egress or number of vehicle movements (including large agricultural vehicles) to the Site as a result of the designation; and

 - Any additional issues that are identified at the time that further detail regarding the roading layout becomes available (e.g.: including but not limited to provision of finished levels that integrate appropriately with the Site) can be resolved.

- (iii) In terms of the extent of the designation:
 - Reducing the extent of the designation to the minimum extent necessary for the permanent operation and maintenance of NoR 8, or mitigation of effects generated by it; or

- Alternatively, in the event the Court is not minded to reduce the extent of the designation as sought above, to identify those parts of the designated area that are required for construction purposes, and impose a new condition requiring that land be required for the minimum duration possible.
- (iv) Imposing a new a condition requiring the designation be removed from the Site if and when P2B NoR proceeds ahead of NoR 8.
- (v) Amending conditions 12, 18 and 21 or imposing new conditions to ensure that, prior to the commencement of construction in the vicinity of the Site, the CEMP and CTMP applying to the road network in the immediate vicinity of the Site is prepared in the manner outlined in paragraph 24 above.
- (i) Reducing the lapse date to 5 years.
- (d) Such further orders, relief, consequential amendments or other amendments as are considered appropriate and necessary to address the Appellants' concerns set out above.
- (e) Costs of and incidental to this appeal.

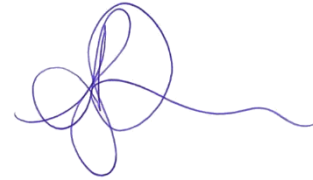
Attachments

29. The following documents are attached to this notice:

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

DATED this 14th day of November 2024

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

A handwritten signature in blue ink, consisting of several loops and a long horizontal tail.

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:** Alex Devine. 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 Appellants; and
- Within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

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

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

How to obtain copies of documents relating to appeal

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

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

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

**SUBMISSION ON A NOTICE OF REQUIREMENT FOR DESIGNATION OF LAND BY NZ TRANSPORT
AGENCY – WAKA KOTAHI**

NOR 8 MILL ROAD AND PUKEKOHE EAST ROAD UPGRADE

Section 168(2) of the Resource Management Act 1991

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

Copy to: NZ Transport Agency – Waka Kotahi
submissions@supportinggrowth.nz

THE HARIBHAI MASTER (1975) TRUST at the address for service set out below (“**the Submitter**”) makes the following submission in relation to the notice of requirement by NZ Transport Agency – Waka Kotahi in respect of the Mill Road and Pukekohe East Road Upgrade (“**NoR 8**”).

1. The NoR comes within the broader Pukekohe Transport Network project under the Te Tupu Ngātahi Supporting Growth Programme.
2. The Submitter will be directly affected by NoR 8 as the Trust, by its trustees, is the owner of the property legally described as Part Allotment 6 Parish Mangatawhiri District, Pt Allot 4 Parish Mangatawhiri District, comprised in Record of Title NA1352/38 (North Auckland Registry (“**Site**”) located immediately to the north-west of the intersection between SH1 and Mill Road, as shown on **Figure 1** below.



Figure 1 AUP Maps showing the Site outlined in blue

3. The Submitter is not a trade competitor of the Requiring Authority and could not gain an advantage in trade competition through this submission. In any event, the Submitter will be directly affected by effects of NoR 8 that:
 - (a) Adversely affect the environment; and
 - (b) Do not relate to trade competition or the effects of trade competition.
4. The submission relates to NoR 8 in its entirety but the Submitter's interest is primarily focused on the aspects of NoR 8 which do, or have the potential to, generate adverse traffic, access, construction and other effects on the Site.
5. The Submitter opposes NoR 8 to the extent that it does not appropriately address the following matters:
 - (a) The avoidance of adverse effects on the Submitter during the construction of the Project (e.g.: in relation to access).
 - (b) The avoidance of any long-term (i.e.: post-construction) adverse effects on access to and egress from the Site or on activities that are undertaken on the Site.
 - (c) Any long term (i.e.: post construction) adverse effects including but not limited to access and integration with the site (e.g. levels).
 - (d) That the NoR does not require more land than is necessary and, to the extent it does, requires it for the minimum duration possible.
6. The reasons for the submission are as follows:
 - (a) Unless and until the concerns set out in this submission are appropriately addressed, NoR 8:
 - (i) Will generate significant and unwarranted adverse effects on the environment.
 - (ii) Will be contrary to the sustainable management of natural and physical resources;
 - (iii) Will not amount to or promote the efficient use and development of resources;

- (iv) Will be otherwise inconsistent with the purpose and principles in Part 2 RMA;
- (v) Be inconsistent with the objectives, policies and other provisions in the relevant planning instruments; and
- (vi) Does not warrant confirmation in terms of section 171 RMA.

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

7. As shown on **Figure 2** below the proposed designation applies across the entire southern frontage of the Site. The Site's only access is via this (Mill Rd) frontage.

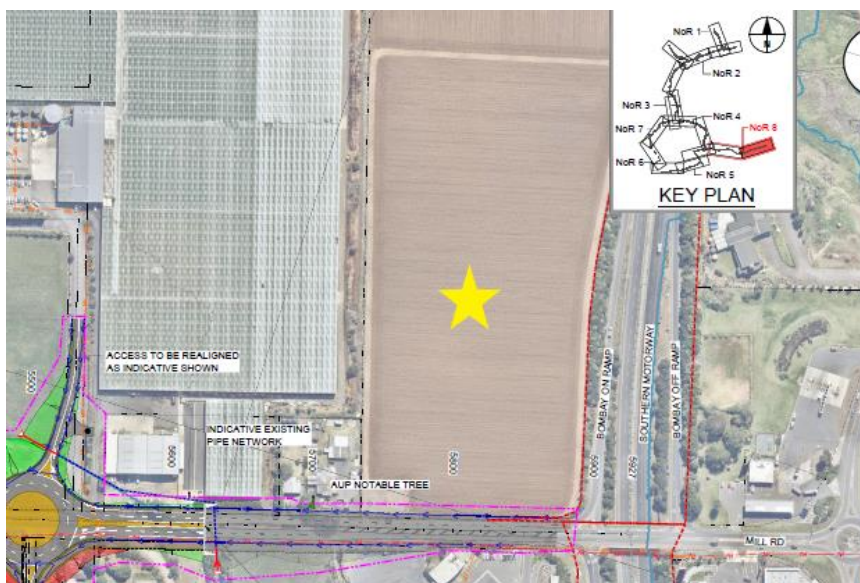


Figure 2 Designation Plan showing proposed designation boundary (in pink) across the frontage of the Site (identified by yellow star)

8. The General Arrangement Plan indicates that a proposed stormwater pipe will be located along the Site's frontage and a flush median located opposite the Site's access. Other than that there is very little detail provided for this part of the designation with the plan simply recording "Tie in with Papakura to Bombay SH1 Project (Design by Others)". This lack of detail contrasts with that provided for land to the west of the site.
9. The Submitter understands that property effects in relation to access driveways and private access roads have not been specifically considered as part of NoR 8 and will be subject to further design prior to implementation (proposed Condition 12).
10. In the absence of detail provided for this part of NoR 8, the Submitter is concerned that the designation has the potential to create unacceptable adverse effects on ingress and egress from the Site, particularly when combined with the related (but not yet lodged) Papakura to

Bombay SH1 Project. The Submitter is concerned that together these changes will significantly impact its ability to access and use the property.

11. It seeks certainty regarding the roading layout and form of access, as well as the imposition of conditions to ensure that the Submitter can continue to safely and efficiently access the Site for current or future uses. In the absence of further detail it is difficult for the Submitter to understand to what extent NoR 8 will affect its access, and whether the extent of designation is in fact necessary for the proposed works.
12. In addition, the Submitter is concerned that the NoRs are uncertain in terms of land requirements during the construction period relative to after completion of construction and commencement of operation of the works. It would be inappropriate and inconsistent with the purpose of the RMA if the Requiring Authority were to maintain a designation over land no longer required for the purpose of the designation. As noted above, in the absence of further detail it is unable to determine whether or not the land requirements (either temporary or permanent) are appropriate. In any event, the Submitter requests that the extent of the designation over its Site include only the areas necessary for the permanent operation and maintenance of the proposed work, or mitigation of effects generated by it.
13. The designation has a proposed lapse period of 20 years, well in excess of the default 5 year period. Given the length of time and the uncertainty this creates for the Submitter regarding the future use of the property, the Submitter seeks a reduced lapse date, or in the alternative, a condition which requires the Requiring Authority to regularly review the need for the designation, and the extent of areas to be used temporarily and permanently.

Relief Sought

14. The Submitter seeks the following relief with regard to the Application:
 - (a) The NoR be amended and conditions imposed on it to address the following issues:
 - (i) The access is clearly identified as being reinstated and retained, or, with the Submitter's agreement, relocated and reformed to enable the Submitter to more effectively and efficiently access the Site for current and future uses.
 - (ii) That there are no restrictions on ingress and egress or number of vehicle movements to the Site as a result of the designation.

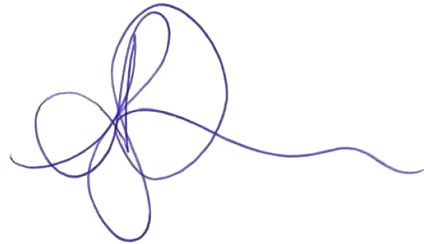
- (iii) The extent of the designation is reduced to the minimum extent possible.
- (iv) The lapse date is reduced to be consistent with the statutory minimum.
- (b) That conditions are imposed on the designation to ensure that:
 - (i) There will be no long-term (i.e.: post construction) effects on the vehicle access to and egress from the Site, with the access either being retained in its current form or relocated and reformed with the agreement of the Submitter.
 - (ii) Adverse effects on access to and egress from the Site are minimised as far as practicable during construction; with access from the Site being maintained at all times throughout the construction period.
 - (iii) Prior to the commencement of construction in the vicinity of the Site, a construction traffic management plan applying to the road network in the immediate vicinity of the Site is:
 - Prepared by the requiring authority in consultation with the Submitter;
 - Provided to Council, along with details of the Submitter's observations and comments on the plan, if any; and
 - Approved by the Council.
 - (iv) As it relates to the Site, the extent of the designation only those areas necessary for the permanent operation and maintenance of the proposed work, or mitigation of effects generated by it.
 - (v) That conditions be imposed to resolve any issues that arise when further detail regarding the roading layout is provided (e.g.: including but not limited to provision of finished levels that integrate appropriate with the Site).
- (c) In the event the above issues are not resolved, that the NoR be declined.

(d) Such alternative or other relief or consequential amendments as are considered appropriate or necessary to address the concerns set out in this submission.

15. The Submitter wishes to be heard in support of this submission. If other parties make a similar submission, the Submitter would consider presenting a joint case with them at the hearing.

DATED this 21st day of December 2023

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



Alex Devine

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

Attachment 2: Relevant extracts from the Decision.

3 October 2024

Joe McDougall
Policy Planner
Planning – Central/South | Policy, Planning & Governance
Auckland Council
Private Bag 92300
Victoria Street West
Auckland 1142

Dear Joe,

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

Thank you for your letter dated 22 August 2024 advising of the recommendation of the Auckland Council Independent Hearing Commissioners in relation to two NZTA Notices of Requirement that comprise part of the Pukekohe Transport Network:

- NoR 2 – Drury to Pukekohe Link; and
- NoR 8 (Auckland Council) – Mill Road and Pukekohe East Road 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, NZTA **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.

Table 1 below sets out:

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

Only those recommended conditions that NZTA 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 or made by NZTA, have not been tracked.

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

Yours sincerely

A handwritten signature in blue ink, appearing to be 'JF', written in a cursive style.

Jenni Fitzgerald

Manager - Environmental Planning

Pursuant to authority delegated by New Zealand Transport Agency Waka Kotahi

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Table 1: Modifications made by NZTA to conditions recommended by the Hearing Commissioners for NoRs 2 and 8

Designation	Condition number	Modifications made by NZTA 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
2 and 8	Abbreviations and definitions	<u>Certification of material changes to management plans</u> 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 <u>the Manager</u> that the material change to the management plan is certified; or (b) 10 working days from the submission of the material change to the management plan where no written confirmation of certification has been received.	Amendment by NZTA Deletion of "Council" in clause (a) for consistency as Manager is a defined term.
2 and 8	Abbreviations and definitions	<u>CMP</u> <u>Cultural Monitoring Plan</u>	Amendment by NZTA Amendment to include abbreviation.
2 and 8	Abbreviations and definitions	<u>Education facility</u> Facility ies used for education to secondary level.	Amendment by NZTA Amendment to improve drafting.
2 and 8	Abbreviations and definitions	<u>Mana Whenua</u> Mana Whenua as referred to in the conditions are considered to be, <u>but not limited to</u> , the following (...)	Amendment by NZTA Amendment to clarify the intent to be inclusive.
2 and 8	Abbreviations and definitions	<u>NIMP</u> <u>Network Integration Management Plan</u>	Amendment by NZTA Amendment to include abbreviation.

Designation	Condition number	Modifications made by NZTA 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
2 and 8	Abbreviations and definitions	Stakeholder Stakeholders to be identified in accordance with Condition 3, which may include as appropriate: ... (g) e Education f Facilities; and (h) n Network u Utility o Operators.	Amendment by NZTA Amendment as term is defined.
2 and 8	2A	Land use Integration Process (LIP) (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). (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:	Reject condition The Panel recommended that the Land Use Integration Process condition be included for the NZTA designations. NZTA rejects this recommendation for the reasons set out in the Closing Legal Submissions. The transport corridor interfaces with adjacent land uses are appropriately managed through existing NZTA processes. ¹ As detailed in the evidence of Mr Rama, ² NZTA already has well established and effective processes in place to manage works within the

¹ Closing legal submissions of Requiring Authority, dated 12 April 2024, at [4.27]

² Rama's Primary Evidence at [43] – [47]; and Verbal Exchange with the Panel on Day 1, Monday 11 March 2024.

Designation	Condition number	Modifications made by NZTA 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
		<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> <p style="margin-left: 40px;">A. boundary treatment (e.g. the use of retaining walls or batter slopes);</p> <p style="margin-left: 40px;">B. the horizontal and vertical alignment of the road (levels);</p> <p style="margin-left: 40px;">C. potential locations for mid-block crossings;</p> <p style="margin-left: 40px;">D. integration of stormwater infrastructure; and</p> <p style="margin-left: 40px;">E. traffic noise modelling contours.</p> <p>(i) potential modifications to the extent of the designation in response to information received through Condition 3(b)(i)</p> <p>(ii) 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>(iii) 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.</p> <p>(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.</p> <p>(e) The nominated contact shall maintain a record of the engagement between the Requiring Authority and Developers and Development</p>	<p>designation through the section 176 processes.</p>

Designation	Condition number	Modifications made by NZTA 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
		<p>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> <p>(i) a list of all Developers and Development Agencies who have 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;</p> <p>(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</p> <p>(iii) details of any requests to co-ordinate the forward work programme, where appropriate, with Development Agencies and Network Utility Operators.</p> <p>(f) The record shall be submitted to Council for information ten working days prior to the Start of Construction for a Stage of Work</p>	
2 and 8	3	<p>Stakeholder Communication and Engagement <u>Design</u></p> <p>...</p> <p>(b) A record of (a) shall be submitted <u>to the Manager for information</u> with an Outline Plan for the relevant Stage of Work.</p>	<p>Amendment by NZTA Amendment to improve drafting and clarify that providing the record to the Council is for information purposes only i.e. it is not part of the formal s176 Outline Plan process.</p>
2 and 8	4	<p>Designation Review</p> <p><u>As soon as reasonably practicable following Completion of Construction</u>, the Requiring Authority shall within 6 months of Completion of Construction or as soon as otherwise practicable:</p> <p>...</p>	<p>Amendment by NZTA NZTA amends the post-construction designation review condition to remove reference to the six-month timeframe, and instead to be as soon as reasonably practicable. The</p>

Designation	Condition number	Modifications made by NZTA 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
		(b) give notice to Auckland Council the Manager in accordance with section 182 of the RMA for the removal of those parts of the designation identified above.	designation review process is subject to third party actions and other factors that influence the timeframe. Amendment by NZTA Replace “Auckland Council” with “Manager” to improve drafting. Manager is a defined term.
2 and 8	6	Network Utility Operators (Section 176 Approval) (a) Prior to the start of Construction Works, Network Utility Operators with existing infrastructure located within the designation will not require written consent under section 176 of the RMA for the following activities: ... (iv) the upgrade and replacement of existing network utilities in the same location with the same or similar effects <u>on the work authorised by the designation</u> as the existing utility.	Amendment by NZTA NZTA removes “located within the designation” from clause (a) as s176 approvals only relate to works in the designation therefore the text is unnecessary in the condition. Amendment by NZTA NZTA amends clause (a)(iv) to clarify the nature of effects covered by this condition.

Designation	Condition number	Modifications made by NZTA 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
2 and 8	11	<p>Management Plans</p> <p>(a) Any management plan shall:</p> <p>...</p> <p>(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:</p> <p style="padding-left: 40px;">a. been incorporated; and</p> <p style="padding-left: 40px;">b. where not incorporated, the reasons why.</p> <p>...</p> <p><u>(c) Information shall be submitted with the management plan (or revised plan as referred to in (d) below) which summarises outcomes of consultation and any input received from Mana Whenua and Stakeholders as required by the relevant management plan condition. The summary shall note how this input has been incorporated or reflected in the management plan, or if not, the reasons why;</u></p> <p>(d) 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 Manager as an update to the Outline Plan or for Certification as soon as practicable following identification of the need for a revision; and</p> <p>(e) Any material changes to the SCEMPs are to be submitted to the Council Manager for information.</p>	<p>Amendment by NZTA NZTA relocates clause (a)(iv) to clause (c) to improve the drafting, and to make it clear that third party comments are not part of a management plan but may inform its content.</p> <hr/> <p>Amendment by NZTA Deletion of "Council" in clause (d) and (e) for consistency as Manager is a defined term.</p>

Designation	Condition number	Modifications made by NZTA 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
2 and 8	12	<p>Stakeholder and Communication and Engagement Management Plan (SCEMP)</p> <p>(a) A SCEMP shall be prepared in consultation with relevant 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 of, 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 Pproject website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s); (v) the procedures for ensuring that there is a contact person available for the duration of Construction Works, for public enquiries or complaints about the Construction Works; (vi) methods for engaging with Mana Whenua, to be developed in consultation with Mana Whenua; (vii) methods and timing to engage with owners and occupiers whose access is directly affected; (viii) methods to communicate key project milestones and the proposed hours of construction activities including outside of normal working hours and on weekends and public holidays, to the parties identified in (b)(i) and (iii); and (ix) linkages and cross-references to communication and engagement methods set out in other conditions and management plans where relevant. 	<p>Amendment by NZTA NZTA amends clause (a) to add “relevant” to the reference to “stakeholders”. 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 SCEMP will be prepared by a Suitably Qualified Person who will be qualified to advise on who the relevant stakeholders are that should be invited to participate in the development of the SCEMP.</p> <p>Amendment by NZTA NZTA removes (b)(ii) (iii) and (v) as the clauses unnecessarily duplicate the requirements of Condition 3, and the definition of Project Liaison Person, and methods of engagement are appropriately covered by clause (b)(vi) and (vii).</p>

Designation	Condition number	Modifications made by NZTA 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
		(c) Any SCEMP prepared for a Stage of Work shall be submitted to Council the Manager for information a minimum of 10 working days prior to the Start of Construction for a Stage of Work.	Amendment by NZTA The word project is not defined and therefore, not capitalised. Amendment by NZTA Deletion of "Council" in clause (c) for consistency as Manager is a defined term and inclusion of a minimum time period for clarity.
2 and 8	8	Network Utilities Integration (b) A summary of Tthe consultation undertaken, opportunities considered, and whether or not they have been incorporated into the detailed design, shall be summarised submitted to the Manager for information with-in the Outline Plan(s) prepared for the P project.	Amendment by NZTA Amendment by NZTA to improve the drafting and clarify that providing the summary of consultation to the Council is for information purposes only. Amendment by NZTA The word project is not defined and therefore, not capitalised.

Designation	Condition number	Modifications made by NZTA 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
2 and 8	14	<p>Network Integration Management Plan (NIMP)</p> <p>...</p> <p>(b) The objective of the NIMP is to identify how the Pproject will integrate with the planned transport network in the Pukekohe, Paerata and Drury West growth areas to achieve an effective, efficient and safe land transport system. To achieve the objective, the NIMP shall include details of the:</p> <ul style="list-style-type: none"> (i) Pproject implementation approach and any staging of the Pproject, including both design, management and operational matters; <u>and</u> (ii) sequencing of the Pproject with the planned transport network, including both design, management and operational matters. <u>and</u> (iii) <u>how the NIMP is consistent with the ULDM</u>P 	<p>Reject addition of (c).</p> <p>The proposed amendments are not necessary nor appropriate. The NIMP and ULDM have different purposes and functions. The NIMP is a transport planning management plan and sets out integration (including staging and sequencing) matters with the surrounding transport network. The ULDM sets out the design matters to achieve integration with adjacent land use, and includes design, landscape and visual considerations.</p> <p>In addition, the NIMP and ULDM are prepared at different times, so it is not feasible to define how the NIMP is consistent with the ULDM, as that information will not be available at the time the NIMP is prepared. The NIMP is prepared at least 6 months before detailed design and the ULDM prepared during detailed design and submitted with the Outline Plan prior to the Start of Construction.</p>

Designation	Condition number	Modifications made by NZTA 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
			Amendment by NZTA The word project is not defined and therefore, not capitalised.
2 and 8	15	Urban and Landscape Design Management Plan (ULDMP) (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: (i) enable integration of the P project's permanent works into the surrounding landscape and urban context; and (ii) ensure that the P project manages potential adverse landscape and visual effects as far as practicable and contributes to a quality urban environment; and	NZTA Accepts in part NZTA acknowledges the Hearings Panel's recommendation to add a new clause (a)(iii), however, does not consider this the most appropriate place. Refer to ULDMP condition 17 clause (b)(i) for condition change and rationale.

Designation	Condition number	Modifications made by NZTA 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
		<p>(iii) minimise effects of the Project's permanent works on streams to the extent possible, including the extent of earthworks and vegetation removal.</p> <p>...</p> <p>(c) Key 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>Amendment by NZTA</p> <p>NZTA replaces “key stakeholders” with “relevant stakeholders” in clause (c), consistent with the edit in Condition 12. 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 qualified to advise on who the relevant stakeholders are that should be invited to participate in the development of the ULDMP. Relevant is a more appropriate term in this condition context.</p>
2 and 8	16	<p>[relocated]</p> <p>(a) To achieve the objective, set out in Condition 15 the ULDMP(s) shall provide details of how the project:</p> <p>(i) is designed to integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (i.e. e.g. centres and density of built form), natural environment (e.g. minimise effects on streams where practicable), landscape character and open space zones;</p> <p>...</p>	<p>Amendment by NZTA</p> <p>NZTA reformats the ULDMP condition into three separate conditions and some clauses are 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 14” has been</p>

Designation	Condition number	Modifications made by NZTA 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
		(b) The ULDMP shall be prepared in general accordance with: <ul style="list-style-type: none"> (i) Waka Kotahi <u>New Zealand Transport Agency</u> Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version; (ii) Waka Kotahi <u>New Zealand Transport Agency</u> Landscape Guidelines (20138) or any subsequent updated version; (iii) Waka Kotahi <u>New Zealand Transport Agency</u> P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version. 	<p>added (with updated numbering in the clean sets).</p> <hr/> <p>Accept in part The Panel recommended the addition “to minimise effects of the Project’s permanent works on streams to the extent possible, including the extent of earthworks and vegetation removal” in the ULDMP condition 15 clause (a)(iii) (above) as an objective to the ULDMP. NZTA acknowledges the Panel’s intent, but instead adds “minimise effects on streams where practicable” in clause (b)(i) of the ULDMP. This is a more appropriate place in the condition context to include the recommendation relating to streams rather than as part of the overall objective of the ULDMP in clause (a). The addition by the Hearing Panel of “including the extent of earthworks and vegetation removal” (relating to effects on streams) is</p>

Designation	Condition number	Modifications made by NZTA 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
			<p>rejected by NZTA. This is adequately covered by “minimise effects on streams where practicable” and also clause (h)(A)(i) of the ULDMP that specifies “Where practicable, mature trees and native vegetation should be retained”.</p> <p>Amendment by NZTA An administrative amendment by NZTA to update the names of the documents which the ULDMP is to be prepared in general accordance with, to reference the documents correctly.</p>
2	17	<p>[relocated]</p> <p>The ULDMP(s) shall include:</p> <p>...</p> <p>(c) landscape and urban design details – that cover the following:</p> <p>(i) road design – elements such as intersection form, carriageway gradient and associated earthworks contouring including cut and fill batters, shaped to a natural profile where practicable and appropriate to the surrounding context, and the interface with adjacent land uses and existing roads (including slip lanes), benching, spoil disposal sites, median width and treatment, roadside width and treatment;</p>	<p>Accept deletion in clause (c)(i) The Panel has recommended the deletion of part of in clause (c)(i). NZTA accepts this deletion.</p> <p>Reject addition to clause (c)(iv) The Panel recommended the addition of “the location” for noise barriers in clause (c)(iv) in the ULDMP. NZTA rejects the addition of “the location” as the location of noise barriers is defined by the</p>

Designation	Condition number	Modifications made by NZTA 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
		<p>...</p> <p>(iv) the location, architectural and landscape treatment of noise barriers;</p> <p>(v) landscape treatment and planting of permanent stormwater control wetlands and swales;</p> <p>(ix) re-instatement of features disturbed during construction and intended to be retained-reinstated such as:</p> <p style="padding-left: 40px;">A. boundary features;</p> <p style="padding-left: 40px;">B. driveways;</p> <p style="padding-left: 40px;">C. accessways; and</p> <p style="padding-left: 40px;">D. fences.</p> <p>(d) the ULDMP shall also include the following planting details and maintenance requirements details:</p> <p>(i) planting design details including:</p> <p>...</p> <p style="padding-left: 40px;">D. planting of stormwater wetlands to include appropriate indigenous plant species for long term sustainability, maintenance and hydrological and ecological function;</p> <p style="padding-left: 40px;">E. integration of any planting requirements required by conditions of any resource consents for the project; and</p> <p style="padding-left: 40px;">F. re-instatement planting of construction and site compound areas as appropriate.</p> <p>...</p> <p>Advice note:</p> <p>This designation is for the purpose of construction, operation and maintenance of an arterial transport corridor and it is not for the specific purpose of “road widening”. Therefore, it is not intended that the front yard definition in the</p>	<p>traffic noise assessment under conditions 31 to 44.</p> <p>Amendments by NZTA NZTA add “and planting” in clause (c)(v) to be stipulated in the ULDMP for landscape treatment of permanent stormwater control wetlands and swales.</p> <p>Amendments by NZTA NZTA updates the wording in clause (c) (ix) to improve clarity.</p> <p>Amendments by NZTA NZTA updates the wording in clause (d) to improve clarity.</p> <p>Reject addition to clause (d)(i)(D) and remove clause (d)(i)(D) The Panel recommended adding a provision to clause (d)(i)(D) to include indigenous planting in stormwater wetlands to support maintenance and the hydrological and ecological function. NZTA</p>

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		<p>Auckland Unitary Plan which applies a set back from a designation for road widening purposes applies to this designation. A set back is not required to manage effects between the designation boundary and any proposed adjacent sites or lots.</p>	<p>rejects this addition as NZTA will plant wetlands in accordance with design guidelines that are stipulated in ULDMMP clause (b) of condition 16 above), and in accordance with regional resource consent conditions as set out in ULDMMP clause (d)(i)(E). Clause (d)(iii)(E) (shown in Appendix A and B) also requires the ULDMMP to specify “plant sourcing and planting, including hydroseeding and grassing, and use of eco-sourced species”. Therefore, the Panel's proposed addition is unnecessary. Further, NZTA remove clause (d)(iii)(E) as reference to stormwater planting as it is covered under clause (c)(v).</p> <p>Amendment by NZTA</p> <p>NZTA deletes the word “requirements” from clause (d)(i)(E) to improve clarity as the following word in the condition is “required”, and therefore it was previously a duplication.</p>

Designation	Condition number	Modifications made by NZTA 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
			Amendment by NZTA NZTA removes the advice note regarding the front yard as this was a specific provision to address a submitter's concern for the Drury Arterial Network projects (another Supporting Growth Alliance project) and is not required on this NoR.
8	17	<p>[relocated]</p> <p>The ULDMP(s) shall include:</p> <p>...</p> <p>(c) landscape and urban design details – that cover the following:</p> <p>(i) road design – elements such as intersection form, carriageway gradient and associated earthworks contouring including cut and fill batters, shaped to a natural profile where practicable and appropriate to the surrounding context, and the interface with adjacent land uses and existing roads (including slip lanes), benching, spoil disposal sites, median width and treatment, roadside width and treatment;</p> <p>...</p> <p>(x) re-instatement of features disturbed during construction and intended to be retained-reinstated such as</p> <p>A. boundary features;</p> <p>B. driveways;</p> <p>C. accessways; and</p> <p>D. fences.</p> <p>(d) The ULDMP shall also include the following planting details and maintenance requirements-details:</p> <p>(i) planting design details including:</p>	<p>Accept deletion in clause (c)(i) See explanation above.</p> <hr/> <p>Amendment by NZTA in clause (c)(x) See explanation above.</p> <hr/> <p>Amendment by NZTA in clause (c)(x) and (d) See explanation above.</p> <hr/> <p>Reject The Panel recommend the addition to clause (d)(i)(E). Refer to explanation above.</p>

Designation	Condition number	Modifications made by NZTA 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
		<p>A. identification of existing trees and vegetation that will be retained and any planting requirements under with reference to the Tree Management Plan (Condition 27) EMP (Condition 28) and/or Ecological Management Plan TMP (Condition 29); with reference to the Tree Management Plan. Where practicable, mature trees and native vegetation should be retained;</p> <p>...</p> <p>D. planting of stormwater wetlands to include appropriate indigenous plant species for long term sustainability, maintenance and hydrological and ecological function;</p> <p>E. integration of any planting requirements required by conditions of any resource consents for the project; and</p> <p>F. Re-instatement planting of construction and site compound areas as appropriate.</p> <p>(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</p> <p>...</p> <p>Advice Note:</p> <p><i>This designation is for the purpose of construction, operation and maintenance of an arterial transport corridor and it is not for the specific purpose of “road widening”. Therefore, it is not intended that the front yard definition in the Auckland Unitary Plan which applies a set back from a designation for road widening purposes applies to this designation. A set back is not required to manage effects between the designation boundary and any proposed adjacent sites or lots.</i></p>	<p>Amendment by NZTA NZTA removes the reference to stormwater planting as it is covered under clause (c)(v) – see above.</p> <hr/> <p>Amendment of NZTA NZTA amends clause (d)(ii) to remove unnecessary wording as “Stage of Work” is a defined term.</p> <hr/> <p>Amendment of NZTA – deletion of advice note. See explanation above.</p>

Designation	Condition number	Modifications made by NZTA 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
2 and 8		<p>Flood Hazard</p> <p>For the purpose of Condition 9:</p> <p>(a) ARI – means Average Recurrence Interval</p> <p>(b) AEP – means Annual Exceedance Probability;</p> <p>(c) Existing aAuthorised hHabitable fFloor – means the floor level of any room (floor) in a residential building which is authorised by building consent and exists at the time the eOutline pPlan is submitted, excluding a laundry, bathroom, toilet or any room used solely as an entrance hall, passageway or garage;</p> <p>(d) Flood pProne aArea – means potential ponding areas that may flood in a 1% AEP event and commonly comprise of topographical depression areas. The areas can occur naturally or as a result of constructed features. <u>Identification of a potential Flood Prone Area would be by an assessment of residual flood risk in a 1% AEP event (e.g. from blockage of the project stormwater network) on land outside and adjacent to the designation following the application of Conditions 9(a)(i) – (v):</u></p> <p>(e) Maximum Probable Development – is the design case for consideration of future flows allowing for development within a catchment that takes into account the maximum impervious surface limits of the current zone or if the land is zoned Future Urban in the AUP, the probable level of development arising from zone changes.</p> <p>(f) Pre-Project eDevelopment – means existing site condition prior to the Pproject (including existing buildings and roadways); and</p>	<p>Amendment by NZTA</p> <p>NZTA removes the definition of ARI as it is not a term that is subsequently used in the flood hazard condition.</p> <p>Amendment by NZTA</p> <p>NZTA defines the term “Existing Authorised Habitable Floor” and has therefore capitalised the term in clause (c).</p> <p>Amendment by NZTA</p> <p>NZTA updates the definition to Flood Prone Area in clause (d) to clarify how a Flood Prone Area will be identified, with reference to elements of the subsequent condition.</p> <p>Amendment by NZTA</p> <p>NZTA defines the terms Pre and Post Project Development and has therefore capitalised the term in clause (f) and (g).</p>

Designation	Condition number	Modifications made by NZTA 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
		(g) Post-Project eD Development – means site condition after the P project has been completed (including existing and new buildings and roadways).	Amendment by NZTA The word project is not defined and therefore, not capitalised.
2 and 8	9	<p>Flood Hazard</p> <p>(a) The Pproject shall be designed to achieve the following flood risk outcomes <u>beyond the boundary of the designation:</u></p> <p>(i) no increase in flood levels in a 1% AEP event for eExisting aAuthorised hHabitable fFloors that are already subject to flooding or have a freeboard less than 500mm;</p> <p>(ii) no increase in <u>flood levels in a</u> 1% AEP <u>event</u> for existing authorised community, commercial, industrial and network utility building floors <u>existing at the time of the Outline Plan is submitted</u> that are already subject to flooding or have a freeboard less than 300mm;</p> <p>(iii) maximum of 50mm increase in water level <u>flood levels</u> in a 1% AEP event outside and adjacent to the designation boundary between the pre <u>Pre-Project Development</u> and post <u>Project Post-Project Development</u> scenarios; no new flood prone areas; and</p> <p>(iv) no increase of Flood Hazard <u>Class</u> for the main vehicle and pedestrian access to authorised habitable dwellings existing at <u>the</u> 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 [x] to these conditions. <u>Where Flood Hazard is:</u> <u>A. velocity x depth greater than or equal to 0.6m²/s; or</u> <u>B. depth greater than 0.5m; or</u> <u>C. velocity greater than 2m/s.</u></p>	<p>Amendment by NZTA The word project is not defined and therefore, not capitalised.</p> <p>Amendment by NZTA NZTA adds to clause (a) “beyond the boundary of the designation” to improve clarity about the application of the condition.</p> <p>Amendment by NZTA NZTA adds to clause (a) (ii) to include “existing at the time the Outline Plan is submitted” to clarify when is 'existing', and for consistency with items (i) and (iv).</p> <p>Amendment by NZTA NZTA removes the clause “water level” in clause (iii) and inserts clause “flood levels” for consistency with (i) and (ii) and edits the terms for consistency with the definitions which precede this condition.</p>

Designation	Condition number	Modifications made by NZTA 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
		<p>(v) <u>no new Flood Prone Areas.</u></p> <p>(b) Compliance with this condition shall be demonstrated in the Outline Plan, which shall include flood modelling of the pre-Project <u>Pre-Project Development</u> and post-Project <u>Post-Project Development</u> 1% AEP flood levels (for Maximum Probable Development land use <u>and including with allowances for</u> climate change).</p> <p>(c) Where:</p> <p>(i) the <u>flood risk outcomes in (a) above-outcomes</u> can be achieved through alternative measures outside of the designation such as flood stop banks, flood walls, raising eExisting aAuthorised hHabitable fFloor level and new overland flow paths; or</p> <p>(ii) <u>the outcomes are varied at specific location(s)</u> through agreement with the relevant landowner, the Outline Plan shall include confirmation <u>shall be provided to the Manager</u> that any necessary landowner <u>agreement</u> and statutory approvals have been obtained for that work <u>alternative measure</u> or alternative <u>varied</u> outcome.</p>	<p>Reject amendment to clause (a)(v)</p> <p>NZTA rejects the Panel's recommended changes and retains the previous wording of clause (a)(v). As outlined in the Closing Legal Submissions³ the condition is consistent with the NZTA's national approach. The Memorandum of Counsel - Response to Panel Direction No 5⁴, highlights that the proposed NZTA condition follows the Z/19 Taumata Taiao – Environmental and Sustainability Standard for the infrastructure delivery process and is consistent with NZTA's national approach.⁵ In most cases, the maximum depth change component of the flood hazard condition will be controlled by the freeboard to habitable floor level conditions.</p>

³ Closing legal submissions of Requiring Authority, dated 12 April 2024, at [13.9]

⁴ Memorandum of Counsel - Response to Panel's Direction No 5 - 16 May 2024

⁵ Memorandum of Counsel - Response to Panel's Direction No 4 16 May 2024

Designation	Condition number	Modifications made by NZTA 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
			Amendment by NZTA NZTA updates clause (c) to improve clarity. NZTA amendments to defined terms: NZTA defines the terms below and therefore capitalised the terms in the flood hazard condition: <ul style="list-style-type: none"> • Existing Authorised Habitable Floors • Pre-Project Development • Post-Project Development
2 and 8	10	Existing property access Prior to submission of the Outline Plan, consultation shall be undertaken with landowners and occupiers whose vehicle access to their property will be altered by the project. The Outline Plan shall demonstrate how safe reconfigured or alternate access will be provided, unless otherwise agreed with the landowner.	Amendment by NZTA Land owner agreements sit outside of the designation conditions therefore NZTA has removed the last part of this condition.
2 and 8	19	Complaints Register <u>Process</u> ... (b) A copy of the complaints register record required by this condition shall be made available to the Manager upon request as soon as practicable after the request is made.	Amendment by NZTA NZTA updates Complaints “Register” to “Process” to reflect the scope of the condition, and “Register” to “record” for consistency with other references in the condition to ‘record’.

Designation	Condition number	Modifications made by NZTA 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								
2 and 8	21	<p>Construction Traffic Management Plan (CTMP)</p> <p>...</p> <p>(b) To achieve this objective, the CTMP shall include:</p> <p>...</p> <p>(vi) methods to maintain access to and within property and/or private roads where practicable, or to provide alternative access arrangements when it will not be, including details of how access is managed for loading and unloading of goods;</p> <p>(ix) details of minimum network performance parameters during the construction phase, including any measures to monitor compliance with the performance parameters. These could include maximum increases in journey time and traffic volumes along key routes; and</p> <p>...</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 (<u>April 2023</u>) or any subsequent version.</p>	<p>Amendment by NZTA NZTA removes the word access from clause (b)(vi).</p> <hr/> <p>Amendment by NZTA NZTA removes the example of performance parameters from (b)(ix). A Suitably Qualified Person will be responsible for preparing the CTMP and is best positioned to determine what should be included at that time.</p> <hr/> <p>Amendment by NZTA NZTA amends clause (c) to specify which New Zealand Guide to Temporary Traffic Management version is to be used for the purpose of the condition.</p>								
2 and 8	22	<p>Construction Noise Standards</p> <p>...</p> <p>Table 22-1: Construction noise standards</p> <table border="1" data-bbox="560 1273 1516 1431"> <thead> <tr> <th data-bbox="560 1273 734 1366">Day of week</th> <th data-bbox="734 1273 965 1366">Time period</th> <th data-bbox="965 1273 1207 1366">L_{Aeq(15min)}</th> <th data-bbox="1207 1273 1516 1366">L_{AFmax}</th> </tr> </thead> <tbody> <tr> <td colspan="4" data-bbox="560 1366 1516 1431" style="text-align: center;">Occupied activity sensitive to noise</td> </tr> </tbody> </table>	Day of week	Time period	L _{Aeq(15min)}	L _{AFmax}	Occupied activity sensitive to noise				<p>Amendment by NZTA NZTA amends the 55dB reference in Saturday 06:30 – 07:30 to 45dB to correct an error.</p>
Day of week	Time period	L _{Aeq(15min)}	L _{AFmax}								
Occupied activity sensitive to noise											

Designation	Condition number	Modifications made by NZTA 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
		Weekday	0630h - 0730h	55 dB	75 dB	
2 and 8	23	Construction Vibration Standards				Amendment by NZTA

Designation	Condition number	Modifications made by NZTA 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
		(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 23-1 the following table as far as practicable. ... * Refer to <u>New Zealand Transport Agency Waka Kotahi</u> State highway construction and maintenance noise and vibration guide for further explanation regarding Category A and B criteria ...	NZTA amends (a) and the note to improve clarity.
2 and 8	24	Construction Noise and Vibration Management Plan (CNVMP) (b) To achieve the objective, the CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 'Acoustics – Construction Noise' (NZS6803:1999) and the Waka Kotahi State highway construction and maintenance noise and vibration guide (version 1.1, 2019) , and shall as a minimum, address the following: ...	Amendment by NZTA NZTA deletes the reference to a 2019 noise and vibration guide that was included in error. The NZTA guide is consistent with the NZ Standard.
2 and 8	25	Schedule to a CNVMP (a) A Schedule to the CNVMP (Schedule) shall be prepared prior to the start of the construction activity to which it relates by a Suitably Qualified Person, in consultation with the owners and occupiers of sites subject to the Schedule to the CNVMP , when:	Amendment by NZTA Drafting improvement.

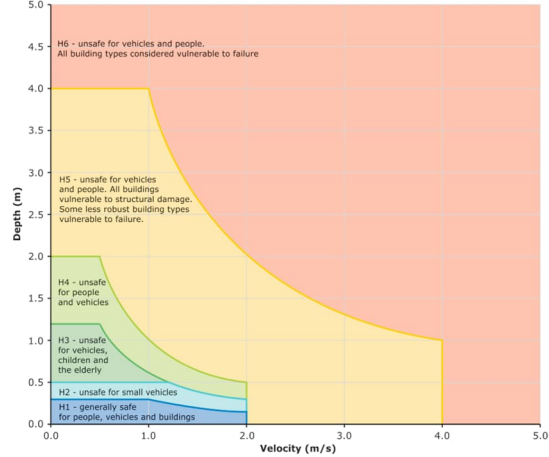
Designation	Condition number	Modifications made by NZTA to conditions recommended by the Hearing Commissioners (additions to conditions are in bold and underlined and rejections are in bold and strikethrough)	Reason for modifications
8	26	<p>Historic Heritage Management Plan (HHMP)</p> <p>(b) To achieve the objective, the HHMP shall identify:</p> <p>(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:</p> <p>...</p> <p>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 13); and</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>Advice note:</p> <p>Accidental Discoveries</p> <p><i>The requirements for accidental discoveries of heritage items are set out in Rule E11.6.1 of the AUP and in the <u>New Zealand Transport Agency Waka Kotahi Minimum Standard P45 Accidental Archaeological Discovery Specification</u>, or any subsequent version.</i></p>	<p>Amendment by NZTA</p> <p>NZTA deletes 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 26(b). The HHMP will be submitted through the Outline Plan process. Monitoring and reporting actions are inherent in 26(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.
2 and 8	26 (NoR 2) 27 (NoR 8)	<p>Pre-Construction Ecological Survey</p> <p>...</p>	<p>Amendment by NZTA</p> <p>NZTA amends clause (a)(ii) from “will or may” to “will or is likely to” when referring to the potential level</p>

Designation	Condition number	Modifications made by NZTA 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
		<p>(ii) confirming whether the project will or may is likely to have a moderate or greater level of ecological effect on ecological species of value (prior to implementation of impact management measures), with the The level of effect to shall be determined in accordance with Table 10 of the EIANZ gGuidelines (or subsequent updated version of the table) as included in Schedule 3 to these conditions (or subsequent updated version of the table).</p> <p>(b) If the ecological survey confirms the presence of ecological features species of value in accordance with Condition 27(a)(i) and that moderate or greater 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>	<p>of effects. This wording as it is more appropriate as “may” is too vague when identifying potential effects.</p> <p>Amendment by NZTA NZTA amends clause (a)(ii) to remove the word “ecological” when describing species as it is unnecessary.</p> <p>Amendment by NZTA NZTA amends 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 NZTA NZTA amends features to species in clause (b) to use wording consistent with the clause it refers to. NZTA also removes ecological here, for the same reasons as above.</p> <p>Amendment by NZTA</p>

Designation	Condition number	Modifications made by NZTA 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
			NZTA includes “moderate or greater” when describing the likely level of effects in clause (b) to make it consistent with clause (a).
2 and 8	27 (NoR 2) 28 (NoR 8)	Ecological Management Plan (EMP) ... (b) To achieve the objective, the EMP shall set out the methods that will be used to achieve the objective which may include: ...	Amendment by NZTA NZTA amends clause (b) to remove wording repetition.
8	29	Tree Management Plan (TMP) ... (iii) demonstrate how the tree management measures (outlined in A—C above) are consistent with conditions of any resource consents granted for the project in relation to managing construction effects on trees. ...	Amendment by NZTA NZTA removes clause (b)(iii). The TMP applies specifically to the listed trees identified in Schedule 4 of the conditions. Upon review, a condition referencing resource consents in this context is unnecessary. Other references to resource consent conditions in the set serve a broader purpose, helping manage the interface between designation and consent-related effects management. Schedule 4 is more specific and therefore a resource consent reference is not required.

Designation	Condition number	Modifications made by NZTA 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
8 (WDC)	28 (NoR 2) 30 (NoR 8)	Network Utility Management Plan (NUMP) ... (b) <u>To achieve the objective,</u> T the NUMP shall include methods to: ...	Amendment by NZTA NZTA amends (b) to improve clarity.
2 and 8	35 (NoR 2) 37 (NoR 8)	The Detailed Mitigation Options shall be implemented prior to e C ompletion of e C onstruction of the P p roject, with the exception of any low-noise road surfaces, which shall be implemented within 12 months of e C ompletion of e C onstruction.	Amendment by NZTA The term Completion of Construction is defined and NZTA has therefore capitalised the terms. Amendment by NZTA The word project is not defined and therefore, not capitalised.
2 and 8	37 (NoR 2) 39 (NoR 8)	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 12 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.	Amendment by NZTA NZTA amends this condition to provide building owners with more time and so it is consistent with NZTA's standard practice.
2 and 8	38 (NoR 2) 40 (NoR 8)	For each Category C Building identified, the Requiring Authority is deemed to have complied with Condition 39 above if: ...	Amendment by NZTA NZTA amends this condition to provide building owners with more time and so it is consistent with NZTA's standard practice.

Designation	Condition number	Modifications made by NZTA 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
		(c) the building owner did not agree to entry within three 12 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 e C ompletion of e C onstruction of the P P roject. ...	Amendment by NZTA The term Completion of Construction is defined, and NZTA has therefore capitalised the terms. Amendment by NZTA The word project is not defined and therefore, not capitalised.
2 and 8	39 (NoR 2) 41 (NoR 8)	Subject to Condition 40 above, within six months of the assessment undertaken in accordance with Conditions 38 and 39, the Requiring Authority shall write to the owner of each Category C Building advising: ...	Amendment by NZTA NZTA corrects a condition cross reference error.
2 and 8	42 (NoR 2) 44 (NoR 8)	Within 12 months of e C ompletion of e C onstruction of the P P roject, a post-construction review report written in accordance with P40 Specification for Noise Mitigation 2014 shall be provided to the Manager <u>for information.</u>	Amendment by NZTA NZTA defines the term Completion of Construction and therefore has capitalised the terms. Amendment by NZTA NZTA has amended the condition to clarify the report will be provided to the Manager for information.
2 and 8	Schedule	Schedule X – Flood Hazard The combined flood hazard curves shown in Figure 6.7.9 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	Reject The Panel has recommended the inclusion of the flood hazard schedule to align with the flood

Designation	Condition number	Modifications made by NZTA 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 strikethrough)</p> <p>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>Figure 6.7.9. Combined Flood Hazard Curves (Smith et al., 2014)</p>	<p>hazard condition on the AT Notices of Requirement for the Pukekohe Transport Network, however, NZTA rejects the addition as the relevant matters are sufficiently covered in the Flood Hazard Condition (condition 9).</p>												
2 and 8	Schedule	<p><u>Schedule 3: Table 10 of the 2018 EIANZ Guidelines</u></p> <p><u>Criteria for describing level of effects (Adapted from Regini (2000) and Boffa Miskell (2011))</u></p> <table border="1" data-bbox="533 1273 1554 1398"> <thead> <tr> <th><u>Ecological Value</u> →</th> <th><u>Very high</u></th> <th><u>High</u></th> <th><u>Moderate</u></th> <th><u>Low</u></th> <th><u>Negligible</u></th> </tr> </thead> <tbody> <tr> <td>—</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	<u>Ecological Value</u> →	<u>Very high</u>	<u>High</u>	<u>Moderate</u>	<u>Low</u>	<u>Negligible</u>	—						<p>Amendment by NZTA</p> <p>NZTA includes the schedule to align with updates to the Pre-Construction Ecological Survey.</p>
<u>Ecological Value</u> →	<u>Very high</u>	<u>High</u>	<u>Moderate</u>	<u>Low</u>	<u>Negligible</u>										
—															

Designation	Condition number	Modifications made by NZTA 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
		<u>Magnitude ↓</u>						
		<u>Very high</u>	<u>Very high</u>	<u>Very high</u>	<u>High</u>	<u>Moderate</u>	<u>Low</u>	
		<u>High</u>	<u>Very high</u>	<u>Very high</u>	<u>Moderate</u>	<u>Low</u>	<u>Very low</u>	
		<u>Moderate</u>	<u>High</u>	<u>High</u>	<u>Moderate</u>	<u>Low</u>	<u>Very low</u>	
		<u>Low</u>	<u>Moderate</u>	<u>Low</u>	<u>Low</u>	<u>Very low</u>	<u>Very low</u>	
		<u>Negligible</u>	<u>Low</u>	<u>Very low</u>	<u>Very low</u>	<u>Very low</u>	<u>Very low</u>	
		<u>Positive</u>	<u>Net gain</u>	<u>Net gain</u>	<u>Net gain</u>	<u>Net gain</u>	<u>Net gain</u>	

Appendix A – Clean conditions for NoR 2 - Drury to Pukekohe Link

[# – council to allocate] – Drury to Pukekohe Link

Designation Number	[XXXX]
Requiring Authority	New Zealand Transport Agency
Location	Between Great South Road in the north east, State Highway 22 in the west and the area in the vicinity of Sim Road/Cape Hill Road in the south.
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

The construction, operation, maintenance and improvement of a state highway, cycleway and / or shared path, and associated infrastructure.

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 the Manager that the material change to the management plan is certified; or (b) 10 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 26
Construction Works	Activities undertaken to construct the project excluding Enabling Works
Council	Auckland Council
CTMP	Construction Traffic Management Plan
Education Facility	Facility used for education to secondary level. Includes:

	<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	Includes, but is not limited to, the following and similar activities: <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; and (h) establishment of mitigation measures (such as erosion and sediment control measures, temporary noise walls, earth bunds and planting).
Identified Biodiversity Area	Means an area or areas of features of ecological value where the project ecologist has identified that the project will potentially have a moderate or greater level of ecological effect, prior to implementation of impact management measures, as determined in accordance with the EIANZ Guidelines
Manager	The Manager – Resource Consents of the Auckland Council, or authorised delegate
Mana Whenua	Mana Whenua as referred to in the conditions are considered to be, 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: <ul style="list-style-type: none"> (a) Ngaati Te Ata Waiohua (b) Ngāti Tamaoho (c) Te Ākitai Waiohua (d) Ngāti Whanaunga <p>Note: other iwi not identified above may have an interest in the project and should be consulted</p>
Network Utility Operator	Has the same meaning as set out in section 166 of the RMA
NIMP	Network Integration Management Plan
NoR	Notice of Requirement
NUMP	Network Utilities Management Plan
Outline Plan	An outline plan prepared in accordance with section 176A of the RMA
Project Liaison Person	The person or persons appointed for the duration of the project's Construction Works to be the main point of contact for persons wanting information about the project or affected by the Construction Works
Protected Premises and Facilities (PPF)	Protected Premises and Facilities as defined in New Zealand Standard NZS 6806:2010: Acoustics – Road-traffic noise – New and altered roads
Requiring Authority	Has the same meaning as section 166 of the RMA and, for this designation is New Zealand Transport Agency
RMA	Resource Management Act 1991
SCEMP	Stakeholder Communication and Engagement Management Plan
Stakeholder	Stakeholders to be identified in accordance with Condition 3, 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) Education 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
ULDMP	Urban and Landscape Design Management Plan

No.	Condition
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> <p>(i) the project description and concept plan in Schedule 1 and the requirements of the following conditions, the conditions shall prevail;</p> <p>(ii) the project description and concept plan in Schedule 1, and the management plans under the conditions of the designation, the requirements of the management plans shall prevail.</p>
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> <p>(i) the status of the project;</p> <p>(ii) anticipated construction timeframes;</p> <p>(iii) contact details for enquiries;</p> <p>(iv) the implications of the designation for landowners, occupiers and business owners and operators within the designation and where they can receive additional advice;</p> <p>(v) a subscription service to enable receipt of project updates by email;</p> <p>(vi) when and how to apply for consent for works in the designation under section 176(1)(b) of the RMA; and</p> <p>(vii) how/where to access noise modelling contours to inform development adjacent to the designation.</p> <p>(c) At the start of detailed design for a Stage of Work, the project website or virtual information source shall be updated to provide information on the likely date for Start of Construction, and any Staging of Works.</p>
3.	<p>Stakeholder Communication and Engagement Design</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> <p>(i) a list of Stakeholders;</p> <p>(ii) a list of properties within the designation which the Requiring Authority does not own or have occupation rights to; and</p> <p>(iii) methods to engage with Stakeholders and the owners and occupiers of properties identified in (a)(i) – (ii) above.</p> <p>(b) A record of (a) shall be submitted to the Manager for information with an Outline Plan for the relevant Stage of Work.</p>
4.	<p>Designation Review</p> <p>As soon as reasonably practicable following Completion of Construction, the Requiring Authority shall:</p> <p>(a) review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the project; and</p> <p>(b) give notice to the Manager in accordance with section 182 of the RMA for the removal of those parts of the designation identified above.</p>
5.	<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>

6.	<p>Network Utility Operators (Section 176 Approval)</p> <p>(a) Prior to the start of Construction Works, Network Utility Operators with existing infrastructure will not require written consent under section 176 of the RMA for the following activities:</p> <ul style="list-style-type: none"> (i) operation, maintenance and repair works; (ii) minor renewal works to existing network utilities necessary for the on-going provision or security of supply of network utility operations; (iii) minor works such as new service connections; and (iv) the upgrade and replacement of existing network utilities in the same location with the same or similar effects on the work authorised by the designation as the existing utility. <p>(b) To the extent that a record of written approval is required for the activities listed above, this condition shall constitute written approval.</p>
Pre-construction conditions	
7.	<p>Outline Plan</p> <p>(a) An Outline Plan (or Plans) shall be prepared in accordance with section 176A of the RMA.</p> <p>(b) Outline Plans (or Plan) may be submitted in parts or in stages to address particular activities (e.g. design or construction aspects), or a Stage of Work of the project.</p> <p>(c) Outline Plans shall include any management plan or plans that are relevant to the management of effects of those activities or Stage of Work, which may include:</p> <ul style="list-style-type: none"> (i) Construction Environmental Management Plan; (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) Ecological Management Plan; and (vii) Network Utilities Management Plan.
8.	<p>Network Utilities Integration</p> <p>(a) 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.</p> <p>(b) A summary of the consultation undertaken, opportunities considered, and whether or not they have been incorporated into the detailed design, shall be submitted to the Manager for information with the Outline Plan(s) prepared for the project.</p>
	<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 in a 1% AEP event and commonly comprise of topographical depression areas. The areas can occur naturally or as a result of constructed features. Identification of a potential Flood Prone Area would be by an assessment of residual flood risk in a 1% AEP event (e.g. from blockage of the project stormwater network) on land outside and adjacent to the designation following the application of Conditions 9(a)(i) – (v); (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> <p>(a) The project shall be designed to achieve the following flood risk outcomes beyond the boundary of the designation:</p> <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 flood levels in a 1% AEP event for authorised community, commercial, industrial and network utility building floors existing at the time the Outline Plan is submitted that are already subject to flooding or have a freeboard less than 300mm; (iii) maximum of 50mm increase in flood levels in a 1% AEP event outside and adjacent to the designation boundaries between the Pre-Project Development and Post-Project Development scenarios; (iv) no increase of Flood Hazard for the main access to authorised habitable dwellings existing at the time the Outline Plan is submitted. The assessment shall be undertaken for the 1% AEP rainfall event. Where Flood Hazard is: <ul style="list-style-type: none"> A. velocity x depth greater than or equal to 0.6m²/s; or B. depth greater than 0.5m; or C. velocity greater than 2m/s (v) no new Flood Prone Areas. <p>(b) Compliance with this condition shall be demonstrated in the Outline Plan, which shall include flood modelling of the Pre-Project Development and Post-Project Development 1% AEP flood levels (for Maximum Probable Development land use with allowances for climate change).</p> <p>(c) Where:</p> <ul style="list-style-type: none"> (i) the flood risk outcomes in (a) 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 (ii) the outcomes are varied at specific location(s) through agreement with the relevant landowner, confirmation shall be provided to the Manager that any necessary landowner agreement and statutory approvals have been obtained for that alternative measure or varied 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.</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) be submitted as part of an Outline Plan pursuant to section 176A of the RMA, with the exception of SCEMPs and CNVMP Schedules; (v) 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) Information shall be submitted with the management plan (or revised plan as referred to in (d) below) which summarises outcomes of consultation and any input received from Mana Whenua and Stakeholders as required by the relevant management plan condition. The summary shall note how this input has been incorporated or reflected in the management plan, or if not, the reasons why;</p> <p>(d) 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 Manager as an update to the Outline Plan or for Certification as soon as practicable following identification of the need for a revision; and</p> <p>(e) Any material changes to the SCEMP(s) are to be submitted to the Manager 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 relevant 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) 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) methods for engaging with Mana Whenua, to be developed in consultation with Mana Whenua; (iv) methods and timing to engage with owners and occupiers whose access is directly affected; (v) methods to communicate key project milestones and the proposed hours of construction activities including outside of normal working hours and on weekends and public holidays, to the parties identified in (b)(i) above; and (vi) 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 the Manager for information a minimum of 10 working days prior to the Start of Construction for a Stage of Work.</p>
<p>13.</p>	<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 ULDM (Conditions 15 – 17) and the CMP (Condition 20); and (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 13(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; and (ii) Mana Whenua have not provided a Cultural Advisory Report within six months prior to Start of Construction.
14.	<p>Network Integration Management Plan (NIMP)</p> <ul style="list-style-type: none"> (a) At least six months prior to the start of detailed design for a Stage of Work, the Requiring Authority shall prepare, in collaboration with other relevant transport authorities, a Network Integration Management Plan (NIMP). (b) The objective of the NIMP is to identify how the project will integrate with the planned transport network in the Pukekohe, Paerata and Drury West growth areas to achieve an effective, efficient and safe land transport system. To achieve the objective, the NIMP shall include details of the: <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.
	<p>Urban and Landscape Design Management Plan (ULDMP)</p>
15.	<ul style="list-style-type: none"> (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: <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. (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 the Cultural Advisory Report in Condition 13 may be reflected in the ULDMP. (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.
16.	<ul style="list-style-type: none"> (a) To achieve the objective set out in Condition 15, the ULDMP(s) shall provide details of how the project: <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 (e.g. centres and density of built form), natural environment (e.g. minimise effects on streams where practicable), landscape character and open space zones; (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. (b) The ULDMP shall be prepared in general accordance with: <ul style="list-style-type: none"> (i) New Zealand Transport Agency Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version; (ii) New Zealand Transport Agency Landscape Guidelines (2018) or any subsequent updated version; and (iii) New Zealand Transport Agency P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version.

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; (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) re-instatement of construction and site compound areas; and (ix) features disturbed during construction and intended to be reinstated such as: <ul style="list-style-type: none"> A. boundary features; B. driveways; C. accessways; and D. fences; (d) the ULDMP shall also include the following planting and maintenance details: <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 EMP (Condition 27). 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 EMP (Condition 27); and E. integration of any planting required by conditions of any resource consents for the project; (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 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.
Construction conditions	
18.	<p>Construction Environmental Management Plan (CEMP)</p> <ul style="list-style-type: none"> (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. (b) To achieve the objective, the CEMP shall include: <ul style="list-style-type: none"> (i) the roles and responsibilities of staff and contractors;

	<ul style="list-style-type: none"> (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, avoiding hilltops and ridgelines where practicable, including temporary screening when adjacent to residential areas; (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) procedures for responding to complaints about Construction Works; and (xiii) methods for amending and updating the CEMP as required.
<p>19.</p>	<p>Complaints Process</p> <ul style="list-style-type: none"> (a) At all times during Construction Works, a record of any complaints received about the Construction Works shall be maintained. The record shall include: <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. (b) A copy of the complaints record 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>	<p>Cultural Monitoring Plan (CMP)</p> <ul style="list-style-type: none"> (a) Prior to the Start of Construction, 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. (b) To achieve the objective, the CMP shall include: <ul style="list-style-type: none"> (i) requirements for formal dedication or cultural interpretation to be undertaken prior to Start of Construction 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. (c) If Enabling Works involving soil disturbance are undertaken prior to the Start of Construction, 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>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>
<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 Education 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, 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; (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 (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 (April 2023) or any subsequent version.</p>

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 _A F _{max}
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 Table 23-1 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	1mm/s ppv
	Daytime 0630h - 2000h	1mm/s ppv	5mm/s ppv
Other occupied buildings	Daytime 0630h - 2000h	2mm/s ppv	5mm/s ppv
All other buildings	At all other times Vibration transient	5mm/s ppv	BS 5228-2** Table B2
	At all other times Vibration continuous	5mm/s ppv	BS 5228-2** 50% of Table B2 values

* Refer to New Zealand Transport Agency State highway construction and maintenance noise and vibration guide for further explanation regarding Category A and B criteria

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

- (b) Where compliance with the vibration standards set out in Table 23-1 is not practicable, the methodology in Condition 25 shall apply.
- (c) If measured or predicted vibration from construction activities exceeds the Category A criteria, a Suitably Qualified Person shall assess and manage construction vibration during those activities.
- (d) If measured or predicted vibration from construction activities exceeds the Category B criteria those activities must only proceed if vibration effects on affected buildings are assessed, monitored and mitigated by a Suitably Qualified Person.

24.

Construction Noise and Vibration Management Plan (CNVMP)

- (a) A CNVMP shall be prepared prior to the Start of Construction for Stage of Work. A CNVMP shall be implemented during the Stage of Work to which it relates. The objective of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option for the management of construction noise and vibration effects to achieve the construction noise and vibration standards set out in Conditions 22 and 23 to the extent practicable.
- (b) To achieve the objective, the CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 'Acoustics – Construction Noise' (NZS6803:1999) and shall as a minimum, address the following:
 - (i) description of the works and anticipated equipment/processes;
 - (ii) hours of operation, including times and days when construction activities would occur;
 - (iii) the construction noise and vibration standards for the project;
 - (iv) identification of receivers where noise and vibration standards apply;
 - (v) a hierarchy of management and mitigation options, including any requirements to limit night works and works during other sensitive times, including Sundays and public holidays as far 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 CNVMP (Schedule) for those areas where compliance with the noise (Condition 22) and/or vibration standards (Condition 23) Category A or Category B will not be practicable;
 - (xi) identification of trigger levels for undertaking building condition surveys, which shall be below 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 CNVMP, Schedules and the Best Practicable Option for management of effects are being implemented; and
 - (xiv) requirements for review and update of the CNVMP.

<p>25.</p>	<p>Schedule to a CNVMP</p> <p>(a) A Schedule to the CNVMP (Schedule) shall be prepared prior to the Start of Construction of an activity to which it relates by a Suitably Qualified Person, in consultation with the owners and occupiers of sites subject to the Schedule, when:</p> <ul style="list-style-type: none"> (i) construction noise is either predicted or measured to exceed the noise standards in Condition 22; (ii) construction vibration is either predicted or measured to exceed the Category A standard at the receivers in Condition 23. <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.</p> <p>(c) To achieve the objective, the Schedule shall include details such as:</p> <ul style="list-style-type: none"> (i) construction activity location, start and finish times; (ii) the nearest neighbours to the construction activity; (iii) the predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards in Conditions 22 and 23 and the 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) a summary of the consultation undertaken with owners and occupiers of sites subject to the Schedule, and how consultation has and has not been taken into account; and (vii) location, times and types of monitoring. <p>(d) The Schedule shall be submitted to the Manager for information at least five working days (except in unforeseen circumstances) in advance of Construction Works that are covered by the scope of the Schedule and shall form part of the CNVMP. If any comments are received from the Manager, these shall be considered by the Requiring Authority prior to implementation of the Schedule.</p> <p>(e) Where material changes are made to a Schedule required by this condition, the Requiring Authority shall consult the owners and/or occupiers of sites subject to the Schedule prior to submitting the amended Schedule to the Manager for information in accordance with (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.</p>
<p>26.</p>	<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 2 are still present; and (ii) confirming whether the project will or is likely to have a moderate or greater level of ecological effect on species of value (prior to implementation of impact management measures). The level of effect shall be determined in accordance with Table 10 of the EIANZ Guidelines (or subsequent updated version of the table) as included in Schedule 3 to these conditions. <p>(b) If the ecological survey confirms the presence of species of value in accordance with Condition 26(a)(i) and that moderate or greater effects are likely in accordance with Condition 26(a)(ii) then an Ecological Management Plan (or Plans) shall be prepared in accordance with Condition 27 for these areas (Confirmed Biodiversity Areas).</p>

27.

Ecological Management Plan (EMP)

- (a) An EMP shall be prepared for any Confirmed Biodiversity Areas (confirmed through Condition 26) 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.
- (b) To achieve the objective, the EMP shall set out the methods which may include:
 - (i) If an EMP is required in accordance with Condition 26(b) for the presence of long tail bats:
 - 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 Works in the vicinity of any maternity long tail bat roosts will be limited to outside the bat maternity period (between December and March) where reasonably practicable;
 - C. details of areas where vegetation is to be retained where practicable for the purposes of the connectivity of long tail bats;
 - D. details of how bat connectivity will be provided and maintained (e.g. through the presence of suitable indigenous or exotic trees or artificial alternatives);
 - E. details of measures to minimise operational disturbance from light spill; and
 - F. details of where opportunities for advance restoration / mitigation planting have previously been identified and implemented.
 - (ii) If an EMP is required in accordance with the Condition 26(b) for the presence of Threatened or At-Risk birds (excluding wetland birds):
 - A. how the timing of any Construction Works shall be undertaken outside of the bird breeding season (September to February) where practicable; and
 - B. where works are required within the area identified in the Confirmed Biodiversity Area during the bird breeding season, methods to minimise adverse effects on Threatened or At-Risk birds.
 - (iii) If an EMP is required in accordance with Condition 26(b) for the presence of Threatened or At-Risk wetland birds:
 - A. how the timing of any Construction Works shall be undertaken outside of the bird breeding season (September to February) where practicable;
 - B. where works are required within the Confirmed Biodiversity Area during the bird season, methods to minimise adverse effects on Threatened or At-Risk wetland birds;
 - C. undertaking a nesting bird survey of Threatened or At-Risk wetland birds prior to any Construction Works taking place within a 50m radius of any identified wetlands (including establishment of construction areas adjacent to wetlands). Surveys should be repeated at the beginning of each wetland bird breeding season and following periods of construction inactivity;
 - D. what protection and buffer measures will be provided where nesting Threatened or At-Risk wetland birds are identified within 50m of any construction area (including laydown areas). Measures could include:
 - i. a 20m buffer area around the nest location and retaining vegetation. The buffer areas should be demarcated where necessary to protect birds from encroachment. This might include the use of marker poles, tape and signage;
 - ii. monitoring of the nesting Threatened or At-Risk wetland birds by a Suitably Qualified Person. Construction Works within the 20m nesting buffer areas should not occur until the Threatened or At-Risk wetland birds have fledged from the nest location (approximately 30 days from egg laying to fledging) as confirmed by a Suitably Qualified Person;

	<ul style="list-style-type: none"> iii. minimising the disturbance from the works if Construction Works are required within 50 m of a nest, as advised by a Suitably Qualified Person; iv. adopting a 10m setback where practicable, between the edge of Wetlands and construction areas (along the edge of the stockpile/laydown area); and v. minimising light spill from construction areas into Wetlands. <p>(iv) 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 (eg avifauna, herpetofauna, bats).
<p>28.</p>	<p>Network Utility Management Plan (NUMP)</p> <ul style="list-style-type: none"> (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. (b) To achieve the objective, the NUMP shall include methods to: <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. (c) The NUMP shall be prepared in consultation with the relevant Network Utility Operator(s) who have existing assets that are directly affected by the project. (d) Any comments received from the Network Utility Operator shall be considered when finalising the NUMP. (e) Any amendments to the NUMP related to the assets of a Network Utility Operator shall be prepared in consultation with that asset owner.
<p>Operational conditions</p>	
<p>29.</p>	<p>Low Noise Road Surface</p> <ul style="list-style-type: none"> (a) Asphaltic mix surface shall be implemented within 12 months of Completion of Construction of the project. (b) The asphaltic mix surface shall be maintained to retain the noise reduction performance as far as practicable.

	<p>Traffic Noise</p> <p>For the purposes of Conditions 30 to 43:</p> <p>(a) Building-Modification Mitigation – has the same meaning as in NZS 6806;</p> <p>(b) Design year has the same meaning as in NZS 6806;</p> <p>(c) Detailed Mitigation Options – means the fully detailed design of the Selected Mitigation Options, with all practical issues addressed;</p> <p>(d) Habitable Space – has the same meaning as in NZS 6806;</p> <p>(e) Identified Noise Criteria Category – means the Noise Criteria Category for a PPF identified in Schedule 4: Identified PPFs Noise Criteria Categories;</p> <p>(f) Mitigation – has the same meaning as in NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads;</p> <p>(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 (e.g. Categories A, B and C);</p> <p>(h) NZS 6806 – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads;</p> <p>(i) P40 – means Transport Agency NZTA P40:2014 Specification for noise mitigation;</p> <p>(j) Protected Premises and Facilities (PPFs) – means only the premises and facilities identified in Schedule 4: Identified PPFs Noise Criteria Categories;</p> <p>(k) Selected Mitigation Options – means the preferred mitigation option resulting from a Best Practicable Option assessment undertaken in accordance with NZS 6806; and</p> <p>(l) Structural Mitigation – has the same meaning as in NZS 6806.</p>
30.	<p>The Noise Criteria Categories identified in Schedule 4: Identified PPFs Noise Criteria Categories at each of the PPFs shall be achieved where practicable and subject to Conditions 30 to 43 (all traffic noise conditions).</p> <p>The Noise Criteria Categories do not need to be complied with at a PPF where:</p> <p>(a) the PPF no longer exists; or</p> <p>(b) agreement of the landowner has been obtained confirming that the Noise Criteria Category does not need to be met.</p> <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>
31.	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: Identified PPFs Noise Criteria Categories.
32.	Prior to the Start of Construction of the project, a Suitably Qualified Person shall develop the Detailed Mitigation Options for the PPFs identified in Schedule 4: Identified PPFs Noise Criteria Categories, taking into account the Selected Mitigation Options.
33.	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.
34.	Prior to the Start of Construction, a Noise Mitigation Plan written in accordance with P40 shall be provided to the Manager for information.
35.	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.
36.	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 L _{Aeq(24h)} inside Habitable Spaces ('Category C Buildings').

37.	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 12 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.
38.	For each Category C Building identified, the Requiring Authority is deemed to have complied with Condition 37 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 12 months of the date of the Requiring Authority's letter sent in accordance with Condition 37 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.
39.	Subject to Condition 38 above, within six months of the assessment undertaken in accordance with Condition 37, 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 $L_{Aeq(24h)}$ 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.
40.	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.
41.	Subject to Condition 38, where Building-Modification Mitigation is required, the Requiring Authority is deemed to have complied with Condition 40 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 38 (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.
42.	Within 12 months of Completion of Construction of the project, a post-construction review report written in accordance with P40 Specification for Noise Mitigation 2014 shall be provided to the Manager for information.
43.	The Detailed Mitigation Options shall be maintained so they retain their noise reduction performance as far as practicable.

Attachments – Drury - Pukekohe Link

Schedule 1: General Accordance Plans

Project Description

The proposed work is the construction, operation, maintenance and improvement of a state highway from Drury to Pukekohe including cycleway and / or shared path and associated infrastructure. The proposed work is shown in the following Concept Plan and includes:

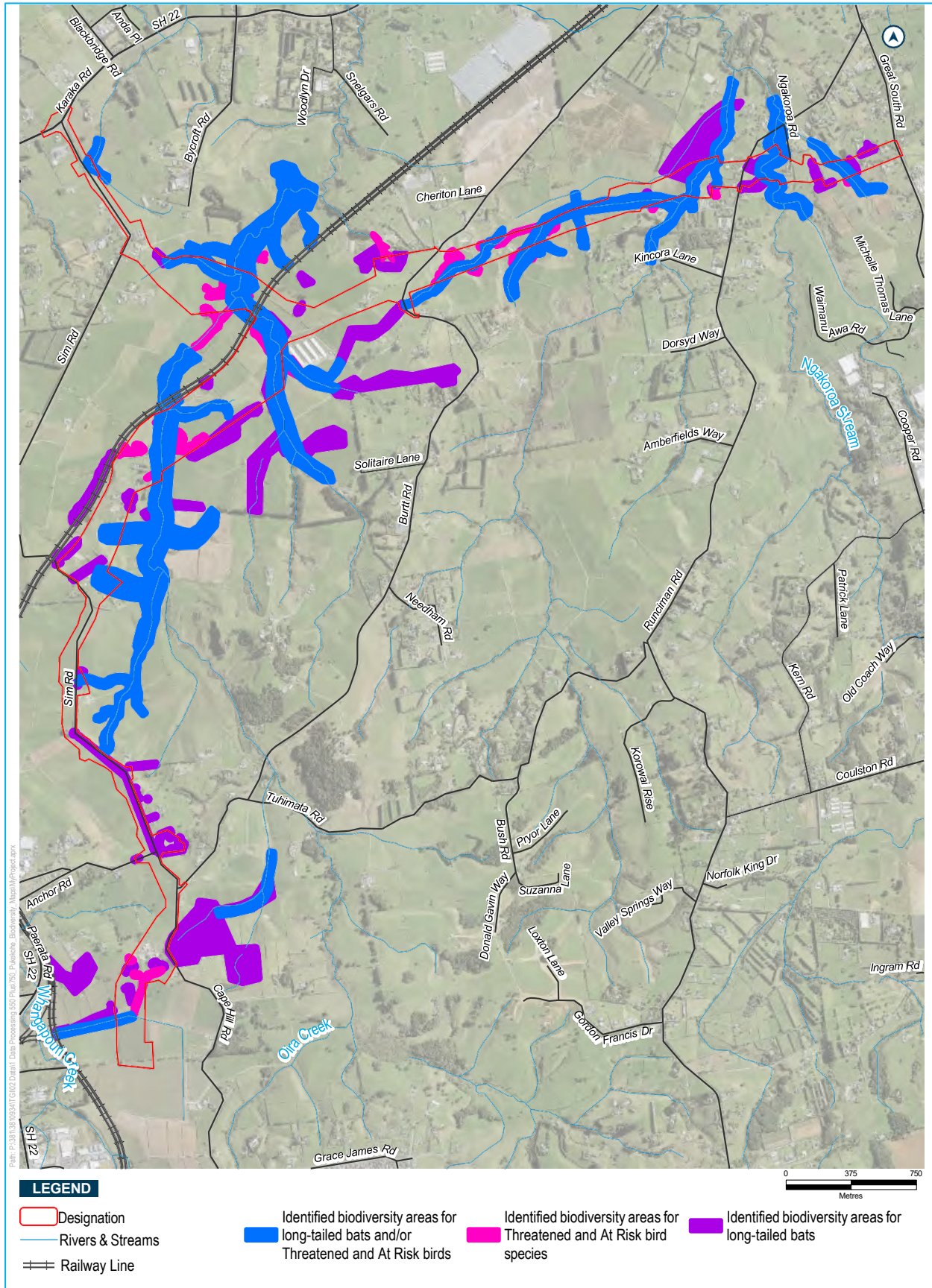
- (a) a state highway with cycleway and / or shared path.
- (b) associated works including intersections, bridges, embankments, retaining, culverts and stormwater management systems;
- (c) changes to local roads, where the proposed work intersects with local roads; and
- (d) construction activities including construction areas, construction traffic management and the re-grade of driveways.

Concept Plan



Concept Plan: 810 - Land Use & Planning - 05/20/2024 - 05/20/2024

Schedule 2: Ecological Management Plan - Identified Biodiversity Areas



Schedule 3: Table 10 of the 2018 EIANZ Guidelines

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

Ecological Value →	Very high	High	Moderate	Low	Negligible
Magnitude ↓					
Very high	Very high	Very high	High	Moderate	Low
High	Very high	Very high	Moderate	Low	Very low
Moderate	High	High	Moderate	Low	Very low
Low	Moderate	Low	Low	Very low	Very low
Negligible	Low	Very low	Very low	Very low	Very low
Positive	Net gain	Net gain	Net gain	Net gain	Net gain

Schedule 4: Identified PPFs Noise Criteria Categories

Schedule: PPFs assessed against New Road Criteria

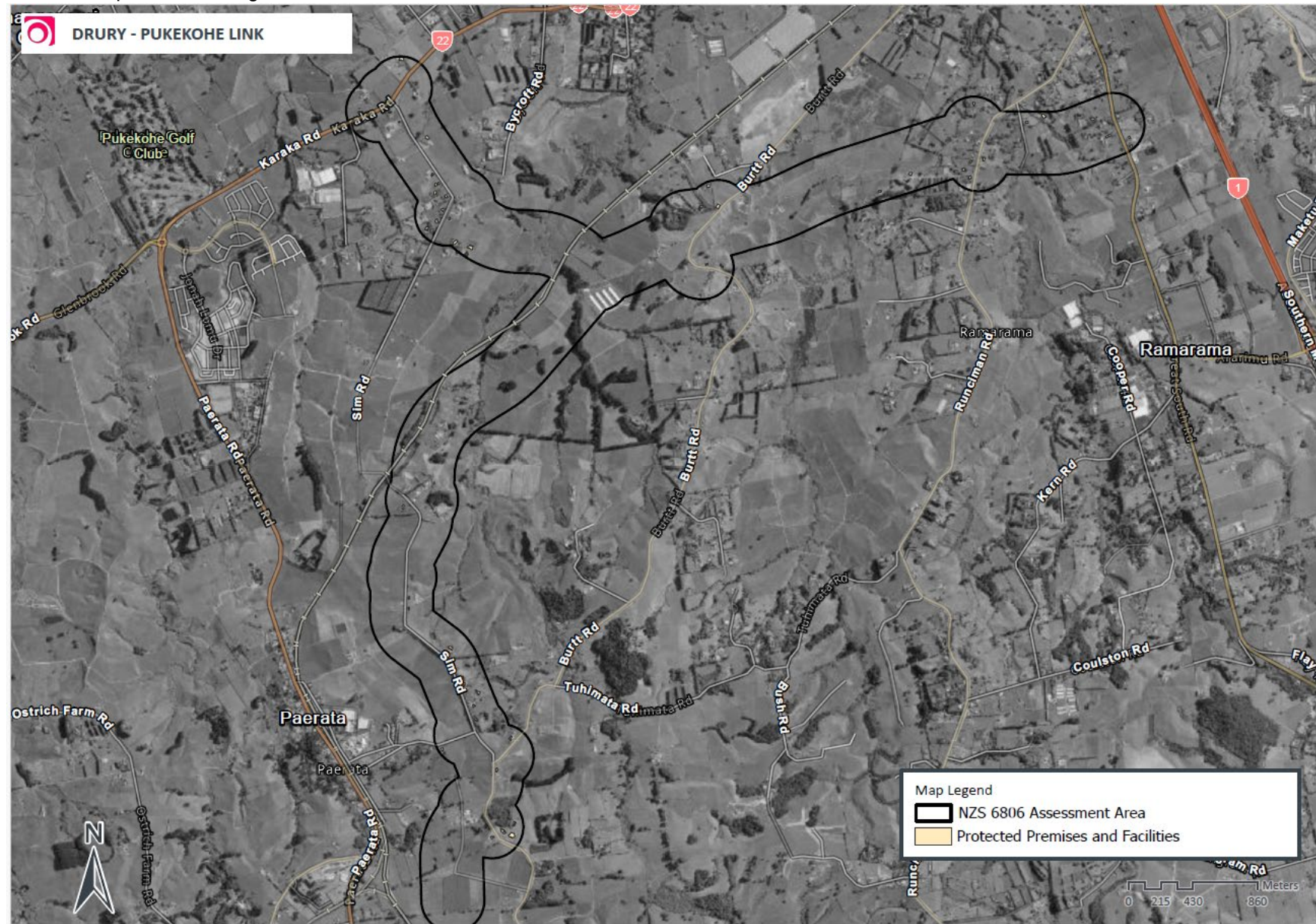
PPF Address	Noise Criteria Category
336 Burtt Road	A
338 Burtt Road	A
397 Burtt Road	B
419 Burtt Road	A
430 Burtt Road	A
393A Burtt Road	A
393B Burtt Road	A
393B Burtt Road	A
393C Burtt Road	A
276 Cape Hill Road	A
278 Cape Hill Road	A
287 Cape Hill Road	A
290 Cape Hill Road	A
334 Cape Hill Road	B
1222 Great South Road	A
1233 Great South Road	A
1236 Great South Road	B
1246 Great South Road	A
1255 Great South Road	A
1255 Great South Road	A
5 Ngakoroa Road	A
21A Ngakoroa Road	A
744 Runciman Road	B
761 Runciman Road	A
765 Runciman Road	A
765 Runciman Road	A
765 Runciman Road	A
767 Runciman Road	B
775 Runciman Road	B
815 Runciman Road	A

PPF Address	Noise Criteria Category
826 Runciman Road	A
763A Runciman Road	A
763B Runciman Road	A
763C Runciman Road	A
12 Sim Road	B
31 Sim Road	A
54 Sim Road	B
60 Sim Road	B
68 Sim Road	A
72 Sim Road	A
83 Sim Road	A
90 Sim Road	A
94 Sim Road	A
108 Sim Road	A
109 Sim Road	A
111 Sim Road	A
328 Sim Road	A
393 Sim Road	B
401 Sim Road	B
447 Sim Road	A
465 Sim Road	B
469 Sim Road	B
479 Sim Road	A
481 Sim Road	B
109C Sim Road	A
111A Sim Road	A
64 Tuhimata Road	A
143 Tuhimata Road	A

Schedule: PPFs assessed against Altered Road criteria

PPF Address	Category
494 Karaka Road	A
501 Karaka Road	A
539 Karaka Road	A
540 Karaka Road	A
12 Sim Road	A

PPFs Location Map - assessed against New Road Criteria





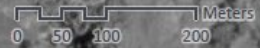
DRURY - PUKEKOHE LINK





Map Legend

- NZS 6806 Assessment Area
- Protected Premises and Facilities







DRURY - PUKEKOHE LINK



Map Legend



-  NZS 6806 Assessment Area
-  Protected Premises and Facilities

0 50 100 200 Meters

 DRURY - PUKEKOHE LINK

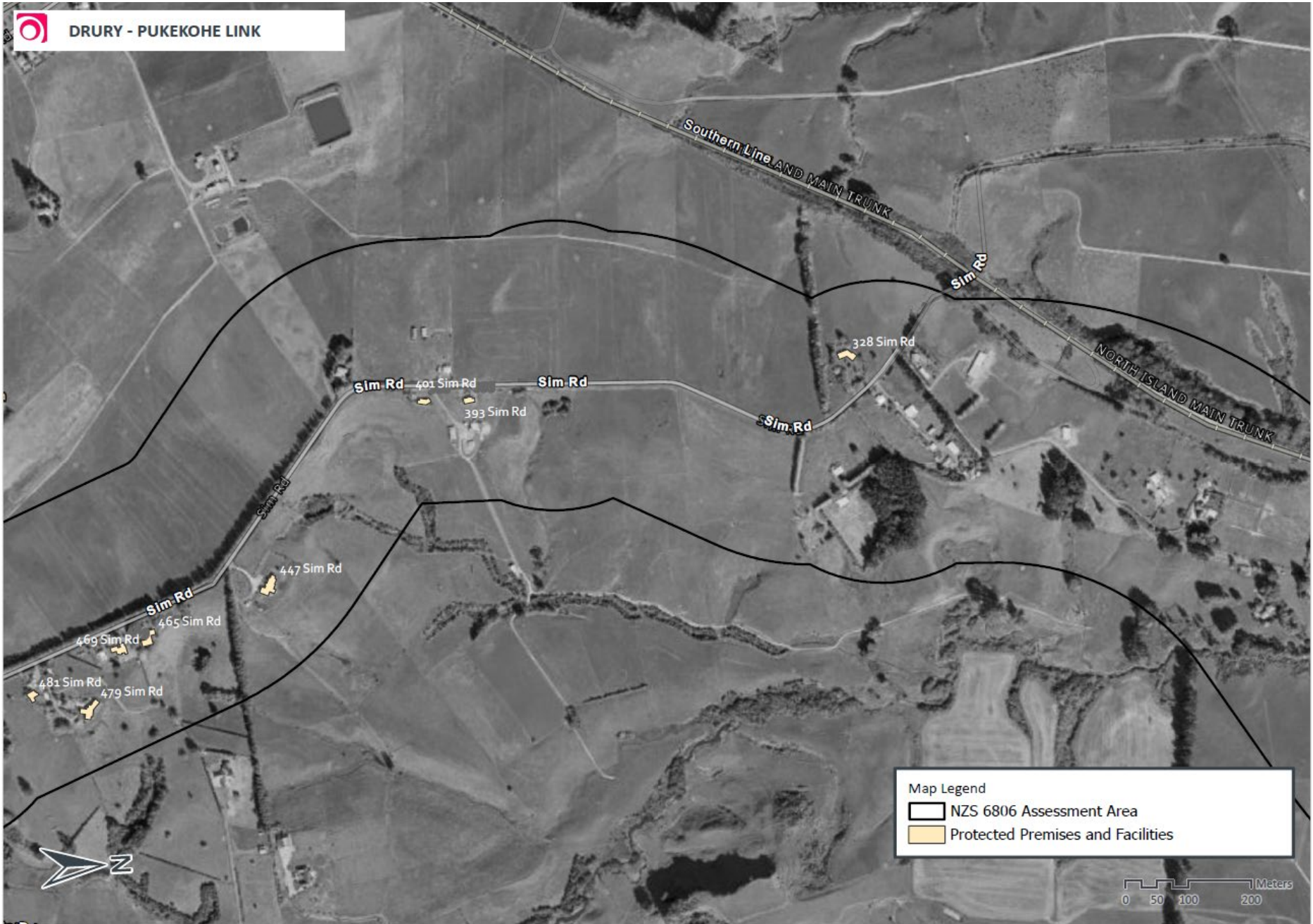


Map Legend

-  NZS 6806 Assessment Area
-  Protected Premises and Facilities

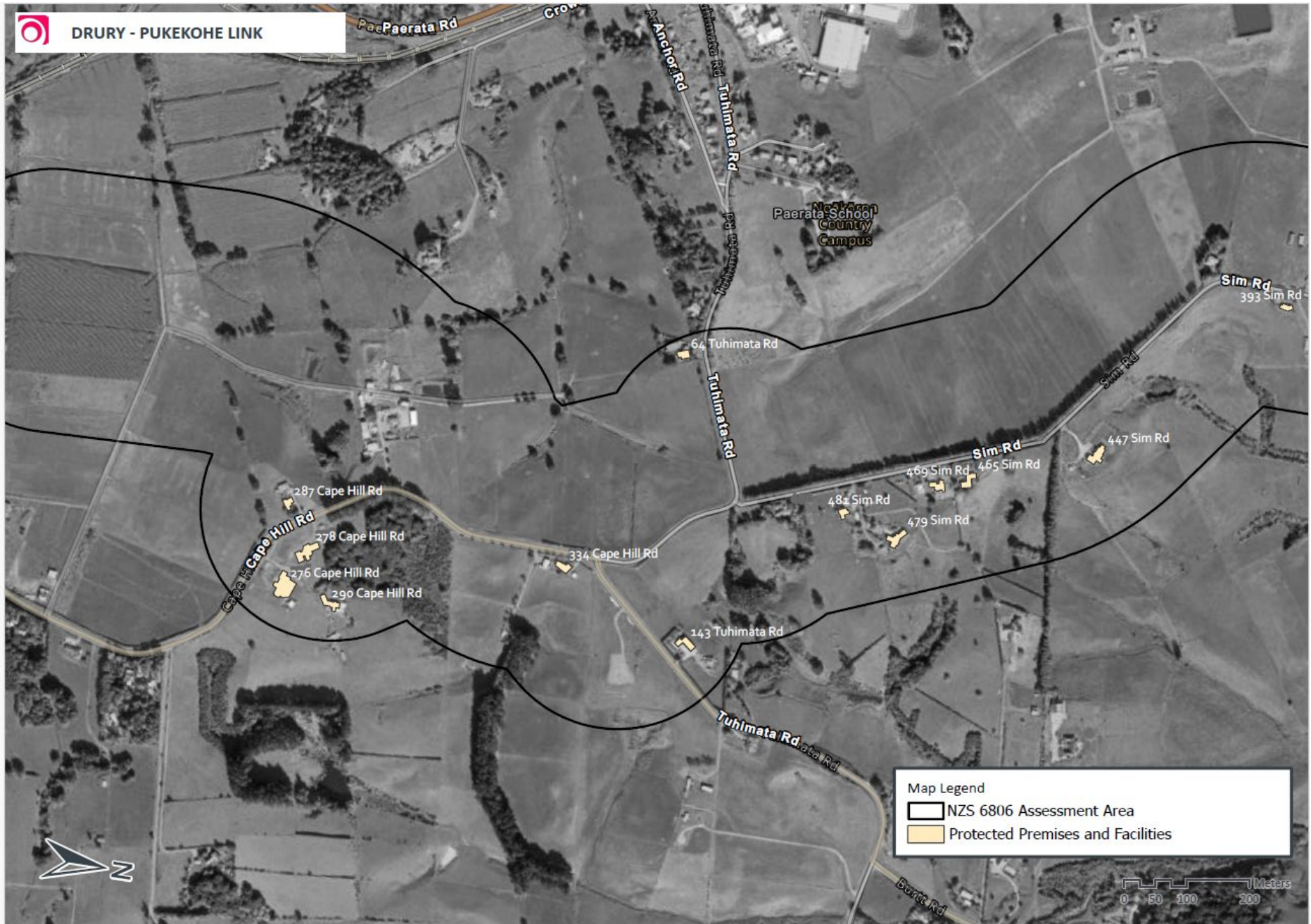


DRURY - PUKEKOHE LINK





DRURY - PUKEKOHE LINK



Appendix B – Clean conditions for NoR 8 (AC) - Mill Road – Pukekohe East Road Upgrade

[# – council to allocate] – Mill Road and Pukekohe East Road Upgrade (Auckland Council)

Designation Number	[XXXX]
Requiring Authority	New Zealand Transport Agency
Location	Pukekohe East Road and Mill Road between Pukekohe and the Bombay Interchange on Mill Road.
Lapse Date	In accordance with section 184(1)(c) of the RMA, this designation shall lapse if not given effect to within 20 years from the date on which it is included in the AUP.

Purpose

The construction, operation, maintenance and improvement of a state highway, cycleway and / or shared path, and associated infrastructure.

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 the Manager that the material change to the management plan is certified; or (b) 10 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
Education Facility	Facility used for education to secondary level.

	<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> <ol style="list-style-type: none"> geotechnical investigations (including trial embankments); archaeological site investigations; formation of access for geotechnical investigations; establishment of site yards, site entrances and fencing; constructing and sealing site access roads; demolition or removal of buildings and structures; relocation of services; and establishment of mitigation measures (such as erosion and sediment control measures, temporary noise walls, earth bunds and planting).
HHMP	Historic Heritage Management Plan
HNZPT	Heritage New Zealand Pouhere Taonga
HNZPTA	Heritage New Zealand Pouhere Taonga Act 2014
Identified Biodiversity Area	Means an area or areas of features of ecological value where the project ecologist has identified that the project will potentially have a moderate or greater level of ecological effect, prior to implementation of impact management measures, as determined in accordance with the EIANZ Guidelines
Manager	The Manager – Resource Consents of the Auckland Council, or authorised delegate
Mana Whenua	<p>Mana Whenua as referred to in the conditions are considered to be, 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:</p> <ol style="list-style-type: none"> Ngaati Te Ata Waiohua Ngāti Tamaoho Te Ākitai Waiohua Ngāti Whanaunga <p>Note: other iwi not identified above may have an interest in the project and should be consulted</p>
Network Utility Operator	Has the same meaning as set out in section 166 of the RMA
NIMP	Network Integration Management Plan
NoR	Notice of Requirement
NUMP	Network Utilities Management Plan
Outline Plan	An outline plan prepared in accordance with section 176A of the RMA
Project Liaison Person	The person or persons appointed for the duration of the project's Construction Works to be the main point of contact for persons wanting information about the project or affected by the Construction Works
Protected Premises and Facilities (PPF)	Protected Premises and Facilities as defined in New Zealand Standard NZS 6806:2010: Acoustics – Road-traffic noise – New and altered roads
Requiring Authority	Has the same meaning as section 166 of the RMA and, for this designation is New Zealand Transport Agency

RMA	Resource Management Act 1991
SCEMP	Stakeholder Communication and Engagement Management Plan
Stakeholder	Stakeholders to be identified in accordance with Condition 3, which may include as appropriate: (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) Education 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

No.	Condition
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> <p>(i) the project description and concept plan in Schedule 1 and the requirements of the following conditions, the conditions shall prevail;</p> <p>(ii) the project description and concept plan in Schedule 1, and the management plans under the conditions of the designation, the requirements of the management plans shall prevail.</p>
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> <p>(i) the status of the project;</p> <p>(ii) anticipated construction timeframes;</p> <p>(iii) contact details for enquiries;</p> <p>(iv) the implications of the designation for landowners, occupiers and business owners and operators within the designation and where they can receive additional advice;</p> <p>(v) a subscription service to enable receipt of project updates by email;</p> <p>(vi) when and how to apply for consent for works in the designation under section 176(1)(b) of the RMA; and</p> <p>(vii) how/where to access noise modelling contours to inform development adjacent to the designation.</p> <p>(c) At the start of detailed design for a Stage of Work, the project website or virtual information source shall be updated to provide information on the likely date for Start of Construction, and any Staging of Works.</p>
3.	<p>Stakeholder Communication and Engagement Design</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> <p>(i) a list of Stakeholders;</p> <p>(ii) a list of properties within the designation which the Requiring Authority does not own or have occupation rights to; and</p> <p>(iii) methods to engage with Stakeholders and the owners and occupiers of properties identified in (a)(i) – (ii) above.</p> <p>(b) A record of (a) shall be submitted to the Manager for information with an Outline Plan for the relevant Stage of Work.</p>
4.	<p>Designation Review</p> <p>As soon as reasonably practicable following Completion of Construction, the Requiring Authority shall:</p> <p>(a) review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the project; and</p> <p>(b) give notice to the Manager in accordance with section 182 of the RMA for the removal of those parts of the designation identified above.</p>
5.	<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>

<p>6.</p>	<p>Network Utility Operators (Section 176 Approval)</p> <p>(a) Prior to the start of Construction Works, Network Utility Operators with existing infrastructure will not require written consent under section 176 of the RMA for the following activities:</p> <ul style="list-style-type: none"> (i) operation, maintenance and repair works; (ii) minor renewal works to existing network utilities necessary for the on-going provision or security of supply of network utility operations; (iii) minor works such as new service connections; and (iv) the upgrade and replacement of existing network utilities in the same location with the same or similar effects on the work authorised by the designation as the existing utility. <p>(b) To the extent that a record of written approval is required for the activities listed above, this condition shall constitute written approval.</p>
<p>Pre-construction conditions</p>	
<p>7.</p>	<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>8.</p>	<p>Network Utilities Integration</p> <p>(a) 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.</p> <p>(b) A summary of the consultation undertaken, opportunities considered, and whether or not they have been incorporated into the detailed design, shall be submitted to the Manager for information with the Outline Plan(s) prepared for the project.</p>
	<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 in a 1% AEP event and commonly comprise of topographical depression areas. The areas can occur naturally or as a result of constructed features. Identification of a potential Flood Prone Area would be by an assessment of residual flood risk in a 1% AEP event (e.g. from blockage of the project stormwater network) on land outside and adjacent to the designation following the application of Conditions 9(a)(i) – (v); (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;

	<p>(e) Pre-Project Development – means existing site condition prior to the project (including existing buildings and roadways); and</p> <p>(f) Post-Project Development – means site condition after the project has been completed (including existing and new buildings and roadways).</p>
9.	<p>Flood Hazard</p> <p>(a) The project shall be designed to achieve the following flood risk outcomes beyond the boundary of the designation:</p> <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 flood levels in a 1% AEP event for authorised community, commercial, industrial and network utility building floors existing at the time the Outline Plan is submitted that are already subject to flooding or have a freeboard less than 300mm; (iii) maximum of 50mm increase in flood levels in a 1% AEP event outside and adjacent to the designation boundaries between the Pre-Project Development and Post-Project Development scenarios; (iv) no increase of Flood Hazard for the main access to authorised habitable dwellings existing at the time the Outline Plan is submitted. The assessment shall be undertaken for the 1% AEP rainfall event. Where Flood Hazard is: <ul style="list-style-type: none"> A. velocity x depth greater than or equal to 0.6m²/s; or B. depth greater than 0.5m; or C. velocity greater than 2m/s (v) no new Flood Prone Areas. <p>(b) Compliance with this condition shall be demonstrated in the Outline Plan, which shall include flood modelling of the Pre-Project Development and Post-Project Development 1% AEP flood levels (for Maximum Probable Development land use with allowances for climate change).</p> <p>(c) Where:</p> <ul style="list-style-type: none"> (i) the flood risk outcomes in (a) 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 (ii) the outcomes are varied at specific location(s) through agreement with the relevant landowner, confirmation shall be provided to the Manager that any necessary landowner agreement and statutory approvals have been obtained for that alternative measure or varied outcome.
10.	<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.</p>
11.	<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) be submitted as part of an Outline Plan pursuant to section 176A of the RMA, with the exception of SCEMPs and CNVMP Schedules; (v) 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; (c) Information shall be submitted with the management plan (or revised plan as referred to in (d) below) which summarises outcomes of consultation and any input received from Mana Whenua and Stakeholders as required by the relevant management plan condition. The summary shall note how this input has been incorporated or reflected in the management plan, or if not, the reasons why; (d) 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 Manager as an update to the Outline Plan or for Certification as soon as practicable following identification of the need for a revision; and (e) Any material changes to the SCEMP(s) are to be submitted to the Manager for information.
<p>12.</p>	<p>Stakeholder Communication and Engagement Management Plan (SCEMP)</p> <ul style="list-style-type: none"> (a) A SCEMP shall be prepared in consultation with relevant 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. (b) To achieve the objective, the SCEMP shall include: <ul style="list-style-type: none"> (i) a list of Stakeholders; (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) methods for engaging with Mana Whenua, to be developed in consultation with Mana Whenua; (iv) methods and timing to engage with owners and occupiers whose access is directly affected; (v) methods to communicate key project milestones and the proposed hours of construction activities including outside of normal working hours and on weekends and public holidays, to the parties identified in (b)(i) above; and (vi) 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 Manager for information a minimum of 10 working days prior to the Start of Construction for a Stage of Work.
<p>13.</p>	<p>Cultural Advisory Report</p> <ul style="list-style-type: none"> (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. (b) To achieve the objective, the Requiring Authority shall invite Mana Whenua to prepare a Cultural Advisory Report that: <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 ULDMP (Conditions 15 – 17), CMP (Condition 20), and the HHMP (Condition 26); and

	<ul style="list-style-type: none"> (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. (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; (d) Conditions 13(b) and (c) will cease to apply if: <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; and (ii) Mana Whenua have not provided a Cultural Advisory Report within six months prior to Start of Construction.
14.	<p>Network Integration Management Plan (NIMP)</p> <ul style="list-style-type: none"> (a) At least six months prior to the start of detailed design for a Stage of Work, the Requiring Authority shall prepare, in collaboration with other relevant transport authorities, a Network Integration Management Plan (NIMP). (b) The objective of the NIMP is to identify how the project will integrate with the planned transport network in the Pukekohe, Paerata and Drury West growth areas to achieve an effective, efficient and safe land transport system. To achieve the objective, the NIMP shall include details of the: <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.
	<p>Urban and Landscape Design Management Plan (ULDMP)</p>
15.	<ul style="list-style-type: none"> (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: <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. (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 the Cultural Advisory Report in Condition 13 may be reflected in the ULDMP. (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.
16.	<ul style="list-style-type: none"> (a) To achieve the objective set out in Condition 15, the ULDMP(s) shall provide details of how the project: <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 (e.g. centres and density of built form), natural environment (e.g. minimise effects on streams where practicable), landscape character and open space zones; (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. (b) The ULDMP shall be prepared in general accordance with:

	<ul style="list-style-type: none"> (i) New Zealand Transport Agency Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version; (ii) New Zealand Transport Agency Landscape Guidelines (2018) or any subsequent updated version; and (iii) New Zealand Transport Agency P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version.
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; (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) features disturbed during construction and intended to be reinstated such as: <ul style="list-style-type: none"> A. boundary features; B. driveways; C. accessways; and D. fences; (d) the ULDMP shall also include the following planting and maintenance details: <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 EMP (Condition 28) and TMP (Condition 29). 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 EMP (Condition 28) and TMP (Condition 29); and E. integration of any planting required by conditions of any resource consents for the project; (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 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.

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, avoiding hilltops and ridgelines where practicable, including temporary screening when adjacent to residential areas;(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) procedures for responding to complaints about Construction Works; and(xiii) methods for amending and updating the CEMP as required.
<p>19.</p>	<p>Complaints Process</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 record required by this condition shall be made available to the Manager upon request as soon as practicable after the request is made.</p>

<p>20.</p>	<p>Cultural Monitoring Plan (CMP)</p> <p>(a) Prior to the Start of Construction, 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 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, 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>
<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 Education 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, 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; (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);

	<p>(ix) details of minimum network performance parameters during the construction phase, including any measures to monitor compliance with the performance parameters; and</p> <p>(x) details of any measures proposed to be implemented in the event of thresholds identified in (ix) 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 (April 2023) or any subsequent version.</p>																																																										
<p>22.</p>	<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 22-1 Construction Noise Standards</p> <table border="1" data-bbox="331 667 1310 1234"> <thead> <tr> <th>Day of week</th> <th>Time period</th> <th>L_{Aeq}(15min)</th> <th>L_AF_{max}</th> </tr> </thead> <tbody> <tr> <td colspan="4">Occupied activity sensitive to noise</td> </tr> <tr> <td rowspan="4">Weekday</td> <td>0630h - 0730h</td> <td>55 dB</td> <td>75 dB</td> </tr> <tr> <td>0730h - 1800h</td> <td>70 dB</td> <td>85 dB</td> </tr> <tr> <td>1800h - 2000h</td> <td>65 dB</td> <td>80 dB</td> </tr> <tr> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td rowspan="4">Saturday</td> <td>0630h - 0730h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>0730h - 1800h</td> <td>70 dB</td> <td>85 dB</td> </tr> <tr> <td>1800h - 2000h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td rowspan="4">Sunday and Public Holidays</td> <td>0630h - 0730h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>0730h - 1800h</td> <td>55 dB</td> <td>85 dB</td> </tr> <tr> <td>1800h - 2000h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td colspan="4">Other occupied buildings</td> </tr> <tr> <td rowspan="2">All</td> <td>0730h – 1800h</td> <td>70 dB</td> <td></td> </tr> <tr> <td>1800h – 0730h</td> <td>75 dB</td> <td></td> </tr> </tbody> </table> <p>(b) Where compliance with the noise standards set out in Table 22-1 is not practicable, the methodology in Condition 25 shall apply.</p>	Day of week	Time period	L _{Aeq} (15min)	L _A F _{max}	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	
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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 Table 23-1 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	1mm/s ppv
	Daytime 0630h - 2000h	1mm/s ppv	5mm/s ppv
Other occupied buildings	Daytime 0630h - 2000h	2mm/s ppv	5mm/s ppv
All other buildings	At all other times Vibration transient	5mm/s ppv	BS 5228-2** Table B2
	At all other times Vibration continuous	5mm/s ppv	BS 5228-2** 50% of Table B2 values

* Refer to New Zealand Transport Agency State highway construction and maintenance noise and vibration guide for further explanation regarding Category A and B criteria

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

- (b) Where compliance with the vibration standards set out in Table 23-1 is not practicable, the methodology in Condition 25 shall apply.
- (c) If measured or predicted vibration from construction activities exceeds the Category A criteria, a Suitably Qualified Person shall assess and manage construction vibration during those activities.
- (d) If measured or predicted vibration from construction activities exceeds the Category B criteria those activities must only proceed if vibration effects on affected buildings are assessed, monitored and mitigated by a Suitably Qualified Person.

24. Construction Noise and Vibration Management Plan (CNVMP)

- (a) A CNVMP shall be prepared prior to the Start of Construction for Stage of Work. A CNVMP shall be implemented during the Stage of Work to which it relates. The objective of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option for the management of construction noise and vibration effects to achieve the construction noise and vibration standards set out in Conditions 22 and 23 to the extent practicable.
- (b) To achieve the objective, the CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 'Acoustics – Construction Noise' (NZS6803:1999) and shall as a minimum, address the following:
- (i) description of the works and anticipated equipment/processes;
 - (ii) hours of operation, including times and days when construction activities would occur;
 - (iii) the construction noise and vibration standards for the project;
 - (iv) identification of receivers where noise and vibration standards apply;
 - (v) a hierarchy of management and mitigation options, including any requirements to limit night works and works during other sensitive times, including Sundays and public holidays as far 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;

	<ul style="list-style-type: none"> (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 CNVMP (Schedule) for those areas where compliance with the noise (Condition 22) and/or vibration standards (Condition 23) Category A or Category B will not be practicable; (xi) identification of trigger levels for undertaking building condition surveys, which shall be below 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 CNVMP, Schedules and the Best Practicable Option for management of effects are being implemented; and (xiv) requirements for review and update of the CNVMP.
25.	<p>Schedule to a CNVMP</p> <ul style="list-style-type: none"> (a) A Schedule to the CNVMP (Schedule) shall be prepared prior to the Start of Construction of an activity to which it relates by a Suitably Qualified Person, in consultation with the owners and occupiers of sites subject to the Schedule, when: <ul style="list-style-type: none"> (i) construction noise is either predicted or measured to exceed the noise standards in Condition 22; (ii) construction vibration is either predicted or measured to exceed the Category A 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: <ul style="list-style-type: none"> (i) construction activity location, start and finish times; (ii) the nearest neighbours to the construction activity; (iii) the predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards in Conditions 22 and 23 and the 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) a summary of the consultation undertaken with owners and occupiers of sites subject to the Schedule, and how consultation has and has not been taken into account; and (vii) location, times and types of monitoring. (d) The Schedule shall be submitted to the Manager for information at least five working days (except in unforeseen circumstances) in advance of Construction Works that are covered by the scope of the Schedule and shall form part of the CNVMP. If any comments are received from the Manager, these shall be considered by the Requiring Authority prior to implementation of the Schedule. (e) Where material changes are made to a Schedule required by this condition, the Requiring Authority shall consult the owners and/or occupiers of sites subject to the Schedule prior to submitting the amended Schedule to the Manager for information in accordance with (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.	<p>Historic Heritage Management Plan (HHMP)</p> <ul style="list-style-type: none"> (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:

	<ul style="list-style-type: none"> (i) any adverse direct and indirect effects on historic heritage sites and measures to appropriately avoid, remedy or mitigate any such effects, including a tabulated summary of these effects and measures; (ii) methods for the identification and assessment of potential historic heritage places within the designation to inform detailed design; (iii) known historic heritage places and potential archaeological sites within the designation, including identifying any archaeological sites for which an Archaeological Authority under the HNZPTA will be sought or has been granted; (iv) any unrecorded archaeological sites or post-1900 heritage sites within the designation, which shall also be documented and recorded; (v) roles, responsibilities and contact details of project personnel, Council and HNZPT representatives, Mana Whenua representatives, and relevant agencies involved with heritage and archaeological matters including surveys, monitoring of Construction Works, compliance with AUP accidental discovery rule, and monitoring of conditions; (vi) specific areas 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 13 where archaeological sites also involve ngā taonga tuku iho (treasures handed down by our ancestors) and where feasible and practicable to do so; (ix) methods for avoiding, remedying or mitigating adverse effects on historic heritage places and sites within the designation during Construction Works as far as practicable. These methods shall include, but are not limited to: <ul style="list-style-type: none"> A. security fencing or hoardings around historic heritage 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 13). <p>Advice note: Accidental Discoveries The requirements for accidental discoveries of heritage items are set out in Rule E11.6.1 of the AUP and in the New Zealand Transport Agency Minimum Standard P45 Accidental Archaeological Discovery Specification, or any subsequent version.</p>
27.	<p>Pre-Construction Ecological Survey</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (i) confirming whether the species of value within the Identified Biodiversity Areas recorded in the Identified Biodiversity Area Schedule 2 are still present; and

	<p>(ii) confirming whether the project will or is likely to have a moderate or greater level of ecological effect on species of value (prior to implementation of impact management measures). The level of effect shall be determined in accordance with Table 10 of the EIANZ Guidelines (or subsequent updated version of the table) as included in Schedule 3 to these conditions.</p> <p>(b) If the ecological survey confirms the presence of species of value in accordance with Condition 27(a)(i) and that moderate or greater 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>
<p>28.</p>	<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> <p>(i) If an EMP is required in accordance with Condition 27(b) for the presence of long tail bats:</p> <ul style="list-style-type: none"> A. measures to minimise as far as practicable, disturbance from construction activities within the vicinity of any active long tail bat roosts (including maternity) that are discovered through survey until such roosts are confirmed to be vacant of bats; B. how the timing of any Construction Works in the vicinity of any maternity long tail bat roosts will be limited to outside the bat maternity period (between December and March) where reasonably practicable; C. details of areas where vegetation is to be retained where practicable for the purposes of the connectivity of long tail bats; D. details of how bat connectivity will be provided and maintained (e.g. through the presence of suitable indigenous or exotic trees or artificial alternatives); E. details of measures to minimise operational disturbance from light spill; and F. details of where opportunities for advance restoration / mitigation planting have previously been identified and implemented. <p>(ii) If an EMP is required in accordance with the Condition 27(b) for the presence of Threatened or At-Risk birds (excluding wetland birds):</p> <ul style="list-style-type: none"> A. how the timing of any Construction Works shall be undertaken outside of the bird breeding season (September to February) where practicable; and B. where works are required within the area identified in the Confirmed Biodiversity Area during the bird breeding season, methods to minimise adverse effects on Threatened or At-Risk birds. <p>(iii) If an EMP is required in accordance with Condition 27(b) for the presence of Threatened or At-Risk wetland birds:</p> <ul style="list-style-type: none"> A. how the timing of any Construction Works shall be undertaken outside of the bird breeding season (September to February) where practicable; B. where works are required within the Confirmed Biodiversity Area during the bird season, methods to minimise adverse effects on Threatened or At-Risk wetland birds; C. undertaking a nesting bird survey of Threatened or At-Risk wetland birds prior to any Construction Works taking place within a 50m radius of any identified wetlands (including establishment of construction areas adjacent to wetlands). Surveys should be repeated at the beginning of each wetland bird breeding season and following periods of construction inactivity; D. what protection and buffer measures will be provided where nesting Threatened or At-Risk wetland birds are identified within 50m of any construction area (including laydown areas). Measures could include:

	<ul style="list-style-type: none"> i. a 20m buffer area around the nest location and retaining vegetation. The buffer areas should be demarcated where necessary to protect birds from encroachment. This might include the use of marker poles, tape and signage; ii. monitoring of the nesting Threatened or At-Risk wetland birds by a Suitably Qualified Person. Construction Works within the 20m nesting buffer areas should not occur until the Threatened or At-Risk wetland birds have fledged from the nest location (approximately 30 days from egg laying to fledging) as confirmed by a Suitably Qualified Person; iii. minimising the disturbance from the works if Construction Works are required within 50 m of a nest, as advised by a Suitably Qualified Person; iv. adopting a 10m setback where practicable, between the edge of Wetlands and construction areas (along the edge of the stockpile/laydown area); and v. minimising light spill from construction areas into Wetlands. <p>(iv) If an EMP is required in accordance with Condition 27(b) for the presence of native lizards:]</p> <ul style="list-style-type: none"> A. a description of the methodology and timing for survey, trapping and relocation of lizards rescued; B. a description of the relocation site(s), including: <ul style="list-style-type: none"> i. any measures to ensure the relocation site remains available; ii. any weed and pest management to ensure the relocation site is maintained as appropriate habitat. C. a post vegetation clearance search for remaining lizards; and D. any proposed monitoring. <p>(v) 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 (eg avifauna, herpetofauna, bats).
<p>29.</p>	<p>Tree Management Plan (TMP)</p> <ul style="list-style-type: none"> (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 in Schedule 4. (b) To achieve the objective, the TMP shall: <ul style="list-style-type: none"> (i) confirm that the trees listed in Schedule 4 still exist; and (ii) demonstrate how the design and location of project works has avoided, remedied or mitigated any effects on any tree listed in Schedule 4. This may include: <ul style="list-style-type: none"> A. planting to replace trees that require removal (with reference to the ULDMP planting design details in Condition 17); B. tree protection zones and tree protection measures such as protective fencing, ground protection and physical protection of roots, trunks and branches; and C. methods for work within the rootzone of trees that are to be retained in line with accepted arboricultural standards.

<p>30.</p>	<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 be prepared in consultation with the relevant Network Utility Operator(s) who have existing assets that are directly affected by the project.</p> <p>(d) Any comments received from the Network Utility Operator shall be considered when finalising the NUMP.</p> <p>(e) 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>	
<p>31.</p>	<p>Low Noise Road Surface</p> <p>(a) Asphaltic mix surface shall be implemented within 12 months of Completion of Construction of the project.</p> <p>(b) The asphaltic mix surface shall be maintained to retain the noise reduction performance as far as practicable.</p>
	<p>Traffic Noise</p> <p>For the purposes of Conditions 32 to 45:</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 5: 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 (e.g. Categories A, B and C); (h) NZS 6806 – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads; (i) P40 – means Transport Agency NZTA P40:2014 Specification for noise mitigation; (j) Protected Premises and Facilities (PPFs) – means only the premises and facilities identified in Schedule 5: Identified PPFs Noise Criteria Categories; (k) Selected Mitigation Options – means the preferred mitigation option resulting from a Best Practicable Option assessment undertaken in accordance with NZS 6806; and (l) Structural Mitigation – has the same meaning as in NZS 6806.

32.	<p>The Noise Criteria Categories identified in Schedule 5: Identified PPFs Noise Criteria Categories at each of the PPFs shall be achieved where practicable and subject to Conditions 32 to 45 (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>
33.	<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 5: Identified PPFs Noise Criteria Categories.</p>
34.	<p>Prior to the Start of Construction of the project, a Suitably Qualified Person shall develop the Detailed Mitigation Options for the PPFs identified in Schedule 5: Identified PPFs Noise Criteria Categories, taking into account the Selected Mitigation Options.</p>
35.	<p>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.</p>
36.	<p>Prior to the Start of Construction, a Noise Mitigation Plan written in accordance with P40 shall be provided to the Manager for information.</p>
37.	<p>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.</p>
38.	<p>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 $L_{Aeq(24h)}$ inside Habitable Spaces ('Category C Buildings').</p>
39.	<p>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 12 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.</p>
40.	<p>For each Category C Building identified, the Requiring Authority is deemed to have complied with Condition 39 above if:</p> <ul style="list-style-type: none"> (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 12 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. <p>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.</p>

41.	<p>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:</p> <ul style="list-style-type: none"> (a) if Building-Modification Mitigation is required to achieve 40 dB $L_{Aeq(24h)}$ 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.	<p>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.</p>
43.	<p>Subject to Condition 40, where Building-Modification Mitigation is required, the Requiring Authority is deemed to have complied with Condition 42 if:</p> <ul style="list-style-type: none"> (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.	<p>Within 12 months of Completion of Construction of the project, a post-construction review report written in accordance with P40 Specification for Noise Mitigation 2014 shall be provided to the Manager for information.</p>
45.	<p>The Detailed Mitigation Options shall be maintained so they retain their noise reduction performance as far as practicable</p>

Attachments – Mill Road and Pukekohe Road Upgrade (AC)

Schedule 1: General Accordance Plans and Information

Project Description

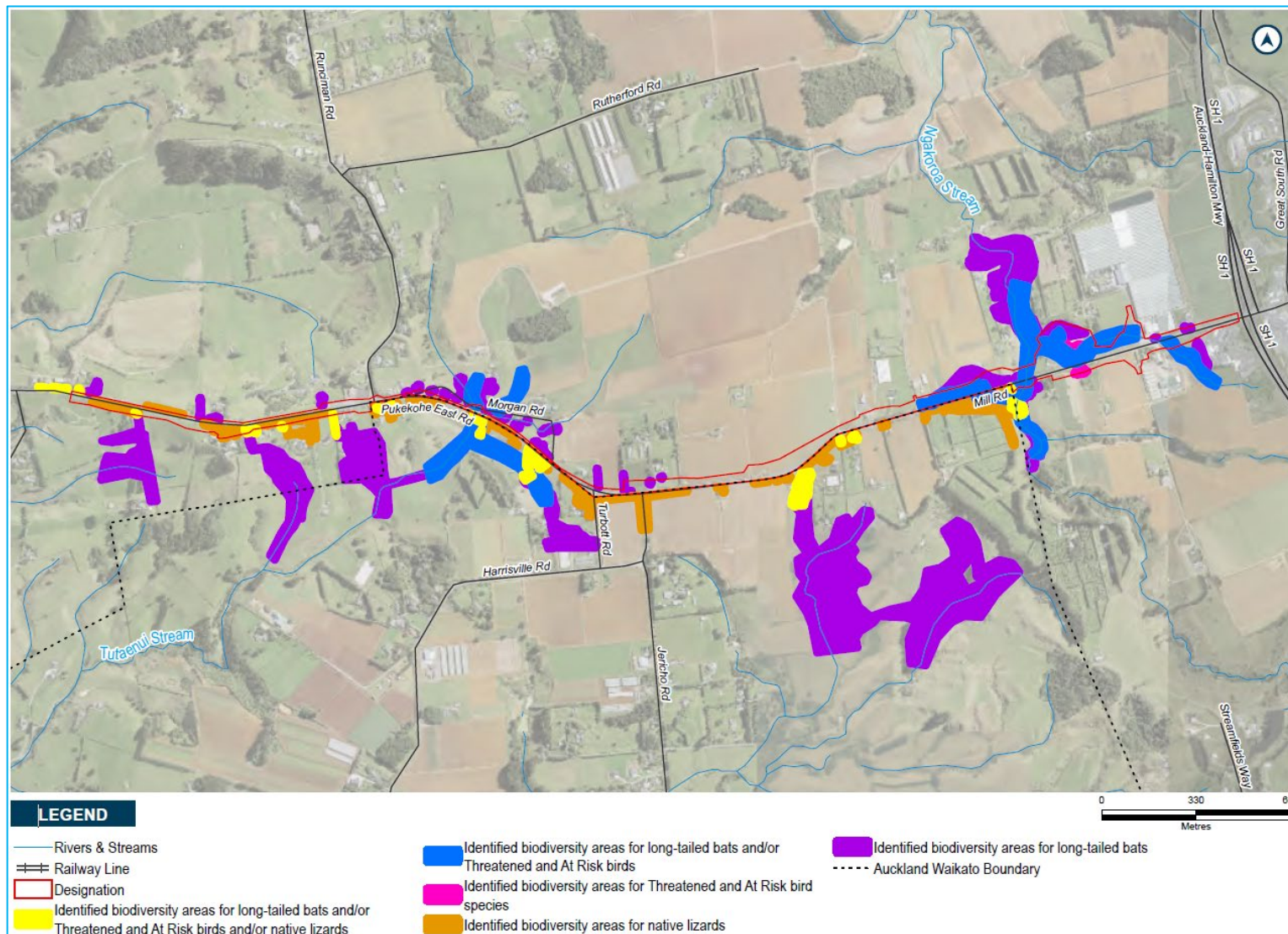
The proposed work is for the construction, operation, maintenance and improvement of a state highway and cycleway and / or shared path, and associated infrastructure between Pukekohe East Road, Pukekohe and the Bombay Interchange on Mill Road, Bombay. The proposed work is shown in the following Concept Plan and includes:

- (a) a state highway including cycleway and / or shared path.
- (b) associated works including intersections, bridges, embankments, retaining walls, culverts, stormwater management systems;
- (c) changes to local roads, where the proposed work intersects with local roads; and
- (d) construction activities including construction areas and the re-grading of driveways.

Concept Plan



Schedule 2: Ecological Management Plan - Identified Biodiversity Areas



Schedule 3: Table 10 of the 2018 EIANZ Guidelines

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

Ecological Value →	Very high	High	Moderate	Low	Negligible
Magnitude ↓					
Very high	Very high	Very high	High	Moderate	Low
High	Very high	Very high	Moderate	Low	Very low
Moderate	High	High	Moderate	Low	Very low
Low	Moderate	Low	Low	Very low	Very low
Negligible	Low	Very low	Very low	Very low	Very low
Positive	Net gain	Net gain	Net gain	Net gain	Net gain

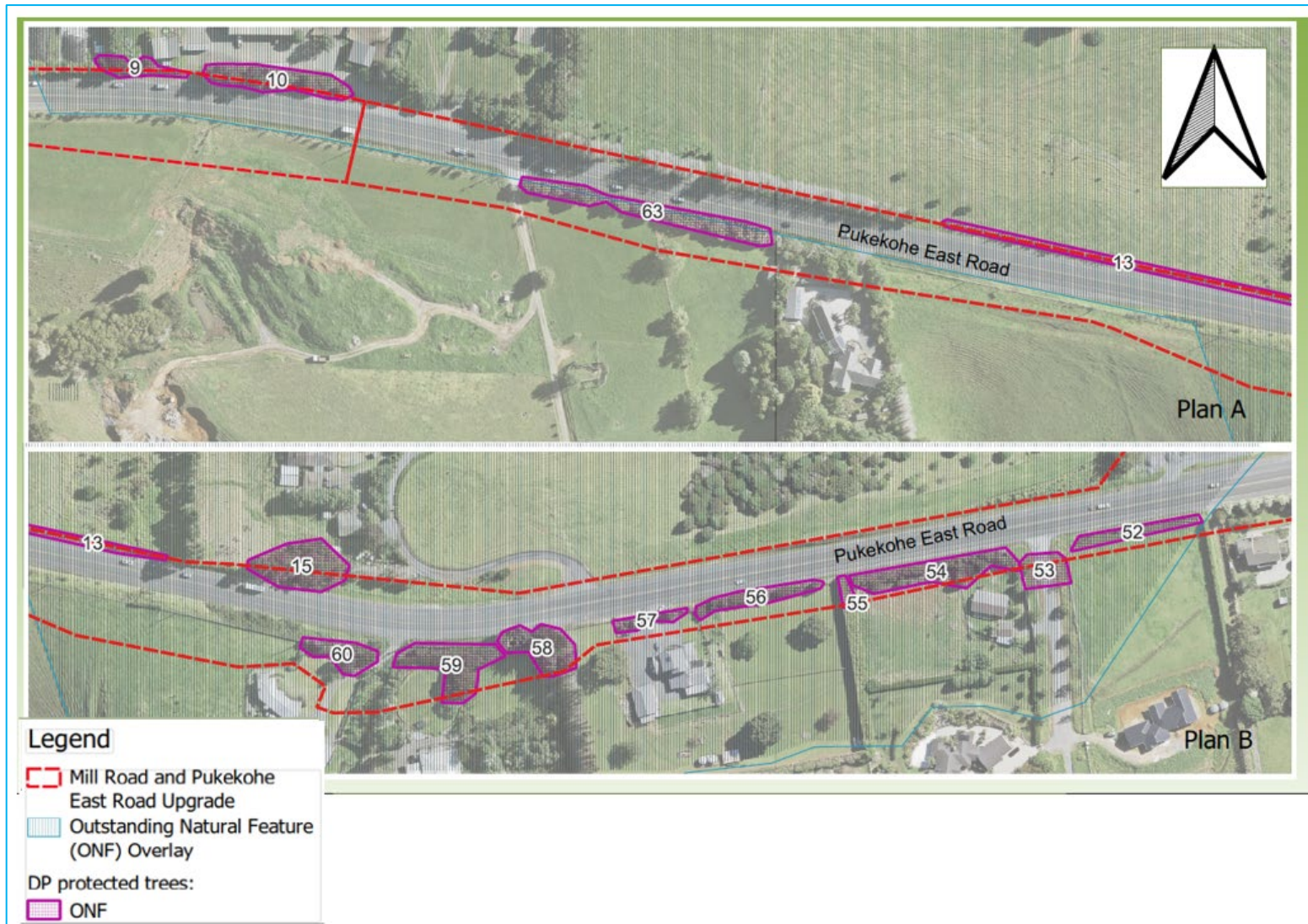
Schedule 4: Trees to be included in the Tree Management Plan (Mill Road- Pukekohe East Road – Auckland jurisdiction)

Tree Schedule

Tree No.	Species		Age class	Values	Life expectancy	Reason for protection (District Plan rules) as at October 2023 when the Notice of Requirement was lodged	Comments
	Common name	Botanical name					
8 / 9	privet, pine, totara, coast redwood	Ligustrum lucidum, Pinus radiata, Podocarpus totara, Sequoia sempervirens	Mature	Amenity, Screening	Long (>20 years)	ONF	Small group outside 131 Pukekohe East Road
8 / 10	coast banksia, silky oak, privet, American sweet gum, tulip tree	Banksia integrifolia, Grevillea robusta, Ligustrum lucidum, Liquidambar styraciflua, Liriodendron tulipifera	Mature	Amenity, Screening	Long (>20 years)	ONF	Group of about 15 trees outside 131 Pukekohe East Road
8 / 13	coast redwood	Sequoia sempervirens	Juvenile	Amenity	Long (>20 years)	ONF	Linear planting along fenceline
8 / 15	Lawson cypress, English oak	Chamaecyparis lawsoniana, Quercus robur	Mature	Amenity, Screening	Long (>20 years)	ONF	Oak trees overhang the designation boundary
8 / 22	English oak	Quercus robur	Mature	Amenity, Heritage	Long (>20 years)	Scheduled tree	Large specimen tree that overhangs the designation boundary
8 / 23	Norfolk Island pine	Araucaria heterophylla	Mature	Amenity, Heritage	Long (>20 years)	Scheduled tree group	Three large specimens with root zones extending into designation boundary
8 / 52	brush cherry, feijoa	Syzygium australe, Feijoa sellowiana	Mature	Amenity, Shelter	Long (>20 years)	ONF	Linear planting along fenceline at 220 Pukekohe East Road
8 / 53	London plane	Platanus X acerifolia	Mature	Amenity	Long (>20 years)	ONF	Avenue planting on driveway to 218A Pukekohe East Road
8 / 54	puka, tarata, kohuhu	Meryta sinclairii, Pittosporum eugenioides, Pittosporum tenuifolium	Mature	Amenity, Screening	Long (>20 years)	ONF	Dense screen along frontage of 216 Pukekohe East Road



Tree No.		Species		Age class	Values	Life expectancy	Reason for protection (District Plan rules) as at October 2023 when the Notice of Requirement was lodged	Comments
		Common name	Botanical name					
8 /	55	Japanese cedar	Cryptomeria japonica	Mature	Shelter	Medium (10-20 years)	ONF	Topped shelterbelt
8 /	56	photinia	Photinia glabra	Mature	Amenity, Screening	Medium (10-20 years)	ONF	Linear planting along front fenceline at 200 Pukekohe East Road
8 /	57	Italian cypress, cabbage tree palm, jelly palm	Cupressus sempervirens, Livistona australis, Butia capitata	Mature	Amenity	Long (>20 years)	ONF	Various ornamentals in garden at 200 Pukekohe East Road
8 /	58	camellia, tarata	Camellia japonica, Pittosporum eugenioides	Mature	Amenity	Long (>20 years)	ONF	Gateway to 196 Pukekohe East Road
8 /	59	melia, kohuhu	Melia azedarach, Pittosporum tenuifolium	Mature	Amenity, screening	Long (>20 years)	ONF	Front fenceline and garden of 196 Pukekohe East Road
8 /	60	titoki, puka, pohutukawa, tarata, kohuhu, puriri	Alectryon excelsus, Meryta sinclairii, Metrosideros excelsa, Pittosporum eugenioides, Pittosporum tenuifolium, Vitex lucens	Mature	Amenity	Long (>20 years)	ONF	Front boundary of 190 Pukekohe East Road
8 /	71	puriri	Vitex lucens	Mature	Heritage, Amenity	Long (>20 years)	Scheduled tree	Front yard of 203 Mill Road, Bombay
8 /	72	Coast redwood	Sequoia sempervirens	Mature	Heritage	Long (>20 years)	Scheduled tree	Part of large group around proposed stormwater wetland at 165C Mill Road, Bombay

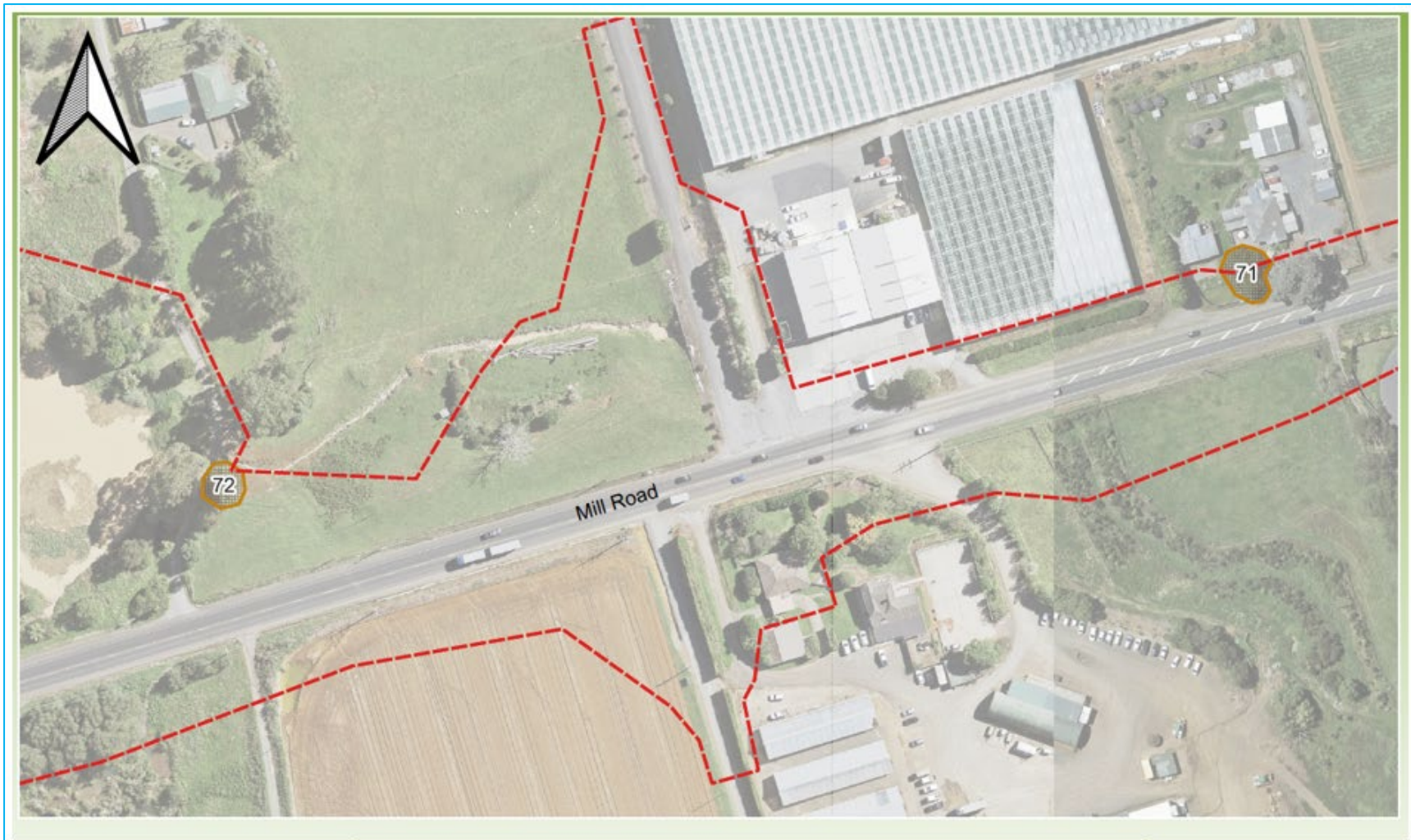
Tree Plans





Legend

- DP protected trees:
 -  Scheduled trees
- NoR_08_Designations:
 -  NoR_08_MRBUs_AC



Legend

-  Mill Road and Pukekohe East Road Upgrade
-  DP protected trees
-  Scheduled trees

Schedule 5: Identified PPFs Noise Criteria Categories

PPFs assessed against Altered Road criteria

PPF Address	Noise Criteria Category
1 Jericho Road	A
3 Mill Road	A
5 Mill Road (1)	A
5 Mill Road (2)	A
11 Mill Road	A
15 Mill Road	A
64 Mill Road	A
80 Mill Road	A
87 Mill Road	A
90 Mill Road	A
93 Mill Road	A
104 Mill Road	A
105 Mill Road	A
144 Mill Road	A
168 Mill Road	A
182 Mill Road	B
203 Mill Road	B
139A Mill Road	A
165A Mill Road	A
52A Mill Road	A
311 Pukekohe East Road	A
11 Turbott Road	A

PPF Location Map



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

Sub #	Submitter Name	Address for Service
01	Anthony van Schalkwyk	anthonyvs100@gmail.com
02	AMJG Investment Attn: Yunmin Ma	adam.ma@outlook.com
03	Cade Hubert Daroux	cadedx@gmail.com
04	Maimere Properties Ltd	martha.johnstone@xtra.co.nz
05	MC Johnstone LJC Johnstone LF Williams	martha.johnstone@xtra.co.nz
06	Telecommunications Submitters	chris@incite.co.nz
07	Chaein Jeon	Chaein.jeon@gmail.com
08	Deirdre Twentyman	nb4usgirls@gmail.com
09	Rodney Cunningham	rodcunninghamnz@gmail.com
10	Paul Reynolds	admin@reynoldsproduce.co.nz
11	Heritage New Zealand Pouhere Taonga	amorris@heritage.org.nz
12	Firstgas Ltd	Pam.Unkovich@firstgas.co.nz
13	Watercare Services Limited	Mark.Bishop@water.co.nz
14	Ministry of Education	emma.howie@woods.co.nz
15	Counties Energy Limited	rachel.bilbe@countiesenergy.co.nz
16	The Campaign for Better Transport Incorporated	convenor@bettertransport.org.nz
17	Harjinder Singh c/-Singh and Kaur Ltd	saini@xtra.co.nz