

under: the Fast-track Approvals Act 2024

in the matter of: applications for resource consents and archaeological authorities and notices of requirement by the New Zealand Transport Agency Waka Kotahi to develop a rapid transit link and associated infrastructure and connections between Brigham Creek and Auckland City centre, alongside State Highway 16, known as 'North West Rapid Transit'

applicant: **New Zealand Transport Agency Waka Kotahi**
Requiring Authority and Applicant

Joint memorandum of counsel on behalf of the New Zealand Transport Agency Waka Kotahi and Auckland Council

Dated: 26 June 2026

Reference: Paula Brosnahan (paula.brosnahan@chapmantripp.com)
Nicola de Wit (nicola.dewit@chapmantripp.com)

**JOINT MEMORANDUM OF COUNSEL ON BEHALF OF NEW
ZEALAND TRANSPORT AGENCY WAKA KOTAHI AND AUCKLAND
COUNCIL**

- 1 This memorandum is filed on behalf of the New Zealand Transport Agency Waka Kotahi (*NZTA*) and Auckland Council (*Council*) in relation to the North West Rapid Transit Project (*NWRT* or *Project*).
- 2 The Panel's Minute 14, dated 22 June 2026, confirmed the (indefinite) continuation of the suspension of processing of the substantive application, and requested that NZTA provide a progress update following facilitated discussions with Council.
- 3 NZTA and Council participated in facilitated discussions on Tuesday 23 and Wednesday 24 June 2026.
- 4 The facilitated discussions were attended by:
 - 4.1 Facilitator: Greg Hill
 - 4.2 NZTA:
 - (a) Evan Keating, Principal Planner, NZTA
 - (b) Karyn Sinclair and Helen Hicks, independent planners
 - (c) Paula Brosnahan and Nicola de Wit, external legal counsel
 - 4.3 Council:
 - (a) Warwick Pascoe, principal project lead, resource consents
 - (b) Louise Barclay, Jo Hart, and Celia Wong, planners
 - (c) Matt Allan and Rowan Ashton, external legal counsel
- 5 Emma Fisk (Director – Rapid Transit, NZTA) and Megan Tyler (Director - Policy, Planning and Governance, Council) also attended parts of the facilitated discussions to provide overarching direction for the discussions.
- 6 NZTA and Council consider good progress was made during the facilitated discussions, however a number of matters remain outstanding.
- 7 A table recording the outcome of the discussions to date is provided in **Attachment 1**. The table records the matters that have been

resolved, the matters that remain subject to further discussion, and the matters that are not resolved. The table addresses:

- 7.1 NZTA's proposed conditions lodged in April 2026. NZTA notes that this condition set does not include amendments that it intends to propose in response to comments from other invited persons;
 - 7.2 Council's suggested amendments to the Proposed Designation conditions (at Appendix 1 to the Council comments dated 2 June 2026); and
 - 7.3 Council's suggested amendments to the consent conditions (at **Attachment 2**). The contents of Attachment 2 were not attached to Council's comments. Instead, the document was prepared to support the facilitated discussions as a 'raw' conditions document drawing on Council's specialist recommendations and standard conditions. It is annexed to this memorandum to provide the Panel with context for the record of matters agreed / not agreed in Attachment 1.
- 8 For the purposes of this interim update, detailed reasons for positions (agreements / disagreements) have not been included in Attachment 1. The Panel may be assisted by a brief explanation in due course, and the parties welcome an indication from the Panel as to whether that would be helpful.
 - 9 NZTA and Council have scheduled a further facilitated discussion for the afternoon of Tuesday 30 June 2026.
 - 10 NZTA anticipates it will request resumption of processing of the substantive application (in accordance with s65 FTAA) mid-next week. If that does not occur, NZTA will file a further progress update on Friday 3 July 2026.

- 11 The parties wish to signal that, subject to the Panel's preferences and following completion of the facilitated discussions, the parties intend to prepare and file updated sets of proposed designation and resource consent conditions, reflecting the outcome of those discussions.

Dated 26 June 2026

A handwritten signature in blue ink, appearing to be 'P. Brosnahan' or 'N. de Wit', written in a cursive style.

Paula Brosnahan / Nicola de Wit
Counsel for New Zealand Transport Agency Waka Kotahi

A handwritten signature in blue ink, appearing to be 'M. Allan' or 'R. Ashton', written in a cursive style.

Matt Allan / Rowan Ashton
Counsel for Auckland Council

ATTACHMENT 1 - RECORD OF NZTA AND COUNCIL FACILITATED DISCUSSIONS

NZTA's Proposed Designation Conditions (as lodged April 2026)			Matters agreed	Matters not agreed
NoR #	Cond #	Condition		
			Agreed that "must" can replace "shall" throughout the conditions – change to be made throughout. Agreed that "impacts" is replaced by "effects" – change to be made throughout.	
ALL		Purpose The purpose of the designation is to construct, operate, maintain, and improve a rapid transit corridor, and ancillary structures, works and activities.	Agreed that no amendments are required.	
ALL		Definitions ...	Agree there will be one SQP definition only.	Any amendments to definitions to be confirmed following completion of discussions on outstanding conditions below.
ALL	1.	Lapse The designation shall lapse if not given effect to within 25 years from the date on which it is included in the AUP.	Agree to amend as follows "The designation shall lapses if not given effect..."	
1, 2, 3, 9 and 10	2.	Primary Designation (Augier condition) This designation shall be considered as the primary (earlier) designation where it overlaps with designation <i>[insert relevant station designation number]</i>.	Agreed.	

ALL	3.	Outline Plan(s) and Management Plans Outline Plan(s) may be submitted in parts or in stages to address particular activities (e.g. design or construction aspects), or to reflect the staged implementation of the Project. Outline Plans shall include any management plan or plans that are relevant to the management of effects of those activities or stage of work, unless otherwise stated below, which may include: Construction Noise and Vibration Management Plan (i) Built Heritage Construction Management Plan [NoR 9 and 11 only] (ii) Tree Protection Methodology [NoR 9 and 10 only]	Agreed that no amendments are required.	
ALL	4.	Conditions following Completion of Construction Following Completion of Construction, all conditions except Condition 37 cease to have an effect and do not apply to any subsequent work associated with on-going operation and maintenance of the Project.	Agreed.	
PRE CONSTRUCTION CONDITIONS				
1, 2, 4 and 5	5.	Cultural Values (<i>Augier</i> condition) The Requiring Authority shall engage with Te Kawerau ā Maki and Ngāti Whātua o Kaipara during detailed design to identify how their cultural values will be reflected in the Project.	Council leaves cultural matters to iwi, but has no issue with the condition.	
3, 6, 7 and 8	6.	Cultural Values (<i>Augier</i> condition) The Requiring Authority shall engage with Te Kawerau ā Maki during detailed design to identify how their cultural values will be reflected in the Project.	Council leaves cultural matters to iwi, but has no issue with the condition.	

9, 10, 11 and 12	7.	Cultural Values (Augier condition) The Requiring Authority shall engage with Ngāti Whātua Ōrākei, Te Ākitai Waiohūa and Ngaati Te Ata Waiohūa during detailed design to identify how their cultural values will be reflected in the Project.	Council leaves cultural matters to iwi, but has no issue with the condition.	
ALL	8.	Flood Hazard For the purposes of Condition 9 (a) Danger Rating means low (green), moderate (yellow) or high (red) danger rating determined in accordance with Schedule A. (b) Building/s means any lawfully established residential, commercial or community building, which exists at the time the Outline Plan is submitted, and excludes sheds, garages and other ancillary buildings. (c) Maximum Probable Development is the maximum impervious area permitted in the current zone/s in the AUP or, 70% impervious area if the land is zoned Future Urban in the AUP. (d) Pre-Project Development means the Maximum Probable Development at the time the Outline Plan is submitted. (e) Project Development means the Pre-Project Development and the Project.	Agreed.	
ALL	9.	(a) The Project shall be designed so that it does not cause the following beyond the Designation: (i) An increase in Danger Rating; and (ii) Either: (A) A more than 50mm increase in flood level on land parcels with Building(s) and a Low Danger Rating; or (B) A more than 100mm increase in flood level on: I. land parcels with no Building(s) present	<i>Re Council's suggested addition of 9(a)(iii):</i> Agreed that Council's suggested 9(a)(iii) is not required.	<i>Re Council's suggested advice note "Where the diversion and discharge of stormwater runoff is to the reticulated public stormwater network, it must comply with the requirements of Auckland Council Healthy Waters & Flood Resilience Regionwide Network Discharge Consent":</i> Not agreed.

		II. land parcels with Building(s) and a Moderate or High Danger Rating. (b) Compliance with (a) shall be demonstrated through flood modelling: (i) To show the difference in the 1% Annual Exceedance Probability (AEP) flood levels for Pre-Project Development and Project Development; (ii) Using 332mm for the 24 hour rainfall depth that includes a 3.8 degree Celsius increase in temperature for climate change; and (iii) Undertaken by a SQP. (c) The Requiring Authority does not need to comply with (a) if the relevant landowner agrees to an alternative approach. (d) In the Outline Plan, the Requiring Authority shall: (i) demonstrate how (a) will be complied with by reference to flood modelling undertaken in accordance with (b); or (ii) provide confirmation of any written agreement secured to reflect landowner agreement pursuant to (c) above.		
9	10.	Supermarket Access – 1136 Great North Road, Point Chevalier For the purposes of Condition 11 and Condition 12: (a) Supermarket means the supermarket located at 1136 Great North Road, Point Chevalier, being Lot 1-2 Deposited Plan 390127 and Lot 4 Deposited Plan 14537 and Lot 3 Deposited Plan 99933. (b) Supermarket loading zone means the area shown on Schedule B. (c) Delivery Vehicle(s) means a 23m HPMV B-train and a 19.5m HPMV semi-trailer	Council has no objection.	

		(d) Manoeuvrability means compliance with RTS-18 New Zealand on-road tracking curves for heavy motor vehicles with a 12.5m radius of turn.		
9	11.	(a) The Requiring Authority shall design the Project so that: (i) there is a permanent vehicle access point for Delivery Vehicles from Parr Road North to the Supermarket loading zone that complies with the Auckland Transport –Transport Design Manual (TDM) standard engineering details for a commercial vehicle crossing as at the time of designation. (ii) manoeuvrability for Delivery Vehicles is achieved from the permanent vehicle access point on Parr Road North to the Supermarket loading zone.	Council has no objection.	
9	12.	(a) The Requiring Authority shall consult with the operator of the Supermarket when preparing the relevant CTMP required by Condition 16. (b) During Project construction, the Requiring Authority shall: (i) As far as practicable, maintain vehicle access and manoeuvrability for Delivery Vehicles from Parr Road North to the Supermarket loading zone between 3am-10pm, 7 days a week. (ii) Where it is not practicable to comply with (i) above: (A) minimise the duration of disruption to Delivery Vehicles. (B) provide the operator of the Supermarket with at least 3 weeks' notice in writing, except in the case of an unforeseen emergency.	Council has no objection.	
2	13.	Supermarket Access – Woolworths Westgate Shopping Centre For the purposes of Condition 14 and Condition 15: (a) Supermarket means the supermarket located at Westgate Shopping Centre, Westgate and Fernhill Drive, being Section 2 Survey Office Plan 561132.	Council has no objection.	

		(b) Supermarket loading zone means the area shown on Schedule [TBC]. (c) Delivery Vehicle(s) means [TBC]. (d) Manoeuvrability means compliance with RTS-18 New Zealand on-road tracking curves for heavy motor vehicles with a 12.5m radius of turn.		
2	14.	(a) The Requiring Authority shall consult with the owner of the Supermarket when designing the Project in relation to a permanent vehicle access point for Delivery Vehicles from Maki Street to the Supermarket loading zone.	Council has no objection.	
2	15.	(a) The Requiring Authority shall consult with the operator of the Supermarket when preparing the relevant CTMP required by Condition 16. (b) During Project construction, the Requiring Authority shall: (i) As far as practicable, maintain vehicle access and manoeuvrability for Delivery Vehicles from Maki Street to the Supermarket loading zone between [TBC] ((ii) Where it is not practicable to comply with (i) above: (A) minimise the duration of disruption to Delivery Vehicles. (B) provide the operator of the Supermarket with at least 3 weeks' notice in writing, except in the case of an unforeseen emergency.	Council has no objection.	
CONSTRUCTION CONDITIONS				
ALL	16.	Construction Traffic Management Plan (CTMP) (a) The CTMP shall be prepared prior to the start of construction works and shall be provided to the Manager for information. The objective of the CTMP is to appropriately manage any adverse traffic safety and efficiency impacts on other road users caused by the Project.	<i>Re Council's suggested changes to Condition 16:</i> Agreed that (vi) is amended to read "existing <u>North-Western</u> Shared User Path".	

		(b) To achieve this objective, the CTMP shall include: (i) Methods to manage the effects of temporary traffic management activities on the network; (ii) Measures to manage the safety of all transport users; (iii) The estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic congestion near schools or to manage traffic congestion. (iv) Site access routes for heavy vehicles, the size and location of parking areas for plant, construction vehicles and the vehicles of workers and visitors; (v) Identification of detour routes and other methods for the safe management and maintenance of traffic flows, including public transport, pedestrians and cyclists; (vi) Measures to maintain the function of the existing Shared User Path to a reasonable level of service, to the extent that is reasonably practicable, and where this is not practicable, provide safe detour routes that provide a reasonable level of service. (vii) Measures to maintain access to and from properties and/or private roads where practicable, or to provide alternative arrangements when it will not be, including details of how access is managed for loading and unloading of goods, rubbish collection, and mail/courier deliveries; (viii) The management approach to loads on heavy vehicles, including covering loads of fine material, the use of wheel-wash facilities at site exit points and the timely removal of any material deposited or spilled on public roads;	Agreed that (viii) should remain “Measures to maintain access, to and from properties...” Agreed that (xi) shall be amended to address construction sequencing, however NZTA will propose alternative wording. Council will review wording when at hand. Agreed Council's suggested condition 16(b)(vii a) is not required. <i>Re Council's suggested new “Existing Property Access” condition (TRAFc1):</i> Agreed that Council's suggested condition is not required.	
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		(ix) Methods that will be undertaken to communicate traffic management measures to affected road users; (x) Details of minimum network performance parameters during the construction phase including any measures to monitor compliance with the performance parameters; and (xi) Details of any measures proposed to be implemented in the event of minimum network performance parameters identified in Condition 16(b)(x) above being exceeded. (xii) Auditing, monitoring and reporting relating to traffic management activities shall be undertaken in accordance with the requirements of the Road Controlling Authority.		
ALL	17.	Construction Noise (a) Construction noise shall be measured and assessed in accordance with NZS6803:1999 Acoustics – Construction Noise and shall comply with the noise standards set out in Table 1 as far as practicable. Table 1: Construction noise standards [...] (b) Where compliance with the noise standards set out in Table 1 is not practicable, the methodology in Condition 20 shall apply.	Council supports.	
ALL	18.	Construction Vibration Criteria (a) Construction vibration shall be measured in accordance with ISO 4866:2010 Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures and shall comply with the Category A vibration standards set out in Table 2 as far as practicable and shall comply with the Category B day time criteria.	Council supports.	

Receiver	Location	Details	Category A	Category B
Occupied sensitive use buildings *	Inside the building	2000-0630	0.3mm/s ppv	1mm/s ppv
		0630-2000	1mm/s ppv	5mm/s ppv
Other occupied buildings	Inside the building	0630-2000	2mm/s ppv	5mm/s ppv
Any buildings identified as Particularly Vibration Sensitive	Inside the building	As per relevant use above	As per relevant use above	2.5 mm/s ppv
All other buildings	Building foundation	Vibration – transient	5mm/s ppv	BS 5228-2 Table B.2
		Vibration - continuous		BS 5228-2 50% of Table B.2 values

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

		(b) Where compliance with the vibration standards set out in Table 2 is not practicable, the methodology in Condition 20 shall apply.		
All	19.	Construction Noise and Vibration Management Plan (a) The Requiring Authority shall engage a SQP to prepare CNVMP prior to the start of construction. (b) The objective of the CNVMP is to identify: (i) How Conditions 17 and 18 will be achieved; and (ii) The Best Practicable Option for managing construction noise and vibration effects where compliance with Conditions 17 and 18 cannot practicably be achieved. (c) The CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 'Acoustics – Construction Noise' and shall, as a minimum, address: (i) description of the works and anticipated equipment/processes; (ii) hours of operation, including times and days when construction activities would occur; (iii) the construction noise and vibration criteria identified in Conditions 17 and 18; (iv) identification of receivers where noise and vibration criteria apply; (v) a hierarchy of management and mitigation options (vi) methods and frequency for monitoring and reporting on construction noise and vibration; (vii) procedures for communication and engagement with nearby residents and stakeholders, including notification of proposed construction activities, the period of construction activities, and management of noise and vibration complaints.	Council supports.	

		(viii) contact details of a project liaison person; (ix) procedures for the regular training of the operators of construction equipment to minimise noise and vibration as well as expected construction site behaviours for all workers; (x) procedures and requirements for the preparation of a Schedule to the CNVMP in accordance with Condition 20; (xi) procedures and trigger levels for undertaking building condition surveys before and after works to determine whether any cosmetic or structural damage has occurred as a result of construction vibration; (xii) identify all buildings considered Particularly Vibration Sensitive. If the Ambassador Theatre is able to be retained in part or intact, then it must be considered as Particularly Vibration Sensitive as set out in Condition 18 Table 2 above; (xiii) methodology and programme of desktop and field audits and inspections to be undertaken so that that the CNVMP, Schedules and the best practicable option for management of effects are being implemented; and (xiv) requirements for review and update of the CNVMP.		
All	20.	Schedule to a CNVMP (a) A Schedule to the CNVMP (Schedule) shall be prepared by a SQP prior to the start of construction for an activity to which it relates, in consultation with the owners and occupiers of sites subject to the Schedule, when: (i) construction noise is either predicted or measured to exceed the noise standards in Condition 17; or	Council supports.	

		(ii) construction vibration is either predicted or measured to exceed the Category A standard at the receivers in Condition 18. (b) The objective of the Schedule is to set out the Best Practicable Option measures to manage noise and/or vibration effects of the construction activity beyond those measures set out in the CNVMP. (c) To achieve the objective, the Schedule shall include details such as: (i) Construction activity location, start and finish times; (ii) the nearest neighbours to the construction activity; (iii) the predicted noise and/or vibration for all receivers where the levels are predicted or measured to exceed the applicable standards in Conditions 17 and 18 and the predicted duration of the exceedance; (iv) for works proposed between 2000h and 0630h, the reasons why the proposed works must be undertaken during these hours and why they cannot be practicably undertaken during the daytime; (v) the proposed mitigation options that have been selected, and any mitigation options that have been discounted as being impracticable and the reasons why; (vi) a summary of the consultation undertaken with owners and occupiers of sites subject to the Schedule, and how consultation has and has not been taken into account; and (vii) location, times and types of monitoring. (d) The Schedule shall be submitted to the Manager for information at least five working days (except in unforeseen circumstances) in advance of the start of construction that are covered by the scope of the Schedule.		
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		(e) Where material changes are made to a Schedule required by this condition, the Requiring Authority shall consult the owners and/or occupiers of sites subject to the Schedule prior to submitting the amended Schedule to the Manager for information in accordance with (d) above.		
9 and 11	21.	Built Heritage - Commercial Building, Ambassador Theatre and Fisheries Building (Point Chevalier) (a) To the extent practicable, the Requiring Authority shall retain the original building footprints, located at and shown in Schedule C; (i) 1224-1228 Great North Road (Commercial Building) (ii) 1218-1220 Great North Road (Ambassador Theatre) AUP Scheduled Heritage Building 1680, and (iii) 1212-1216 Great North Road (Fisheries Building). (b) If the retention of the original building footprints is not practicable; the Requiring Authority shall undertake building surveys by a SQP to determine whether it is reasonably practicable to retain: (i) part of the buildings including adaptive re-use in the project design; and (ii) AUP scheduled internal features of the Ambassador Theatre. (c) If the retention of the buildings is not practicable, the Requiring Authority shall: (i) Undertake archival documentation and recording of the Ambassador Theatre (ii) Install interpretive material at the Point Chevalier Station that documents the heritage values of Point Chevalier town centre.	<i>Re Council's suggested conditions for the Commercial Building and Fisheries Building (not scheduled):</i> Agreed that NZTA's proposed condition is appropriate.	<i>Re Council's suggested conditions for the Ambassador Theatre (scheduled):</i> Not agreed.

		(d) The Outline Plan shall set out how the hierarchy of measures in (a) to (c) have been applied.		
9	22.	Built Heritage - Former Chamberlain Park Clubhouse (a) To the extent practicable, the Requiring Authority shall retain the former Chamberlain Park Clubhouse located at 990 Great North Road, Western Springs and shown in Schedule D. (b) If the retention of the building is not practicable, the Requiring Authority shall: (i) Undertake archival documentation and recording of the building (ii) Install interpretive material at the Western Springs Station that documents the heritage values of the original Chamberlain Park Golf Course clubhouse and surrounds. (c) The Outline Plan shall set out how the hierarchy of measures in (a) and (b) have been applied.		<i>Re Council's suggested conditions for the Chamberlain Park Clubhouse:</i> Not agreed.
		No NZTA equivalent condition		<i>Re Council's suggested "Special Character Building at 36 & 39 King Street; and 1 & 3 Partridge Street" condition:</i> Not agreed.
9 and 11	23.	Built Heritage Construction Management Plan (a) The Requiring Authority shall engage a SQP to prepare a Built Heritage Construction Management Plan prior to the start of construction. The objective of the Built Heritage Construction Management Plan is to identify methods to manage construction effects on the buildings listed in Condition 21 and 22 and adjacent Scheduled Heritage Building [AUP 2798] former ASB Building, 1210 Great North Road, Point Chevalier.	Agreed.	

		(b) The Built Heritage Construction Management Plan shall include: (i) Measures to protect retained built heritage buildings from damage during construction, such as barriers and protective screens. (ii) Demolition and deconstruction methods for any heritage buildings not being retained. (iii) Pre- and post- construction works building condition surveys in accordance with the Construction Noise and Vibration Management Plan required by Condition 19 above. (iv) Measures to monitor the buildings during construction works (v) Accidental damage protocols.	Agreed.	
		No NZTA equivalent condition.	<i>In relation to the Council's suggested "archaeology" condition (ARCHc1):</i> Council proposed a condition addressing post-1900 in-ground historic heritage. Agreed this condition is not needed.	
9	24.	Waitītiko / Meola Creek, Western Springs - Outstanding Natural Feature The Requiring Authority shall design and construct a bridge structure to cross the Waitītiko / Meola Creek, Western Springs within the Outstanding Natural Feature (AUP ID 95). This condition does not restrict piers within the Outstanding Natural Feature.		<i>Re Council's suggested condition ONFc2:</i> Discussions continuing.

9	25.	Northwest Lava Flow, Western Springs - Outstanding Natural Feature (a) The Project shall be designed to minimise impacts on the exposed face of the Northwestern Lava Flow Outstanding Natural Feature (AUP ID 132) as far as practicable. (b) The Outline Plan(s) shall describe the measures that will be implemented to minimise any permanent impacts.	<i>In relation to the Council's suggested "North-west lava flow, Western Springs - Outstanding Natural Feature" condition (ONFc2):</i> Agreed Council's suggested condition is not required and NZTA condition retained. Agreed (a) should refer to " <u>permanent effects</u> " as per (b).	
		No NZTA equivalent condition.	<i>In relation to the Council's suggested "Harbour View Pleistocene terraces - Outstanding Natural Feature" condition:</i> Agreed Council's suggested condition is not required.	
All	26.	Landscape Planting (a) The Requiring Authority shall, where practicable: (i) Retain existing mature, native vegetation (ii) Plant at stations and batter slopes (iii) Use eco-sourced native vegetation (iv) Integrate planting with any planting required by conditions of resource consents for the Project. (b) For planting under (a), the Requiring Authority shall: (c) Undertake planting within the first planting season following Completion of Construction;		<i>In relation to the Council's suggested deletion of Condition 16 and new Urban and Landscape Design Management Plan condition (ULDMPc1):</i> Discussions continuing.

		(i) undertake pest plant control for a five year period; and (ii) monitor planted areas and undertake replacement planting as necessary for a five year period or until 80% canopy cover is achieved (whichever is less). (d) The measures described in (a) shall be shown in the Outline Plan		
All	26A.	Arch Hill Scenic Reserve – Native Vegetation Removal (a) If native vegetation within the Designation is removed in Arch Hill Scenic Reserve shown in Schedule CA, the Requiring Authority shall: (i) for temporary construction works, plant native vegetation in those areas where vegetation was removed. (ii) for permanent works, plant an equal area (in m²) within Arch Hill Scenic Reserve or elsewhere within the Designation. (b) For planting under (a) the Consent Holder shall: (i) engage a SQP to advise on location and determine plant species and sourcing, density and sizing; (ii) undertake planting within the first planting season following completion of construction where practicable; (iii) undertake pest plant control for a five year period; and (iv) monitor planted areas and undertake replacement planting for a five year period or until 80% native canopy cover is achieved (whichever is less).	<i>In relation to Council's suggested amendment to refer to "<u>eco-sourced planting</u>" in (b)(ii):</i> Agreed.	<i>In relation to the Council's other suggested amendments:</i> Discussions continuing.
9 and 10	27.	Tree Protection Methodology (a) Prior to the start of construction, the Requiring Authority shall engage a SQP to prepare a tree protection methodology for the trees identified in Schedule E (existing at the time of	Agreed.	

		construction). The tree protection methodology shall demonstrate how the design and location of the Project has avoided, remedied or mitigated effects on any tree listed in Schedule E. (b) The methodology shall include: (i) Procedures such as protective fencing, ground protection and physical protection of roots, trunks and branches; and (ii) Methods and procedures to be used when the trees are pruned and/or work is undertaken within the rootzone.		
		No NZTA equivalent condition	<i>In relation to Council's suggested "Arboricultural" condition (ARBc1):</i> Agreed Council's suggested condition is not required.	
		No NZTA equivalent conditions		<i>In relation to Council's suggested Parks and Community Facility (PCFc1-10) conditions:</i> Discussions continuing.
		No NZTA equivalent condition	<i>In relation to Council's suggested "Erosion and Sediment Control Plan" condition (ENGc1):</i> Agreed Council's suggested condition is not required.	

		No NZTA equivalent condition		<i>In relation to Council's suggested "Geotechnical Management Plan" condition (ENGc2):</i> Not agreed.
OPERATIONAL CONDITIONS				
2, 3, 6, 8, 9, 10, 12	28.	Operational Traffic Low Noise Road Surface The Requiring Authority shall implement an asphalt surface or similar low noise road surface throughout the Project (excluding any existing local roads with chip seal).	<i>In relation to Council's suggested additions of "smooth and even" and "be maintained to retain their noise and vibration reduction performance as far as practicable":</i> Agreed Council's suggested amendments are not required.	
2, 3, 6, 8, 9, 10, 12		For the purposes of Conditions 29 to 37 (a) Building-Modification Mitigation – has the same meaning as in NZS 6806; (b) Noise Barrier is any barrier that has a minimum surface density of 15 kg/m ² and is designed to have no gaps between the panels and the ground and between panels (c) Habitable Space – has the same meaning as in NZS 6806; (d) Mitigation – has the same meaning as in NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads; (e) NZS 6806 – means New Zealand Standard NZS 6806:2010 Acoustics – Roadtraffic noise – New and altered roads; (f) Protected Premises and Facilities (PPFs) – means only the premises and facilities identified in Schedule E "Identified PPFs".	Agreed.	

2, 3, 6, 8, 9, 10, 12	29.	As part of the detailed design of the project, a SQP shall determine the BPO for mitigating noise effects on PPFs.	<i>In relation to Council's suggested amendment relating to Condition ON.12 Designation 6738:</i> Agreed the Council's suggested amendments are not required.	
2, 3, 6, 8, 9, 10, 12	30.	(a) Prior to the start of construction works, a SQP shall identify those PPFs where, following implementation of the Noise Barriers: (i) The external traffic-noise level at the façade facing the Project is higher than 67 dB L_{Aeq(24h)}, and (ii) A noise level increase of 1 dB or more will occur due to the Project implementation; and (iii) where Building-Modification Mitigation might be required to achieve 40 dB L_{Aeq(24h)} inside Habitable Spaces ('Category C Buildings') as far as reasonably practicable If any of (ii) to (iv) above apply to a Category C Building, the Requiring Authority is not required to offer to implement Building-Modification Mitigation to that building.	<i>In relation to Council's suggested amendment to refer to the design year:</i> Agreed that the condition shall be amended to address the design year, however NZTA will propose alternative wording. Council will review wording when at hand.	
2, 3, 6, 8, 9, 10, 12	31.	Prior to the start of construction in the vicinity of each Category C Building, the Requiring Authority shall write to the owner of the Category C Building requesting entry to assess the noise reduction performance of the existing building envelope. If the building owner agrees to entry within 12 months of the date of the Requiring Authority's letter, the Requiring Authority shall instruct a Suitably Qualified Person to visit the building and assess the noise reduction performance of the existing building envelope.	Council supports.	
2, 3, 6, 8, 9, 10, 12	32.	(a) For each Category C Building identified, the Requiring Authority is deemed to have complied with Condition 30 above if: (i) the Requiring Authority's Suitably Qualified Person has visited the building and assessed the noise reduction performance of the building envelope; or	Council supports – numbering to be fixed.	

		(ii) the building owner agreed to entry, but the Requiring Authority could not gain entry for some reason (such as entry denied by a tenant); or (iii) the building owner did not agree to entry within 12 months of the date of the Requiring Authority's letter sent in accordance with Condition 30 above (including where the owner did not respond within that period); or (iv) the building owner cannot, after reasonable enquiry, be found prior to Completion of Construction of the project. If any of (ii) to (iv) above apply to a Category C Building, the Requiring Authority is not required to offer to implement Building-Modification Mitigation to that building.		
2, 3, 6, 8, 9, 10, 12	33.	(a) Subject to Condition 31 above, within six months of the assessment undertaken in accordance with Condition 30, the Requiring Authority shall write to the owner of each Category C Building advising: (i) if Building-Modification Mitigation is required to achieve 40 dB $L_{Aeq(24h)}$ inside habitable spaces; and (ii) the options available for Building-Modification Mitigation to the building, if required; and (iii) that the owner has three months to decide whether to accept Building Modification Mitigation to the building and to advise which option for Building-Modification Mitigation the owner prefers, if the Requiring Authority has advised that more than one option is available.	Council supports – numbering to be fixed.	
2, 3, 6, 8, 9, 10, 12	34.	Once Building-Modification Mitigation has been agreed, it shall be implemented in a reasonable and practical timeframe by arrangement with the owner.	Council supports.	
2, 3, 6, 8,	35.	(a) Subject to Condition 31, where Building-Modification Mitigation is required, the Requiring Authority is deemed to have complied with Condition 30 if:	Council supports – numbering to be fixed.	

9, 10, 12		(i) the Requiring Authority has completed Building Modification Mitigation to the building; or (ii) an alternative agreement for mitigation is reached between the Requiring Authority and the building owner; or (iii) the building owner did not accept the Requiring Authority's offer to implement Building-Modification Mitigation within three months of the date of the Requiring Authority's letter sent in accordance with Condition 31 (including where the owner did not respond within that period); or (iv) the building owner cannot, after reasonable enquiry, be found prior to Completion of Construction of the project.		
2, 3, 6, 8, 9, 10, 12	36.	All noise barriers required as determined by the BPO assessment in accordance with Condition 29 shall be installed prior to the opening of the Project.	Council supports – numbering to be fixed.	
2, 3, 6, 8, 9, 10, 12	37.	The Noise Barriers that are part of the BPO shall be maintained so they retain their noise reduction performance as far as practicable.	Council supports – numbering to be fixed.	
		No NZTA equivalent condition	<i>In relation to the Council's suggested condition to address station noise (CnVc1):</i> Agreed Council's suggested condition is not required.	
		No NZTA equivalent condition		<i>In relation to Council's suggested "Water and Wastewater Management Plan" condition:</i> Not agreed.

NZTA’s Proposed Consent Conditions (as lodged April 2026)			Matters agreed	Matters not agreed																
Consent	Cond #	Condition																		
			Agreed replace “Manager” with “Council” – change to be made throughout. Agree to replace “shall” with “must” – change to be made throughout.	<i>In relation to the definition of “coastal margin”:</i> Discussions continuing.																
ALL	1.	Table 1 Resource Consent lapse and expiry (a) The consents shall lapse as set out below from the date of commencement, unless they have been given effect, surrendered or been cancelled at an earlier date. (b) The consents shall expire as set out below from the date of commencement. <table><tr><th>Reference</th><th>Resource consents – Resource Management Act 1991</th><th>Proposed lapse date</th><th>Proposed Expiry date</th></tr><tr><td colspan="4">Land disturbance activities</td></tr><tr><td>LUCXXX</td><td>Land use (s.9) (1)) – Disturbance of potentially contaminated material (NES:CS)</td><td>25 years</td><td>Unlimited duration</td></tr><tr><td>LUCXXX</td><td>Land use (s.9(2)) – earthworks,</td><td>25 years</td><td>Unlimited duration</td></tr></table>	Reference	Resource consents – Resource Management Act 1991	Proposed lapse date	Proposed Expiry date	Land disturbance activities				LUCXXX	Land use (s.9) (1)) – Disturbance of potentially contaminated material (NES:CS)	25 years	Unlimited duration	LUCXXX	Land use (s.9(2)) – earthworks,	25 years	Unlimited duration		<i>In relation to “no Condition 1” approach:</i> Discussions continuing. <i>In relation to division of consents:</i> Discussions continuing.
Reference	Resource consents – Resource Management Act 1991	Proposed lapse date	Proposed Expiry date																	
Land disturbance activities																				
LUCXXX	Land use (s.9) (1)) – Disturbance of potentially contaminated material (NES:CS)	25 years	Unlimited duration																	
LUCXXX	Land use (s.9(2)) – earthworks,	25 years	Unlimited duration																	

NZTA’s Proposed Consent Conditions (as lodged April 2026)					Matters agreed	Matters not agreed
Consent	Cond #	Condition				
			vegetation alteration and removal			
		Coastal Consents and Permits				
		CSTXXX	Coastal marine area (s.12) – including construction and use of structures (including temporary occupation for construction) in the coastal marine area, occupation of the seabed and ancillary activities at Wai-o-Pareira / Henderson Creek and Huruhuru Creek such as disturbance of substrate and alteration or removal of mangroves.	25 years	35 years from the date of commencement	
		Works in watercourses				

NZTA’s Proposed Consent Conditions (as lodged April 2026)						Matters agreed	Matters not agreed
Consent	Cond #	Condition					
		LUSXXXX	Land use (s.13) – including new or upgraded structures in, on, under or over the bed of rivers, streams (including intermittent streams), works in watercourses, structures, stormwater infrastructure, erosion protection and temporary diversions. Placement, use, alteration or reconstruction of a culvert in, on, or over the bed of a river (NES:FW)	25 years	35 years from the date of commencement		
		Diversion of Water					
		WATXXX	Water permit (s.14) – Diversion of groundwater	25 years	35 years from the date of		

NZTA’s Proposed Consent Conditions (as lodged April 2026)						Matters agreed	Matters not agreed
Consent	Cond #	Condition					
			and dewatering during construction, diversion of stormwater associated with new permanent impervious structures		commence ment		
MANAGEMENT PLANS							
ALL	2.	(a) Management plan shall: (i) be prepared and implemented in accordance with the relevant management plan condition; (ii) be prepared by a Suitably Qualified Person(s); (iii) include sufficient detail relating to the management of effects associated with the relevant activities and/or stage of work to which it relates; (b) The Consent Holder may prepare management plans in parts or in stages to address specific activities or to reflect the staged implementation of the Project. (c) In preparing the Management Plans listed in Condition 3(b) the Consent Holder shall consult with:					Discussions continuing.

NZTA's Proposed Consent Conditions (as lodged April 2026)			Matters agreed	Matters not agreed
Consent	Cond #	Condition		
		(i) Te Kawerau ā Maki for works between Brigham Creek Station and west of Te Whau River/ SH16 causeway; (ii) Ngāti Whātua o Kaipara for works between Brigham Creek Station and Westgate; (iii) Ngāti Whātua Ōrākei, Te Ākitai Waiohūa and Ngaati Te Ata for works east from Te Whau / SH16 causeway to Ian McKinnon Drive		
ALL	3.	<i>Certification</i> (a) The management plans or other plans listed in (b)(i)-(iii) below shall be submitted to the Manager at least twenty (20) working days prior to the anticipated start of construction to be certified. The certification shall confirm that the management plan has been prepared in accordance with the condition(s) to which it relates. (b) The following plans shall be submitted for certification: (i) Erosion and Sediment Control Plan(s) (ii) Contaminated Soils Management Plan(s) (iii) Remedial Action Plan(s) (iv) Coastal Construction Management Plan (c) Any certified management plan may be updated or revised to reflect any changes in design, construction methods or management of effects:		Discussions continuing.

NZTA's Proposed Consent Conditions (as lodged April 2026)			Matters agreed	Matters not agreed
Consent	Cond #	Condition		
		(i) Management plans may be amended to reflect minor changes in design, construction methods or management of effects. Recertification is not required. (ii) If there is a material change proposed to a management plan that has been submitted to Council for certification then the Consent Holder is required to update a management plan by submitting the amendment in writing to Council for certification.		
CONSTRUCTION CONDITIONS				
	4.	<i>Cultural Monitoring Plan (Augier condition)</i> (a) Prior to the start of construction, a Cultural Monitoring Plan (CMP) for each stage of work shall be prepared by a Suitably Qualified Person(s) identified in collaboration with: (i) Te Kawerau ā Maki for works between Brigham Creek Station and west of Te Whau River and SH16 Causeway; (ii) Ngāti Whātua o Kaipara for works between Brigham Creek Station and Westgate; (iii) Ngāti Whātua Ōrākei, Te Ākitai Waiohū and Ngaati Te Ata for works east from Te Whau /SH16 causeway to Ian McKinnon Drive. (b) The objective of the CMP is to specify cultural monitoring methods and activities to be undertaken during construction works.	Council leaves cultural matters to iwi, but does not oppose the condition.	

NZTA's Proposed Consent Conditions (as lodged April 2026)			Matters agreed	Matters not agreed
Consent	Cond #	Condition		
		(c) To achieve the objective, the CMP shall specify: (i) requirements and protocols for cultural inductions for contractors and subcontractors; (ii) activities, sites and areas where cultural monitoring is required during particular construction works, and what that cultural monitoring will comprise; and (iii) the number of personnel who will undertake cultural monitoring, together with any geographic areas in which they will undertake it. (d) The CMP does not need to be submitted to Council for certification.		
LUCXXX CSTXXX X	5.	<i>Erosion and Sediment Control Plan (ESCP)</i> (a) Prior to the start of construction, the Consent Holder shall engage a SQP to prepare an ESCP. The purpose of the ESCP is to set out measures to be implemented during construction to minimise erosion and the discharge of sediment beyond the boundaries of the Site. (b) The ESCP(s) shall be prepared in accordance with Auckland Council's Guidance Document 005 – Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region (GD05) or updated version except as otherwise provided for in these conditions. (c) The ESCP shall include the following information:		Discussions continuing.

NZTA's Proposed Consent Conditions (as lodged April 2026)			Matters agreed	Matters not agreed
Consent	Cond #	Condition		
		(i) Location of the work. (ii) Contour information. (iii) Details of construction methods. (iv) ESC measures for the works being undertaken within a particular construction area. (v) Catchment boundaries of works and devices installed (vi) Design criteria, typical and site-specific details of ESC. (vii) The identification of staff who will monitor compliance with the ESCP. (viii) Design details for managing the treatment, disposal and/or discharge of contaminants (e.g. concrete wash water). (ix) Chemical (or organic) treatment design and details including batch dosing. (x) Pumping procedures where dewatering is required. (xi) Earthworks programme and measures for the period between 1 May and 30 September. (xii) Methodology, timing, staging and sequencing of stream works including culvert extensions and replacements, and any erosion sediment control measures to be employed to mitigate the effects on waterbodies.		

NZTA's Proposed Consent Conditions (as lodged April 2026)			Matters agreed	Matters not agreed
Consent	Cond #	Condition		
LUCXXX	6.	<i>Stabilisation</i> If areas are stripped and exposed to erosion, and works are not to occur within that area within a subsequent 14-day period, then stabilisation shall occur. This may include temporary stabilisation during staging of earthworks.		Discussions continuing.
CONTAMINATED LAND				
LUCXXX, DISXXXX	7.	<i>Contaminated Land</i> (a) Prior to commencement of earthworks, the Consent Holder shall engage a SQEP to undertake a Detailed Site Investigation (DSI) within the Site for land identified in Schedule B as being potentially contaminated. The DSI, sampling and testing shall be overseen by a SQEP. (b) Where a DSI prepared in accordance with Condition 7(a) above confirms the likely presence of contaminated soils, a SQEP shall prepare a Contaminated Soils Management Plan (CSMP). The purpose of the CSMP is to identify measures to manage potential risks from disturbance of contaminated soils to the health of workers and the environment. (c) The CSMP shall contain procedures that are appropriate to mitigate the risks to the environment from the type, concentration and extent of contamination that was confirmed as likely being present during the DSI. (d) If the CSMP identifies contaminated soils requiring remediation within the Site, the Consent Holder		Discussions continuing.

NZTA's Proposed Consent Conditions (as lodged April 2026)			Matters agreed	Matters not agreed
Consent	Cond #	Condition		
		must prepare a Remedial Action Plan. The purpose of the Remedial Action Plan is to identify a remedial strategy and controls to mitigate the risk posed by any contaminants identified in the CSMP. (e) The Remedial Action Plan shall include: (i) The remediation or management goal; (ii) Remediation methodology, including the rationale; (iii) Contingency measures if the remediation methodology fails to reach the remediation or management goal; and (iv) Site validation sampling plan and reporting.		
		No NZTA equivalent conditions		<i>Council conditions 8-19 in Attachment 2</i> Discussions continuing.
STORMWATER				
DISXXXX , LUCXXX, WATXXX	8. (<i>Augier condition</i>)	(a) The Consent Holder shall design the Project to direct all stormwater from impervious surfaces constructed for the Project to a stormwater treatment system before it is discharged to the environment. (b) The stormwater treatment system shall be designed to achieve a minimum of 75% total suspended solids removal.		Discussions continuing.

NZTA's Proposed Consent Conditions (as lodged April 2026)			Matters agreed	Matters not agreed
Consent	Cond #	Condition		
DISXXXX	9.	The Consent Holder shall design the Project so that the discharge of stormwater from the Project does not increase stream velocity downstream of the stormwater outfall by more than 5% in a 95 percentile storm event.		Discussions continuing.
DISXXXX , LUCXXX, WATXXX X	10.	Within three months of completion of construction works, the Consent Holder shall provide as-built plans of the stormwater management system for the Project to the Council.		Discussions continuing.
		No NZTA equivalent condition		<i>In relation to Council's suggested Stormwater Management Works condition (23):</i> Discussions continuing. <i>In relation to Council's suggested Operation and Maintenance Plan conditions (24 and 25):</i> Discussions continuing.

WORKS IN WATERCOURSES				
LUSXXX	11.	<i>Tōtara Creek</i> The Consent Holder shall design the Project so that it does not permanently divert or reclaim the bed of the Tōtara Creek as shown in Schedule C.	Council supports.	
DISXXXX , LUCXXX, WATXXX, LUSXXX	12.	<i>Scour Protection</i> (a) The Consent Holder shall design scour protection for the Project in accordance with Technical Report 2013/018 (Auckland Council 2013) for the following: (i) Stormwater outfalls using 176mm for the 10% AEP 24 hour rainfall depth that includes a 2.1 degree Celsius increase in temperature for climate change. (ii) Culvert inlets and outlets using 332mm for the 1% AEP 24 hour rainfall depth that includes a 3.8 degree Celsius increase in temperature for climate change.		<i>In relation to Council's suggested "Final Outfall Design", "Final Culvert Design" and "Final Bridge Design" conditions (27 – 29):</i> Discussions continuing. <i>In relation to Council's suggested "Streamworks Management Plan" condition (30):</i> Discussions continuing.
DISXXXX , WATXXX, LUCXXX	13.	<i>Fish Protection</i> Fish passage shall be provided in all new culverts unless deemed by a SQP to be: (a) unnecessary because: (i) there is no upstream fish habitat; or (ii) (ii) there are other existing barriers to fish passage; or (b) impracticable. Advice note: <i>This condition does not apply to culvert extensions or any culvert that complies with the conditions in regulation 70 of the Resource</i>		Discussions continuing.

		Management (National Environmental Standards for Freshwater) Regulations 2020.		
ECOLOGICAL MANAGEMENT				
LUCXXX	14.	<i>Terrestrial Native Vegetation Removal</i> (a) If native vegetation within the Designation is removed in the SEAs shown in Schedule D, in a coastal margin, or in a riparian margin, the Consent Holder shall: (i) for temporary construction works, plant native vegetation in those areas where vegetation was removed. (ii) for permanent works, plant an equal area (in m²) within a SEA, coastal margin or riparian margin: A. within the Designation; or B. within 1500m of the boundary of the Designation (b) Any mitigation planting undertaken in accordance with Condition 15 can also be counted as mitigation planting under Condition 14 for removal of vegetation in riparian margins. (c) For planting under (a) the Consent Holder shall: (i) engage a SQP to advise on location and determine plant species and sourcing, density and sizing; (ii) undertake planting within the first planting season following completion of construction where practicable; (iii) undertake pest plant control for a five year period; and (iv) monitor planted areas and undertake replacement planting for a five year period or until	<i>In relation to Council's suggested addition of "in a natural inland wetland or its buffer":</i> Discussions continuing. <i>In relation to Council's suggestion of "<u>eco-sourced</u> planting":</i> Agreed.	<i>In relation to the Council's suggested deletion of "native" and addition of "habitat loss ... BOAM":</i> Discussions continuing. <i>In relation to the Council's other suggested amendments:</i> Discussions continuing.

		80% native canopy cover is achieved (whichever is less).		
		No NZTA equivalent condition		<i>In relation to Council's "Tree Removal" condition (condition 32 of Attachment 2):</i> Discussions continuing.
LUCXXX	15.	<i>Works in Watercourses</i> (a) If native vegetation is permanently removed for bridging of a watercourse, the Consent Holder shall plant the riparian margin of: (i) the same stream; or (ii) another stream that intersects the Designation. (b) The area of riparian margin planting under (a) shall be no less than the area of the permanent vegetation removal. (c) For any new (including extension of) permanent culverts and stormwater outfalls in a watercourse, the Consent Holder shall plant the riparian margin of: (i) the same stream; or (ii) another stream that intersects the Designation. (d) The riparian margin planting under (c) shall be 1.5x the length of the watercourse occupied by the culvert or outfall and a minimum of 5m wide on each side of the watercourse (from the edge of the channel). (e) Any mitigation planting undertaken in accordance with Condition 14 for removal of vegetation in		<i>In relation to Council's suggested amendments:</i> Discussions continuing.

		riparian margins can also be counted as mitigation planting under Condition 15. (f) For planting under (a) and (c) the Consent Holder shall: (i) engage a SQP to advise on location and determine plant species and sourcing, density and sizing; (ii) undertake planting within the first planting season following completion of construction where practicable; (iii) undertake pest plant control for a five year period; and (iv) monitor planted areas and undertake replacement planting for a five year period or until 80% native canopy cover is achieved (whichever is less).		
LUCXXX	16.	<i>Native Birds</i> If vegetation clearance (excluding vegetation on land zoned residential) is to occur during the native bird nesting period (September to February inclusive), the Consent Holder shall engage a SQEP to: (a) Undertake native bird nesting surveys before vegetation is cleared (b) If active native bird nests are found, identify set back distances for construction works until the young birds have fledged or the nest is naturally abandoned.	<i>In relation to Council's suggested "within 10 days" and "20m setback distance":</i> NZTA agrees.	<i>In relation to Council's suggested "August – March" timeframe:</i> Discussions continuing. <i>In relation to Council's suggested deletion of "excluding vegetation of land zoned residential":</i> Discussions continuing. <i>In relation to the Council's suggested "set back distance for wetland avifauna":</i> Discussions continuing.

LUSXXX	17.	<i>Fish Salvage and Relocation</i> (a) The Consent Holder shall salvage and relocate native freshwater fish and kākahi to the extent practicable prior to any dewatering or diversion in a section of a watercourse that a SQP determines supports a population of native fish. (b) The salvaged native fish and kākahi should be relocated within the same stream with similar hydrological conditions or other suitable habitat determined by a SQP.		Discussions continuing.
LUCXXX	18.	<i>Bat management</i> Prior to the removal of any trees in the area shown in Schedule E that, in the opinion of a SQP, may be used as roost for bats, then the Consent Holder shall apply the Department of Conservation Bat Roost Protocols (Protocols for minimising the risk of felling occupied bat roosts October 2024) or updated version.		<i>In relation to Council's suggested amendments:</i> Discussions continuing.
LUCXXX	19.	<i>Kauri Die-Back Management</i> (a) The Consent Holder shall implement kauri dieback management measures for the kauri tree identified in Schedule F in the event that the kauri tree is present at the time of construction. (b) Kauri dieback management measures shall be in accordance with Biosecurity Order 2022 (National Pest Management Plan for Phytophthora agathidicida) and the Auckland Regional Pest Management Plan 2020 – 2030 (Auckland Council, 2021) or updated versions.	Agreed to replace Biosecurity Order and Pest Management Plan with <i>Standard Operating Procedures (Auckland Council, 2021)</i> but amend the condition so that it only applies "if [those documents] are in force at the relevant time" (drafting to be developed).	
		No NZTA equivalent condition		<i>In relation to Council's suggested "Lizard Management Plan" condition (condition 38 in Attachment 2):</i> Discussions continuing.

COASTAL PERMIT				
CSTXXX	20.	<i>Coastal Construction Management Plan (CCMP)</i> (a) Prior to the commencement of works within the Coastal Marine Area (CMA), the Consent Holder shall prepare a CCMP. The objective of the CCMP is manage construction effects in the Coastal Marine Area. The CCMP shall include; (i) Timing, staging and sequencing of coastal works (ii) A final construction methodology and plans of the temporary and permanent structures within the CMA (iii) The route to be used for accessing the site for construction purposes (iv) Methods to ensure that, where practical, when removing mangroves, mangroves are cut as close to the sediment as possible and leave root masses intact where possible; (v) Methods to maintain a safe navigation channel where practicable past the works site, and periods where navigation past the site may be restricted, and how this will be communicated to affected channel users. (vi) The construction footprint, demarcating those areas in the CMA and coastal edges which need to be physically marked onsite, with access (for vehicles and staff) restricted to the footprint; (vii) Contingency plans in case of discharges to the coastal marine area during works; (viii) General site management, including details of: (A) the bunding or containment of fuels and lubricants to prevent the discharge of contaminants;	<i>Council condition concerning maintenance of structures (condition 44 of Attachment 2):</i> Agreed Council's condition is not required.	<i>In relation to Council's suggested CMP condition (condition 39 in Attachment 2):</i> Discussions continuing. <i>In relation to Council's suggested Biosecurity condition (condition 40):</i> Discussions continuing. <i>In relation to Council's suggested Underwater Noise condition (condition 41):</i> Discussions continuing. <i>In relation to Council's suggested "Disposal of mangroves and other material" condition (condition 42):</i> Discussions continuing. <i>In relation to Council's suggested "Occupation of the common marine and coastal area" condition (condition 43):</i> Discussions continuing.

		(B) methods to ensure that any equipment or machinery to be stored on the temporary staging is appropriately secured above mean high water springs, and methods to ensure that no spills into the coastal marine area will occur; (ix) methods to maintain or restrict public access to and along the coastal marine area while the activities are being carried out; (x) A removal methodology for temporary platform and piles extraction, for mangrove removal and disposal for cleared mangroves and spoil from drilling for piles; and (xi) Details of reinstatement upon completion of the activities in the CMA.		<i>In relation to Council's suggested "Review condition" condition (condition 45):</i> Discussions continuing.
CSTXXX	21.	<i>Bridge Crossings of Henderson and Huruhuru Creek</i> The Consent Holder shall design the permanent bridge crossings of Wai-oPareira / Henderson Creek and Huruhuru Creek so that the minimum freeboard height of any bridge soffit above mean high water springs is no less than that of the existing adjacent SH16 bridges that cross these watercourses.	Agreed.	
CSTXXX	22.	<i>Permanent Occupation</i> The Consent Holder shall provide as built plans of all structures occupying the CMA to the Manager within 3 months of the completion of construction.	Agreed, but replace "as built" with "as-built" and replace "the Manager" with "Council".	
GROUNDWATER				
		No NZTA equivalent condition		<i>In relation to Council's suggested Groundwater Settlement Monitoring and Contingency Plan (GSMCP) condition:</i> Not agreed.

WETLANDS				
				NZTA to provide its exclusion wording to Council.

**ATTACHMENT 2 - COUNCIL'S SUGGESTED AMENDMENTS TO THE
CONSENT CONDITIONS**