

**APPENDIX B - TABLE OF RESPONSE TO PROPOSED CONDITIONS AND AMENDMENTS FROM NGĀTI TAKA**

Condition Reference	Proposed Amendment / New Condition Summary	NZTA's response
GC1	<p><i>[GC1 needs to be amended to ensure that conditions and management plans relevant to the post-construction ongoing management of the Project area remain in force for the duration of the Designation.]</i></p>	<p>GC1 specifies the conditions and management plans that apply to construction works only. There is no need for construction-specific conditions and corresponding management plans to continue beyond the completion of construction works. Conditions relevant to the operation of the Project will continue to apply. That said, CU5 has now been amended to include obligations beyond Construction Works. GC1 has therefore been amended to remove the reference to CU5 as a construction condition.</p>
New condition - GC11	<p>GC11 The Requiring Authority shall set up a Project Leadership forum. This will include the Project Manager and representatives from Ngāti Taka. This forum will meet monthly. The objective of this forum is to provide a forum for hapū to participate as partners in the governance aspects and at all phases of the Project. A Project update will be provided by the Project Manager at each meeting and will include: Timeline and deadline updates, Risks, Actions, Decisions that need to be made, any upcoming reviews (e.g. of management plans).</p>	<p>See assigned comment number 3 in the <a href="#">Response to Comments from Ngāti Taka</a>.</p>
CU1	<p>Any Management Plan shall be developed in partnership with Ngāti Taka. The Requiring Authority shall provide reasonable resourcing, technical and administrative support for the hapū to undertake this work, including the comments required below.</p>	<p>See paragraphs [55]-[59] of the closing legal submissions. See also Proposed Archaeological Authority Conditions AA3(b) and AA4(b), Wildlife Permit Condition WA2(c), Proposed Condition 6.7 and Designation Condition CU1.</p>

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New Condition - CU6	<p>CU6 A Tangata Whenua Values Monitoring and Management Plan (TWVMMP) must be prepared prior to all other management plans. The objective of the TWVMMP is to recognise and provide for the tangata whenua values of the area affected by the Project and to develop mechanisms and processes to seek to avoid or minimise potential impacts on those values through the implementation of monitoring and mitigation measures.</p> <p>The TWVMMP must be prepared by a person (or persons) endorsed by Ngāti Taka and must include (but not be limited to):</p> <p>(a) cultural protocols and procedures for cultural inductions;</p>	See Resource Consent LC.01 Proposed Conditions 10.1 and 15.2(f).
	<p>(b) a description of specific monitoring activities to be undertaken, including pre-construction surveys and monitoring of taonga species, earthworks oversight, stream diversions, and stream, wetland and terrestrial mitigation and offset and compensation areas (including selection and ongoing involvement in the stream and terrestrial mitigation and offset and compensation areas). This will include the development of a Cultural Monitoring Framework and associated processes;</p>	See Resource Consent LC.01 Proposed Condition 10.1(a) and (b).
	<p>(c) confirmation of the roles and responsibilities of personnel in respect of clauses (a) and (b);</p>	See Resource Consent LC.01 Proposed Condition 10.1(a) and (b).
	<p>(d) approaches to the collection, harvesting and reuse of taonga vegetation, including the removal of dead fauna and the management of disturbed soil that includes leaf litter;</p>	Vegetation clearance and fauna management must be undertaken in accordance with the requirements of the consent conditions and wildlife authority. NZTA is open to considering hapū roles in these processes via a separate project specific agreement, however does not consider a consent condition is necessary or appropriate.

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	(e) opportunities for participation in planting, weed and pest control, fencing, fish surveys and/or transfer, species monitoring and translocation;	See Resource Consent LC.01 Proposed Condition 10.1(b).
	(f) provision for the removal of weed pests from the riparian margins, and riparian planting upstream and downstream of stream and river crossings;	There is no proposed riparian planting upstream or downstream of stream and river crossings as it is not required to address an effect of the Project. See Resource Consent LC.01 Proposed Condition 29.6 for requirements for riparian planting related to wetlands.
	(g) a requirement that plants for mitigation, offset and compensation planting be sourced from the rohe in which it is to be planted and/or otherwise eco-sourced;	See Resource Consent LC.01 Proposed Condition 29.1(a).
	(h) consideration of potential effects on taonga species, or other species of significance to tangata whenua, including, but not limited to: tuna; inanga; kākahi; kokopu; harakeke; tī kōuka; koromiko; lizards; skinks; bats.	While not all taonga species are named in every subplan of the EMP, these species (or their ecological groups) are covered by the general requirements to protect, monitor and restore indigenous species and habitats. In addition to this, Management Plans require consultation with Pirirākau and Ngāti Taka, and must include a summary of feedback and how it was incorporated, which provides an avenue for raising concerns about potential effects on taonga species.  See Resource Consent LC.01 Proposed Conditions 17, 24 -30.
	(i) the detailed archaeology discovery protocol procedures consistent with Condition [xx] and any archaeological authority granted for the Project and including protocols relating to the discovery of koiwi, and the opportunity for Ngāti Taka to assist with any archaeological investigations;	See Archaeological Authority Proposed Condition AA3(b)(xi).

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	(j) provision for cultural monitoring of any earthworks that may affect a cultural heritage site;	See Resource Consent LC.01 Proposed Condition 10.1(a) and (c).
	(k) provision for detailed design of the Project to be amended if culturally significant sites or items are discovered (e.g. through the archaeological investigation), in order to provide protection of and/or mitigation of effects on these sites and items.	See Resource Consent LC.01 Proposed Condition 10.1(a) and (c) and Proposed Archaeological Authority Condition AA3(b)(viii) and (ix).
	(l) an agreement between NZTA and Ngāti Taka about the care, management and access to any taonga that are discovered.	See Archaeological Authority Proposed Condition AA3(b)(viii) and Resource Consent LC.01 Proposed Condition 10.1(c).
	(m) Support by NZTA for the protection of culturally significant sites (for examples, known sites or sites discovered through archaeological investigations) through statutory mechanisms, e.g. nomination to be included in council planning documents.	See Resource Consent LC.01 Proposed Condition 10.1(c) and assigned comment number 5 in the <a href="#">Response to Comments from Ngāti Taka</a> .
	(n) Purchase of adjacent land where significant sites are located, and transfer of ownership to Ngāti Taka for ongoing protection of cultural heritage.	See assigned comment number 5 in the <a href="#">Response to Comments from Ngāti Taka</a> in relation to access to sites and paragraphs [68]-[69] of the closing legal submissions regarding financial support.
	(o) Financial support for the management of any taonga found (e.g. to be housed in a museum or at marae).	
	(p) identification of opportunities for future access to provide for the ability for Ngāti Taka to sustainably harvest resources from mahinga kai and traditional harvesting grounds; and	

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	(q) any other matters or measures to avoid or mitigate potential impacts on tangata whenua values, customs and practices.	This is adequately covered by the Condition set. See Resource Consent LC.01 Proposed Conditions 10.1 and 6.7, Proposed Archaeological Authority Condition AA3(b), AA4(b) and AA7, Wildlife Permit Condition WA2(c), and Designation Conditions CU1-CU5.
	(r) provision for the design and placement of signs for wayfinding and setting out the cultural narrative and values of Ngāti Taka;	See new Proposed Designation Condition CU3(d).
	(s) provision for Ngāti Taka to identify and nominate traditional names along the Project corridor. Noting there may be formal statutory process.	See new Proposed Designation Condition CU3(h).
CU2	The Requiring Authority shall: ... (d) Ensure that Ngāti Taka are part of the Project Leadership Forum with decision-making roles.	See assigned comment number 3 in the <a href="#">Response to Comments from Ngāti Taka</a> .
CU3	To mitigate the cultural effects of the Project, the Requiring Authority shall offer the following cultural measures to Ngāti Taka, to: (a) Jointly employ a Kaiarahi to manage any Kaitiaki (cultural monitors), and coordinate with Ngāti Taka during Project Works; (b) Undertake Ngāti Taka Kaitiaki cultural monitoring during Construction Works; (c) During detailed design, provide cultural advice to the Requiring Authority in commissioning cultural symbolism for	See paragraph [50]-[54] and Proposed Designation Condition CU3(a) and Resource Consent LC.01 Proposed Condition 10.1(b). See Proposed Designation Condition CU3(b) and Resource Consent LC.01 Proposed Condition 10.1(a) and (b). See Proposed Designation Condition CU3(c).

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	the Project (for example, pou, bridge panel design, interpretation signs, tohu markers, mauri stones);	
	(d) Undertake two half-day visits per year to the Project for hapū members during Construction Works; and	See Proposed Designation Condition CU3(e).
	(e) Provide an opportunity, where practicable, to present to the Requiring Authority's construction tenderers to inform them of matters of cultural importance in relation to the Project.	See Proposed Designation Condition CU3(f).
	(f) develop cultural monitoring frameworks to guide monitoring throughout the Project and the lifetime of the designation and all related consents, authorities and approvals.	See Proposed Designation Condition CU3(b) and Resource Consent LC.01 Proposed Condition 10.1.
	(g) undertake baseline monitoring prior to construction starting, within a similar timeframe to the environmental baseline monitoring that the Requiring Authority will be undertaking.	See Proposed Resource Consent Condition 10.1(a). Baseline monitoring may be included in the cultural monitoring framework to be developed as part of the TWVMMP, if considered necessary and appropriate by the SQEP.
	(h) provide regular kaitiaki training to ensure that the hapū have sufficient capacity to implement conditions such as cultural monitoring. The Requiring Authority shall provide reasonable resourcing, technical and administrative support to the hapū for the cultural measures set out in the designation conditions, resource consent conditions, archaeological authorities and wildlife approvals, complex freshwater fisheries approvals and any other Project conditions. The Requiring Authority shall implement in collaboration with Ngāti Taka, each of the actions offered pursuant to CU3 that are accepted by Ngāti Taka.	See new Proposed Designation Condition CU3(g).

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CU5	<p>The Requiring Authority must prepare a Cultural Conditions Implementation Report in collaboration with and Ngāti Taka. The purpose of the Report is to record how CU1 to CU3 have been implemented and any identified improvements to processes required to implement those cultural conditions. The report must be provided to Ngāti Taka and the Manager:</p> <p>(a) Within 12 months of the start of Construction Works; and</p> <p>(b) Every 12 months after that until Construction Works are complete</p> <p>(c) Within 12 months of the completion of Construction Works for a final report.</p>	<p>See existing Proposed Designation Condition CU5, which now includes new requirement (c) (as requested by hapū).</p>
LV2	<p>The LVMP shall, where practicable, take into account the following considerations: ...</p> <p>(i) Protecting, recognising and commemorating significant cultural sites or items that are discovered through archaeological investigations or through other Project works;</p> <p>(j) Improving access for Ngāti Taka to culturally important sites.</p>	<p>See Resource Consent LC.01 Proposed Condition 10.1(c).</p> <p>See assigned comment number 5 in the <a href="#">Response to Comments from Ngāti Taka</a>.</p>

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LV3	<p>The LVMP shall include: ...</p> <p>(q) details of how the project provides opportunities to incorporate Ngāti Taka values and cultural narrative through the design. This shall include but not be limited to:</p> <ul style="list-style-type: none"> <li>(i) how to protect and enhance connections to the Māori cultural landscape;</li> <li>(ii) how and where accurate historical signage can be provided along the corridor;</li> <li>(iii) how opportunities for cultural expression through, for example mahi toi, art, sculptures or other public amenity features will be provided;</li> <li>(iv) how opportunities to utilise flora and fauna with a specific connection to the area are realised where possible by: A. preserving them in the design and maintenance of the Project; and B. restoring them in a manner that recognises their historical and cultural significance</li> <li>(v). how public access to coastal areas, waterways and open space is enhanced, where appropriate.</li> <li>(vi) Identification of opportunities for future access to provide for the ability for Ngāti Taka to sustainably harvest resources from their traditional harvesting grounds.</li> <li>(vii) Opportunities for Ngāti Taka participation in the implementation and monitoring of the LVMP.</li> </ul>	<p>See Proposed Designation Conditions CU1-CU4 amended Designation Condition LV2(e), Resource Consent LC.01 Proposed Condition 10.1 and assigned comment numbers 5 and 6 in the <a href="#">Response to Comments from Ngāti Taka</a> regarding access and the LVMP.</p>

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	<p>(r) Provision for LVMP and detailed design of Project to be amended if culturally significant sites or items are excavated or discovered. This includes:</p> <ul style="list-style-type: none"> <li>(i) Opportunities identified for protection of sites (e.g. where parts of sites will remain after construction, both within the designation and in adjacent properties).</li> <li>(ii) Protection and/or commemoration of sites to be included in Landscape and Visual Management Plan (LVMP).</li> <li>(iii) Access to sites of importance to Ngāti Taka to be improved where possible, and included in the LVMP and other relevant management plans.</li> <li>(iv) Design elements to recognise sites of importance and uses of sites, e.g. appropriate plantings and landscape elements, pou or other tohu.</li> </ul>	<p>See Proposed Designation Conditions CU1-CU4 and assigned comment number 6 in the <a href="#">Response to Comments from Ngāti Taka</a> regarding the LVMP.</p>
New Condition - LV6	<p>LV6 Ngāti Taka shall be invited to participate in the development of the LVMP at least six (6) months prior to the start of detailed design for a Stage of Work to provide input on cultural landscape and design matters. This shall include (but not be limited to) how desired outcomes for the management of potential effects on cultural sites, landscapes and values may be reflected in the LVMP.</p>	<p>See Proposed Designation Conditions CU1 and CU2.</p>
Condition 5	<p><i>Amendments as set out for Designation Condition CU1 above] [Further amendments:]</i></p> <p>Within each condition for the management plans, include:</p> <ul style="list-style-type: none"> <li>• That the management plan must include, but not be limited to, the Cultural Monitoring Framework prepared in accordance with the Tangata Whenua</li> </ul>	<p>See Resource Consent LC.01 Proposed Condition 10.1(a) and closing legal submissions at paragraphs [50]-[54].</p>

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	<p>Values Monitoring and Management Plan (condition [xx]).</p> <ul style="list-style-type: none"> <li>• Prior to submitting any amendments to the management plan, consultation must be undertaken with Ngāti Taka. The amended plan must include a written statement that demonstrates how the outcomes of the consultation has been taken into account.</li> </ul>	
Condition 9	<p>9.2 The ESCP shall include: ...</p> <p>(i) Monitoring must be in accordance with the Cultural Monitoring Framework.</p>	See Resource Consent LC.01 Proposed Condition 10.1(b).
	<p>(j) Monitoring should occur:</p> <ul style="list-style-type: none"> <li>• Weekly – checking ESC devices</li> <li>• Within 12 hours of a trigger event</li> </ul>	See Resource Consent Proposed Conditions LC.01 13.2(a) and (b).
	<p>...</p> <ul style="list-style-type: none"> <li>• Continually – at specified sites using turbidity monitors</li> <li>• Quarterly spot measurements for turbidity, pH and clarity</li> </ul>	NZTA does not consider this additional monitoring necessary to address the effects of the Project.
Condition 12	<p>12.2 SSESCPs shall include: ...</p> <p>(i) Monitoring must be in accordance with the Cultural Monitoring Framework</p> <p>(j) Monitoring should occur:</p> <ul style="list-style-type: none"> <li>• Weekly – checking ESC devices</li> <li>• Within 12 hours of a trigger event</li> </ul>	As above in response to amended Resource Consent Condition 9.

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	<ul style="list-style-type: none"> <li>• Continually – at specified sites using turbidity monitors</li> <li>• Quarterly spot measurements for turbidity, pH and clarity</li> </ul>	
Condition 13	13.2 The CMP shall include: ... (n) Maintenance, monitoring and reporting procedures, including cultural monitoring.	See Resource Consent LC.01 Proposed Condition 6.7 and 10.1(a).
	(o) Details on resourcing for cultural inductions, cultural monitoring, and other roles undertaken by Ngāti Taka.	See Resource Consent LC.01 Proposed Condition 10(a) and (b).
	(p) Tikanga to occur at key milestones, including a pre-start karakia to be undertaken prior to the commencement of works authorised by these resource consents. The details of this tikanga are to be agreed between the Consent Holder and Ngāti Taka.	See Resource Consent LC.01 Proposed Condition 15.2(f), and new Designation Condition CC2(f).
	(q) where opportunities to support the physical, mental, social and economic wellbeing of Ngāti Taka will be provided through the Project. This could include: <ul style="list-style-type: none"> <li>A. planting supplied through hapū and community based nurseries;</li> <li>B. local schools being involved in planting; and</li> <li>C. scholarships, cadetships and job creation.</li> </ul>	A. See Resource Consent LC.01 Proposed Condition 29.1(a). B. See Resource Consent LC.01 Proposed Condition 10.1(b). C. See the closing legal submissions at paragraphs [68]-[69].

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AA5	(a) The Authority Holder shall prepare an Archaeological Management Plan (AMP). The purpose of the AMP is to outline procedures for day-to-day activities that may affect archaeological sites.	See Proposed Archaeological Authority Condition AA3(a).
	(b) The AMP shall be prepared in accordance with New Zealand Transport Agency P45 Heritage specification for land transport infrastructure (April 2024), or any subsequent versions.	This Condition has been removed, the AMP will be submitted to HNZPT or written approval that it satisfies the requirements of Archaeological Authority Condition AA3(b).
	(bb) The AMP will be prepared in partnership with Ngāti Taka and in consultation with WBOPDC, BOPRC, HNZPT prior to the start of construction. The objective of the AMP is to protect archaeological sites and manage adverse effects on these as far as practicable during the construction programme.	See Proposed Archaeological Authority Conditions AA3(a), AA3(b)(iii) and AA4(b).
	(c) The AMP shall include: <ul style="list-style-type: none"> <li>i) Methods for the identifying and assessing potential archaeological sites within the Designation Boundary;</li> <li>ii) Identification of known archaeological sites, and potential archaeological sites within the Designation Boundary, in consultation with Ngāti Taka;</li> <li>iii) Roles, responsibilities and contact details of Project personnel, Ngāti Taka representatives, and relevant agencies involved with heritage and archaeological matters;</li> <li>iv) Details of a discovery protocol, which is to be codeveloped with Ngāti Taka;</li> </ul>	See Proposed Archaeological Authority Conditions AA3(b), AA4(b) and AA7.

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	<p>v) A formal plan for kōiwi discoveries, including designated sites for re-internment, which is to be co-developed with Ngāti Taka;</p> <p>vi) Methods for protecting or minimising adverse effects on heritage and archaeological sites within the Designation Boundary during Project Works as far as practicable (for example, fencing around heritage and archaeological sites to protect them from damage during Construction Works); vii) Training requirements for contractors and subcontractors on heritage and archaeological sites within the designation, and legal obligations relating to finds and incidental discoveries.</p> <p>(viii) How provision is to be made for a cultural induction programme of contractors' staff and subcontractors by Ngāti Taka. The frequency and content of these inductions are to be agreed between the Requiring Authority and Ngāti Taka;</p> <p>(ix) Provision for pre-investigation meetings between archaeologists and Ngāti Taka</p> <p>(i x) Provision for Ngāti Taka cultural monitoring to take place during archaeological investigations; and</p> <p>(ii xi) Procedures for reporting items, artifacts, and / or other archaeological finds to Ngāti Taka.</p> <p>(xii) Opportunities for Ngāti Taka to assist with archaeological investigations.</p> <p>(xiii) Requirements that tikanga is followed by all persons involved in the investigations.</p>	

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	<p>(d) At least 10 Working Days before submitting the AMP to HNZPT for certification in accordance with AA5(e), the AMP shall be provided to Ngāti Taka for review and comment. The Authority Holder shall consider any written feedback received from Ngāti Taka and incorporate suggestions from the written feedback as the Authority Holder considers appropriate. The AMP shall include a summary of written feedback received by Ngāti Taka and outline how feedback has been incorporated into the AMP and, if not, the reasons for that.</p>	<p>See Proposed Archaeological Authority Conditions AA3(b)(iii) and (iv).</p>
	<p>(e) At least 20 Working Days before starting Project Works, the AMP shall be submitted to HNZPT for certification that the AMP satisfies the requirements of AA5(a) and (b) and (bb).</p>	<p>See Proposed Archaeological Authority Condition AA3(c).</p>
	<p>(f) The certified AMP shall be implemented and complied with for the duration of the Archaeological Authority.</p>	<p>See Proposed Archaeological Authority Condition AA3(d).</p>
	<p>(g) The Authority Holder may update the AMP by submitting the amended AMP in writing to HNZPT for certification in accordance with AA5(e).</p>	<p>See Proposed Archaeological Authority Condition AA3(e).</p>
AA6	<p>... (b) At least 10 Working Days before submitting the Strategy to HNZPT for certification in accordance with AA6(c), the Strategy shall be provided to Ngāti Taka for review and comment. The Authority Holder shall consider any written feedback received from Ngāti Taka prior to providing the Strategy to HNZPT, as required in AA6(c), and incorporate suggestions from the written feedback as the Authority Holder considers appropriate. The Strategy shall include a summary of written feedback received from Ngāti</p>	<p>See Proposed Archaeological Authority Condition AA4(b).</p>

<b>Condition Reference</b>	<b>Proposed Amendment / New Condition Summary</b>	<b>NZTA's response</b>
	Taka, and outline how feedback has been incorporated into the Strategy and, if not, the reasons for that.	