

**IN THE ENVIRONMENT COURT OF NEW ZEALAND
AUCKLAND REGISTRY**

**I MUA TE KŌTI TAIAO O AOTEAROA
TĀMAKI MAKĀURAU ROHE**

ENV-2025-AKL

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

IN THE MATTER of an appeal under section 174 of the Act against a decision of Auckland Transport on Notice of Requirement 3 – South Frequent Transit Network – Takaanini FTN – Weymouth, Alfriston and Great South Roads ("**NoR 3**")

BETWEEN **THE NATIONAL TRADING COMPANY OF NEW ZEALAND LIMITED**
Appellant

AND **AUCKLAND TRANSPORT**
Respondent

**NOTICE OF APPEAL BY THE NATIONAL TRADING COMPANY OF NEW ZEALAND
LIMITED**

20 FEBRUARY 2025

**ELLIS GOULD
LAWYERS
AUCKLAND**

**REF: Douglas Allan (dallan@ellisgould.co.nz)
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AUCKLAND**

**NOTICE OF APPEAL BY THE NATIONAL TRADING COMPANY OF NEW ZEALAND
LIMITED**

TO: The Registrar

Environment Court

Auckland

1. **THE NATIONAL TRADING COMPANY OF NEW ZEALAND LIMITED (“NTC”)** appeals the decision of Auckland Transport (“**AT**”) dated 16 December 2024 (“**the Decision**”) confirming the notice of requirement to upgrade Weymouth, Alfriston and Great South Roads (“**NoR 3**”). NoR 3 forms part of a group of Notices of Requirement lodged by AT and collectively known as the South Frequent Transit Network Project.
2. NTC made a submission on NoR 3.
3. NTC received notice of the Decision on 30 January 2025.
4. The Decision subject to the appeal was made by AT.
5. NTC is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991 (“**the Act**”).
6. NTC will be directly and adversely affected by NOR 3 as it is one of the owners of 185 Great South Road, Manurewa comprising the New World Southmall complex (“**the Site**”). Parts of the Site, including two of the four external vehicles accesses, are proposed to be designated as part of NoR 3.
7. NTC opposes the extent of NoR 3 over the Site, and seeks amended and additional conditions of designation to ensure that the effects on the Site’s Weymouth Road access during construction and operation of the designation are addressed. Unless NoR 3 is modified as requested by NTC, it should be cancelled.

Reasons for the appeal

8. The reasons for the appeal are as follows:

8.1 NoR 3 in its present form:

- (a) Will not promote the sustainable management of natural and physical resources;
- (b) Will not amount to and promote the efficient use and development of resources;
- (c) Is not consistent with the purpose and principles of Part 2 of the Act;
- (d) Will generate unacceptable adverse effects on the environment and, in particular, on the Site;
- (e) Will not enable the social, economic, and cultural well-being of the community; and
- (f) Does not warrant being upheld in terms of section 171 of the Act.

In addition, and without derogating from the generality of the above:

Appeal Point 1 – Southmall Access (Weymouth Road)

8.2 NTC appeals the part of the Decision that rejects the Commissioners’ recommendation to include:

- (a) A requirement in condition 11 for a signalised intersection with full turning capacity at the Weymouth Road vehicular access to the Site (“**the Weymouth Road Access**”) located on the northern side of Weymouth Road between Great South Road and the North Island Main Truck Railway (“**NIMT**”); and
- (b) A concept plan in Schedule 1 to the NoR 3 conditions which depicts a signalised design option for the Weymouth Road Access, using Foodstuffs’ proposed design as the base; along with consequential amendments to Condition 11 to reflect this.

8.3 Southmall has been a commercial and retail hub for the Manurewa area for over 50 years and forms the commercial core of the Manurewa

Town Centre zone. The Weymouth Road Access is of particular importance to the operation of Southmall and its retention is essential to:

- (a) Ensure safe and convenient vehicular access to the Site in the future;
- (b) Support the ongoing operation and commercial viability of the supermarket and other retail activities located at the Site; and
- (c) Enable the supermarket and other retail on the Site to continue to provide functional benefits and amenity to occupants of the surrounding residential areas.

8.4 NTC agrees with the Commissioners' rationale for their recommendations in respect of the Weymouth Road Access, set out at paragraphs 166 to 171 of the recommendation report (copy attached as **Attachment 3**).

8.5 AT's amended condition as included in the Decision:

- (a) Does not provide certainty for landowners and occupiers as to the future form and adequacy of the Weymouth Road Access;
- (b) Does not address NTC's concerns regarding future traffic safety;
- (c) Does not have appropriate regard to the underlying Town Centre zoning of the Site and surrounding land and instead prioritises efficiency of the through road network; and
- (d) Inappropriately and unnecessarily defers resolution of the intersection design (and thus transport effects of the project) to the future.

8.6 NTC therefore seeks amendments to Condition 11 to require a signalised intersection with full turning capacity at the Weymouth Road Access and consequential amendments to Schedule 1 to include

a concept design plan for a signalised intersection at the Weymouth Road Access.

Appeal Point 2 – Designation extent

- 8.7 NTC appeals the part of the Decision that confirms the notified extent of NoR 3 over the Site.
- 8.8 NTC understands that the extent of NoR 3 over the Weymouth Road frontage of the Site is driven primarily by the design of AT’s proposed Weymouth Road bridge over the NIMT and approaches. It also understands the design of the NIMT bridge and approaches respond to advice from KiwiRail that it anticipates widening the NIMT adjacent to the Site to four tracks (which in practice will require widening the existing NIMT designation).
- 8.9 NTC’s understanding is that KiwiRail has issued no notices of requirement to widen the NIMT or made any other formal commitment to such a project.
- 8.10 As a consequence, NoR 3 extends further into the Site, a highly constrained Town Centre zone location, than is reasonably necessary to achieve the project objectives. In doing so, it removes highly utilised carparking, which supports the vehicle orientated activities at the Site (e.g.: the supermarket). The effect of removing this carparking has not been assessed.
- 8.11 NTC therefore seeks that the extent of the designation is reduced so that it no longer applies to the Site, or in the alternative, that the area covered by the designation is reduced to the minimum necessary to provide for future access without assuming four tracking of the NIMT and that retaining walls rather than batters be used.

Appeal Point 3 – Construction effects

- 8.12 NTC appeals the part of the Decision which fails to provide for a clear process of engagement and feedback from key stakeholders as part of

the preparation of the Construction Traffic Management Plan (“**CTMP**”).

- 8.13 Construction works have the potential to affect the commercial viability and efficient operation of NTC’s supermarket. This is a potential effect which warrants mitigation in RMA terms.
- 8.14 The Decision introduces wording to address submitter concern regarding a lack of consultation on CTMP matters. It does this by stating that engagement with landowners whose access is directly affected will be undertaken in accordance with Condition 15(b)(iii). Condition 15(b)(iii) simply states that the Stakeholder Community and Engagement Management Plan shall include methods and timing to engage with owners and occupiers whose access is directly affected.
- 8.15 NTC supports the intent of the Decision but the proposed wording does not make clear what the engagement relates to (e.g.: whether engagement relates to the preparation of that element of the CTMP). Other management plan conditions more clearly link consultation or engagement with the preparation of the management plan (e.g.: Conditions 20(b) and (c), 25(a) and 31(c)).
- 8.16 In the circumstances, NTC seeks amendments to the wording of Condition 26 (and any other relevant condition) to require that directly affected landowners and occupiers be engaged with in the preparation of the CTMP as it relates to matters which affect property access.

Appeal Point 4 – Lapse Period

- 8.17 NTC appeals the part of the Decision which adopts a 15-year lapse date on NoR 3.
- 8.18 That extended lapse date raises a number of issues including:
 - (a) The lack of certainty that the work will occur at all and, if it does occur, the sequence in which that will happen. This has

implications for the ability of landowners to plan for and respond to the potential for these works.

- (b) That landowners and occupiers have no certainty regarding whether and when (or if) their land will be designated and purchased until a commitment is made to fund and undertake that exercise. While there is an ability under section 185 RMA to request the Environment Court to make an order requiring purchase, that section places the obligation on the landowner to initiate the proceedings and is inevitably time-consuming and expensive.

8.19 A ten-year lapse date more appropriately accounts for the funding context while reducing uncertainty generated by the lengthy lapse period on landowners and occupiers.

8.20 In the circumstances, NTC seeks amendments to Condition 7 to provide for a lapse period of 10 years.

Relief Sought

9. NTC seeks the following relief:

9.1 That the appeal be allowed.

9.2 That the terms of conditions of NoR 3 be amended to address the issues and concerns raised in paragraph 8 above.

9.3 The relief set out in paragraphs 9.3(a) – (e) below are examples of amendments and additions to the terms and conditions that would appropriately address the issues and concerns identified in paragraph 8 above:

- (a) Amend Condition 11 to read as follows (deletions shown in ~~striketrough~~ and additions shown in underline):

Southmall Access

The Outline Plan shall demonstrate how vehicular access will be reinstated from Weymouth Road to the Southmall site at 185 Great South Road, Manurewa. This shall include

provision for a left in, left out, and right in signal-controlled intersection for all traffic movements, unless otherwise agreed with the landowner. The design of the intersection shall be generally in accordance with the Concept Plan contained at Schedule 1. Consideration of intersection form shall include traffic signals as an option, and shall have regard to safety, bus lane operation, corridor efficiency, and provision of access to land south of Weymouth Road.

(b) Amend Schedule 1 to include a concept plan showing a signalised design option for the Weymouth Road Access consistent with:

- (i) The wording of condition 11 sought in (a) above; and
- (ii) Figures 2 and 3 of Mr John Parlane's summary statement (attached as **Attachment 2**).

(c) Reduce the extent of NoR 3 so that it no longer affects the Site.

(d) Amend Condition 26 to read as follows (deletions shown in ~~striketrough~~ and additions shown in underline):

Construction Traffic Management Plan (CTMP)

(a) ...

(b) *To achieve this objective, the CTMP shall include:*

(i) ...

(vi) methods to maintain access to and within property and/or private roads where practicable, or to provide alternative arrangements when it will not be, including details of how access is managed for loading and unloading of goods. ~~Engagement with landowners and occupiers whose access is directly affected shall be undertaken in accordance with Condition 15(b)(iii).~~

(c) ...

(d) *Stakeholders directly affected by any Construction Traffic Management Plan and adjacent owners and occupiers of land shall be engaged in the preparation of the Construction Traffic Management Plan.*

(e) Amend Condition 7 to read as follows (deletions shown in ~~striketrough~~ and additions shown in underline):

Lapse

In accordance with section 184(1)(c) of the RMA, this designation shall lapse if not given effect to within ~~10~~15 years from the date on which it is included in the AUP.

- 9.4 Such further orders, relief, consequential amendments or other amendments as are considered appropriate and necessary to address BPG's concerns set out above.
- 9.5 Costs of and incidental to this appeal.

Attachments

- 10. The following documents are attached to this notice:
 - 10.1 **Attachment 1:** Copies of NTC's submission on NoR 3.
 - 10.2 **Attachment 2:** Copies of Figures 2 and 3 from the summary statement to the first instance hearing prepared by Foodstuffs' Transportation Expert (John Parlane), being an Indicative Intersection Design for the Weymouth Road Access.
 - 10.3 **Attachment 3:** Extracts of the recommendation and the Decision.
 - 10.4 **Attachment 4:** A list of persons to be served with a copy of this notice.

DATED this 20th day of February 2025

THE NATIONAL TRADING COMPANY OF NEW ZEALAND LIMITED by its solicitors and duly authorised agents Ellis Gould



Douglas Allan / Alex Devine

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

Advice to recipients of copy of notice of appeal

How to become party to proceedings

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

To become a party to the appeal, you must —

- within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.
- Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Act.
- You may apply to the Environment Court under section 281 of the Act for a waiver of the above timing or service requirements (see form 38).

How to obtain copies of documents relating to appeal

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

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

Attachment 1: Copies of NTC's submission on NoR 3.

**SUBMISSION ON A NOTIFIED NOTICE OF REQUIREMENT FOR DESIGNATION OF LAND BY
AUCKLAND TRANSPORT**

Section 168(2) of the Resource Management Act 1991

To: Auckland Council, Plans and Places

Private Bag 92300

Auckland 1142

Attention: Planning Technician

THE NATIONAL TRADING COMPANY OF NEW ZEALAND LIMITED c/- Ellis Gould, Solicitors at the address for service set out below (“**NTC**” or “**the Submitter**”) makes the following submission in relation to the notice of requirement (“**NOR**”) lodged by **Auckland Transport** in respect of South Frequent Transit Network: Takaanini Frequent Transit Network – Weymouth, Alfriston, and Great South Road Upgrades (“**NOR 3**”).

1. NOR 3 is one of four NORs being sought by Auckland Transport to enable the South Frequent Transit Network (“**South FTN Project**”) which comprises a range of proposed road upgrades along existing arterial road corridors in South Auckland including bus priority measures, new and upgraded active mode facilities (i.e. walking and cycling facilities), and intersection improvements.
2. The Submitter will be directly affected by NOR 3 as it is one of the owners of 185 Great South Road, Manurewa comprising the New World Southmall complex (the “**Site**”), parts of which come within the designation boundaries. The Site has been a commercial and retail hub for the Manurewa area for at least 50 years.
3. The Submitter is not a trade competitor of Auckland Transport and could not gain any advantage in trade competition through this submission.
4. The Submitter is not opposed in principle to NOR 3 and supports the broader South FTN Project, but seeks to ensure that:
 - (a) Land take for the purpose of construction, and long-term (i.e., post-construction), is avoided to the greatest extent possible;
 - (b) Where land take cannot be avoided, the adverse effects of land take on the operation of the Site are remedied or mitigated;

- (c) There will be no 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; and
- (d) Adverse effects on the operation of the Site, including on access and egress, during the construction of the South FTN Project are avoided or minimised.

Reasons for submission

5. The reasons for the submission are as follows:

- (a) Unless the relief sought in this submission is granted, NOR 3 will:
 - (i) Not promote the sustainable management of natural and physical resources;
 - (ii) Not amount to and promote the efficient use and development of resources;
 - (iii) Be inconsistent with the purpose and principles in Part 2 of the Resource Management Act 1991 (“**RMA**”);
 - (iv) Generate significant adverse effects on the environment, and in particular, on the Site; and
 - (v) Not warrant being confirmed by Council under section 171 RMA.

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

Boundary encroachment

- (a) The Submitter is concerned that the designation, as shown in the General Arrangement Plan, encroaches significantly into the Site. The designation covers 1,978m² of the Site¹ and extends approximately 36m into the Site, with much of this area coming within the indicative construction area on the General Arrangement Plan.
- (b) The area covered by the designation includes 47 carparks. The effects of removing these carparks have not been assessed and are missing from the On-Site Parking Assessment in the Assessment of Transport Effects.² As the carparks are well-utilised, and often full, the loss of carparks to the project and/or construction will have significant adverse effects on the operation of the Site.

¹ Form 18, Attachment B (Property ID: 602100)

² Section 7.4/ Table 7-4

- (c) NTC seeks that the extent of the designation be amended to avoid the need for any land take from the Site. In the event land take cannot be avoided, it should be minimised to the greatest extent possible, including through the use of retaining walls rather than batters, and replacement carparking spaces should be provided by the Requiring Authority to offset those lost to the designation.

Access to and egress from the Site

- (d) The South FTN Project provides for the upgrading of Weymouth Road to a four-lane road, to provide for two bus lanes in addition to the two existing general traffic lanes, along with footpath and cycle lanes.
- (e) There are four external access points to the Site;³ however, access to and egress from the Site is primarily via Weymouth Road, at the southern end of the Site (“**Weymouth Road Access**”). The Weymouth Road Access has full turning capacity with separated exit lanes from the Site and a right turn pocket on Weymouth Road.
- (f) The General Arrangement Plan appears to indicate that the Weymouth Road Access will be closed and may not be reinstated. NTC is concerned that this will create significant adverse effects on access to the Site in addition to traffic circulation effects within the Site, including on trucks using existing loading spaces.
- (g) Closure of the Weymouth Road Access would require diversion of all traffic visiting the Site to other access points, resulting in increased congestion in already congested areas. This is important during both the construction phase and long-term.
- (h) Further, NTC is concerned that the upgrade of Weymouth Road from a two-lane to four-lane arterial road will result in the Weymouth Road Access no longer complying with the minimum acceptable visibility for uncontrolled intersections. As such, NTC requests that signals be provided at the Weymouth Road Access. Traffic signals would also mitigate any potential safety effects arising from existing traffic being required to cross multiple lanes of oncoming traffic (under the updated road layout).
- (i) Due to the importance of the Weymouth Road Access to the operation of the Site, NTC seeks:

³ Other access is from: Station Road at the northern end of the Site; Selwyn Road via a bridge in the centre of the Site; and a left-in only from Great South Road

- (i) The Weymouth Road Access be clearly identified on the General Arrangement Plan as being reinstated and retained in its current form.
- (ii) The Requiring Authority install signals at the Weymouth Road Access.
- (j) Proposed condition 15 to provide for “*safe reconfigured or alternate access*” does not address these concerns.

General comments on construction effects

- (k) A construction traffic management plan has not been provided with the NOR. The Submitter is concerned that the construction phase may result in significant adverse effects on the operation of its Site. Construction traffic management plans are a mechanism commonly used to manage such effects. The Submitter seeks that a site-specific construction traffic management plan be required, prior to works being undertaken in the vicinity of the Site, to demonstrate how construction traffic effects will be appropriately managed including how continued Site access by customers, staff and service vehicles will be maintained during the construction period.

Relief sought:

- 7. The Submitter seeks that the NOR be accepted provided:
 - (a) The designation is amended to avoid the need for any land take from the Site, or in the event that a land take cannot be avoided that this is minimised to the greatest extent possible;
 - (b) That the designation is amended and conditions imposed on it to ensure that Weymouth Road Access, providing full turning capacity, is clearly identified as being reinstated and retained in its current form.
 - (c) That conditions are imposed on the designation to ensure that:
 - (i) There will be no long-term (i.e.: post construction) effects on any of the existing vehicle access to and egress from the Site and that these will be retained largely in their current form following completion of construction.
 - (ii) Adverse effects on access to and egress from the Site are minimised as far as practicable during construction.

(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.

(d) Such other conditions, relief or other consequential amendments as are considered appropriate or necessary to address the matters outlined in this submission.

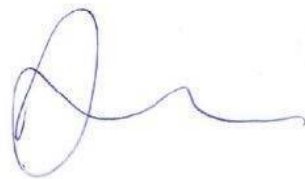
If the above relief is not accepted, the Submitter seeks that NOR 3 be declined.

8. The Submitter wishes to be heard in support of its submission.

9. If other parties make a similar submission, the Submitter would consider presenting a joint case with them at any hearing.

DATED this 14th day of December 2023

THE NATIONAL TRADING COMPANY OF NEW ZEALAND by its solicitors and duly authorised agents, Ellis Gould



D A Allan / C S S Woodhouse

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) 307-2172, Facsimile: (09) 358-5215. Attention: Douglas Allan: dallan@ellisgould.co.nz / Cordelia Woodhouse: cwoodhouse@ellisgould.co.nz

Attachment 2: Copies of Figures 2 and 3 from the summary statement to the first instance hearing prepared by Foodstuffs' Transportation Expert (John Parlane), being an Indicative Intersection Design for the Weymouth Road Access.

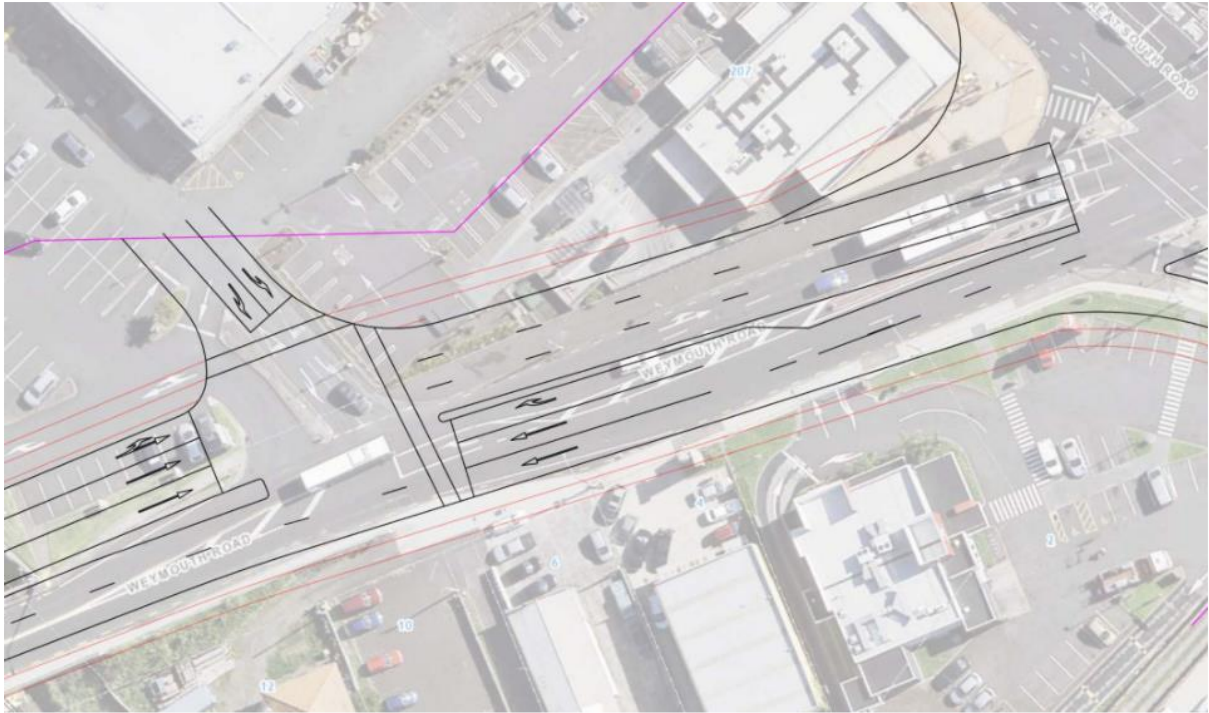


Figure 2 – Proposed Signals (Figure 20 of my evidence)

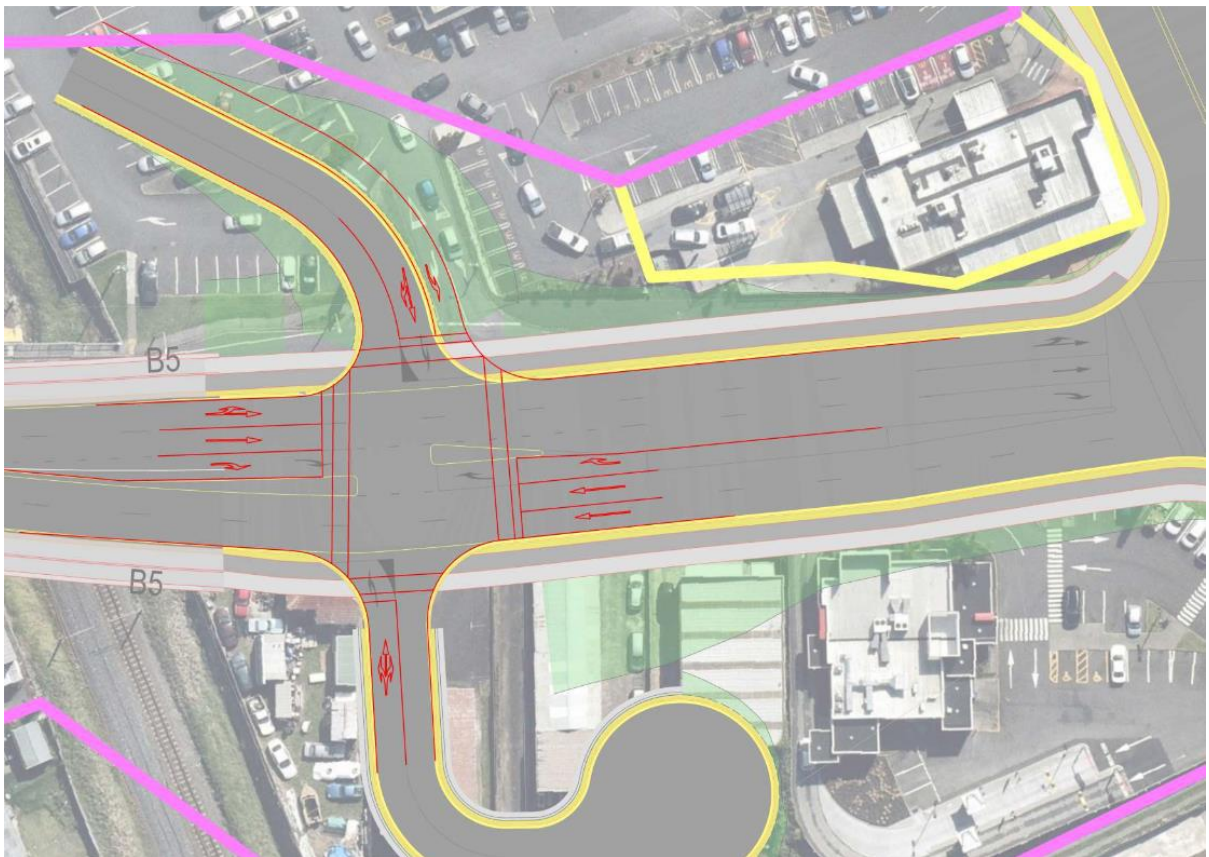


Figure 3 – Signals Over the Requiring Authority Version

Attachment 3: Extracts of the recommendation and the Decision.

Recommendation following the hearing of a Notice of Requirement under the Resource Management Act 1991



RECOMMENDATION

The Commissioners recommend that the notices of requirement as modified by the Requiring Authority at the hearing BE CONFIRMED subject to conditions.

PROPOSAL

Notices of Requirement (**NoR**) by the Supporting Growth Alliance/Te Tupu Ngatāhi on behalf of Auckland Transport (**Auckland Transport**) sought for the Takanini Level Crossing Project (NoRs 1 and 2) and for the South Frequent Transport Project (NoRs 1 to 4), in the following locations:

Takanini Level Crossing Project (TLC Project)

NoR 1 – Spartan Road, Manuia Road, Manuroa Road and Taka Street. Notice of requirement lodged by Auckland Transport for new multi-modal bridge crossings of the North Island Main Trunk (NIMT) at Manuia Road and Taka Street; and new active mode bridge crossings of the NIMT at Spartan Road and Manuroa Road with two consequential road closures.

NoR 2 – Walters Road Level Crossing Closure and New Multi-Modal Bridge. Notice of requirement lodged by Auckland Transport for a new multi-modal bridge crossing of the North Island Main Trunk (NIMT) railway at Walters Road.

South Frequent Transport Project (SFT Project)

NoR 1 – Great South Road FTN Upgrade. Notice of requirement lodged by Auckland Transport for upgrades to parts of Great South Road between Manukau and Drury to provide a multi-modal transport corridor that will accommodate bus priority measures, active mode facilities (i.e. walking and cycling facilities), intersection upgrades, replacement of the existing Otūwairoa / Slippery Creek bridge, and stormwater management.

NoR 2 – Great South Road Upgrade (Drury Section). Notice of requirement lodged by Auckland Transport for upgrades to Great South Road between Waihoehoe Road and the State Highway 1 Drury Interchange to provide a multimodal transport corridor that will accommodate general traffic lanes, active mode facilities (i.e. walking and cycling facilities) intersection upgrades, replacement of the existing Hingaia Stream bridge, and stormwater management.

NoR 3 – Takaanini FTN – Weymouth, Alfriston, and Great South Road Upgrades. Notice of requirement lodged by Auckland Transport for Upgrades to Weymouth and Alfriston Roads between Selwyn Road / Rogers Road and Saralee Drive; and Great South Road between Halver Road and Myers Road to accommodate bus priority measures, general traffic lanes, active mode facilities (i.e. walking and cycling facilities), intersection upgrades, proposed closure of the Beaumonts Way intersection with Weymouth Road, replacement of existing bridges along Weymouth Road over the North Island Main Trunk and Alfriston Road over State Highway 1, and stormwater management.

NoR 4 – Takaanini FTN – Porchester and Popes Road Upgrades. Notice of requirement lodged by Auckland Transport for upgrades to Porchester Road between Alfriston Road and Walters Road; and to Popes Road between Takanini School Road and Porchester Road to accommodate general traffic lanes, active mode facilities (i.e. walking and cycling facilities), and intersection upgrades.

LOCATION SPECIFIC MATTERS – SOUTH FTN PROJECT- MULTIPLE PARTIES

Weymouth Rail Bridge/Alfriston Road Intersection (NoR 3)

The proposal

158. The replacement of the Weymouth Rail Bridge and upgrade of the Weymouth Road/Great South Road/Alfriston Road intersection as proposed by South FTN NoR 3 was the most complex aspect of the South FTN Project due to technical details of the project and the nature of the land uses and property interests in the locality. Collectively, the parties produced a great deal of evidence and legal submissions and required a significant amount of hearing time for the matter to be considered. Prior to the hearing, various solutions were provided by the parties regarding the proposed works and discussions took place on multiple occasions. The parties' experts also participated in expert conferencing to identify matters of agreement, to gain a better understanding of the requirements of the Project and constraints, and to discuss the details of alternatives.
159. For context on this matter, we note the following parties, their respective property interests and the proposed designation boundary extents, all of which are depicted on Figure 1:
- a) The Southmall site is located north of Weymouth Road between the NIMT and Great South Road. It has a vehicle entrance to Weymouth Road mid-block (and other entrances further north and west via Great South Road, Station Road and Selwyn Road);
 - b) The KFC site is located on the southwestern corner of the Alfriston intersection with entrances from both Weymouth Road and Great South Road;
 - c) The Z Manurewa site is located on the southeastern corner of the Alfriston intersection with entrances from both Alfriston Road and Great South Road
 - d) The McDonalds site is located on the northwestern corner of the Alfriston intersection, with access from Great South Road (and internally from Southmall)
 - e) The lodged designation extent included full designation of the KFC site and the McDonalds site, and partial designation of the Southmall site and the Z site.

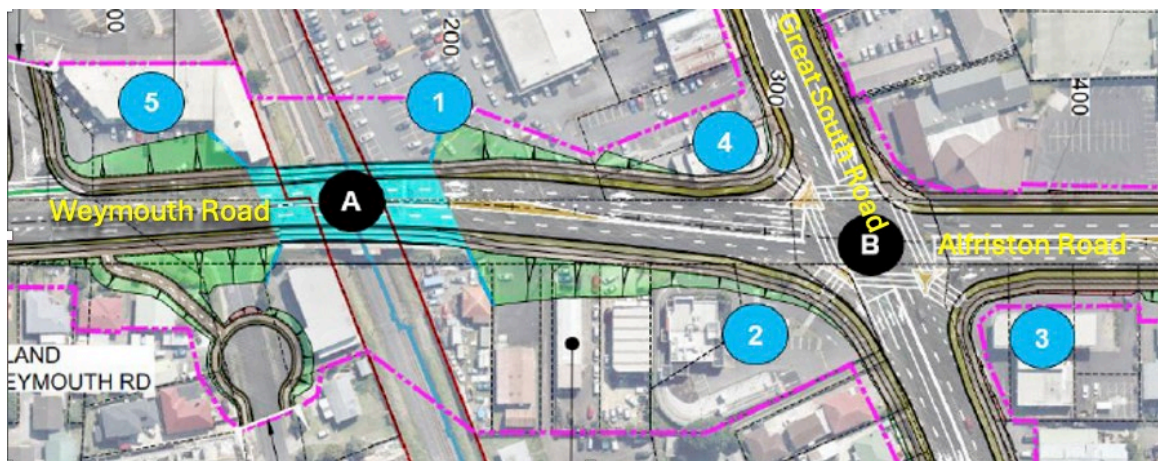


Figure 1: A= Weymouth bridge B= Alfriston intersection
 1= Southmall; 2= KFC; 3= Z Manurewa; 4 = McDonalds; 5= 11 Weymouth Road retail complex

160. Following the production of evidence by Auckland Transport and the parties, the Project Team reconsidered the designation extent and existing flexibility for potential bridge alignment options in the lodged design. It consequently confirmed that a southern alignment provided the optimal outcome in terms of the space necessary to provide for Southmall’s access requirements – in particular, the need to provide for left-in, left-out, and right-in movements, and for exiting trucks, whilst also reducing impact on other submitter properties. In this regard, a southern alignment also affords the opportunity to reduce the designation extent at the McDonalds site and the retail complex at 11 Weymouth Road. The revised alignment also ensured that properties south of Weymouth Road could be properly accessed. A site-specific property access condition was also proposed to provide for this outcome.

Submitters’ cases with section 42A and Auckland Transport responses

161. Southmall – National Trading Company of New Zealand Limited (NTC) is the property owner of a New World supermarket located within Southmall. The NTC submissions raised concerns regarding the removal of the site’s Weymouth Road access, the removal of carparking, the extent of land take and construction effects.
162. NTC acknowledged that the southward shift in the Weymouth bridge alignment was an improvement on the original bridge design, however remained concerned that the right turn out manoeuvre was not provided for (noting that this intersection currently has full vehicle access) and that the access was not signalised, as proposed by Mr Parlane. While acknowledging that the proposed designation does not preclude a signalised intersection as acknowledged by Mr Parlane during expert conferencing, Ms Devine submitted for NTC that certainty as to the future treatment of the access needs to be obtained now. She referred to a recent Environment Court decision that illustrated the shortcomings in relying on a future outline plan process for such a significant design feature.⁷⁶

⁷⁶ Devine submissions at [3.14b] reference to *Barclay Management (2013) Ltd v City Rail Link Limited* [2024] NZEnvC 043

163. Mr Parlane proposed an alternative intersection design that was signalised and provided for a right turn out. In support of this design NTC considered:
- a) It was critical to maintain full access to the core of the Manukau Town Centre and the Weymouth Road exit is important for traffic heading west;
 - b) The Selwyn Road entry/exit to Southmall is not secured as a long-term access point, particularly in the event of the four-tracking of the NIMT, at which time the bridge to Selwyn Road would need replacement;
 - c) The signalised intersection would mitigate the potential safety effects of requiring west-bound exiting traffic to cross multiple lanes of oncoming vehicles, improve visibility for that manoeuvre;⁷⁷
 - d) The intersection can be signalised, notwithstanding the proximity of the Great South Road lights;
 - e) A signalised intersection requires a smaller land take, which would be more efficient in a highly constrained town centre location.⁷⁸
164. Mr Edwards response to the Auckland Transport proposals was that he would have “significant concerns about adverse traffic effects that would be generated by the Project if a design like either of the RA concept designs (notified or amended) were to be implemented”. We summarise Mr Edwards position as follows:
- a) While he accepted that Mr Mason had demonstrated compliance with the Safe Stopping Sight Distance design speed, he considered that a longer stopping distance was required for new infrastructure, particularly with the down-hill grade and anticipated traffic volume;
 - b) Traffic turning right in or out of the Southmall access would need to move across two or more lanes. Auckland Transport have not precluded the right turn out as part of its design;
 - c) The new intersection creates a cross-roads with the new access to properties on the south side, generating the potential for vehicles travelling in each direction across the lanes of traffic;
 - d) He supported a signalised intersection as this would mitigate both the sight distance and turning-through-queues hazards introduced or exacerbated by the Project;

⁷⁷ Parlane SoE at [3.11]

⁷⁸ Devine submissions at [3.13b]

- e) Whilst the relatively close spacing between intersections was not ideal, he considered that the new signalised intersection could be made to operate satisfactorily with the existing one at Great South Road.
165. Auckland Transport's closing submissions stated that its experts "*cannot support the alternative design proposed by Mr Parlane*" for reasons which we summarise being:
- a) reduced arterial efficiency, as the all-movements intersection will be more complex to integrate with the Great South Road signals;
 - b) reduced bus lane efficiency, as the signalised intersection would "likely" need both lanes for west-bound general traffic, preventing a bus lane which is a fundamental objective of the Project;
 - c) they disagreed that the intersection required signalisation to mitigate short sight distances; and
 - d) the pedestrian crossing provided for by the signalised intersection is not needed.

Discussion and findings

166. The proposals for an upgraded rail bridge and Alfriston intersection are arterial projects tasked with achieving the Project Objectives we have set out above at paragraph [23], amongst them connectivity, safety, efficiency, improving travel choice and integrating with and supporting existing development. While arterial roads have as their prime function the efficient transport movements, where they pass through centres of activity such as Southmall they must also provide efficiently and safely for access to the land use within those centres. As a consequence, there will necessarily be a trade-off between the various Project Objectives we have recognised.
167. Auckland Transport made a significant contribution to achieving the Project Objectives with the southward shift of the bridge allowing a reduction in the extent of designation on the retail complex at 11 Weymouth Road to the west of the NIMT and to the McDonalds site as depicted in Appendix E. We find in favour of that designation boundary amendment.
168. We have considered the intersection alternatives proffered by Auckland Transport and NTC. The former emphasises the efficient functioning of the South FTN arterial network. The Auckland Transport case was that its option was superior in terms of arterial efficiency including the use of the arterial for buses, although we note that the bus lane shortcomings of the NTC alternative referred to in the closing submissions were tentative, not supported in evidence, and a probable matter for final design.

169. The NTC alternative had a greater focus on maintaining safe and convenient access to the site, but nevertheless providing for improved arterial function. The Weymouth Road access is an important access to the Southmall site, currently operating as an all-movements access. Irrespective of the future of the rail bridge access to Selwyn Road, we consider that the loss of the all-movement access at Weymouth Road is significant. More importantly, we find that the signalised intersection at Weymouth Road addresses safety concerns in relation to right turning movements, additional movements to and from the new 'fourth leg' of the intersection and potentially sight distances to the west. On the latter point, the evidence was not conclusive, however we choose to err on the precautionary side, as recommended by Mr Edwards. On the matter of whether a pedestrian crossing is provided as part of this intersection, we tend to agree with Auckland Transport that this should not be provided, with a more useful location being on the western side of the NIMT.
170. Auckland Transport emphasised that the designation boundaries, as amended, could provide in the future for either a prioritised or signalised intersection. For other sections of the NoRs considered in this recommendation we have left such design options for the future and final design as Auckland Transport suggest. However, in this case we consider that the transport effects of the project should be addressed now. Auckland Transport submitted that "*the need for a right-out turn is not an effect associated with the Project*". We find that the loss of the right-out turn is a probable adverse effect of the project and one directly associated with the Auckland Transport design option.
171. We find that a signalised design option should be depicted in Schedule 1 of the South FTN conditions for NoR3 based on Figures 2 and 3 of Mr Parlane's summary statement (without pedestrian crossings over Weymouth Road) as the Concept Plan at a clear scale, and that a consequential amendment is to be made to the proposed access condition.
172. McDonalds – The designation boundary as lodged included all of the McDonalds site, which the company had submitted in opposition to. As noted, the southern bridge alignment allowed the designation to be removed from the site. Mr Parkinson for McDonald's confirmed to the hearing that the revised NoR 3 boundary is a significantly improved alignment and should be preferred to the originally notified alignment.⁷⁹
173. Ms Evitt advised in the closing submissions that Auckland Transport had met again with McDonald's representatives and that McDonalds concerns about property access from Great South Road have been addressed and that this will be retained, and that boundary treatments will be addressed at final design through the ULDMP and PWA, if necessary.

⁷⁹ Parkinson summary SoE 31/5/24 at [5]

exemptions from the s.176 requirements for a wide range of network utility and Auckland Council parks activities.

- c) Section 185 orders from the Environment Court for land acquisition.
- d) Early acquisition – we have noted the potential for early acquisition according to procedures addressed by Mr van der Ham for several submitters;
- e) The LIP condition 3 providing for the integration of land development and Project works during the period between confirmation of the designation and construction;
- f) The Outline Plan (RMA s.176A) and its composite Management Plans, plus the Stakeholder Communication and Engagement Management Plan, are initiated only when the Project is implemented which, for a 20 year lapse period, could be many years in the future. These plans do little to mitigate uncertainty about the effects of the Project in the interim. However, for all property owners they address a full range of potential effects on the local environment.

555. Our finding on the lapse period is to recommend the lapse periods as sought by Auckland Transport for all NoRs.

RELEVANT PROVISIONS IN THE POLICY AND PLANNING DOCUMENTS

556. Section 171(1)(a) requires that we consider the environmental effects of allowing the activity, having particular regard to the various statutory planning documents within the national, regional and local hierarchy. In other words, the environmental effects were to be assessed against the environment envisaged by those planning documents and the environmental outcomes sought by the relevant objectives and policies for the land through which the routes are to pass.

557. Both the Auckland Transport evidence from Mr Scrafton and the Hearing Reports, prepared respectively for each of the NoRs by Ms LaNauze and Ms Cleary, contained a comprehensive review of the framework established by these documents including the statutory provisions as they relate to various parts of the routes.^{240, 241}

558. In terms of the national level documents, we were referred to:

- The New Zealand Coastal Policy Statement (NZCPS);
- The National Policy Statement for Electricity Transmission 2008;
- The National Policy Statement for Freshwater Management 2020;
- The National Policy Statement on Urban Development 2020;
- The National Policy Statement for Highly Productive Land 2023; and
- The National Policy Statement for Indigenous Biodiversity 2023.

²⁴⁰ Mr Scrafton SoE at [34.3] referred to Section 12.1 of the TLC Project AEE and Section 11.1 of the South FTN Project AEE

²⁴¹ LaNauze s42A at [122 - 128] and Cleary s42A at [232 - 242]

559. We note that there were some differences between what was recognised as being relevant between the authors, which may have derived from the operative date of the more recent NPSs. In this regard we note that the NPS for Highly Productive Land 2023 was assessed by Ms Cleary and concluded as not being relevant to the analysis as no land within the South FTN Project area fell within the definition of highly productive land. From the applicable zonings we conclude that this conclusion would apply to the TLC Project Area as well. Further, in relation to the NZCPS, while some parts of the South FTN fell within the intertidal zone, the effects of the Project on the coastal marine area were considered to be negligible by Ms Cleary.
560. At the regional and local level, the relevant section of each AEE as referred to by Mr Scrafton, contained a table collating relevant provisions that addressed the various policy and planning themes for the project. Ms LaNauze and Ms Cleary had reviewed the Auckland Transport analysis, recognising the various provisions within the Auckland RPS, overlay, Auckland-wide and zone chapters and provided general agreement with the Auckland Transport findings. This agreement in each case referred to the various findings of the Council specialists in relation to effects on the environment.
561. Notwithstanding general agreement with Auckland Transport's findings, each Council planning review identified some plan provisions for which Auckland Transport's analysis was either missing or deficient. Mr Scrafton responded to these comments in his evidence observing that to the extent that some parts of the Auckland Unitary Plan were not assessed, such as the provisions of specific zones through which the designations passed, he considered that the outcomes sought were generally assessed within his thematic approach and the higher level documents, and through the application of Chapter E26 Infrastructure.²⁴² He also considered that some of the provisions referred to were for regional consenting processes, yet to come. We note that the matters appeared to be resolved as no further comment was made in the Councils' closing statements.
562. In summary, there was a high level of agreement amongst the above planners as to the relevant provisions and the extent to which the Project had particular regard to these provisions. Based on his overall summary of the assessment of effects, Mr Scrafton concluded that appropriate regard has been had to the statutory policy framework in considering and selecting the preferred alignments, identifying actual and potential positive and adverse effects, and developing methods to avoid, remedy and mitigate adverse effects, all of which was consistent with the purpose of the RMA as contained in Part 2.²⁴³
563. The expert planning evidence from the submitters tended to focus on the environmental effects of the project, inadequacies in assessing alternatives and the extent of the designation as opposed to mounting any structured analysis of the relevant planning

²⁴² Scrafton SoE at [34.8]

²⁴³ Scrafton SoE at [36]

provisions that demonstrated that the Projects had not met the statutory tests. The two exceptions are as follows.

564. Mr Roberts concluded, with reference to the NPS-UD and relevant provisions of the AUP RPS, that a less extensive designation over the Silverfin site would be more consistent with the statutory framework. We note that Auckland Transport and Silverfin were working together to agree on a reduced designation boundary
565. Mr Norwell similarly related amendments to the designation boundary and alternative access arrangements for NTC at Southmall to better achieving the provisions of the NPS-UD, AUP RPS and the Business-Town Centre Zone. As discussed above on the Weymouth Road Rail Bridge/Alfriston Road Intersection matter, Auckland Transport has proposed a more southerly alignment for the road upgrade. We have also found in favour of a signalised intersection at Weymouth Road. To the extent recognised in our recommendations we agree with the opinions of Messrs Roberts and Norwell.
566. Overall, we find that the conditions attached to the recommendation address the concerns raised in the submitter evidence about the consistency of the Projects with the relevant provisions.

PART 2 OF THE ACT

567. Consideration of section 171 is subject to Part 2 which, as advised by Ms Evitt, is a residual discretion for us to exercise. However, Part 2 cannot be used to produce outcomes that subvert the clear intent of directive provisions in plans and planning documents.²⁴⁴ We have noted Mr Scrafton's conclusions above, which referred to Part 2. From our review on the statutory analysis, we agree that the Projects are consistent with the clear intent of the provisions of the relevant plans and policy statements. Furthermore, the outcome of the assessment is also consistent with the RMA's overall objective of sustainable management. As Ms Evitt concluded:²⁴⁵

The Projects will enable people and communities to provide for their social, economic and cultural wellbeing. The key purpose of the Projects is to provide critical and safe transport infrastructure upgrades to an existing network that is already experiencing significant constraints. These upgrades will therefore provide the community with a safe and reliable transport network that will better enable sustainable travel choice and access to social amenities.

568. With reference to the matters in sections 6, 7 and 8, not all matters are relevant to the Projects (for example the routes do not pass through any outstanding natural landscapes). Our summary of how the Project fares against the relevant clauses of sections 6, 7 and 8 is as follows:

²⁴⁴ *Royal Forest and Bird Protection Society v New Zealand Transport Agency* [2024] NZSC 26 at [119]

²⁴⁵ Evitt closing submissions at [25.6]

- a) The Requiring Authority engaged with mana whenua throughout the development of the route alignments, committing to partnership principles and developing and including proposed conditions that address resources and issues of concern to and recognising the kaitiakitanga of mana whenua (sections 6(e), 7(a), 7(aa) and 8);
- b) Adverse effects on natural character values have been largely avoided or can be appropriately mitigated (sections 6(a), 6(c) and 7(d));
- c) Adverse effects on historic heritage have similarly been avoided and minimised, with detailed conditions applying to the implementation of works in the future (section 6(f));
- d) The matters in (b) and (c) above, as well as the proposed alignment and concept design for the NoRs, which has resulted from a rigorous alternatives assessment, will contribute to future amenity and the quality of the environment (sections 7(b), 7(c) and 7 (f));
- e) The proposed conditions of consent establish a timely and robust framework for managing property and social effects during the period between confirmation of the designations and construction, and then during the construction period (sections 7(c) and 7 (f));
- f) Flood hazards will be appropriately managed during construction and during future urban occupation (section 6(h));
- g) The effects of climate change have been responded to by the Projects providing resilience to flooding (taking into account climate change); the provision for street tree planting that, when delivered, will contribute to reducing urban heat island effects; and contributing positively towards reducing greenhouse gas emissions by providing modal choice, improved reliability for public transport and active transport facilities (section 7(i)).

569. In summary, we agree with Requiring Authority and the Council Hearing Reports that the Projects are consistent with Part 2.

MODIFICATIONS AND CONDITIONS

570. Both Ms Cleary and Ms LaNauze provided a comprehensive review of their respective specialist advisers of Auckland Transport's condition set. We list our modifications and amendments to conditions as recorded in our findings and having considered the advice from the reporting planners in this recommendation as follows:

- (a) the designation boundary for TLC NoR1 is to cover the whole of the Burger King site at Taka Street;
- (b) a signalised design option is to be depicted in Schedule 1 of the South FTN conditions for NoR3 based on Figure 3 of Mr Parlane's summary statement

(without pedestrian crossings passing north-south over Weymouth Road) as the Concept Plan at a clear scale, and that a consequential amendment is to be made to the proposed access condition as follows:

The Outline Plan shall demonstrate how vehicular access will be reinstated from Weymouth Road to the Southmall site at 185 Great South Road, Manurewa. This shall include provision for ~~a left-in, left-out, and right-in~~ a signal-controlled intersection for all traffic movements, unless otherwise agreed with the landowner.

- (c) Amendments to the ULDMP and CTMP conditions in relation to parking matters as follows for the TLC Project NoRs:

Urban and Landscape Design Management Plan

off-street parking required to be reinstated, where able, to meet operational and resource consenting requirements in consultation with landowners/occupiers

on-street parking required to be reinstated, where appropriate, taking into account adjacent land uses, safety, and operational requirements.

Construction Traffic Management Plan

methods to manage parking related to construction activities (including construction workers) to mitigate effects on the safe and efficient operation of surrounding roads;

identification of alternative parking where on-site parking is reduced by construction;

- (d) Amendments to the pre-construction lizard survey condition as follows:

Pre-Construction Lizard Survey

- a) *At the start of detailed design for a Stage of Work, ~~an updated survey of native lizards and their habitat in the locations shown in Schedule 2: Identified Native Lizard Habitat Areas~~ a visual assessment of potential lizard habitats within the Stage of Work area shall be undertaken by a Suitably Qualified Person. The purpose of the lizard habitat assessment is to ~~inform~~ identify potential lizard habitats where pre-construction lizard surveys shall be undertaken. ~~management by:~~*
- b) *Lizard surveys shall be undertaken at the locations of potential lizard habitat to inform lizard management by:*
- (i) *Confirming ~~whether the~~ where native lizards of value are present within ~~the locations shown in Schedule 2 are still present;~~ and*

16 December 2024

Joy LaNauze
Senior Policy Planner
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Auckland Council
Private Bag 92300
Victoria Street West
Auckland 1142

cc: Craig Cairncross

Dear Joy

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

We refer to the recommendations of the Auckland Council Independent Hearing Commissioners in relation to the four Auckland Transport Notices of Requirement that comprise part of the South Frequent Transit Network Project:

- NoR 1 – South Frequent Transit Network – Great South Road FTN Upgrade
- NoR 2 – South Frequent Transit Network – Great South Road Upgrade (Drury Section)
- NoR 3 – South Frequent Transit Network – Takaanini FTN – Weymouth, Alfriston and Great South Road Upgrades
- NoR 4 – South Frequent Transit Network – Takaanini FTN – Porchester and Popes Road Upgrades

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

Pursuant to Section 172 of the Resource Management Act 1991, Auckland Transport accepts in part the Commissioners' recommendations in relation to the Notices of Requirement other than the conditions specifically addressed in the table below. This decision has been made in consultation with relevant experts.

The table sets out:

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

Only those conditions that Auckland Transport has modified in response to the recommendations made by the Commissioners are outlined in the table below. All other conditions are otherwise accepted as recommended by the Commissioners.

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



A schedule of amendments that have been made to the proposed designation boundaries since the Closing Legal Submissions is attached in **Appendix A**. These include adjustments that were presented to the Commissioners following Closing Legal Submissions.

Complete sets of designation conditions are **attached** to this letter as **Appendices B – E**. Note that the condition numbering in the clean sets has been updated for clarity, but are otherwise consistent with the table below.

Yours sincerely

A handwritten signature in black ink, which appears to read 'Jane Small'. The signature is written in a cursive style with a large initial 'J' and a long, sweeping tail.

Jane Small

Group Manager, Property and Planning

Modifications made by Auckland Transport to conditions recommended by the Hearing Commissioners for the South Frequent Transit Network NoRs 1 – 4

Designation	Condition number	Modifications made by Auckland Transport to conditions recommended by the Hearing Commissioners (additions to conditions are in bold and underlined and rejections are in bold and strikethrough)	Reason for modifications
2 and 4	9	<p>Outline Plan</p> <p>...</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> <p>...</p> <p>(x) Open Space Management Plan</p>	<p>Reject addition of 9(c)(x) to NoRs 2 and 4 – Auckland Transport considers that there is no effects-based justification for the inclusion of open spaces within NoRs 2 and 4 to Schedule 3 (see below). Accordingly, the Open Space Management Plan should only be included as part of the Outline Plan requirements for NoRs 1 and 3, and not on NoRs 2 and 4.</p>
All	11	<p>Stakeholder Communication and Engagement Management Plan</p> <p>(a) A SCEMP shall be prepared in consultation with relevant Stakeholders prior to the Start of Construction. The objectives of the SCEMP are is to identify how the public and Stakeholders will be engaged with throughout the Construction Works.</p> <p>(i) Ensure proactive communication and engagement with the public and all Stakeholders by identifying how the public and Stakeholders will be engaged with and kept informed about the intended timing and method of construction throughout the Construction Works; and</p> <p>(ii) Ensure that the Project provides the opportunity for all Stakeholders to provide input into detailed design process and responds effectively to feedback and complaints through the management plan process (Condition 10).</p> <p>(b) To achieve the objective, the SCEMP shall include:</p> <p>(iii) a list of Stakeholders;</p> <p>(iv) the contact details for the Project Liaison Person. These details shall be on the project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s);</p> <p>(v) methods and timing to engage with owners and occupiers whose access is directly affected;</p> <p>(vi) 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</p> <p>(vii) linkages and cross-references to communication and engagement methods set out in other conditions and management plans where relevant.</p> <p>(viii) A record of the engagement with the parties identified in (b)(i) above including summaries of feedback, and the requiring authority's response to feedback; and</p> <p>(ix) A record of any outcomes and actions undertaken in response to feedback, including changes to the detailed design.</p> <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>Reject amendment to 11(a) and addition of 11(a)(i) - 11(a)(ii) – The Commissioners recommend changing the objective of the SCEMP to include multiple elements adding a reference to ensuring proactive engagement, ensuring a process for all stakeholders to provide input into detailed design and a response process for complaints received. While Auckland Transport acknowledges the intent of these changes, it rejects this recommendation because:</p> <ul style="list-style-type: none"> The SCEMP objective as drafted already requires an engagement framework to be proactively developed in consultation with relevant Stakeholders. This approach allows for an engagement approach to be developed that is appropriate for each specific community in question. The Urban and Landscape Design Management Plan (ULDMP) already provides for the involvement of relevant stakeholders in the detailed design process. The existing condition set already includes management plan requirements to ensure stakeholder feedback is incorporated where possible and that complaints are addressed as discussed further below¹. <p>Reject addition of 11(b)(viii)-(ix) - The Commissioners recommend including requirements for Auckland Transport to maintain a record of engagement with parties, and the outcomes of this engagement. Auckland Transport rejects this addition because Condition 10 already requires that a summary of stakeholder feedback is submitted with its relevant management plan, alongside an explanation if feedback has not been implemented. Further, Condition 21 requires a record of complaints received about construction works to be kept, including measures on how complaints were addressed.</p>
All	15	<p>Urban and Landscape Design Management Plan</p> <p>(a) A ULDMP shall be prepared prior to the Start of Construction start of detailed design for a Stage of Work. The objective of the ULDMP(s) is to:</p> <p>...</p>	<p>Reject amendment to clause 15(a) – The Commissioners recommend amending the timeframe for preparing the ULDMP to the start of detailed design instead of the Start of Construction. Auckland Transport rejects this amendment because the ULDMP is part of the process of detailed design and is informed by engagement with Manawhenua and relevant stakeholders, which occurs six months prior to the start of that process.²</p> <p>In any event, the ULDMP must be provided as part of the Outline Plan of Works required to authorise construction as per Condition 8. Therefore, due to the combined condition requirements, the ULDMP is likely to be developed well in advance of start of construction.</p>

¹ Scafton Primary Evidence at [35.30].

² Scafton Primary Evidence at [22.6].

Designation	Condition number	Modifications made by Auckland Transport to conditions recommended by the Hearing Commissioners (additions to conditions are in bold and underlined and rejections are in bold and strikethrough)	Reason for modifications
All	15A	<p>(a) To achieve the objective set out in Condition 15, the ULDMP(s) shall provide details of how the project:</p> <ul style="list-style-type: none"> (i) is designed to integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (e.g. centres and density of built form), community facilities and educational facilities natural environment, landscape character and open space zones; (ii) provides appropriate walking and cycling connectivity <u>to</u>, and interfaces with, existing or proposed adjacent land uses and, (including public transport infrastructure and walking and cycling facilities) connections; (iii) promotes Provides for direct, convenient and legible active mode connections and for inclusive access (where appropriate); (iv) promotes a sense of personal safety by aligning with best practice guidelines, such as: <ul style="list-style-type: none"> A. Crime Prevention Through Environmental Design (CPTED) principles; B. Safety in Design (SID) requirements; and C. Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures. (v) has responded to matters identified through the Land use Integration Process (Condition 3). <p>(b) The ULDMP shall be prepared in general accordance with:</p> <ul style="list-style-type: none"> (i) Auckland Transport's Urban Roads and Streets Design Guide or any subsequent updated version; (ii) New Zealand Transport Agency Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version; (iii) New Zealand Transport Agency Landscape Guidelines (2013) or any subsequent updated version; (iv) New Zealand Transport Agency P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version; and (v) Auckland's Urban Ngāhere (Forest) Strategy or any subsequent updated version and including and Local Board adopted Urban Ngāhere Action Plans; and (vi) Local Board adopted Greenway and/or Path Plans 	<p>Reject amendment to 15A(a)(i) – The Commissioners recommend amending 15A(a)(i) to include provision for community facilities and educational facilities, on the basis these are “nodal points” in active mode urban environments. Auckland Transport does not consider that it is necessary to specify community facilities and educational facilities, as they are inherently included as part of the urban environment which the clause already applies to.</p> <p>Reject amendment to 15A(a)(ii) – The Commissioners recommend the deletion of “walking and cycling connections” due to potentially unintentional repetition. Auckland Transport acknowledges the Commissioners' observation that the wording has “a perhaps unintended circularity”³, but does not agree with its deletion. The intent is that the ULDMP provides details on how walking and cycling connections provided as part of the Project are intended to connect with existing or planned walking and cycling facilities adjacent to/beyond the project extent. Auckland Transport's revised wording addresses this nuance and addresses the circularity of the drafting.</p> <p>Reject amendment to 15A(iii) – The Commissioners recommend an addition to 15A(iii) to ensure direct, inclusive access is provided for. Auckland Transport does not consider that the proposed amendment is needed, because the provision for directness, convenience, and legibility of active mode connections is addressed through the guidelines and standards that the ULDMP is required to be prepared in accordance with listed at (b)⁴. Moreover, the clause as originally drafted is intended to promote inclusive access, which is more encompassing than directness, convenience, or legibility⁵.</p> <p>Accept amendment to 15A(b)(i) – The Commissioners recommend the inclusion of “or any subsequent version” to ensure consistency with the wording of other guidance documents. Auckland Transport accepts the addition of “or any subsequent updated version” as this is consistent with other ULDMP references to guidance documents.</p> <p>Reject amendments to (b)(v) and addition of (b)(vi) – The Commissioners recommend that the Local Board Urban Ngāhere Plan should be referenced on the basis that it was drafted with the Papakura existing environment in mind. Auckland Transport considers that this addition is not necessary, as Local Board-scale plans will necessarily be consistent with/give effect to the regional strategy which is already specified in (v). It also considers the addition of Local Board-adopted Greenway and/or Path Plans is not necessary, as Auckland Transport's role in developing and giving effect to these plans is captured in business-as-usual engagement with Local Boards. In any event integration with, and connections to, proposed and existing local reserves and walking and cycling facilities will be covered by 15A(a)(i)-(ii).</p>
All	15B	<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; 	<p>Reject addition of 15B(c)(ix)(E) – The Commissioners recommend that provision for reinstatement of planting and signage be included for additional clarity. Auckland Transport considers that the addition of signage is not necessary as this is a non-exhaustive list, and on-site signage in many cases would be encompassed by “boundary features”.</p> <p>Amendment by Auckland Transport to 15B(d)(i)(D) and (E) – to avoid duplication, Auckland Transport has amended clauses d(i)(D) and (E) as follows:</p>

³ Recommendation at [498].

⁴ Linford Primary Evidence at [11.1].

⁵ Linford Primary Evidence at [9.13]-[9.14].

Designation	Condition number	Modifications made by Auckland Transport to conditions recommended by the Hearing Commissioners (additions to conditions are in bold and underlined and rejections are in bold and strikethrough)	Reason for modifications
		<ul style="list-style-type: none"> (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 28); 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. <p>E. Signage, including naming and directional signage-</p> <p>(d) The ULDMP shall also include the following planting and maintenance details:</p> <ul style="list-style-type: none"> (i) planting design details including: <ul style="list-style-type: none"> A. identification of existing trees and vegetation that will be retained with reference to the LMP and TMP. 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, Rriparian margins and open space zones; D. planting of stormwater wetlands; D. identification of vegetation to be retained and any planting requirements under the LMP (Condition 30) and TMP (Condition 31); E. integration of any planting required by conditions of any resource consents for the project; and F. re-instatement planting of construction and site compound areas as appropriate. 	<ul style="list-style-type: none"> (a) Removed the reference to "planting of stormwater wetlands" due to the existence of "planting" in (d)(i)(E); and (b) Removed the reference to "vegetation to be retained" in new (g)(iv)(D) as it duplicates the requirements in (d)(i)(A) and is therefore unnecessary.
1 and 3	16	<p>Open Space Management Plan (OSMP)</p> <ul style="list-style-type: none"> (a) An OSMP shall be prepared prior to the Start of Construction for a Stage of Work for the open spaces listed in <i>Schedule 3</i>. (b) Auckland Council Parks shall be invited to participate in the development of the OSMP at least six months prior to the start of detailed design for a Stage of Work. (c) The objectives of the OSMP are is to minimise as far as practicable adverse effects <u>of the Project on the values and functions on the recreation amenity</u> of the open spaces listed in <i>Schedule 3</i>. (d) To achieve the objective, the OSMP shall include details of: <ul style="list-style-type: none"> (i) how the ongoing operation of and access (including walking and cycling) to those open spaces during construction will be maintained in accordance with the CTMP (Condition 23); (ii) opportunities to coordinate the forward work programme for those open spaces where appropriate with Auckland Council Parks; (iii) measures to reasonably maintain the existing level of service of the affected open space; and (iv) how comments from Auckland Council Parks have been incorporated in the OSMP, and where comments have not been incorporated, the reasons why; and. <p>(v) Measures to mitigate the loss of community facilities, assets and open space based on stakeholder feedback during the SCEMP process, including, but not limited to, means for funding and implementing the mitigation. Mitigation that is not contingent on Construction Works being completed must be implemented by Auckland Transport prior to construction commencing.</p>	<p>Amendment by Auckland Transport to 16(c) - The Commissioners recommend amendments to 16(c) to require Auckland Transport to mitigate potential effects on both the values and functions of open space in the OSMP as opposed to just recreational amenity. Auckland Transport recognises the merit of including 'functions' in place of 'recreational amenity' on the basis that some open spaces affected by the Project have functions other than recreational amenity. Further, Auckland Transport accepts the Commissioners' grammatical change to "of the Project". Auckland Transport has amended 16(a) accordingly.</p> <p>Reject addition of 16(b)(v) - The Commissioners have recommended including a clause that requires measures to mitigate loss of community facilities, including a requirement to fund and implement such mitigations. Auckland Transport rejects this addition because requiring mitigation for the loss of community facilities and assets, based on stakeholder feedback, has the potential to go beyond the effects-based objective of the OSMP. It could also go beyond the scope of s108AA(1)(a) as a condition can only be imposed to mitigate effects directly connected to the Project. In any event, the latter part of the recommended condition requiring the OSMP to outline the means for funding of mitigation measures cannot be lawfully imposed. Under s108(2)(a), a condition cannot be imposed relating to financial contribution unless provided for in the relevant district plan, which is not the case in the AUP.</p>
3	14A	<p>Southmall Access</p> <p>The Outline Plan shall demonstrate how vehicular access will be reinstated from Weymouth Road to the Southmall site at 185 Great South Road, Manurewa. This shall include provision for a left-in, left-out, and right-in signal-controlled intersection for all traffic movements, unless otherwise agreed with the landowner. Consideration of intersection form shall include traffic signals as an option, and shall have regard to safety, bus lane operation, corridor efficiency, and provision of access to land south of Weymouth Road.</p>	<p>Reject changes to condition 14A, further amendments proposed by Auckland Transport – The Commissioners recommended that an all-movements signalised intersection to serve Southmall from Weymouth Road should be provided for as part of the Project, and that amendments should be made to</p>

Designation	Condition number	Modifications made by Auckland Transport to conditions recommended by the Hearing Commissioners (additions to conditions are in bold and underlined and rejections are in bold and strikethrough)	Reason for modifications
			Condition 14A and Schedule 1 to secure this outcome ⁶ . Auckland Transport does not consider that there is sufficient operational or design certainty at this stage of the Project design to specify the requirement for a signalised all-movements intersection in the Southmall access condition. Additional transport modelling undertaken on the signalised intersection form currently indicates significant traffic queues, and/or a need to remove the priority bus lanes to alleviate traffic queues, which would compromise the Project Objectives. Auckland Transport rejects the Commissioners' recommendation and reinstates the previous condition wording which referenced the turning movements that it is confident can be accommodated without significant adverse effects. To address the issues raised by the Commissioners, Auckland Transport has modified the condition to outline a range of considerations to inform the future design process for the intersection including signals, safety, bus lane operation, corridor efficiency, and property access issues on both sides of the road.
All	23	<p>Construction Traffic Management Plan (CTMP)</p> <p>(a) A CTMP shall be prepared prior to the Start of Construction for a Stage of Work. The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects.</p> <p>(b) To achieve this objective, the CTMP shall include:</p> <ul style="list-style-type: none"> (i) methods to manage the effects of temporary traffic management activities on traffic; (ii) measures to ensure the safety of all transport users; (iii) the estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic near Educational Facilities or to manage traffic congestion; (iv) site access routes and access points for heavy vehicles, the size and location of parking areas for plant, construction vehicles and the vehicles of workers and visitors; (v) identification of detour routes and other methods to ensure the safe management and maintenance of traffic flows, including public transport, pedestrians and cyclists; (vi) methods to maintain access to and within property and/or private roads where practicable, or to provide alternative arrangements when it will not be, including details of how access is managed for loading and unloading of goods. Engagement with landowners and occupiers whose access is directly affected shall be undertaken in accordance with condition 11(b)(viii); (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 2013) or any subsequent version.</p>	<p>Amendment by Auckland Transport to 23(b)(vi) – Auckland Transport noted in its closing legal submissions that submitter concerns regarding lack of consultation on CTMP matters has been resolved by an amendment to the CTMP condition to clarify that intent⁷. A subsequent memorandum⁸ clarified the amendments were intended to apply to both landowners and occupiers. These amendments appear to have been omitted from the Commissioners' recommendation, and Auckland Transport considers it appropriate they be included on each designation, and confirms this was the intention.</p>
All	27	<p>Schedule to a CNVMP</p> <p>(a) A Schedule to the CNVMP (Schedule) shall be prepared prior to the Start of the 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 24, except where the exceedance of the LAeq criteria is no greater than 5 decibels and does not exceed: <ul style="list-style-type: none"> A. 0630 – 2000: 2 periods of up to 2 consecutive weeks in any 2 months, or B. 2000 - 0630: 1 period of up to 2 consecutive nights in any 10 days. (ii) construction vibration is either predicted or measured to exceed the Category B standard at the receivers in Condition 25. <p>....</p>	<p>Amendment by Auckland Transport to 27(a) – Auckland Transport amends (a) to provide additional clarity.</p>

⁶ Recommendation, at [168]-[171].

⁷ Closing Legal Submissions at [8.27].

⁸ Memorandum of Counsel on behalf of Auckland Transport regarding post-hearing updates, dated 30 September 2024 at [4.1]-[4.4].

Designation	Condition number	Modifications made by Auckland Transport to conditions recommended by the Hearing Commissioners (additions to conditions are in bold and underlined and rejections are in bold and strikethrough)	Reason for modifications									
All	28	<p>Historic Heritage Management Plan (HHMP)</p> <p>.....</p> <p>(e) Electronic copies of all historic heritage reports relating to historic heritage investigations (evaluation, excavation and monitoring), shall be submitted to the Manager within 12 months of completion.</p>	<p>Amendment by Auckland Transport to 28(b)(c) – Auckland Transport has deleted clause (c) because:</p> <ul style="list-style-type: none"> The actions to avoid, remedy and mitigate adverse effects on historic heritage are set out in the HHMP inclusions in 28(b). The HHMP will also be submitted through the Outline Plan process; Monitoring and reporting actions are inherent in 28(b). It is not necessary to then condition a subsequent administrative process. This deletion is also consistent with other management plan conditions (ie the TMP, CNVMP and EMP) which include monitoring and reporting actions, but do not condition a substantive administrative process. 									
1, 2 and 3	29	<p>Pre-Construction Lizard Survey</p> <p>(a) At the start of detailed design for a Stage of Work, a visual assessment of potential lizard habitats within the Stage of Work area shall be undertaken by a Suitably Qualified Person, an updated survey of native lizards and their habitat in the locations shown in Schedule 5: Identified Native Lizard Habitat Areas shall be undertaken by a Suitably Qualified Person. The purpose of the <u>survey lizard habitat assessment is to identify potential lizard habitats where pre-construction lizard surveys shall be undertaken is to inform lizard management by</u></p> <p>(b) Lizard surveys shall be undertaken at the locations of potential lizard habitat to inform lizard management by:-</p> <p>(i) confirming whether the native lizards of value are present within the locations shown in Schedule 5 are still present; and</p> <p>(ii) confirming whether the project will or may have a moderate or greater level of ecological effect on native lizards of value in those locations, prior to implementation of impact management measures, as determined in accordance with the EIANZ guidelines.</p> <p>(c) If the survey confirms the presence of native lizards of value in accordance with condition 29(a)(i) and that effects are likely in accordance with condition 29(a)(ii) then a Lizard Management Plan (or Plans) shall be prepared in accordance with Condition 30 for these areas (Confirmed Lizard Management Plan Areas).</p>	<p>Reject amendments to 29 – The Commissioners recommend the inclusion of a preliminary visual assessment of potential lizard habitats across all FTN designations on the basis that the environment (and known lizard locations) may change over time. Auckland Transport rejects this change.</p> <p>Auckland Transport provided extensive expert evidence demonstrating that it is not necessary to provide for a preliminary visual assessment of potential lizard habitats. As explained by Ms Davies, the existing environment is highly urbanised and is anticipated to remain urban in the future.⁹ It is unlikely that ecological values and the level of effect will improve in the future and thus require a preliminary visual assessment for potential lizard habitat. Further, future regional consenting requirements and Wildlife Act compliance will mitigate any risks to native lizards that may move or inhabit different habitats in the future.¹⁰</p>									
All	31	<p>Tree Management Plan (TMP)</p> <p>(a) Prior to the Start of Construction for a Stage of Work, a TMP shall be prepared. The objective of the TMP is to avoid, remedy or mitigate effects of construction activities on trees identified in Schedule 6.</p> <p>(b) To achieve the objective, the TMP shall:</p> <p>(i) confirm that the trees listed in Schedule 5 still exist; and</p> <p>(ii) demonstrate how the design and location of project works has avoided, remedied or mitigated any effects on any tree listed in Schedule 5. This may include:</p> <p>A. planting to replace trees that require removal (with reference to the ULDMP planting design details in Condition 15);</p> <p>B. tree protection zones and tree protection measures such as protective fencing, ground protection and physical protection of roots, trunks and branches; and</p> <p>C. methods for work within the rootzone of trees that are to be retained in line with accepted arboricultural standards.</p> <p>demonstrate how the tree management measures (outlined in A – C above) are consistent with any relevant conditions of resource consents granted for the project.</p>	<p>Deletion of 31(b)(iii) by Auckland Transport: Auckland Transport deletes 31(b)(iii), because a reference to unknown resource consent conditions is not required.</p>									
All	Schedule 3	<p>Schedule 3: Open spaces to be included in the Open Space Management Plan</p> <p>NoR 1</p> <table border="1"> <thead> <tr> <th>Open Space Name</th> <th>Address</th> <th>Legal description</th> </tr> </thead> <tbody> <tr> <td>Anderson Park</td> <td>58R Great South Road Manurewa Auckland 2102</td> <td>Lot 8 DP 12984</td> </tr> <tr> <td>Central Park</td> <td>57R Wood Street, Papakura</td> <td>ALLOT 205 Sec 11 Village PAPA KURA</td> </tr> </tbody> </table>	Open Space Name	Address	Legal description	Anderson Park	58R Great South Road Manurewa Auckland 2102	Lot 8 DP 12984	Central Park	57R Wood Street, Papakura	ALLOT 205 Sec 11 Village PAPA KURA	<p>Reject additions to Schedule 3 – The Commissioners agreed with the Auckland Council specialists and recommended that all open spaces affected by the Project be included in Schedule 3¹¹. Auckland Transport considers that there is no effects-based justification for the addition of these open spaces to Schedule 3, as the extent and effect of the proposed works on their respective functions is minimal.¹² Specifically:</p> <ul style="list-style-type: none"> Central Park (57R Wood Street) is an informal recreation space with a number of community facilities, all of which are unaffected by the works,
Open Space Name	Address	Legal description										
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⁹ Davies Primary Evidence at [11.3](f).

¹⁰ At [11.3(g)].

¹¹ Recommendation, at [534].

¹² See South Frequent Transit Network Assessment of Effects on the Environment at 76.

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		<table border="1"> <tr> <td>Central Park Cenotaph</td> <td>278 Great South Road, Auckland 2110</td> <td>ALLOT 115 SEC 11 Village PAPA KURA</td> </tr> <tr> <td>Chisholm Corner</td> <td>312 Great South Road, Ōpaheke, Auckland 2113</td> <td>Lot 3 DP 148082</td> </tr> <tr> <td>Slippery Creek Reserve</td> <td>Road Reserve</td> <td>Road Reserve</td> </tr> </table> <p>NoR 2</p> <table border="1"> <thead> <tr> <th>Open Space Name</th> <th>Address</th> <th>Legal description</th> </tr> </thead> <tbody> <tr> <td>Karaka Reserve</td> <td>10R Karaka Road, Drury</td> <td>SEC 1 SO 65144</td> </tr> <tr> <td>Hingaia Esplanade Reserve</td> <td>279 Great South Road, Drury</td> <td>PT LOT 6 DP 77604</td> </tr> </tbody> </table> <p>NoR 3</p> <table border="1"> <thead> <tr> <th>Open Space Name</th> <th>Address</th> <th>Legal description</th> </tr> </thead> <tbody> <tr> <td>Tadmore Park</td> <td>238R Great South Road Manurewa Auckland 2102</td> <td>LOT 2 DP 49948, LOT 3 DP 49948</td> </tr> <tr> <td>Gallaher Park</td> <td>21R Alfriston Road Manurewa Auckland 2102</td> <td>LOT 4 DP 46314, LOT 5 DP 46314</td> </tr> <tr> <td>Index Place Reserve</td> <td>92R Alfriston Road Manurewa</td> <td>LOT 53 DP 349979</td> </tr> <tr> <td>Alfriston Park</td> <td>26R Saralee Drive Manurewa Auckland 2105</td> <td>LOT 76 DP 203181</td> </tr> </tbody> </table> <p>NoR 4</p> <table border="1"> <thead> <tr> <th>Open Space Name</th> <th>Address</th> <th>Legal description</th> </tr> </thead> <tbody> <tr> <td>Addison Reserve</td> <td>21 Airfield Road</td> <td>LOT 1029 DP 516537</td> </tr> </tbody> </table>	Central Park Cenotaph	278 Great South Road, Auckland 2110	ALLOT 115 SEC 11 Village PAPA KURA	Chisholm Corner	312 Great South Road, Ōpaheke, Auckland 2113	Lot 3 DP 148082	Slippery Creek Reserve	Road Reserve	Road Reserve	Open Space Name	Address	Legal description	Karaka Reserve	10R Karaka Road, Drury	SEC 1 SO 65144	Hingaia Esplanade Reserve	279 Great South Road, Drury	PT LOT 6 DP 77604	Open Space Name	Address	Legal description	Tadmore Park	238R Great South Road Manurewa Auckland 2102	LOT 2 DP 49948, LOT 3 DP 49948	Gallaher Park	21R Alfriston Road Manurewa Auckland 2102	LOT 4 DP 46314, LOT 5 DP 46314	Index Place Reserve	92R Alfriston Road Manurewa	LOT 53 DP 349979	Alfriston Park	26R Saralee Drive Manurewa Auckland 2105	LOT 76 DP 203181	Open Space Name	Address	Legal description	Addison Reserve	21 Airfield Road	LOT 1029 DP 516537	<p>which are almost entirely temporary and affect approx 1% of the space. Note the historic heritage extent of place within the park is affected and would be managed via the Historic Heritage Management Plan (HHMP) condition.</p> <ul style="list-style-type: none"> Slippery Creek Reserve is within the road reserve. It contains wastewater assets and is otherwise vacant. The works within the reserve are largely temporary, and works in proximity to wastewater assets will be managed via the Network Utility Management Plan (NUMP) condition. Karaka Reserve (10R Karaka Road) is vegetated/otherwise vacant. The works within the reserve are entirely temporary. Hingaia Esplanade reserve (279 Great South Road) – works within reserve are entirely temporary. Index Place Reserve (92R Alfriston Road) – functions as a stormwater dry detention basin, which would not be materially affected by the Project. Addison Reserve (21 Airfield Road) is vacant land under Transpower assets (pylon and electricity transmission lines). The impacts on this land are entirely temporary and affect approximately 1% of the reserve area. In any event, Auckland Transport has to seek landowner approval from Auckland Council Parks and Community Facilities as the responsible department, as well as the relevant Local Board prior to undertaking any works on these reserves.¹³
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¹³ Miln evidence, at [8.7].

Appendix D - Auckland Transport's Modifications to NoR 3 conditions



[#### – Council to allocate] Takaanini FTN – Weymouth, Alfriston and Great South Road Upgrades

Designation Number	[XXXX]
Requiring Authority	Auckland Transport
Location	Weymouth Road and Alfriston Road between Selwyn Road and Saralee Drive, and Great South Road between Halver Road and Myers Road.
Lapse Date	In accordance with section 184(1)(c) of the RMA, this designation shall lapse if not given effect to within 15 years from the date on which it is included in the AUP.

Purpose

To construct, operate and maintain upgrades to arterial transport corridors 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 Lizard Management Plan Areas	Areas recorded in the Identified Native Lizard Habitat Areas Schedule where the ecological values and effects have been confirmed through the lizard survey under Condition 32.
Construction Works	Activities undertaken to construct the project excluding Enabling Works.
Council	Auckland Council
CTMP	Construction Traffic Management Plan
Developer	Any legal entity that intends to master plan or develop land adjacent to the designation.
Development Agency	Public entities involved in development projects.
Educational Facility	Facility used for education to secondary level. Includes: (a) schools and outdoor education facilities; and (b) accommodation, administrative, cultural, religious, health, retail and communal facilities accessory to the above. Excludes: (a) care centres; and (b) tertiary education facilities.
EIANZ Guidelines	Ecological Impact Assessment: EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems, second edition, dated May 2018.
Enabling Works	Includes, but is not limited to, the following and similar activities: (a) geotechnical investigations (including trial embankments) (b) archaeological site investigations (c) formation of access for geotechnical investigations (d) establishment of site yards, site entrances and fencing (e) constructing and sealing site access roads (f) demolition or removal of buildings and structures (g) relocation of services; and (h) establishment of mitigation measures (such as erosion and sediment control measures, temporary noise walls, earth bunds and planting).
HHMP	Historic Heritage Management Plan
HNZPT	Heritage New Zealand Pouhere Taonga.
HNZPTA	Heritage New Zealand Pouhere Taonga Act 2014
Identified Native Lizard Habitat 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 on native lizards, prior to implementation of impact management measures, as determined in accordance with the EIANZ guidelines.
LMP	Lizard Management Plan
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: (a) Te Ākitai Waiohūa; (b) Ngai Tai ki Tāmaki; (c) Ngaati Te Ata Waiohūa;

	<p>(d) Ngaati Whanaunga;</p> <p>(e) Ngāti Tamaoho;</p> <p>(f) Ngāti Paoa Trust Board;</p> <p>(g) Te Ahiwaru Waiohua;</p> <p>(h) Ngāti Tamaterā; and</p> <p>(i) Ngāti Maru.</p> <p>Note: Other iwi not identified above may have an interest in the project and should be consulted</p>
Network Utility Operator	Has the same meaning as set out in section 166 of the RMA.
NIMP	Network Integration Management Plan
NUMP	Network Utilities Management Plan
NOR	Notice of Requirement
NZAA	New Zealand Archaeological Association
OSMP	Open Space 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: <i>Acoustics – Road-traffic noise – New and altered roads</i> .
Requiring Authority	Has the same meaning as section 166 of the RMA and, for this designation is Auckland Transport.
RMA	Resource Management Act 1991
SCEMP	Stakeholder Communication and Engagement Management Plan
Stakeholder	<p>Stakeholders to be identified in accordance with Condition 5, which may include as appropriate:</p> <p>(a) adjacent owners and occupiers;</p> <p>(b) adjacent business owners and operators;</p> <p>(c) central and local government bodies;</p> <p>(d) community groups;</p> <p>(e) developers;</p> <p>(f) development agencies;</p> <p>(g) educational facilities; and</p> <p>(h) Network Utility Operators.</p>
Stage of Work	Any physical works that require the development of an Outline Plan.
Start of Construction	The time when Construction Works (excluding Enabling Works) start.
Suitably Qualified Person	A person (or persons) who can provide sufficient evidence to demonstrate their suitability, experience and competence in the relevant field of expertise.
TMP	Tree Management Plan
ULDMP	Urban and Landscape Design Management Plan

General conditions

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

3.

Land Use Integration Process

- (a) The Requiring Authority shall set up a Land use Integration Process for the period between confirmation of the designation and the Start of Construction. The purpose of this process is to encourage and facilitate the integration of master planning and land use development activity on land directly affected or adjacent to the designation. To achieve this purpose:
 - (i) the Requiring Authority shall include the contact details of a nominated contact on the project website (or equivalent information source) required to be established by Condition (2)(b)(iii); and
 - (ii) the nominated contact shall be the main point of contact for a Developer or Development Agency wanting to work with the Requiring Authority to integrate their development plans or master planning with the designation.
- (b) At any time prior to the Start of Construction, the nominated contact will be available to engage with a Developer or Development Agency for the purpose of:
 - (i) responding to requests made to the Requiring Authority for information regarding design details that could assist with land use integration; and
 - (ii) receiving information from a Developer or Development Agency regarding master planning or land development details that could assist with land use integration.
- (c) Information requested or provided under Condition 3(b) above may include but not be limited to the following matters:
 - (i) design details including but not limited to:
 - A boundary treatment (e.g. the use of retaining walls or batter slopes);
 - B the horizontal and vertical alignment of the road (levels);
 - C potential locations for mid-block crossings;
 - D integration of stormwater infrastructure;
 - E traffic noise modelling contours; and
 - F outputs from flood modelling.
 - (ii) potential modifications to the extent of the designation in response to the information received through Condition 3(b)(ii);
 - (iii) a process for the Requiring Authority to undertake a technical review of or provide comments on any master planning or development proposal advanced by the Developer or Development Agency as it relates to integration with the project; and
 - (iv) details of how to apply for written consent from the Requiring Authority for any development proposal that relates to land that is within the designation under section 176(1)(b) of the RMA.
- (d) Where information is requested from the Requiring Authority and is available, the nominated contact shall provide the information unless there are reasonable grounds for not providing it.
- (e) The nominated contact shall maintain a record of the engagement between the Requiring Authority and Developers and Development Agencies for the period following the date in which this designation is included in the AUP through to the Start of Construction for a Stage of Work. The record shall include:
 - (i) 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
 - (ii) details of any requests to co-ordinate the forward work programme, where appropriate, with Development Agencies and Network Utility Operators.
- (f) The record shall be submitted to Council for information 10 working days prior to the Start of Construction for a Stage of Work

4.	<p>Early Childcare Centres</p> <p>(a) If the project is identified in a draft Regional Land Transport Plan that is released for public consultation, or funding is otherwise confirmed (whichever occurs first), the Requiring Authority shall begin engagement with the early childcare centres identified in Schedule 2 regarding the implementation of the Projects.</p> <p>(b) For clarity, if the early childcare centre no longer exists then this condition shall not apply.</p>
5.	<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> <ul style="list-style-type: none"> (i) a list of Stakeholders; (ii) a list of properties within the designation which the Requiring Authority does not own or have occupation rights to; and (iii) methods to engage with Stakeholders and the owners and occupiers of properties identified in (a)(i) – (ii) above. <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> <p>(c) The purpose of this identification and engagement design process is to inform future engagement processes during detailed design and construction phases for a Stage of Work.</p>
6.	<p>Designation Review</p> <p>The Requiring Authority shall within six months of Completion of Construction or as soon as otherwise practicable:</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>
7.	<p>Lapse</p> <p>In accordance with section 184(1)(c) of the RMA, this designation shall lapse if not given effect to within 15 years from the date on which it is included in the AUP.</p>
8.	<p>Network Utility Operators and Auckland Council (Section 176 Approval)</p> <p>(a) Prior to the start of Construction Works, Network Utility Operators with existing infrastructure and Auckland Council in relation to parks located within the designation will not require written consent under section 176 of the RMA for the following activities:</p> <ul style="list-style-type: none"> (i) operation, maintenance and repair works; (ii) minor renewal works to existing network utilities or parks necessary for the on-going provision or security of supply of network utility 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 works 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>9.</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) Network Integration Management Plan; (ii) Open Space Management Plan; (iii) Urban and Landscape Design Management Plan; (iv) Construction Environmental Management Plan; (v) Construction Traffic Management Plan; (vi) Construction Noise and Vibration Management Plan; (vii) Historic Heritage Management Plan; (viii) Lizard Management Plan; (ix) Tree Management Plan; and (x) Network Utilities Management Plan.
	<p>Flood Hazard</p> <p>For the purpose of Condition 10:</p> <p>(a) AEP – means Annual Exceedance Probability;</p> <p>(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;</p> <p>(c) Flood Prone Area – means a 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 10(a)(i)-(iv).</p> <p>(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> <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>

<p>10.</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 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 between the Pre-Project Development and Post-Project Development scenarios; (iv) no increase of Flood Hazard Class for the main access to authorised habitable dwellings existing at time the Outline Plan is submitted. The assessment shall be undertaken for the 1% AEP rainfall event and reference the hazard class in accordance with Schedule 3 to these conditions; and (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 and including 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 a specific location(s) through agreement with the relevant landowner, <p>confirmation shall be provided to the Manager that any necessary landowner and statutory approvals have been obtained for that alternative measure or varied outcome.</p>
<p>11.</p>	<p>Southmall Access</p> <p>The Outline Plan shall demonstrate how vehicular access will be reinstated from Weymouth Road to the Southmall site at 185 Great South Road, Manurewa. This shall include provision for left-in, left-out, and right-in traffic movements, unless otherwise agreed with the landowner. Consideration of intersection form shall include traffic signals as an option, and shall have regard to safety, bus lane operation, corridor efficiency, and provision of access to land south of Weymouth Road.</p>
<p>12.</p>	<p>Existing property access</p> <p>Prior to submission of the Outline Plan, consultation shall be undertaken with landowners and occupiers whose vehicle access to their property will be altered by the project. The Outline Plan shall demonstrate how safe reconfigured or alternate access will be provided, unless otherwise agreed with the affected landowner. This condition does not apply to business-zoned land.</p>

<p>13.</p>	<p>Existing business property access</p> <p>(a) Prior to submission of the Outline Plan, consultation shall be undertaken with landowners and occupiers whose vehicle access to their property will be altered by the project.</p> <p>(b) Where vehicle access to a property within business-zoned land will be altered by the project, the Outline Plan shall demonstrate how safe access will be provided that:</p> <p>(i) maintains and promotes the safe, effective, and efficient operation of the transport network;</p> <p>(ii) recognises the role and function of all accesses including for loading and unloading of goods to the site; and</p> <p>(iii) subject to achieving (i), also provides effective and efficient access to the site where practicable.</p> <p>(c) Where an alternative outcome has been agreed that does not comply with Condition 13(b), the Outline Plan shall provide details of the alternative outcome and how the safe, effective, and efficient operation of the transport network will be maintained.</p> <p>Advice note: Condition 13 does not affect Auckland Transport's ability to exercise its statutory Road Controlling Authority powers to modify traffic or parking controls.</p>
<p>14.</p>	<p>Management Plans</p> <p>(a) Any management plan shall:</p> <p>(i) be prepared and implemented in accordance with the relevant management plan condition;</p> <p>(ii) be prepared by a Suitably Qualified Person(s);</p> <p>(iii) include sufficient detail relating to the management of effects associated with the relevant activities and/or Stage of Work to which it relates.</p> <p>(iv) be submitted as part of an Outline Plan pursuant to section 176A of the RMA, with the exception of SCEMPs and CNVMP Schedules; and</p> <p>(v) once finalised, uploaded to the project website or equivalent virtual information source.</p> <p>(b) Any management plan developed in accordance with Condition 14 may:</p> <p>(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;</p> <p>(ii) except for material changes, be amended to reflect any changes in design, construction methods or management of effects without further process;</p> <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 SCEMPs are to be submitted to the Manager for information.</p>

15.

Stakeholder Communication and Engagement Management Plan (SCEMP)

- (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 the Construction Works.
- (b) To achieve the objective, the SCEMP shall include:
 - (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 and timing to engage with owners and occupiers whose access is directly affected;
 - (iv) 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
 - (v) 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>16.</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 ULDMP referred to in Condition 20, HHMP referred to in Condition 31 and the CMP referred to in Condition 25; 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; and</p> <p>(d) Conditions 16(a) and (b) above will cease to apply if:</p> <ul style="list-style-type: none"> (i) Mana Whenua have been invited to prepare a Cultural Advisory Report by a date at least six months prior to start of Construction Works; and (ii) Mana Whenua have not provided a Cultural Advisory Report within six months prior to start of Construction Works.
<p>17.</p>	<p>Network Integration Management Plan (NIMP)</p> <p>(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 road controlling authorities, a NIMP. The objective of the NIMP is to identify how the project will integrate with the planned transport network in the Takaanini growth area to achieve an effective, efficient and safe land transport system.</p> <p>(b) To achieve this objective, the NIMP shall include details of the:</p> <ul style="list-style-type: none"> (i) project implementation approach and any staging of the project, including both design, management and operational matters; and (ii) sequencing of the project with the planned transport network, including both design, management and operational matters.

18.

Mana Whenua Kaitiaki Forum

- (a) At least 12 months prior to the start of detailed design for a Stage of Work, the Requiring Authority shall invite Mana Whenua to establish a Mana Whenua Kaitiaki Forum. The objective of the Mana Whenua Kaitiaki Forum is to provide a forum for Mana Whenua to participate as partners in all phases of the project.
- (b) To achieve the objective, the Mana Whenua Kaitiaki Forum shall address (as a minimum) the following matters:
 - (i) how Mana Whenua will provide input into the design of the project. For example:
 - A how Mana Whenua values and narrative are incorporated through the form of the project and associated structures;
 - B how pou, art, sculptures, mahi toi or any other features located on land within or adjoining the project will be provided in a manner that represents the Māori history of the area and promotes a distinctiveness or sense of place;
 - (ii) how Mana Whenua will be engaged in the preparation of management plans and future consenting processes;
 - (iii) how mātauranga Māori and tikanga Māori will be recognised in all phases of the project;
 - (iv) where opportunities for Mana Whenua to participate in engagement with local communities, business associations, social institutions and community groups will be provided;
 - (v) where opportunities for Mana Whenua to support the physical, mental, social and economic wellbeing for iwi and the local community will be provided through the project. This could include:
 - A planting supplied through Mana Whenua and community based nurseries;
 - B local schools being involved in planting; and
 - C scholarships, cadetships and job creation.
 - (vi) the Requiring Authority shall provide reasonable resourcing, technical and administrative support for Mana Whenua including organising meetings at a local venue and the taking and dissemination of meeting minutes;
 - (vii) the frequency of meetings shall be agreed between the Requiring Authority and Mana Whenua; and
 - (viii) prior to the Start of Construction, the Requiring Authority shall produce a record of the Mana Whenua Kaitiaki Forum. The record of the Mana Whenua Kaitiaki Forum shall be provided to Mana Whenua and shall include (but not be limited to):
 - A details of how Mana Whenua have participated as partners in the project;
 - B details of how the matters set out in (b) will be incorporated into the project;
 - C how the objective of the Mana Whenua Kaitiaki Forum has been and will continue to be met; and
 - D details of how comments from Mana Whenua have been incorporated into the project and where not incorporated, the reasons why.
- (c) Mana Whenua shall be invited to identify and (if possible) nominate traditional names across the project such as for bridge structures. Noting there may be formal statutory processes outside the project required in any decision making.

	(d) The Mana Whenua Kaitiaki Forum shall continue to meet for at least six months following Completion of Construction or as agreed with Mana Whenua.
19.	<p>Open Space Management Plan (OSMP)</p> <p>(a) An OSMP shall be prepared prior to the Start of Construction for a Stage of Work for the open spaces listed in Schedule 4.</p> <p>(b) Auckland Council Parks shall be invited to participate in the development of the OSMP at least six months prior to the start of detailed design for a Stage of Work.</p> <p>(c) The objective of the OSMP is to minimise as far as practicable adverse effects of the project on the functions of the open spaces listed in Schedule 4.</p> <p>(d) To achieve the objective, the OSMP shall include details of:</p> <ul style="list-style-type: none"> (i) how the ongoing operation of and access (including walking and cycling) to those open spaces during construction will be maintained in accordance with the CTMP (Condition 26); (ii) opportunities to coordinate the forward work programme for those open spaces where appropriate with Auckland Council Parks; (iii) measures to reasonably maintain the existing level of service of the affected open space; and (iv) how comments from Auckland Council Parks have been incorporated in the OSMP, and where comments have not been incorporated, the reasons why.
	Urban and Landscape Design Management Plan (ULDMP)
20.	<p>(a) A ULDMP shall be prepared prior to the Start of Construction for a Stage of Work. The objective of the ULDMP(s) is to:</p> <ul style="list-style-type: none"> (i) enable integration of the project's permanent works into the surrounding landscape and urban context; and (ii) ensure that the project manages potential adverse landscape and visual effects as far as practicable and contributes to a quality urban environment. <p>(b) Mana Whenua shall be invited to participate in the development of the ULDMP(s) to provide input into relevant cultural landscape and design matters including how desired outcomes for management of potential effects on cultural sites, landscapes and values identified and discussed in accordance with the Cultural Advisory Report (Condition 16) and/or through the Mana Whenua Kaitiaki Forum (Condition 18) may be reflected in the ULDMP.</p> <p>(c) Relevant Stakeholders shall be invited to participate in the development of the ULDMP at least six months prior to the start of detailed design for a Stage of Work.</p>

<p>21.</p>	<p>(a) To achieve the objective set out in Condition 20, the ULDMP(s) shall provide details of how the project:</p> <ul style="list-style-type: none"> (i) is designed to integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (e.g. centres and density of built form), natural environment, landscape character and open space zones; (ii) provides appropriate walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses (including public transport and walking and cycling facilities); (iii) promotes inclusive access (where appropriate); (iv) promotes a sense of personal safety by aligning with best practice guidelines, such as: <ul style="list-style-type: none"> A Crime Prevention Through Environmental Design (CPTED) principles; B Safety in Design (SID) requirements; and C Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures. (v) has responded to matters identified through the Land use Integration Process (Condition 3); and <p>(b) The ULDMP shall be prepared in general accordance with:</p> <ul style="list-style-type: none"> (i) Auckland Transport's Urban Roads and Streets Design Guide or any subsequent updated version; (ii) New Zealand Transport Agency Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version; (iii) New Zealand Transport Agency Landscape Guidelines (2013) or any subsequent updated version; (iv) New Zealand Transport Agency P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version; and (v) Auckland's Urban Ngahere (Forest) Strategy or any subsequent updated version.
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22.

The ULDMP(s) shall include:

- (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:
 - (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 31); and
 - (ix) re-instatement of construction and site compound areas; and
 - (x) features disturbed during construction and intended to be reinstated such as:
 - A boundary features;
 - B driveways;
 - C accessways; and
 - D fences
- (d) The ULDMP shall also include the following planting and maintenance details:
 - (i) planting design details including:
 - A identification of existing trees and vegetation that will be retained with reference to the TMP and LMP. 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 LMP (Condition 33) and TMP (Condition 34);
 - E integration of any planting required by conditions of any resource consents for the project; and
 - F re-instatement planting of construction and site compound areas as appropriate.
 - (ii) a planting programme including the staging of planting in relation to the construction programme which shall, as far as practicable, include provision for planting within each planting season following completion of 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>23.</p>	<p>Construction Environmental Management Plan (CEMP)</p> <p>(a) A CEMP shall be prepared prior to the Start of Construction for a Stage of Work. The objective of the CEMP is to set out the management procedures and construction methods to be undertaken to, avoid, remedy or mitigate any adverse effects associated with Construction Works as far as practicable.</p> <p>(b) To achieve the objective, the CEMP shall include:</p> <ul style="list-style-type: none"> (i) the roles and responsibilities of staff and contractors; (ii) details of the site or project manager and the Project Liaison Person, including their contact details (phone and email address); (iii) the Construction Works programmes and the staging approach, and the proposed hours of work; (iv) details of the proposed construction yards including temporary screening when adjacent to residential 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>24.</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>25.</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 Works in areas identified as having significance to Mana Whenua; (ii) requirements and protocols for cultural inductions for contractors and subcontractors; (iii) identification of activities, sites and areas where cultural monitoring is required during particular Construction Works; (iv) identification of personnel to undertake cultural monitoring, including any geographic definition of their responsibilities; and (v) details of personnel to assist with management of any cultural effects identified during cultural monitoring, including implementation of the Accidental Discovery Protocol <p>(c) If Enabling Works involving soil disturbance are undertaken prior to the Start of Construction, 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: <i>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.</i></p>

26.

Construction Traffic Management Plan (CTMP)

- (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.
- (b) To achieve this objective, the CTMP shall include:
 - (i) methods to manage the effects of temporary traffic management activities on traffic;
 - (ii) measures to ensure the safety of all transport users;
 - (iii) the estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic near Educational Facilities or to manage traffic congestion;
 - (iv) site access routes and access points for heavy vehicles, the size and location of parking areas for plant, construction vehicles and the vehicles of workers and visitors;
 - (v) identification of detour routes and other methods to ensure the safe management and maintenance of traffic flows, including public transport, pedestrians and cyclists;
 - (vi) methods to maintain access to and within property and/or private roads where practicable, or to provide alternative arrangements when it will not be, including details of how access is managed for loading and unloading of goods. Engagement with landowners and occupiers whose access is directly affected shall be undertaken in accordance with Condition 15(b)(iii);
 - (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.
- (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 2013) or any subsequent version.

27.

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 27-1 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 27-1 is not practicable, the methodology in Condition 30 shall apply.

28.

Construction Vibration Standards

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

Table 28-1 Construction Vibration Standards

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

(b) Where compliance with the vibration standards set out in Table 28-1 is not practicable, the methodology in Condition 30 shall apply.

29.

Construction Noise and Vibration Management Plan (CNVMP)

- (a) A CNVMP shall be prepared by a Suitably Qualified and Experienced Person prior to the Start of Construction for a 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 27 and 28 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 27 and/or vibration standards Condition 28 Category B will not be practicable;
 - (xi) identification of trigger levels for undertaking building condition surveys, which shall be Category B day time levels;
 - (xii) procedures and trigger levels for undertaking building condition surveys before and after works to determine whether any cosmetic or structural damage has occurred as a result of construction vibration;
 - (xiii) methodology and programme of desktop and field audits and inspections to be undertaken to ensure that CNVMP, Schedules and the Best Practicable Option for management of effects are being implemented; and
 - (xiv) requirements for review and update of the CNVMP.

30.

Schedule to a CNVMP

- (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:
 - (i) construction noise is either predicted or measured to exceed the noise standards in Condition 27 except where the exceedance of the L_{Aeq} criteria is no greater than 5 decibels and does not exceed:
 - A 0630 – 2000: 2 periods of up to 2 consecutive weeks in any 2 months, or
 - B 2000 - 0630: 1 period of up to 2 consecutive nights in any 10 days.
 - (ii) construction vibration is either predicted or measured to exceed the Category B standard at the receivers in Condition 28.
- (b) The objective of the Schedule is to set out the Best Practicable Option measures to manage noise and/or vibration effects of the construction activity beyond those measures set out in the CNVMP.
- (c) To achieve the objective, the Schedule shall include details such as:
 - (i) construction activity location, start and finish dates;
 - (ii) the nearest neighbours to the construction activity;
 - (iii) the predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards and predicted duration of the exceedance;
 - (iv) for works proposed between 2000h and 0630h, the reasons why the proposed works must be undertaken during these hours and why they cannot be practicably undertaken during the daytime;
 - (v) the proposed mitigation options that have been selected, and the options that have been discounted as being impracticable and the reasons why;
 - (vi) the consultation undertaken with owners and occupiers of sites subject to the Schedule, and how consultation has and has not been taken into account; and
 - (vii) location, times and types of monitoring.
- (d) The Schedule shall be submitted to the Manager for Certification at least 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.
- (e) The CNVMP Schedule shall be deemed certified five working days from the submission of the CNVMP Schedule where no written confirmation of Certification has been received.
- (f) Where material changes are made to a Schedule required by this condition, the Requiring Authority shall consult the owners and/or occupiers of sites subject to the Schedule prior to submitting the amended Schedule to the Manager for Certification in accordance with (d) above. The amended Schedule shall document the consultation undertaken with those owners and occupiers, and how consultation outcomes have and have not been taken into account.

31.

Historic Heritage Management Plan (HHMP)

- (a) A HHMP shall be prepared in consultation with Council, HNZPT and Mana Whenua prior to the Start of Construction for a Stage of Work. The objective of the HHMP is to protect historic heritage and to remedy and mitigate any residual effects as far as practicable.
- (b) To achieve the objective, the HHMP shall identify:
 - (i) any adverse direct and indirect effects on historic heritage sites and measures to appropriately avoid, remedy or mitigate any such effects, including a tabulated summary of these effects and measures;
 - (ii) methods for the identification and assessment of potential historic heritage places within the designation to inform detailed design;
 - (iii) known historic heritage places and potential archaeological sites within the designation, including identifying any archaeological sites for which an Archaeological Authority under the HNZPTA will be sought or has been granted;
 - (iv) any unrecorded archaeological sites or post-1900 heritage sites within the designation, which shall also be documented and recorded;
 - (v) roles, responsibilities and contact details of project personnel, Council and HNZPT representatives, Mana Whenua representatives, and relevant agencies involved with heritage and archaeological matters including surveys, monitoring of Construction Works, compliance with AUP accidental discovery rule, and monitoring of conditions;
 - (vi) specific areas to be investigated, monitored and recorded to the extent these are directly affected by the project;
 - (vii) the proposed methodology for investigating and recording post-1900 historic heritage sites (including buildings) that need to be destroyed, demolished or relocated, including details of their condition, measures to mitigate any adverse effects and timeframe for implementing the proposed methodology, in accordance with the HNZPT Archaeological Guidelines Series No.1: Investigation and Recording of Buildings and Standing Structures (November 2018, or any subsequent version);
 - (viii) methods to acknowledge cultural values identified through the Mana Whenua Kaitiaki Forum (Condition 18) and CAR (Condition 16) 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 mitigation adverse effects on historic heritage places and sites within the designation during Construction Works as far as practicable. These methods shall include, but are not limited to:
 - A security fencing or hoardings around historic heritage places to protect them from damage during construction or unauthorised access;
 - B measures to mitigate adverse effects on historic heritage sites that achieve positive historic heritage outcomes such as increased public awareness and interpretation signage; and
 - C training requirements and inductions for contractors and subcontractors on historic heritage places within the designation, legal obligations relating to accidental and/or unexpected discoveries, 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 16 and Condition 18).

	<p><i>Accidental Discoveries</i></p> <p>Advice Note:</p> <p><i>The requirements for accidental discoveries of heritage items are set out in Rule E11.6.1 of the AUP</i></p>
<p>32.</p>	<p>Pre-Construction Lizard Survey</p> <p>(a) At the start of detailed design for a Stage of Work, an updated survey of native lizards and their habitat in the locations shown in Schedule 5 shall be undertaken by a Suitably Qualified Person. The purpose of the survey is to inform lizard management by:</p> <ul style="list-style-type: none"> (i) confirming whether the native lizards of value within the locations shown in Schedule 5 are still present; and (ii) confirming whether the project will or may have a moderate or greater level of ecological effect on native lizards of value in those locations, prior to implementation of impact management measures, as determined in accordance with the EIANZ guidelines. <p>(b) If the survey confirms the presence of native lizards of value in accordance with Condition 32(a)(i) and that effects are likely in accordance with Condition 32(a)(ii) then a Lizard Management Plan (or Plans) shall be prepared in accordance with Condition 33 for these areas (Confirmed Lizard Management Plan Areas).</p>
<p>33.</p>	<p>Lizard Management Plan (LMP)</p> <p>(a) A LMP shall be prepared for any Confirmed Lizard Management Plan Areas (in accordance with Condition 32) prior to the Start of Construction for a Stage of Work. The objective of the LMP is to minimise effects of the project on native lizards of value in Confirmed Lizard Management Plan Areas as far as practicable.</p> <p>(b) To achieve the objective, the LMP shall set out the methods which may include:</p> <ul style="list-style-type: none"> (i) a description of the methodology and timing for survey, trapping and relocation of native lizards rescued; (ii) a description of the relocation site(s), including: <ul style="list-style-type: none"> A any measures to ensure the relocation site is suitable protected and remains viable (e.g. covenants, consent notices etc.); B any measures to ensure the relocation site is suitably managed to ensure appropriate habitat for native lizards (e.g. provision of additional refugia, weed and pest management); and (iii) any proposed monitoring of relocation sites if necessary to evaluate translocation success. <p>(c) The LMP shall be consistent with any native lizard management measures to be undertaken in compliance with conditions of any regional resource consents granted for the project.</p> <p>Advice Note:</p> <p><i>Depending on the potential effects of the project, the regional consents for the project may include the following monitoring and management plans:</i></p> <ul style="list-style-type: none"> <i>(i) stream and/or wetland restoration plans;</i> <i>(ii) vegetation restoration plans; and</i> <i>(iii) fauna management plans (eg avifauna, bats).</i>

<p>34.</p>	<p>Tree Management Plan (TMP)</p> <p>(a) Prior to the Start of Construction for a Stage of Work, a TMP shall be prepared. The objective of the TMP is to avoid, remedy or mitigate effects of construction activities on trees identified in Schedule 6.</p> <p>(b) To achieve the objective, the TMP shall:</p> <ul style="list-style-type: none"> (i) confirm that the trees listed in Schedule 6 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 6. 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 22); 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>35.</p>	<p>Network Utilities 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 assets that are directly affected by the project.</p> <p>(d) The development of the NUMP shall consider opportunities to coordinate future work programmes with other Network Utility Operator(s) during detailed design where practicable.</p> <p>(e) The NUMP shall describe how any comments from the Network Utility Operator in relation to its assets have been addressed.</p> <p>(f) Any comments received from the Network Utility Operator shall be considered when finalising the NUMP.</p> <p>(g) Any amendments to the NUMP related to the assets of a Network Utility Operator shall be prepared in consultation with that asset owner.</p>
<p>Operational conditions</p>	
<p>36.</p>	<p>Low Noise Road Surface</p> <p>Asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented within 12 months of Completion of Construction of the project.</p>

<p>37.</p>	<p>Future Resurfacing Work</p> <p>(a) Any future resurfacing works of the project shall be undertaken in accordance with the Auckland Transport Reseal Guidelines, Asset Management and Systems 2013 or any updated version and asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented where:</p> <ul style="list-style-type: none"> (i) the volume of traffic exceeds 10,000 vehicles per day; or (ii) the road is subject to high wear and tear (such as cul de sac heads, roundabouts and main road intersections); or (iii) it is in an industrial or commercial area where there is a high concentration of truck traffic; or (iv) it is subject to high usage by pedestrians, such as town centres, hospitals, shopping centres and schools. <p>(b) Prior to commencing any future resurfacing works, the Requiring Authority shall advise the Manager if any of the triggers in Condition 37(a)(i) – (iv) are not met by the road or a section of it and therefore where the application of asphaltic concrete surfacing (or equivalent low noise road surface) is no longer required on the road or a section of it. Such advice shall also indicate when any resealing is to occur.</p>
	<p>Traffic Noise</p> <p>For the purposes of Conditions 38 to 49:</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 7: Identified PPFs Noise Criteria Categories; (f) Mitigation – has the same meaning as in NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads; (g) Noise Criteria Categories – means the groups of preference for sound levels established in accordance with NZS 6806 when determining the Best Practicable Option for noise mitigation (i.e. Categories A, B and C); (h) NZS 6806 – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads; (i) Protected Premises and Facilities (PPFs) – means only the premises and facilities identified in Schedule 7: PPFs Noise Criteria Categories; (j) Selected Mitigation Options – means the preferred mitigation option resulting from a Best Practicable Option assessment undertaken in accordance with NZS 6806 taking into account any low noise road surface to be implemented in accordance with Condition 36; and (k) Structural Mitigation – has the same meaning as in NZS 6806.

<p>38.</p>	<p>The Noise Criteria Categories identified in Schedule 7: PPFs Noise Criteria Categories at each of the PPFs shall be achieved where practicable and subject to Conditions 38 to 49 (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>
<p>39.</p>	<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 7 PPFs Noise Criteria Categories.</p> <p>For the avoidance of doubt, the low noise road surface implemented in accordance with Condition 36 may be (or be part of) the Selected Mitigation Option(s).</p>
<p>40.</p>	<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 7 PPFs Noise Criteria Categories, taking into account the Selected Mitigation Options.</p>
<p>41.</p>	<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>
<p>42.</p>	<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>
<p>43.</p>	<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>
<p>44.</p>	<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 three months of the date of the Requiring Authority's letter, the Requiring Authority shall instruct a Suitably Qualified Person to visit the building and assess the noise reduction performance of the existing building envelope.</p>

<p>45.</p>	<p>For each Category C Building identified, the Requiring Authority is deemed to have complied with Condition 44 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 three months of the date of the Requiring Authority's letter sent in accordance with Condition 44 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>
<p>46.</p>	<p>Subject to Condition 45 above, within six months of the assessment undertaken in accordance with Condition 44, 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 LAeq(24h) inside habitable spaces; and (b) the options available for Building-Modification Mitigation to the building, if required; and (c) that the owner has three months to decide whether to accept Building-Modification Mitigation to the building and to advise which option for Building-Modification Mitigation the owner prefers, if the Requiring Authority has advised that more than one option is available.
<p>47.</p>	<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>
<p>48.</p>	<p>Subject to Condition 45, where Building-Modification Mitigation is required, the Requiring Authority is deemed to have complied with Condition 47 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 45 (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>49.</p>	<p>The Detailed Mitigation Options shall be maintained so they retain their noise reduction performance as far as practicable.</p>

Attachments

Schedule 1: General accordance plans and information

Project Description

The proposed work is for the construction, operation, and maintenance of upgrades to Weymouth and Alfriston Roads between Selwyn Road and Saralee Drive; and to Great South Road between Halver Road and Myers Road. The proposed work is shown in the following Concept Plan and includes:

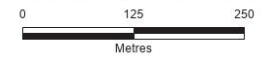
- a) Upgrades to Weymouth Road, Alfriston Road, and Great South Road to accommodate bus priority measures, general traffic lanes and walking and cycling facilities;
- b) Associated works including intersections, bridges, embankments, retaining walls, culverts, and stormwater management systems;
- c) Reconfiguration of local roads, where the proposed work intersects with local roads; and
- d) Construction activities including vegetation removal, establishment of construction areas and the regrading of driveways.

Concept Plan



LEGEND

 Designation Boundary



Attachment 4: A list of persons to be served with a copy of this notice.

Sub #	Submitter Name	Address for service
1	Rajnesh Jai Singh	builtrite.elect@outlook.com
2	Super Liquour Manuwera	machao19950221@163.com
3	Christopher Digby and Patricia Margaret Ward	chrisandtrishw@gmail.com
4	Kamal Vasudev Matta	kamal.matta7@gmail.com
5	Mohammed David Thalari	davidthalari@hotmail.com
6	Mayvan Holdings Ltd	bhupennz@gmail.com
7	Wassil Chiba	Wassilchiba@gmail.com
8	ChanLong Lim	chanlonglim666@gmail.com
9	Prem Chand and Savita Chand	savita.chand30@gmail.com
10	Awdisho Khamis and 30 Signatories	Awdi_khamis90@hotmail.com
11	George Khamis	George_khamis79@hotmail.com
12	Werner Andreas van Schalkwyk	vernvs@gmail.com
13	George Khamis amd 30 Signatories	George_khamis79@hotmail.com
14	Telecommunication Submitters	chris@incite.co.nz
15	McDonald's Restaurants NZ Limited	Francelle@greenwoodroche.com
16	Manurewa Business Association Incorporated	manager@manurewabusiness.co.nz
17	Southmall Manuwera	neil@southmall.co.nz
18	Pravin Umaria and Praveena Umaria	pravin.umaria@gmail.com
19	Harpartap Singh Kalra and Anjana Kalra	hpsinghkalra@gmail.com
20	Wai Ming CHAN	garyserahmission@gmail.com
21	Mahendran Rama	mrama171@gmail.com
22	Nitinkumar Patel	hnp@xtra.co.nz
23	Mahendra Kumar	Mahendrak@xtra.co.nz
24	Orient Pacific Trust Ltd	sepp.koch@gmx.de
25	Accessible Properties Limited	derek.mclachlan@duncancotterill.com
26	The National Trading Company of New Zealand	dallan@ellisgould.co.nz cwoodhouse@ellisgould.co.nz
27	Restaurant Brands Limited	kcai@bentley.co.nz; Craig@berrysimons.co.nz
28	Fire and Emergency New Zealand	geoff.purcell@fireandemergency.nz
29	Tibetan Residential Limited	pa@planningfocus.co.nz
30	TCK Wong Doo Trust	paul@friedlander.co.nz
31	KiwiRail Holdings Limited	environment@kiwirail.co.nz
32	A and M Self	manonguegan@hotmail.com
33	Kasthuriarachchige Marlon Perera	nzzmarlon@gmail.com
34	Auckland Council - Parks and Community Facilities	Anthony.Lewis@aucklandcouncil.govt.nz; allan.christensen@aucklandcouncil.govt.nz
35	Suhani Dass	suhani_das@hotmail.com
36	Te Tāhuhu o te Mātauranga Ministry of Education	emma.howie@woods.co.nz
37	Watercare Services Limited	mark.bishop@water.co.nz
38	Z Energy Limited	philip.brown@slrconsulting.com
39	Kāinga Ora Homes and Communities	developmentplanning@kaingaora.govt.nz
40	Nilkunt Trustee Company Limited	hemant@patelnand.co.nz