

TO Celia Davison, Manager Planning – Central/South

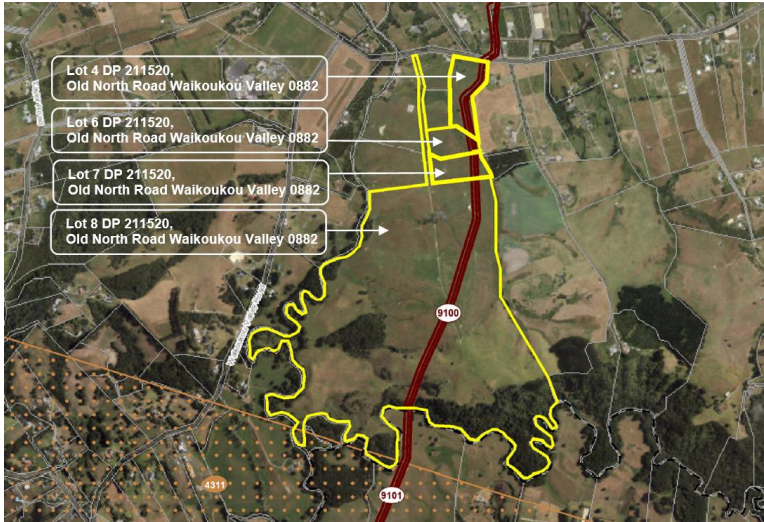
FROM Vanessa Leddra Policy Planner – Central/South

DATE 29 October 2025

SUBJECT **Update requested to the Auckland Unitary Plan
(Operative in Part 2016) (AUP)**

I request an update to the AUP as outlined below:

Reason for update	Partial removal of designation confirmed under s182
Chapter(s)	Chapter K Designations Firstgas Ltd
Designation only	
Designation # 9100	Taupaki to Kaukapakapa Gas Pipeline
Locations:	102 Amreins Road, Taupaki to Inland Road (near Kaipara Coast Highway), Kaukapakapa
Lapse Date	10 years from being operative in the Unitary Plan unless given effect to prior. i.e March 2027 In relation to the property identified as Lots 4, 6, 7 and 8 DP 211520 the lapse period shall be five years commencing from the date the designation is included in the Unitary Plan.
Purpose	Gas transmission pipeline
Changes to text (shown in underline and strikethrough)	Refer to Attachment C for text changes to existing designation. - Changing the stated location of Designation 9100: Remove Lots 4, 6, 7 and 8 DP211520 off <u>Old North Road, Waikoukou Valley</u> from the <i>Taupaki to Kaukapakapa Gas Pipeline</i> [102 Amreins Road, Taupaki to Inland Road (near Kaipara Coast Highway), Kaukapakapa] - Removing part of Condition 3 and the entirety of Condition 6.3A
Changes to diagrams	No changes required
Changes to spatial data	- Removing part of a Designation 9100 from four affected properties: - Lot 4 DP 211520, Old North Road Waikoukou Valley 0882 - Lot 6 DP 211520, Old North Road Waikoukou Valley 0882 - Lot 7 DP 211520, Old North Road Waikoukou Valley 0882 - Lot 8 DP 211520, Old North Road Waikoukou Valley 0882

	
Attachments	• Attachment A: s182 Partial Removal of Designation 9100 request from Firstgas Ltd • Attachment B: Report confirming partial removal of designation • Attachment C: Updated Firstgas Ltd Designation 9100 Taupaki to Kaukapakapa Gas Pipeline (strikethrough/underscore) • Attachment D: Updated Firstgas Ltd Designation 9100 Taupaki to Kaukapakapa Gas Pipeline (clean) • Attachment E: Auckland Unitary Plan GIS Viewer (Before/After)

Maps prepared by: Mitesh Bhula Geospatial Specialist	Text Entered by: Planning Technician
Signature: 	Signature: 
Prepared by: Vanessa Leddra Policy Planner	Reviewed by: Craig Cairncross Team Leader – Central South
Signature: 	Signature: 
Authorised by: Celia Davison Manager Planning – Central-South	
Signature: 	

Attachment A

**s182 Partial Removal of Designation 9100 request from
Firstgas Ltd**

From: Pam Unkovich <Pam.Unkovich@firstgas.co.nz>
Sent: Monday, 18 August 2025 5:06 pm
To: Vanessa Leddra <Vanessa.Leddra@aucklandcouncil.govt.nz>
Subject: RE: Designation 9100 - lapsed designation

Kia ora Vanessa,

Further to our earlier phone conversation, and in addition to my previous email providing the RMA Form 23, please see below to a response to your further information requested. I have also attached a shapefile of the specific parcels/designation, to assist Council in adjustment of the planning maps.

- *A clear description of the site to which Designation applies including site address*

This has been provided within the previously submitted Form 23.

- *Area (in square meters) of land to be removed from Designation*

The designation has a width of 25m within the subject parcels. The designation traverses a linear distance of approximately 1,400m. This equates to an approximate area of 35,592m².

- *Legal Description of the land*

This has been provided within the previously submitted Form 23.

- *Details of the owners including name, address and contact number*

This has been provided within the Form 23, noting that the contact number and email address we have on our files is listed as confidential and unable to be shared.

- *Details of occupiers including name, address and contact number*

Firstgas Limited is not aware of third-party occupiers of the subject land parcels.

- *Reasons or justification for the full / partial removal of Designation*

The proposed pipeline for which the designation was intended, will no longer be constructed.

- *A brief assessment of effects of the part removal on the remaining Designation*

It is considered that any effects of the part removal on the remaining Designation will be de minimis, with no discernible difference from the existing situation. The ability of owners or occupiers of other landholdings subject to the designation, to gain approval from Firstgas for any works within the Designation will not be changed through the partial removal. It is also considered that the partial removal of the Designation will not add additional burden to other landowners or occupiers given that the Designation is a planning control only and is imposed for the purposes of pipeline protection and safety of people and property. This safety consideration is not required within the specific designation, given that the pipeline has not been constructed. It is noted that the entirety of Designation 9100 will lapse in 2027, and Firstgas Ltd will not be pursuing continuation of the Designation.

I have attached a shapefile of the Designation as it affects the subject parcels. Please contact me directly if you have any issues with accessing these files or if you have any queries on the request for partial removal of Designation 9100.

Ngā mihi nui,

Pam Unkovich

Senior Planner

[+64 272 370 944](tel:+64272370944)

42 Connett Road, New Plymouth

Taranaki 4312

clarus.co.nz  



**Form 23 Notice of removal of designation or heritage order or part of designation or
heritage order**

Section 182, Resource Management Act 1991

To Auckland Council

And to [REDACTED]
[REDACTED]

Firstgas Limited gives notice that it no longer requires the following part of a
designation:

Designation Number 9100 – For the purposes of the design, construction, operation,
maintenance, repair, upgrade and renewal of a new gas transmission pipeline and
ancillary features.

Location: Lot 4 DP 211520; Lot 6 DP 211520; Lot 7 DP 211520; Lot 8 DP 211520

Firstgas Limited (First Gas) requests the territorial authority to amend the district plan
accordingly as required by section 182 of the Resource Management Act 1991.



Signature on behalf of requiring authority

18 August 2025

Electronic address for service of requiring authority (or heritage protection authority):

pam.unkovich@firstgas.co.nz

Telephone: 027 237 0944

Postal address: Private Bag 2020, New Plymouth 4312

Contact person: Pam Unkovich, Senior Planner



DISCLAIMER:
This map/plan is illustrative only and all information should be independently verified on site before taking any action.
Copyright Auckland Council. Land Parcel Boundary information from LINZ (Crown Copyright Reserved). Whilst due care has been taken, Auckland Council gives no warranty as to the accuracy and plan completeness of any information on this map/plan and accepts no liability for any error, omission or use of the information. Height datum: NZVD 2016.

Lots 4,6,7,8 DP211250

0 50 100 150
Meters

Scale @ A4
= 1:8,000

Date Printed:
23/07/2025

Attachment B
s182 Report confirming partial removal

Partial removal of a designation under section 182 of the Resource Management Act 1991

To: Craig Cairncross – Team Leader, Central / South Policy Planning

From: Vanessa Leddra – Policy Planner

Date: 23 October 2025

Subject: Partial removal of Designation 9100 – For the purposes of the design, construction, operation, maintenance, repair, upgrade and renewal of a new gas transmission pipeline and ancillary features - Taupaki to Kaukapakapa Gas Pipeline.

Summary

Auckland Council has received a request from Firstgas Limited under section 182 of the Resource Management Act 1991 (RMA), dated 18 August 2025, to remove in part Designation 9100 – for the purposes of the design, construction, operation, maintenance, repair, upgrade and renewal of a new gas transmission pipeline and ancillary features - Taupaki to Kaukapakapa. The area to which this Notice relates are Lots 4, 6, 7, and 8 DP211520, Waikoukou Valley which forms part of the extended gas pipeline - 102 Amreins Road, Taupaki to Inland Road (near Kaipara Coast Highway), Kaukapakapa. [Taupaki to Kaukapakapa]

A section 182(1) request is required to partially remove the existing designation from land which has been deemed surplus by Firstgas Limited.

Auckland Council, as the territorial authority, is required to amend its district plan, without using the process in Schedule 1, as soon as reasonably practicable after receiving a Section 182 request unless it considers that the effect of the removal of part of the designation on the remaining designation is more than minor.

It is recommended that the partial removal be accepted.

Recommendation

1. That the section 182 request from Firstgas Ltd for the partial removal of Designation 9100 – for the purposes of the design, construction, operation, maintenance, repair, upgrade and renewal of a new gas transmission pipeline and ancillary features in the Auckland Unitary Plan be **accepted** for the following reasons:
 - i) Firstgas Ltd no longer require the designation on the land; and
 - ii) The effects of the removal of part of the designation are less than minor.
2. That Designation 9100 – for the purposes of the design, construction, operation, maintenance, repair, upgrade and renewal of a new gas transmission pipeline and ancillary features be partially removed from the areas of land on Lots 4, 6, 7, and 8 DP211520, Waikoukou Valley as soon as reasonably practicable, in the Chapter K Designations where the designation overlay and text needs to be amended in the Auckland Unitary Plan.

1. Description

1.1. References

Designation number:	9100 – for the purposes of the design, construction, operation, maintenance, repair, upgrade and renewal of a new gas transmission pipeline and ancillary features – from Taupaki to Kaukapakapa.
Lodgement date:	20 August 2025
Requiring authority:	Firstgas Limited
Reporting officer:	Vanessa Leddra
Site address:	Lots 4, 6, 7, and 8 DP211520, Waikoukou Valley – part of Taupaki to Kaukapakapa gas pipeline
UP Zoning:	Rural Production Zone

2.0 Background

2.1 Details of designation

Designation 9100 in the Auckland Unitary Plan provides for gas transmission purposes. It is a rollover of a gas pipeline in the Auckland City Council District Plan (Rodney Section) 2011. Firstgas has served a notice under section 182 of the Resource Management Act 1991, signed by Pam Unkovich, Senior Planner on behalf of Firstgas, to remove the designation from the sites identified in Appendix A to **Attachment A**.

The designation is proposed to be removed from private land - Lots 4, 6, 7 and 8 DP211250, adjacent to 939 Old North Road which is part of the Taupaki to Kaukapakapa gas pipeline. See Attachment B for changes to text.

Firstgas state that the proposed pipeline for which the designation was intended will no longer be constructed and Firstgas will not be pursuing the continuation of the designation. Condition 3 in the designation states that the entirety of the designation will lapse on 10 March 2027. As part of this condition, in relation to the four lots to be removed from the designation, the lapse date was for five years from the date included in the Unitary Plan. These changes to the text are shown in Attachment B.

Condition 6.3.A refers to the maximum width of the designation in relation to Lots 4, 6, 7 and 8 and is to be deleted. See Attachment B for changes to text.

1.2 Land affected by removal

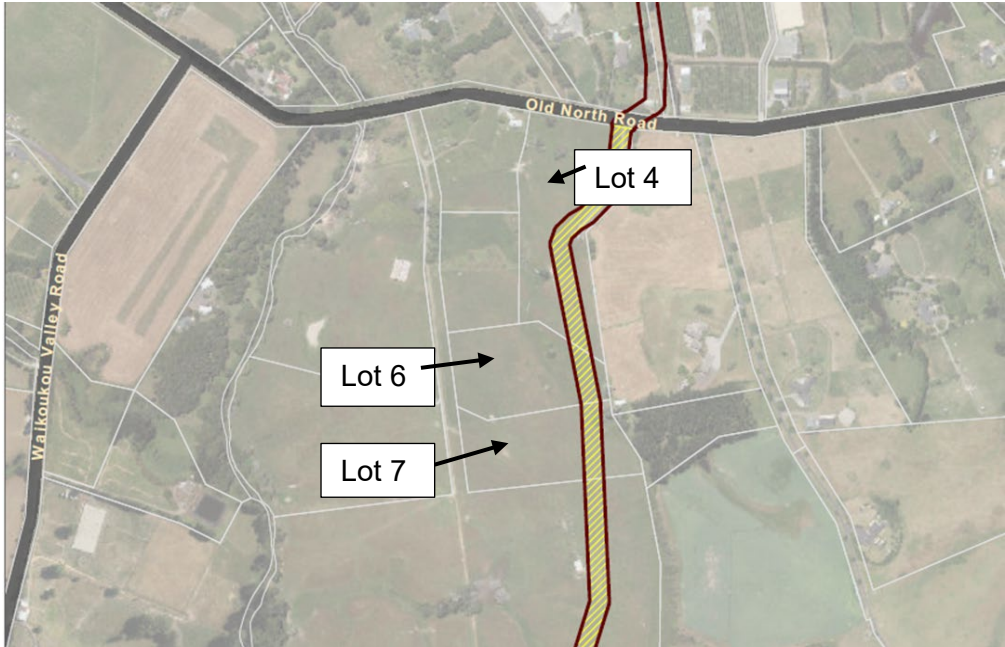
The designation has a width of 25m within the subject parcels. The designation traverses a linear distance of approx. 1,400m which is approx. 35,592 sq m. The relevant part of the designation is currently shown in the AUP maps as follows:



Figure 1 – Location of Designation 9100 in relation to subject sites [provided by Firstgas]



Figure 2 – Lots 4, 6, 7, and 8 showing the context of the sites to be removed



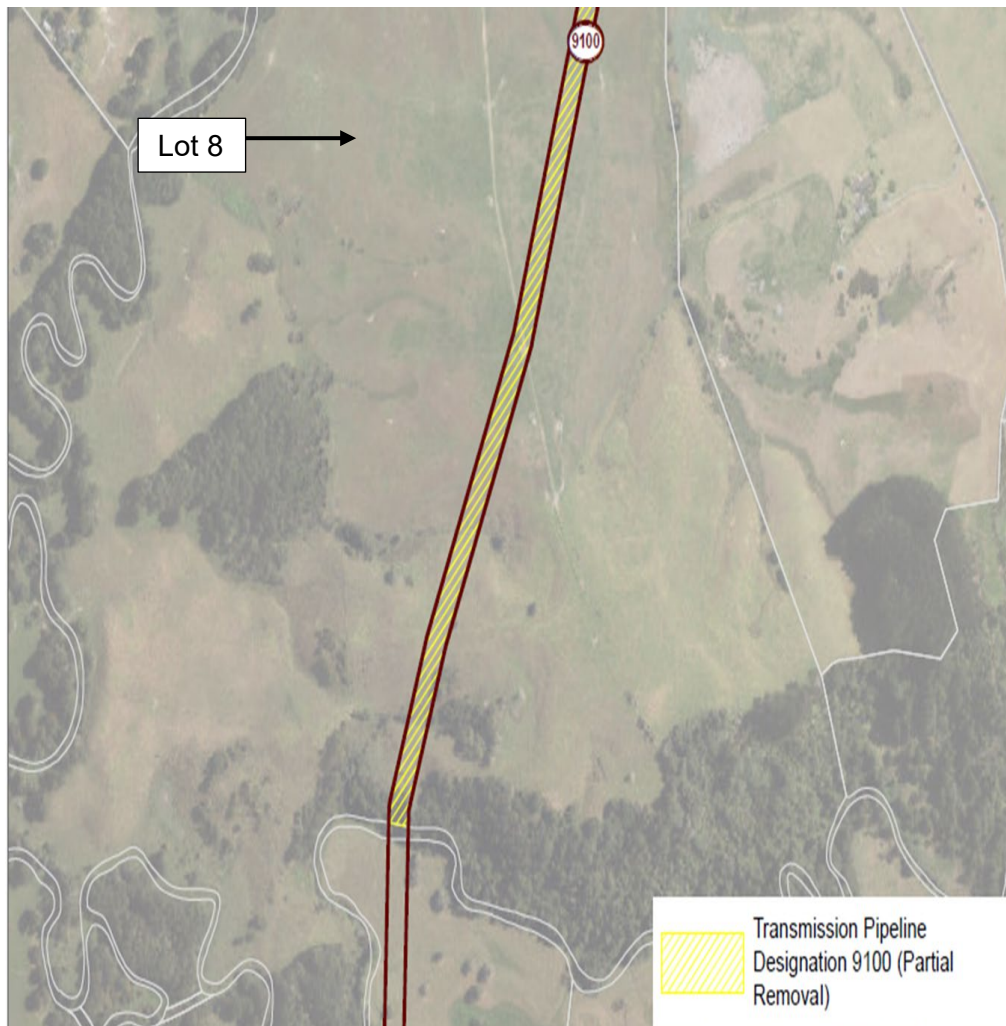


Figure 3 – Location of Designation 9100 in relation to relevant sites the subject of the partial removal

Firstgas has provided a site plan showing the extent of the designation which is to be partially removed (refer to Appendix A of **Attachment A**).

1.3 Delegated authority to consider alterations to designations

The Team Leader Planning – Central / South has delegated authority, in accordance with Schedule 2A of the Auckland Council Delegations: (Chief Executive's Delegations Register, updated July 2025, Version 2.1), to exercise the Council's functions, powers, duties and discretions under the Resource Management Act 1991 in relation to Section 182 to approve a (partial) removal of a designation.

Section 182 request to remove the designation can therefore be considered by the Team Leader Planning Central / South.

1.4 Relevant Statutory Provisions

Section 182 of the RMA allows the requiring authority to remove a designation or part of a designation if it no longer wants it. This section also applies to a notice by a territorial authority, to withdraw its own designation or part of a designation within its own district.

Section 182(2) states that as soon as reasonably practicable the territorial authority shall, without using the process in Schedule 1, amend its district plan accordingly. If the territorial authority considers the effect of the removal of part of a designation on the remaining designation is more than minor, it may, within 20 working days of receipt of a section 182 notice, decline to remove that part of the designation.

It is considered that Firstgas has provided sufficient justification for the partial removal of Lots 4, 6, 7 and 8 DP 211520 from Designation 9100 – Taupaki to Kaupakapaka Gas Pipeline for the following reasons:

- The removal of the identified areas does not affect the use of the rest of the designation for its intended purpose.
- The identified areas are no longer required for a new gas transmission pipeline.

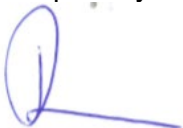
2.0 Recommendation

That pursuant to Section 182 of the Resource Management Act 1991 the partial removal of Lots 4, 6, 7 and 8 DP 211520 from Designation 9100 – gas transmission pipeline – Taupaki to Kaupakapaka be accepted and the Auckland Unitary Plan Operative in part designation overlay and text in Chapter K Designations be amended accordingly.

Prepared by : Vanessa Leddra Policy Planner, Planning Central / South



Accepted by : Craig Cairncross , Team Leader Planning Central / South



Date : 23 October 2025

SCHEDULE OF ATTACHMENTS:

Attachment A: First Gas s182 Notice of Partial Removal [including Appendix A]

Attachment B – Updated First Gas Ltd Designation 9100 Taupaki to Kaukapakapa Gas Pipeline (strikethrough/underscore)

From: Pam Unkovich <Pam.Unkovich@firstgas.co.nz>
Sent: Monday, 18 August 2025 5:06 pm
To: Vanessa Leddra <Vanessa.Leddra@aucklandcouncil.govt.nz>
Subject: RE: Designation 9100 - lapsed designation

Kia ora Vanessa,

Further to our earlier phone conversation, and in addition to my previous email providing the RMA Form 23, please see below to a response to your further information requested. I have also attached a shapefile of the specific parcels/designation, to assist Council in adjustment of the planning maps.

- *A clear description of the site to which Designation applies including site address*

This has been provided within the previously submitted Form 23.

- *Area (in square meters) of land to be removed from Designation*

The designation has a width of 25m within the subject parcels. The designation traverses a linear distance of approximately 1,400m. This equates to an approximate area of 35,592m².

- *Legal Description of the land*

This has been provided within the previously submitted Form 23.

- *Details of the owners including name, address and contact number*

This has been provided within the Form 23, noting that the contact number and email address we have on our files is listed as confidential and unable to be shared.

- *Details of occupiers including name, address and contact number*

Firstgas Limited is not aware of third-party occupiers of the subject land parcels.

- *Reasons or justification for the full / partial removal of Designation*

The proposed pipeline for which the designation was intended, will no longer be constructed.

- *A brief assessment of effects of the part removal on the remaining Designation*

It is considered that any effects of the part removal on the remaining Designation will be de minimis, with no discernible difference from the existing situation. The ability of owners or occupiers of other landholdings subject to the designation, to gain approval from Firstgas for any works within the Designation will not be changed through the partial removal. It is also considered that the partial removal of the Designation will not add additional burden to other landowners or occupiers given that the Designation is a planning control only and is imposed for the purposes of pipeline protection and safety of people and property. This safety consideration is not required within the specific designation, given that the pipeline has not been constructed. It is noted that the entirety of Designation 9100 will lapse in 2027, and Firstgas Ltd will not be pursuing continuation of the Designation.

I have attached a shapefile of the Designation as it affects the subject parcels. Please contact me directly if you have any issues with accessing these files or if you have any queries on the request for partial removal of Designation 9100.

Ngā mihi nui,

Pam Unkovich

Senior Planner

[+64 272 370 944](tel:+64272370944)

42 Connett Road, New Plymouth

Taranaki 4312

clarus.co.nz  



**Form 23 Notice of removal of designation or heritage order or part of designation or
heritage order**

Section 182, Resource Management Act 1991

To Auckland Council

And to [REDACTED]
[REDACTED]

Firstgas Limited gives notice that it no longer requires the following part of a
designation:

Designation Number 9100 – For the purposes of the design, construction, operation,
maintenance, repair, upgrade and renewal of a new gas transmission pipeline and
ancillary features.

Location: Lot 4 DP 211520; Lot 6 DP 211520; Lot 7 DP 211520; Lot 8 DP 211520

Firstgas Limited (First Gas) requests the territorial authority to amend the district plan
accordingly as required by section 182 of the Resource Management Act 1991.



Signature on behalf of requiring authority

18 August 2025

Electronic address for service of requiring authority (or heritage protection authority):

pam.unkovich@firstgas.co.nz

Telephone: 027 237 0944

Postal address: Private Bag 2020, New Plymouth 4312

Contact person: Pam Unkovich, Senior Planner



DISCLAIMER:
This map/plan is illustrative only and all information should be independently verified on site before taking any action.
Copyright Auckland Council. Land Parcel Boundary information from LINZ (Crown Copyright Reserved). Whilst due care has been taken, Auckland Council gives no warranty as to the accuracy and plan completeness of any information on this map/plan and accepts no liability for any error, omission or use of the information. Height datum: NZVD 2016.

Lots 4,6,7,8 DP211250

0 50 100 150
Meters

Scale @ A4
= 1:8,000

Date Printed:
23/07/2025

Attachment B #9100

Changes to text (shown in underline and strikethrough)

3. Lapsing period

Pursuant to s 184(1)(c) of the Resource Management Act 1991 (RMA), the period during which the designation shall not lapse, unless given effect to, shall be ten years commencing from the date the designation is included in the Unitary Plan. ~~In relation to the property identified as Lots 4, 6, 7 and 8 DP 211520 the lapse period shall be five years commencing from the date the designation is included in the Unitary Plan.~~

Designation Width

6.3 The maximum width of the designation shall be as follows:

- a. For land within road reserve (along road reserve) – the width of the road or 25 metres whichever is the lesser. Within 3 months following the completion of construction First Gas shall reduce the width to 6 metres pursuant to s182 of the Act;
- b. For land within road and/or rail reserve (across road reserve/state highway/rail) – 25m. Within 3 months following the completion of construction First Gas shall reduce the width to 6 metres pursuant to s182 of the Act; and
- c. Areas other than road reserve - 25 metres or as shown on the plans attached as Appendix 3 of Volume 3 Rev 1 of the NOR except that, in relation to the property identified as Lot 1 DP 170384, the designated area shall be the area shown on Plan 5672-504-0100 Rev 1 attached as Appendix 15AC(i) to these conditions. Within 3 months following the completion of construction and registration of the easements First Gas shall reduce the width to 12 metres pursuant to s182 of the Act.

~~6.3A In relation to the property identified as Lots 4, 6, 7 and 8 DP 211520 the designated area shall be the area shown on Plan 5672-504-0115 Rev 3 attached as Appendix 15AC(ii) to these conditions. The width of the designation shall be as shown on Plan 5672-504-115/118A Rev 1 attached as Appendix 15AC(iii) to these conditions (width labelled as “construction designation”). Within 3 months following the completion of construction and registration of easements First Gas shall reduce the width to 12 metres pursuant to s182 of the Act, as also shown on Appendix 15AC(iii) (width labelled as “final designation”). For the avoidance of doubt the widths are:~~

- a. ~~For lots 4, 6 and 7, an 18m construction designation, to be reduced to a 12m final designation within 3 months following the completion of construction and registration of easements. The 12m final designation shall entirely overlap the existing easement area for the First Gas and NZ Refining Company pipelines located on the property prior to this designation (existing easement area). See cross section “A” on Appendix 15AC(iii);~~
- b. ~~For the northern section of Lot 8 (being from the southern boundary of Lot 7 to the point marked “Point Y” on Appendix 15AC(iii) to these conditions), an 18m construction designation, to be reduced to a 12m final designation within 3 months following the completion of construction and registration of easements. The 12m final designation shall part overlap the existing easement area, with a 3m offset of additional area to the west of the existing easement area. See cross section “B” on Appendix 15AC(iii); and~~

c. For the southern section of Lot 8 (being from the point marked "Point Y" on Appendix 15AC(ii) to these conditions to the southern boundary of Lot 8), a 25m construction designation, to be reduced to a 12m final designation within 3 months following the completion of construction and registration of easements. The 12m final designation shall part overlap the existing easement area, with a 3m offset of additional area to the west of the existing easement area. See cross section "C" on Appendix 15AC(iii).

Attachment C
Updated Firstgas Ltd conditions
9100 Taupaki to Kaukapakapa Gas Pipeline
(~~strikethrough~~/underscore)

9100 Taupaki to Kaukapakapa Gas Pipeline

Designation Number	9100
Requiring Authority	First Gas Limited
Location	102 Amreins Road, Taupaki to Inland Road (near Kaipara Coast Highway), Kaukapakapa
Rollover Designation	Yes
Legacy Reference	Designation 618, Auckland City Council District Plan (Rodney Section) 2011
Lapse Date	10 years from being operative in the Unitary Plan unless given effect to prior

Purpose

1. Purpose of the Designation

1.1 The designation by First Gas Limited (First Gas) is for:

- a. The design, construction, operation, maintenance, repair, upgrade and renewal of a new gas transmission pipeline and ancillary facilities between First Gas's Taupaki Compressor Station (known as the Henderson Valley Compressor Station) at Amreins Road, Taupaki and Ararimu Road near Waitoki (a length of approximately 19.5 kilometres).
- b. The design, construction, operation, maintenance, repair, upgrade and renewal of a new gas transmission pipeline and ancillary facilities between Ararimu Valley Road and Punganui Station, Kaukapakapa (a length of approximately 9.5 kilometres).
- c. The design, construction, operation, maintenance, repair, upgrade and renewal of new off take and other facilities at the Henderson Valley Compressor Station.
- d. The design, construction, operation, maintenance, repair, upgrade and renewal of new gas metering and pressure regulation equipment and ancillary facilities (known as a "delivery point") at Punganui Station, Kaukapakapa.

1.2 For the purposes of these conditions following construction of the pipeline the designation is subject to the following limitations:

- i. Renewal shall be limited to works on the gas transmission pipeline and will be limited to the replacement of sections of the pipeline with sections having equivalent diameter and maximum allowable operating pressure, and no more than 50 lineal metres of pipeline will be excavated at any particular time.
- ii. Upgrade will be limited to adding or replacing above ground components, provided the Unitary Plan relevant district plan permitted activity standards are complied with.

1.3 The designation affects land legally described in Appendix 2 "Schedule of Affected Land" of Volume 3 of the Notice of Requirement for Designation submitted to Rodney District Council, entitled "Rodney Natural Gas Pipeline Route Designation" (Reference 5672-R-002, Volume 1 Rev 0, Volume 2 Rev 1 and Volume 3 Rev 1, including amended plan 5672-504-0185 Rev 1) and the plan 5672-504-0100 Rev 1 attached as Appendix 15AC(i) to these conditions.

Conditions

2. Description of the Designation

- 2.1 The designation shall be described in the Unitary Plan as “Gas Transmission Purposes”.

3. Lapsing Period

Pursuant to s 184(1)(c) of the Resource Management Act 1991 (RMA), the period during which the designation shall not lapse, unless given effect to, shall be ten years commencing from the date the designation is included in the Unitary Plan. ~~In relation to the property identified as Lots 4, 6, 7 and 8 DP 211520 the lapse period shall be five years commencing from the date the designation is included in the Unitary Plan.~~

4. Outline Plan

Council's acceptance of the Construction Management Plan, Traffic Management Plan, Construction Noise Management Plan and Reinstatement Management Plan required to be submitted under Conditions 7.1, 7.8, 7.23 and 10.1 respectively shall constitute approval under the RMA, of the details of that part of the proposed project or work that comprises conventional cut and cover excavation, and trenchless construction techniques including horizontal directional drilling for the purposes of s176A(2)(a) RMA, so that no Outline Plan for that part of the construction phase of the project or work need be submitted to the Council.

For the avoidance of doubt, the Council waives any requirement for the Requiring Authority to submit an Outline Plan for the construction phase of project or work under s176A(2)(c) RMA where the work comprises conventional cut and cover excavation and trenchless construction techniques including horizontal directional drilling but may require an Outline Plan for future maintenance, repair, renewal or upgrading activities.

5. Conditions

The Designation shall be subject to the following conditions:

Unless the context otherwise requires, references in the following conditions to "the Council" shall be deemed to be references to the Auckland Council's Chief Executive Officer or nominee.

6. General Conditions

- 6.1 Subject to these conditions, all works shall be undertaken in general accordance with:
- a. The plans and information submitted by First Gas in support of the Notice of Requirement in the documents entitled “Rodney Natural Gas Pipeline Route Designation” (Reference 5672-R-002, Volume 1 Rev 0, Volume 2 Rev 1 and Volume 3 Rev 1), and the plan 5672-504-0100 Rev 1 attached as Appendix 15AC(i) to these conditions; and
 - b. The evidence and submissions presented on behalf of First Gas at the Hearings before Rodney District Council Commissioners on 5 June and 29 June 2009, including, in particular, Appendix 8 to Mr Owen McBride's evidence dated 5 June 2009 as elaborated on in Mr Owen McBride's evidence dated 22 June 2009.

Notice

- 6.2 The Requiring Authority shall give written notice of:
- a. The likely commencement date for the works pursuant to the designation; and
 - b. The expected timeframe for the construction programme;

to the Council, NZTA, KiwiRail and landowners along and adjacent to the designation not less than twelve months and again not less than six months prior to entry for construction. The Requiring Authority shall provide to the Council a list of the landowners notified pursuant to this condition and a copy of the information supplied to them.

Designation Width

6.3 The maximum width of the designation shall be as follows:

- a. For land within road reserve (along road reserve) – the width of the road or 25 metres whichever is the lesser. Within 3 months following the completion of construction First Gas shall reduce the width to 6 metres pursuant to s182 of the Act;
- b. For land within road and/or rail reserve (across road reserve/state highway/rail) – 25m. Within 3 months following the completion of construction First Gas shall reduce the width to 6 metres pursuant to s182 of the Act; and
- c. Areas other than road reserve - 25 metres or as shown on the plans attached as Appendix 3 of Volume 3 Rev 1 of the NOR except that, in relation to the property identified as Lot 1 DP 170384, the designated area shall be the area shown on Plan 5672-504-0100 Rev 1 attached as Appendix 15AC(i) to these conditions. Within 3 months following the completion of construction and registration of the easements First Gas shall reduce the width to 12 metres pursuant to s182 of the Act.

~~6.3A In relation to the property identified as Lots 4, 6, 7 and 8 DP 211520 the designated area shall be the area shown on Plan 5672-504-0115 Rev 3 attached as Appendix 15AC(ii) to these conditions. The width of the designation shall be as shown on Plan 5672-504-115/118A Rev 1 attached as Appendix 15AC(iii) to these conditions (width labelled as “construction designation”). Within 3 months following the completion of construction and registration of easements First Gas shall reduce the width to 12 metres pursuant to s182 of the Act, as also shown on Appendix 15AC(iii) (width labelled as “final designation”). For the avoidance of doubt the widths are:~~

- ~~a. For lots 4, 6 and 7, an 18m construction designation, to be reduced to a 12m final designation within 3 months following the completion of construction and registration of easements. The 12m final designation shall entirely overlap the existing easement area for the First Gas and NZ Refining Company pipelines located on the property prior to this designation (existing easement area). See cross section “A” on Appendix 15AC(iii);~~
- ~~b. For the northern section of Lot 8 (being from the southern boundary of Lot 7 to the point marked “Point Y” on Appendix 15AC(iii) to these conditions), an 18m construction designation, to be reduced to a 12m final designation within 3 months following the completion of construction and registration of easements. The 12m final designation shall part overlap the existing easement area, with a 3m offset of additional area to the west of the existing easement area. See cross section “B” on Appendix 15AC(iii); and~~
- ~~c. For the southern section of Lot 8 (being from the point marked “Point Y” on Appendix 15AC(ii) to these conditions to the southern boundary of Lot 8), a 25m construction designation, to be reduced to a 12m final designation within 3 months following the completion of construction and registration of easements. The 12m final designation shall part overlap the existing easement area, with a 3m offset of additional area to the west of the existing easement area. See cross section “C” on Appendix 15AC(iii).~~

7. Construction

Construction Management Plan

7.1 The Requiring Authority shall submit a preliminary Construction Management Plan to the Council three months prior to commencing construction. The Requiring Authority shall then submit a detailed Construction Management Plan in final form to the satisfaction of the Council at least one month prior to commencing construction. The Construction Management Plan shall include

the construction drawings and procedures, methods and measures to be applied during the construction phase to address:

- a. Liaison with the Council, affected parties, utility owners and the general public;
- b. Construction methodology for conventional cut-and-cover excavation;
- c. Construction methodology for trenchless construction techniques including horizontal directional drilling;
- d. Construction work within road reserves and state highways;
- e. Likely work programme;
- f. Noise control;
- g. Dust control, including:
 - i. specific reference to protection of power transmission lines; and
 - ii. the avoidance or remediation of dust effects on residential dwellings and residential water supplies;
- h. Earthworks and sediment control, including vegetation control, and disposal of unsuitable and/or surplus material;
- i. Provision for fencing so as to enable continued operation of the land use activities on the properties through which the designation passes;
- j. Location, protection and provision of alternative supply in the event of disruption of existing utilities;
- k. Management of issues raised by affected parties during construction including contact details for key First Gas construction personnel and systems for investigation, recording and reporting actions taken to resolve issues raised;
- l. Construction techniques for the crossing of waterways; and
- m. An environmental mitigation plan setting out the management of fauna and flora associated with natural areas (aquatic, riparian and terrestrial) within the designation.

Construction Plans

- 7.2 The construction plans described in Condition 7.1 shall include detailed engineering plans of the pipeline route. The plans shall include long sections and cross sections (where necessary) detailing the alignment and level of the pipeline and associated works with respect to ground levels, structures and services. The construction plans for the crossings of roads, state highways and railways shall be approved by the relevant transport authority and the utility operators for the particular crossings.

Engineering Standards

- 7.3 All works in, on or under Council roads shall be carried out in accordance with industry best practice.

Geotechnical

- 7.4 Pipeline construction shall be carried out in accordance with the requirements of the “Geotechnical Risk Assessment: Proposed Gas Transmission Pipeline Route – Taupaki to Punganui” from Pattle Delamore Partners Ltd, dated February 2007.

Overland Flow Paths

- 7.5 Existing overland flow paths shall not be impeded by any works.

Earthworks

- 7.6 Where works involving excavation are undertaken pursuant to the designation, appropriate sediment and erosion measures shall be employed. Prior to any earthworks within the designation the adequate silt retention structures shall be installed in accordance with industry best practice. These structures shall be maintained and cleaned out as necessary until such time a complete grass cover, or other non-erodable surfacing, has been re-established over the site.

Health and Safety Management Plan

- 7.7 The Requiring Authority shall submit a preliminary Health and Safety Management Plan to the Council three months prior to commencing construction. The Requiring Authority shall then submit a detailed Health and Safety Management Plan in final form to the Council at least one month prior to commencing construction.

Traffic Management Plan

- 7.8 The Requiring Authority shall submit a preliminary Traffic Management Plan (TMP) in accordance with the Code of Practice for Temporary Traffic Management 3rd edition November 2004, three months prior to commencing construction. The Requiring Authority shall then submit a detailed TMP in final form, specifically addressing control of construction access to the site and traffic control adjacent to the site, and the protection of the public, to the satisfaction of the Council and NZTA. The TMP is to be submitted with the Road Opening Notice application not less than one month before any construction is carried out within a road that is formed and maintained by the Council or the NZTA. Specific areas to be addressed in the Traffic Management Plan shall include but not be limited to:

- a. Control of construction access to the site;
- b. Traffic control adjacent to the site;
- c. The protection of the public;
- d. The temporary diversion of traffic during construction
- e. Traffic safety;
- f. Control at intersections;
- g. Consideration of hours of work for heavily trafficked roads;
- h. Maintenance of road and property accesses; and
- i. Movement of construction traffic on local roads.

Verification that the TMP meets the Council’s and NZTA’s requirements shall have been received in writing, prior to the commencement of any works on the site. A copy of the Traffic Management Plan, together with the verification letter shall be kept on the site at all times. All measures for the protection of the public and other personnel set out in the verified TMP shall be maintained and complied with at all times until such time as the works are completed.

Location of Pipeline within Roads

- 7.9 The location of the pipeline within formed and unformed roads shall be determined in consultation with the Council but shall be no closer than 3m to the road boundary.

Pre-construction Meeting

- 7.10 Not less than two weeks prior to the commencement of works, the Requiring Authority shall meet with the Council for a pre-construction meeting.

Guide to Land Access

- 7.11 All works outside road reserves shall be in accordance with the "Guide to Land Access for the Oil and Gas Industry and Landowners" published by Federated Farmers of New Zealand Incorporated in 2002.

Property Access

- 7.12 The Requiring Authority shall at all times ensure that access between parts of any single property temporarily severed by construction is maintained to a level that will enable, as far as is practicable, normal operations on the property to continue.

Hours of Work

- 7.13 Except within the boundaries of formed roads and state highways, pipeline construction and associated activities shall not occur during the hours of darkness as defined in the Traffic Regulations 1976 except in the case of urgent work necessary to prevent injury to persons or damage to property.

Hours of Work in Road Reserves

- 7.14 Within the boundaries of formed roads and state highways pipeline construction and associated activities shall be limited to between the hours of 7am and 7pm Monday to Saturday (excluding public holidays) except:
- a. Where otherwise stated in a Traffic Management Plan to the satisfaction of the roading authority submitted pursuant to Condition 2.4; or
 - b. With the prior written approval of the roading authority.

Length of Works in Roads

- 7.15 Within formed road reserves, all construction activities at any one location shall be limited to a linear distance of 500 metres except with the prior written approval of the roading authority.

Construction Activities on Private Property

- 7.16 Construction activities on land other than road and state highway shall be limited to the period between 1 October in any given year, and 30 April in the following year except with the prior written approval of the Council and the relevant property owner.

Pipeline Cover

- 7.17 Except as otherwise provided, the new pipelines shall have a minimum cover of at least 1.5 metres. In road and state highway reserves the minimum cover shall be at least 2.0 metres unless otherwise agreed with the roading authority.

Utility Services

- 7.18 The Requiring Authority shall liaise with the operators of existing utilities and pipelines located in or adjacent to the designation during the detailed design phase and subsequent construction processes and shall ensure that all existing pipelines and utilities are:
- a. Accurately located prior to the preparation of the plans detailed in Condition 7.1. If necessary, this location work shall include exploratory excavation;
 - b. Either protected from any activity which may interfere with the proper functioning of the pipeline or utility or relocated to a location approved by the operator of that pipeline or utility;
 - c. If damaged, then repaired at the Requiring Authority's expense, to the reasonable satisfaction of the affected pipeline or utility operator; and
 - d. Where practicable able to be accessed during construction.

Separation from Existing Utilities

- 7.19 Where existing pipelines and other buried utilities are encountered the new pipelines shall, where practicable be installed underneath them, with a minimum 500mm vertical separation. Where practicable a 1m horizontal separation shall be provided between the existing pipelines and other buried utilities and the new pipelines. If the minimum clearances cannot be achieved during construction, measures such as concrete protection slabs or similar barriers shall be provided to protect the existing pipelines and/or utility from damage as a result of installation of the new pipelines.

Construction Methods

- 7.20 The new pipeline shall be installed at crossings of sealed or paved roads and state highways for the full width of the reserve using trenchless construction techniques unless otherwise agreed with the roading authority. Where the Requiring Authority identifies that trenchless construction techniques are not feasible, it shall provide information to the roading authority for approval of alternative construction methods.

Existing Overhead Lines

- 7.21 All works or activities related to the designation shall be designed and undertaken in compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP 34:2001).

Noise

- 7.22 The noise from construction (including commissioning activities), shall be measured, assessed and controlled in accordance with the procedures set out in NZS 6803:1999 Acoustics – Construction Noise or alternative strategies shall be implemented for ensuring that the noise from such activities will be acceptable to the occupants of the dwellings.

Construction Noise Management Plan

- 7.23 The Requiring Authority shall submit a preliminary Construction Noise Management Plan to the Council three months prior to commencing construction. The Requiring Authority shall then submit a Construction Noise Management Plan in final form to the satisfaction of Council at least one month prior to commencing construction. The Plan shall be developed and implemented in accordance with Condition 7.23 for construction works along the pipelines and shall:
- a. Identify all occupied dwellings which are located within 40 metres of any area to be used for pipeline construction and installation purposes;
 - b. Provide predicted construction noise levels for all dwellings identified in sub-clause (a);

- c. Provide that the noise levels at the Henderson Valley (Taupaki) Compressor Station during the commissioning period, between 7pm and 7am (night time) shall not exceed 42 dBA (Leq) unless specific arrangements are made with residents; and
- d. Specify mitigation measures needed to achieve compliance with Condition 7.23 for all dwellings where required, or alternative strategies for ensuring that construction noise levels will be acceptable to the occupants of identified dwellings.

Road Opening

- 7.24 All pipeline construction activities within formed road reserves shall be in accordance with the requirements of the Code of Practice for Working in Roads, published by the Auckland Utilities Group and held on the relevant Council File. The Requiring Authority shall submit a Road Opening Notice for each work location within the formed road reserve as required by Standards New Zealand Handbook 'Code of Practice for Working in the Road' SNZ HB 2002:2003 prior to work commencing at that particular location.

Utility Repairs

- 7.25 All repair works on existing public wastewater, stormwater and water mains shall be carried out by a Council-approved licensed contractor at the Requiring Authority's expense.

Surplus Soil

- 7.26 Surplus soil may be dispersed on the site where it originated with the written consent of the relevant property owner, or if it is to be disposed of off-site, it shall be disposed of at a location approved by, and to the satisfaction of, the Council.

8. Heritage

Heritage and Cultural Survey

- 8.1 The Requiring Authority shall, not less than three months prior to the commencement of construction, undertake a detailed Heritage and Cultural Survey along the pipeline route, in consultation with the New Zealand Historic Places Trust, affected tangata whenua and the Department of Conservation, to confirm the location of any features of heritage and cultural significance. Before the commencement of construction, the Requiring Authority shall submit documentation to the Council advising the outcomes of that survey and specifically identifying:
- a. Any features of heritage and cultural significance within or adjacent to the designation; and
 - b. Appropriate protection measures for those features or the provision of the relevant authority to modify damage or destroy any archaeological site from the New Zealand Historic Places Trust.

Heritage Protocol

- 8.2 Prior to commencement of construction, the Requiring Authority shall implement a protocol for management of construction activities where those activities are in close proximity to known cultural and/or heritage sites and for discovery of taonga, koiwi or artefacts during design and construction ("the Heritage Protocol"). The Heritage Protocol shall be based on the draft protocol contained in Appendix 11.2 of Volume 3 of the Notice of Requirement for Designation.

9. Henderson Valley (Taupaki) Compressor Station

Noise

- 9.1 Noise from activities other than construction (including commissioning), maintenance and repair within the Henderson Valley Compressor Station shall not exceed the following limits when measured at the outer boundary of the restrictive covenant surrounding the station site:
- a. Day Time 7:00am - 7:00pm 40 dBA L10; and
 - b. Night Time 7:00pm - 7:00am 40 dBA L10.

Measurement of Noise

- 9.2 The noise levels required by Condition 9.1 shall be measured in accordance with the requirements of NZS 6801:1991 Measurement of Sound and assessed in accordance with the requirements of NZS 6802:1999 Assessment of Environmental Sound.

Predicted Noise Levels

- 9.3 The Requiring Authority shall submit to Council a report from a suitably qualified and experienced acoustic engineer that states that the predicted noise levels to be generated from activities within the site will comply with the noise levels required by Condition 9.1, and specifies details of noise control treatment, if necessary. The report shall be submitted to the Council in draft form at least three months prior to the commencement of any construction works at the Henderson Valley Compressor Station, and again in final form at least one month prior to the commencement of any construction works at the Henderson Valley Compressor Station.

Noise Report

- 9.4 The Requiring Authority shall submit a report by a suitably qualified and experienced acoustic engineer on the noise generated from the operation of the facilities at Henderson Valley Compressor Station within three months of completion of commissioning of the new facilities. The report shall detail the noise measurements and specify any noise control treatment identified that may be necessary.

Lighting

- 9.5 All lighting installed at Henderson Valley Compressor Station shall be sited and designed to ensure that illumination does not exceed 10 lux measured vertically at the boundary of the site.

Advice to Residents

- 9.6 The Requiring Authority shall no less than one week prior to it undertaking any 24 hour construction work at Henderson Valley Compressor Station, advise the Council and all owners and occupiers of all residential buildings located on properties within 300m of the site, if night lighting will be required.

10. Monitoring and Reinstatement

Reinstatement Management Plan

- 10.1 For land other than formed road, state highway and rail reserves, the Requiring Authority shall submit a preliminary Reinstatement Management Plan to the Council three months prior to the commencement of construction and again in final form to the Council at least one month prior to the commencement of construction. The Plan shall provide a written and photographic record of the area affected by works and shall include the procedures, methods and measures to be applied to address:
- a. Reinstatement of affected areas to pre-existing conditions;
 - b. Reinstatement of existing utilities including property infrastructure; and

- c. Post construction monitoring measures to monitor effectiveness of the reinstatement measures.

The reinstatement measures identified in the Reinstatement Management Plan shall encompass the measures set out in Appendix 17 to the NOR (unless alternative measures are approved in writing by the relevant property owner). These reinstatement measures shall be implemented as soon as practicable after areas become available for reinstatement due to the progress of the works.

Monitoring

- 10.2 For land other than formed road, state highway and railway reserves, the Requiring Authority shall monitor reinstated areas at three monthly intervals for a period of 12 months after construction and six monthly for the following 12 months. The Requiring Authority shall submit a Reinstatement Report to the Council within one month of completion of each monitoring inspection. The Requiring Authority shall as soon as practicable undertake any remedial work identified in the Reinstatement Report as necessary to achieve the outcomes specified in the Reinstatement Management Plan submitted pursuant to Condition 10.1.

Reinstatement in Roads

- 10.3 Where the designation is within formed roads and state highways, the Requiring Authority shall engage a Council and NZTA approved suitably qualified roading engineer to undertake a before and after construction assessment based on a Road Asset Management rating survey of every formed road in which the pipelines are located. The consultant shall prepare an Initial Road Reinstatement Report as soon as practicable after completion of construction works and submit that report to Council and NZTA. The Requiring Authority shall as soon as practicable as required by the roading authority undertake any remedial work identified in the Initial Road Reinstatement Report as necessary to ensure that the roads are reinstated to the same standard as prior to construction.

Monitoring within Roads

- 10.4 Within formed road reserves and state highways, the Requiring Authority shall monitor the areas where work has been undertaken pursuant to the Initial Road Reinstatement Report at three monthly intervals for a period of 12 months after remediation. The Requiring Authority shall submit a Further Road Reinstatement Report to the roading authority within one month of completion of each monitoring inspection. The Requiring Authority shall as soon as practicable as required by the roading authority undertake any remedial work identified in any Further Road Reinstatement Report as necessary to ensure that the roads are reinstated to the same standard as prior to construction.

Specifications

- 10.5 The Requiring Authority shall submit to the roading authority a detailed specification of any road works reinstatement undertaken within three months of completion of the works.

11. Completion

As-built Drawings

- 11.1 The Requiring Authority shall submit to the Council detailed as-built pipeline drawings within three months of the commissioning of the new pipelines. The as-built drawings shall include geodetic coordinates for all key locations in an agreed electronic format.

12. Maintenance, Repair, Upgrading and Renewal

Engineering Standards

- 12.1 All works in, on or under Council roads shall be carried out in accordance with industry best practice.

Road Opening

- 12.2 Any maintenance, repair, upgrade or renewal works associated with the pipelines within public roads within the designation shall be carried out in accordance with the document "Working in the Roads Requirements" and a Road Opening Notice obtained from the Road Controlling Authority prior to the works commencing.

Pipeline Maintenance

- 12.3 All pipeline maintenance, repair, upgrade and renewal activities outside road reserves shall be in accordance with the "Guide to Land Access for the Oil and Gas Industry and Landowners" published in 2002 Utility Services
- 12.4 Any utilities within the designation shall be protected from the adverse effects of maintenance, repair, upgrade or renewal works.

Overland Flow Paths

- 12.5 Existing overland flow paths shall not be impeded by any maintenance, repair, upgrade or renewal works carried out within the designation.

Existing Overhead Lines

- 12.6 All works or activities related to the designation shall be undertaken in compliance with the New Zealand Code of Practice for Electrical Safe Distances (NZECP 34:2001).

Earthworks

- 12.7 Where works involving excavation are undertaken pursuant to the designation, appropriate sediment and erosion measures shall be employed. Prior to any earthworks within the designation the appropriate sediment control devices shall be installed in accordance with industry best practice.

Hours of Maintenance

- 12.8 Scheduled maintenance, repair, upgrade and renewal work and associated activities shall be limited to between the hours of 7am and 7pm, Monday to Saturday (excluding public holidays) unless the prior approval of the Council has been obtained, except in the event of an emergency.

Noise

- 12.9 The noise from maintenance, repair, upgrade and renewal activities shall be measured, assessed and controlled in accordance with the procedures and limits set out in NZS 6803:1999 Acoustics – Construction Noise.

Consultation with NZTA

- 12.10 First Gas shall consult with the New Zealand Transport Agency (NZTA) at least 30 working days prior to carrying out any works or activities on, in or under State Highways, except in emergency situations.

Consultation with NZRC

- 12.11 First Gas shall consult with The New Zealand Refining Company Limited (NZRC) at least 30 working days prior to carrying out any works or activities on, in or under NZRC's existing pipeline easement, except in emergency situations.

Maintenance

12.12 Where any maintenance, repair, upgrade or renewal works result in amendments to the as-built pipeline alignment drawings, updated drawings shall be provided to the Council within three months of the commissioning of those new works.

Written Approval from the Requiring Authority

12.13 The Requiring Authority shall respond within 15 days of receiving any request for its written approval under section 176 of the Resource Management Act.

13. Post Construction Restrictions

13.1 No person shall:

- a. Erect any building or structure; or
- b. Erect a fence with supports which extend more than 0.4m into the ground from the surface; or
- c. Plant any tree or shrub; or
- d. Disturb the soil below a depth of 0.4m from the surface; or
- e. Do anything on or to the land which would or could damage or endanger the pipelines within the designated corridor without first obtaining the written consent of First Gas.

For the avoidance of doubt, such written consent shall not be required for ordinary cultivation, digging, excavating, tilling and working soil to a depth of less than 0.4m or where First Gas has provided specific written approval prior to the designation coming into effect. A minimum of 1.5m cover shall remain above the top of the pipe after any ordinary cultivation, digging or excavation has taken place.

Landowners and/or developers can apply to First Gas for consent to do any work on the land within the designation corridor. First Gas will review each application with the landowner and/or developer and work to achieve the most suitable outcome for all parties. First Gas may give its written consent subject to reasonable circumstances.

First Gas agrees to not unreasonably withhold its consent.

Works or activities that would or could damage or endanger the pipeline include, for example, the use of heavy compaction or vibration machinery and equipment, pile-driving machinery and equipment, trenching, excavation or drilling (including micro drilling and directional drilling).

13.2 No person shall undertake road opening, trenching, excavation or drilling (including micro drilling and directional drilling), or lay underground high voltage power lines >450v either in parallel with or intersecting First Gas's pipelines, without first obtaining First Gas's written approval.

13.3 However, the restrictions in 13.1 and 13.2 above do not apply, and First Gas's consent is not required under section 176 of the Resource Management Act 1991 to the following activities:

- a. Any works authorised by an earlier designation.
- b. Any repair, maintenance or upgrade to any existing network utility infrastructure, provided that:
 - A Road Opening Notice has been obtained from the Auckland Council; and
 - Soil is not disturbed below a depth of 0.4m from the surface; and

- After works, the finished surface level is not reduced below the pre-existing surface datum.

Where works other than those authorised by an earlier designation would exceed a depth of 0.4m from the surface and/or after completion of such works the finished surface level is proposed to be reduced below the pre-existing surface datum then application shall be made to First Gas for consent to do the works. First Gas will review each application with the applicant and work to achieve the most suitable outcome for all parties. First Gas may give its written consent subject to reasonable circumstances. First Gas agrees to not unreasonably withhold its consent.

Advice Notes

1. Access to overhead electricity transmission lines, poles or supporting structures shall be maintained at all times in accordance with the Electricity Act 1992.
2. Any new structures within the designation corridor may be subject to a Building Consent where applicable.
3. Guidelines for consultation, agreement for entry for construction and grant of easement, and construction damage release are contained in the Guide to Land Access for the Oil and Gas Industry and Landowners published by Federated Farmers of New Zealand Incorporated in 2002. First Gas is encouraged to engage in a review of the Land Access Code with Federated Farmers.
4. Where this designation traverses land that was designated pursuant to section 176 and 177 of the Resource Management Act 1991 prior to the date of this designation (such as Public Road, Railway, the New Zealand Refining Company Ltd and NZTA designations and state highways which are protected pursuant to sections 51 and 52 of the Government Rounding Powers Act 1989), the Requiring Authority may only carry out its activities with the written consents of the earlier requiring authority.
5. The Requiring Authority is obliged to operate the pipelines and ancillary facilities in accordance with the requirements of NZ/AS2885: Pipelines – Gas and liquid petroleum, and the Health and Safety in Employment (HSE) Pipelines Regulations 1999 and any relevant provisions of the Crown Minerals Act 1991.
6. All necessary consents must be obtained from the Auckland Council prior to the construction of the new facilities. Consultation with affected parties is recommended as part of obtaining these consents.
7. It is possible that archaeological sites may be affected by the proposed work. Evidence of archaeological sites may include burnt and fire cracked stones, charcoal, rubbish heaps including shell, bone and/or glass and crockery, ditches, banks, pits, old building foundations, artefacts of Māori and European origin or human burials. The requiring authority is advised to contact the New Zealand Historic Places Trust if the presence of an archaeological site is suspected. Work affecting archaeological sites is subject to consent process under the Historic Places Act 1993. If any activity associated with this proposal, such as earthworks, fencing or landscaping, may modify, damage or destroy any archaeological site(s), an authority (consent) from the New Zealand Historic Places Trust must be obtained for the work to proceed lawfully. The Historic Places Act 1993 contains penalties for unauthorised site damage.
8. Emergency works may be performed in line with the First Gas advice booklet by excavation to 0.4m depth and thereafter the use of hand tools only. Emergency operations should be notified immediately to First Gas or their agent who provide an on-call service outside of normal working hours.
9. Pursuant and subject to s. 36 RMA the actual and reasonable costs incurred by the Council in monitoring conditions of the designation shall be paid by the Requiring Authority.
10. First Gas has given an undertaking that following construction of, and registration of an easement over, the new pipelines, it will give notice under s. 182 RMA removing part of the designation so

that the width of parts of the designation is reduced as set out in s. 2.7 of Volume 2 of the Notice of Requirement.

11. Once notice has been given by First Gas in accordance with condition 6.2, the Council and First Gas shall meet to discuss the requirements of any updated documents referenced within the designation conditions (conditions 7.3, 7.6, 7.7, 7.9, 7.22, 7.25, 9.2, 12.1, 12.3, 12.6, 12.7). First Gas shall consider the relevance of the updated documents and the implications which the changes may have on First Gas's proposal, and advise the Council of these. First Gas's agreement to comply with the requirements of any updated documents shall not be unreasonably withheld.

Attachments

No attachments.

Attachment C
Updated Firstgas Ltd conditions
9100 Taupaki to Kaukapakapa Gas Pipeline
(clean)

9100 Taupaki to Kaukapakapa Gas Pipeline

Designation Number	9100
Requiring Authority	First Gas Limited
Location	102 Amreins Road, Taupaki to Inland Road (near Kaipara Coast Highway), Kaukapakapa
Rollover Designation	Yes
Legacy Reference	Designation 618, Auckland City Council District Plan (Rodney Section) 2011
Lapse Date	10 years from being operative in the Unitary Plan unless given effect to prior

Purpose

1. Purpose of the Designation

1.1 The designation by First Gas Limited (First Gas) is for:

- a. The design, construction, operation, maintenance, repair, upgrade and renewal of a new gas transmission pipeline and ancillary facilities between First Gas's Taupaki Compressor Station (known as the Henderson Valley Compressor Station) at Amreins Road, Taupaki and Ararimu Road near Waitoki (a length of approximately 19.5 kilometres).
- b. The design, construction, operation, maintenance, repair, upgrade and renewal of a new gas transmission pipeline and ancillary facilities between Ararimu Valley Road and Punganui Station, Kaukapakapa (a length of approximately 9.5 kilometres).
- c. The design, construction, operation, maintenance, repair, upgrade and renewal of new off take and other facilities at the Henderson Valley Compressor Station.
- d. The design, construction, operation, maintenance, repair, upgrade and renewal of new gas metering and pressure regulation equipment and ancillary facilities (known as a "delivery point") at Punganui Station, Kaukapakapa.

1.2 For the purposes of these conditions following construction of the pipeline the designation is subject to the following limitations:

- i. Renewal shall be limited to works on the gas transmission pipeline and will be limited to the replacement of sections of the pipeline with sections having equivalent diameter and maximum allowable operating pressure, and no more than 50 lineal metres of pipeline will be excavated at any particular time.
- ii. Upgrade will be limited to adding or replacing above ground components, provided the Unitary Plan relevant district plan permitted activity standards are complied with.

1.3 The designation affects land legally described in Appendix 2 "Schedule of Affected Land" of Volume 3 of the Notice of Requirement for Designation submitted to Rodney District Council, entitled "Rodney Natural Gas Pipeline Route Designation" (Reference 5672-R-002, Volume 1 Rev 0, Volume 2 Rev 1 and Volume 3 Rev 1, including amended plan 5672-504-0185 Rev 1) and the plan 5672-504-0100 Rev 1 attached as Appendix 15AC(i) to these conditions.

Conditions

2. Description of the Designation

- 2.1 The designation shall be described in the Unitary Plan as “Gas Transmission Purposes”.

3. Lapsing Period

Pursuant to s 184(1)(c) of the Resource Management Act 1991 (RMA), the period during which the designation shall not lapse, unless given effect to, shall be ten years commencing from the date the designation is included in the Unitary Plan.

4. Outline Plan

Council's acceptance of the Construction Management Plan, Traffic Management Plan, Construction Noise Management Plan and Reinstatement Management Plan required to be submitted under Conditions 7.1, 7.8, 7.23 and 10.1 respectively shall constitute approval under the RMA, of the details of that part of the proposed project or work that comprises conventional cut and cover excavation, and trenchless construction techniques including horizontal directional drilling for the purposes of s176A(2)(a) RMA, so that no Outline Plan for that part of the construction phase of the project or work need be submitted to the Council.

For the avoidance of doubt, the Council waives any requirement for the Requiring Authority to submit an Outline Plan for the construction phase of project or work under s176A(2)(c) RMA where the work comprises conventional cut and cover excavation and trenchless construction techniques including horizontal directional drilling but may require an Outline Plan for future maintenance, repair, renewal or upgrading activities.

5. Conditions

The Designation shall be subject to the following conditions:

Unless the context otherwise requires, references in the following conditions to "the Council" shall be deemed to be references to the Auckland Council's Chief Executive Officer or nominee.

6. General Conditions

- 6.1 Subject to these conditions, all works shall be undertaken in general accordance with:

- a. The plans and information submitted by First Gas in support of the Notice of Requirement in the documents entitled “Rodney Natural Gas Pipeline Route Designation” (Reference 5672-R-002, Volume 1 Rev 0, Volume 2 Rev 1 and Volume 3 Rev 1), and the plan 5672-504-0100 Rev 1 attached as Appendix 15AC(i) to these conditions; and
- b. The evidence and submissions presented on behalf of First Gas at the Hearings before Rodney District Council Commissioners on 5 June and 29 June 2009, including, in particular, Appendix 8 to Mr Owen McBride's evidence dated 5 June 2009 as elaborated on in Mr Owen McBride's evidence dated 22 June 2009.

Notice

- 6.2 The Requiring Authority shall give written notice of:

- a. The likely commencement date for the works pursuant to the designation; and

- b. The expected timeframe for the construction programme;

to the Council, NZTA, KiwiRail and landowners along and adjacent to the designation not less than twelve months and again not less than six months prior to entry for construction. The Requiring Authority shall provide to the Council a list of the landowners notified pursuant to this condition and a copy of the information supplied to them.

Designation Width

6.3 The maximum width of the designation shall be as follows:

- a. For land within road reserve (along road reserve) – the width of the road or 25 metres whichever is the lesser. Within 3 months following the completion of construction First Gas shall reduce the width to 6 metres pursuant to s182 of the Act;
- b. For land within road and/or rail reserve (across road reserve/state highway/rail) – 25m. Within 3 months following the completion of construction First Gas shall reduce the width to 6 metres pursuant to s182 of the Act; and
- c. Areas other than road reserve - 25 metres or as shown on the plans attached as Appendix 3 of Volume 3 Rev 1 of the NOR except that, in relation to the property identified as Lot 1 DP 170384, the designated area shall be the area shown on Plan 5672-504-0100 Rev 1 attached as Appendix 15AC(i) to these conditions. Within 3 months following the completion of construction and registration of the easements First Gas shall reduce the width to 12 metres pursuant to s182 of the Act.

7. Construction

Construction Management Plan

7.1 The Requiring Authority shall submit a preliminary Construction Management Plan to the Council three months prior to commencing construction. The Requiring Authority shall then submit a detailed Construction Management Plan in final form to the satisfaction of the Council at least one month prior to commencing construction. The Construction Management Plan shall include the construction drawings and procedures, methods and measures to be applied during the construction phase to address:

- a. Liaison with the Council, affected parties, utility owners and the general public;
- b. Construction methodology for conventional cut-and-cover excavation;
- c. Construction methodology for trenchless construction techniques including horizontal directional drilling;
- d. Construction work within road reserves and state highways;
- e. Likely work programme;
- f. Noise control;
- g. Dust control, including:
 - i. specific reference to protection of power transmission lines; and
 - ii. the avoidance or remediation of dust effects on residential dwellings and residential water supplies;
- h. Earthworks and sediment control, including vegetation control, and disposal of unsuitable and/or surplus material;

- i. Provision for fencing so as to enable continued operation of the land use activities on the properties through which the designation passes;
- j. Location, protection and provision of alternative supply in the event of disruption of existing utilities;
- k. Management of issues raised by affected parties during construction including contact details for key First Gas construction personnel and systems for investigation, recording and reporting actions taken to resolve issues raised;
- l. Construction techniques for the crossing of waterways; and
- m. An environmental mitigation plan setting out the management of fauna and flora associated with natural areas (aquatic, riparian and terrestrial) within the designation.

Construction Plans

- 7.2 The construction plans described in Condition 7.1 shall include detailed engineering plans of the pipeline route. The plans shall include long sections and cross sections (where necessary) detailing the alignment and level of the pipeline and associated works with respect to ground levels, structures and services. The construction plans for the crossings of roads, state highways and railways shall be approved by the relevant transport authority and the utility operators for the particular crossings.

Engineering Standards

- 7.3 All works in, on or under Council roads shall be carried out in accordance with industry best practice.

Geotechnical

- 7.4 Pipeline construction shall be carried out in accordance with the requirements of the "Geotechnical Risk Assessment: Proposed Gas Transmission Pipeline Route – Taupaki to Punganui" from Pattle Delamore Partners Ltd, dated February 2007.

Overland Flow Paths

- 7.5 Existing overland flow paths shall not be impeded by any works.

Earthworks

- 7.6 Where works involving excavation are undertaken pursuant to the designation, appropriate sediment and erosion measures shall be employed. Prior to any earthworks within the designation the adequate silt retention structures shall be installed in accordance with industry best practice. These structures shall be maintained and cleaned out as necessary until such time a complete grass cover, or other non-erodable surfacing, has been re-established over the site.

Health and Safety Management Plan

- 7.7 The Requiring Authority shall submit a preliminary Health and Safety Management Plan to the Council three months prior to commencing construction. The Requiring Authority shall then submit a detailed Health and Safety Management Plan in final form to the Council at least one month prior to commencing construction.

Traffic Management Plan

- 7.8 The Requiring Authority shall submit a preliminary Traffic Management Plan (TMP) in accordance with the Code of Practice for Temporary Traffic Management 3rd edition November

2004, three months prior to commencing construction. The Requiring Authority shall then submit a detailed TMP in final form, specifically addressing control of construction access to the site and traffic control adjacent to the site, and the protection of the public, to the satisfaction of the Council and NZTA. The TMP is to be submitted with the Road Opening Notice application not less than one month before any construction is carried out within a road that is formed and maintained by the Council or the NZTA. Specific areas to be addressed in the Traffic Management Plan shall include but not be limited to:

- a. Control of construction access to the site;
- b. Traffic control adjacent to the site;
- c. The protection of the public;
- d. The temporary diversion of traffic during construction
- e. Traffic safety;
- f. Control at intersections;
- g. Consideration of hours of work for heavily trafficked roads;
- h. Maintenance of road and property accesses; and
- i. Movement of construction traffic on local roads.

Verification that the TMP meets the Council's and NZTA's requirements shall have been received in writing, prior to the commencement of any works on the site. A copy of the Traffic Management Plan, together with the verification letter shall be kept on the site at all times. All measures for the protection of the public and other personnel set out in the verified TMP shall be maintained and complied with at all times until such time as the works are completed.

Location of Pipeline within Roads

- 7.9 The location of the pipeline within formed and unformed roads shall be determined in consultation with the Council but shall be no closer than 3m to the road boundary.

Pre-construction Meeting

- 7.10 Not less than two weeks prior to the commencement of works, the Requiring Authority shall meet with the Council for a pre-construction meeting.

Guide to Land Access

- 7.11 All works outside road reserves shall be in accordance with the "Guide to Land Access for the Oil and Gas Industry and Landowners" published by Federated Farmers of New Zealand Incorporated in 2002.

Property Access

- 7.12 The Requiring Authority shall at all times ensure that access between parts of any single property temporarily severed by construction is maintained to a level that will enable, as far as is practicable, normal operations on the property to continue.

Hours of Work

- 7.13 Except within the boundaries of formed roads and state highways, pipeline construction and associated activities shall not occur during the hours of darkness as defined in the Traffic

Regulations 1976 except in the case of urgent work necessary to prevent injury to persons or damage to property.

Hours of Work in Road Reserves

- 7.14 Within the boundaries of formed roads and state highways pipeline construction and associated activities shall be limited to between the hours of 7am and 7pm Monday to Saturday (excluding public holidays) except:
- a. Where otherwise stated in a Traffic Management Plan to the satisfaction of the roading authority submitted pursuant to Condition 2.4; or
 - b. With the prior written approval of the roading authority.

Length of Works in Roads

- 7.15 Within formed road reserves, all construction activities at any one location shall be limited to a linear distance of 500 metres except with the prior written approval of the roading authority.

Construction Activities on Private Property

- 7.16 Construction activities on land other than road and state highway shall be limited to the period between 1 October in any given year, and 30 April in the following year except with the prior written approval of the Council and the relevant property owner.

Pipeline Cover

- 7.17 Except as otherwise provided, the new pipelines shall have a minimum cover of at least 1.5 metres. In road and state highway reserves the minimum cover shall be at least 2.0 metres unless otherwise agreed with the roading authority.

Utility Services

- 7.18 The Requiring Authority shall liaise with the operators of existing utilities and pipelines located in or adjacent to the designation during the detailed design phase and subsequent construction processes and shall ensure that all existing pipelines and utilities are:
- a. Accurately located prior to the preparation of the plans detailed in Condition 7.1. If necessary, this location work shall include exploratory excavation;
 - b. Either protected from any activity which may interfere with the proper functioning of the pipeline or utility or relocated to a location approved by the operator of that pipeline or utility;
 - c. If damaged, then repaired at the Requiring Authority's expense, to the reasonable satisfaction of the affected pipeline or utility operator; and
 - d. Where practicable able to be accessed during construction.

Separation from Existing Utilities

- 7.19 Where existing pipelines and other buried utilities are encountered the new pipelines shall, where practicable be installed underneath them, with a minimum 500mm vertical separation. Where practicable a 1m horizontal separation shall be provided between the existing pipelines and other buried utilities and the new pipelines. If the minimum clearances cannot be achieved during construction, measures such as concrete protection slabs or similar barriers shall be provided to protect the existing pipelines and/or utility from damage as a result of installation of the new pipelines.

Construction Methods

- 7.20 The new pipeline shall be installed at crossings of sealed or paved roads and state highways for the full width of the reserve using trenchless construction techniques unless otherwise agreed with the roading authority. Where the Requiring Authority identifies that trenchless construction techniques are not feasible, it shall provide information to the roading authority for approval of alternative construction methods.

Existing Overhead Lines

- 7.21 All works or activities related to the designation shall be designed and undertaken in compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP 34:2001).

Noise

- 7.22 The noise from construction (including commissioning activities), shall be measured, assessed and controlled in accordance with the procedures set out in NZS 6803:1999 Acoustics – Construction Noise or alternative strategies shall be implemented for ensuring that the noise from such activities will be acceptable to the occupants of the dwellings.

Construction Noise Management Plan

- 7.23 The Requiring Authority shall submit a preliminary Construction Noise Management Plan to the Council three months prior to commencing construction. The Requiring Authority shall then submit a Construction Noise Management Plan in final form to the satisfaction of Council at least one month prior to commencing construction. The Plan shall be developed and implemented in accordance with Condition 7.23 for construction works along the pipelines and shall:
- a. Identify all occupied dwellings which are located within 40 metres of any area to be used for pipeline construction and installation purposes;
 - b. Provide predicted construction noise levels for all dwellings identified in sub-clause (a);
 - c. Provide that the noise levels at the Henderson Valley (Taupaki) Compressor Station during the commissioning period, between 7pm and 7am (night time) shall not exceed 42 dBA (Leq) unless specific arrangements are made with residents; and
 - d. Specify mitigation measures needed to achieve compliance with Condition 7.23 for all dwellings where required, or alternative strategies for ensuring that construction noise levels will be acceptable to the occupants of identified dwellings.

Road Opening

- 7.24 All pipeline construction activities within formed road reserves shall be in accordance with the requirements of the Code of Practice for Working in Roads, published by the Auckland Utilities Group and held on the relevant Council File. The Requiring Authority shall submit a Road Opening Notice for each work location within the formed road reserve as required by Standards New Zealand Handbook 'Code of Practice for Working in the Road' SNZ HB 2002:2003 prior to work commencing at that particular location.

Utility Repairs

- 7.25 All repair works on existing public wastewater, stormwater and water mains shall be carried out by a Council-approved licensed contractor at the Requiring Authority's expense.

Surplus Soil

- 7.26 Surplus soil may be dispersed on the site where it originated with the written consent of the relevant property owner, or if it is to be disposed of off-site, it shall be disposed of at a location approved by, and to the satisfaction of, the Council.

8. Heritage

Heritage and Cultural Survey

- 8.1 The Requiring Authority shall, not less than three months prior to the commencement of construction, undertake a detailed Heritage and Cultural Survey along the pipeline route, in consultation with the New Zealand Historic Places Trust, affected tangata whenua and the Department of Conservation, to confirm the location of any features of heritage and cultural significance. Before the commencement of construction, the Requiring Authority shall submit documentation to the Council advising the outcomes of that survey and specifically identifying:
- a. Any features of heritage and cultural significance within or adjacent to the designation; and
 - b. Appropriate protection measures for those features or the provision of the relevant authority to modify damage or destroy any archaeological site from the New Zealand Historic Places Trust.

Heritage Protocol

- 8.2 Prior to commencement of construction, the Requiring Authority shall implement a protocol for management of construction activities where those activities are in close proximity to known cultural and/or heritage sites and for discovery of taonga, koiwi or artefacts during design and construction ("the Heritage Protocol"). The Heritage Protocol shall be based on the draft protocol contained in Appendix 11.2 of Volume 3 of the Notice of Requirement for Designation.

9. Henderson Valley (Taupaki) Compressor Station

Noise

- 9.1 Noise from activities other than construction (including commissioning), maintenance and repair within the Henderson Valley Compressor Station shall not exceed the following limits when measured at the outer boundary of the restrictive covenant surrounding the station site:
- a. Day Time 7:00am - 7:00pm 40 dBA L10; and
 - b. Night Time 7:00pm - 7:00am 40 dBA L10.

Measurement of Noise

- 9.2 The noise levels required by Condition 9.1 shall be measured in accordance with the requirements of NZS 6801:1991 Measurement of Sound and assessed in accordance with the requirements of NZS 6802:1999 Assessment of Environmental Sound.

Predicted Noise Levels

- 9.3 The Requiring Authority shall submit to Council a report from a suitably qualified and experienced acoustic engineer that states that the predicted noise levels to be generated from activities within the site will comply with the noise levels required by Condition 9.1, and specifies details of noise control treatment, if necessary. The report shall be submitted to the Council in draft form at least three months prior to the commencement of any construction works at the Henderson Valley Compressor Station, and again in final form at least one month

prior to the commencement of any construction works at the Henderson Valley Compressor Station.

Noise Report

- 9.4 The Requiring Authority shall submit a report by a suitably qualified and experienced acoustic engineer on the noise generated from the operation of the facilities at Henderson Valley Compressor Station within three months of completion of commissioning of the new facilities. The report shall detail the noise measurements and specify any noise control treatment identified that may be necessary.

Lighting

- 9.5 All lighting installed at Henderson Valley Compressor Station shall be sited and designed to ensure that illumination does not exceed 10 lux measured vertically at the boundary of the site.

Advice to Residents

- 9.6 The Requiring Authority shall no less than one week prior to it undertaking any 24 hour construction work at Henderson Valley Compressor Station, advise the Council and all owners and occupiers of all residential buildings located on properties within 300m of the site, if night lighting will be required.

10. Monitoring and Reinstatement

Reinstatement Management Plan

- 10.1 For land other than formed road, state highway and rail reserves, the Requiring Authority shall submit a preliminary Reinstatement Management Plan to the Council three months prior to the commencement of construction and again in final form to the Council at least one month prior to the commencement of construction. The Plan shall provide a written and photographic record of the area affected by works and shall include the procedures, methods and measures to be applied to address:
- a. Reinstatement of affected areas to pre-existing conditions;
 - b. Reinstatement of existing utilities including property infrastructure; and
 - c. Post construction monitoring measures to monitor effectiveness of the reinstatement measures.

The reinstatement measures identified in the Reinstatement Management Plan shall encompass the measures set out in Appendix 17 to the NOR (unless alternative measures are approved in writing by the relevant property owner). These reinstatement measures shall be implemented as soon as practicable after areas become available for reinstatement due to the progress of the works.

Monitoring

- 10.2 For land other than formed road, state highway and railway reserves, the Requiring Authority shall monitor reinstated areas at three monthly intervals for a period of 12 months after construction and six monthly for the following 12 months. The Requiring Authority shall submit a Reinstatement Report to the Council within one month of completion of each monitoring inspection. The Requiring Authority shall as soon as practicable undertake any remedial work identified in the Reinstatement Report as necessary to achieve the outcomes specified in the Reinstatement Management Plan submitted pursuant to Condition 10.1.

Reinstatement in Roads

- 10.3 Where the designation is within formed roads and state highways, the Requiring Authority shall engage a Council and NZTA approved suitably qualified roading engineer to undertake a before and after construction assessment based on a Road Asset Management rating survey of every formed road in which the pipelines are located. The consultant shall prepare an Initial Road Reinstatement Report as soon as practicable after completion of construction works and submit that report to Council and NZTA. The Requiring Authority shall as soon as practicable as required by the roading authority undertake any remedial work identified in the Initial Road Reinstatement Report as necessary to ensure that the roads are reinstated to the same standard as prior to construction.

Monitoring within Roads

- 10.4 Within formed road reserves and state highways, the Requiring Authority shall monitor the areas where work has been undertaken pursuant to the Initial Road Reinstatement Report at three monthly intervals for a period of 12 months after remediation. The Requiring Authority shall submit a Further Road Reinstatement Report to the roading authority within one month of completion of each monitoring inspection. The Requiring Authority shall as soon as practicable as required by the roading authority undertake any remedial work identified in any Further Road Reinstatement Report as necessary to ensure that the roads are reinstated to the same standard as prior to construction.

Specifications

- 10.5 The Requiring Authority shall submit to the roading authority a detailed specification of any road works reinstatement undertaken within three months of completion of the works.

11. Completion

As-built Drawings

- 11.1 The Requiring Authority shall submit to the Council detailed as-built pipeline drawings within three months of the commissioning of the new pipelines. The as-built drawings shall include geodetic coordinates for all key locations in an agreed electronic format.

12. Maintenance, Repair, Upgrading and Renewal

Engineering Standards

- 12.1 All works in, on or under Council roads shall be carried out in accordance with industry best practice.

Road Opening

- 12.2 Any maintenance, repair, upgrade or renewal works associated with the pipelines within public roads within the designation shall be carried out in accordance with the document "Working in the Roads Requirements" and a Road Opening Notice obtained from the Road Controlling Authority prior to the works commencing.

Pipeline Maintenance

- 12.3 All pipeline maintenance, repair, upgrade and renewal activities outside road reserves shall be in accordance with the "Guide to Land Access for the Oil and Gas Industry and Landowners" published in 2002 Utility Services
- 12.4 Any utilities within the designation shall be protected from the adverse effects of maintenance, repair, upgrade or renewal works.

Overland Flow Paths

- 12.5 Existing overland flow paths shall not be impeded by any maintenance, repair, upgrade or renewal works carried out within the designation.

Existing Overhead Lines

- 12.6 All works or activities related to the designation shall be undertaken in compliance with the New Zealand Code of Practice for Electrical Safe Distances (NZECP 34:2001).

Earthworks

- 12.7 Where works involving excavation are undertaken pursuant to the designation, appropriate sediment and erosion measures shall be employed. Prior to any earthworks within the designation the appropriate sediment control devices shall be installed in accordance with industry best practice.

Hours of Maintenance

- 12.8 Scheduled maintenance, repair, upgrade and renewal work and associated activities shall be limited to between the hours of 7am and 7pm, Monday to Saturday (excluding public holidays) unless the prior approval of the Council has been obtained, except in the event of an emergency.

Noise

- 12.9 The noise from maintenance, repair, upgrade and renewal activities shall be measured, assessed and controlled in accordance with the procedures and limits set out in NZS 6803:1999 Acoustics – Construction Noise.

Consultation with NZTA

- 12.10 First Gas shall consult with the New Zealand Transport Agency (NZTA) at least 30 working days prior to carrying out any works or activities on, in or under State Highways, except in emergency situations.

Consultation with NZRC

- 12.11 First Gas shall consult with The New Zealand Refining Company Limited (NZRC) at least 30 working days prior to carrying out any works or activities on, in or under NZRC's existing pipeline easement, except in emergency situations.

Maintenance

- 12.12 Where any maintenance, repair, upgrade or renewal works result in amendments to the as-built pipeline alignment drawings, updated drawings shall be provided to the Council within three months of the commissioning of those new works.

Written Approval from the Requiring Authority

- 12.13 The Requiring Authority shall respond within 15 days of receiving any request for its written approval under section 176 of the Resource Management Act.

13. Post Construction Restrictions

- 13.1 No person shall:

- a. Erect any building or structure; or

- b. Erect a fence with supports which extend more than 0.4m into the ground from the surface; or
- c. Plant any tree or shrub; or
- d. Disturb the soil below a depth of 0.4m from the surface; or
- e. Do anything on or to the land which would or could damage or endanger the pipelines within the designated corridor without first obtaining the written consent of First Gas.

For the avoidance of doubt, such written consent shall not be required for ordinary cultivation, digging, excavating, tilling and working soil to a depth of less than 0.4m or where First Gas has provided specific written approval prior to the designation coming into effect. A minimum of 1.5m cover shall remain above the top of the pipe after any ordinary cultivation, digging or excavation has taken place.

Landowners and/or developers can apply to First Gas for consent to do any work on the land within the designation corridor. First Gas will review each application with the landowner and/or developer and work to achieve the most suitable outcome for all parties. First Gas may give its written consent subject to reasonable circumstances.

First Gas agrees to not unreasonably withhold its consent.

Works or activities that would or could damage or endanger the pipeline include, for example, the use of heavy compaction or vibration machinery and equipment, pile-driving machinery and equipment, trenching, excavation or drilling (including micro drilling and directional drilling).

- 13.2 No person shall undertake road opening, trenching, excavation or drilling (including micro drilling and directional drilling), or lay underground high voltage power lines >450v either in parallel with or intersecting First Gas's pipelines, without first obtaining First Gas's written approval.
- 13.3 However, the restrictions in 13.1 and 13.2 above do not apply, and First Gas's consent is not required under section 176 of the Resource Management Act 1991 to the following activities:
 - a. Any works authorised by an earlier designation.
 - b. Any repair, maintenance or upgrade to any existing network utility infrastructure, provided that:
 - A Road Opening Notice has been obtained from the Auckland Council; and
 - Soil is not disturbed below a depth of 0.4m from the surface; and
 - After works, the finished surface level is not reduced below the pre-existing surface datum.

Where works other than those authorised by an earlier designation would exceed a depth of 0.4m from the surface and/or after completion of such works the finished surface level is proposed to be reduced below the pre-existing surface datum then application shall be made to First Gas for consent to do the works. First Gas will review each application with the applicant and work to achieve the most suitable outcome for all parties. First Gas may give its written consent subject to reasonable circumstances. First Gas agrees to not unreasonably withhold its consent.

Advice Notes

- 1. Access to overhead electricity transmission lines, poles or supporting structures shall be maintained at all times in accordance with the Electricity Act 1992.

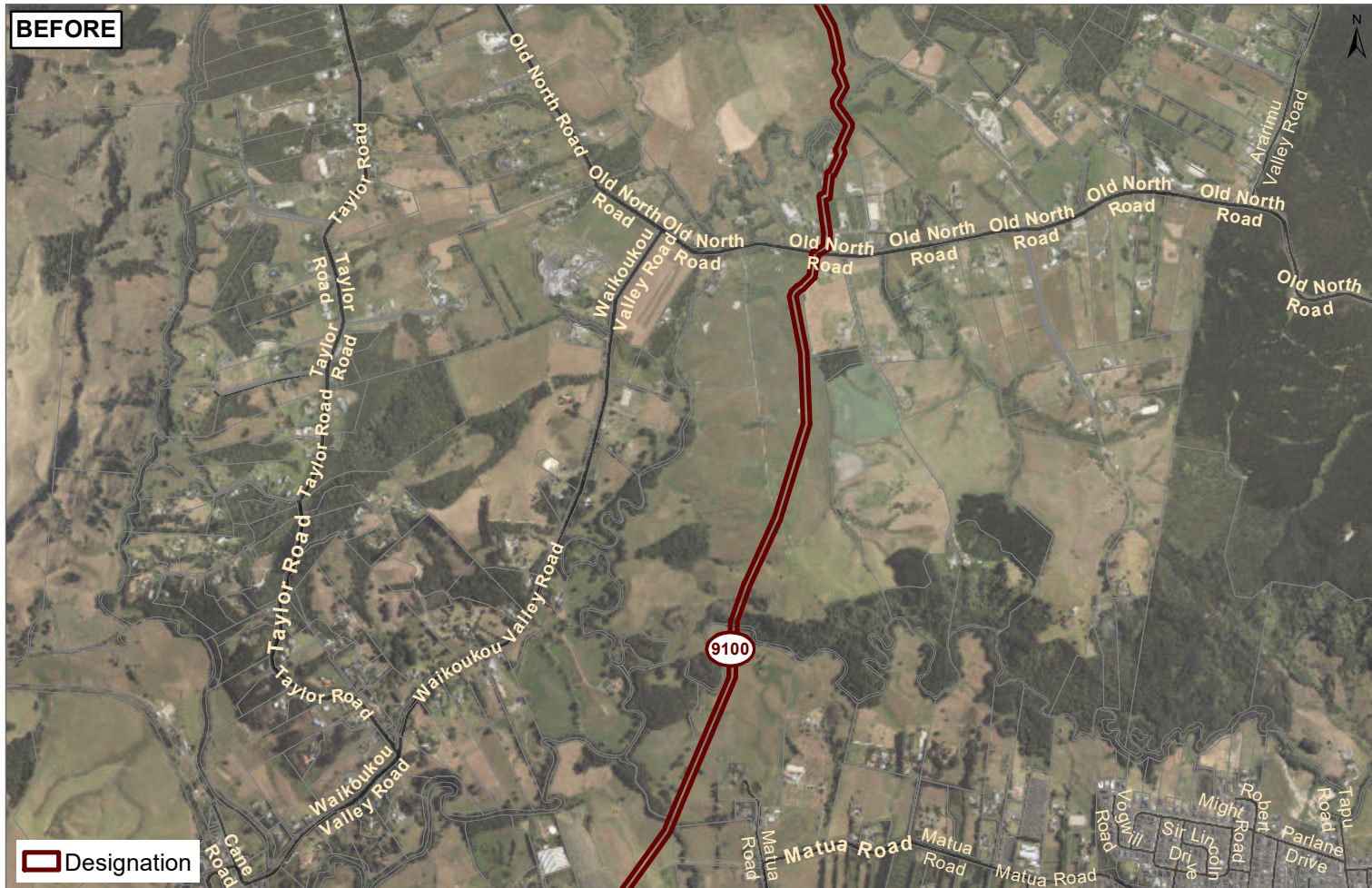
2. Any new structures within the designation corridor may be subject to a Building Consent where applicable.
3. Guidelines for consultation, agreement for entry for construction and grant of easement, and construction damage release are contained in the Guide to Land Access for the Oil and Gas Industry and Landowners published by Federated Farmers of New Zealand Incorporated in 2002. First Gas is encouraged to engage in a review of the Land Access Code with Federated Farmers.
4. Where this designation traverses land that was designated pursuant to section 176 and 177 of the Resource Management Act 1991 prior to the date of this designation (such as Public Road, Railway, the New Zealand Refining Company Ltd and NZTA designations and state highways which are protected pursuant to sections 51 and 52 of the Government Rounding Powers Act 1989), the Requiring Authority may only carry out its activities with the written consents of the earlier requiring authority.
5. The Requiring Authority is obliged to operate the pipelines and ancillary facilities in accordance with the requirements of NZ/AS2885: Pipelines – Gas and liquid petroleum, and the Health and Safety in Employment (HSE) Pipelines Regulations 1999 and any relevant provisions of the Crown Minerals Act 1991.
6. All necessary consents must be obtained from the Auckland Council prior to the construction of the new facilities. Consultation with affected parties is recommended as part of obtaining these consents.
7. It is possible that archaeological sites may be affected by the proposed work. Evidence of archaeological sites may include burnt and fire cracked stones, charcoal, rubbish heaps including shell, bone and/or glass and crockery, ditches, banks, pits, old building foundations, artefacts of Māori and European origin or human burials. The requiring authority is advised to contact the New Zealand Historic Places Trust if the presence of an archaeological site is suspected. Work affecting archaeological sites is subject to consent process under the Historic Places Act 1993. If any activity associated with this proposal, such as earthworks, fencing or landscaping, may modify, damage or destroy any archaeological site(s), an authority (consent) from the New Zealand Historic Places Trust must be obtained for the work to proceed lawfully. The Historic Places Act 1993 contains penalties for unauthorised site damage.
8. Emergency works may be performed in line with the First Gas advice booklet by excavation to 0.4m depth and thereafter the use of hand tools only. Emergency operations should be notified immediately to First Gas or their agent who provide an on-call service outside of normal working hours.
9. Pursuant and subject to s. 36 RMA the actual and reasonable costs incurred by the Council in monitoring conditions of the designation shall be paid by the Requiring Authority.
10. First Gas has given an undertaking that following construction of, and registration of an easement over, the new pipelines, it will give notice under s. 182 RMA removing part of the designation so that the width of parts of the designation is reduced as set out in s. 2.7 of Volume 2 of the Notice of Requirement.
11. Once notice has been given by First Gas in accordance with condition 6.2, the Council and First Gas shall meet to discuss the requirements of any updated documents referenced within the designation conditions (conditions 7.3, 7.6, 7.7, 7.9, 7.22, 7.25, 9.2, 12.1, 12.3, 12.6, 12.7). First Gas shall consider the relevance of the updated documents and the implications which the changes may have on First Gas's proposal, and advise the Council of these. First Gas's agreement to comply with the requirements of any updated documents shall not be unreasonably withheld.

Attachments

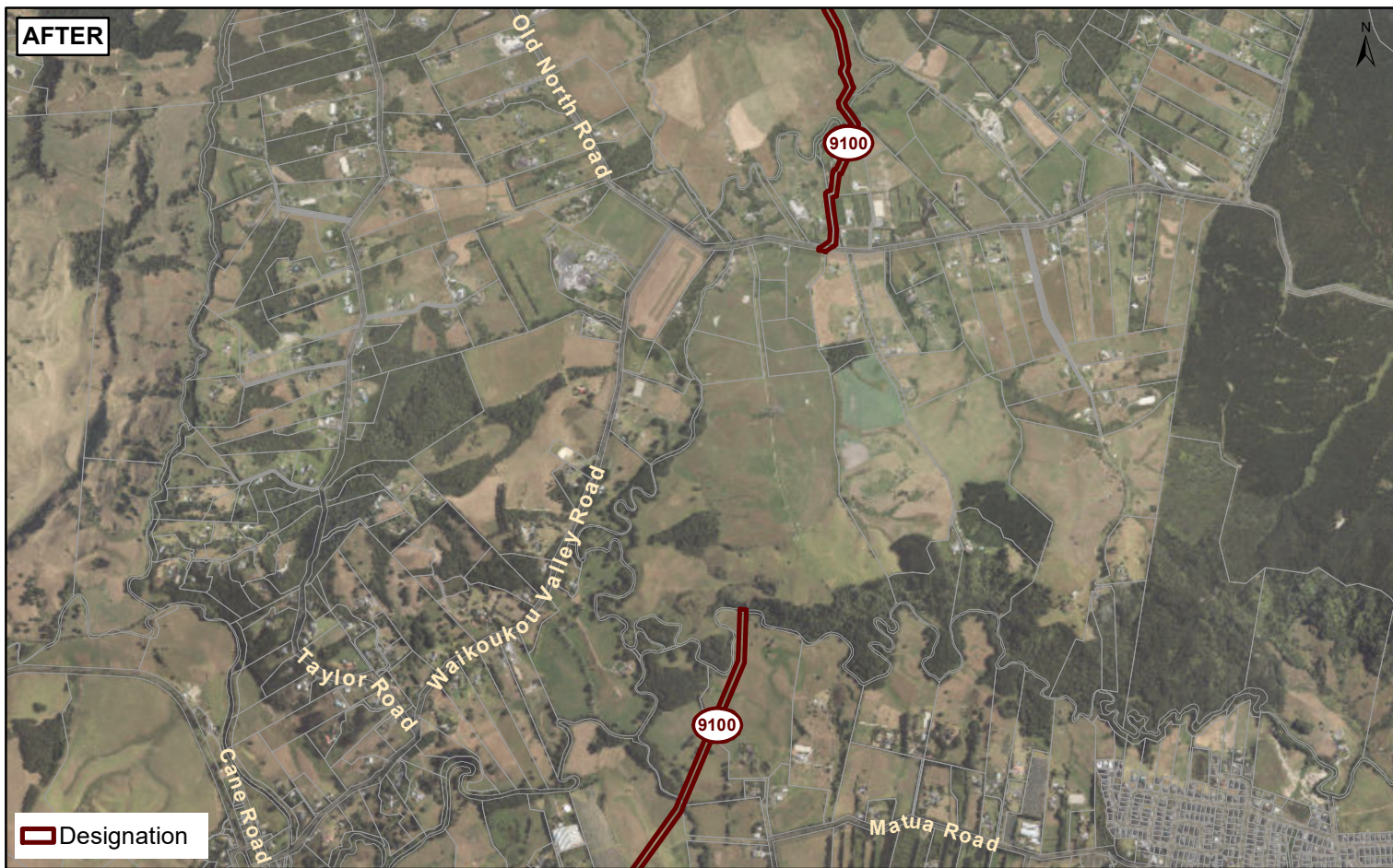
No attachments.

Attachment E
Auckland Unitary Plan GIS Viewer
(Before/After)

BEFORE



AFTER



0 210 420 840 M

Whilst due care has been taken, Auckland Council gives no warranty as to the accuracy and completeness of any information on this map/plan and accepts no liability for any error, omission or use of the information.

Date: 4/11/2025

D9100 Taupaki to Kaukapakapa Gas Pipeline by removing part of a Designation 9100 from four affected properties



Plans and Places